

## NOVEMBER 29, 2007 BOARD MEETING TRANSCRIPTION

**CHAIR FARGO:**

GOOD MORNING. I'D LIKE TO CALL THE SACRAMENTO AREA FLOOD CONTROL AGENCY BOARD MEETING TO ORDER.

**AUDIENCE:**

WE CAN'T HEAR YOU

**DIRECTOR DICKINSON:**

IT'LL COME ON, IT'LL COME ON.

**VICE-CHAIR PETERS:**

IT SAYS IT'S ON.

**CHAIR FARGO:**

IT SAYS IT'S ON.

**DIRECTOR DICKINSON:**

THERE YOU GO.

**CHAIR FARGO:**

IS THAT BETTER? OKAY, THANK YOU FOR THAT. I DO WANT TO BE HEARD. GOOD MORNING TO EVERYONE. I'D LIKE TO CALL THE SACRAMENTO AREA FLOOD CONTROL AGENCY BOARD MEETING TO ORDER AND I'M GOING TO ASK OUR CLERK TO CALL THE ROLL SO WE CAN ESTABLISH A QUORUM. IT LOOKS LIKE WE'RE THERE BUT GO AHEAD.

**CLERK:**

DAN SILVA.

HERE

DAVID CHRISTOPHEL.

HERE

JOHN SHIELS.

HERE

BRIAN HOLLOWAY.

HERE

VIRGINIA MOOSE.

HERE

JIMMIE YEE.

HERE

ROBERTA MacGLASHAN.

HERE

DON NOTTOLI.

HERE

SUSAN PETERS.

HERE

ROGER DICKINSON.

HERE

STEVE COHN.

RAY TRETHERWAY.

HERE

HEATHER FARGO.

HERE

**CHAIR FARGO:**

WE DEFINITELY HAVE A QUORUM. OKAY, THIS MEETING IS BEING BROADCAST LIVE THIS MORNING. IT ALSO WILL BE REPLAYED ON CABLE CHANNEL 14 ON SATURDAY, DECEMBER 1st AT 1:00 P.M. IF ANYBODY WOULD LIKE TO TAKE A LOOK AT IT. IT IS ALSO BE WEB CAST ON SAC METRO CABLE dot TV, AND VHS COPIES ARE AVAILABLE FROM ANY OF THE LIBRARIES IF YOU WOULD LIKE TO CHECK ONE OUT TO REFER TO IT LATER. WE DO HAVE SPEAKER SLIPS IN THE BACK OF THE ROOM. MOST OF YOU SEEM TO HAVE FOUND THOSE, SO, NOT TO WORRY, BUT THEY ARE BLUE SLIPS THAT YOU WOULD NEED TO FILL IN AND TURN IN TO OUR CLERK SITTING HERE, AND WE WILL TRY TO ACCOMMODATE EVERYONE DURING THIS MEETING. WHY DON'T WE START WITH THE PLEDGE OF ALLEGIANCE? I'D LIKE TO ASK MR. DICKINSON TO LEAD US IN THE PLEDGE THIS MORNING IF HE WOULD.

**ALL:**

I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.

**CHAIR FARGO:**

OKAY. I WANT TO THANK YOU ALL FOR COMING TODAY. I UNDERSTAND THAT MANY OF YOU CARE ABOUT YOUR COMMUNITIES, YOUR NEIGHBORHOODS YOUR HOMES, AND THAT'S WHY A LOT OF YOU ARE HERE. THIS IS OUR REGULAR SAFCA BOARD MEETING, AND WE DO HAVE OTHER BUSINESS THAT WE WILL BE ATTENDING TO AS WELL BUT I RECOGNIZE THAT MOST OF YOU ARE HERE FOR THE PUBLIC HEARING DEALING WITH THE NATOMAS LEVEE IMPROVEMENT PROGRAM AND THAT IS OUR FIRST ITEM TODAY, AND WE WILL BE WORKING ON THAT ITEM, PROBABLY FOR A COUPLE OF HOURS. JUST TO KIND OF GIVE YOU THE LAY OF THE LAND HERE, IF YOU WILL, FOR HOW THE MEETING'S GOING TO BE HANDLED, STEIN BUER, OUR EXECUTIVE DIRECTOR IS GOING TO START THE STAFF PRESENTATION. WE ANTICIPATE, BECAUSE OF THE COMPLEXITY OF THE PROGRAM AND THE NEED TO MAKE SURE THAT THE RECORD IS CLEAR, THAT WE ARE PROBABLY GOING TO SPEND ABOUT AN HOUR OR SO ON STAFF PRESENTATIONS. STEIN WILL START THAT OFF AND WE HAVE A NUMBER OF BOTH STAFF MEMBERS AND CONSULTANTS THAT WILL TAKE US THROUGH THE PROJECT AND THE EIR SO THAT WE UNDERSTAND WHAT IS INCLUDED AND WHAT ISN'T, AND THEN WE WILL MOVE ON TO PUBLIC TESTIMONY. THIS IS OBVIOUSLY A VERY IMPORTANT PROJECT. IMPROVING THE LEVEES IN NATOMAS IS SOMETHING THAT WE HAVE BEEN WORKING ON SINCE THE LEVEES WERE FIRST BUILT OUT THERE IN 1911. WE HAVE BEEN FORTUNATE THAT SINCE 1911, THE NATOMAS AREA HAS NOT FLOODED, BUT WE CONTINUE TO BE REVIEWED AND ANALYZED BY NOT ONLY OURSELVES, THE DIFFERENT ORGANIZATIONS THAT MAINTAIN AND PROTECT THE LEVEES, BUT ALSO BY THE CORPS OF ENGINEERS, THE STATE RECLAMATION BOARD, THE FEDERAL EMERGENCY MANAGEMENT ASSOCIATION, ET CETERA. AND UNFORTUNATELY, THE WORK THAT WE HAD DONE ON THE GARDEN HIGHWAY EARLIER HAS BEEN DEEMED TO NOT BE COMPLETELY ADEQUATE. WE HAVE AN UNDERSEEPAGE PROBLEM, WHICH IS GOING TO BE DISCUSSED IN MUCH MORE DETAIL IN TERMS OF WHAT WE NEED TO DO. NOT ONLY TO PROTECT THE PEOPLE IN THE NATOMAS BASIN, WHICH ARE BETWEEN, I GUESS, 70 AND 80 THOUSAND PEOPLE NOW, BUT ALSO TO MEET THE REQUIREMENTS OF THE FEDERAL GOVERNMENT. SO WE DON'T COMPLETELY AGREE WITH EVERYTHING THE FEDERAL GOVERNMENT HAS TOLD US ABOUT THE NATOMAS BASIN, WE PROBABLY ARE NOT GOING TO GET INTO A LOT OF THAT TODAY, BUT WE DO HAVE TO MEET THE NEW CORPS STANDARDS AND AT THE SAME TIME DO WHAT WE CAN TO PROTECT THE PEOPLE WHO LIVE IN

HARM'S WAY. AND SO WE WILL BE LISTENING TO PUBLIC TESTIMONY AS WELL AS TO OUR STAFF'S PRESENTATION. WE WILL THEN AS A BOARD DELIBERATE WHAT WE CHOOSE TO, WHAT WE WILL DO TODAY. WE ARE HOPING TO GET TO A VOTE TODAY, AND WE'RE HOPING TO DO THAT BY NOON BECAUSE WE WILL START LOSING A QUORUM AT THAT POINT, I BELIEVE. SO WE NEED TO HOPEFULLY GET THROUGH AS MUCH OF THE TESTIMONY AND THE PRESENTATIONS AS WE CAN. SO WITH THAT, LET ME CALL ON STEIN BUER WHO IS GOING TO GIVE US OUR OPENING REMARKS AND KIND OF LAY OUT THE ORDER OF THE REST OF THE PRESENTATIONS.

**MR. BUER:**

YOU WANT TO CALL THE ITEM.

**CHAIR FARGO:**

OH, THANK YOU. WOULD YOU LIKE TO READ THE ITEM WE'RE TALKING ABOUT.

**CLERK:**

YES, I WILL.

**CHAIR FARGO:**

THANK YOU.

**CLERK:**

RESOLUTION NUMBER 07-105 NATOMAS LEVEE

**CHAIR FARGO:**

IS THAT A CELL PHONE ISSUE? ACTUALLY, I DIDN'T ASK YOU THAT. IF THERE IS ANYONE WITH A CELL PHONE OR PAGER IN THE ROOM, WE WOULD APPRECIATE THEM BEING TURNED TO OFF OR SILENT FOR THE MEETING. GOOD EXAMPLE, THANK YOU FOR WHOEVER IS SETTING THE EXAMPLE FOR THE REST OF THIS ROOM. OKAY.

**CLERK:**

RESOLUTION NUMBER 07-105, NATOMAS LEVEE IMPROVEMENT PROGRAM, A. CERTIFYING THE FINAL ENVIRONMENT IMPACT REPORT ON THE NATOMAS LEVEE IMPROVEMENT PROGRAM LANDSIDE IMPROVEMENTS PROJECT AND ADOPTING FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MEASURES AND MITIGATION MONITORING AND REPORTING PROGRAM, AND B. APPROVING THE 2008 CONSTRUCTION PROJECTS, CONSISTING OF THE NATOMAS CROSS CANAL SOUTH LEVEE PHASE 2 IMPROVEMENT PROJECT AND THE SACRAMENTO RIVER EAST LEVEE PHASE 1 IMPROVEMENT PROJECT, REACHES 1 THROUGH 4B.

**MR. BUER:**

MAY WE HAVE THE POWERPOINT, PLEASE, AND DROP THE LIGHTS JUST A TAD. GOOD MORNING, MAYOR FARGO AND MEMBERS OF THE BOARD. THIS PROPOSED ACTION REPRESENTS A CRITICAL MILESTONE IN SAFCA'S EFFORTS TO RESTORE 100 YEAR FLOOD PROTECTION FOR THE NATOMAS BASIN WITHIN THE NEXT THREE YEARS AND TO ACHIEVE 200-YEAR LEVEL FLOOD PROTECTION OVER TIME. AS YOU CAN SEE BY THE ATTENDANCE IN THE AUDITORIUM TODAY, FROM THE BEE ARTICLE THIS MORNING, THIS PROJECT HAS SPARKED A GREAT DEAL OF INTEREST IN THE COMMUNITY. OUR ACTIONS TODAY WILL BE FOLLOWED WITH INTENSE INTEREST ALSO BY THE 70,000-PLUS PEOPLE WHO LIVE AND WORK IN NATOMAS, BY THE RESIDENTS OF THE SACRAMENTO AREA WHO APPROVED THE FORMATION OF AN ASSESSMENT DISTRICT BY AN OVERWHELMING MAJORITY IN APRIL, BY OUR REGIONAL NEIGHBORS, BY THE STATE OF CALIFORNIA, AND THE FEDERAL GOVERNMENT. AS A METROPOLITAN REGION, NATIONALLY RECOGNIZED AS HAVING THE LOWEST LEVEL OF FLOOD PROTECTION OF ANY MAJOR U.S. CITY, WE HAVE A LOT AT STAKE TODAY. ACCORDINGLY, TODAY'S STAFF PRESENTATION, AS THE MAYOR INDICATED, IS NECESSARILY LENGTHIER AND MORE DETAILED THAN YOU TYPICALLY HEAR. I BEG YOUR PATIENCE AND INDULGENCE. BY PASSING RESOLUTION 07-105, YOU WILL ACCOMPLISH THE FOLLOWING: YOU WOULD CERTIFY THAT THE FINAL EIR HAS BEEN COMPLETED IN COMPLIANCE WITH CEQA AND REPRESENTS THE INDEPENDENT JUDGMENT OF SAFCA. YOU WOULD ADOPT THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATION FOR THE NATOMAS LEVEE IMPROVEMENT PROJECT LANDSLIDE IMPROVEMENTS AS SHOWN IN THE RESOLUTION EXHIBIT A. YOU WOULD ADOPT AND INCORPORATE INTO THE PROJECT ALL OF THE MITIGATION MEASURES WITHIN SAFCA'S JURISDICTION IDENTIFIED IN THE FINDINGS. YOU WOULD ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM DESCRIBED IN RESOLUTION EXHIBIT B. YOU WOULD APPROVE THE TWO CONSTRUCTION PROJECTS SLATED TO BEGIN IN 2008. THE NATOMAS CROSS CANAL SOUTH LEVEE

PHASE 2 IMPROVEMENT PROJECT AND THE SACRAMENTO RIVER EAST LEVEE PHASE 1 IMPROVEMENT PROJECT, REACHES 1 THROUGH 4B. I'LL PROVIDE A BRIEF HISTORICAL PERSPECTIVE, AND THEN MEMBERS OF THE BOARD, EXCUSE ME, THE MEMBERS OF OUR TEAM WILL PROVIDE A DETAILS ON THE TECHNICAL FINDINGS WHICH WOULD SUPPORT AN ACTION YOU WOULD TAKE TODAY. FIRST WE'LL HAVE ROBERTA CHILDERS OF EDAW, AND SHE WILL DESCRIBE THE PROJECT PHASING AND THE EIR APPROACH. NEXT WE WILL HAVE JOE COUNTRYMAN OF MBK ENGINEERS WHO WILL PRESENT THE HYDRAULIC ANALYSIS. NEXT WE'LL HAVE CHRIS KRIVANEC OF HDR WHO WILL DESCRIBE THE ALTERNATIVES, THE DESIGN ANALYSIS AND WAYS WE'VE DEALT WITH THE CONSTRUCTION IMPACTS. STEVE CHAINEY OF EDAW WILL DESCRIBE THE HABITAT MITIGATION AND ENHANCEMENT STRATEGY, AND ANDREW SCHWARTZ WILL DESCRIBE THE LAND ACQUISITION PROCESS. SEE IF I CAN WAKE THIS GUY UP NOW. A PREGNANT PAUSE HERE.

**METRO CABLE:**

MOUSE OR TOUCH PAD. IF THE MOUSE IS PLUGGED IN, YOU HAVE TO USE THE MOUSE.

**MR. BUER:**

OKAY, I'M GOING TO TALK A LITTLE BIT ABOUT THE HISTORY NOW. THE NATOMAS BASIN DATES BACK TO 1911 ACTUALLY WHEN RECLAMATION BEGAN AND SHORTLY THEREAFTER 1917, THE LEVEES WERE INCORPORATED INTO THE SACRAMENTO RIVER FLOOD CONTROL PROJECT AND WERE GRADUALLY IMPROVED OVER TIME. IN 1968, THE NATIONAL FLOOD INSURANCE PROGRAM WAS AUTHORIZED AND THE FLOOD MAPS WERE ISSUED IN 1978, INDICATING THAT NATOMAS HAD A BETTER THAN 100-YEAR LEVEL OF FLOOD PROTECTION. THE 1986 FLOOD LED TO A MAJOR SYSTEM REEVALUATION, AND A RECOGNITION THAT SACRAMENTO'S LEVEL OF FLOOD PROTECTION WAS SIGNIFICANTLY LOWER THAN HAD ORIGINALLY BEEN BELIEVED. AND IN 1989, THE SACRAMENTO REGION'S FLOODPLAIN WAS MAPPED INTO THE FLOOD HAZARD ZONE, THAT IS WITH LESS THAN 100-YEAR FLOOD PROTECTION. THE SAFCA ORGANIZATION WAS CREATED IN THAT SAME YEAR AND MOBILIZED QUICKLY IN CONJUNCTION WITH THE CORPS AND THE STATE TO BEGIN THE LEVEE IMPROVEMENTS NEEDED TO STRENGTHEN NATOMAS AND SACRAMENTO AREA LEVEES. THE PERIOD 1990 TO 1993 SAW THE LEVEES ALONG THE SACRAMENTO RIVER DRAMATICALLY IMPROVED THROUGH THE CONSTRUCTION OF SLURRY WALLS AND BERMS. FROM 1993 THROUGH 1998 SAFCA CONSTRUCTED THE NORTH AREA LOCAL PROJECT WHICH LED TO THE CERTIFICATION OF THE BASIN IN 1998. MAJOR FLOOD CONTROL LEGISLATION IN '96 AND '99 AUTHORIZED ADDITIONAL WORK. THE 1997 FLOOD WAS IN SOME RESPECTS ABOUT THE SAME SIZE AS '86, THE NATOMAS BASIN WEATHERED THAT FLOOD VERY WELL. THERE WERE SOME BOILS IN THE PRITCHARD LAKE AREA, BUT OVERALL, THE MASSIVE PROBLEMS THAT WE SAW IN '86 HAD BEEN DEALT WITH. NEVERTHELESS, IT CAUSED THE CORPS AND OTHERS TO REASSESS THE PROBLEMS THAT THE VALLEY LEVEES HAD, PARTICULARLY WITH REGARD TO DEEP LEVEE UNDERSEEPAGE CONDITIONS. CORPS IN 1999 LAUNCHED AN ASSESSMENT TO STUDY THE IMPACT OF THIS UNDERSEEPAGE, AND IN 2000, THE CORPS INITIATED A STUDY OF WHAT WAS NEEDED IN NATOMAS TO IMPROVE THE LEVEES THERE. AND IN FACT, LET'S SEE IF I CAN, IT FALLS ASLEEP PRETTY FAST. OKAY, CONTINUING WITH THE HISTORY JUST A LITTLE BIT LONGER. SINCE 2002, THE CORPS CONDUCTED PUBLIC SCOPING MEETINGS ABOUT NEEDED IMPROVEMENTS ALONG THE NATOMAS LEVEES, AND IN FACT LAID OUT THE NEED FOR MASSIVE WATER SIDE, LAND SIDE BERMS TO PROTECT AGAINST UNDERSEEPAGE. THERE'S STILL SOME CONFUSION ABOUT THE TECHNICAL CRITERIA THAT WERE THE BASIS FOR THE CORPS' CONCLUSIONS, AND AS A RESULT OF DISCUSSIONS ABOUT THE TECHNICAL ADEQUACY, THE CORPS LAUNCHED A LEVEE TASK FORCE BRINGING IN EXPERTS FROM AROUND THE COUNTRY TO DETERMINE WHAT THE CRITERIA SHOULD BE. AND IN 2004, ADOPTED A STANDARD OPERATING PROCEDURE FOR GEOTECHNICAL LEVEE PRACTICE. BASED ON THAT, SAFCA INITIATED PLANNING FOR A NATOMAS LEVEE EVALUATION PROGRAM IN THE FALL OF 2004, AND WITH YOUR CONSENT, AGAIN, THE STUDY IN 2005 COMPLETED IT IN FEBRUARY, PRESENTED TO YOU PRELIMINARY FINDINGS IN FEBRUARY 2006, AND COMPLETED THE INVESTIGATION IN JULY OF 2006 WITH THE RECOMMENDATION THAT WE MOVE FORWARD SWIFTLY TO ADDRESS THE SERIOUS UNDERSEEPAGE PROBLEMS THAT WE HAVE IDENTIFIED. SO WE HAVE, ALONG WITH THAT, RECOGNIZED THAT WE NEED TO CREATE A FINANCING MECHANISM FOR NOT JUST NATOMAS BUT ALSO THE OTHER MAJOR IMPROVEMENTS THAT NEED TO BE MADE AND LAUNCH THAT PROCESS AS WELL. IF WE COULD TAKE DOWN THE POWERPOINT FOR JUST A MOMENT AND USE THE OVERHEAD, I WOULD APPRECIATE THAT. BOARD MEMBERS, YOU HAVE A COPY OF THIS HERE, I'M SHOWING IT FOR THE AUDIENCE AS WELL. THIS IS A SUMMARY OF THE OUTREACH PROCESS THAT HAS PROCEEDED AND CONTINUED THROUGH THE PRESENTATION OF THE MATERIAL THAT IS BEFORE YOU TODAY.

**CHAIR FARGO:**

THIS IS FOR THE BOARD, IT WAS ON THE STACK OF NEW INFORMATION THAT'S PROBABLY NOW UNDER YOUR BINDERS.

**MR. BUER:**

I'M JUST GOING TO QUICKLY IDENTIFY THESE ITEMS. IF YOU WANT, WE CAN DISCUSS THEM IN MORE DETAIL. THERE'S A SERIES OF DIFFERENT KINDS OF OUTREACH ACTIVITIES. WE BEGAN IN JUNE OF 2006 WITH LETTERS FOR RIGHT OF ENTRY PERMISSION FOR ENVIRONMENTAL AND GEOTECHNICAL PLANNING TO ALL LANDS AND WATER SIDE PROPERTY OWNERS FROM I-5 TO THE NATOMAS CROSS CANAL. IN OCTOBER, WE BEGAN PERSONAL ONE-ON-ONE MEETINGS WITH ALL PROPERTY OWNERS WITHIN THE FOOTPRINT OF THE 2008 CONSTRUCTION. AND I THINK THIS IS A POINT WE'RE GOING TO COME BACK TO SEVERAL TIMES IN OUR PRESENTATION TODAY. THE ACTION YOU TAKE TODAY WOULD ONLY APPROVE CONSTRUCTION FOR 2008, WHICH IS THE NORTHERNMOST PORTION OF THE NATOMAS BASIN AND THE NATOMAS CROSS CANAL. THERE WILL BE SUBSEQUENT STUDIES AND PROCESSES TO DEAL WITH THE DETAILS OF THE FOLLOWING YEARS.

**CHAIR FARGO:**

STEIN, BEFORE YOU MOVE ON, WOULD YOU JUST REPEAT THAT ONE MORE TIME, BECAUSE I THINK THAT'S A CRITICAL POINT FOR A NUMBER OF PEOPLE IN THE ROOM. WHAT WE ARE APPROVING TODAY WOULD COVER WHAT PORTION OF THE IMPROVEMENTS?

**MR. BUER:**

THIS SLIDE SHOWS THE PORTION OF THE WORK THAT WE WOULD BE APPROVING TODAY TO TAKE THAT ACTION. THE ORANGE SHOWS THE NATOMAS CROSS CANAL AND THE FIRST ABOUT FOUR MILES OF THE NATOMAS BASIN LEVEE ALONG THE SACRAMENTO RIVER, JUST SOUTH OF THE SACRAMENTO COUNTY LINE.

**CHAIR FARGO:**

OF THE COUNTY LINE? OKAY.

**MR. BUER:**

SO WE WOULD ALSO BE MOVING THE ELKHORN CANAL OUT OF THE WAY, IN THE REACH, REACHING DOWN TO ABOUT TEAL BEND GOLF COURSE. BUT ALL THE OTHER WORK IS FOR SUBSEQUENT YEARS AND WILL BE ADDRESSED IN SUBSEQUENT DETAIL, PROJECT LEVEL EIRs.

**CHAIR FARGO:**

OKAY. THANK YOU.

**DIRECTOR NOTOLLI:**

MADAME CHAIR? JUST A QUESTION HERE AS IT RELATES TO THE CHART THAT YOU HAD UP A MOMENT AGO, SO THE FINAL DRAFT EIR WAS ISSUED ON THE 19th OR THE 16th? NEXT PAGE.

**MR. BUER:**

OKAY. IT WAS ISSUED ON THE 19th.

**DIRECTOR NOTOLLI:**

AND SO, DO WE MEET THE TEN DAY REQUIREMENT BY MEETING TODAY? YOU ISSUED ON THE 19TH, THAT'S NOT, 10 DAYS HAVEN'T PASSED. TODAY IS THE TENTH DAY, CORRECT?

**MR. WASHBURN:**

THE REQUIREMENT IS TEN DAYS' NOTICE TO PUBLIC AGENCIES, WHICH WE DID MEET. THERE'S NO STATUTORY NOTICE FOR OTHER THAN PUBLIC AGENCIES.

**DIRECTOR NOTOLLI:**

SO, COMMENTERS EVEN THOUGH YOU PROVIDED THEM A COPY, I ASSUME, THAT IS A COURTESY COPY UNDER WHAT YOU JUST SAID TIM. THERE'S NO REQUIREMENT TO GIVE THE COMMENTERS BEFORE AN ACTION TO CERTIFY?

**MR. WASHBURN:**

NO.

**MR. BUER:**

WE HAVE CAREFULLY INVESTIGATED IT, SO WE HAVE GONE WELL BEYOND COMPLIANCE IN TERMS OF CEQA COMPLIANCE HERE AND IN FACT SCRAMBLED TO GET THE INFORMATION OUT TO THE COMMUNITY ESSENTIALLY TEN DAYS AHEAD OF TIME. WE HAD IT ON THE WEB ON THE AFTERNOON OF THE 19th BY 4:30.

**DIRECTOR NOTOLLI:**

NO, AND I UNDERSTAND THE URGENCY REGARDING THE FLOOD PROTECTION AND SO FORTH. AGAIN, I JUST, AGAIN IT JUST KIND OF CONCERNED ME, THE NUMBER OF COMMENTS, AGAIN WE'RE GOING TO RECEIVE COMMENTS TODAY ON THE RECORD, AND WE HAVE RECEIVED BUNDLES OF THEM BETWEEN THE 19th AND THIS MORNING, IN FACT AS EARLY AS THIS MORNING WE ARE STILL RECEIVING COMMENTS. I WAS CURIOUS ABOUT HOW WE HAVE THE OPPORTUNITY TO RESPOND TO ALL OF THAT, AND THEN GIVE PEOPLE A CHANCE TO DIGEST THE RESPONSES TO THEIR COMMENTS AS WELL, PARTICULARLY WHEN WE EMAILED IT OUT. AGAIN, I KNOW THAT YOU CAN'T PREDICT WHEN HOLIDAYS ARE GOING TO HIT AND SO FORTH BUT WE MAILED IT OUT DURING THE THANKSGIVING WEEKEND.

**MR. WASHBURN:**

WELL WE, THE COMMENT PERIOD CLOSED ON THE 29th OF OCTOBER. THE STATUTE REQUIRES THAT YOU RESPOND TO PUBLIC AGENCY COMMENTS TEN DAYS PRIOR TO ACTING ON THE FINAL EIR, GIVING THE PUBLIC AGENCIES A CHANCE TO ALTER THEIR COMMENTS SHOULD THEY DESIRE. THERE'S NO STATUTORY REQUIREMENT ON NOTICE OR PUBLICATION OF FINAL EIR FOR COMMENTORS PRIOR TO ACTING ON FINAL EIR. SO, WHAT WE DID IN THIS CASE, RECOGNIZING THE INTERESTS IN THE PROJECT, WAS TO GET THE FINAL EIR OUT BY MAIL, ON THE WEB TO EVERY COMMENTER ON MONDAY, THE 19th.

**DIRECTOR NOTOLLI:**

OKAY. AGAIN, I APPRECIATE THAT, AND I RESPECT THE PUBLIC AGENCIES GETTING NOTICE. I THINK THAT CERTAINLY THE PUBLIC THAT PAYS THE SALARIES OF EVERYBODY ON PUBLIC AGENCIES, INCLUDING ALL OF US, YOU KNOW, I'M CERTAINLY, YOU KNOW NEED TO HAVE TIME AND I THINK THAT WE'VE DONE OUR BEST RECOGNIZING SOME OF THE LIMITATIONS AND THE URGENCY THAT STAFF BRINGS US TO AT THIS, I JUST WANT TO BE CLEAR BECAUSE AS I PILE THROUGH THIS AND CONTINUE TO GET THE E-MAILS AS RECENTLY AS THIS MORNING BEFORE I CAME DOWN HERE, A LOT OF THEM ARE THE SAME CONTENT. NONETHELESS, THEY ARE STILL RELEVANT TO OUR CONSIDERATION HERE TODAY. SO I WANT TO BE SURE ABOUT THE TIME FRAME, SO.

**CHAIR FARGO:**

THANK YOU, DON. ONE OF THE REASONS WHY I ASKED STEIN TO PREPARE THIS LISTING AND TO GO OVER IT THIS MORNING WAS BECAUSE THAT IS A COMMENT WE HAVE HEARD OVER AND OVER, BUT I DO KNOW, AND I UNDERSTAND WE HAVE MET THE LEGAL LETTER OF THE LAW, AND THAT IS APPROPRIATE AND IMPORTANT AND MANDATORY. BUT WE HAVE TRIED TO GO BEYOND THAT GIVEN THE NUMBER OF PEOPLE THAT ARE INTERESTED. IT'S PRETTY CLEAR THAT A LOT OF PEOPLE DID KNOW, AND ARE HERE, SO, AND HAVE RESPONDED, WHICH IS VERY HELPFUL. SO WITH THAT, STEIN, GO AHEAD.

**MR. BUER:**

YES, SO, IN CONCLUSION, WE ARE SOME HOURS SHORT OF THE FULL TEN DAYS THAT WE HOPE TO PROVIDE PEOPLE. THE NOTES HIGHLIGHTED IN YELLOW ARE THE STATUTORY REQUIRED ELEMENTS STARTING WITH THE NOTICE OF PREPARATION, A PUBLIC SCOPING MEETING, A PREPARATION OF THE DRAFT EIR THEN NOTICE OF AVAILABILITY, WHICH WAS MAILED OUT TO ABOUT 950 AFFECTED HOMEOWNERS AND BUSINESSES AND AGENCIES. THE PUBLIC BOARD MEETING ON THE 18th, AND THEN AS WE TALKED ABOUT, THE RELEASE OF THE FINAL EIR ON THE 19th. THESE OTHER ENTRIES REPRESENT MEETINGS AND TRIPS OUT TO THE GARDEN HIGHWAY TO DISCUSS THE ISSUES WITH PEOPLE. IF YOU WOULD LIKE, I CAN GO THROUGH EACH AND EVERY ONE OF THESE, BUT I THINK WHAT THIS LIST INDICATES IS THAT WE HAVE HAD VERY EXTENSIVE CONTACTS WITH PEOPLE WHO HAVE AN INTEREST IN THE PROJECT. OBVIOUSLY, WE HAVEN'T SATISFIED EVERYONE, BUT CERTAINLY IT'S BEEN AN EXTRAORDINARY EFFORT AND WE ARE MORE THAN HAPPY TO CONTINUE DOING THAT. WOULD YOU LIKE ME TO GO THROUGH EACH OF THESE ELEMENTS IN DETAIL?

**CHAIR FARGO:**

NO, I DON'T THINK THAT'S NECESSARY. I APPRECIATE THE LISTING. DO YOU WANT HIM TO, ROGER?

**DIRECTOR DICKINSON:**

NO, I SAID I REALLY WISH HE WOULDN'T.

**CHAIR FARGO:**

OKAY. THANK YOU FOR THAT OFFER, BUT WE WILL MOVE ON.

**MR. BUER:**

OKAY. WELL, WITH THAT, I THINK THIS WOULD BE A GOOD TIME TO BEGIN THE TECHNICAL PRESENTATIONS. AND I WOULD ASK ROBERTA CHILDERS TO COME UP AND BEGIN TALKING ABOUT THE PROGRAM VERSUS PROJECT LEVEL.

**CHAIR FARGO:**

GREAT.

**CHAIR FARGO:**

IS IT BEST FOR HER TO STAND IN THE MIDDLE?

**VICE-CHAIR PETERS:**

YES, STAND IN THE MIDDLE AND PULL BOTH MICROPHONES TOWARDS THE CENTER.

**CHAIR FARGO:**

PULL BOTH MICROPHONES TOWARDS THE CENTER. THAT GETS THE BEST COVERAGE HERE.

**MS. CHILDERS:**

I'M ROBERTA CHILDERS, THE PROJECT MANAGER FOR EDAW ON THE NATOMAS LEVEE IMPROVEMENT PROGRAM, LAND SIDE IMPROVEMENTS PROJECT. EDAW HAS PROVIDED COMPREHENSIVE ENVIRONMENTAL PLANNING AND ENVIRONMENTAL COMPLIANCE SERVICES TO SAFCA AND PREPARED THE EIR ON THE LANDSIDE IMPROVEMENTS PROJECT. IN PROVIDING THESE SERVICES, WE ARE DRAWING ON A WEALTH OF EXPERIENCE IN THIS TYPE OF WORK. EDAW IS AN ENVIRONMENTAL PLANNING AND DESIGN FIRM THAT WAS FOUNDED ALMOST 70 YEARS AGO. WE HAVE EXTENSIVE EXPERIENCE IN RESOURCE MANAGEMENT AND IN ENVIRONMENTAL COMPLIANCE AND IMPACT ANALYSIS. WE HAVE A STRONG PRESENCE LOCALLY, NATIONALLY, AND INTERNATIONALLY. WE WORK WITH A WIDE VARIETY OF PUBLIC AND PRIVATE SECTOR CLIENTS ON A VERY BROAD RANGE OF ENVIRONMENTAL COMPLIANCE AND PLANNING AND DESIGN ISSUES. EDAW HAS PREPARED MORE THAN 2500 ENVIRONMENTAL COMPLIANCE DOCUMENTS, MANY OF THEM FOR HIGH PROFILE AND CONTROVERSIAL PROJECTS. I HAVE ABOUT 14 YEARS OF EXPERIENCE PREPARING ENVIRONMENTAL DOCUMENTS. THE LAST SEVEN OF THOSE WERE MANAGING ENVIRONMENTAL COMPLIANCE ON MAJOR WATER RESOURCE AND FLOOD CONTROL PROJECTS. THOSE INCLUDE THE YUBA-FEATHER SUPPLEMENTAL FLOOD CONTROL PROJECT FOR YUBA COUNTY WATER AGENCY, THE BEAR RIVER LEVEE SETBACK PROJECT FOR THREE RIVERS LEVEE IMPROVEMENT AUTHORITY, CONTRA COSTA WATER DISTRICT'S ALTERNATIVE INTAKE PROJECT IN THE DELTA, A NUMBER OF WATER RIGHT AND WATER TRANSFER PROJECTS IN ADDITION TO WORK FOR SAFCA IN THE NATOMAS BASIN. MOST OF THOSE PROJECTS ENTAILED SOME FORM OF CEQA COMPLIANCE. I REPRESENT A LARGE TEAM OF ENVIRONMENTAL COMPLIANCE PRACTITIONERS IN A WIDE RANGE OF TECHNICAL DISCIPLINES, MANY OF THEM WITH YEARS OF EXPERIENCE WORKING ON NATOMAS BASIN ISSUES WHO CONTRIBUTED TO PREPARING THE EIR ON THE LANDSIDE IMPROVEMENTS PROJECT. THE EIR WAS PREPARED IN COMPLIANCE WITH THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OR CEQA. THE PROJECT EVALUATED IN THE EIR COVERS -- THE PROJECT IS PROPOSED TO BE CONSTRUCTED IN PHASES, AS STEIN INDICATED, FROM 2008 THROUGH 2010. STEIN HAS ALREADY GONE OVER THIS MAP, SO I WON'T GO OVER IT AGAIN IN DETAIL. THE ORANGE AREAS SHOWN IN THE NORTHERN PART OF THE BASIN ARE THE 2008 CONSTRUCTION PHASE. AND THE 2009 AND 2010 ARE SHOWN IN BLUE AND GREEN, AND THERE'S ALSO A SMALL AREA SHOWN WHERE SAFCA COMPLETED WORK IN 2007 ON THE NATOMAS CROSS CANAL SOUTH LEVEE. THE EIR IS A COMBINED PROGRAM LEVEL AND PROJECT LEVEL DOCUMENT. I HAVE BEEN ASKED TO BRIEFLY DESCRIBE THE COMBINED PROGRAM AND PROJECT LEVEL APPROACH AND HOW IT RELATES TO THE PROJECT PHASING. PROGRAM LEVEL CEQA ANALYSIS IS USED TO EVALUATE A SERIES OF ACTIONS THAT CAN BE CHARACTERIZED AS ONE LARGE PROJECT AND THAT ARE RELATED GEOGRAPHICALLY AS LOGICAL PARTS IN THE CHAIN OF CONTEMPLATED ACTIONS OR AS INDIVIDUAL ACTIVITIES CARRIED OUT UNDER THE SAME AUTHORITY AND HAVING SIMILAR ENVIRONMENTAL AFFECTS THAT CAN BE MITIGATED IN SIMILAR WAYS. AND THESE RELATIONSHIPS ALL APPLY TO THE PHASES OF THE LANDSIDE IMPROVEMENTS PROJECT. WE EVALUATED ALL PHASES OF THE PROJECT, THE COMPLETE PROJECT, AS ONE LARGE PROJECT AT A GENERAL PROGRAMMATIC LEVEL OF DETAIL. THIS PROGRAMMATIC APPROACH IN THE EIR ENABLED US TO CONSIDER BROAD POLICY LEVEL ISSUES FOR THE PHASED PROJECT AS A WHOLE. THOSE INCLUDE CONSIDERATION OF THE FUNDAMENTAL ALTERNATIVE APPROACHES TO MEETING THE PROJECT OBJECTIVES. IN OTHER WORDS, THE BROAD PROJECT ALTERNATIVES THAT ARE DESCRIBED IN THE EIR. THE GENERAL CHARACTERISTICS OF THE FULL RANGE OF IMPACT TYPES THAT COULD RESULT FROM THE PROJECT AS A WHOLE, AND THE CUMULATIVE IMPACTS TO WHICH ALL PHASES OF THE PROJECT MAY CONTRIBUTE. THE TEAM WORKED VERY HARD TO PROVIDE AS GREAT A LEVEL OF DETAIL AS POSSIBLE FOR THIS PROGRAM ANALYSIS, IT IS A

FAIRLY DETAILED PROGRAM ANALYSIS. SO THAT WE COULD APPROPRIATELY ACCOUNT FOR THE FULL RANGE OF SIGNIFICANT EFFECTS THAT COULD RESULT FROM PROJECT IMPLEMENTATION, RECOGNIZING, HOWEVER, THAT ADDITIONAL DETAIL WOULD BE NEEDED TO MORE FULLY DESCRIBE SOME OF THE PROJECT COMPONENTS. THE TEAM DEVELOPED THAT HIGHER LEVEL OF DETAIL FOR THE 2008 CONSTRUCTION COMPONENTS, FOR THE 2008 PHASE THAT IS, AND EVALUATED THE IMPACTS OF THE 2008 PHASE IN MORE DETAIL OR WHAT WE REFER TO AS A PROJECT LEVEL OF ANALYSIS. A PROJECT LEVEL CEQA ANALYSIS IS A DETAILED EXAMINATION OF THE IMPACTS OF A SPECIFIC PROPOSAL, USUALLY AN ACTIVITY SUCH AS CONSTRUCTION OF SOMETHING. IT PROVIDES A LEVEL OF DETAIL THAT'S SUFFICIENT TO INFORM THE DECISION MAKERS AND THE PUBLIC GENERALLY OF THE SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE ACTIVITY SO THAT AN INFORMED DECISION CAN BE MADE ABOUT WHETHER TO GO FORWARD WITH IMPLEMENTING THAT ACTIVITY. JUST REFERRING BACK TO THE MAP, AGAIN, THE EIR IS A COMBINED PROGRAM LEVEL AND PROJECT LEVEL EIR. AND THE PROJECT LEVEL ANALYSIS REFERS TO THOSE ASPECTS OF THE LEVEE IMPROVEMENTS THAT ARE SHOWN IN ORANGE, THE 2008 PHASE, AND THE CANAL CONSTRUCTION THAT'S SHOWN IN ORANGE ON THE MAP. THE AREAS OF THE LEVEE AND CANAL IMPROVEMENTS THAT ARE SHOWN IN BLUE AND GREEN ARE COVERED IN THE EIR AT A PROGRAM LEVEL. TREATING THE 2008 PHASE AT A PROJECT LEVEL IN THE EIR PROVIDES THE SAFCA BOARD WITH THE ENVIRONMENTAL INFORMATION NEEDED TO SUPPORT THE DECISION WHETHER TO APPROVE CONSTRUCTION OF THE 2008 PHASE. IT ALSO PROVIDES THE INFORMATION THAT'S NEEDED TO SUPPORT DECISIONS BY SEVERAL OTHER PUBLIC AGENCIES ON WHETHER TO ISSUE PERMITS AND APPROVALS THAT ARE NEEDED FOR IMPLEMENTATION OF THE 2008 PHASE, AND THESE INCLUDE THE RECLAMATION BOARD DECISION ON WHETHER TO PERMIT THE 2008 CONSTRUCTION. ALSO, CALIFORNIA DEPARTMENT OF FISH AND GAME PERMITTING DECISIONS AND REGIONAL WATER QUALITY CONTROL BOARD WATER QUALITY CERTIFICATION DECISION MAKING. THE PROJECT LEVEL ANALYSIS ALSO PROVIDES A BASIS OF THE MATERIAL THAT WILL BE USED BY THE CORPS OF ENGINEERS TO DO THEIR OWN COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT, NEPA, THAT'S REQUIRED TO SUPPORT THE CORPS DECISIONS UNDER THE CLEAN WATER ACT, SECTION 404 FOR THE 2008 CONSTRUCTION, AND THE SECTION 408 PERMISSION TO ALTER THE FEDERAL PROJECT LEVEE FOR THE 2008 CONSTRUCTION. TREATING THE 2009 AND 2010 PHASES AT A GENERAL OR PROGRAM LEVEL PROVIDES THE BOARD WITH THE ENVIRONMENTAL INFORMATION NEEDED TO SUPPORT POLICY LEVEL CHOICES REGARDING THE PHYSICAL CONFIGURATION OF THOSE PHASES OF THE PROJECT. AS DESCRIBED IN THE EIR, BEFORE MAKING A DECISION TO GO FORWARD WITH THE 2009 AND 2010 PHASES, SAFCA WILL PREPARE ANOTHER EIR TO ANALYZE THE SIGNIFICANT IMPACTS OF THOSE PHASES AT A PROJECT LEVEL OF DETAIL. IT WILL LIKELY BE COMBINED, WE ANTICIPATE THAT IT WILL BE COMBINED, WITH CORPS' NEPA COMPLIANCE, THAT THERE WILL BE A JOINT EIR/EIS ON THE 2009 AND 2010 CONSTRUCTION PHASES, AND THAT DOCUMENT WILL AGAIN SUPPORT THE SAFCA BOARD'S DECISION ON WHETHER TO GO FORWARD WITH THE 2009 AND 2010 CONSTRUCTION PHASES, AND ALSO SEVERAL PERMITTING DECISIONS AND THE RECLAMATION BOARD AND CORPS OF ENGINEER DECISIONS ON THE 2009-2010 PHASES. THIS LAST SLIDE THAT I'M SHOWING IS A SUMMARY TIME LINE OF THE ADDITIONAL ENVIRONMENTAL ANALYSIS UNDER CEQA AND NEPA THAT WE ANTICIPATE. WE EXPECT THE CORPS TO CONDUCT SCOPING FOR THE EIS ON THE 2008 PHASE IN JANUARY OF 2008 TO COMPLETE THEIR DRAFT AND FINAL EIS PROCESSES AND ISSUE A RECORD OF DECISION IN SPRING 2008 ON THE 2008 PHASE. WE ANTICIPATE PREPARING A JOINT EIR/EIS ON THE 2009-2010 PHASES IN SUMMER 2008, AND TO COMPLETE A DRAFT EIR IN THE FALL AND THE FINAL EIR/EIS IN WINTER 2008. AND THAT CONCLUDES MY PRESENTATION ON THE EIR PHASING PROCESS AND THE EIR APPROACH.

**CHAIR FARGO:**

THANK YOU, ROBERTA. NEXT WE WILL BE HEARING FROM JOE COUNTRYMAN, I BELIEVE.

**MR. COUNTRYMAN:**

GOOD MORNING. I'M JOE COUNTRYMAN. I OVERSAW AND PARTICIPATED IN THE HYDRAULIC ANALYSIS FOR THIS PROJECT, DEVELOPED THE DESIGN FLOW ON THE TOP OF LEVEE. I WANT YOU TO KNOW THAT I HAVE 41 YEARS OF EXPERIENCE WORKING ON THE SACRAMENTO RIVER FLOOD CONTROL PROJECT, 21 YEARS OF THAT EXPERIENCE IS WITH THE CORPS OF ENGINEERS. WHEN I LEFT THE CORPS OF ENGINEERS IN 1988, I WAS CHIEF OF DESIGN AT THE CORPS OF ENGINEERS. IN 1986, I HAD THE RESPONSIBILITY OVERSEEING THE OPERATION OF FOLSOM DAM DURING THE 1986 FLOOD AND AS MANY OF YOU MAY KNOW WE WERE WITHIN A COUPLE HOURS OF POTENTIALLY FLOODING SACRAMENTO. THE GRAVITY OF THAT SITUATION HAS NEVER LEFT ME. I HAVE WORKED TIRELESSLY TO PROTECT SACRAMENTO FROM EVER HAVING TO SEE THAT. SO I WANT TO JUST GIVE YOU THE CONTEXT OF MY PRESENTATION I TAKE VERY, VERY SERIOUSLY. THE LAST 20 YEARS, I HAVE BEEN AT MBK ENGINEERS, I'M THE PRESIDENT OF MBK ENGINEERS. I HAVE SERVED AS AN EXPERT WITNESS ON NEARLY ALL OF THE MAJOR FLOOD CASES IN THE STATE, INCLUDING PATERNO, AIKENS, AND ON THE PAJARRO RIVER. SO, THROUGH THAT EXPERIENCE, I ALSO UNDERSTAND



WHAT HAPPENS WHEN A SYSTEM FAILS, WHEN A LEVEE SYSTEM FAILS AND WHAT THE CONSEQUENCES ARE. AND AGAIN, THIS HAS LED ME TO BE VERY, VERY SERIOUS ABOUT THE WORK THAT I DID ON THIS PROJECT. I SHOULD HAVE HAD THAT UP THERE. THE SACRAMENTO RIVER FLOOD CONTROL PROJECT IS ABOUT 600 MILES OF CHANNEL, 1200 MILES OF LEVEE, AND INCLUDES RIVER BYPASSES, DIVERSION WEIRS. IT'S VERY COMPLEX. IT WAS A STATE OF THE ART DESIGN IN THE EARLY 1900s WHEN IT CAME FORTH. IT HAD SOME PREMISES. ONE OF THE PREMISES WAS THAT NOBODY IN THE SYSTEM WOULD RELY ON SOMEBODY ELSE'S FAILURE FOR PROTECTION. THERE WAS NO SUCH ANALYSIS OF THE SACRAMENTO RIVER FLOOD CONTROL PROJECT. IT WAS BASED ON THE ASSUMPTION THAT PEOPLE WOULD NOT HAVE TO RELY ON SOMEBODY ELSE'S LEVEE FAILURE FOR THEIR PROTECTION. SECONDLY, IT WAS BASED ON A DESIGN OF A PARTICULAR FLOW, A PARTICULAR CALCULATED WATER ELEVATION, AND A SET AMOUNT OF FREEBOARD ABOVE THAT CALCULATED WATER SURFACE ELEVATION. AND I'LL BE SHOWING YOU THAT PROFILE FOR THE NATOMAS AREA SOON. IF WE NARROW THIS DOWN TO OUR AREA, THE FEATURES THAT PARTICULARLY AFFECT THE WATER SURFACE ELEVATIONS FOR THE SACRAMENTO AREA AND THE NATOMAS IN PARTICULAR, INCLUDE THE FREMONT WEIR, WHICH TAKES THE WATER APPROACHING THE SACRAMENTO AREA FROM THE NORTH AND DIVERTS THE WATER TO THE YOLO BYPASS. DURING FLOOD PERIODS, THE YOLO BYPASS CARRIES ABOUT FIVE TIMES THE AMOUNT OF WATER THAT THE SACRAMENTO RIVER CARRIES. THAT'S A VERY IMPORTANT PIECE OF INFORMATION BECAUSE AS FLOODS GET LARGER AND LARGER, THE MAJORITY, THE VAST MAJORITY OF THE WATER IS DIVERTED TO THE YOLO BYPASS. OTHERWISE, THE SACRAMENTO RIVER WOULD NEVER BE ABLE TO CONTAIN THE FLOW THAT WOULD BE COMING OUR WAY. THE OTHER FEATURES ARE THE NATOMAS CROSS CANAL, WHICH COLLECTS ALL THE WATER FLOWING FROM THE EAST TOWARDS THE NATOMAS BASIN. IT COLLECTS THAT WATER, AND THEN DISCHARGES IT THROUGH THE CROSS CANAL TO THE SACRAMENTO RIVER. AND THEN DOWN AT THE SOUTH END OF THE BASIN, VERY, VERY IMPORTANT FEATURE, THE SACRAMENTO WEIR WHICH DIVERTS BASICALLY EXCESS AMERICAN RIVER WATER, IT TAKES THAT WATER, IT MOVES IT NORTH, ACTUALLY UPSTREAM IN THE SACRAMENTO RIVER AND DISCHARGES THAT WATER INTO THE YOLO BYPASS. NOW, OUR HYDRAULIC MODELING INCLUDES ALL OF THESE FEATURES. IT INCLUDES THE OPERATION OF THE RESERVOIRS. IT INCLUDES, AGAIN, ALL 600 MILES OF THE RIVER. WE DIDN'T JUST CUT OUT A PIECE AND MODEL JUST THIS LOWER PIECE. WE MODELED THE ENTIRE SYSTEM AS A WHOLE. WE KNOW WHAT THE IMPACTS TO THE SYSTEM ARE AS A WHOLE. AS PART OF THE MODEL CALIBRATION, WE HAD AN ADVANTAGE THAT MANY HYDRAULIC ENGINEERS DO NOT EVER HAVE, AND THAT IS RECENT INFORMATION ON THE LARGEST FLOOD THAT'S OCCURRED IN 150 YEARS. THAT'S THE JANUARY 1997 FLOOD EVENT. I PERSONALLY WENT OUT AND STAKED HIGH WATER MARKS IN THIS AREA. SO DID THE STATE, SO DID THE CORPS OF ENGINEERS. WE HAD ALL OF THAT INFORMATION AVAILABLE TO US TO CALIBRATE OUR HYDRAULIC MODEL TO ASSURE THAT IT WAS REPRODUCING WHAT WAS ACTUALLY HAPPENING OUT THERE. THIS ISN'T JUST SOME MATHEMATICAL EXERCISE THAT DOESN'T HAVE A FOUNDATION, NO IT DOES HAVE A FOUNDATION AND WE VERY CAREFULLY CALIBRATED THAT MODEL SO IT WOULD REPRESENT THE CONDITIONS THAT EXIST. NOW, ONE THING I WANT TO NOTE, AND YOU WILL SEE ON ADDITIONAL CHARTS THAT I SHOW YOU LATER, IS UP ON TOP, THERE'S A BROWN LINE AND A GREEN LINE. THE BROWN LINE REPRESENTS THE TOP OF LEVEE ELEVATION FOR NATOMAS. THE GREEN LINE REPRESENTS THE TOP OF LEVEE ELEVATION FOR THE YOLO COUNTY SIDE OF THE RIVER. WE REFER TO IT AS ELKHORN, BUT ANYWAY, IT'S ON THE WEST SIDE OF THE RIVER. AND YOU CAN SEE THERE'S QUITE A BIT OF VARIATION IN THAT, AND I WILL GO INTO A LITTLE MORE DETAIL ABOUT THAT. OKAY, HAS THIS MODEL HAD ANY KIND OF REVIEW? HAS IT HAD ANY KIND OF UNDERSTANDING THAT IT DOES REPRESENT WHAT WE ARE SAYING IT REPRESENTS? THE CORPS OF ENGINEERS IN JUNE OF 2006, AND I'M GOING TO READ THIS VERBATIM; "BASED ON OUR REVIEW OF THE MBK MODEL, IT IS ACCEPTABLE TO USE THIS TOOL FOR YOUR ONGOING DESIGN PURPOSES FOR REMEDIATION WORK ON THE NATOMAS AREA LEVEE PROJECT. THE SAFCA NATOMAS AREA LEVEE PROJECT REPORT INDICATES THE DESIGN LEVEE PROFILE BASED ON THIS MODEL'S 200-YEAR WATER SURFACE PROFILE PLUS THREE FEET. WE CONCUR IN THE APPLICATION AND RECOMMEND ADDITION OF THIS FREEBOARD VALUE TO THE 200-YEAR WATER SURFACE PROFILE TO DETERMINE THE MINIMUM DESIGN TOP OF LEVEE PROFILE." SO WE FEEL THAT NOT ONLY DO WE DO AN EXCELLENT JOB WITH OUR MODEL, BUT ITS ALSO HAD AGENCY REVIEW THAT CONCURS ON THAT. NOW, IN AN IDEALISTIC VIEW, THIS IS WHAT THE RIVER SYSTEM WOULD LOOK LIKE. WE WOULD HAVE TWO LEVEES, ONE ON EACH SIDE. THEY WOULD BOTH BE AT THE SAME HEIGHT, AND WE WOULD HAVE A DESIGN WATER SURFACE ELEVATION ON THERE, AND IT WOULD HAVE A CERTAIN AMOUNT OF FREEBOARD TO TAKE CARE OF WIND AND WAVE ACTION. THIS IS WHAT WE ACTUALLY HAVE. THIS IS THE REAL WORLD. THIS IS THE ACTUAL CROSS-SECTION AT RIVER MILE 76, AND WHAT IT SHOWS IS THAT THE NATOMAS LEVEE IS HIGHER THAN THE LEVEE ON THE WEST SIDE OF THE RIVER, SUBSTANTIALLY HIGHER. AND IN FACT, AND I'LL BE SHOWING YOU THESE PROFILES, THIS IS JUST A LOOK AT ONE CROSS-SECTION. WE ARE LOOKING DOWNSTREAM. THE NATOMAS LEVEE IS ON THE LEFT, THE YOLO COUNTY LEVEE IS ON THE RIGHT AND FOR THIS 200-YEAR DESIGN PROFILE, IT WOULD BE WELL OVER THE TOP OF THE WEST LEVEE. AS A MATTER OF FACT, THE WEST LEVEE CURRENTLY DOES NOT

MEET THE ORIGINAL DESIGN STANDARD OF THE SACRAMENTO RIVER FLOOD CONTROL PROJECT. AND IF YOU LOOK ON THE RIGHT THERE, IT SAYS 1957 PROFILE RAISE, WE HAD TO DEAL WITH AS HYDRAULIC MODELERS, WHAT DO WE DO WITH THIS? THE STATE OF CALIFORNIA HAS GIVEN ASSURANCES THAT THE LEVEES WILL BE MAINTAINED TO THESE LEVELS. AND IT DOES AFFECT THE WATER SURFACE ELEVATION FOR NATOMAS WHAT WE ASSUME ABOUT THAT. SO WE FELT THE REASONABLE ASSUMPTION IS THAT THAT LEVEE AT SOME POINT IN TIME WILL BE RAISED UP TO ITS AUTHORIZED DESIGN LEVEL. AND IN OUR HYDRAULIC MODELING, THAT'S WHAT WE ASSUMED. WE DID NOT ASSUME THAT THAT LEVEE WOULD STAY DEFICIENT FOREVER. WE ASSUMED THAT AT SOME POINT IN TIME, IT WOULD BE RAISED TO ITS AUTHORIZED LEVEL, AND THAT IS HOW WE MODELED THE RIVER. NOW, ONE THING HERE, WE SHOW THE WORK HERE OF THE ADJACENT LEVEE. THERE IS NO WORK IN THE CHANNEL. THERE IS NO WORK GOING ON WHERE THE WATER IS. THEREFORE, YOU DON'T REALLY NEED A PROFESSIONAL HYDRAULIC ENGINEER TO TELL YOU WE'RE NOT CHANGING THE WATER SURFACE ELEVATION. IF WE'RE NOT DOING ANY WORK IN THE CHANNEL, WE ARE NOT CHANGING THE WATER SURFACE ELEVATION. THAT'S JUST A FACT. SO, THERE'S NO INCREASE IN THE DESIGN FLOODPLAIN BECAUSE OF OUR PROJECT BECAUSE WE'RE NOT WORKING IN THE CHANNEL. OUR PROJECT IS WORKING BEHIND THE LEVEES ON THE LAND SIDE. SO THAT'S A KEY FINDING OF OUR ANALYSIS. NOW, WHAT IS THE ORIGINAL DESIGN PROFILE? THE CORPS OF ENGINEERS CODEFIED OR DOCUMENTED THE DESIGN PROFILE IN 1957. AND THAT'S SHOWN HERE WITH THE KIND OF PURPLISH LINE ON THERE. AND THE DOTTED LINE ABOVE IT IS THE DESIGN TOP OF LEVEE, MINIMUM TOP OF LEVEE. THE PROJECT IS CONCEIVED BY THE CORPS OF ENGINEERS WAS IT WOULD HAVE A DESIGN WATER SURFACE, AND THE TOP OF LEVEE WOULD BE THREE FEET HIGHER THAN THAT DESIGN WATER SURFACE, AND THAT'S WHAT THE DASHED LINE SHOWS ON HERE. AND I WILL BE INCLUDING THAT LINE IN OTHER SLIDES. SO THAT IS WHERE THE LEVEE -- THAT'S THE MINIMUM LEVEE ACCORDING TO THE PROJECT. WE CAN SEE MOST OF THE LEVEES ARE WELL HIGHER THAN THAT MINIMUM. BUT THERE IS APPROXIMATELY A LITTLE OVER A MILE OF LEVEE ON THE WEST SIDE OF THE SACRAMENTO RIVER THAT FALLS BELOW THAT STANDARD. AND WE HAVE COLORED THAT IN, IN BROWNISH ORANGE HERE ON THIS SLIDE, SO YOU CAN SEE. AND THIS WOULD BE THE LENGTH OF THE LEVEE IN OUR MODELING THAT WE ASSUMED WOULD BE RAISED UP TO THAT DESIGN LEVEL. SO HOW DOES ALL THIS COMPARE WITH THE FEMA 100-YEAR WATER SURFACE ELEVATION? THE DASHED LINE REPRESENTS THE WATER SURFACE ELEVATION THAT WAS USED IN 1998 FOR THE LEVEE MAPPING, FEMA BASE FLOOD ELEVATION MAPPING. SINCE THAT TIME, THE SACRAMENTO-SAN JOAQUIN COMPREHENSIVE STUDY COMPLETED BY THE CORPS OF ENGINEERS HAS RE-EVALUATED THE FLOW FREQUENCY FOR THE RIVER, AND IT HAS CHANGED. AND THE SOLID GREEN LINE REPRESENTS THE CURRENT -- OUR CURRENT ESTIMATE, BEST ESTIMATE, OF THE 100-YEAR WATER SURFACE ELEVATION. YOU CAN SEE THAT AS FAR AS THE WEST SIDE OF THE RIVER'S CONCERNED, THAT WATER SURFACE ELEVATION IS HIGHER, UP TO ALMOST A FOOT AND A HALF HIGHER THAN THE TOP OF THE EXISTING LEVEE ON THE WEST SIDE OF THE RIVER. IF AND WHEN THAT LEVEE IS RAISED UP TO ITS AUTHORIZED LEVEL, THAT 100-YEAR LEVEL WILL BE CONTAINED WITHIN THE TOP OF THE LEVEE ALTHOUGH THERE WILL BE NO FREEBOARD AVAILABLE. AS FAR AS OUR SIDE, OR THE NATOMAS SIDE OF THE LEVEE IS CONCERNED, THIS NEW 100-YEAR PROFILE WHERE THERE ARE NOT PLACES OF FREEBOARD, WHICH IS THE FEMA STANDARD FOR QUALIFYING THE LEVEE AS BEING EFFECTIVE IN ITS MAPPING, SO JUST TO MEET THE 100-YEAR WATER - - TOP OF LEVEE ELEVATION REQUIRED FOR FEMA CERTIFICATION, WHICH IS 100 YEAR, THE LEVEE WOULD HAVE TO HAVE SOME RAISING TO PROVIDE THE THREE FOOT OF FREEBOARD.

**VICE-CHAIR PETERS:**

COULD YOU ELABORATE A LITTLE BIT MORE ON FREEBOARD. SOME OF THE LETTERS THAT WE HAVE SEEN ARE CONCERNED ABOUT FREEBOARD, AND I'M NOT SURE EVERYONE REALLY UNDERSTANDS WHAT THE TERMS MEANS AND WHAT IT MEAN TO THEM IF THEY LIVE THERE.

**MR. COUNTRYMAN:**

SURE. GO BACK HERE. WHAT WE SIMPLY MEAN BY FREEBOARD IS HYDRAULICALLY, WE CAN CALCULATE WHAT THE WATER SURFACE ELEVATION WOULD BE AT THE LEVEE. NOW, WOULD WE BUILD THE TOP OF THE LEVEE TO THAT ELEVATION? WELL, FOR WELL OVER 100 YEARS, IT'S NEVER BEEN DONE. I CAN TELL YOU, AS EARLY AS 1905, THIS STANDARD OF FREEBOARD WAS APPLIED TO THE CALCULATED WATER SURFACE ELEVATION. WHY IS THAT? I'LL BE SHOWING YOU SOME SLIDES LATER ON THAT WIND AND WAVE ACTION CAN ADD HEIGHT TO THE WATER ABOVE THE CALCULATED WATER SURFACE PROFILE. YOU HAVE TO HAVE SOME METHODOLOGY OF CONTAINING THAT CONDITION. IT WOULD BE FOOL HARDY TO BUILD THE LEVEE JUST AT THE DESIGN WATER SURFACE ELEVATION AND THEN EXPECT THAT THE LEVEE WOULD BE EFFECTIVE BECAUSE OF THE WIND AND WAVE WASH THAT WILL OCCUR. AND AGAIN, I HAVE SOME SLIDES LATER SHOWING PICTURES OF THAT. SO, THE FREEBOARD IS SIMPLY THE HEIGHT OF THE LEVEE ABOVE THE DESIGNED CALCULATED WATER SURFACE ELEVATION. SO HERE WE ARE, OUR, THE SAFCA POLICY AND THE INTENT OF THIS PROJECT IS TO PROVIDE 200-YEAR LEVEL PROTECTION. NOW, THIS CHART

IS A LITTLE COMPLICATED, SO I'LL TAKE SOME TIME TO EXPLAIN IT TO YOU, BUT I THINK IT HAS A LOT OF VALUABLE INFORMATION HERE FOR YOU. WHAT I HAVE IS TWO WATER SURFACE PROFILES. THE HIGHER PROFILE IS THE EXISTING CONDITION TODAY OUT THERE. THAT IS WITH FOLSOM DAM THE WAY IT CURRENTLY EXISTS AT ITS LOCATION. AND THE WATER SURFACE ELEVATION ON THE LOWER PART OF THIS PROFILE, AGAIN, ON THE FAR LEFT, IT WOULD BE THE AMERICAN RIVER AROUND RIVER MILE 63'S, INTERSTATE 80, INTERSTATE 5'S AT RIVER MILE 71. SO YOU CAN SEE THAT THE FOLSOM DAM PROJECT, WHEN IT'S COMPLETED IN A FEW YEARS, WILL LOWER THE WATER SURFACE ELEVATION NEARLY A FOOT AT THE LOWER END OF THIS PROJECT. BUT THAT HAS A DIMINISHING EFFECT AS YOU GO UPSTREAM, AND THAT'S JUST SIMPLY LAWS OF HYDRAULICS. AND BY THE TIME YOU GET TO THE NATOMAS CROSS CANAL, THERE'S ESSENTIALLY NO DIFFERENCE IN THE WATER SURFACE ELEVATION, EVEN THOUGH IT'S A FOOT LOWER DOWN AT THE AMERICAN RIVER. SO THAT'S WHAT IS SHOWN HERE. IT SHOWS THE BENEFIT ACTUALLY, THE FOLSOM PROJECT GIVES TO EVERYBODY, THE YOLO COUNTY SIDE AS WELL AS THE SACRAMENTO RIVER SIDE AND PEOPLE DOWNSTREAM FROM SACRAMENTO REAP THE BENEFITS OF THE FOLSOM PROJECT ALSO. SO THE SOLID BLUE LINE IS THE LINE THAT WE ARE USING FOR DESIGN. WE ARE ASSUMING THAT THE FOLSOM PROJECT IS COMPLETED AND IS EFFECTIVE. NOW, YOU CAN SEE, IF YOU LOOK CAREFULLY, THAT DASHED RED LINE IS WHAT THE MINIMUM TOP OF LEVEE DESIGN OF THE SACRAMENTO RIVER FLOOD CONTROL PROJECT IS THAT I SHOWED YOU EARLIER. THIS NEW 200-YEAR WATER SURFACE PROFILE IS UP TO A FOOT HIGHER THAN WHAT THAT MINIMUM SACRAMENTO RIVER FLOOD CONTROL PROJECT DESIGN WOULD BE. SO CONSEQUENTLY, WE HAVE CALCULATED THREE FOOT OF FREEBOARD ON OUR DESIGN WATER SURFACE, AND THAT LINE IS SHOWN WITH THE LITTLE CIRCLES AND THE BROWN LINE UP ON TOP; THE HIGHEST LINE BETWEEN RIVER MILE 67 AND RIVER MILE 79. THAT IS HOW HIGH THE LEVEE WOULD HAVE TO BE TO PROVIDE THE THREE FOOT OF FREEBOARD ON THE -- TO PROVIDE THE THREE FOOT OF FREE BOARD ON THE DESIGN WATER SURFACE ELEVATION. NOW, IF YOU LOOK ON THE PART THAT HAS YELLOW AND ORANGE IN IT, THE ORANGE IS THE WORK THAT WE'RE ASSUMING WILL BE ACCOMPLISHED AT SOME TIME IN THE FUTURE TO BRING THE WEST LEVEE OF THE SACRAMENTO RIVER UP TO ITS ORIGINAL DESIGN -- AUTHORIZED DESIGN LEVEL. THE YELLOW REPRESENTS HOW HIGH THE WATER WOULD BE OVER THE TOP OF THAT LEVEL. OKAY, SO IT SHOWS EVEN AFTER THE LEVEE IS RAISED TO ITS AUTHORIZED LEVEL, THERE WILL BE ABOUT A FOOT OF OVERTOPPING OF THE WEST LEVEE OF THE SACRAMENTO RIVER. NOW, THE FACT IS THAT THE NATOMAS AREA ALREADY HAS LEVEES THAT ARE SUPERIOR TO LEVEES THROUGHOUT THE SYSTEM. THERE ARE TEN LOCATIONS UPSTREAM FROM NATOMAS, UPSTREAM FROM THIS AREA WHERE THE LEVEES WOULD BE OVERTOPPED WITH THE 200-YEAR FLOOD EVENT. BUT FOR OUR PURPOSES AND TO BE CONSISTENT WITH THE DESIGN INTENT, WHICH IS LET'S NOT RELY ON SOMEBODY ELSE'S FAILURE FOR OUR PROTECTION, WE HAVE ASSUMED THAT IN ALL OF THESE AREAS, INCLUDING THE AREA IN YOLO, THAT THE LEVEE DOES NOT FAIL, THAT WATER WOULD FLOW OVER THE TOP OF IT EVEN IF IT WAS A FOOT OVER THE TOP OF IT, BUT IT WOULD NOT FAIL. AND THAT GIVES US A HIGHER WATER SURFACE ELEVATION, OF COURSE, THAN IF WE ASSUMED THAT IT DID FAIL. BUT WE FEEL THAT IS CONSISTENT WITH THE ORIGINAL DESIGN OF THE SYSTEM. IT'S ALSO CONSISTENT WITH THE IDEA WE DON'T WANT TO RELY ON SOMEONE ELSE'S FAILURE FOR THIS PROTECTION. THIS IS A PRETTY COMPLICATED CHART. DO ANY OF THE BOARD MEMBERS HAVE ANY QUESTIONS ABOUT THIS BEFORE I GO ON?

**VICE-CHAIR PETERS:**

THIS IS A TEST?

**MR. COUNTRYMAN:**

WELL, I REALIZE IT'S A VERY COMPLEX CHART, BUT.

**CHAIR FARGO:**

IT'S COMPLEX, BUT ITS VERY HELPFUL AND.

**DIRECTOR SILVA:**

JOE, ONE QUESTION. YOU MIGHT EXPLAIN TO THE PUBLIC, IS IT OUR RESPONSIBILITY, SAFCA'S RESPONSIBILITY TO GO BEYOND THAT PART OF THE WEST LEVEE OF THE SACRAMENTO RIVER IN ORDER TO FACILITATE SOMETHING GREATER THAN THIS '57 DESIGN PROFILE?

**MR. COUNTRYMAN:**

NO, IT'S NOT -- MY UNDERSTANDING IS NO, IT'S NOT.

**DIRECTOR SILVA:**

THANK YOU.

**MR. COUNTRYMAN:**

THAT, NATOMAS CAN BE PROTECTED, AND THE PEOPLE ON THE WEST SIDE OF THE RIVER CAN RAISE THEIR LEVEE UP TO THE AUTHORIZED LEVEL, AND THEY CAN, IF THEY WANT TO GO BEYOND THAT, THEY CAN GO THROUGH THE SAME PROCESS THAT IS BEING GONE THROUGH HERE. BUT THERE'S A WHOLE DIFFERENT LEVEL OF DEVELOPMENT IN THE WEST SIDE VERSUS THE 70,000 PEOPLE THAT ARE ON THE NATOMAS SIDE. SO THAT'S A CONSIDERATION. OKAY, SO, WE HAVE THIS QUESTION, DOES FLOOD RISK REDUCTION FOR THE NATOMAS BASIN INCREASE FLOOD RISK FOR RESIDENCES ALONG GARDEN HIGHWAY? AND I DON'T BELIEVE IT DOES. LEVEE FAILURES AND THE FLOOD CONTROL PROJECT DURING EXTREME FLOODS WILL PRECLUDE WATER LEVELS FROM EXCEEDING THE CURRENT TOP OF LEVEE. AND LET ME GIVE YOU AN EXAMPLE OF THAT. WE TOOK A FLOOD THAT WAS GREATER THAN THE DESIGN FLOOD. WE TOOK A 500-YEAR FLOOD, AND WE ROUTED IT THROUGH. BUT THIS TIME, WE SAID WE'RE GOING TO ALLOW LEVEES TO FAIL WHEN THEY ARE OVERTOPPED BY MORE THAN A FOOT, MORE THAN SIX INCHES TO A FOOT, WHICH IS A VERY REASONABLE ASSUMPTION. YOU KNOW, I HAVE BEEN ON LEVEES FLOOD FIGHTING, AND BELIEVE ME, YOU GET AN INCH OF WATER GOING OVER THE TOP, THAT'S PRETTY SCARY. BUT IF YOU HAVE 6 INCHES TO A FOOT GOING OVER THE TOP, YOU BETTER GET OUT OF THERE. SO WE RAN THE ASSUMPTION ASSUMING THAT THE LEVEES WOULD FAIL, AND THE RESULT WAS THE 500-YEAR WATER SURFACE ELEVATION, YOU CAN SEE, IS QUITE A BIT LOWER THAN THE EXISTING TOP OF LEVEE. THE EXISTING TOP -- YES, TIM IS SHOWING HERE WHERE THE EXISTING TOP OF LEVEE IS. SO THE RAISE, EVEN AT THE 500-YEAR LEVEL, UNDER THIS REASONABLE SET OF ASSUMPTIONS WOULD NOT CAUSE THE WATER LEVEL TO RISE ABOVE THE EXISTING TOP OF LEVEE FOR THE NATOMAS BASIN. SO I DON'T BELIEVE THAT OUR FREEBOARD RAISE, AND I'M GOING TO SHOW YOU SOME SLIDES HERE IN JUST A SECOND, OF WHY THAT FREEBOARD IS NECESSARY FOR THE WIND AND WAVE ACTION. BUT I DON'T BELIEVE IT REALLY ADDS TO THE POTENTIAL RAISING OF THE WATER SURFACE ELEVATION FOR THOSE HOUSES.

**DIRECTOR YEE:**

JOE, WITH THAT CHART, ARE YOU IMPLYING THAT WITH THE 200-YEAR FLOOD CONTROL THAT WE WILL PROJECT BY 2010, THAT WE REALLY HAVE 500 YEAR?

**MR. COUNTRYMAN:**

I BELIEVE THAT A FAIR ANALYSIS WOULD SHOW THAT IT MAY BE SIGNIFICANTLY MORE THAN 500 YEAR. IF THE UPSTREAM LEVEES, AGAIN, IF THEY FAIL WITH OVERTOPPING OF A FOOT, THERE'S TREMENDOUS STORAGE IN THE FLOOD BASINS NORTH OF SACRAMENTO. AND IF THOSE LEVEES FAIL, WE CAN PASS VERY, VERY LARGE FLOODS WITH WHAT IS BEING --

**DIRECTOR YEE:**

RIGHT, THAT'S THE WAY I READ YOUR CHART, SO.

**MR. COUNTRYMAN:**

YOU'RE READING IT CORRECTLY.

**DIRECTOR CHRISTOPHEL:**

JOE, JUST A QUICK QUESTION. WE HAVE BEEN FOCUSING ON THE HIGH WATER MARK, AND MY UNDERSTANDING OF THE COMMENTS IS THAT THERE IS REALLY TWO, AT LEAST TWO COMPONENTS, ONE IS THAT, CERTAINLY. THE OTHER IS THE FREQUENCY OF LOWER EVENTS THAT STILL MAY CAUSE SOME FLOODING PROBLEMS. CAN YOU COMMENT ON HOW THIS MIGHT CHANGE THE FREQUENCY OF THOSE EVENTS?

**MR. COUNTRYMAN:**

WELL, THE PROJECT THAT IS BEFORE YOU TODAY WILL NOT HAVE ANY AFFECT WHATSOEVER ON SMALLER FLOODS. EVEN FLOODS, THE 1997 FLOOD, FOR INSTANCE, BEING THE LARGEST FLOOD IN 150 YEARS, ANYTHING AT THAT LEVEL OR BELOW WILL NOT BE AFFECTED BY THIS PROJECT. WE'RE TALKING ABOUT A PROJECT THAT'S FOR THE EXTRAORDINARY FLOOD HERE. FOR ALL THE OTHER FLOODS, THERE'S NO CHANGE IN THE CHANNELS. THERE'S NO CHANGE IN THE WATER SURFACE PROFILES. THERE'S NO CHANGE IN THE DURATION OF FLOWS. THERE'S NO CHANGE.

**CHAIR FARGO:**

COULD I JUST FOLLOW UP ON THAT SINCE YOU HAVE SUCH A WEALTH OF EXPERIENCE HERE, CAN YOU CLARIFY FOR US AND FOR THE AUDIENCE, OTHER THAN MOTHER NATURE, WHO CONTROLS THE LEVEL OF WATER IN THE SACRAMENTO RIVER AND WHEN THE SACRAMENTO WEIR IS OPENED AND WHEN RELIEF IS

PROVIDED THROUGH THE YOLO CAUSEWAY? BECAUSE THAT'S NOT DONE BY SAFCA. WHO IS IT THAT DOES THAT? BECAUSE THAT'S, I THINK, PART OF THE ISSUE HERE.

**MR. COUNTRYMAN:**

WELL, THE CORPS OF ENGINEERS HAS SPECIFIC OPERATING RULES FOR THE SACRAMENTO WEIR. BY THE WAY, THE SACRAMENTO WEIR IS THE ONLY WEIR THAT IS OPERATED. IT'S THE ONLY WEIR IN THE SYSTEM THAT HAS GATES. ALL THE OTHER WEIRS ARE UNGATED. SO WHENEVER THE WATER COMES UP -- IN OTHER WORDS, WHEN THE FREMONT WEIR, WHEN THE WATER COMES UP, THE WATER FLOWS OVER IT. MAN CAN'T DO ANYTHING ABOUT IT. THAT'S WHAT'S GOING TO HAPPEN. THE SACRAMENTO WEIR, THOUGH, HAS GATES IN IT, AND THEY HAVE TO BE LOWERED AND THERE'S A SET AMOUNT OF RULES. YOU KNOW, PERSONALLY, IF I COULD CHANGE THE RULES, I WOULD REMOVE THE GATES FROM THE SACRAMENTO WEIR AND I THINK AS A -- [APPLAUSE] I THINK --

**CHAIR FARGO:**

SO WE NEED ALL THESE FOLKS TO COME TO THE NEXT MEETING BEFORE THE STATE AGENCY THAT HELPS CONTROL BECAUSE WE HAVE TAKEN THAT ON BEFORE AND IT'S GOING TO COME UP AGAIN.

**MR. COUNTRYMAN:**

WELL, I THINK, FOR THIS BOARD AND FOR THE PROJECT AS A WHOLE, IT WOULD BE A GOOD GOAL. YOU KNOW, IT'S NOT GOING TO HAPPEN IMMEDIATELY, BUT MAYBE IT'S PART OF THE STATE PLAN OF FLOOD CONTROL.

**CHAIR FARGO:**

OKAY.

**MR. COUNTRYMAN:**

WE WOULD SEE IF THOSE GATES COULD BE REMOVED.

**CHAIR FARGO:**

WE WOULD SUPPORT THAT. SAFCA HAS --

**MR. COUNTRYMAN:**

I THINK IT WOULD BE A GOOD THING. BUT THAT'S THE ONLY METHOD CURRENTLY THAT AFFECTS THE STAGES, IS THE OPERATION OF THOSE GATES. AND THE CORPS OF ENGINEERS HAS SET RULES FOR WHEN THEY WILL BE OPERATED. THE OTHER MANMADE INTERVENTION HERE IS THE FLOOD CONTROL OPERATING RULES FOR THE RESERVOIRS: SHASTA, BLACK BUTTE, OROVILLE, NEW BULLARDS BAR, AND FOLSOM. ALL OF THOSE HAVE A SIGNIFICANT IMPACT ON THE FLOWS AFFECTING THE SACRAMENTO AREA. A LOT OF WORK IS GOING ON TO OPTIMIZE AND IMPROVE THOSE OPERATIONS TO TRY TO KEEP THE FLOWS, YOU KNOW, LOW. AND, I THINK IN THE LONG RUN, TO IMPROVE FORECASTING, THAT WILL ALSO BE A BENEFIT. BUT, AT THIS 200-YEAR LEVEL, THERE'S NO EASY SOLUTION OPERATIONALLY TO SOLVE IT. I MEAN, IT'S JUST NOT THERE. THERE'S NOT ENOUGH STORAGE CAPACITY IN THOSE RESERVOIRS.

**DIRECTOR SHIELS:**

JOE, I'D LIKE TO JUST MAKE ONE POINT CLEAR SO WE DON'T HAVE ANY MISCONCEPTIONS. WHAT YOU'RE ADDRESSING PERTAINS TO OVERTOPPING LEVEES.

**MR. COUNTRYMAN:**

YES.

**DIRECTOR SHIELS:**

WHAT YOU'RE ADDRESSING DOES NOT ADDRESS THE UNDERSEEPAGE ISSUES AT ALL.

**MR. COUNTRYMAN:**

NO, I THINK THE NEXT SPEAKER WILL DISCUSS THE STRUCTURAL STABILITY OF THE LEVEE. I'M THE HYDRAULICS GUY, I'M TELLING YOU WHAT THE WATER SURFACE ELEVATIONS ARE AND WHAT THE BASIS FOR THOSE ARE.

**DIRECTOR SHIELS:**

RIGHT, THANK YOU.

**DIRECTOR YEE:**

JOE, ON THE SACRAMENTO WEIR –

**MR. COUNTRYMAN:**

YES.

**DIRECTOR YEE:**

THE CORPS OF ENGINEER CONTROLS THE GATES AS FAR AS WHEN YOU CAN OPERATE IT. DOES THAT HAVE SOMETHING TO DO WITH TRYING TO CONTROL THE AMOUNT OF FLOW INTO THE YOLO BYPASS?

**MR. COUNTRYMAN:**

THE CORPS HAS WRITTEN THE RULES. THE DEPARTMENT OF WATER RESOURCES OPERATES THE GATES. I JUST WANT TO MAKE THAT CLEAR.

**DIRECTOR YEE:**

SURE.

**MR. COUNTRYMAN:**

THEY OPERATE THEM WITH THE CORPS OF ENGINEERS' RULES. THE ORIGINAL IDEA FOR THOSE GATES WAS THAT WE USED TO HAVE A LOT OF NAVIGATION ON THE CHANNEL, AND WE HAD A LOT OF HYDRAULIC MINING DEBRIS THAT HAD COME DOWN AND IT CLOGGED THE CHANNELS. THE IDEA WAS YOU HAD THOSE GATES, YOU WOULD INCREASE THE FLOW IN THE CHANNEL, HIGHER FLOW, HIGHER VELOCITY, IT WOULD SCOUR THE SEDIMENT OUT AND KEEP THE CHANNEL CLEAN. AND THAT'S WHY THEY HAD THE GATES IN AT THE TIME. BUT, THAT NAVIGATION USE HAS DISAPPEARED, AND THE CHANNEL HAS ACTUALLY DEGRADED DOWN TO ITS ORIGINAL STREAMBED ELEVATION. SO IN MY HYDRAULIC ENGINEER'S VIEW, THERE'S REALLY NOT A NEED FOR THOSE GATES ANY LONGER.

**CHAIR FARGO:**

THANK YOU.

**MR. COUNTRYMAN:**

NOW, I WANT TO ADDRESS SPECIFICALLY WHY THE THREE FOOT OF FREEBOARD IS NECESSARY. THERE IS WIND AND WAVE THAT HAPPENS BEYOND JUST THE HYDRAULIC CALCULATION OF WHAT THE WATER SURFACE ELEVATION WOULD BE. HERE IS AN EXAMPLE OF THE WATER BLOWING UP, SPLASHING OVER THE TOP OF THIS EMBANKMENT.

**AUDIENCE:**

THAT'S NOT THE SACRAMENTO RIVER.

**MR. COUNTRYMAN:**

NO IT'S NOT THE SACRAMENTO RIVER, BUT THE WIND BLOWS, AND IF YOU LIVE ON THE SACRAMENTO RIVER LIKE I THINK MANY PEOPLE HERE, THEY CAN ATTEST TO THE FACT THAT THERE IS WIND, AND THERE ARE WAVES THAT ARE GENERATED IN THE SACRAMENTO RIVER.

**AUDIENCE:**

NOT LIKE THAT.

**CHAIR FARGO:**

IT WOULD REALLY BE HELPFUL IF THE AUDIENCE WAITED FOR THE PUBLIC COMMENT PERIOD FOR THOSE KINDS OF COMMENTS. WE APPRECIATE IT.

**MR. COUNTRYMAN:**

AND, THERE'S ANOTHER ONE. NOW, THESE ARE EXTREME EXAMPLES, BUT HERE IS A SACRAMENTO RIVER EXAMPLE OF WHAT THE WIND AND WAVE DAMAGE HAS DONE TO THE RIVER. I CAN TELL YOU THIS. WE HAVE 100 YEARS OF EXPERIENCE AND ACCEPTED PRACTICE THAT WE USE THREE FOOT OF FREEBOARD ON THE DESIGN WATER SURFACE. FEMA WILL NOT CERTIFY YOUR LEVEE IF YOU DON'T HAVE THREE FOOT OF FREEBOARD.

**DIRECTOR DICKINSON:**

SAY THAT AGAIN, JOE.

**MR. COUNTRYMAN:**

FEMA WILL NOT CERTIFY YOUR LEVEE IF YOU DON'T HAVE THREE FOOT OF FREEBOARD. THERE IS A REASON FOR THIS. THROUGH LONG PRACTICE, NOT JUST IN SACRAMENTO, IN MISSISSIPPI, IN RHODE ISLAND, IN MINNESOTA, IT'S FOUND THAT IF YOU JUST BUILD A LEVEE TO THE DESIGN WATER SURFACE ELEVATION, IT WILL NOT BE EFFECTIVE. THE FREEBOARD SERVES AN IMPORTANT PURPOSE. AND TIME HAS SHOWN THAT TO BE TRUE. FINALLY, I WANT TO ADDRESS THE QUESTION, SOME OF THE COMMENTS THAT HAVE COME IN, IS THAT IF -- DOES THE FLOODING OF NATOMAS, IF WE WERE TO HAVE A LEVEE FAILURE AND IT FLOODS NATOMAS, DOES THAT HELP THE RESIDENCES ALONG THE GARDEN HIGHWAY? IS THAT A BENEFIT? THIS IS 1955. THIS IS RD1000, THIS IS THE BASIN JUST NORTH OF THE CROSS CANAL. THAT BASIN FLOODED. AND YOU CAN SEE A TERRIFIC FLOOD FIGHT WENT ON HERE BECAUSE THE WIND, ONCE THE BASIN FILLED WITH WATER, THERE WAS A, WIND WAS ATTACKING AND ERODING THE LEVEE AWAY. THEY NEARLY LOST THE LEVEE. I THINK THERE WAS ONLY A FOOT OR TWO LEFT OF THAT LEVEE WHEN THEY FINALLY WERE ABLE TO SAVE IT. SO THE GARDEN -- THERE'S A VERY GOOD CHANCE THAT IF NATOMAS WERE TO FLOOD, AND GOD FORBID THAT EVER HAPPENED, THAT ALSO THE GARDEN HIGHWAY WOULD BE LOST, JUST FROM THE WIND AND WAVE DAMAGE THAT WOULD OCCUR. AND THIS IS SOMETHING THAT HAPPENS ANY TIME A FLOOD BASIN IS FLOODED, THESE THINGS HAPPEN. YOU ALSO HAVE THE -- OF COURSE, WHEREVER THAT LEVEE FAILS, YOU WOULD HAVE THE DAMAGE THAT OCCURRED TO THE HOUSES THAT WOULD BE LOCATED RIGHT THERE. AND THIS IS ANOTHER EXAMPLE OF -- THIS IS JONES TRACT WHEN IT FLOODED, THE DAMAGE WAS OCCURRING ON THE INSIDE OF THAT. SO I THINK THAT EVEN THOUGH THERE ARE SOME DISLOCATIONS, I THINK THE PROJECT ALSO HELPS THE RESIDENCES ALONG THE GARDEN HIGHWAY. SO THAT CONCLUDES MY PRESENTATION. I'D BE GLAD TO ANSWER ANY QUESTIONS.

**CHAIR FARGO:**

VIRGINIA?

**DIRECTOR MOOSE:**

READING LETTERS I'VE GOTTEN, PEOPLE SEEM TO HAVE THE IDEA IF WE RAISE THE LEVEES THREE FEET, THAT, WHEN THERE'S A FLOOD EVENT, INSTEAD OF OVERTOPPING, THE RIVER WILL RISE HIGHER BECAUSE OF THE THREE FOOT FREEBOARD, AND THEREFORE THEIR HOMES ARE MORE AT RISK. WOULD YOU COMMENT ON THAT?

**MR. COUNTRYMAN:**

WELL, I CAN COMMENT TO THIS EXTENT: THE 1997 FLOOD, THE LARGEST FLOOD IN 150 YEARS, WOULD NOT HAVE REACHED THE TOP -- OR IT DID NOT REACH THE TOP OF THE EXISTING LEVEE. THE 200-YEAR HYPOTHETICAL FLOOD THAT WE CALCULATED, ASSUMING NO UPSTREAM LEVEE FAILURES, DOES NOT EXCEED THE TOP OF THE EXISTING LEVEE. IT'S AN EXTREMELY SMALL PROBABILITY, AND EVEN IF YOU ASSUME NO UPSTREAM LEVEE FAILURES, THAT THE WATER SURFACE ELEVATION COULD EXCEED THE TOP OF THE EXISTING LEVEE. BUT WHEN YOU ASSUME UPSTREAM LEVEE FAILURES, AND AGAIN, IF YOU DO IT CONSERVATIVELY LIKE WE DID, ASSUMING 6 INCHES TO A FOOT OF OVERTOPPING BEFORE FAILURE WOULD OCCUR, THE WATER SURFACE ELEVATION WILL NOT REACH THE TOP OF THE EXISTING LEVEE. SO I DON'T THINK THERE'S A SIGNIFICANT THREAT TO THE RESIDENCES ALONG THE RIVER.

**CHAIR FARGO:**

STIEN --

**MR. BUER:**

VIRGINIA, I'D LIKE TO JUST ADD A POINT TO WHAT JOE JUST SAID, WHICH IS, LET'S IMAGINE FOR A MOMENT THAT WE ARE IN A FLOOD FIGHT, AND ALL OF JOE'S ASSUMPTIONS HAVE FAILED AND WATER SURFACE IS RISING, I CAN ASSURE THIS BOARD AND THE AUDIENCE THAT WE WOULD NOT ALLOW THE LEVEE TO OVERTOP. A MASSIVE FLOOD FIGHT WOULD BE UNDERTAKEN AS TOOK PLACE IN 1986, AND THE LEVEE WOULD BE RAISED UNDER EMERGENCY CONDITIONS. THAT CAN BE DONE OVERNIGHT USING BELLY DUMP TRUCKS, PLASTIC AND ROCK, AND THE LEVEE WOULD BE RAISED HIGH ENOUGH TO EXCEED THE ELEVATION WATER RISING BEYOND THE CREST OF THE LEVEE. SO THERE'S A FALSE SENSE OF SECURITY THAT THE CURRENT LEVEE CREST PROVIDES PROTECTION BY ESSENTIALLY RELIEVING THE PRESSURE OF THE RIVER, FLOODING NATOMAS, AND PROTECTING THE HOMES ON THE WATER SIDE. THAT SECURITY SIMPLY DOESN'T EXIST TODAY BECAUSE WE WOULD NOT ALLOW IT TO OVERTOP IN A FLOOD EVENT IN ANY CASE. THE DIFFERENCE IS THIS WOULD BE A SYSTEMATIC, THOUGHTFUL IMPLEMENTATION OF THE PROGRAM IN SUCH A WAY THAT THE RAISE WOULD BE AWAY FROM THE EXISTING GARDEN HIGHWAY TO PROVIDE SUBSTANTIALLY INCREASED SECURITY, BOTH FOR THE BASIN AND FOR THE RESIDENTS, AND IT DOES NOT TAKE AWAY ANYTHING THAT THEY CURRENT HAVE.

**DIRECTOR YEE:**  
JOE I HAVE ONE QUESTION.

**CHAIR FARGO:**  
GIVEN THAT, LET ME JUST SAY ONE THING. GIVEN THAT WE'RE NOT THE ONES AFFECTING THE HEIGHT OF THE RIVER OR WHEN THE SACRAMENTO WEIR IS OPENED UP, I'M ASSUMING THAT THAT ALL IS IN PLACE, WHICH IS A BIG PART OF WHY THE WATER STAYS LOWER IN OUR PART OF THE SACRAMENTO RIVER. AND THEN IN ADDITION, BY ADDING THAT MUCH OF ADDITIONAL LEVEE STRENGTH, THE GARDEN HIGHWAY WOULD BE ONE OF THE LAST PLACES TO FAIL, I WOULD THINK, BECAUSE OF THE ADDITIONAL STRENGTH WHICH WE'RE GOING TO GET INTO WITH THE NEXT SPEAKER OF WHAT THAT PROJECT DOES TO STABILIZE AND PRESERVE AND PROTECT THE GARDEN HIGHWAY.

**MR. COUNTRYMAN:**  
THAT'S CORRECT.

**CHAIR FARGO:**  
CORRECT? OKAY. I'M SORRY, JIM?

**DIRECTOR YEE:**  
YEAH. JOE, ONE OF THE BIG QUESTIONS I'VE HAD, AND I HAVE DISCUSSED IT WITH STEIN MANY TIMES, AND I WANT TO REITERATE IT PUBLICLY, THAT ALL THE WORK THAT'S BEING DONE ON IMPROVING THE EAST SIDE LEVEES DOES NOT RAISE THE LEVEL OF THE RIVER.

**MR. COUNTRYMAN:**  
THAT'S RIGHT. THAT IS JUST FUNDAMENTAL. I SAID IT BEFORE. WE ARE NOT WORKING IN THE CHANNEL. WE ARE NOT RAISING THE WATER LEVEL IN THE CHANNEL. WE ARE NOT -- WE ARE NOT PUTTING SOMEBODY ELSE AT DISADVANTAGE BY RAISING THEIR WATER SURFACE ELEVATION WITH THIS PROJECT BECAUSE OUR WORK IS ON THE LAND SIDE.

**DIRECTOR YEE:**  
AND THAT'S REAL IMPORTANT BECAUSE THOSE PEOPLE WHO OWN PROPERTY ON THE RIVER SIDE OF GARDEN HIGHWAY SHOULD BE MADE AWARE OF THAT, YOU KNOW, BY DOING ALL THIS WORK, WE ARE NOT RAISING THE LEVEL. BECAUSE I DO HAVE A LOT OF FRIENDS ON THE GARDEN HIGHWAY, ON THE RIVER SIDE, AND THAT WAS ONE OF MY BIG CONCERNS, AND STEIN HAS RESPONDED TO THAT QUESTION. THANK YOU.

**CHAIR FARGO:**  
OKAY, WE PROBABLY SHOULD MOVE ALONG. WE HAVE A NUMBER OF OTHER SPEAKERS, AND WE ALSO HAVE THE PUBLIC HEARING PORTION OF THIS.

**MR. KRIVANEC**  
EXCUSE ME, MAYOR FARGO AND MEMBERS OF THE BOARD, GOOD MORNING. MY NAME IS CHRIS KRIVANEC. I'M A PROJECT MANAGER WITH HDR ENGINEERING. HDR IS RESPONSIBLE FOR THE DESIGN OF LEVEE IMPROVEMENTS TO THE SACRAMENTO RIVER LEVEE AND THE NATOMAS BASIN. AND BEFORE I GET INTO MY PRESENTATION, I WOULD LIKE TO JUST GIVE A BRIEF BACKGROUND ABOUT MYSELF AND HDR AS WELL. I'M A REGISTERED --

**VICE-CHAIR PETERS:**  
CAN I ASK, CAN THE PEOPLE IN THE BACK OF THE ROOM HEAR HIM?  
AUDIENCE:  
NO.

**VICE-CHAIR PETERS:**  
IF YOU RAISE THE PODIUM MAYBE A COUPLE OF INCHES, THE MICROPHONE --

**MR. KRIVANEC:**  
BETTER?

**CHAIR FARGO:**  
THERE'S A SWITCH ON THE SIDE.



**VICE-CHAIR PETERS:**

THERE'S A SWITCH ON THE RIGHT THAT RAISES IT A LITTLE BIT. THERE YOU GO. NOT ANY MORE I GUESS. MAYBE THE STUDIO CAN TURN IT UP.

**MR. KRIVANEC:**

I'LL SPEAK UP A LITTLE BIT MORE.

**CHAIR FARGO:**

THANK YOU.

**VICE-CHAIR PETERS:**

THANK YOU.

**MR. KRIVANEC:**

OKAY. I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA AS WELL AS A REGISTERED GEOTECHNICAL ENGINEER, AND IN MY 15 YEARS OF EXPERIENCE, IT HAS BEEN MOSTLY IN THE WATER RESOURCES AREA SPECIFICALLY AND THE REPAIR OF DAMS, LEVEES, AND OTHER FLOOD CONTROL STRUCTURES. HDR IS A FIRM OF ABOUT 90 YEARS OLD. WE HAVE ABOUT 6,000 EMPLOYEES NATIONWIDE, ABOUT 300 EMPLOYEES HERE IN THE SACRAMENTO AREA. AND OUR WATER RESOURCES GROUP HERE IN SACRAMENTO HAS WORKED ON A NUMBER OF LEVEE IMPROVEMENT PROJECTS UP AND DOWN THE CENTRAL VALLEY GOING BACK TO LEVEES IN STOCKTON THAT WAS DONE FOR THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY, ON THE SACRAMENTO RIVER, AND THE LITTLE POCKET AND POCKET AREAS FOR SAFCA, AND FREEPORT, AND IN THE POCKET AREA FOR THE CORPS OF ENGINEERS SOUTH OF MARYSVILLE ON THE BEAR RIVER AND YUBA RIVER FOR THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY. WE ARE CURRENTLY WORKING ON THE LEVEES AROUND THE WEST SACRAMENTO BASIN FOR THE CITY OF WEST SACRAMENTO AND WILL BE STARTING SOON WORKING WITH THE DEPARTMENT OF WATER RESOURCES ON THEIR EVALUATION OF NONURBAN LEVEES. SO IN MY PRESENTATION TODAY, WHAT I WOULD LIKE TO DO IS WALK THROUGH A LOT OF THE PROBLEMS THAT WE HAVE IDENTIFIED IN THE LEVEES IN THE NATOMAS BASIN, AND I WILL GET INTO THE ALTERNATIVES THAT WE HAVE ANALYZED THAT ADDRESS THOSE PROBLEMS, AND THEN I WILL TALK A BIT ABOUT THE SPECIFIC DESIGN WE'RE MOVING FORWARD WITH, SPECIFICALLY FOR THE NATOMAS CROSS CANAL TO THE NORTH AND AS MENTIONED EARLIER, THE 2008 PART OF THE PROJECT WHICH IS THE UPPER FIVE-MOST MILES OF THE SACRAMENTO RIVER LEVEE. BEFORE GETTING IN, OH AND THEN I WILL FINISH MY TALK WITH A DISCUSSION ABOUT SOME OF THE CONSTRUCTION IMPACTS AND THE THINGS THAT WE ARE DOING TO ADDRESS THOSE IMPACTS. BEFORE GETTING INTO IT THOUGH, ONE OF THE THINGS WE ARE DOING AS WE ARE IDENTIFYING PROBLEMS IS WE'VE GOT A TEAM, OUR GEOTECHNICAL ENGINEER'S, KLEINFELDER ASSOCIATES, WE'RE WORKING WITH MBK ENGINEERS, WE'RE WORKING WITH NHC ON EROSION SITES, AND ONE OF THE CHALLENGES WE HAVE HAD IN IDENTIFYING PROBLEMS IS THAT AFTER HURRICANE KATRINA AND THE LEVEE FAILURES AND FLOODING IN NEW ORLEANS, WE ARE WORKING IN A WORLD OF EVOLVING EVALUATION CRITERIA FOR LEVEES. SO AS WE'RE GOING THROUGH SPECIFICALLY THE PROBLEM IDENTIFICATION PART OF THIS PROJECT, WE ARE WORKING CLOSELY WITH THE CORPS OF ENGINEERS TO MAKE SURE THAT WE ARE CONCURRENT WITH THE WORK THAT THEY ARE DOING AS PART OF THE GENERAL -- THEIR GENERAL REEVALUATION REPORT FOR THE NATOMAS BASIN. SO AS WE'VE MENTIONED TO THE BOARD IN PREVIOUS PRESENTATIONS, WE HAVE IDENTIFIED A NUMBER OF FLOOD RISKS FOR THE LEVEES SURROUNDING THE NATOMAS BASIN, INCLUDING INADEQUATE FREEBOARD AS JOE HAD TALKED ABOUT PREVIOUSLY, UNDERSEEPAGE WHICH I WILL GET INTO QUITE A BIT MORE, LEVEE ENROACHMENTS, AND CHANNEL EROSION. THIS IS A SKETCH OF THE EXISTING LEVEE ON THE SACRAMENTO RIVER LEVEE, EXCUSE ME, ON THE SACRAMENTO RIVER. AND YOU CAN SEE THE GARDEN HIGHWAY IS SHOWN HERE ON THE CROWN OF THE LEVEE. WE DEPICTED A NUMBER OF ENROACHMENTS ON THE WATER SIDE SLOPE, INCLUDING HOMES, DRIVEWAYS, RAMPS, A LOT OF THE TREES THAT ARE THERE, POWER POLES. TYPICAL CONFIGURATION OF THIS PART OF THE LEVEE, THE GARDEN HIGHWAY IS A NARROW HIGHWAY. IT DOESN'T HAVE MUCH OF A SHOULDER. IT'S PROBABLY ON THE ORDER OF 22 TO 24 FEET WIDE. WE'VE GOT TWO TO ONE LANDSIDE SLOPES, TYPICALLY A STABILITY BERM ON THE UPPER REACHES TO ADDRESS THROUGH SEEPAGE, AND THE LOWER PART OF THE GARDEN HIGHWAY HAS A CUTOFF WALL CONSTRUCTED THROUGH IT. THE WATER SIDE SLOPE HAS A THREE TO ONE SLOPE, AND EXTENDING TO THE RIVERBANK. THE FIRST CONCERN THAT WE HAVE IS AS JOE MENTIONED EARLIER, FREEBOARD, AND TIM, CAN I BORROW YOUR POINTER? AND WE WOULD MEASURE FREEBOARD ON THE SACRAMENTO RIVER LEVEE UNDER EXISTING CONDITIONS FROM HERE AT THE GARDEN HIGHWAY AND AS JOE WAS MENTIONING EARLIER, THE 200-YEAR WATER SURFACE IS RIGHT IN THAT AREA THERE. LOOKING AT THE ENTIRE BASIN, WE HAVE IDENTIFIED A NUMBER OF AREAS THAT ARE DEFICIENT WHEN IT COMES TO THREE FEET OF FREEBOARD. THE AREA SHOWN HERE IN RED HAS

LESS THAN THREE FEET OF FREEBOARD OVER THE 100-YEAR WATER SURFACE ELEVATION. THE AREA HERE IN BLUE DOES NOT HAVE THREE FEET OF FREEBOARD OVER THE 200-YEAR WATER SURFACE ELEVATION, AND WE ARE STILL DOING EVALUATIONS OF THE HYDRAULICS IN THE AREA UP HERE. NEXT THING I AM GOING TO TALK A BIT ABOUT IS UNDERSEEPAGE, AND I WILL START BY SHOWING AREAS THAT WE AND THE CORPS OF ENGINEERS HAVE IDENTIFIED AS BEING VULNERABLE TO UNDERSEEPAGE. AGAIN, THE RED SHOWING AREAS THAT ARE VULNERABLE CONSIDERING 100-YEAR WATER SURFACE ELEVATION, AND IN BLUE DOWN HERE, AREAS THAT ARE VULNERABLE UNDER A 200-YEAR WATER SURFACE ELEVATION. SO THE QUESTIONS COME UP, WHAT IS UNDERSEEPAGE? THIS GRAPHIC HERE DEPICTS UNDERSEEPAGE PRETTY WELL. THIS IS A TYPICAL GEOLOGY THAT WE WOULD SEE ALONG THE SACRAMENTO RIVER AND OTHER LEVEES AROUND THE NATOMAS BASIN. TYPICALLY, YOU HAVE A CLAY BLANKET OR CAP ON PART OF THE SURFACE SOILS, AND UNDERNEATH THAT, AN AQUIFER CONSISTING OF SANDS AND GRAVELS, AND IN SOME AREAS, IT'S UNDERLAIN BY SILTS AND CLAYS. AND WHAT HAPPENS IS, THE RIVER COMES UP, THE WATER PRESSURE FROM THE RIVER FEEDS INTO THE AQUIFER HERE, AND YOU GET A PRESSURE BUILDING UP UNDERNEATH THE CLAY BLANKET. AND ESPECIALLY IN AREAS WHERE THAT BLANKET IS THIN, THE WATER PRESSURE IS TRYING TO PUSH ITS WAY THROUGH THE CLAY BLANKET AND RELIEVE ITSELF RIGHT IN THIS AREA, AND THAT'S WHERE YOU WILL SEE SEEPS, AND YOU KNOW, FLOWING IN THE AREA OR POTENTIALLY BOILS. BOILS WILL FORM WHEN THE WATER THAT'S FLOWING THROUGH THE CLAY BLANKET AND THROUGH THE SAND UNDERNEATH STARTS CARRYING MATERIAL AND THE RISK THAT WE'RE VERY CONCERNED ABOUT IS THAT AS THESE BOILS FORM AND MATERIAL IS CARRIED UNDERNEATH, YOU COULD START BACK ERODING THE LEVEE. AND, YOU KNOW, IT'S HARD TO TELL AFTER THE FACT BUT IT'S POSSIBLE THAT THIS IS WHAT HAPPENED IN '97 ON THE YUBA RIVER LEVEE THAT THEY WERE CONCERNED ABOUT. UNDERSEEPAGE MAY HAVE BACK ERODED THE LEVEE AND LED TO THE FAILURE ON THE YUBA. THE OTHER THING THAT THIS FIGURE DEPICTS HERE IS THROUGH SEEPAGE. THIS IS ALSO A CONCERN, ESPECIALLY ON THE SACRAMENTO RIVER LEVEE, WHICH IS CONSTRUCTED A WHOLE LOT OF SAND AND AS THE RIVER COMES UP, THE WATER WILL ALSO FLOW DIRECTLY THROUGH THE LEVEE AND MAY DAYLIGHT HERE ON THE LANDSIDE SLOPE AND THAT CAN ALSO LEAD TO EROSION HERE AND A SLOPE STABILITY ISSUE HERE WITH THE HIGH WATER LEVELS IN HERE. YOU COULD HAVE SLUMPING OF THE LEVEE LANDWARD. THAT'S WHY THE CORPS OF ENGINEERS CAME IN HERE A NUMBER OF YEARS AGO AND CONSTRUCTED THE STABILITY BERMS HERE AND THE CUTOFF WALL HERE. IT'S A SHALLOW CUTOFF WALL, IT DOESN'T GO DEEP ENOUGH TO ADDRESS UNDERSEEPAGE BUT IT'S SOMETHING THAT WE NEED TO BE CONCERNED ABOUT AS WE'RE COMING IN AND DOING IMPROVEMENTS TO THE SACRAMENTO RIVER LEVEE, WE ALSO NEED TO BE THINKING ABOUT THROUGH SEEPAGE. ANOTHER CONCERN THAT WE HAVE, AND THIS IS REALLY SPECIFICALLY FOR THE SACRAMENTO RIVER LEVEE, IS ENCROACHMENTS. WE'VE BEEN WORKING A LOT, AS I SAID BEFORE, WITH THE CORPS OF ENGINEERS AND TRYING TO UNDERSTAND WHAT THE CONCERN IS WITH ALL THE ENCROACHMENTS THAT ARE ON THE LEVEE. AGAIN, THIS IS THE EXISTING LEVEE, THREE TO ONE SLOPE AND ENCROACHMENTS HERE THAT ARE SHOWN ARE -- LET ME BACK UP JUST FOR A SECOND. WHAT DEFINES AN ENCROACHMENT? THE CORPS OF ENGINEERS LOOKS AT A LEVEE PRISM DEFINED BY THE LEVEE CROWN, A THREE TO ONE SLOPE THAT PROJECTS UNDERGROUND AND A TWO TO ONE SLOPE ON THIS SIDE INCLUDING THE STABILITY BERM THAT PROJECTS DOWN THIS WAY. SO ANY, THE CORPS AND OTHERS ARE VERY CONCERNED ABOUT ANY PENETRATIONS INTO THAT LEVEE PRISM INCLUDING STRUCTURES, FENCES, POWER POLES, TREES. WE'RE OBVIOUSLY AWARE OF THE CORPS' WHITE PAPER THAT'S OUT, THAT'S TALKING ABOUT VEGETATION ON LANDSIDE SLOPE OF LEVEES, AND, YOU KNOW, THE CONCERN IS THAT YOU WILL HAVE TO GO IN AND REMOVE A LOT OF THESE ENCROACHMENTS. THE POTENTIAL IMPACT OF THESE ENCROACHMENTS IS THAT IT COULD LESSEN THE FLOOD PROTECTION CAPABILITY OF THE LEVEE SHOULD A TREE TOPPLE OVER, CREATE A ROOT BALL, OR SOMETHING HERE, THAT'S THE ARGUMENT THAT I'VE HEARD, THAT'S OF CONCERN. AND ALSO, AND YOU NEED TO KEEP IN MIND THE OPERATION AND MAINTENANCE REQUIREMENTS OF THE LEVEE ITSELF. DURING A FLOOD FIGHT, WE, THE CORPS NEEDS TO HAVE ACCESS AND VISIBILITY TO SEE WHAT'S GOING ON, ON THE WATERSIDE SLOPE OF THE LEVEE.

**DIRECTOR NOTOLLI:**

MADAME CHAIR, JUST A, WHEN WE TALK ABOUT ENCROACHMENT, WE TALK ABOUT IT IN THIS GENERIC SENSE AND THAT'S THE EXPLANATION YOU'RE GIVING. BUT WE NEED TO BE MINDFUL THAT WHEN WE TALK ABOUT ENCROACHMENT, WE'RE TALKING ABOUT PEOPLE'S HOMES.

**MR. KRIVANEC:**

YES.

**DIRECTOR NOTOLLI:**

AND I THINK THAT IT'S AN IMPORTANT POINT, AGAIN, I KNOW, IT'S NOT LOST ON YOU. I JUST THINK THAT IT'S IMPORTANT TO PEOPLE IN THE AUDIENCE THAT ARE HERE OBVIOUSLY CONCERNED ABOUT ANY NUMBER OF THINGS, BUT WE SAY ENCROACHMENTS, WE'RE TALKING ABOUT PEOPLE'S, NOT JUST STRUCTURES, THOSE ARE HOMES NOT JUST HOUSES.

**MR. KRIVANEC:**

YES.

**DIRECTOR NOTOLLI:**

THANKS.

**MR. KRIVANEC:**

HERE'S A FEW PICTURES OF ENCROACHMENTS ON THE GARDEN HIGHWAY SACRAMENTO RIVER LEVEE. NUMBER OF THE POWER POLES, FENCES ALONG HERE. SOME FENCES FAIRLY CLOSE TO THE ROADWAY ITSELF. THERE'S A HOME WITH A DRIVEWAY GOING OUT TO IT.

**CHAIR FARGO:**

DO, WOULD WE ANTICIPATE THOSE ENCROACHMENTS BEING A PROBLEM IN THE EVENT OF A FLOOD FIGHT?

**MR. KRIVANEC:**

WE HAVE HAD DISCUSSIONS WITH THE CORPS AND THEY SAID THAT THEY NEED ACCESS DOWN, NOT ONLY ON THE CROWN AND ON LAND SIDE BUT DOWN ONTO THE WATER SIDE TO SEE IF, YOU KNOW, WHAT'S HAPPENING DOWN THERE. ARE THERE WAVE ACTION, YOU KNOW, EROSION SITES FORMING OR THINGS LIKE THAT. THEY LIKE TO HAVE ACCESS TO THE ENTIRE LEVEE PRISM. NEXT THING I WANT TO TALK ABOUT, THE NEXT PROBLEM THAT WE'VE IDENTIFIED FOR THE LEVEE SYSTEM, AND THIS IS SPECIFICALLY, AGAIN, FOR THE SACRAMENTO RIVER ARE EROSION SITES. SURVEYS AND EVALUATIONS THAT HAVE BEEN DONE, THEY'VE IDENTIFIED THE EROSION SITES SHOWN HERE THAT ARE IN RED, ALL THE WAY DOWN THE SACRAMENTO RIVER. HERE'S A FEW PICTURES OF SOME OF THE EROSION SITES. OBVIOUSLY THE PROBLEM HERE IS THAT AS THESE EROSION SITES GROW, THEY COULD GROW BACK NOT ONLY THROUGH THE RIVER BANK BUT EVENTUALLY INTO THE LEVEE ITSELF.

**DIRECTOR SILVA:**

MADAME CHAIR? THROUGH THE CHAIR. QUICK QUESTION. BACK TO YOUR UNDERSEEPAGE ISSUE. WOULD YOU CARE TO ELABORATE ON THE UNDERSEEPAGE WITH RESPECT TO FEMA AND THE CRITERIA FEMA HAS CHANGED BASED ON LEVEL OF PROTECTION, 100-YEAR, 200. WOULD YOU GO BACK TO THAT FOR THE PUBLIC'S --

**MR. KRIVANEC:**

YEAH. THAT'S A GOOD QUESTION. ONE OF THE THINGS THAT WE'RE DOING AS A PROJECT IS WE ARE FOLLOWING CURRENT PUBLISHED ESTABLISHED CRITERIA. WHAT WE'RE ALSO TRYING TO DO, WHICH IS DIFFICULT, IS LOOK AHEAD. THIS PROJECT IS GOING TO TAKE THREE TO FOUR YEARS TO CONSTRUCT. WE DON'T WANT TO GET PART WAY THROUGH THE LEVEE PROJECT AND HAVE THE CRITERIA CHANGING ON US AND HAVE OUR IMPROVEMENTS OUT OF DATE. SO WE'RE TRYING TO GET A READ FROM THE CORPS AND OTHERS HOW CRITERIA MAY BE CHANGING.

**DIRECTOR SILVA:**

PRE-KATRINA, MOST OF THE EFFORTS ACROSS AMERICA FOR 100-YEAR LEVEL OF PROTECTION WERE ALREADY IDENTIFIED BY JUST LEVEE PROFILING AND LEVEE HEIGHT. BUT BASED ON POST-KATRINA, FEMA WANTED TO LOOK AT STABILITY OF LEVEES, THE MATERIALS IN THE LEVEE, AND THE UNDERSEEPAGE AND THESE ARE THE CRITERIAS THAT HAVE CHANGED. THE PUBLIC MIGHT WONDER WHY WE HAD 100-YEAR LEVEL OF PROTECTION FIVE YEARS AGO BUT TODAY, ONE DOESN'T HAVE THAT.

**MR. KRIVANEC:**

I THINK THAT THE CORPS AND THE ENGINEERING COMMUNITY LEARNED A LOT ABOUT UNDERSEEPAGE EVEN BEFORE KATRINA. AS STEIN HAD MENTIONED EARLIER, WHEN THE CORPS FORMED THEIR UNDERSEEPAGE TASK FORCE SPECIFICALLY LOOKING AT THE SACRAMENTO AREA, I BELIEVE BEFORE THAT, THEY WEREN'T SURE THAT IT WAS A CONCERN IN THE SACRAMENTO BASIN. THAT HAPPENED ELSEWHERE. AS THEY GOT IN AND EVALUATED THE SUB SURFACE STRATRIGRAPHY THAT'S HERE, THEY REALIZED IT IS A SIGNIFICANT CONCERN ALL AROUND THE CENTRAL VALLEY. SO, IT WAS AN EVOLVING PROCESS AND I

WOULD SAY THAT WHAT KATRINA DID IS INCREASED AWARENESS AND ACCELERATED THE PROCESS TO ADDRESS THE PROBLEM.

**DIRECTOR SILVA:**  
THANK YOU.

**DIRECTOR TRETHERWAY:**  
ANOTHER QUESTION

**MR. KRIVANEC:**  
YES.

**DIRECTOR TRETHERWAY:**  
ON UNDERSEEPAGE, AND THAT IS PUTTING A SECONDARY BERM ON THE LANDWARD SIDE -- IS IT ON? IT SAYS MIC ON. CAN YOU HEAR IT NOW?

**MR. KRIVANEC:**  
YES.

**DIRECTOR TRETHERWAY:**  
BETTER, OKAY. ON THE UNDER SEEPAGE, FOR THE SECONDARY LEVEE ON THE LANDWARD SIDE OFTENTIMES, WOULD THAT REDUCE THE BOILS OR WOULD THE BOILS JUST SHIFT TO THE EDGE OF THE NEW SECONDARY LEVEE.

**MR. KRIVANEC:**  
THAT'S A GOOD QUESTION. I'M ACTUALLY GOING TO TALK ABOUT VARIOUS MEASURES THAT WILL ADDRESS UNDERSEEPAGE AND IF I CAN HOLD ON THAT QUESTION, WHEN I GET TO THAT SLIDE I WANT TO MAKE SURE I ANSWER THAT. BUT I THINK I CAN SHOW IT GRAPHICALLY A LITTLE BETTER SHORTLY. OKAY. SO AS WE'RE NOT ONLY IDENTIFYING THE PROBLEMS WITH THE LEVEES AROUND THE NATOMAS BASIN AND THEN COMING UP WITH ALTERNATIVES TO ADDRESS THOSE PROBLEMS, KEEPING A NUMBER OF PROGRAM OBJECTIVES IN MIND, STEIN HAD MENTIONED EARLIER, ONE IS TO PROVIDE 100-YEAR LEVEL OF FLOOD PROTECTION AS QUICKLY AS POSSIBLE. AS YOU KNOW, WE HAVE A GOAL OF 2010 TO GET A SYSTEM IN PLACE THAT PROVIDES 100-YEAR FLOOD PROTECTION FOR THE ENTIRE BASIN. BEYOND THAT, WE WOULD LIKE TO PUT A SYSTEM IN PLACE THAT PROVIDES 200-YEAR LEVEL OF PROTECTION OVER TIME, NOW, AFTER 2010. AND ALSO WE NEED TO ENSURE THAT ANY DEVELOPMENT IN THE BASIN DOESN'T SUBSTANTIALLY INCREASE EXPECTED FLOOD DAMAGES. AS WE'RE GOING INTO THE EVALUATION OF DIFFERENT ALTERNATIVES TO ADDRESS THE PROBLEMS, THESE ARE THE THINGS WE ARE FOCUSING ON: INCREASED FREEBOARD, AS JOE HAS MENTIONED, WE ARE LOOKING FOR THREE FEET OF FREEBOARD OVER THE 200-YEAR WATER SURFACE ELEVATION, THAT'S OUR DESIGN WATER SERVICE ELEVATION. WE CAN DO THAT A COUPLE OF WAYS: WE CAN RAISE THE LEVEE IN PLACE; OR WE CAN CONSTRUCT AN ADJACENT THAT'S A BIT HIGHER; WE NEED TO MITIGATE UNDERSEEPAGE USING MEASURES SUCH AS CUTOFF WALLS, SEEPAGE BERMS, RELIEF WELLS AND I'M GOING TO GET INTO THAT MORE HERE IN JUST A MOMENT; ADDRESS THE ENCROACHMENT ISSUE AND THAT CAN BE DONE BY EVALUATING THE ENCROACHMENTS AND REMOVING THOSE ENCROACHMENTS THAT ARE CONSIDERED A PROBLEM. NOW, THAT'S A DIFFICULT PROCESS. WE'VE BEEN TALKING WITH THE CORPS ABOUT THAT AND IT'S NOT CLEAR EXACTLY HOW THAT'S DONE YET; OR YOU COULD MOVE THE LEVEE AWAY FROM THE ENCROACHMENTS AND HAVE ALL OF THE ENCROACHMENTS OUTSIDE THE LEVEE PRISM. FINALLY, WE MENTIONED ALL THE EROSION SITES ON THE SACRAMENTO RIVER, YOU CAN EITHER COME IN WITH BIG ROCK, KNOWN AS RIP RAP, AND PLACE THE RIP RAP ON THE EROSION SITES AND THEN DO HABITAT RESTORATION, OR, AGAIN, YOU COULD MOVE THE LEVEE AWAY FROM THE EROSION SITES. I'M GOING TO START TALKING NOW ABOUT THE DESIGNS THAT WERE EVALUATED AND WHAT WE'RE MOVING FORWARD WITH. INITIALLY THIS FIRST ONE -- I'M SORRY. BEFORE GETTING TO THAT, LET ME TALK THROUGH SOME OF THE TYPICAL MEASURES THAT ADDRESS UNDER SEEPAGE. FIRST ONE IS SHOWING A CUT OFF WALL. A LOT OF YOU HAVE SEEN THIS BEFORE. AND WHAT YOU NEED TO DO IS COME IN AND DEGRADE A TOP ONE-THIRD OF THE LEVEE AND CONSTRUCT A WALL. SO YOU WOULD DIG UP THE SOIL, MIX IT WITH BENTONITE CLAY TO PROVIDE A LOW PERMEABILITY BARRIER HERE AND WHAT THAT WOULD DO IS THAT AS THE WATER IS TRYING TO COME IN UNDERNEATH, IT BLOCKS IT HERE. THIS SLIDE ALSO SHOWS HOW WE WOULD RAISE THE LEVEE TO PROVIDE ADDITIONAL FREEBOARD. THIS IS GETTING NOW TO THE SEEPAGE BERM QUESTION. WE MENTIONED BEFORE THAT AS THE WATER PRESSURE COMES UNDERNEATH, IT GETS UNDER THE CLAY BLANKET. IT'S WHERE THAT CLAY BLANKET IS THINNED THAT YOU'RE GOING TO HAVE PROBLEMS. YOU'RE GOING TO HAVE SEEPS, BOILS AND

A THREAT TO THE LEVEE. SO, ONE WAY TO MITIGATE THAT IS TO CONSTRUCT A SEEPAGE BERM. THESE BERMS ARE AT LEAST A HUNDRED FEET WIDE TO 300 OR EVEN 400 FEET WIDE ACCORDING TO CORPS CRITERIA AND GENERALLY ABOUT THREE FEET THICK AT THE TOE AND AT THE TOE OF THE LEVEE ON THE ORDER OF FIVE TO EIGHT FEET THICK. BASICALLY ALL THAT DOES IS MAKES YOUR CLAY BLANKET A LOT THICKER. THE PROBLEM THAT WE HAVE WITH SEEPAGE BERMS IS THEY TAKE UP A LOT OF SPACE. AND IN AREAS THERE ARE TREES, HOMES, A NUMBER OF THINGS OUT HERE THAT ARE OF CONCERN. FINAL MEASURE I'M GOING TO TALK ABOUT IS RELIEF WELLS. AGAIN, AS THE PRESSURE BUILDS UP UNDERNEATH THE CLAY BLANKET, WE COULD CONSTRUCT RELIEF WELLS TO DO JUST THAT. RELIEVE THE PRESSURE IN A CONTROLLED FASHION INTO A CHANNEL HERE OF THE PRESSURE THAT BUILDS UP. THE PROBLEM THAT WE HAVE WITH RELIEF WELLS IS THAT THE INFLUENCE OF RELIEF WELLS IT'S A SMALL SPHERE OF INFLUENCE. SO YOU NEED QUITE A FEW OF THESE TO BE EFFECTIVE. YOU LOOK AT RELIEF WELLS FACING EVERY HUNDRED FEET. AND THE OTHER CONCERN THAT WE HAVE ABOUT RELIEF WELLS IS THAT THEY ARE HIGHLY DEPENDENT ON MAINTENANCE. IF A RELIEF WELL IS NOT MAINTAINED, IT STARTS TO PLUG UP, IT'S INEFFECTIVE. SO IN TALKING WITH THE CORPS, THE ENGINEERING COMMUNITY AND THE CORPS GENERALLY FEEL THAT RELIEF WELLS HAVE A ROLE AS A SEEPAGE MEASURE, BUT IT'S LIMITED IMPLEMENTATION OF THEM. FOR EXAMPLE, AROUND A PUMP STATION, IN A CORNER WHERE THERE'S A SEEPAGE PROBLEM, BUT WE'RE NOT LOOKING AT WIDE USE OF RELIEF WELLS. OKAY. NOW I CAN GET INTO SPECIFIC DESIGNS. I CAN GET THROUGH THIS ONE QUICKLY ON THE CROSS CANAL. THIS IS A CONFIGURATION THAT WE'RE MOVING FORWARD WITH. AGAIN, TO DEGRADE A PORTION OF THE CROSS CANAL, CONSTRUCT THE CUT OFF WALL AND THEN DO A LEVEE RAISE WITH IMPORTED MATERIAL HERE TO RAISE THE LEVEE EMBANKMENT. THE ADVANTAGE WE HAVE ON THE CROSS CANAL IS WE DON'T HAVE A LOT OF THE ENCROACHMENTS, YOU KNOW, HOMES ON THE WATER SIDE, WE DON'T HAVE A LOT OF VEGETATION THERE, SO THIS IS THE PREFERRED PROJECT. THE DEPTHS OF THE WALL IN THAT AREA ARE ON THE ORDER OF ABOUT 70 FEET DEEP. WE FIRST CONSIDERED ON THE SACRAMENTO RIVER LEVEE THE RAISE IN PLACE OPTION. THIS SKETCH HERE KIND OF SHOWS HOW WE WOULD DO THAT. THE FIRST THING WE NEED TO DO, AND AGAIN, HERE IS THE EXISTING GARDEN HIGHWAY AND THE HOMES HERE, IS WE WOULD NEED TO COME IN AND DEGRADE THE TOP OF THE LEVEE DOWN PROBABLY ABOUT SIX TO SEVEN FEET. AND THE REASON FOR THAT I DIDN'T EXPLAIN BEFORE IS THAT WHEN YOU CONSTRUCT THESE CUT OFF WALLS, THEY USE A SLURRY TO KEEP THE TRENCH OPEN. WE NEED CUTOFF WALLS THAT GO DOWN 70, 110 FEET OR MORE. AND SO TO KEEP, WHEN THE SLURRY IS PUT IN HERE, YOU RUN THE RISK OF HYDRAULIC FRACTURING LIKE WE SAW ON THE AMERICAN RIVER WHEN THEY CONSTRUCTED ALL THE SLURRY WALLS BACK A NUMBER OF YEARS AGO. YOU GET BLOW OUTS AND YOU END UP HAVING TO TAKE OUT THE ENTIRE LEVEE TO REPAIR IT IF THAT HAPPENS. THEREFORE YOU NEED TO COME IN AND DEGRADE THROUGH HERE, AND I'LL SHOW SOME PICTURES OF WHAT THAT LOOKS LIKE HERE IN JUST A MINUTE. THEN YOU COME BACK AND RECONSTRUCT THIS PORTION AS WELL AS A HIGHER LEVEE TO GET THE FREEBOARD REQUIRED. ONE OF THE THINGS WE WOULD ALSO NEED TO DO FOR A NEW GARDEN HIGHWAY IS LIKELY BRING THE HIGHWAY UP TO CURRENT COUNTY STANDARDS. AND SO WE WOULDN'T GET AWAY WITH A 24-FOOT CROWN WIDTH, WE'D NEED SOMETHING LIKE A 32 OR WIDER FOOT CROWN TO GET 12-FOOT LANES, THREE FOOT SHOULDERS. AND AS THE CONFIGURATION IS SHOWN HERE, WE WOULD PROBABLY NEED TO EVEN GO WIDER IN SOME AREAS WHERE WE HAVE DRIVEWAYS COMING DOWN SO THAT PEOPLE CAN GET UP AND AROUND THE CORNER HERE. THE OTHER TRICKY PART ABOUT THE RAISE IN PLACE OPTION IS BACK TO THE ENCROACHMENT ISSUE. DOING AN EVALUATION AND DETERMINING HOW MANY OF THESE HOMES, TREES, POWER POLES NEED TO BE REMOVED BECAUSE NOW THE LEVEE PRISM IS DEFINED BY THE NEW CROWN, THE EXISTING WATER SIDE SLOPE AND THIS CROWN. THAT'S A VERY CHALLENGING PROSPECT.

**CHAIR FARGO:**

AND WHILE YOU'RE TALKING ABOUT THIS, MY UNDERSTANDING IS THAT WHEN WE DID THE SLURRY WALL, NOT ONLY ON THE AMERICAN RIVER BUT ALSO THE LOWER PART OF THE GARDEN HIGHWAY, WE DID NOT HAVE THIS REQUIREMENT OF REMOVING THE TOP SIX OR SEVEN FEET. THAT IS A NEW REQUIREMENT.

**MR. KRIVANEC:**

AND I BELIEVE IF WE --

**CHAIR FARGO:**

OF THE CORPS AM I CORRECT?

**MR. KRIVANEC:**

MOVE AHEAD ONE PICTURE.

**CHAIR FARGO:**  
OKAY.

**MR. KRIVANEC:**  
THE REQUIREMENT, AS WE UNDERSTAND FROM THE CORPS, IS WHEN YOU'RE USING THE SLURRY METHOD. AND THAT'S THE PICTURE SHOWN ON OUR LEFT HERE. WHERE YOU HAVE AN EXCAVATOR, IT'S DIGGING THROUGH SLURRY, LIQUID SLURRY AND THAT'S WHERE YOU HAVE THE RISK OF BLOW OUTS. I BELIEVE, ON THE LOWER PART OF THE GARDEN HIGHWAY, BEFORE THEY USED THIS KIND OF EQUIPMENT WHICH IS A DEEP SOIL MIX MACHINE. THE LIMITATION OF THE SLURRY WALL IS IT CAN GO DOWN ABOUT 70, 80 FEET. DEEP SOIL MIX MACHINES CAN GO DOWN 110 FEET.

**CHAIR FARGO:**  
OKAY.

**MR. KRIVANEC:**  
AND SO, THE PROBLEM IS, WITH THE DEEP SOIL MIX MACHINE, IT'S ON THE ORDER OF TWICE AS EXPENSIVE AS THE OTHER METHOD.

**CHAIR FARGO:**  
RIGHT.

**MR. KRIVANEC:**  
SO, YOU'RE RIGHT.

**CHAIR FARGO:**  
OKAY.

**MR. KRIVANEC:**  
GREATER DEGRADES REQUIRED USING A SLURRY METHOD. YOU DO REQUIRE SOME DEGRADE FOR THE DEEP SOIL MIX MACHINE BECAUSE IT NEEDS A WORKING PLATFORM OF 30 TO 40 FEET WIDE TO GET CONSTRUCTION EQUIPMENT AROUND IT. THAT MACHINE THERE IS QUITE LARGE. IT'S AT LEAST 25, 30 FEET WIDE ITSELF.

**CHAIR FARGO:**  
OKAY. THANK YOU FOR THAT CLARIFICATION AND A REMINDER ON THE CELL PHONES. WE'D APPRECIATE YOU TURNING THEM OFF OR TO SILENT. THANK YOU.

**MR. KRIVANEC:**  
I PUT THESE PICTURES UP HERE TOO. IF WE MOVE FORWARD WITH THE RAISE IN PLACE OPTION, THIS IS THE OPERATION THAT WOULD BE OCCURRING ALONG THE GARDEN HIGHWAY. SO WITH THOSE PROBLEMS WE SAW WITH THE RAISE IN PLACE OPTION, WE MOVED TO LOOKING AT AN ADJACENT LEVEE. THE ADJACENT LEVEE WOULD DO A NUMBER OF THINGS. WE WOULD NOT HAVE TO DO ANYTHING TO THE GARDEN HIGHWAY OR ANYTHING ON THE WATER SIDE SLOPE. THE ADJACENT LEVEE WOULD BE CONSTRUCTED BY IMPORTING MATERIAL TO CONSTRUCT A NEW LEVEE WITH A 20-FOOT WIDE CROWN, THREE TO ONE LAND SIDE SLOPE. IN THIS AREA WE WOULD REMOVE THE EXISTING STABILITY BERM AND ALSO PER REC BOARD REQUIREMENTS WE WOULD HAVE A NEW 50-FOOT EASEMENT OFF THE LAND SIDE TOE. ONE OF THE GREAT ADVANTAGES OF THIS IS, AS WE'RE SAYING, IF YOU PROJECT DOWN THIS THREE TO ONE WATER SIDE SLOPE, YOU'RE OUTSIDE A LOT OF THE, THE ENCROACHMENTS ARE OUTSIDE THE LEVEE PRISM, SO WE'RE GETTING AWAY FROM ALL THOSE ISSUES AND WE'RE GETTING AWAY, FARTHER AWAY FROM THE EROSION SITES. WHAT THIS FIGURE DOESN'T SHOW IS THEN IN A LOT OF THESE AREAS, WE'LL PROBABLY NEED TO COME IN AND MITIGATE FOR UNDERSEEPAGE. NOW THAT WOULD BE BY EITHER CONSTRUCTING A SLURRY WALL, SOME KIND OF A CUT OFF WALL IN THIS AREA, OR SEEPAGE BERM IN THIS AREA HERE, OR RELIEF WELLS. THE BOTTOM FIGURE QUICKLY IS TO SHOW WHAT THE ADJACENT LEVEE WOULD LOOK LIKE WHERE WE DO NOT REQUIRE A RAISE OF THE LEVEE TO GET ADEQUATE FREEBOARD. SO, IT'S PROBABLY MORE ON THE ORDER OF 11 FEET ON THE CROWN HERE AND SHALLOW SLOPE ON THE SIDE. AND THE MAIN PURPOSE HERE IS, AGAIN, TO GET AWAY FROM ALL OF THE ENCROACHMENTS ON THE WATERSIDE SLOPE.

**MR. WASHBURN:**  
ROUGHLY DOWNSTREAM OF POWERLINE, CHRIS?

**MR. KRIVANEC:**

YES, ROUGHLY DOWNSTREAM OF POWERLINE. WITH THAT I WANT TO TALK JUST ABOUT A FEW OF THE MAIN CONSTRUCTION IMPACTS AND THE THINGS THAT WE'RE DOING TO MANAGE THOSE IMPACTS. THE DIFFICULT THING ABOUT THIS PROJECT IS IT REQUIRES A LOT OF BORROW MATERIAL. AS THE EIR WAS SAYING, IT'S ON THE ORDER OF FIVE MILLION CUBIC YARDS ARE PROJECTED FOR THE CROSS CANAL AND THE ENTIRE SACRAMENTO RIVER LEVEE. SO WE'VE BEEN WORKING ON IDENTIFYING BORROW SITES WITHIN THE BASIN. WE DON'T WANT VERY LONG CALL ROUTES. SO WE'RE TRYING TO GET AS CLOSE OF BORROW SITES AS WE CAN. WE'RE ALSO WORKING WITH THE AIRPORT AND THE NATOMAS BASIN CONSERVANCY TO DEVELOP A PLAN THAT WOULD IDENTIFY BORROW SITES AND DEVELOP A PROCESS TO CONVERT THOSE BORROW SITES INTO GRASSLANDS, MARSH AREAS OR APPROPRIATE AGRICULTURAL USES THAT MEET THE NEEDS OF THE AIRPORT AND THE NBC. ONE OF THE BIG THINGS WE'RE TRYING TO DO AS WELL IS KEEP ALL HALL ROUTES WITH ALL THIS MATERIAL OFF THE GARDEN HIGHWAY. WE'RE TRYING TO ESTABLISH ALL HALL ROUTES WITHIN THE BASIN ITSELF, MIGHT EVEN BE BUILDING NEW DIRT ROADS, BUT WE'RE TRYING TO KEEP EVERYONE OFF THE GARDEN HIGHWAY. THE OTHER BIG CHALLENGE WE HAVE WITH THE DESIGNS WE'RE COMING UP WITH ARE LAND ACQUISITION AND RELOCATIONS. OUR GOAL IS TO MINIMIZE THE NUMBER OF RESIDENT RELOCATIONS TO THE LOWEST EXTENT POSSIBLE. I BELIEVE ON THE UPPER FIVE MILES OF THE SACRAMENTO RIVER WE'RE LOOKING AT RELOCATING FIVE RESIDENTS IN THAT AREA. WE'RE ALSO TRYING TO MINIMIZE THE IMPACTS TO AGRICULTURAL LANDS UP IN THAT AREA AND HABITATS.

**DIRECTOR NOTOLLI:**

QUESTION, MADAME CHAIR?

**MR. KRIVANEC:**

YES.

**DIRECTOR NOTOLLI:**

ON THE RELOCATIONS AND OR ACQUISITIONS, AT THIS JUNCTURE IS THERE A WAY OF IF FOLKS WISH TO STAY TO CONTINUE LOOKING AT WAYS TO ACHIEVE THAT, ALLOW THEM TO STAY? OR ARE YOU DEFINITIVE WHEN YOU SAY THE FIVE?

**MR. KRIVANEC:**

THE PROBLEM THAT WE'RE HAVING IS A LOT OF THEM ON THE LAND SIDE ARE UNDERNEATH THE ADJACENT LEVEE. AND IT'S HARD TO FIND OTHER MEASURES THAT AVOID THAT FOOTPRINT. WHEN YOU GET OUTSIDE THE ADJACENT LEVEE, YOU CAN LOOK AT BERMS VERSUS WALLS, VERSUS RELIEF WALLS AND WE ARE STUDYING THAT CAREFULLY AT EACH OF THE HOMES TO SEE WHAT CAN WE DO TO KEEP PEOPLE ON THEIR PARCEL. WE'RE ALSO LOOKING AT DRIVEWAYS AND ACCESS TO THOSE PARCELS AND HOW IT ALL TIES TOGETHER, SO.

**DIRECTOR NOTOLLI:**

OKAY. BUT THIS SLIDE IS NOT REPRESENTATIVE OF THAT SITUATION. THIS IS NEW DEVELOPMENT. YOU'RE TALKING ABOUT HOUSES THAT ARE ON ACREAGE OF SOME SORTS THAT MAY HAVE BEEN THERE FOR 40, 50, 60, 70, 80 YEARS.

**MR. KRIVANEC:**

RIGHT. SOME OF THE HOMES WE'VE LOOKED AT WE'VE SAID, IS IT POSSIBLE TO, ACTUALLY INSTEAD OF JUST A REMOVAL, DO A RELOCATION. DIFFICULT WITH SOME OF THE OLDER HOMES MADE OF CINDER BLOCKS WITH BASEMENTS AND THINGS LIKE THAT. SOME OF THE OTHERS, IT'S AN

**CHAIR FARGO:**

BUT RELOCATING HOMES IS NOT SOMETHING WHICH HAS --

**DIRECTOR NOTOLLI:**

ONSITE?

**CHAIR FARGO:**

-- BEEN LOOKED AT. WELL, FURTHER BACK NOT EXACTLY ON THE SITE BUT ON THEIR PARCEL.

**DIRECTOR NOTOLLI:**

RIGHT, MOVING THEM BACK.

**MR. KRIVANEC:**

RIGHT. I WANT TO TALK JUST BRIEFLY ABOUT DRAINAGE. I KNOW THAT'S BEEN A CONCERN ESPECIALLY WITH A LOT OF THE WATER SIDE RESIDENTS THAT ARE HERE. THE PROBLEM THAT WE HAVE IS RIGHT NOW, THE GARDEN HIGHWAY HAS A HIGH POINT IN THE CENTER, DRAINS WATERWARD AND IT DRAINS LANDWARD FROM THAT HIGH POINT. AS WE CONSTRUCT THE ADJACENT LEVEE WITH A RAISE, WE BLOCK THE DRAINAGE LANDWARD AND WE HAVE ADDITIONAL DRAINAGE ON THIS SMALL SLOPE HERE TO ACCOMMODATE. SO OUR PLAN IS TO CONSTRUCT A DRAINAGE SWALE IN THIS AREA HERE BETWEEN THE GARDEN HIGHWAY AND THE ADJACENT LEVEE TO BE A GRASS LINED SWALE, SO WE ALSO GET SOME BENEFITS OF TREATMENT OF THE RUN OFF THAT'S THROUGH THERE AND THEN WE'RE LOOKING AT PLACING STORM DRAINS, DROP INLETS, ROUGHLY EVERY 800 FEET AND THEN WE WILL TAKE THE WATER ACROSS THE GARDEN HIGHWAY AND THEN TO VARIOUS OUTLETS. THE OTHER THING WE'RE TRYING TO DO IS WE'RE LOOKING AT CONSTRUCTING LARGE PIPES UNDERNEATH THE GARDEN HIGHWAY TO GET THESE OUTLETS AWAY FROM RESIDENTIAL AREAS. LIKE IN THE FIRST FIVE MILES, I THINK THERE'S A 3,000 FOOT STRETCH OF RESIDENCES ON THE NORTH AREA. SO IF WE CAN PUT THE DROP INLETS IN, TAKE THE WATER AROUND IT AND THEN PUT THE OUTLETS OUTSIDE THE RESIDENCES, THAT'S OUR PLAN.

**CHAIR FARGO:**

OKAY.

**MR. KRIVANEC:**

I TALKED A LITTLE BIT ABOUT UTILITIES. RIGHT NOW THERE'S A NUMBER OF UTILITY POLES ON THE LAND SIDE SLOPE IN THIS AREA. THERE ARE SOME POLES THAT ARE HERE THAT WILL BE IN THE FOOTPRINT OF EITHER THE ADJACENT LEVEE OR THE SEEPAGE BERMS. SO WHAT WE ARE WORKING WITH PG&E AND SMUD TO DO IS TAKE THE MAIN LINE POWER POLES, RELOCATE THEM OUTSIDE THE PROJECT, NOT ONLY OUTSIDE THE ADJACENT LEVEE BUT OUTSIDE THE BERMS AND THE ACCESS CORRIDOR AND THEN CONSTRUCT NEW POWER POLES IN THE DRAINAGE SWALE THAT WE WERE DESCRIBING BEFORE TO FEED THE WATER SIDE HOMES THAT ARE HERE. THE CHALLENGE IS THEN FINDING AREAS IN WHICH WE CAN CONNECT THE MAIN LINE POLES TO THE SECONDARY POLES. WE'LL USE NEW INTERSECTIONS AT RIEGO AND SANKEY ROAD, BECAUSE IN WORKING WITH THE CORPS OF ENGINEERS, AGAIN, WHETHER IT'S THE ADJACENT LEVEE OR THE BERM, THEY WANT NO PENETRATIONS INTO THAT FLOOD CONTROL FEATURE, NOT EVEN POWER POLES. FINALLY, AS WE KNOW, THIS IS A VERY LARGE CONSTRUCTION PROJECT AND WITH LARGE CONSTRUCTION PROJECT COMES CONSTRUCTION NOISE, DUST, AND VIBRATIONS. AND SO, WE'LL BE IMPLEMENTING TYPICAL BEST MANAGEMENT PRACTICES TO KEEP THOSE IMPACTS TO A MINIMUM INCLUDING LIMITING WORK HOURS, FOLLOWING REGIONAL AIR QUALITY BOARD STANDARDS FOR DUST CONTROL. AS ON ALL PROJECTS, WE'LL DO VIBRATION MONITORING TO KEEP THE CONTRACTOR IN CHECK AND VERIFY IF THERE ARE ANY PROBLEMS. ANY QUESTIONS ABOUT MY PRESENTATION?

**CHAIR FARGO:**

I THINK WE'LL POSTPONE QUESTIONS FOR NOW. THANK YOU. STEIN, HOW MUCH LONGER DO WE HAVE FOR PRESENTATIONS SO WE CAN LET OUR AUDIENCE KNOW --

**MR. BUER:**

STEVE'S PRESENTATION WILL BE LESS THAN TEN MINUTES AND THEN MR. SCHWARTZ WILL BE ABOUT FIVE.

**CHAIR FARGO:**

OH, OKAY.

**MR. BUER:**

WE'LL HOLD TO THAT.

**CHAIR FARGO:**

OKAY. IF WE COULD DO THAT THAT WOULD BE HELPFUL ALTHOUGH I DON'T WANT TO, THIS IS IMPORTANT INFORMATION AND I THINK IT'S HELPFUL FOR EVERYONE TO HEAR IT. BUT I DO WANT TO GET TO PUBLIC TESTIMONY.

**MR. CHAINEY:**

USING THE ARROWS TO TALK WITH HERE? OH, THIS ONE, OKAY. MEMBERS OF THE BOARD, MY NAME IS STEVE CHAINEY, I'M A SENIOR RESOURCE ECOLOGIST WITH -- THANKS FOR THE MUSICAL ACCOMPANIMENT. -- WITH EDAW AND I'VE WORKED WITH SAFCA FOR PAST 15 YEARS. FOR 25 YEARS I'VE STUDIED, PLANNED,



DESIGNED AND IMPLEMENTED NUMEROUS RESTORATION AND MITIGATION PROJECTS ON RIVERS AND WETLANDS INCLUDING THE YOLO BASIN WILDLIFE AREA, STONE LAKES BEACH LAKES BASIN, AND THE SAN JOAQUIN RIVER. THIS IS MY FIRST BASIN WIDE PROJECT THAT HAS SHARED LAND AND SHARED WATER WITH A GROWING URBANIZING AREA. OUR HABITAT STRATEGY OBJECTIVES FROM THE OUTSET WERE OF COURSE TO COMPENSATE FOR THE REQUIRED LOSSES OF HABITAT THAT ARE SIMPLY IN THE FOOTPRINT OF THE PROJECT. BUT WE ALSO LOOK FOR EVERY POSSIBLE OPPORTUNITY TO GAIN GREATER BENEFITS FOR HOW THE ECOSYSTEM OF THE BASIN FUNCTIONS AS WELL AS THE NET AREA OF THE HABITAT THAT WE WILL RECREATE. ONE OF THE MOST IMPORTANT OBJECTIVES IS TO LINK THE POP ISOLATED -- GROWINGLY ISOLATED POPULATIONS OF GIANT GARTER SNAKE IN DIFFERENT PARTS OF THE BASIN THROUGH THE DESIGN OF THE PROJECT AND I'LL EXPLAIN THAT IN A MINUTE. WE HAD ANOTHER MAJOR RESPONSIBILITY WHICH IS TO ASSIST THE AIRPORT IN REDUCING WHAT THEY CONSIDER TO BE HAZARDOUS WILDLIFE WITHIN THE PRIMARY APPROACH LANES OF FLIGHTS AT THE AIRPORT. OUR TEAM WAS NOT JUST BIOLOGISTS AND ECOLOGISTS. OUR DESIGN TEAM WAS QUALITY ENGINEERS, AGRICULTURAL, GEOTECHNICAL, DESIGN AND WE WORKED TOGETHER TO CO-DESIGN THE PROJECT SO THE HABITAT COMPONENTS WERE INCORPORATED INTO THE DESIGN OF THE PROJECT AND THE REPLACEMENT DESIGNS FOR THE CANAL SYSTEM AND OTHER FEATURES. AND THEY'VE TURNED OUT TO BE IN MANY CASES MUTUALLY BENEFICIAL. I'LL JUST SUMMARIZE THE THREE PRIMARY PROTECTED SPECIES OR VALUABLE HABITATS THAT THE PROJECT AFFECTS. WE ARE AFFECTING UNDER CONSTRUCTION, EITHER CANALS, UPLANDS OR RICE. ABOUT 530 ACRES OF IN THE 2009 AND 10 AND ABOUT 300 IN 2008. SOME OF THESE ARE AGRICULTURAL. THERE'S ONLY ABOUT 16 MILES OF CANAL THAT WE'RE AFFECTING WHICH IS CONSIDERED GARTER SNAKE HABITAT AND OUR OBJECTIVE IS BASICALLY ONE TO ONE REPLACEMENT AND RESTORATION, HALF ACRE PER ACRE OF RICE AFFECTED. SWAINSON'S HAWK FORAGING HABITAT, AGAIN, 2008 ABOUT 200 ACRES, 9 AND 10 ABOUT 500. LARGELY CONVERSIONS OF RICE TO GRASSLANDS BECAUSE OF THE NEED TO REDUCE THE POTENTIAL WILDLIFE HAZARDS NEAR THE AIRPORT, WHICH SAFCA IS BASICALLY BENEFITING AND ASSISTING THE AIRPORT, WE CO-DESIGNED THIS PROJECT WITH THEM AND THE FEDERAL AVIATION ADMINISTRATION IN ORDER TO PLACE THOSE HABITATS OUTSIDE THE DANGER AREAS. AND, AS YOU KNOW, THERE'S A NUMBER OF MATURE WOODLAND GROVES ON THE LAND SIDE. THEY'RE DISCONTINUOUS, BUT THEY ARE VALUABLE. AND WE'RE AFFECTING IN THE FOOTPRINT WE ESTIMATE FOR 2008 MAYBE TEN CANOPY ACRES AND ANOTHER 22 IN 9 AND 10. WE'RE IN THE PROCESS OF SURVEYING THE DIAMETERS OF THOSE TREES AND USE DEPARTMENT OF FISH AND GAME'S COMPENSATION RATIOS FOR DIAMETERS EVERY INCH, WE PLANT A TREE. THIS IS BASICALLY, IT'S HARD TO READ AT THIS SCALE, BUT IT GIVES YOU AN IDEA OF WHERE THE COMPENSATION AND HABITAT RESTORATION AREAS ARE IN THE CENTRAL AREA, NORTH OF THE AIRPORT WE FOCUS ON MANAGED GRASSLANDS, CLOSER TO THE AIRPORT RUNWAYS AND OUR WETLAND HABITATS AND HIGHER VALUE HABITATS TO THE NORTH OF THAT. WE HAVE LONG BANDS OF WOODLAND CREATIONS. IT WILL BE MANY MORE ACRES THAN WHAT'S OUT THERE, APPROXIMATELY 150 ACRES, AS WELL AS THE CANAL SYSTEM.

THIS IS, THE BASIN AS A WHOLE AND THE GREEN ARE LANDS THAT HAVE BEEN ACQUIRED BY NATOMAS BASIN CONSERVANCY. THERE ARE THREE MAJOR GARTER SNAKE POPULATIONS: ONE THAT'S EAST OF HIGHWAY 99, ANOTHER THAT'S FAR TO THE NORTH, AND ONE DOWN HERE NEAR FISHERMAN'S LAKE AND SOUTH OF I-5. ONE OF THE PRIMARY RISKS TO THE GARTER SNAKE POPULATION IS DISCONNECTED AREAS THAT DON'T ALLOW THEIR MOVEMENT TO SUPPORT THEIR POPULATIONS AND TO AVOID POSSIBLE DAMAGE THAT MAY OCCUR IN ONE PLACE AND OVERCOME THAT IN ANOTHER LOCATION. UNFORTUNATELY, MUCH OF THEIR CONNECTEDNESS IS RICE FIELDS AND CANALS. SO WE'VE DESIGNED THE CANAL SYSTEM TO BASICALLY LINK THESE IMPORTANT POPULATION AREAS AND TO INCORPORATE INTO THE DESIGN FEATURES OF CANALS THAT DO TWO IMPORTANT THINGS: THEY MAKE THE CANAL SYSTEM EASIER FOR THE WATER DISTRICTS AND THE RECLAMATION DISTRICT TO MAINTAIN AND MANAGE THEIR SYSTEM. THEY CAN MANAGE IT IN A WAY THAT HAS LESS ROUTINE ADVERSE EFFECTS ON THE POPULATION OF GARTER SNAKES, AND IT GIVES US MORE SPACE TO CREATE HIGH VALUE GARTER SNAKE HABITAT ON THE FRINGES. WE HAVE A MORE SECURE WATER SURFACE AND WATER SUPPLY THAN WHAT CURRENTLY EXISTS FOR THEIR HABITATS ON THE CANAL SYSTEM. SOME AREAS HAVE DRIED OUT BECAUSE AGRICULTURE HAS PHASED OUT BUT WE'VE ASSURED THAT WOULD NOT TAKE PLACE IN THIS PROJECT. THIS IS AN EXAMPLE IN THE VICINITY OF RIEGO ROAD, IN REACH 4A. THE YELLOW IS THE FOOTPRINT OF THE EXPANDED LEVEE. THE LIGHTER YELLOW IS THE SEEPAGE BERMS. THIS ONE IS A HUNDRED FEET. THIS ONE IS 300. YOU CAN SEE IN THE RED OUTLINE THAT THERE ARE PLACES WHERE THE FOOTPRINT OF THE PROJECT SIMPLY COLLIDES WITH THESE EXISTING GROVES. WE'VE TRIED OUR BEST TO AVOID THOSE GROVES. YOU CAN SEE THAT IN THE GREEN PLANTING AREA THERE'S A HUNDRED FOOT BAND TYPICALLY WHERE WE'RE NOT AT CROSS PURPOSES WITH THE AIRPORT, WHERE WE WILL PLANT OUR 150 ACRES OF TREES. THIS WILL BE A CONTINUOUS BAND OF TREES. THIS WILL NOT BE GROWTH HERE AND THERE. AND THAT'S MY RUSH THROUGH MY PRESENTATION IN THE INTEREST OF TIME.

**CHAIR FARGO:**

GREAT. THANK YOU VERY MUCH. GO AHEAD NOW AND HEAR FROM ANDREW SCHWARTZ, I BELIEVE. THEN WE'LL BE WRAPPING IT UP AND MOVING ONTO PUBLIC TESTIMONY. HI. SOMEONE GIVE HIM THE INSTRUCTIONS.

**MR. SCHWARTZ:**

GOOD MORNING. MY NAME IS ANDREW SCHWARTZ, I'M A LAWYER WITH THE LAW FIRM SHUTE, MIHALY AND WEINBERGER.

**AUDIENCE:**

WE CAN'T HEAR YOU.

**MR. SCHWARTZ:**

THANK YOU. THE SLIDE INDICATES I'M A RESTORATION ECOLOGIST AS WELL, WERE I SUCH A RENAISSANCE MAN. I AM A LAWYER. MY FIRM HAS REPRESENTED SAFCA SINCE 1994 IN LAND USE AND ENVIRONMENTAL MATTERS. I AM TASKED WITH ACQUIRING THE PRIVATE PROPERTY THAT WOULD BE NECESSARY FOR THE PROJECT. I HAVE MORE THAN 25 YEARS EXPERIENCE IN ACQUIRING LAND FOR PUBLIC AGENCIES FOR PUBLIC PROJECTS. THE PRIVATE PROPERTY THAT WOULD BE NECESSARY FOR THE PROJECT IS SHOWN IN THIS SLIDE. IN PHASE ONE OF THE PROJECT, THERE WOULD BE APPROXIMATELY 20 ACQUISITIONS ON THE EAST BANK ALONG THE SACRAMENTO RIVER, NORTH OF THE SUTTER-SACRAMENTO COUNTY LINE AND AT VARIOUS POINTS ALONG THE CROSS CANAL. SAFCA'S DOING EVERYTHING IN ITS POWER TO MINIMIZE THE IMPACT OF THE PROJECT ON PRIVATE PROPERTY OWNERS. AND SAFCA HAVE A LONG HISTORY OF PROTECTION OF PRIVATE PROPERTY OWNERS IN THE REAL ESTATE ACQUISITION PROCESS. IT'S MY UNDERSTANDING THAT SAFCA'S ACQUIRED MORE THAN 200 PROPERTIES IN ITS, SINCE ITS INCEPTION. AND OF THOSE ACQUISITIONS, ONLY ONE OF THOSE CASES WENT TO A JURY TRIAL, WHICH INDICATES THAT IN THE VAST MAJORITY OF CASES, SAFCA HAVE REACHED AN AGREEMENT ON THE VALUE OF THE PROPERTY WITH THE PROPERTY OWNER ON A PRICE THAT THE PROPERTY OWNER BELIEVED WAS A FAIR PRICE. IN THIS CASE, SAFCA OF COURSE, WILL STRICTLY ADHERE TO THE REQUIREMENTS OF THE LAW IN ACQUIRING PROPERTY. THE LAW IN FACT PROVIDES ABUNDANT PROTECTIONS FOR PRIVATE PROPERTY OWNERS IN ACQUISITIONS OF PROPERTY FOR PUBLIC PROJECTS. THE CALIFORNIA CONSTITUTION, THE RELOCATION ASSISTANCE ACT AND THE EMINENT DOMAIN LAW IN CALIFORNIA PROVIDE THESE PROTECTIONS. THE CONSTITUTION PROVIDES THAT PRIVATE PROPERTY TAKEN FOR A PUBLIC PROJECT, PRIVATE PROPERTY OWNER MUST BE COMPENSATED AND THAT THE COMPENSATION IS EQUIVALENT TO THE FAIR MARKET VALUE OF THE PROPERTY, WHICH MEANS WHAT THE PROPERTY OWNER COULD COMMAND FOR THE PROPERTY IF THE PROPERTY WERE SOLD ON THE OPEN MARKET. IN OTHER WORDS, THAT'S THE AMOUNT OF MONEY THAT WOULD BE NECESSARY TO REPLACE WHAT THE PROPERTY OWNER HAS TO MAKE THE PROPERTY OWNER WHOLE. IT'S A FAIR PRICE. AND THAT IS THE PRICE THAT SAFCA WOULD BE PAYING IN EACH OF THESE ACQUISITIONS. THERE'S THE CEQA PROCESS, AND WHICH PROPERTY OWNERS HAVE THE ABILITY TO COMMENT ON THE ENVIRONMENTAL REVIEW DOCUMENT FOR THE PROJECT. UNDER THE RELOCATION ASSISTANCE ACT IN THE CALIFORNIA GOVERNMENT CODE, THE LAW REQUIRES THAT SAFCA APPRAISE THE PROPERTY BEFORE BEGINNING NEGOTIATIONS WITH THE PROPERTY OWNER AND OFFER THE PROPERTY OWNER THE FULL AMOUNT OF THE APPRAISAL. THE PROPERTY OWNER HAS THE RIGHT TO ACCOMPANY SAFCA'S APPRAISER IN INSPECTION OF THE PROPERTY AND PROVIDE ANY INFORMATION TO THE APPRAISER THAT THE PROPERTY OWNER THINKS IS RELEVANT. IF THE PROPERTY OWNER DISAGREES WITH THAT APPRAISAL, THEY MAY OBTAIN THEIR OWN APPRAISAL AND SAFCA IS REQUIRED TO PAY UP TO \$5,000 TO FUND THE PROPERTY OWNER'S APPRAISAL. UNDER THE EMINENT DOMAIN LAW, THERE ARE ALSO A VARIETY OF PROTECTIONS TO THE PROPERTY OWNER TO MAKE SURE THAT THEY RECEIVE A FAIR PRICE FOR THEIR PROPERTY. IF A VOLUNTARY PURCHASE OF THE PROPERTY IS NOT POSSIBLE AND THE SAFCA BOARD DECIDES TO USE EMINENT DOMAIN TO ACQUIRE THE PROPERTY, THAT WOULD REQUIRE A SUPER MAJORITY VOTE OF THIS BOARD. THE EMINENT DOMAIN PROCESS INVOLVES A NORMAL LAWSUIT PROCESS WHERE THE PROPERTY OWNER IS ENTITLED TO HAVE THEIR OWN APPRAISER TESTIFY AT A TRIAL AS TO THE FAIR MARKET VALUE OF THE PROPERTY. THERE'S NO PRESUMPTION THAT THE APPRAISAL OF THE PUBLIC AGENCY IS CREDIBLE OR IS THE FAIR MARKET VALUE OF THE PROPERTY. THE PROPERTY OWNER'S ENTITLED TO A JURY TRIAL TO DETERMINE THE VALUE OF THE PROPERTY. THEY'RE ENTITLED TO ANY SEVERANCE DAMAGES WHICH ARE DAMAGES TO THE REMAINDER OF THE PROPERTY AFTER THE TAKE OF THE PROPERTY. THEY MAY BE ENTITLED TO DAMAGES FOR LOST BUSINESS, GOOD WILL. AND THERE ARE CERTAIN TAX ADVANTAGES WHEN THEIR PROPERTY'S ACQUIRED BY A PUBLIC AGENCY. UNDER THE RELOCATION ASSISTANCE ACT THERE ARE ALSO A VARIETY OF BENEFITS AVAILABLE TO PROPERTY OWNERS. THEY ARE ENTITLED TO ASSISTANCE IN FINDING REPLACEMENT PROPERTY. THEY ARE ENTITLED TO THEIR REASONABLE MOVING COSTS. THEY'RE ENTITLED TO COMPENSATION FOR THEIR PERSONAL

PROPERTY THAT MAY BE DAMAGED BY THE ACQUISITION. AND DISPLACED RESIDENTS ARE ENTITLED TO FINANCIAL ASSISTANCE IN FINDING A NEW DWELLING. THE LAW ALSO REQUIRES THAT PROPERTY OWNERS DISPLACED BY THE PUBLIC PROJECT RECEIVE 90 DAYS NOTICE. IN THIS CASE SAFCA INTENDS TO PROVIDE A FULL YEAR'S NOTICE BEFORE REQUIRING ANY PROPERTY OWNER TO MOVE FROM PROPERTY ACQUIRED FOR THE PROJECT. SO SAFCA INTENDS TO TREAT EVERY PROPERTY OWNER IN ACCORDANCE WITH THE LAW AND TO PROVIDE A FAIR PRICE FOR ACQUISITION OF THEIR PROPERTY. THE ACQUISITION SCHEDULE, SHOULD THE PROJECT BE APPROVED, WOULD INVOLVE THE MAKING OF OFFERS TO THE PROPERTY OWNERS AND THE PROVISION OF THE SUMMARY OF THE BASIS OF THE APPRAISAL ON WHICH THAT OFFER IS BASED, IN DECEMBER. IF SAFCA AND THE PROPERTY OWNER ARE UNABLE TO REACH AN AGREEMENT ON A VOLUNTARY PURCHASE OF THE PROPERTY, THIS BOARD COULD THEN DECIDE WHETHER TO USE EMINENT DOMAIN TO ACQUIRE THE PROPERTY, IN FEBRUARY. THE BOARD COULD ALSO DETERMINE THAT IT WOULD SEEK IMMEDIATE POSSESSION OF THOSE PROPERTIES WHICH COULD BE OBTAINED ON 90 DAYS NOTICE FOLLOWING THE FILING OF AN EMINENT DOMAIN ACTION. THE EFFECTIVE DATE OF POSSESSION WOULD THEREFORE BE JUNE OF 2008. IF AN EMINENT DOMAIN CASE WENT TO A TRIAL, WE COULD EXPECT THOSE TO OCCUR SOME TIME IN 2009. HAPPY TO ANSWER ANY QUESTIONS.

**CHAIR FARGO:**

I JUST WANT TO CLARIFY THAT THE PROPERTIES THAT YOU'RE TALKING ABOUT OBVIOUSLY THESE LAWS WOULD RELATE, UNLESS THEY'RE CHANGED SOMEHOW, TO ALL OF THE ENTIRE REACH. BUT WHAT WE'RE TALKING ABOUT TODAY FROM A PROJECT LEVEL ON POTENTIAL ACQUISITION IS BASICALLY TEAL BEND GOLF COURSE NORTH?

**MR. BUER:**

NOT THAT FAR SOUTH.

**CHAIR FARGO:**

NOT THAT FAR, WELL JUST –

**MR. BUER:**

IT'S BASICALLY THE PRITCHARD –

**CHAIR FARGO:**

BUT GENERALLY IN THAT AREA.

**MR. BUER:**

YEAH.

**CHAIR FARGO:**

SO IT'S MOSTLY IN SUTTER COUNTY. IT'S A LITTLE BIT OF UPPER SACRAMENTO COUNTY.

**MR. WASHBURN:**

THERE ARE TWO PRIVATE PARCELS THAT ARE IN THE FOOTPRINT OF THE CANAL THAT GOES FROM PRITCHARD LAKE PUMP STATION TO THE GOLF COURSE. EVERYTHING ELSE IS NORTH OF PRITCHARD LAKE IN SUTTER COUNTY.

**CHAIR FARGO:**

OKAY. I WANT TO CLARIFY. I HAVE A LOT OF PEOPLE HERE WHOSE EARS HAVE PERKED UP.

**MR. WASHBURN:**

RIGHT.

**CHAIR FARGO:**

AND, THOSE ARE NOT THE PROPERTIES THAT WE'RE TALKING ABOUT TODAY.

**MR. WASHBURN:**

RIGHT.

**CHAIR FARGO:**

OTHER THAN THE PROCESS, PART OF IT WOULD BE THE SAME, BUT THIS PARTICULAR TIME FRAME IS ONLY FOR THE CONSTRUCTION WE'RE ANTICIPATING NEXT YEAR.

**MR. WASHBURN:**  
RIGHT.

**DIRECTOR NOTOLLI:**  
MADAME CHAIR, IF I COULD?

**CHAIR FARGO:**  
YES, DON.

**DIRECTOR NOTOLLI:**  
COULD WE GET THE SLIDE BACK UP? SO IF I UNDERSTAND IT, NEXT FRIDAY YOU'RE GOING TO MAKE OFFERS TO FOLKS ON, YOU SAID, 20 SOME PROPERTIES, IS THAT WHAT YOU'VE IDENTIFIED, IN THIS FIRST --?

**MR. SCHWARTZ:**  
APPROXIMATELY 20 PROPERTIES.

**DIRECTOR NOTOLLI:**  
AND YOU EXPECT THAT IN A MATTER OF FIVE WEEKS TIME DURING THE HOLIDAYS THAT YOU'RE GOING TO COME TO PARTICULARLY, I'M MORE CONCERNED ABOUT THE HOMES PORTION OF THIS. I'M CONCERNED ABOUT LANDOWNER'S RIGHTS BUT, FOR PEOPLE WHO HAVE HOMES, THAT YOU WOULD BE BACK TO THIS BOARD, NOT YOU AND OR STAFF BY END OF JANUARY, WHICH IS BASICALLY, 60 DAYS WITH RESOLUTIONS OF NECESSITY, YOU'D DECLARE IMPASSE IN FIVE WEEKS TIME, SIX WEEKS FROM NOW.

**MR. WASHBURN:**  
IF I MAY --

**DIRECTOR NOTOLLI:**  
THAT'S A VERY TIGHT TIME SCHEDULE.

**MR. WASHBURN:**  
IF I MIGHT, DON; THERE ARE FEW ENOUGH OF THESE RESIDENTS WHERE OUR THOUGHT IS WE CAN LEAVE HOLES IN THE PROJECT FOR 2008 TO ACCOMMODATE THE VERY SMALL NUMBER OF RESIDENCES THAT WE HAVE IN THE 2008 CONSTRUCTION. SO OUR BASIC APPROACH IS LEAVE HOLES IN THE PROJECT WHERE WE NEED TO WHERE WE HAVE FOLKS ACTUALLY OCCUPYING RESIDENCES WITHIN THE FOOTPRINT.

**DIRECTOR NOTOLLI:**  
AND GIVE ADDITIONAL TIME FOR NEGOTIATION AND CONSIDERATION OF ALTERNATIVES FOR.

**MR. WASHBURN:**  
RIGHT, THOSE WOULD BE CARRIED OVER POTENTIALLY TO 2009.

**DIRECTOR NOTOLLI:**  
OKAY. THAT'S DIRECTIONS THAT HAVE BEEN, YOU'RE GOING TO BE CARRYING FORWARD ON,

**MR. WASHBURN:**  
YES. RIGHT.

**DIRECTOR NOTTOLI:**  
SO THAT'S, IT WASN'T MENTIONED IN YOUR PRESENTATION TALKED ABOUT THE SENSITIVITY AND THE LAW, BUT I WANT TO, AGAIN FOR THOSE THAT ARE GOING TO BE IN THE PATH HERE, MAYBE THAT'S BEEN COMMUNICATED WITH THEM DIRECTLY. I ASSUME THERE'S BEEN SOME DIRECT COMMUNICATION ALTHOUGH YOU DON'T HAVE A FINAL CERTIFIED EIR, SO YOU CAN'T MAKE OFFERS YET, I UNDERSTAND THAT.

**MR. WASHBURN:**  
RIGHT.

**DIRECTOR NOTOLLI:**  
BUT, AGAIN, WHEN IT COMES TO PEOPLE'S HOMES, THAT'S NOT A VERY GOOD CHRISTMAS PRESENT FOR FOLKS, SO.

**MR. WASHBURN:**

RIGHT. I THINK WHAT ANDREW IS SAYING IS WE UNDERSTAND THAT THIS IS A COMPRESSED TIME LINE FOR 2008. OUR INTENT IS TO GIVE PEOPLE AT LEAST A YEAR WHO ARE OCCUPYING RESIDENCES IN THE FOOTPRINT TO ADDRESS THE RELOCATION ISSUES AND THE PROJECT IMPLICATIONS FOR THEM. SO THAT WOULD MEAN THOSE RESIDENCES IN THE 2008 FOOTPRINT WE'D HAVE TO WORK AROUND IN 2008 TO GIVE THAT ADDITIONAL TIME.

**DIRECTOR NOTOLLI:**

OKAY. AND JUST ONE FINAL QUESTION ON THAT BECAUSE I KNOW PEOPLE WANT TO SPEAK. AS IT RELATES TO VALUE, BECAUSE, I KNOW THAT SOME OF THE LETTERS HAVE EXPRESSED THAT ONCE WORK BEGINS THERE BECOMES IMPACT TO VALUE BECAUSE OF THE FOOTPRINT OF THE LEVEE AND SO FORTH. SO WE TAKE IT IN THE PRESENT CONDITION, THE RURAL SETTING, WHATEVER IT IS, THAT YOU DON'T GO THERE NEXT SUMMER AND THE LEVEE ON EITHER SIDE OF THEM, THAT DOESN'T GET TAKEN INTO CONSIDERATION IN THE APPRAISAL. BASICALLY, YOU TAKE A POINT IN TIME AT WHICH THE CURRENT SETTING IS, IS THAT CORRECT?

**MR. SCHWARTZ:**

THE LAW PROVIDES THAT THE PROJECT CANNOT BE CONSIDERED IN THE VALUE OF THE PROPERTY.

**DIRECTOR NOTOLLI:**

OKAY. THANKS.

**MR. SCHWARTZ:**

THANK YOU.

**CHAIR FARGO:**

OKAY. OKAY, STEIN.

**MR. BUER:**

I'M JUST GOING TO BRIEFLY MAKE TWO POINTS. YOU'VE BEEN VERY PATIENT AND THE AUDIENCE HAS BEEN VERY PATIENT SO I'M JUST GOING TO MAKE TWO POINTS. FIRST, AS YOU CAN SEE HERE, THIS LIST OF BULLET ITEMS ARE THINGS THAT ESSENTIALLY HAVE TO HAPPEN ALMOST TO THE BOTTOM OF THE LIST BEFORE WE GO TO CONSTRUCTION. AND THERE ARE TWO IMPORTANT ELEMENTS: ONE IS THE RECLAMATION BOARD PROCESS WHEREIN THE BOARD HAS TO ISSUE US AN ENCROACHMENT PERMIT, THAT'S A PUBLIC PROCESS WITH ITS OWN SET OF AT LEAST ONE HEARING IN DECEMBER. PROBABLY DECEMBER 21st. SECONDLY, WE NEED A COMPLETE ENVIRONMENTAL IMPACT STATEMENT PREPARED BY THE CORPS OF ENGINEERS BECAUSE WE NEED A SERIES OF PERMISSIONS FROM THE CORPS BEFORE WE CAN PROCEED. THEY WILL HAVE A COMPLETE ENVIRONMENTAL DOCUMENTATION PROCESS INCLUDING A NEW SET OF SCOPING MEETINGS, A NEW SET OF NOTICES AND WORKSHOPS, A DRAFT EIS AND A FINAL EIS. SO FOR THOSE WHO ARE CONCERNED THAT WE'VE BEEN MOVING TOO SWIFTLY HERE, WE UNDERSTAND THE PACE HAS BEEN TOUGH FOR BOTH THE STAFF AND PEOPLE WHO ARE INTERESTED IN THE OUTCOME, THERE'S ANOTHER BITE AT THE APPLE, TWO VERY PUBLIC PROCESSES. I WOULD ALSO SAY THAT WE ARE GOING TO HAVE TO WORK VERY HARD TO ACCOMPLISH CONSTRUCTION IN 2008. THERE IS NO OPPORTUNITY FOR SLACK HERE. IF YOU DO DELAY A VOTE TODAY, IT WILL PROBABLY RESULT IN A DELAY PAST 2008. WE DO NOT HAVE THE TIME IN THESE ACTIONS TO DELAY. THERE MAY BE DELAYS FROM OTHERS IF THE SAFCA BOARD CHOOSES TO DO SO, THAT'S YOUR CHOICE OF COURSE, BUT THE VERY LIKELY CONSEQUENCE IS WE WILL NOT GET TO CONSTRUCTION IN 2008. THANK YOU VERY MUCH.

**CHAIR FARGO:**

OKAY. THANK YOU STEIN. OKAY, NOW MOVING ON TO PUBLIC TESTIMONY, WE HAVE --. LIKE I SAY, I HAVE ABOUT 40 PEOPLE WHO WOULD LIKE TO SPEAK TO US. AND WHAT I'M SUGGESTING IS THAT EVERYONE HAVE TWO MINUTES BECAUSE MANY OF YOU HAVE SUBMITTED COMMENTS IN WRITING. WE HAVE THOSE HERE ALREADY. YOU DO NOT NEED TO READ US ANY LETTERS THAT HAVE ALREADY BEEN RECEIVED. IF YOU HAVE YOUR TESTIMONY IN WRITING, THAT CAN BE ENTERED INTO THE RECORD AS WELL. I'M GOING TO HEAR FROM THE AGENCY REPRESENTATIVES FIRST AND I ONLY HAVE TWO, RD1000 AND RIO LINDA UNIFIED SCHOOL DISTRICT OR RIO LINDA SCHOOL DISTRICT. AND THEN SECOND I WANT TO HEAR FROM THE REPRESENTATIVES OF ORGANIZATIONS. WE HAVE SEVERAL CHAMBERS OF COMMERCE AND HOMEOWNERS ASSOCIATIONS. I'M GOING TO SEPARATE THOSE FROM THE ACTUAL PROJECT RELATED. THEN I WANT TO

HEAR FROM THE SUTTER COUNTY REPRESENTATIVES BECAUSE THEY ARE THE HOMEOWNERS IN SUTTER COUNTY THAT. I KNOW THE NUMBERS THAT THE LAWYER WAS USING ARE DIFFERENT THAN WHAT WE HAVE. I HAVE IT BY REACHES AND LETTERS AND REACH B IS THE ONE THAT IS MOST EFFECTED THAT I WANT TO HEAR FROM FIRST. THEN WE HAVE AN ORGANIZATION OF PEOPLE WHO ARE IN OPPOSITION REPRESENTED BY ATTORNEY BILL YEATES. MR. YEATES HAS ASKED FOR ADDITIONAL TIME BECAUSE HE'S REPRESENTING A LOT OF PEOPLE. MANY OF YOU ARE PROBABLY IN THE ROOM. FROM THERE WE WILL GO TO THE REST OF THE PROPERTY OWNERS AND GENERAL PUBLIC. SO IF THAT IS ACCEPTABLE TO THE BOARD THAT'S WHAT WE WILL DO. SO LET ME START WITH PAUL DEVEREUX, RD1000 AND THEN WE WILL HEAR FROM ROB BALL, RIO LINDA UNION SCHOOL DISTRICT AND THEN I'LL READ THE ORGANIZATION REPS. HI.

**MR. DEVEREUX:**

HI. GOOD MORNING MADAME CHAIR AND MEMBERS OF THE BOARD. I APPRECIATE YOUR PATIENCE TODAY. MY NAME IS PAUL DEVEREUX, I'M THE GENERAL MANAGER FOR RECLAMATION DISTRICT 1000. I'M HERE BASICALLY TO URGE, ON BEHALF OF THE DISTRICT, THE SUPPORT FOR THIS PROJECT, CERTIFYING THE DOCUMENT AND MOVING IT FORWARD. IT'S BEEN 22 YEARS SINCE WE ALMOST LOST THE LEVEE IN NATOMAS THAT WOULD HAVE PUT US UNDER 10 TO 15 FEET OF WATER.

**VICE-CHAIR PETERS:**

CAN YOU SPEAK LOUDER PLEASE?

**MR. DEVEREUX:**

SURE. WE WORKED HARD THE LAST 22 YEARS TO TRY TO IDENTIFY A PROJECT AND TO INCREMENTALLY IMPROVE THE LEVEL OF FLOOD PROTECTION THAT WE'VE DONE. AND I THINK THE TIME IS NOW TO CONTINUE TO MOVE FORWARD. WITH OVER 70,000 PEOPLE, BILLIONS OF DOLLARS IN PROPERTY AT RISK AS WELL AS THE AIRPORT. I DON'T THINK, EVEN IF ANOTHER NEW HOUSE WASN'T BUILT IN NATOMAS, THIS PROJECT URGENTLY IS NEEDED. ALONG WITH THIS THOUGH, I DO URGE SAFCA AND YOUR STAFF TO CONTINUE TO WORK WITH THE PROPERTY OWNERS OUT HERE TO TRY TO MINIMIZE THE IMPACTS TO THE EXTENT THAT WE CAN. I THINK IT'S IMPORTANT AS REPRESENTATIVE OF RECLAMATION DISTRICT 1000. WE'RE WILLING TO WORK WITH YOUR STAFF AND WORK WITH THE PROPERTY OWNERS TO TRY TO REDUCE THE IMPACTS. HOWEVER I DON'T BELIEVE WE CAN DELAY FLOOD PROTECTION. I THINK WITH WHAT'S AT RISK AND THE CONSEQUENCES THAT WOULD RESULT FROM A FLOOD, WE CAN'T AFFORD TO DELAY THAT. THANK YOU VERY MUCH.

**CHAIR FARGO:**

OKAY. THANK YOU PAUL. IS ROB BALL HERE FROM RIO LINDA? GREAT, AND THEN AFTER THAT I'M GOING TO CALL ON BILL QUAGLIA FROM RIVER OAKS COMMUNITY ASSOCIATION; JUANITA CARRANCO FROM GARDENLAND-NORTHGATE; MATT MAHOOD, METRO CHAMBER; HEINZ LUDKE, NATOMAS CHAMBER. GO AHEAD.

**MR. BALL:**

THANK YOU, MAYOR FARGO AND MEMBERS OF THE BOARD OF DIRECTORS. I AM ROB BALL, ASSISTANT SUPERINTENDENT, BUSINESS SERVICES FOR THE RIO LINDA UNION ELEMENTARY SCHOOL DISTRICT. SOON TO BE A MUCH LARGER JOINT UNIFIED SCHOOL DISTRICT AS YOU KNOW FROM THE ELECTION HELD RECENTLY. I'M ALSO A MEMBER OF THE COALITION OF ADEQUATE SCHOOLHOUSING, WHICH REPRESENTS SCHOOL DISTRICTS THROUGHOUT THIS STATE AND ALSO HAPPEN TO BE A HOMEOWNER IN THE NATOMAS BASIN THAT'S AFFECTED BY THIS PROJECT. BUT I'M HERE TODAY TO SUPPORT THIS PROJECT AND THE FINAL EIR THAT YOU HAVE BEFORE YOU. FOR A NUMBER OF YEARS, THE RIO LINDA SCHOOL DISTRICT HAS BEEN ATTEMPTING TO PLACE TWO ELEMENTARY SCHOOLS IN THIS AREA. RIGHT NOW THAT IS VERY DIFFICULT TO DO WITH THE UNKNOWNNS OF THE LEVEE PROJECT AND WHAT REQUIREMENTS WILL BE PLACED ON US, BY THE STATE, IN ORDER TO PUT A SCHOOL IN THOSE AREAS. ONE OF THE AREAS, THE TERRACE PARK AREA OF NORTH NATOMAS ALREADY HAS THE RESIDENTS THERE. THEY'VE WAITED A NUMBER OF YEARS FOR A SCHOOL AND HAVE SUPPORTED US WITH A SCHOOL BOND TO BUILD THAT SCHOOL. ADDITIONAL COSTS THAT WOULD BE REQUIRED IF THE LEVEE PROJECT ISN'T DONE MAKES THAT IMPOSSIBLE FOR US TO AFFORD TO DO. THERE IS NO OTHER FUNDING FOR US IN THE SCHOOL DISTRICT AVAILABLE TO BUILD THAT SCHOOL. SO, I URGE YOU TO COMPLETE THIS WORK AND MOVE AHEAD. THE LONGER WE WAIT TO BUILD A SCHOOL, THE MORE COSTLY IT'S GOINE TO BECOME. AND THE MORE IMPOSSIBLE IT WILL BE FOR US TO BUILD A SCHOOL IN THOSE AREAS. I'M JUST GOING TO MAKE IT REAL QUICK AND SAY I SUPPORT THE WORK AND PLEASE MOVE AHEAD. THANK YOU.

**CHAIR FARGO:**

OKAY. THANK YOU VERY MUCH. IF WE START CLAPPING FOR EVERYBODY, WE'RE GOING TO HAVE A REAL PROBLEM WITH TIME. SO, WAIT UNTIL THE END AND WE'LL CLAP FOR EVERYONE. HI.

**MR. QUAGLIA:**

MORNING MAYOR FARGO AND BOARD MEMBERS. MY NAME IS MR. WILLIAM QUAGLIA. I REPRESENT THE RIVER OAKS COMMUNITY ASSOCIATION. I'M ONE OF THE BOARD MEMBERS. WE ALSO REPRESENT A SECTION THAT IS DIRECTLY IMPACTED, AND OF COMMUNITIES THAT ARE RIGHT UP AGAINST THE LEVEE. OUR BORDERS ARE I-80, I-5 AND GARDEN HIGHWAY. WE REPRESENT OVER 5,000 HOMEOWNERS AND SEVERAL THOUSAND MORE APARTMENT DWELLINGS IN, PLUS THE BUSINESSES IN THE SOUTH NATOMAS AREA. VERY BRIEFLY, WE'RE HERE TO SAY THAT WE 100% SUPPORT THIS INITIATIVE AND WE WANT TO THANK ALL OF STEIN BUER, AND ALL OF HIS STAFF FOR ALL THE INCREDIBLE WORK THAT THEY HAVE DONE TO COME UP WITH A SOLUTION FOR US. I APPLAUD THEM FOR REACHING OUT TO THE HOMEOWNERS. I KNOW PROBABLY SOME DON'T FEEL THAT WAY, BUT I KNOW THAT THEY HAVE DONE A GREAT JOB IN DOING THAT. OUR AREA REPRESENTS MORE THAN 90% OF SUPPORT FOR THIS. I'M HERE TO ENCOURAGE THE BOARD TO CONTINUE TO IMMEDIATELY MOVE FORWARD. THANK YOU VERY MUCH.

**CHAIR FARGO:**

THANK YOU BILL. JUANITA CARRANCO? AND AFTER JUANITA WILL BE MATT MAHOOD AND HERB, HEINZ LUDKE. HI.

**MS. CARRANCO:**

HELLO. I REPRESENT GARDENLAND NEIGHBORHOOD ASSOCIATION AND MANY HOMEOWNERS THAT HAVE BEEN TALKING ABOUT THIS PROJECT. IT WAS VOTED UPON AND IT'S LONG OVERDUE. AND I FEEL THAT ANY DELAYS WILL JUST INCREASE THE COST AND THE POSSIBLE DANGER TO OUR AREA. AND AS THE PREVIOUS SPEAKERS HAVE STATED MUCH MORE ELOQUENTLY THAN I COULD, OF THE REASON WE SHOULD MOVE FORWARD. I SAY THAT WE SHOULD MOVE FORWARD WITHOUT ANY DELAY. THANK YOU FOR YOUR TIME AND ALL THE INFORMATION YOU HAVE PROVIDED US.

**CHAIR FARGO:**

THANK YOU.

**DIRECTOR DICKINSON:**

THANK YOU FOR YOUR BREVITY.

**CHAIR FARGO:**

YES, BREVITY COUNTS SOMETIMES MORE THAN ELOQUENCE. BUT ACTUALLY, YOU WERE ALSO QUITE ELOQUENT. SPEAKING OF ELOQUENCE, LET'S HEAR FROM MR. MAHOOD.

**MR. MAHOOD:**

GOOD MORNING MAYOR FARGO AND MEMBERS OF THE BOARD AND SAFCA STAFF. MY NAME IS MATT MAHOOD AND I'M PRESIDENT AND CEO FOR THE SACRAMENTO METRO CHAMBER. THE METRO CHAMBER IS VERY PROUD TO STAND HERE TODAY AND ASK YOU THAT YOU VOTE TO CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT ON THE NATOMAS LEVEE IMPROVEMENT PROGRAM TODAY. TO ENABLE THE COMMENCEMENT OF FIXING THE LEVEES AS SOON AS POSSIBLE SO OUR REGION CAN FINALLY ACHIEVE THE REAL FLOOD PROTECTION IT DESERVES PROTECTING LIVES, OUR REGION'S RESIDENTS, THE ECONOMY AND THE QUALITY OF LIFE WE EXPECT. IT IS THE METRO CHAMBERS SOLID BELIEF THAT FLOOD PROTECTION IS THE MOST CONCERNING ISSUE FOR OUR REGION. OVER THE COURSE OF THE LAST TWO YEARS, THE METRO CHAMBER BOARD OF DIRECTORS HAS MADE FLOOD PROTECTION ITS NUMBER ONE PUBLIC POLICY PRIORITY. AND TO THAT END, WE HAVE WORKED WITH STATE, FEDERAL AND LOCAL OFFICIALS TO IMPROVE THE LEVEL OF FLOOD PROTECTION. EARLIER THIS YEAR, THE METRO CHAMBER WORKED METICULOUSLY IN SUPPORT OF THE SAFCA FLOOD ASSESSMENT DISTRICT AND WE REMAIN COMMITTED TO THAT PROCESS. AS A REGION, AND AS A COMMUNITY, WE DO NOT HAVE A SINGLE DAY TO WASTE. WE CAN'T BE FOOLED BY TODAY'S BLUE SKIES AND LOW WATER LEVELS. WHEN THE NEXT COLOSSAL RAIN WILL HIT OUR AREA AND FLOODS OUR REGION IS UNPREDICTABLE. SAFCA HAS A PLAN TO ACHIEVE A HUNDRED YEAR FLOOD PROTECTION IN THE SACRAMENTO REGION AND THE NEIGHBORHOODS THAT DESERVE IT. INCLUDING THE NATOMAS BASIN AND OVER THE NEXT TEN YEARS, TO ACHIEVE 200-YEAR FLOOD PROTECTION. THE EFFORT, AS YOU KNOW, STEMS FROM A PUBLIC CAMPAIGN AND PUBLIC VOTE AND SAFCA AND THE COMMUNITY PARTICIPATED IN MORE THAN 80% OF ALL VOTERS APPROVED THE PLAN. WHEN THEY CAST THEIR AFFIRMATIVE VOTE AND THEY EXPECTED YOU TO DO EVERYTHING IN YOUR POWER TO PROTECT THE THOUSANDS OF HOMEOWNERS AND HUNDREDS OF BUSINESSES IN THE NATOMAS

BASIN. WHEN THE VOTERS PASSED THE ASSESSMENT DISTRICT EARLIER THIS YEAR, THEY EXPECTED THAT YOU WOULD MOVE AS QUICKLY AS POSSIBLE TO PROTECT THEM. WE KNOW THAT SAFCA WILL AND THEY WILL DO THE RIGHT THING TO CONTINUE TO REACH OUT TO HOMEOWNERS AND BUSINESSES WHO ARE IMPACTED BY THIS PROJECT. WE MUST REMEMBER THAT THIS IS ONE OF OUR ONLY REAL CHANCES TO IMPROVE THE LEVEL OF FLOOD PROTECTION THAT WE REQUIRE AND DESERVE AS A COMMUNITY. SINCE ITS FOUNDING IN 1895, THE METRO CHAMBER HAS BEEN THE LEADING VOICE IN SUPPORTING FLOOD PROTECTION AND THE CONSTRUCTION OF CRITICAL INFRASTRUCTURE FOR OUR REGION. WE STAND HERE TODAY, ASKING FOR YOUR CONTINUED SUPPORT IN APPROVING TODAY'S EIR. THANK YOU VERY MUCH.

**CHAIR FARGO:**

THANK YOU MATT. HEINZ LUDKE, AND THEN MICHAEL AULT AND KAREN WILSON.

**MR. LUDKE:**

MEMBERS OF THE BOARD. MY NAME IS HEINZ LUDKE, I'M THE EXECUTIVE DIRECTOR OF THE NATOMAS CHAMBER OF COMMERCE AND JUST LIKE TO MAKE A BRIEF STATEMENT TO ENCOURAGE YOU TO CONTINUE YOUR FINE WORK AND TO APPROVE THE PLAN AS PRESENTED TO YOU TODAY. ON BEHALF OF THE CHAMBER, WE ENCOURAGE YOU TO MOVE FORWARD. THANK YOU.

**CHAIR FARGO:**

OKAY. THANK YOU. IS MICHAEL AULT HERE? AND THEN KAREN WILSON AND THEN WE'LL START HEARING FROM SOME OF THE SUTTER COUNTY FOLKS.

**MR. AULT:**

GOOD MORNING MAYOR, MEMBERS OF THE BOARD, MICHAEL AULT WITH THE DOWNTOWN PARTNERSHIP. I WANTED TO LET YOU KNOW THAT WE REPRESENT 800 PROPERTY OWNERS AND MERCHANTS DOWNTOWN AND OUR PROPERTY OWNERS OVERWHELMINGLY SUPPORTED THIS PROTECTION. ONE OF THE THINGS THAT WE REALIZED, WE WORK WITH PARTNERSHIPS IN NEW ORLEANS AND CITIES THAT HAVE HAD SERIOUS IMPACTS RELATED TO FLOOD PROTECTION AND WE REALIZE THE IMPORTANCE. WE STRONGLY ENCOURAGE THIS BOARD TO MOVE FORWARD WITH CERTIFYING THE EIR. WE REALIZE THAT THIS IS AN INITIAL FIRST STEP, BUT IT'S A STEP WE MUST TAKE. OUR BOARD UNANIMOUSLY SUPPORTED THIS EFFORT, IT'S SOMETHING THAT WE STRONGLY HOPE WILL MOVE FORWARD QUICKLY. SO, ON BEHALF OF THE PARTNERSHIP BOARD, PLEASE MOVE THIS FORWARD. IT'S A CRITICAL FIRST STEP FOR THIS COMMUNITY. THANK YOU.

**CHAIR FARGO:**

THANK YOU MICHAEL. KAREN WILSON.

**MS. WILSON:**

GOOD MORNING BOARD MEMBERS. I'M KAREN WILSON AND I'M CO-PUBLISHER OF IN MAGAZINE FOR THE LAST THREE OR FOUR YEARS IN NATOMAS. WE TALK TO A GREAT MANY RESIDENTS AND BUSINESSES IN NATOMAS, WE HAVE INVESTED IN NATOMAS OURSELVES. THIS FLOOD PROTECTION IS CRITICAL. IT'S WHAT'S PEOPLE HAVE VOTED ON PREVIOUSLY IN NATOMAS AND HAVE EXPECTED. I IN FACT TALKED TO A VERY LARGE BUSINESS YESTERDAY AND ASKED THEM WHAT THEY THOUGHT ABOUT FLOOD PROTECTION AND THEY SAID WE'VE LOOKED INTO IT REALLY CAREFULLY AND WE WOULDN'T BE HERE IF WE DIDN'T HAVE THE ASSURANCE THAT OUR LONG-TERM BUSINESS INTERESTS ARE GOING TO BE PROTECTED. THIS IS A VERY LARGE EMPLOYER AND THAT IS A POINT OF VIEW IN NATOMAS AS IT GROWS. THAT SAID, WE WOULD LIKE YOU TO CONTINUE ALSO AT THE SENTIMENT OF THE PEOPLE I BELIEVE IS TO BE SENSITIVE TO THE HOMEOWNERS AND TO HABITAT PRESERVATION AND RESTORATION WHERE POSSIBLE BECAUSE THAT RIVER IS WHAT MAKES NATOMAS SUCH A GREAT PLACE TO LIVE AS WELL AS BEING A CHALLENGE. SO, GLAD TO HEAR YOU BE SENSITIVE TO THAT AND THANK YOU VERY MUCH AND WE URGE YOU TO GO ON WITH THIS PROJECT AS SOON AS POSSIBLE. THANK YOU.

**CHAIR FARGO:**

THANK YOU KAREN. OKAY. I NOW WOULD LIKE TO HEAR FROM THE SUTTER COUNTY PEOPLE, AND AFTER THAT TIME I'LL CALL ON BILL YEATES AND I KNOW YOU HAVE SOME KIND OF SET UP YOU NEED TO THINK ABOUT. SO GAYLE MOLINA IS WITH THE GARDEN HIGHWAY COMMUNITY ASSOCIATION. MAYBE WE COULD HAVE GAYLE START OFF AND THEN LINDA HOVIS, WARREN SHELLEY, HELEN SHELLEY, BURTON LAUPPE, I THINK MARILYN CARUTHERS, I DON'T KNOW IF THERE'S ANYONE ELSE. I'M GOING TO GO BACK THROUGH AND SEE IF I CAN FIND ANY OTHERS. IS GAYLE MOLINA HERE?



**AUDIENCE:**

GAYLE MOLINA, I PASS.

**CHAIR FARGO:**

OKAY. THANK YOU VERY MUCH. LINDA HOVIS?

**MS. HOVIS:**

GOOD MORNING. MY NAME IS LINDA HOVIS, I'M A LANDOWNER ALONG THE NATOMAS CROSS CANAL ON HOWSLEY ROAD. I JUST WROTE DOWN SOME NOTES SO I'M JUST GOING TO READ IT. AS I'VE BEEN READING THE RESPONSES TO THE DRAFT FROM AGENCIES, ORGANIZATIONS AND MY NEIGHBORS ALONG OUR WATERWAYS, I COME UP WITH THE SAME CONCLUSION THAT I'VE THOUGHT ABOUT FROM THE START. AND THAT IS OUR RIVERS AND CANALS NEED TO BE CLEAN AND DREDGED. YOU CAN CONTINUE TO BUILD UP OUR LEVEES YEAR AFTER YEAR, BUT UNLESS YOU LOWER THE LEVEL OF OUR RIVERS, YOU'LL PUT US IN A NEW ORLEANS SITUATION WHERE OUR LANDS ARE BELOW OUR WATER TABLE. I EXPERIENCED THIS AFTER THE RAIN STORM WE HAD DECEMBER 31, 2005 AND THE RAINS THAT CONTINUED IN 2006. THE WATER LEVEL IN THE NATOMAS CROSS CANAL WAS APPROXIMATELY EIGHT TO TEN FEET ABOVE MY PROPERTY, I DIDN'T MEASURE IT ACURATELY, IT WAS A GUESSTIMATE. I HAD WATER COMING UP OUT OF THE GROUND CAUSING SEPTIC BACKUP, RUINED HAYSTACK BARN AND STANDING WATER EVERYWHERE. THIS WILL HAPPEN EVERY RAIN SEASON AND NOT JUST WHEN WE HAVE THAT OCCASIONAL EXTRA WET WINTER. YOU CANNOT CONTINUE TO ALLOW THE WATER LEVEL IN OUR RIVERS AND WATERWAYS TO RISE WITHOUT HAVING CONSEQUENCES TO THE LAND SURROUNDING. AS YOU CONTINUE TO DEVELOP LANDS, YOU ARE TAKING AWAY THE ABILITY OF THE GROUND TO ABSORB THE RAIN, SO INSTEAD THE WATER FILLS OUR CANALS AND PUTS MORE PRESSURE ON OUR RIVERS. I KNOW THE ENVIRONMENTALISTS FEEL THAT CLEANING AND DREDGING OUR WATERSWAYS WILL UPSET FISH AND WILDLIFE BUT I BELIEVE AND HAVE SEEN FIRSTHAND THAT THEY WILL COME BACK AND STRONGER. I REMEMBER ENVIRONMENTALISTS TELLING EVERYONE AFTER MT. ST. HELENS ERUPTED THAT IT WOULD TAKE HUNDREDS OF YEARS FOR LIFE TO COME BACK. THEY WERE WRONG. IT TOOK A FEW SHORT YEARS. STEIN BUER TOLD ME IN A MEETING MONDAY, THIS PAST MONDAY THAT THIS LEVEE PROJECT WAS BEING DONE BECAUSE OF GLOBAL WARMING. GLOBAL WARMING HAS NOT BEEN PROVEN AS TRUE. STEIN BUER ALSO TOLD ME THAT 99% OF SCIENTISTS BELIEVE GLOBAL WARMING AS TRUE AND WE KNOW THAT'S AN UNTRUTH. I REMEMBER IN THE 70s ENVIRONMENTALISTS TELLING EVERYONE THAT THE SUN WAS DYING BECAUSE OF THE EXTRA COLD WINTERS WE HAD HERE IN THE UNITED STATES FOR A FEW YEARS, THAT WAS UNTRUE. I BELIEVE IN COMMON SENSE AND IT TELLS ME THAT THIS LEVEE PROJECT WILL CREATE MORE FLOODING PROBLEMS ALL AROUND AND THAT IT'S JUST TO PROTECT DEVELOPERS IN NORTH NATOMAS AND SACRAMENTO. I STILL DON'T UNDERSTAND --

**CHAIR FARGO:**

EXCUSE ME, EXCUSE ME, EXCUSE ME. YOU'RE OVER YOUR TIME AND I NEED YOU TO BRING IT --.

**MS. HOVIS:**

-- HOW THE CITY OF SACRAMENTO ALLOWED SOMEONE TO SINK -- YOU LET THE OTHERS ONE SPEAK LONGER.

**CHAIR FARGO:**

I NEED YOU TO BRING IT TO A CLOSE.

**MS. HOVIS:**

-- AND I DON'T UNDERSTAND HOW THE CITY OF SACRAMENTO ALLOWED SOMEONE TO SINK THEIR YACHT DOWNTOWN IN THE SACRAMENTO RIVER. YOU DON'T THINK THAT EFFECTS THE FLOW OF THE RIVER? THERE'S ALSO A DEAD BOAT IN THE MOUTH OF THE NATOMAS CROSS CANAL. THE PROJECT IS ALL ABOUT MONEY AND IS NOT RIGHT, FOR CALIFORNIA, ITS PEOPLE AND ITS LANDS. THANK YOU.

**CHAIR FARGO:**

THANK YOU.

[APPLAUSE]

**CHAIR FARGO:**

WARREN SHELLY? IS WARREN SHELLEY HERE? IF NOT, WE'LL MOVE ON TO THE NEXT SPEAKER WHICH IS HELEN SHELLEY.

**AUDIENCE:**

WE'LL JUST PASS ON THAT.

**CHAIR FARGO:**

OKAY. MARILYN CARUTHERS.

**AUDIENCE:**

PASS.

**CHAIR FARGO:**

OKAY. I DID CALL ON BURTON LAUPPE ALTHOUGH -- YOU'RE NOT ACTUALLY IN REACH B. I BELIEVE YOU'RE IN REACH C. BUT SINCE I CALLED YOUR NAME, COME ON DOWN.

**MR. LAUPPE:**

GOOD MORNING.

**CHAIR FARGO:**

GOOD MORNING.

**MR. LAUPPE:**

I'M BURTON LAUPPE, 11000 GARDEN HIGHWAY. I'VE BEEN FARMING FOR 60 YEARS, RAISING SWAINSON HAWK AND GARTER SNAKE, DEER, PHEASANT. AND I SEE DECEMBER 7 YOU'RE GOING TO MAKE AN OFFERING FOR THE HOUSE OUT THERE I'M ON THE LAND SIDE OF THE LEVEE. AND THAT'S AN APPROPRIATE DAY JOB. [LAUGHTER] DAY OF INFAMY. [APPLAUSE] I FOUGHT IN WORLD WAR II. I THOUGHT MAYBE YOU'D SAVE MY PROPERTY. [LAUGHTER] I WROTE SOME NOTES DOWN HERE. I DIDN'T UNDERSTAND YOUR EIR'S WHEN YOUR ENGINEERS ARE PLANNING TO SAVE SOME OAK TREES BELOW PRITCHARD LAKE WHERE THE LEVEE HAS BEEN KNOWN TO SLIP. AND JUST A FEW MILES NORTH YOU'RE PLANNING TO BURY MY HOUSE WHERE WE'VE NEVER HAD ANY PROBLEMS WITH THE LEVEE. I THOUGHT PEOPLE WERE PART OF THE ENVIRONMENT SO I DON'T KNOW HOW I GET LEFT OUT. WHAT ELSE? ALSO I DON'T UNDERSTAND YOUR VOTING ON THIS. YOU'VE ALREADY BEEN WORKING ON SOMETHING, DID YOU VOTE ON THAT BEFORE ON THE LEVEE SYSTEM ON THE CROSS CANAL? NOBODY DID HUH? NOBODY KNOWS. YOU'VE BEEN DOING IT FOR QUITE A WHILE.

**CHAIR FARGO:**

THAT WAS 2007 PROJECT? OKAY. YES. THAT DID COME BEFORE US.

**MR. LAUPPE:**

I AGREE THAT FARMING THE MARKET ROADS AREN'T VERY GOOD IN SOUTH SUTTER COUNTY. THEY NEVER HAVE BEEN IN FACT. BUT YOU HAULED A LITTLE BIT OF DIRT ON THAT CROSS CANAL LEVEE AND THAT LITTLE BIT OF DIRT COMPLETELY RUINED SANKEY ROAD AND WE'VE GOT HOLES IN POWER LINE ROAD AND EVERYTHING ELSE NOW. IS THAT PART OF SAFCA OR IS THAT THE COUNTIES LOOK OUT, TO HAVE TO --?

**CHAIR FARGO:**

IT SHOULD BE, IF IT'S CAUSED BY CONSTRUCTION THAT SHOULD BE ONE OF OUR MITIGATION MEASURES. AND WE'LL ASK, WE APPRECIATE THAT. WE'LL LOOK INTO THAT.

**MR. LAUPPE:**

WELL I WOULD HOPE SO. BECAUSE IF YOU'RE GOING TO HAUL THAT MUCH DIRT TO THE REST OF THAT, YOU'RE GOING TO COMPLETELY RUIN THE ROADS.

**CHAIR FARGO:**

OKAY. CAN YOU BRING THAT TO A CONCLUSION THEN SO WE CAN GET TO OUR NEXT SPEAKER?

**MR. LAUPPE:**

AND I NEVER, OH, WELL.

**DIRECTOR SILVA:**

MADAME CHAIR?

**AUDIENCE:**

MAYOR FARGO, HE CAN HAVE MY SLOT IF HE NEEDS MORE TIME.

**CHAIR FARGO:**

WE'RE NOT GOING TO DO THE SHARING OF TIME THING TODAY.

**MR. LAUPPE:**

YOU KEEP WANTING TO RAISE THE LEVEE AND I'VE TOLD YOU BEFORE, LOOK A LITTLE BIT OUTSIDE THE LINE AND LOWER THE FREMONT WEIR AND THAT LOWERS THE RIVER.

[APPLAUSE]

**CHAIR FARGO:**

BEFORE YOU SIT DOWN, WE HAVE A QUESTION FROM ONE OF THE BOARD MEMBERS.

**DIRECTOR SILVA:**

BURTON.

**CHAIR FARGO:**

BURT. BEFORE YOU --

**DIRECTOR SILVA:**

BURTON. I JUST WANTED TO ADDRESS A COUPLE OF YOUR QUESTIONS WITH RESPECT TO PUBLIC WORKS. AS YOU KNOW, DAN SILVA, SUTTER COUNTY SUPERVISOR. AS YOU KNOW, WHEN WE DID THE CONSTRUCTION ON THE NATOMAS CROSS CANAL THIS LAST LATE SUMMER AND EARLY FALL, THERE WERE MANY CONCERNS ALONG THE GARDEN HIGHWAY WITH FOLKS AND RESIDENTS AND THEIR CHILDREN AND, INGRESS AND EGRESS, AND WE ADDRESSED THAT IMMEDIATELY. OUR PUBLIC WORKS DEPARTMENT WENT TO WORK RIGHT AWAY AS THAT PROJECT DEVELOPED AND WE CHANGED THE ROUTE OF THE TRUCKS. AND WE DID DESTROY SANKEY AND WE DID DESTROY THE OTHER ADJACENT ROADS. AND THAT IS THE RESPONSIBILITY OF SAFCA AND OUR PUBLIC WORKS DIRECTOR AND OUR PUBLIC WORKS DEPARTMENT IS WORKING ON THAT TO DEVELOP AND FILL YOUR POTHOLES AND MAKE SURE THAT YOUR CONCERNS ARE MET SO THAT WILL BE DONE. AND THAT WILL BE DONE IN A NORMAL CONSTRUCTION SEASON. I DON'T THINK YOU WANT US TO TRY TO WASTE MONEY DOWN THERE FILLING POTHOLES IN THE RAINY SEASON IF IT STARTS EVER ON US HERE. SO WE'VE GOT KIND OF --

**MR. LAUPPE:**

IS THAT COUNTY MONEY OR SAFCA'S?

**DIRECTOR SILVA:**

IT'S GOING TO BE THEIR MONEY. THAT'S THEIR RESPONSIBILITY TO STEP FORWARD.

**MR. LAUPPE:**

OKAY. WELL HAVE THEM WORK ON THE, WHY DON'T YOU WORK ON POWER ROADS FROM RIEGO ROAD DOWN TO THE COUNTY LINE? THAT THING'S HORRIBLE.

**DIRECTOR SILVA:**

WELL, THAT'S WHAT WE MIGHT DO. WE MIGHT MAKE THAT BETTER FOR YOU. I'D LIKE TO SEE YOU GET YOUR RICE DOWN THE ROAD A BIT BETTER BUT I'M VERY SYMPATHETIC WITH YOUR PLIGHT. I AM SIR.

**CHAIR FARGO:**

THANK YOU FOR --

**MR. LAUPPE:**

WELL, COME ON DOWN AND LOOK AT IT.

**DIRECTOR SILVA:**

OH, I'VE BEEN THERE. I'VE BEEN THERE.

**CHAIR FARGO:**

OH, HE'S BEEN THERE. HE TAKES, HE RAISES YOUR CONCERNS EVEN WHEN YOU'RE NOT HERE.

**DIRECTOR SILVA:**

I DO THAT.

**CHAIR FARGO:**

HERE AND AT SACOG. I HAVE QUESTION, IS THERE ANYBODY ELSE HERE WHO LIVES NORTH OF TEAL BEND BASICALLY WHO DID NOT -- WHO I CAN'T TELL FROM HERE THAT WANTS TO SPEAK THAT HAS FILLED OUT A SPEAKER FORM. DO I HAVE YOUR SPEAKER FORMS?

**AUDIENCE:**

I DID NOT FILL OUT A SPEAKER FORM.

**CHAIR FARGO:**

OKAY. DID YOU FILL OUT A SPEAKER FORM?

**AUDIENCE:**

I DID. I DID ACTUALLY. CAROLYN LANGENKAMP, THANK YOU FOR THE TIME.

**CHAIR FARGO:**

OKAY. I THOUGHT YOU MIGHT BE. --

**MS. LANGENKAMP:**

I DID BUT I DIDN'T PUT A REACH NUMBER ON IT BECAUSE I DIDN'T KNOW IT.

**CHAIR FARGO:**

THAT'S OKAY. I WAS TRYING TO FIGURE OUT BY ZIP CODE AND LOCATION AND YOU ARE ONE OF MY NEXT SPEAKERS SO.

**MS. LANGENKAMP:**

I AM. THANK YOU. THANK YOU FOR YOUR TIME. I WILL BE BRIEF. CAROLYN LANGENKAMP, I AM A RESIDENT OF SOUTH SUTTER COUNTY, HAVE LIVED ON THE GARDEN HIGHWAY SINCE 1985. FLOODED IN 1986. FLOODED AGAIN IN 1997. TORE MY HOUSE DOWN AND REBUILT ON PILINGS WITH AN EXPECTATION THAT MY FINISHED FLOOR WOULD BE ABOVE WHEREVER IT WOULD FLOOD. AND IF YOUR PREDICTIONS ARE TRUE, I'LL BE ALL RIGHT. IF THEY'RE NOT, I WON'T. THAT'S A BIG QUESTION IN MY MIND. AND WHAT RELATES TO THAT IS THE RELEASES FROM THE RESERVOIRS UP ABOVE WHICH YOU'VE ADDRESSED, BUT MY CONCERN IS THAT OUR PREDICTIONS MAY NOT BE ACCURATE. AND WITH THE THREE FOOT BOARD THAT'S GOING UP, WE MAY BE AT RISK. THAT'S WHAT WE'RE HERE ABOUT. THAT'S ONE OF THE BIG THINGS THAT WE'RE WORRIED ABOUT. THE OTHER THING THAT IT DOESN'T PERSONALLY AFFECT ME BUT THAT I'VE BEEN TOLD IS THAT THERE ARE HOMEOWNERS ON THE LAND SIDE, I LIVE ON THE RIVER SIDE. THERE ARE HOMEOWNERS ON THE LAND SIDE WHO DID NOT KNOW THEIR PROPERTY WAS GOING TO BE TAKEN UNTIL THEY CAME TO A BIG MEETING THAT THE HOMEOWNERS HAD, WHICH RAISES A QUESTION INTO MY MIND. I DON'T BELIEVE THEY EVER HAD A ONE ON ONE MEETING THAT TALKED TO THEM ABOUT THE FACT THEY WERE GOING TO LOSE THEIR PROPERTY. THE OTHER QUESTION THAT HAS COME UP AMONG HOMEOWNERS THAT CONCERNS ME PERSONALLY IS THE POTENTIAL OF WELL STRANGULATION WHICH I DON'T BELIEVE HAS BEEN ADDRESSED. IF A NEW WALL GOES IN, THE LEVEE GOES IN, WE'RE ALL IN FAVOR OF PROTECTING PEOPLE FROM FLOODING. NO ONE WANTS TO SEE ANYONE FLOOD, BUT IF THIS BIG NEW WALL GOES IN, THE NEW LEVEE GOES IN, AND CUTS OFF THE DRAINAGE, THE WATER FLOW THAT PROVIDES THE RESERVOIR AND THE WATER THAT THEN IS THE SOURCE OF WATER, WE HAVE PRIVATE WELLS, WE EACH HAVE OUR OWN INDIVIDUAL WELLS OUT THERE WHERE WE LIVE ON THE RIVER SIDE AND THEN ON THE LAND SIDE TOO I IMAGINE. IF WE CAN'T GET WATER INTO OUR WELLS, THAT'S GOING TO BE A BIG PROBLEM. NO ONE HAS ADDRESSED THAT AS FAR AS I KNOW.

**CHAIR FARGO:**

OKAY.

**MS. LANGENKAMP:**

THE OTHER CONCERN RAISED BY MANY PEOPLE AND HAS ADDRESSED THIS MORNING BUT NOT FULLY ENOUGH IS WHAT'S GOING TO HAPPEN WITH THE POWER POLES. TODAY I LEARNED FOR THE FIRST TIME THAT MAYBE THEY'RE NOT GOING TO BE PLACED ON THE RIVER SIDE OF THE GARDEN HIGHWAY. WE NEED FURTHER ELABORATION ON THAT. PEOPLE ARE VERY CONCERNED ABOUT THAT. THANK YOU VERY MUCH.

**CHAIR FARGO:**

WE WILL CONTINUE TO LOOK INTO THAT. THANK YOU VERY MUCH. PLEASE, PLEASE, PLEASE HOLD YOUR APPLAUSE. MY UNDERSTANDING IS CHUCK KELLEY AND ROLAND CANDEE WERE THE TWO HANDS UP SO WHY DON'T YOU TWO COME ON DOWN, APPRECIATE THAT. HI.

**MR. KELLEY:**

HI. MY NAME IS CHUCK KELLEY. I'M A RESIDENT IN SOUTH SUTTER. ACTUALLY THE QUESTION I HAVE IS MAINLY ADDRESSED TO JOE. I'VE NEVER SEEN IT ADDRESSED AND I THINK THE EIR IS BADLY LACKING WITHOUT CONSIDERATION AS TO WHY REMOVING THE WING DAMS AND ALLOWING THE WATER TO FLOW, AND REDUCING THE SURFACE LEVEL BEFORE ALL OF THIS IS ENGINEERED. IT STRIKES ME THAT THAT'S VERY IMPORTANT. I AM NOT A HYDROLOGIST SO I CAN'T SAY FOR SURE, I DO THINK THE EIR FALLS SHORT OF DOING ITS JOB WITHOUT THAT CONSIDERATION OR PERHAPS AN ANSWER TO IT. THE ANALYSIS OF THE EIR DOES SEEM TO DISREGARD ONE THING THAT I THOUGHT LAUPPE SAID RATHER POIGNANTLY, PEOPLE.

**CHAIR FARGO:**

ABSOLUTELY.

**MR. KELLEY:**

I ALSO THINK THAT IF STAN'S CORRECT AND THEY CAN GO AHEAD AND PROCESS WITH THE CORPS OF ENGINEERS FOR THE ADDITIONAL EIR MATERIAL, A DELAY TODAY IS NOT THE END OF THE WORLD. I BELIEVE THAT PROCEEDING IN THIS MATTER WITH COOPERATION IN THE END WILL BE FAR MORE EFFICIENT TIMewise AND I WANT TO THANK YOU AND DON PARTICULARLY EARLY ON FOR BRINGING UP THE POINT THAT THE TEN DAYS HERE HAS BEEN STRETCHED, AND ALTHOUGH IT MAY BE TECHNICALLY CORRECT, THAT'S NOT ALWAYS THE BEST ROUTE TO FOLLOW. I HOPE THE ENTIRE BOARD IS AWARE OF THAT. THANK YOU.

**CHAIR FARGO:**

OKAY. THANK YOU, MR. KELLEY. ROLAND CANDEE?

**MR. CANDEE:**

HELLO. MY NAME IS ROLAND CANDEE, I LIVE OUT IN SOUTH SUTTER COUNTY ON THE RIVER SIDE OF THE GARDEN HIGHWAY. AND I WOULD SPECIFICALLY ASK THAT YOU RECONSIDER YOUR INTENT TO ACTUALLY RAISE THE LEVEE AS PART OF THIS PROJECT. YOUR ENGINEERS GOT UP HERE AND HE SAID, HEY IT'S NOT GOING TO CHANGE THE WATER, BUT IF YOU LOOK AT YOUR OWN NUMBERS, YOUR OWN NUMBERS SAY THAT AT MY HOUSE IT'S GOING TO RAISE THE LEVEE OR RAISE THE BASE FLOOD ELEVATION POINT 0.1-FOOT, OVER AN INCH. THE RESPONSE FROM THE SAFCA STAFF PEOPLE IS THAT'S NOT SIGNIFICANT. I CAN TELL YOU ANY ONE OF YOU PEOPLE PUT AN INCH OF WATER ON THEIR FLOOR AND THEY'LL TELL YOU THAT'S SIGNIFICANT. WHEN YOUR OWN NUMBERS SAY 0.01 IS GOING TO BE THERE AND MAYBE THAT'S BECAUSE THE WATER DOESN'T GET OUT OF THE CHANNEL NOW BECAUSE THIS IS GOING TO BE A GREAT PROJECT AND THERE'S NEVER GOING TO BE ANY UNDERSEEPAGE AND ALL THE WATER STAYS THERE, I DON'T KNOW, BUT IF YOUR MODELING SHOWS THAT IT RAISES THE LEVEL AT MY HOUSE, THEN IN MY MIND, IT'S THERE YOU CAN'T GET AROUND IT. THAT'S WHAT YOUR NUMBERS SHOW. NOW, IF IT RAISES THE LEVEL AT MY HOUSE IN SUTTER COUNTY, THEN YOU'RE INVERSELY CONDEMNING MY HOUSE, YOU'RE INVERSELY CONDEMNING MY PROPERTY. THAT MEANS YOU WOULD THEN HAVE TO COME AND COMPENSATE ME FOR ALL OF THE THINGS THAT GO ALONG WITH THAT, INCLUDING LOSS OF THE VIEW, AND THERE'S NOTHING THAT TALKS ABOUT WHAT'S GOING TO HAPPEN FOR PEOPLE SUCH AS MYSELF THAT CAN SIT IN MY BEDROOM IN MY BED AND HAVE THE MORNING SUNRISE COME RIGHT THERE, THROUGH MY BEDROOM WINDOW. I'M NOT GOING TO HAVE THAT. THAT'S GOING TO BE GONE. AND THEN YOU SAY YOU'RE GOING TO BUILD IT WITH HOLES IN YOUR PROJECT TO SAY, OKAY, NOW I GET TO BE AND HAVE THIS GO ON FOR YEARS AS OPPOSED TO JUST ONE STRAIGHT CONSTRUCTION SEASON. AND THEN YOU'RE PAPERWORK COMES OUT AND YOU SAY YOU'RE GOING TO RUN THE TRUCKS UP AND DOWN THE ROAD FROM 6:00 A.M. TO 8:00 P.M. AND MAYBE MORE AND IF IT IS SOMETHING THAT'S MORE, THEN THE SAFCA BOARD'S GOING TO CONSIDER RELOCATING US. WELL, AGAIN, I TELL YOU THAT'S PRETTY DARN BAD STAFF WORK. YOU COULD RUN THOSE TRUCKS UP AND DOWN IN FRONT OF YOUR STAFF PEOPLE'S HOUSES BETWEEN 6:00 A.M. AND 8:00 P.M. AND THEY'LL TELL YOU THAT IS SIGNIFICANT AND SOMETHING THAT YOU REALLY OUGHT TO PAY ATTENTION TO. IT'S JUST UNREASONABLE. NOW, I REALIZE THE TREMENDOUS PRESSURE THAT'S ON YOU FOLKS TO GO AND RUBBER STAMP NOW WHAT YOUR STAFF HAS TOLD YOU IS ALL GOOD TO GO. BUT IF THE

NUMBERS AREN'T THERE, YOU KNOW, IF IT DOES LOOK LIKE YOU'RE GOING TO BE INVERSELY CONDEMNING SOME OF THESE HOUSES AND IF YOUR PEOPLE COME UP AND TELL YOU YOU'VE GONE OVER THE PROTECTION THAT YOU REALLY NEED AND YES WE'D LIKE THIS THREE FOOT, IN MY MIND YOU COULD DO THE PROJECT AND NOT RAISE THAT AND THAT WOULD THEN ALLOW YOU TO GO BACK AND LOWER THE WEIR AND DO THE OTHER THINGS THAT WILL ACTUALLY MOVE WATER THROUGH. THANK YOU.

**CHAIR FARGO:**

THANK YOU, MR. CANDEE AND WE WILL CONTINUE TO WORK ON LOWERING THE WEIR. AND OBVIOUSLY, THE REASON WE HAVE OFFERED TO HELP IN RELOCATION DURING CONSTRUCTION IS WE HAVE FOUND THAT IN SOME SITUATIONS PEOPLE ARE VERY CONCERNED ABOUT AND OTHERS THEY HAVE NO INTEREST IN BEING RELOCATED. WE NEED TO DO THAT ON A PERSONAL HOUSEHOLD BY HOUSEHOLD BASIS. THAT'S WHY WE HAVEN'T COME OUT WITH A BLANKET STATEMENT ON THAT ONE WAY OR ANOTHER. WE HAVE TO DEAL WITH THAT. OKAY, MR. YEATES, ARE YOU READY FOR YOUR PRESENTATION?

**MR. YEATES:**

MADAME CHAIR, I GUESS I'M SEEKING CLARIFICATION. I HAVE TWO MINUTES?

**CHAIR FARGO:**

NO, I WAS GOING TO GIVE YOU THE 15 MINUTES THAT YOU HAD REQUIRED OR REQUESTED.

**MR. YEATES:**

OKAY.

**CHAIR FARGO:**

WE HAVE BASICALLY A BLOCK OF TIME I'M GIVING TO THE ORGANIZED OPPOSITION. I NEED YOU TO CLARIFY WHO YOU'RE REPRESENTING AND MAYBE THE PEOPLE IN THE AUDIENCE THAT YOU'RE REPRESENTING COULD RAISE THEIR HANDS OR MAYBE YOU COULD GIVE US NAMES. I'M ASSUMING IT'S A LARGE GROUP.

**MR. YEATES:**

YES, IT IS A LARGE GROUP. SOME OF WHOM HAVE ALREADY SPOKEN. I REPRESENT THE GARDEN HIGHWAY COMMUNITY ASSOCIATION, WHICH ARE THE LANDOWNERS ALONG THE GARDEN HIGHWAY ON BOTH THE RIVER SIDE AND THE LAND SIDE OF THIS PROJECT. THEY HIRED ME JUST RECENTLY TO REVIEW YOUR AGENCY'S ENVIRONMENTAL DOCUMENT.

**CHAIR FARGO:**

OKAY.

**MR. YEATES:**

I HAVE ALSO THE ORIGINAL OF THE SIGNATURES THAT I SUBMITTED IN COPY FORM.

**CHAIR FARGO:**

GREAT.

**MR. YEATES:**

I DID SUBMIT TO YOU A LETTER IN REGARDS TO BOTH YOUR DRAFTS AND YOUR FINAL EIR. I GUESS, BASED ON WHAT EVERYBODY ELSE DID BEFORE, I JUST KIND OF DEAL WITH MY OWN BONE FIDES ON THIS ISSUE IS THAT I'VE BEEN A PRACTITIONER IN THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND LAND USE MATTERS PROBABLY SINCE I GRADUATED FROM LAW SCHOOL IN 1975. BUT PRIOR TO REALLY TAKING IT ON FROM SAY A LITIGATION STANDPOINT, I WAS A LOBBIEST FOR THE CALIFORNIA COASTAL COMMISSION AND THEN WENT INTO MY OWN LOBBY AND PRACTICE WHERE I REPRESENTED THE COMMERCIAL SALMON TROLLERS OF CALIFORNIA WHO WERE CRITICALLY INTERESTED IN THE SACRAMENTO RIVER FROM THE STANDPOINT OF WHAT IT DOES FOR THEIR LIVELIHOOD. AND EVEN THOUGH THEY ARE COASTAL REPRESENTATIVES, SOMEWHAT FREE SPIRITS, THEY WERE VERY HAPPY TO WORK WITH SENATOR JIM NEILSON YEARS AGO WHEN HE PUT TOGETHER AN UPPER SACRAMENTO RIVER BILL IN WHICH WE DEALT WITH MANY OF THE CONSTRAINTS ON THE UPPER SACRAMENTO RIVER DEALING WITH QUESTIONS LIKE SETBACK OF LEVEES, ACQUIRING AGRICULTURAL LANDS, WE PROVIDE PLACES FOR THE RIVER'S ELEVATION CAN GO DOWN RATHER THAN ARMORING LEVEES AND CREATING THE PROBLEMS THAT WE HAVE EXPERIENCED. I WAS RECENTLY HIRED BY THIS GROUP OF INDIVIDUALS BECAUSE THEY WERE CONCERNED ABOUT THE FACT THAT THEY DIDN'T AGREE, REALLY, WITH THE DRAFT EIR. I WANT TO MAKE

IT CLEAR THAT ONE OF THE THINGS I HAD TO DO IMMEDIATELY WAS TO GET UP TO SPEED. ONE OF THE FIRST PERSONS I TALKED WITH WAS JOHN ROBERTS FROM THE NATOMAS BASIN CONSERVANCY. BECAUSE, WHEN I READ THIS EIR, I FOUND THE CONSERVANCY LANDS BEING A CRITICAL PART OF THIS WHOLE THING AS FAR AS BORROW SITES AND WHAT NOT, AND I KIND OF WANTED TO GET HIS SENSE OF ALL THIS. AND ALSO, I KNOW JOHN WELL AND I FIGURED HE'D TELL IT TO ME STRAIGHT. BECAUSE, I'M A RESIDENT OF SACRAMENTO COUNTY. I LIVE ON CHICKEN RANCH SLOUGH. IT'S NOT A BIG WATERSHED, IT STARTS AT CARMICHAEL PARK, RIGHT SUPERVISOR PETERS, AND FLOWS THROUGH. I'M VERY GREATFUL FOR THE SACRAMENTO COUNTY WATER AGENCY'S WORK THAT HAS MANAGED TO KEEP THAT LITTLE STRETCH FROM FLOODING MY HOUSE AND MY NEIGHBORS HOUSES ON SEVERAL OCCASIONS DURING THESE HIGH CONDITIONS AND I NOTE WHAT A BARRIER THE AMERICAN RIVER IS WHEN IN FACT THE PUMPING SYSTEM DOESN'T WORK AND IT BACKS UP THOSE LITTLE SLOUGHS AS WE EXPERIENCED WITH STRONG RANCH SLOUGH ONE TIME WHEN THE PUMPS UNFORTUNATELY FAILED. WE'RE ALL HITCHED TOGETHER AS JOHN MUIR SAID. WE'RE ALL CONCERNED ABOUT THIS. MY CLIENTS ARE NOT OPPOSED TO WHAT YOU NEED TO DO. BUT THEY'RE CONCERNED THAT YOU HAVE NOT CONSIDERED THE IMPACTS OF YOUR PROJECT ON THEM. I HAD A LITTLE DEMONSTRATION TO DO, BUT I'M GOING TO SAVE THE TIME TO DO THAT. BUT THE REALITY IS, AS SPOKEN BY JOE COUNTRYMAN, ONE OF THE PEOPLE THAT JOHN SUGGESTED I TALK TO, AND MANY OTHER PEOPLE THAT I E-MAILED AND HAD TO FIGURE OUT HOW I WAS GOING TO GET UP TO SPEED ON THIS PROJECT, A GREAT DEAL OF RESPECT FOR WHAT JOE DOES AND AFTER HE GOES THROUGH HIS RESUME, IT'S LIKE, YEAH, WE SHOULD ALL BE THANKFUL FOR WHAT JOE HAS DONE ESPECIALLY DURING THAT CRITICAL PERIOD OF TIME WHEN THAT COFFERDAM BROKE ABOVE FOLSOM AND WERE AT SOME RISK. BUT I'M -- I REALLY AM NOT HERE TO DISAGREE WITH AN ENGINEER'S PERSPECTIVE ON THAT. MINE IS A DIFFERENT ONE. IT'S SHOWN OUT BY THE VERY GRAPH THAT HE PUT UP THERE. IS THAT WHAT CEQA REQUIRES YOU ALL TO CONSIDER IN YOUR ENVIRONMENTAL DOCUMENT IS HOW YOUR PROJECT CHANGES THE EXISTING ENVIRONMENT. NOT A HYPOTHETICAL ENVIRONMENT, NOT ONE THAT ASSUMES THAT YOLO WILL RAISE THEIR THING TO MEET THE 1957 OR WHATEVER THAT LEVEL MIGHT BE, IT'S WHAT IT IS TODAY OR AT THE TIME YOU ISSUED YOUR NOTICE OF PREPARATION AS THE LAW SAYS. SO MY CLIENTS ARE CONCERNED AS THEY SAID TO ME LOOK, BILL, AND WHAT MY DEMONSTRATION WAS GOING TO SHOW, IS THAT IF YOU POUR MORE WATER INTO THAT CHANNEL BECAUSE YOU'VE HEIGHTENED THE LEVEES AND YOLO RESPONDS AND HEIGHTENS THEIRS, WHICH IS BUILT INTO YOUR ANALYSIS AS JOE POINTED OUT, WE ASSUME THAT YOLO WOULD INCREASE THEIR LEVEE. SO, IT REALLY ISN'T THE EXISTING CONDITIONS, IT'S AN ASSUMED ENGINEERING PRINCIPLE THAT THEY WILL ALSO RAISE THEIR LEVEE, MORE WATER GOES IN THERE AND JUST AS ROLDAN CANDEE SAID, IT'S GOING TO GO UP. AND FOR THOSE HOMES THAT AREN'T AS HIGH, RIGHT NOW, AS THE CURRENT LEVEE, THOUGH THEY'VE BEEN APPROVED AND HAVE ALL THEIR PERMITS AND EVERYTHING, THOSE HOMES ARE AT RISK WHEN YOU TAKE THAT BLUE LINE THAT WAS ON JOE'S GRAPH AND SAY OH, THAT, WHICH IS NOT IN THE DRAFT EIR, THAT IS THE LINE WE'RE TALKING ABOUT. THAT'S THE 200 YEAR LINE. NOW, A LOT OF WHAT JOE SAID WAS REALLY REVEALING. NONE OF WHICH IS IN YOUR ENVIRONMENTAL IMPACT REPORT. AND THAT IS OUR CONCERN. THE PUBLIC HAS BEEN KIND OF -- IT'S AN INSIDERS GAME HERE. YOU EITHER HAVE TO TRUST THIS COMPUTER PROGRAM, THIS BLACK BOX THAT PUMPS OUT THE INFORMATION, BUT THE SUPREME COURT'S MADE IT CLEAR, NO, THE PUBLIC DOESN'T HAVE TO ACCEPT THE BLIND FAITH. THAT DOES NOT IMPUGN THE CHARACTER OF THE PEOPLE THAT WORKED ON THIS EIR OR YOURSELVES AT ALL. IT'S THE PUBLIC HAS A RIGHT TO BE INFORMED, BUT WHAT ARE THE ENVIRONMENTAL CONSEQUENCES OF THIS PROJECT? MY INTEREST FROM THIS WHOLE THING STEMS FROM THE FACT THAT I'M ON THE BOARD OF DIRECTORS OF THE PLANNING AND CONSERVATION LEAGUE AND I WAS THE REPRESENTATIVE FOR THE NATIONAL WILDLIFE FEDERATION WHEN THEY HELD THEIR ANNUAL MEETING IN NEW ORLEANS SIX MONTHS AFTER KATRINA. JEROME RINGO WAS THE CHAIR OF THE NATIONAL WILDLIFE FEDERATION, A BLACK MAN WHO USED TO WORK IN THE PETRO CHEMICAL INDUSTRY IN LOUISIANA. A WONDERFUL MAN AND HE SHOULD MAKE THIS PRESENTATION AND NOT ME. AND FOR TWO DAYS WE SAT AND WE LISTENED TO THE USGS, ARMY CORPS OF ENGINEERS AND OTHERS EXPLAIN WHAT WENT WRONG WITH NEW ORLEANS. AND NEW ORLEANS IS A CASE HISTORY FOR A LOT OF THINGS: FOR SOCIAL WRONGS, FOR ENVIRONMENTAL WRONGS, FOR GOVERNMENT'S INACTION, FOR A LOT OF STUFF. BUT ONE OF THE THINGS THAT WE DID IS WE ARMORED THE BIG MUDDY, WE BUILT NARROW CHANNELS AND WE AIMED IT AT NEW ORLEANS AND LOUISIANA. AND AS A RESULT, THE DEPOSITIONS THAT USED TO FILL UP NEW ORLEANS AND LOUISIANA'S COAST WERE GONE. SO WHEN KATRINA HIT, IT DIDN'T HAVE MUCH OF A BUFFER BETWEEN THE GULF OF MEXICO AND NEW ORLEANS. AND IT HIT NEW ORLEANS DEAD ON, THE WORST POSSIBLE. AND THE RESULT WAS ALL THAT PRESSURE CAME ON THESE LEVEES. AT NIGHT AFTER THE STORM HAD PASSED. AND THEY COLLAPSED. SO WHEN THEY TOOK US OUT TO SEE THE LOWER NORTH SIDE AND ST. BERNARD PARRISH, AND SEE THE HOMES, SIX MONTHS AFTER THIS DEVASTATION, IT WAS APPALLING. YOU FELT SO SORRY FOR THE PEOPLE. AND PROBABLY MANY OF YOU'VE BEEN TO NEW ORLEANS TO SEE THAT. SO WE CAME BACK SOMEWHAT DEPRESSED THOUGH WE'D GONE OUT THERE AND PLANTED A FEW TREES AS A WORK PROJECT. AND MY SON

HAD BEEN OUT THERE THE WEEK BEFORE TAKING HIS SPRING BREAK, TO DON A WHITE HAZMAT AND GO OUT THERE AND DEAL WITH THE HOMES THAT WERE LEFT BEHIND. AND STUART LEAVENWORTH WROTE ABOUT THAT EXPERIENCE IN THE SACRAMENTO BEE ABOUT WHAT OCCURRED THERE. I CAME AWAY FROM THAT TRULY COMMITTED TO TWO THINGS, BECAUSE OF WHAT JEROME RINGO SAID. IS THAT HE BECAME THE SPOKESPERSON FOR GLOBAL WARMING AND FOR THE CONSEQUENCE OF WHAT GOES FORWARD HERE. IS THAT, WHEN THESE CATASTROPHIC STORMS HIT AND WE'RE NOT PREPARED FOR THAT, WE ARE IN TROUBLE. SO YOU ARE SITTING HERE TRYING TO DEAL WITH THIS ISSUE. AND WHAT'S YOUR PLANS AND WHAT YOUR STUDIES AND WHAT YOUR EIR'S, THESE CURRENT EIR'S AND YOUR FUNDING MECHANISM EIR'S HAVE ALL SHOWN IS REDOING WHAT WE'VE DONE IN THE PAST IS HIGH RISK. NO MATTER HOW WELL WE BUILD THESE LEVEES HIGHER, THEY'RE GOING TO FAIL. THEY ARE GOING TO FAIL. WE ARE NARROWLY CONFINING THIS MIGHTY RIVER, THE SACRAMENTO, JOINED BY THE AMERICAN RIVER, JOINED BY THE FEATHER RIVER, IN CLIMATIC CONDITIONS WE DON'T EVEN KNOW YET, BUT YOUR EIR BARELY MENTIONS THE WORD CLIMATE CHANGE OR ANY EVALUATION OF IT, IGNORES DWR'S WORK ABOUT HOW YOU COULD IN FACT CONSIDER SOME OF THESE ISSUES SO THAT WE MIGHT DO SOMETHING FROM A REGIONAL PERSPECTIVE AND I SECOND WHAT MR. COUNTRYMAN SAID. DEALING WITH QUESTIONS LIKE THE BYPASS, THE SACRAMENTO WEIR, THE FREMONT WEIR, IMPROVING THAT TO DO WHAT, TO LOWER THE ELEVATION OF THE RIVER BECAUSE I FEAR WHAT JEROME SAID WHEN HE WAS IN YOSEMITE JUST A COUPLE OF MONTHS AGO SPEAKING TO ALL OF US ENVIRONMENTAL LEGAL PRACTITIONERS AT THE ENVIRONMENTAL LAW SYMPOSIUM IN YOSEMITE WE HOLD ANNUALLY. JEROME SAID, LOOK, WHAT WE DID IS WE AIMED A CANNON AT NEW ORLEANS. AND I DON'T MEAN TO SUGGEST THE ELIBORATIVE SENSE THAT WE HAVE THIS WATER SHOT LIKE A HYDRAULIC MINING THING THAT WE HAD FROM OUR PAST WHICH RADICALLY CHANGED OUR HYDROLOGY. IT'S JUST THE FACT THAT WE HAVE NARROWLY CONFINED A MASSIVE RIVER AND PUT ALL THAT PRESSURE ON AS YOUR ENGINEERS WILL POINT OUT, THEY'LL STILL PUT PRESSURE ON THOSE NEW LEVEES, THERE WILL STILL BE UNDERSEEPAGE PROBLEMS, THERE WILL STILL BE RISK OF THROUGH LEVEE PROBLEMS, ALL OF THOSE ISSUES WILL STILL BE THERE. WE HAVEN'T LEARNED THE LESSON TRULY OF NEW ORLEANS. WE NEED TO LOOK AT IT. WE NEED TO WORK WITH OTHER AGENCIES THAT DEAL WITH IT FROM A REGIONAL PERSPECTIVE. WE NEED TO SET THESE LEVEES BACK. WE NEED TO LET THE RIVER HAVE SOME ROOM. AND FROM THAT WE WILL ALSO GET SOME ADDITIONAL HABITAT. AND WE'LL DO SOME OTHER THINGS THAT ARE APPROPRIATE. BUT IT IS A SHAME THAT WE WILL REPEAT THE THINGS THAT WE KNOW ARE SIMPLY GOING TO CONTINUE TO PUT US AT RISK. AND TO ALSO THEN ASSUME IN YOUR MODELING THAT ON THE ONE HAND, YOU KNOW, YOLO COUNTY WILL RAISE THEIR LEVEE UP, MAYBE THEY WILL, MAYBE THEY WON'T, BUT NO IS CERTAINLY NO EVIDENCE IN THAT EIR THAT SUGGESTS THEY WILL. OR TO ASSUME UPSTREAM THERE ARE GOING TO BE FAILURES AND SO WE BUILD THIS ON THAT KIND OF ASSUMPTION, BECAUSE THAT, ON THE ONE HAND, WE SAY WELL WE WON'T DO THAT WHEN WE CONSIDER THE HYDROLOGY OF THE RIVER IN OUR COMPUTER MODEL. BUT WHEN MY CLIENTS RAISE CONCERNS ABOUT, WELL WAIT A MINUTE, DOESN'T THAT INCREASE IN THE --, WELL DON'T WORRY, BECAUSE UPSTREAM WE KNOW THERE WILL BE FAILURES AND THAT IT'LL GO OVER THE TOP OF THE YOLO LEVEE. THEY'RE IN A CATCH 22. AND AS A RESULT YOUR ENVIRONMENTAL IMPACT REPORT DOESN'T REALLY EVALUATE WHAT ROLAND CANDEE JUST TALKED ABOUT. YOU'RE EFFECT ON MY PROPERTY. YES, I LIVE ON THE RIVER SIDE OF THE LEVEE. BUT I WAS ALLOWED, I WAS AUTHORIZED, I WAS APPROVED, I WAS BUILT BASED ON SOMEONE SAYING IT WAS OKAY TO DO THAT. AND THEN YOUR PROJECT'S GOING TO CHANGE THAT. YOU ARE THE INSTRUMENT OF THE CHANGE AND YET YOUR EIR SAYS BASED ON OUR MODEL, NO CHANGE. BUT THAT PICTURE THAT WAS SHOWN THERE WAS THE ONE THAT SERVED THE CHANGE. YOU ELIMINATE THAT LITTLE BROWN SLIP THERE THAT ISN'T GOING TO BE DONE BECAUSE THE EXISTING CONDITION ISN'T WITH THE YOLO THING AND YOU TAKE THAT BLUE LINE ACROSS. IT'S EITHER GOING TO SPILL OVER IN YOLO OR THEY REACT AS MY CLIENTS SAY AND BUILD THEIR LEVEE UP AND THEN THAT BLUE LINE IS HIGHER THAN SOME OF THE HOMES ELEVATIONAL ON THE RIVER, HARMING THEM. AND THEN UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, THAT'S A PER SE SIGNIFICANT EFFECT ON THE ENVIRONMENT WHEN YOU DO THINGS THAT WILL HARM OR PUT PEOPLE AT JEOPARDY. SO I'M HERE TO URGE YOU, DESPITE WHAT I CAN APPRECIATE JUST FROM HAVING READ THE LEGISLATION THAT THE FINAL EIR POINTED OUT, IS THE FACT THAT YOU ESSENTIALLY ARE INDEMNIFYING THE STATE WHEN YOU RECEIVE FUNDS FOR, MAYBE WHAT YOU'VE DONE IN THE PAST, WHAT YOU DO NOW AND SO THERE'S A LOT OF PRESSURE TO WANT TO DO THIS. I CAN APPRECIATE THERE IS NO QUESTION FOR ALL OF US THAT LIVE IN THIS AREA, ARE CONCERNED ABOUT THOSE BIG STORMS AND THOSE FLOOD EVENTS AND WHAT'S GOING TO HAPPEN. BUT IT ISN'T A HOBSON'S CHOICE, IT TRULY ISN'T. I THINK WE HAVE TO TAKE INTO CONSIDERATION SOMETHING BETTER. WORKING WITH AGENCIES, THE LEGISLATURE JUST PASSED AND THE GOVERNOR JUST SIGNED HALF A DOZEN BILLS THAT TRY TO CHANGE THE WAY WE DEAL WITH THIS ISSUE, CREATED OUT OF THE RECLAMATION BOARD A FLOOD CONTROL MANAGEMENT BOARD. REQUIRING LOCAL GOVERNMENTS TO GET THEIR GENERAL PLANS UP TO SPEED WITH WHAT WILL BE A STATEWIDE CENTRAL VALLEY FLOOD CONTROL PLAN. THIS KIND OF COLLABORATIVE EFFORT IS WHAT'S NEEDED. IT REALLY IS



WHAT LOUISIANA'S LOOKING AT. IT ISN'T THE OLD SYSTEM. IT REALLY IS TO START DOING SOMETHING DIFFERENT. SO I SUBMITTED MY LETTER FOR ITS PURPOSE FOR PROTECTING MY CLIENTS' RIGHTS, BUT AS A REPRESENTATIVE OF THIS GROUP, AS A RESIDENT OF THE COUNTY, AS SOMEONE WHO LIVES ON THE BANKS OF CHICKEN RANCH SLOUGH, I URGE YOU TO DO SOMETHING DIFFERENT FROM A REGIONAL PERSPECTIVE. THANK YOU VERY MUCH.

[APPLAUSE]

**CHAIR FARGO:**

THANK YOU. BEFORE I CALL ON THE NEXT SPEAKER, JUST TO CLARIFY THE RECORD A LITTLE BIT. THIS IS A REGIONAL BOARD THAT IS SITTING HERE IN FRONT OF YOU REPRESENTING TWO COUNTIES ONE CITY AND TWO FLOOD CONTROL DISTRICTS. WE WORK ON A REGULAR BASIS WITH EVERYBODY AROUND US, WHETHER IT'S UPSTREAM OR DOWNSTREAM OR ACROSS THE RIVER. WE'RE TALKING WITH YOLO COUNTY ON A REGULAR BASIS WITH THE OTHER RECLAMATION DISTRICTS, WITH THE STATE, WITH THE FEDERAL GOVERNMENT, WITH EVERYONE THAT WE NEED TO TALK WITH. WE WERE INVOLVED EITHER SUPPORTING OR OPPOSING ALL THE FLOOD RELATED LEGISLATION THAT WAS IN FRONT OF THE LEGISLATURE THIS YEAR AND WE'LL CONTINUE TO DO SO. SO I DON'T WANT THE PREVIOUS TESTIMONY TO BE LEFT UNRESPONDED TO ON BEHALF OF SAFCA. OK WITH THAT –

**DIRECTOR SILVA:**

MADAME MAYOR?

**CHAIR FARGO:**

YES, MR. SILVA.

**DIRECTOR SILVA:**

IF I MIGHT QUICKLY, JUST BRIEFLY A MINUTE, MR. YEATES. A COUPLE OF POINTS THAT YOU MAKE ARE WELL TAKEN AND THE FACT THAT ALL OF WHAT YOU SAY HAS SOME SOLUTION INVOLVED IN IT. WOULD YOU NOT AGREE THAT TIME IS OF THE ESSENCE TO MOVE FORWARD WITH SOME FORM OF FLOOD CONTROL FOR A REGIONAL BASIS FOR CALIFORNIA? THAT EMINENT FLOOD YOU TALK ABOUT THE 200 OR 500, THAT CATASTROPHIC EVENT WHICH IS GOING TO IMPACT A VAST MAJORITY OF US, I LIVED THROUGH THAT IN 1955, I'VE BEEN INVOLVED IN FLOOD CONTROL FOR OVER 40 YEARS, I WAS A MEMBER OF THE STATE RECLAMATION BOARD. ALL OF THE ISSUES YOU BRING UP, YOU BRING UP THIS SETBACK. WELL IF ONE WERE TO PROPOSE A SETBACK LEVEE AND LEAVE YOUR FOLKS HIGH AND DRY OUT IN THE MIDDLE OF RIPARIAN HABITAT ALONG THE SACRAMENTO RIVER, WHAT WOULD ONE DO AND HOW WOULD ONE PERFORM THAT SETBACK COMPONENT FOR THE SYSTEM IN CALIFORNIA. IT IS BUILT ON AN AGRARIAN BASED SOCIETY, NOW HAS BEEN URBANIZED AND WE HAVE TO BASICALLY LIVE WITH THAT. I AGREE WITH YOUR, YOU KNOW, WITH JOE'S BLUE LINE AND I AGREE WITH YOUR BLUE LINE, THERE IS PROBABLY SOME FACTOR THERE THAT NEEDS TO BE, RATHER THAN SINGLY DIMENSIONALLY MODELED, IT MIGHT BE SOME FORM OF A BROADER MODELING. BUT I DON'T SEE THAT THERE IS SUCH AN ISSUE HERE THAT WE CAN'T RESOLVE THAT WITH THE RESIDENTS THAT LIVE ALONG THE RIVER, WHETHER IT'S BY SIMPLE ELEVATION OF THEIR RESIDENCE, I THINK THE CONTENTIOUS ISSUE WILL BE THE ENCROACHMENT ISSUE, WHICH WILL BE MUCH MORE INVOLVED IN THEIR LIVELIHOOD. I AGREE WITH ROLAND IN WHAT HE SAYS ABOUT ONE INCH OF WATER IN MY HOUSE. HELL, I DON'T WANT ONE INCH OF WATER ON MY PROPERTY. SO I THINK THESE ISSUES ARE ALL RESOLVEABLE AND I THINK TIME, AGAIN, IS OF THE ESSENCE TO MOVE FORWARD WITH CALIFORNIA, WHETHER IT'S THROUGH THE STATE DEPARTMENT OF WATER RESOURCES AND THROUGH OUR 404s, 408s, 104 PROCESS. ALL THE THINGS THAT WE MUST DO TO ENCOURAGE AND MOVE FORWARD WITH THE PUBLIC SAFETY ISSUE. I SURELY IDENTIFY WITH THE PLIGHT OF YOUR FOLKS ALONG GARDEN HIGHWAY AND I DO AND THOSE CONSTITUENTS I REPRESENT FROM A POLICY DECISION BASE IN SUTTER COUNTY, SO I WOULD JUST LIKE US TO GET TOGETHER, MAKE SOME REAL ASSUMPTIONS HERE ON WHERE WE SHOULD GO AND MAKE A DEFINED TIME LINE AND GET THIS PROJECT UNDERWAY.

**CHAIR FARGO:**

AND I, JUST TO CLARIFY AS WELL, I AM ASSUMING, WELL I DON'T KNOW, WHEN YOU SAID YOU WANTED THE RIVER LEVEE SETBACK, DID YOU MEAN INTO THE NATOMAS BASIN? OR DO YOU MEAN YOLO COUNTY? OR SUTTER COUNTY? WHERE WERE YOU ANTICIPATING THE RIVER BE GIVEN MORE ROOM?

**MR. YEATES:**

I, TO THE HONORABLE MAYOR AND TO THE SUPERVISOR OF SUTTER COUNTY, I THINK OUR DILEMMA IS IN THE ENVIRONMENTAL DOCUMENT THAT'S NOW BEFORE YOU IS THAT I DON'T HAVE THE EXPERTISE TO SAY

WHETHER IT SHOULD BE ON THE NATOMAS SIDE OR IT SHOULD BE ON THE YOLO SIDE. BUT IF YOU DRIVE TO WOODLAND ALONG I-5, IMMEDIATELY YOU SEE THAT THERE IS ALREADY A LEVEE JUST BEYOND WHERE THERE IS A LEVEE THERE, WHERE THE FREMONT WEIR STARTS, THERE'S THINGS LIKE THAT. THOSE ARE THINGS THAT SHOULD HAVE BEEN EXAMINED SO YOU COULD ALL BALANCE THAT AND YOU COULD BASICALLY SAY WELL, MAYBE THIS OR MAYBE NOT. YOUR STAFF CUT YOU OFF. THEY SAID WE'VE LOOKED AT THOSE THINGS, WE JUST DON'T THINK THEY'RE FEASIBLE, THEY'RE TIME CONSUMING, BECAUSE YOU DO HAVE A REQUIREMENT. JUST AS YOU SAID, WE HAVE TO MOVE NOW. I DON'T KNOW. DO WE HAVE TO MOVE NOW? I MEAN, IF IN FACT YOUR MODELING SHOWS NO CHANGE. WE TRUST YOUR MODELING, WE REALLY ARE HAVING NO AFFECT AND YOLO IS JUST THE WAY IT IS, IT ISN'T AT THE BROWN SLOT THERE, IT IS LOWER RIGHT NOW, THAN THE CURRENT EAST SIDE LEVEES, YOU KNOW, THE CURRENT SET UP OF THE UPPER AREAS –

**CHAIR FARGO:**

MR. YEATES. MR. YEATES. YOU'VE HAD YOUR 15 MINUTES

**MR. YEATES:**

I UNDERSTAND. OKAY, I UNDERSTAND. RIGHT.

**CHAIR FARGO:**

AND WE NEED TO MOVE ON. AND I THINK HE ANSWERED THE QUESTION. I APPRECIATE IT. MR. BUER, DID YOU WANT TO ADD SOMETHING?

**MR. BUER:**

YEAH, I JUST WANTED TO ADD A COUPLE OF QUICK POINTS. THE POINT THAT MR. YEATES MAKES IS THAT WE'RE NOT IN COMPLIANCE WITH CEQA BECAUSE WE ASSUME SOME MODEST IMPROVEMENTS ON THE OTHER SIDE. THE POINT OF CEQA IS TO CAST A NET TO IDENTIFY THE WORST POSSIBLE CONSEQUENCES.

CHAIR FARGO:

RIGHT.

**MR. BUER.**

AND SO WE COULD DO AN EXHAUSTIVE SET OF RUNS, WE COULD EASILY DO THE BASELINE WITH THE LEVEES THE WAY THEY ARE. THE WATER WILL BE MARGINALLY LOWER, BUT THE POINT OF THE EXERCISE IS TO DEMONSTRATE THAT RAISING THE LEVEE ON OUR SIDE WILL NOT RAISE THE WATER LEVEL BECAUSE WE'RE ALREADY ABOVE THE 200 YEAR ELEVATION. AND AS I SAID EARLIER IN MY COMMENTS, IN A FLOOD FIGHT SITUATION WE WOULD RAISE IT FURTHER TO PREVENT OVERTOPPING.

**CHAIR FARGO:**

OKAY. RIGHT.

**MR. BUER:**

AND SO, WE WILL NOT AFFECT THE FLOW AND WE WILL NOT AFFECT THE WATER SURFACE ELEVATION, NOT IN THE BASELINE. NOT IF WE, IF THE STATE GOES AHEAD AT SOME POINT IN THE FUTURE AND RAISES THE WEST LEVEE TO THE ELEVATION THAT IS INVITED IN THE 1957 PROFILE.

**CHAIR FARGO:**

RIGHT. OKAY.

**MR. BUER:**

WE ARE NOT OPPOSED TO A REGIONAL PROJECT. WE'VE NEVER BEEN OPPOSED TO IT, IN FACT WE WILL COOPERATE WITH THE STATE.

**CHAIR FARGO:**

WE'VE WORKED ON A NUMBER OF THEM.

**MR. BUER:**

BUT THAT IS A MULTI-DECADE, MULTI-BILLION DOLLAR PLAN, THE STATE AND THE CORPS TRIED TO EXERCISE THAT APPROACH AFTER THE 97 FLOOD BECAUSE THERE WERE DOZENS AND DOZENS OF LEVEE FAILURES THROUGHOUT THE SYSTEM. THEY FAILED. THEY WERE UNABLE TO PUT TOGETHER A REGIONAL PLAN. IT WILL NOT SOLVE OUR UNDERSEEPAGE AND GEOTECHNICAL PROBLEMS. THE ONLY WAY WE CAN ONLY DO THAT IS TO STRENGTHEN OUR LEVEES NOW. WE ARE MORE THAN HAPPY TO LOOK AT REGIONAL

SOLUTIONS. WE'RE HAPPY TO LOOK AT SETBACK OPPORTUNITIES AND SO ON. BUT, THAT'S A SEPARATE ISSUE. THE QUESTION IS, ARE WE GOING TO LEAVE SACRAMENTO VULNERABLE FOR DECADES INTO THE FUTURE HOPING THAT THE FEDERAL AND STATE GOVERNMENTS WILL COME UP WITH BILLIONS AND BILLIONS OF DOLLARS TO SETBACK THE LEVEES ALL THE WAY DOWN TO RIO VISTA, BECAUSE THAT'S WHAT IT WOULD TAKE IF YOU LOWER FREMONT WEIR. I HAVE HAD THE OPPORTUNITY TO SIT DOWN WITH HOMEOWNERS AND DISCUSS THIS IN DETAIL INCLUDING MR. LAUPPE. WE SPENT TWO HOURS IN HIS HOME TALKING ABOUT THESE ISSUES.

**CHAIR FARGO:**

OKAY. THANK YOU.

**DIRECTOR NOTOLLI:**

MADAME CHAIR, IF I COULD.

**CHAIR FARGO:**

OKAY, YEAH.

**DIRECTOR NOTOLLI:**

JUST, ON THIS POINT TO THE TESTIMONY THAT WAS JUST GIVEN, AND IT GOES TO THE ENVIRONMENTAL DOCUMENT MATTER BEFORE US TODAY. IN HIS LETTER THE ISSUE WAS RAISED RELATIVE TO, AND HE PUT ON RECORD ABOUT THE RIGHT TO BE INFORMED AND THE MODELING INFORMATION THAT WAS USED AS THE BACKDROP HERE, AGAIN, I WANTED TO JUST ASK THE POINT OF OUR STAFF WE'VE DONE EXTENSIVE MODELING ON ANY NUMBER OF PROJECTS AND SO FORTH, WHAT WAS IT THAT WAS CONTAINED HERE AND WHAT WAS NOT CONTAINED IN THE DOCUMENT BECAUSE, AGAIN, THAT'S A LEGITIMATE ISSUE. IT'S THE DESCRIPTION OF THE INFORMATION AS IT RELATES TO THIS PROJECT AND IMPACTS. IT'S BEEN RAISED IN THE LETTER BY MR. YEATES. I UNDERSTAND HE'S CERTAINLY QUALIFIED AS PROTECTING THE RIGHTS OF THE HOMEOWNERS AND LANDOWNERS, BUT WHAT ABOUT THAT? ABOUT THAT, HE REFERENCED TO THE APPENDIX B AND THE INFORMATION IN THE RESPONSE OF THE FINAL EIR AS BEING MINIMAL. SO WHAT INFORMATION WAS INCLUDED, WHAT WAS AVAILABLE, AND IF THE INFORMATION WAS PRESENTED THIS MORNING THAT'S UNDERSTANDABLE IN LAYPERSON'S TERMS, WHY WASN'T THAT INCLUDED OR WAS IT INCLUDED IN THE DOCUMENT?

**MR. BUER:**

SUPERVISOR NOTTOLI, WHAT WAS PROVIDED IN THE DOCUMENT WAS A SUSSINCT SUMMARY OF THE RESULTS. THE ACTUAL MODEL AND THE ASSUMPTIONS, THE CODE, IS ALL AVAILABLE TO ANYONE WHO WISHES TO SIT DOWN WITH US. BUT IF WE INCLUDED ALL THE MODELS INCLUDING THE GEOTECHNICAL MODELS, THE HYDRAULIC MODELS AND ALL THE OTHER ANALYSES, THE DOCUMENT WOULD OCCUPY MANY BOXES ON THE FLOOR HERE. FOR EXAMPLE, WHEN WE DID THE PRELIMINARY LEVEE EVALUATION THAT LED UP TO BEGINNING THIS PROJECT, WE HAD A STACK OF DOCUMENTS ABOUT TWO AND A HALF FEET TALL WITH VERY DETAILED INFORMATION. SO, WE WOULD DENY NO ONE THE OPPORTUNITY TO SIT DOWN WITH JOE AND WORK THROUGH EVERY ELEMENT OF THE MODEL IN DETAIL. BUT, FOR PUBLIC DISTRIBUTION, IT DOESN'T MAKE SENSE TO PACK A DOCUMENT WITH THAT KIND OF INFORMATION. AND WE HAVEN'T DONE IT. BUT IF MR. YEATES WISHES TO DO SO OR ANYONE ELSE IN THE AUDIENCE, OR ANY EXPERT THEY HIRE, WE WILL SPEND WHATEVER TIME THEY WANT TO SPEND TO UNDERSTAND HOW WE'VE DONE THIS. THIS MODEL, AS JOE MENTIONED, HAS BEEN EXHAUSTIVELY REVIEWED BY THE CORPS OF ENGINEERS, IT'S BEEN IN USE BY NUMEROUS CONSULTING FIRMS BY THE CORPS AND THE STATE SINCE BEFORE 2002 WHEN THE COMP STUDY WAS COMPLETED. IT HAS BEEN CONTINUALLY REFINED. IT'S BEEN IN THE PUBLIC ARENA ALL THIS TIME BECAUSE THE YUBA COUNTY PEOPLE USE IT, SUTTER COUNTY PEOPLE USE IT, THE STATE USES IT, WE USE IT. THIS IS NOT A HIDDEN BLACK BOX. THIS HAS BEEN IN FULL PUBLIC VIEW FOR THOSE WHO ARE EXPERT ENOUGH TO STUDY IT, WE WELCOME THE DIALOGUE.

**DIRECTOR NOTOLLI:**

I GUESS JUST ONE FINAL POINT THOUGH, THE INFORMATION THAT JOE PRESENTED TODAY, AGAIN, I SAID WAS UNDERSTANDABLE IN LAYPERSONS TERMS, THAT INCLUDES ME AS WELL. WHY WOULDN'T SOMETHING LIKE THAT BE INCLUDED IN YOUR DOCUMENT? AGAIN, RECOGNIZING THAT YOU COULD HAVE BOXES OF BACKGROUND INFORMATION RELATIVE TO MODELS AND ALL OF THAT, WHY WOULDN'T SOMETHING OF THAT DIAGRAM NATURE, THAT IS EASILY UNDERSTANDABLE, GOES ALONG WITH CHARTS AND SO FORTH, WHY WOULDN'T THAT BE INCLUDED IN THE DOCUMENT?

**MR. BUER:**

WELL, WE DID INCLUDE A NUMBER OF LEVEE PROFILES IN THERE, ESSENTIALLY, ALL THIS INFORMATION. HOWEVER WE'RE TRYING TO BE RESPONSIVE TO ALL THE QUESTIONS AND CONCERNS THAT HAVE COME UP OVER THE LAST SEVERAL MONTHS. THEREFORE, WE'VE GONE TO AN EXTRA EFFORT TO TRY TO CLARIFY WITH COLOR AND FILLING IN AND A VERY CAREFUL EXPLANATION OF OUR THOUGHT PROCESS SO THAT PEOPLE CAN UNDERSTAND. WE ALSO ADDED THE COMPONENT, WHICH WASN'T IN THE EIR, BUT WE'RE TRYING TO COMMUNICATE HERE, WE'RE TRYING TO UNDERSTAND THE CONCERNS AND PROVIDE USEFUL INFORMATION. SO I THINK IT DOESN'T VIOLATE CEQA IF WE DO A BETTER JOB OF EXPLAINING OUR PROJECT IN THE PUBLIC FORUM THAN WE DID IN THE DOCUMENT. THE POINT IS THE DOCUMENT IS FULLY SUFFICIENT. IT PROVIDES ALL THAT INFORMATION. IT'S FULLY BACKED UP IN THE TECHNICAL APPENDICES AND THE SUPPORTING DOCUMENTS. WE'VE JUST DONE A BETTER JOB TODAY, I BELIEVE, OF MAKING IT GRAPHICALLY CLEARER THAT WE DO NOT CREATE A HIGH DRAULIC IMPACT WITH THIS PROJECT. MR. YEATES' COMMENTS NOT WITH STANDING.

**CHAIR FARGO:**

AND IT IS QUITE AN EFFORT TO TRANSLATE WHAT YOU ALL KNOW THAT HAVE DEVELOPED THIS PROJECT, TO THOSE OF US THAT AREN'T FLOOD CONTROL EXPERTS EVEN THOUGH WE'VE BEEN ON THIS BOARD FOR A LONG TIME.

**MR. BUER:**

YES.

**CHAIR FARGO:**

SO, AND EVEN HARDER, I THINK, TO THE PUBLIC WHO DON'T COME TO THE MONTHLY SAFCA MEETINGS. I DON'T BLAME THEM. BUT IT IS COMPLICATED. I THINK IT'S APPROPRIATE THAT WE ADDED MORE CLARIFICATION TODAY. BUT IT'S ALSO IMPORTANT THAT WE GET THINGS IN DOCUMENTS THAT MEET THE LEGAL TEST AS WELL. DID YOU WANT TO ADD SOMETHING?

**MR. BUER:**

YEAH, I WANTED TO ADD ONE MORE POINT, WHICH MAYBE HAVE GOTTEN LOST IN THE DEBATE. THIS IS ONE PIECE OF A PROGRAM. A 200 YEAR PROGRAM WHICH INCLUDES NOT JUST THE NATOMAS LEVEE IMPROVEMENTS BUT ALSO FIXING FOLSOM DAM SPILLWAY.

**CHAIR FARGO:**

THAT'S RIGHT, FOLSOM DAM.

**MR. BUER:**

THAT'S A MORE THAN A BILLION DOLLARS WORTH OF WORK. THIS IS ALL ANALYZED AT THE PROGRAM LEVEL IN THE LOCAL FUNDING MECHANISM EIR AND WE ARE ABSOLUTELY CERTAIN THAT WILL GO FORWARD. IT IS FEDERALLY AUTHORIZED, IT IS STATE AUTHORIZED, IT HAS GONE TO CONSTRUCTION. IT IS NOW IN THE CONSTRUCTION PHASE. SO THE NET EFFECT WILL BE A REDUCTION IN STAGES IN THE SACRAMENTO AREA WHEN THE NATOMAS PROJECT AND THE FOLSOM PROJECT IS DONE. SO, WE WILL HAVE A NET BENEFIT ON STAGES, NOT JUST, NOT RAISING IT, BUT WE'RE ACTUALLY GOING TO BE LOWERING STAGES AS JOE'S CHART SHOWED.

**CHAIR FARGO:**

OKAY. THANK YOU VERY MUCH. OKAY. WE'RE NEXT GOING TO HEAR FROM PATRICK TULLY, DAVID INGRAM, MATT BREESE AND JEFF SCHNEIDER. AND WE'RE GOING BACK ON THE TWO MINUTE TIME FRAME SO WE CAN GET TO THE OTHER FOLKS WHO HAVE SIGNED UP TO SPEAK. YEAH.

**MR. TULLY:**

BOARD MEMBERS, MADAME CHAIR, PATRICK TULLY. I LIVE ON GARDEN HIGHWAY. I ALSO HAVE PROPERTIES IN NATOMAS AND IN MIDTOWN. I'M SPEAKING TO YOU TODAY NOT TO REITERATE STATEMENTS ABOUT THE EIR, INSTEAD I SPEAK TO THOSE ELECTED OFFICIALS WHOM WE'VE ENTRUSTED OUR COMMUNITY TO, THAT THIS VERY PROBLEM AND HOW WE APPROACH THE SOLUTION COULD BE A DEFINING MOMENT FOR URBAN FLOOD CONTROL. DONE CORRECTLY, SACRAMENTO COULD BE A MODEL FOR REAL NATIONAL STANDARDS, WHICH ENCOURAGE AND CORRECTLY INTERPRET FACTS ON THE GROUND. DONE INCORRECTLY, THIS WORK WILL SIMPLY BE ANOTHER FAILURE OF GOVERNMENT LACKING FORSIGHT AND FORCING CHANGE ON THE ENVIRONMENT AND THE RESIDENTS. THE JUSTIFICATION FOR THIS WORK IS, WITHOUT A DOUBT, KATRINA. A NAME THAT NOW JOINS THE RANKS OF MADONNA OR PRINCE. SAFCA USES THIS NAME FREELY AS ITS GET OUT OF JAIL FOR FREE CARD. THE POLITICAL EQUIVALENT TO, IF YOU'RE

NOT WITH US, YOU'RE AGAINST US. WE ARE FOR FLOOD CONTROL. GARDEN HIGHWAY IS FOR FLOOD CONTROL. NATOMAS IS FOR FLOOD CONTROL. DOWNTOWN IS FOR FLOOD CONTROL. I THINK EVERYBODY HERE SO FAR WHAT I'VE BEEN LISTENING TO TODAY HAS MISSED THE POINT. THE POINT IS NOT WHETHER WE BELIEVE THE ENGINEERS. IT'S NOT WHETHER WE BELIEVE IN FLOOD CONTROL, IT'S ABOUT FAIRNESS. IT'S ABOUT PRIVATE PROPERTY RIGHTS. IT'S ABOUT PUTTING THE MANY IN FRONT OF THE FEW. WE'RE DEALING WITH BASIC AMERICAN ISSUES. YOU HAVE TO LOOK AT THE REAL ISSUES OF THE GARDEN HIGHWAY RESIDENTS. WE WILL BE DAMAGED BY THIS. I URGE THE BOARD NOT TO SIMPLY FOLLOW THE ARMY CORPS OF ENGINEERS INTO THIS ABYSS, THINK FIRST. THIS RIVER BUILT, NOURISHED AND DEFINED SACRAMENTO. WE ARE THE RIVER CITY. STAND UP, LEAD, DON'T FOLLOW. THANK YOU.

**CHAIR FARGO:**

THANK YOU, PATRICK. DAVID INGRAM IS OUR NEXT SPEAKER, THEN AFTER THAT, MATT BREESE AND JEFF SCHNEIDER.

**MR. INGRAM:**

I THINK IT'S AFTERNOON NOW. GOOD AFTERNOON. DAVID INGRAM. THANK YOU FOR THE OPPORTUNITY. I LIVE ON GARDEN HIGHWAY, ON THE WATER SIDE WITH MY WIFE AND TWO CHILDREN. MOST OF THE POINTS I WANTED TO MAKE HAVE ALREADY BEEN MADE, WHICH IS A GOOD THING SINCE I HAVE A MINUTE AND 50 SECONDS LEFT. BUT ONE OF THE THINGS I WOULD LIKE TO POINT OUT IS, AS MR. NOTTOLI STATED EARLIER IS THAT THE MODELING GRAPH THAT WAS UTILIZED TODAY TO EXPLAIN TO ALL THESE PEOPLE WHAT WAS GOING ON, WHAT'S GOING ON WITH THIS PROJECT WAS NEVER PROVIDED. IT'S NOT A BOX OF DOCUMENTS, IT'S ONE SINGLE DEMONSTRATIVE PIECE OF EVIDENCE THAT COULD HAVE HELPED US UNDERSTAND THIS PROJECT. WE GOT THAT TODAY. I'VE BEEN TO FOUR MEETINGS, TWO WITH GARDEN HIGHWAY RESIDENTS, TWO WITH MR. BUER. IT WAS NEVER BROUGHT UP THAT A GRAPH EXISTED OR THAT WE COULD OBTAIN A GRAPH. I ASKED MR. BUER, SPECIFICALLY AT A RESIDENTS MEETING A COUPLE OF WEEKS AGO, WHAT IS 200 YEAR FLOOD PROTECTION. I WANT TO KNOW WHAT IT IS, WHERE IT'S DEFINED, AND WHY ARE WE AIMING FOR IT? I WAS NOT, UNFORTUNATELY, NOT ABLE TO GET A RESPONSE BECAUSE THE MEETING WAS ADJOURNED SHORTLY THEREAFTER. BUT I STILL DON'T KNOW. I DON'T KNOW WHAT TWO YEAR FLOOD PROTECTION IS. I DON'T KNOW WHY WE'RE AIMING FOR IT. I DON'T KNOW WHO HAS DEFINED IT AND I DON'T KNOW HOW THE BOARD CAN WITH A STRAIGHT FACE CONSIDER A PROPOSAL WHEN WE DON'T HAVE A CLEAR DESIGN AND GOAL OF WHERE WE'RE GOING WITH THIS PROJECT. THE FREEBOARD SPACE IS THE LAST ISSUE I WOULD LIKE TO POINT OUT. IT'S MY UNDERSTANDING BASED UPON THE ASSUMPTIONS THAT EVEN IN 1997 WHICH WAS APPARENTLY THE WORST FLOOD THAT WE'VE HAD IN 150 YEARS THAT THE WATER LEVEL DID NOT EVEN GET TO THE LOWEST LEVEL OF THE EAST LEVEE. IF THAT'S TRUE, THEN WHY ARE WE RAISING THE LEVEE IN THAT LOWEST LEVEL THREE FEET, IF THE WATER NEVER GOT TO THAT LEVEL? WHAT IS THE DESIGN CAPACITY THAT YOU'RE AIMING FOR? BECAUSE IT'S COMPLETELY INCONSISTENT WITH THE ASSUMPTIONS THAT ARE BEING PRESENTED TO US. THE LAST THING THAT I WOULD LIKE TO POINT OUT IS THAT WHAT MR. BUER TOLD ME AND OTHERS DIRECTLY CONTRADICTS WHAT THEY'RE OWN ENGINEERS HAVE TOLD US. WE RAISED THE CONCERN ABOUT OUR HOMES HAVING AN INCREASED RISK OF HAVING FLOOD DAMAGE. MR. BUER TOLD US ON TWO OCCASIONS, DON'T WORRY THE LEVEES UPSTREAM WILL FAIL OR THE WATER WILL CASCADE INTO YOLO COUNTY LONG BEFORE YOU GUYS WILL SUFFER FROM INCREASED HYDRAULIC CONCERNS --

**CHAIR FARGO:**

MR. INGRAM, COULD YOU BRING IT TO A CONCLUSION?

**MR. INGRAM:**

YES. AND AS WE HAVE SEEN TODAY, THOSE STATEMENTS ARE INCORRECT. THE INFORMATION THAT WE HAVE BEEN GIVEN TO RELY UPON IS INCORRECT.

**CHAIR FARGO:**

THANK YOU FOR YOUR COMMENTS.

**MR. INGRAM:**

THIS PROJECT WILL NEGATIVELY AFFECT THE PROPERTY VALUE OF EVERY HOMEOWNER ON GARDEN HIGHWAY. I THINK THE BOARD NEEDS TO CONSIDER THAT. THE EIR DID NOT CONSIDER THAT. --

**CHAIR FARGO:**

MR. INGRAM THANK YOU FOR YOUR TESTIMONY.

**MR. INGRAM:**

THANK YOU VERY MUCH.

[APPLAUSE]

**CHAIR FARGO:**

MATT BREESE IS OUR NEXT SPEAKER, FOLLOWED BY JEFF SCHNEIDER AND THEN AFTER JEFF SCHNEIDER -- IS MATT COMING DOWN? THANK YOU. -- WILL BE JUDE LAMARE AND JIM PACHL AND AFTER THAT KEITH SHARWARD.

**MR. BREESE:**

HELLO ONCE AGAIN.

**CHAIR FARGO:**

WELCOME BACK.

**MR. BREESE:**

THANK YOU. YOU KNOW, I LEARNED A LOT TODAY. I USUALLY SIT BACK AND JUST LISTEN AND WATCH. MY WIFE PREPARED A SPEECH FOR ME, BUT REALLY WHAT IT COMES DOWN TO IT DOESN'T REALLY SEEM LIKE WE KNOW EXACTLY WHAT WE'RE DOING. WE'RE TALKING ABOUT DOING SOMETHING IN 2008 AND MAKING THIS PUSH THIS THROUGH AND THEN WE'LL COVER THINGS DOWN TO 2009 AND 2010. WHAT'S -- I UNDERSTAND THE URGENCY OF THIS, BUT I'M PRETTY SYSTEMATIC OF THE WAY I DO THINGS -- IF I JUST KIND OF SAID, GUYS GO OUT AND WE'RE GOING TO START WITH THIS AND WE'RE GOING TO DO THIS, THIS WAY, WITH THE INTENTION ON MAKING IT UP AS WE GO ALONG IT SEEMS DOWN THE ROAD IN 2009 AND 2010, AFFECTING FAMILIES, HOUSES, PEOPLES' HOMES AND LIVES. THAT'S WHAT WE'RE DOING. AND WE'RE AFFECTING THE PEOPLE IN NATOMAS, WHICH I AM A BUSINESS OWNER IN NATOMAS. I SUPPORT THE CHAMBER. I SUPPORT ALL THE PEOPLE IN THE NATOMAS BASIN. I HAVE TO. SO IT'S KIND OF LIKE -- IT'S A DOUBLE EDGED SWORD FOR ME. I'M GOING TO LOSE MY HOUSE POTENTIALLY, BUT THEN AGAIN I ALSO HAVE TO LOOK AT THE PEOPLE THAT MAKE MY BUSINESS AND SUPPORT THE FAMILIES THAT I EMPLOY. SO WHAT DO YOU DO? SO, FOR ME, I SAY WE NEED LEVEE PROTECTION, OBVIOUSLY FLOOD PROTECTION. BUT IT SEEMS LIKE WE NEED MORE THAN JUST FLOOD CONTAINMENT. I WOULD THINK WE NEED SOMETHING MORE LIKE FLOOD DIVERSION OR WATER DIVERSION INSTEAD OF CONTAINMENT. I HAVE YET TO HAVE ANYBODY COME UP AND TALK ABOUT IT TO ME ABOUT A WAY WE CAN DIVERT WATER TO ORANGE COUNTY WHERE THEY'RE RECYCLING THEIR WASTE WATER. WE'VE GOT THE NEWS SHOWING MEXICO, MAJOR FLOODS, THEY'RE STILL DEALING WITH IT TODAY. MY FAMILY'S IN ST. LOUIS, MISSOURI, COUPLE YEARS BACK WE HAD MAJOR FLOODS, MAJOR FLOODS. WE DEAL WITH IT. WE LIVE WITH IT. THE POINT BEING IS THAT DON'T RUSH THROUGH THIS AS QUICKLY AS IT SEEMS WE ARE DOING. LET'S HAVE A PLAN AND LET'S KNOW WHAT WE'RE DOING IN TWO YEARS FROM NOW NOT JUST TODAY. THAT'S IT. THANK YOU.

**VICE-CHAIR PETERS:**

THANK YOU MR. BREESE. JEFF SCHNEIDER?

**MR. SCHNEIDER:**

HI, I'M JEFF SCHNEIDER. I HAVE LIVED IN NATOMAS ALMOST 30 YEARS BOTH AGAINST THE LEVEE ON THE LAND SIDE INLAND AND NOW ON WATER SIDE. I'M GOING TO TRY AND ADDRESS SOME STAFF COMMENTS AS WELL AS MINE. I'M CONCERNED THAT OVERALL THIS HAS NOT REALLY BEEN A PLANNING PROJECT IN A TRUE SENSE. IT'S REALLY BEEN A TUNNEL VISION PLANNING PROCESS AS YOUR EXECUTIVE DIRECTOR STATED TO PROVE THAT WE NEEDED TO DO THIS PROJECT. AND AS MR. DICKINSON NOTED, HAD POINTED OUT THAT FEMA NEEDS TO, IS REQUIRING US TO HAVE THIS THREE FEET OF FREEBOARD. IT'S, NOWHERE HAS THIS PLANNING PROCESS SAID THIS IS THE RIGHT PROJECT TO DO FOR NATOMAS. IT'S HOW DO WE MEET FEMA'S REQUIREMENTS, WHICH MAY OR MAY NOT BE THE RIGHT THING TO DO FOR NATOMAS. THE IMPACTS, AS ITS BEEN SAID, HAVE REALLY NOT BEEN ADDRESSED WELL TO THE GARDEN HIGHWAY RESIDENTS. HIGHER FLOOD WATERS, WHETHER YOU BELIEVE THAT OR NOT, WE'RE GOING TO HAVE YEARS OF NEVER ENDING RESTRICTIONS ON ACCESS, POTENTIAL IMPACTS TO OUR WELLS. EVEN THE EIR NOTES THAT THE VISUAL IMPACT OF THIS PROJECT ON THE NEIGHBORHOOD WILL BE SIGNIFICANT AND UNAVOIDABLE. WELL, IF YOU PUT A 300 FOOT WALL THAT'S THREE FEET FALLER THAN THE FIRST FLOOR OF YOUR HOUSE, TELL ME THAT WHEN YOUR NEXT POTENTIAL BUYER COMES AND KNOCKS ON YOUR DOOR, THAT THE FIRST THINK THEY'RE NOT GOING TO SAY IS WHAT THE HELL IS THIS HUGE MONSTER OF BARE DIRT IN FRONT OF YOUR HOUSE AND IT'S NOT GOING TO EFFECT YOUR PROPERTY VALUE. SO EVEN IF WE DISMISS EVERYTHING BUT THE FACT THIS BIG DIRT MONSTER IS GOING TO BE IN OUR FRONT YARD, THAT

IMPACTS OUR PROPERTY VALUE. THAT'S AGAIN IF YOU DISMISS ALL OF THE REST. THE -- AGAIN, AS I STATED I BELIEVE THIS WHOLE THING IS NOT ABOUT FINDING THE BEST PROJECT AND WE'RE NOT AGAINST AS BEEN SAID BEFORE. THE NATOMAS PEOPLE VOTED FOR FLOOD PROTECTION. THEY DIDN'T VOTE FOR A PROJECT THAT MET FEMA REQUIREMENTS. YET, NONETHELESS THAT'S EXACTLY WHAT THIS PROJECT HAS BEEN AIMED FOR ALL ALONG. SB276, WHICH WAS MENTIONED QUICKLY REQUIRES SAFCA TO HOLD THE STATE HARMLESS AND BE SOLELY FINANCIAL FOR ALL OF THE FINANCIAL DAMAGES -- AND I JUST NEED ABOUT 35 MORE SECONDS IF I COULD. THAT OVERTURNS A HUNDRED YEARS OF PRECEDENT WHERE THE STATE'S RESPONSIBLE FOR DAMAGE FROM LEVEES, WHICH MEANS THAT, IF THIS LEVEE EVER FAILS OR IF ANYONE ELSE CAN PROVE THAT THIS LEVEE PROJECT HAS CAUSED THEM DAMAGE, THE STATE'S NOT AT RISK, SACRAMENTO IS AT RISK FOR PAYING FOR THOSE THINGS. AND WE ALREADY KNOW THAT BOTH TO THE NORTH AND TO THE EAST, THEY HAVE GIVEN US CONCERN. AND I HAVE JUST ONE LAST ISSUE IF I MAY PLEASE. THE, JUST ONE QUOTE THAT MAY SUM UP ALL OF THE GARDEN HIGHWAY RESIDENTS ISSUES REGARDING OUR PROPERTY VALUE. JAMES MADISON SAID "THE GOVERNMENT IS INSTITUTED TO PROTECT PROPERTY OF EVERY SORT. THIS BEING THE END OF GOVERNMENT, THAT ALONE IS A JUST GOVERNMENT, WHICH IMPARTIALLY SECURES TO EVERY MAN WHATEVER, IS HIS OWN. THAT IS NOT A JUST GOVERNMENT WHERE THE PROPERTY OF A MAN IS VIOLATED BY ARBITRARY SEIZURE OF ONE CLASS OF CITIZENS FOR THE SERVICE OF THE REST." AND THAT'S EXACTLY WHAT YOU'RE ASKING US TO DO WITHOUT COMPENSATION IS GIVE UP OUR VALUE OF 200 OR 300 HOMES IN ORDER TO PROTECT THE 70,000 IN NATOMAS. WE UNDERSTAND THAT MAY BE NECESSARY BUT YOU --

**VICE-CHAIR PETERS:**

THANK YOU MR. SNYDER.

**MR. SCHNEIDER:**

-- NEED TO ADDRESS THAT AND PAY US FORWARD.

**VICE-CHAIR PETERS:**

THANK YOU MR. SCHNEIDER.

**MR. SCHNEIDER:**

THANK YOU VERY MUCH.

[APPLAUSE]

**VICE CHAIR PETERS:**

THANK YOU. JUDITH LAMARE.

**MS. LAMARE:**

MADAME CHAIR AND MEMBERS OF THE BOARD. I'M JUDE LAMARE REPRESENTING FRIENDS OF THE SWAINSON'S HAWK. WE LOVE TO COME HERE AND SUPPORT THE STAFF. THE STAFF HAS WORKED VERY HARD ON THE ENVIRONMENTAL ANALYSIS. WE'VE WORKED HARD TO FEED THEM THE KEY ISSUES, BUT WE'RE STILL COMING UP SHORT AND WE'RE TOLD THIS IS THE POLICY LEVEL EIR. MR. BUER SAID THERE WILL BE ANOTHER BITE AT THE APPLE AND I SURE HOPE I GET ANOTHER BITE ON THESE ISSUES, BUT I DO WANT TO RAISE THE ISSUE OF THE FARMLAND PRESERVATION REQUIREMENT IN THE EIR. THE EIR CALLS FOR AG LAND TO BE COMPENSATED ONE TO ONE FOR PRIME FARMLAND, UNIQUE FARMLAND AND FARMLAND OF STATEWIDE IMPORTANCE THAT'S REMOVED FROM FARMING. BUT I WANTED TO BRING TO SAFCA'S ATTENTION THAT THE NATOMAS BASIN HCP RELIES ON CONTINUING FARMING IN THE BASIN AND SPECIFICALLY THE WHOLE PROJECT IS IN THE SWAINSON'S HAWK ZONE, MAYBE EXCEPTING THE AREA NEXT TO THE CANAL. BUT IT'S ALL WITHIN A PRIMARY AREA WITHIN A MILE OF NESTING SWAINSON'S HAWKS. SO I'M GOING TO HAND TO STAFF SPECIFIC REFERENCES IN THE NBHCP THAT OUTLINE WHY IT'S IMPORTANT THAT FARMLAND CONTINUE AND, THE HBP BY THE WAY, OF COURSE WAS A MITIGATION MEASURE FOR YOUR LAST MAJOR PROJECT. AND SO WE SEE HCP AS GOVERNING THIS PROJECT AS WELL. YOU'RE REQUIRED TO ASSESS THE IMPACTS OF THIS PROJECT ON THAT HCP AND INSTEAD THE EIR DEALS WITH FARMLAND AS SORT OF A SEPARATE KIND OF THING WHERE -- WHY IS THIS IMPORTANT? YOUR EIR DOESN'T REQUIRE YOUR FARMLAND TO BE MITIGATED WITHIN THE SWAINSON'S HAWK ZONE IN THE NATOMAS BASIN. WE THINK THAT'S ABSOLUTELY ESSENTIAL. WE ALSO THINK ALL FARMLAND SHOULD BE COVERED NOT JUST THE PRIME LAND. AND FINALLY THERE'S A TEMPORAL LOSS HERE THAT YOU COULD MITIGATE BY ENSURING THAT FARMLAND IS LEASED AND FARMED DURING THE PROJECT IN THE SWAINSON'S HAWK ZONE SO THAT IMPACTS ON NESTING IN THE AREA OF BIGGEST IMPACT CAN BE

MITIGATED THROUGH MAKING SURE THAT THE RIGHT KIND OF FARMING IS GOING ON NEXT TO THE NESTS IN THE OTHER PART OF THE ZONE. THANK YOU.

**CHAIR FARGO:**

JUDE, CAN I ASK YOU JUST ONE QUICK QUESTION? IS THAT WHAT YOU'RE SUBMITTING NOW, OR DID YOU GIVE US -- DO WE HAVE SOMETHING IN WRITING WITH YOUR COMMENTS?

**MS. LAMARE:**

MY COMMENTS WERE VERY EXTENSIVE AND WEREN'T ALL RESPONDED TO IN THE FINAL EIR.

**CHAIR FARGO:**

OKAY, BUT WE DO HAVE --.

**MS. LAMARE:**

THE TEMPORAL LOSS --

**CHAIR FARGO:**

BUT WE DO HAVE --

**MS. LAMARE:**

THE NEED FOR LEASING FARMLAND DURING THE PROJECT, THE NEED FOR MAKING THOSE PURCHASES OR EASEMENTS IN THE BASIN AND IN THE SWAINSON'S HAWK ZONE. THANK YOU.

**CHAIR FARGO:**

OKAY. THANK YOU. OKAY JIM PACHL, AND THEN KEITH SHARWARD AFTER THAT. DODIE NEWMAN, STEVE ARDITTI, LOUISE RAPOSA, AND WE'LL GO FROM THERE. HI.

**MR. PACHL:**

GOOD AFTERNOON BOARD MEMBERS. MY NAME IS JIM PACHL, REPRESENTING FRIENDS OF THE SWAINSON HAWK. I'M HERE TODAY TO ADDRESS TWO ELEMENTS OF THIS VERY LARGE PROJECT. ACTUALLY THERE ARE A COUPLE OF ELEMENTS THAT IN AND OF THEMSELVES WOULD BE CONSIDERED A PROJECT, WITH PROJECT SIGNIFICANT ENVIRONMENTAL IMPACTS IF THEY WERE DONE SEPARATELY. I SUBMITTED A LETTER LATE YESTERDAY. STAFF SAID THEY WOULD DUPLICATE IT AND GIVE IT TO YOU. SO I ASSUME YOU'VE ALL GOT IT, IF NOT I'VE GOT COPIES OF IT.

**CHAIR FARGO:**

I THINK WE DID.

**MR. PACHL:**

ONE ISSUE IS THE UTILITY POLES. YOUR EIR SAID THAT UTILITY POLES WOULD BE RELOCATED ALONG THE WATER SIDE OF THE HIGHWAY WHICH OF COURSE MEANS UTILITY LINES, WHICH MEANS REMOVAL OF THOUSANDS OF TREES THAT WOULD BE UNDER THE UTILITY LINES THAT HAVE TO BE TAKEN OUT, THAT WOULD OTHERWISE INTERFERE WITH THE UTILITY LINES. THE PEOPLE OBJECTED SO WE NOW HAVE A MITIGATION MEASURE THAT SAYS NO UTILITY POLES ON THE WATER SIDE IN THE VICINITY OF EXISTING WATER SIDE RESIDENCES EXCEPT UNLESS THERE'E NO FEASIBLE ALTERNATIVE. OKAY, WELL THERE'S LARGE STRETCHES OF THAT LEVEE THAT DO NOT HAVE HOUSES UNDER THIS MITIGATION MEASURE IT WILL BE PERFECTLY OKAY TO PUT UTILITY LINES ON THE WATER SIDE AND IT'S NOT CLEAR WHETHER THEY'RE GOING TO BE PUTTING THEM ON THE WATER SIDE OR NOT, BUT IT'S CERTAINLY THE POSSIBILITY. AND I WOULD STRONGLY URGE THAT UNLESS YOU WANT TO BE RESPONSIBLE FOR UNNECESSARILY REMOVING HUNDREDS OR EVEN THOUSANDS OF TREES THAT YOU SIMPLY SAY THE UTILITY LINES SHALL BE ON THE LAND SIDE OF THE LEVEE EXCEPT WHERE YOU'VE GOT TO CARRY THEM OVER TO SERVE RESIDENCES. VERY SIMPLE, SOMETHING YOU CAN DO FROM UP HERE. SECOND ISSUE IS THE FACT THAT THE EIR SAYS THAT, OH WE'RE GOING TO FILL THE ELKHORN RESERVOIR ALSO KNOWN AS THE NATOMAS MUTUAL WATER PONDS. THE DRAFT ENVIRONMENT THAT STAFF SAID OH, NO, WE'RE GOING TO FILL ONLY PART OF THEM, I THINK HAVING TO DO WITH 300 FEET BERM POSSIBLY GETTING INTO IT. FINE, I CAN UNDERSTAND THAT. BUT AS YOU CAN SEE FROM THE PHOTO I'VE PASSED OUT, IT'S ACTUALLY THE ELKHORN RESERVOIR. IT'S ABOUT THREE LINEAR PONDS THAT RUN EAST TO WEST SURROUNDED WITH TREES. IT'S A VERY NICE RIPARIAN HABITAT. A FEW YEARS AGO, I WAS ON A COUPLE OF BIRD TOURS WITH AUDOBON THAT HAD PERMISSION TO GO IN THERE AND LOOK. IT'S AN AREA THAT REALLY OUGHT TO BE PRESERVED. I CAN'T THINK OF ANY



GOOD REASON TO FILL IT. IF IN FACT ONLY A PORTION IS TO BE FILLED BECAUSE IT'S IN THE WAY OF THE WIDENED LEVEE, THAT CERTAINLY NEEDS TO BE EXPLAINED IN THE EIR. RIGHT NOW YOU HAVE A MAJOR PROJECT WITH MAJOR ENVIRONMENTAL IMPACTS FOR THE FILLING OF THESE PONDS AND IT'S NOT DESCRIBED.

**CHAIR FARGO:**

OKAY. THANK YOU JIM.

**MR. PACHL:**

YOU KNOW, AND IT'S TOTALLY IGNORED BY THE EIR.

**CHAIR FARGO:**

WE'LL DEFINITELY LOOK INTO THAT. THANK YOU. OKAY. OK, IS KEITH SHARWARD HERE?

**MR. SHARWARD:**

HELLO EVERYONE, MY NAME IS KEITH SHARWARD. MY WIFE AND I HAVE LIVED IN NATOMAS SINCE 1994. WE BOUGHT IN SOUTH IN 97, SOLD AND BOUGHT IN NORTH IN 2004 UNDER THE BELIEF THAT WE HAD A MINIMUM OF 100 YEAR FLOOD PROTECTION. SINCE THEN, WE'VE ALL LEARNED THAT WE DON'T AND IT'S A DIRE SITUATION. I STILL HAVE QUESTIONS ABOUT WHO KNEW WHAT AND WHEN AND HOW LONG IT TOOK FOR THE PUBLIC TO BE INFORMED ABOUT IT BUT I'LL SAVE THOSE QUESTIONS FOR ANOTHER DAY. THIS PROJECT IS SO IMPORTANT; IT'S ARGUABLY THE MOST IMPORTANT PROJECT IN THIS AGENCY'S HISTORY. I BELIEVE IT'S LIFE OR DEATH. IF I MAY, I WANT TO ACKNOWLEDGE THE FOLKS WHOSE HOMES ARE IN THE PATH OF THIS CONSTRUCTION PROJECT WHOSE QUALITY OF LIFE WILL BE DIRECTLY IMPACTED BY THE WORK. SOME OF WHOSE HOMES MAY BE LOST IN THE PROCESS. I GRIEVE FOR YOU, I KNOW THIS IS NOT FAIR. MOST OF YOU WERE THERE BEFORE WE CAME ALONG AND I'M SORRY. I REALIZE SOME OF YOU ARE HERE, MAYBE IN AN EFFORT TO SAVE YOUR HOMES AND I APPRECIATE YOUR SACRIFICES. I HOPE THIS DOESN'T SEEM TRITE BECAUSE I ASSURE YOU IT'S NOT. THESE FOLKS WILL LOSE THEIR HOMES SO THAT MANY OTHERS CAN BE MORE PROTECTED AGAINST LOSING THEIRS. BUT IT NEEDS TO BE DONE. IT NEEDS TO BE DONE AS SOON AS POSSIBLE. WE NEED THIS PROJECT TO PROCEED WITHOUT DELAY. WE NEED THIS PROJECT TO PROCEED IN AN ORGANIZED AND FISCALLY RESPONSIBLE FASHION. WE WILL ALL PAY A PRICE IN SPECIAL ASSESSMENTS, IN NOISE, IN TRUCK TRAFFIC, IN DUST, IN INCONVENIENCE, AND IN SOME CASES, IN DEMOLITION OF HOME. BUT I URGE YOU, LET'S GO, LET'S GET IT DONE, LET'S GET IT DONE QUICKLY WITHOUT DELAYS. I BELIEVE THERE'S A STORM IN THE FORECAST AND IN MY REMAINING SECONDS I JUST WANT TO SAY THAT MY WIFE AND I AND OUR SIX CATS, THREE CHINCHILLAS AND A COUPLE OF RABBITS, WE WERE A VICTIM OF A ONE INCH WATER INTRUSION DUE TO A PLUMBING FIASCO AND WE WERE DISPLACED FOR A FEW WEEKS DURING RECONSTRUCTION. IT IS A BIG DEAL. I APPRECIATE THAT ONE INCH, I KNOW WHAT YOU MEAN.

**CHAIR FARGO:**

THANK YOU VERY MUCH FOR YOUR THOUGHTFUL COMMENTS. I THINK YOU EXPRESSED FOR A LOT OF PEOPLE. IS DODIE NEWMAN HERE THANK YOU FOR HANGING IN HERE? STEVE ARDITTI AND LOUISE RAPOSA, JOHN TORGERSON, ERIK DEMARCO. HI.

**MS. NEWMAN:**

HI, MY NAME IS DODIE NEWMAN AND I'M A RESIDENT OF NATOMAS FOR THE PAST 22 YEARS AND I COME REGARDING A PERSONAL INVOLVEMENT IN THIS. THREE YEARS AGO, I DROVE MY DAUGHTER TO NEW ORLEANS SO SHE COULD BEGIN HER LAW SCHOOL CAREER. UNFORTUNATELY, TWO WEEKS LATER, MY HUSBAND AND I BECAME VERY FAMILIAR WITH THE WEATHER CHANNEL, AS WE WATCHED THE RECORD BREAKING HURRICANE KATRINA APPROACHING NEW ORLEANS WHERE OUR DAUGHTER REMAINED. UNFORTUNATELY SHE WASN'T WISE. SHE WAS YOUNG AND FOOLISH AND SHE STAYED THERE AND DID NOT EVACUATE. KATRINA HIT AND WE WERE RELIEVED TO LEARN FROM HER REPORT THAT THE CITY WASN'T TOO BAD RIGHT AFTER THE HURRICANE. BUT RELIEF SOON SHIFTED TO TERROR AS WE WATCHED THE BREAKING LEVEES FLOODING THE CITY WHERE OUR DAUGHTER WAS TRAPPED. FORTUNATELY, SHE WAS ABLE TO GET OUT OF THE CITY SAFELY AND COME HOME. UNFORTUNATELY, SHE LOST EVERYTHING THAT SHE OWNED, AS HER FIRST FLOOR APARTMENT WAS FLOODED WITH FIVE FEET OF WATER. WHAT SHE LOST CHILDHOOD TREASURES THAT SHE TOOK WITH HER FOR COMFORT, PRECIOUS BOOKS THAT SHE DEARLY LOVED, ALL OF HER CLOTHING, LET ALONE THOUSANDS OF DOLLARS OF FURNISHINGS THAT WE RECENTLY PURCHASED. I COME HERE TO ASK THAT YOU WOULD GO FORWARD WITH THE FLOOD PROTECTION PROJECT. I DON'T WANT ANY OTHER FAMILY TO GO THROUGH THE EXPERIENCE THAT WE DID. THE TERROR, THE STRESS, THE ANXIETY, LET ALONE ALL THE LOSS, THANK YOU.

**CHAIR FARGO:**

THANK YOU, DODIE. STEVE ARDITTI?

**MR. ARDITTI:**

GOOD AFTERNOON MADAME CHAIR MEMBERS. I WILL BE VERY BRIEF IN LIGHT OF THE HOUR. MY WIFE AND I RESIDE ON THE GARDEN HIGHWAY. MUCH HAS BEEN SAID ON BEHALF OF RESIDENTS ALONG THE GARDEN HIGHWAY, I DON'T WANT TO REPEAT OTHER THAN TO SAY I THINK WE ALL RECOGNIZE THIS IS A CRITICALLY IMPORTANT PROJECT FOR OUR REGION. I DON'T THINK ANYBODY WOULD ARGUE AGAINST THAT. WE WOULD APPEAL TO YOU AND TO YOUR OUTSTANDING CHIEF OFFICER HERE, TO WORK CLOSELY, THOUGH, WITH US AS THIS GOES ALONG, POINT BY POINT. TRY TO MITIGATE THESE ISSUES TO THE GREATEST EXTENT POSSIBLE SO THAT ALL IN THE COMMUNITY CAN BE PROUD OF THIS, THANK YOU VERY MUCH.

**CHAIR FARGO:**

THANK YOU.

**DIRECTOR DICKINSON:**

ONE OTHER THING, STEVE. STEVE, ONE OTHER THING, GO BEARS!

**MR. ARDITTI:**

AND BRUINS!

**DIRECTOR COHN:**

AND TIGERS!

**CHAIR FARGO:**

OKAY. LOUISE RAPOSA?

**AUDIENCE:**

PASS.

**CHAIR FARGO:**

OH, PASS?

**AUDIENCE:**

YOU'VE ANSWERED MY QUESTION.

**CHAIR FARGO:**

THANK YOU. JOHN TORGERSON AND THEN ERIK DEMARCO, GIBSON HOWELL, DIANE HOVEY. AND I KNOW A NUMBER OF YOU HAVE SUBMITTED COMMENTS IN THE EIR, SO IF YOU WANT TO REFER US TO SOMETHING YOU CERTAINLY DON'T HAVE TO READ IT OR REPEAT IT BUT JUST COVER THE HIGHLIGHTS WILL BE HELPFUL. I'M NOT SURE IF YOU'RE ONE OF THOSE PEOPLE OR NOT BUT GENERALLY SPEAKING.

**MR. TORGERSON:**

THANK YOU FOR THE OPPORTUNITY TO ADDRESS THE BOARD AND CHAIR. WE LIVE ON THE GARDEN HIGHWAY AT 2271 ON THE RIVERSIDE. WE ALSO KEEP OUR HORSES ON THE LAND SIDE ABOUT A QUARTER MILE AWAY. I HAVE PICKED UP COPIES OF THE EIR DRAFT, AND TRIED TO MAKE SENSE OF THEM AS MUCH AS POSSIBLE. I'M NOT AN ENGINEER; I'M AN ARCHAEOLOGIST, TEACHER. THERE WAS SOME CONFUSION TODAY; I CAME DOWN HERE THINKING THAT THIS WAS GOING TO BE A HEARING CONCERNING THE WHOLE PROJECT, THE ENTIRE PROJECT, RUNNING THROUGH 2010 ONLY TO FIND OUT THAT WE WERE DISCUSSING 2008. MY HOUSE LIES IN REACH 18A WHICH IS, OF COURSE, NOT IN THE FIRST PART OF THE PROJECT. WHAT CONFUSES ME, WE TALKED ABOUT THINGS THAT WILL AFFECT ME SUCH AS TRANSMISSION LINES, DRAINAGE FROM THE ELEVATED ROADS, AND I WONDER IF WHAT HAS BEEN DISCUSSED TODAY WILL APPLY TO US, OR HAS BEEN SAID THAT WE WILL HAVE AN OPPORTUNITY FOR MORE INPUT IN THE FUTURE.

**CHAIR FARGO:**

I'LL ASK STAFF TO ADDRESS THAT WHEN YOU'RE DONE WITH YOUR COMMENTS.

**MR. TORGERSON:**

OKAY. WHAT I FOUND IN THE DOCUMENTS, THAT I PICKED UP, WERE MAPS, AERIAL PHOTOGRAPHS THAT ADJUST OUR AREA THAT HAD NO SCALE ON THEM. WE WERE TOLD THAT THE LEVEE, THE SEEPAGE BERM COULD EXTEND ANYWHERE UP TO 400 FEET. BUT YET WE COULDN'T MAKE SENSE OF REALLY HOW IN OUR SPECIFIC PARCEL THAT WE USE FOR THE HORSES AND OUR HOME PARCEL HOW THESE SPECIFIC EFFECTS WERE TO OCCUR. AND SO WE REALLY COULDN'T GET BEHIND IT OR NOT GET BEHIND IT BECAUSE WE DIDN'T HAVE INFORMATION. SO IF WE COULD HAVE THAT INFORMATION ON INDIVIDUAL PARCELS I WOULD APPRECIATE IT. THANK YOU.

**CHAIR FARGO:**

YOU'RE WELCOME. I KNOW THERE HAVE BEEN A NUMBER OF MEETINGS WITH INDIVIDUAL PROPERTY OWNERS THAT HAVE BEEN HELD. AND, STEIN, IF YOU WANT TO ADDRESS HIS COMMENTS BOTH ABOUT, BECAUSE IT IS A LITTLE CONFUSING, WE TALKED ABOUT THE ENTIRE PROJECT, I GUESS FROM THE PROGRAM EIR POINT OF VIEW, BUT THEN THE SPECIFIC PROJECT FOR JUST THE AREA IN '08. COULD YOU ADDRESS THAT AS WELL AS THE INDIVIDUAL ONE?

**MR. BUER:**

YES, I WILL ADDRESS THAT. THIS WILL BE THE SUBJECT OF THE NEXT JOINT EIR/EIS WHICH WILL BE STARTED NEXT YEAR. AND AT THAT POINT IN TIME --

**CHAIR FARGO:**

WHEN YOU SAY THIS, CLARIFY WHAT THIS MEANS.

**MR. BUER:**

EXCUSE ME, WHAT?

**CHAIR FARGO:**

WHAT DO YOU, WHEN YOU SAID THIS IS GOING TO BE COVERED IN NEXT -- WHICH, WHAT IS THIS?

**MR. BUER:**

OH. THE ISSUES. THE CONSTRUCTION IMPACT ISSUES, THE POWER LINE ISSUES.

**CHAIR FARGO:**

OKAY.

**MR. BUER:**

THE POTENTIAL DISLOCATION. ALL THE CONSTRUCTION IMPACT ISSUES, WHEN WE HAVE A CLEAR IDEA WHAT THE FOOTPRINT WILL BE BASED ON ALL OUR GEOTECHNICAL AND ALL OF THESE INVESTIGATIONS.

**CHAIR FARGO:**

OKAY.

**MR. BUER:**

THEN WE WILL KNOW FOR ALL THAT PORTION OF THE REACH SOUTH OF POWERLINE ROAD WE WILL NOT BE RAISING THE LEVEE AT ALL AND THE SETBACK LEVEE WILL BE SUBSTANTIALLY LESS EXTENSIVE THAN IT IS FURTHER NORTH. SO THE BIG IMPACT IN TERMS OF A RAISE, IS THAT AT THE VERY NORTHERN END IN SOUTHERN COUNTY AS THE --

**CHAIR FARGO:**

OKAY. WHICH IS WHAT WE'RE TALKING ABOUT TODAY AND THEN HIS REQUEST TO HAVE A MEETING TO TALK ABOUT HIS INDIVIDUAL PARCEL IS OF COURSE --

**AUDIENCE:**

ARE WE GOING TO KNOW THE IMPACT ON OUR INDIVIDUAL PARCELS BEFORE YOU GIVE US THE APPRAISAL?

**CHAIR FARGO:**

THE QUESTION IS:

**MR. BUER:**

I COULDN'T HEAR THE QUESTION.

**CHAIR FARGO:**

THE QUESTION FROM THE FLOOR WAS, WILL THEY KNOW THE IMPACTS ON THEIR INDIVIDUAL PARCELS BEFORE THE DECEMBER 7 DATE OF --

**MR. BUER:**

NO, NO, BECAUSE THESE PARCELS OF MR. TORGERSON IS IN REACH 18A, THE SOUTHERN PORTION OF THE PROJECT --

**CHAIR FARGO:**

RIGHT, AND THE QUESTION FROM THE AUDIENCE WAS THOUGH, I THINK HAD TO DO WITH THE FIRST 20 SOME ODD PARCELS.

**MR. BUER:**

OH, ABSOLUTELY. WE HAVE MET WITH THOSE HOME OWNERS INCLUDING LINDA,

**AUDIENCE:**

NO YOU HAVEN'T.

**MR. BUER:**

WHO HAS BEEN IMPACTED, WILL BE IMPACTED BY THE 2008 CONSTRUCTION.

**CHAIR FARGO:**

TIM DID YOU WANT TO ADD ANYTHING TO THAT?

**MR. WASHBURN:**

WELL NO, I, CLEARLY IF YOU ARE IN THE 2008 PROJECT, WE --

**CHAIR FARGO:**

YOU HAVE TO HAVE --

**MR. WASHBURN:**

WE HAVE TO HAVE A SPECIFIC FOOTPRINT AND TAKE LINE TO NEGOTIATE.

**CHAIR FARGO:**

RIGHT. OKAY.

**MR. WASHBURN:**

IF YOU'RE IN THE 2009, AND 10, THE PROBLEM WE HAVE IS THERE ARE MANY THINGS YET TO BE DETERMINED WITH RESPECT TO 2009 AND 10.

**CHAIR FARGO:**

ABSOLUTELY. AND OBVIOUSLY, WE --

**MR. WASHBURN:**

THE PRECISE SEEPAGE REMEDIATION MEASURE, WHERE WE RELOCATE THE RIVERSIDE CANAL. MANY THINGS THAT WILL AFFECT THE FOOTPRINT OF THE PROJECT, ESPECIALLY IN THE LOWER REACH BELOW POWER LINE ROAD THAT HAVE YET TO BE DETERMINED IN DETAIL.

**CHAIR FARGO:**

RIGHT, AND PART OF THE REASON FOR THAT IS WE WILL BE WORKING WITH PROPERTY OWNERS --

**MR. WASHBURN:**

ABSOLUTELY:

**CHAIR FARGO:**

AND WITH THE LAY OF THE LAND SO TO SPEAK AS IT IS NOW IN TERMS OF --

**MR. WASHBURN:**

RIGHT.

**MR. TORGERSON:**  
WHY WAS THE PRESENT --

**CHAIR FARGO:**  
SIR, WAIT, IT IS NOT YOUR TURN. LET ME -- SO, IF ANYONE IS -- HASN'T BEEN CONTACTED BY US IN THOSE FIRST 20-PLUS, THEN WE'RE -- THEY ARE NOT INVOLVED BECAUSE WE HAVE REACHED AND TALKED WITH EVERYBODY ON THAT FIRST 20, OR WE WILL BY DECEMBER 7?

**MR. BUER:**  
YES, WE HAVE CONTACTED ALL THOSE PROPERTY OWNERS WHO WILL BE DIRECTLY AFFECTED BY 2008 CONSTRUCTION TO THE BEST OF MY KNOWLEDGE.

**CHAIR FARGO:**  
OKAY, SO IF THERE IS ANYBODY WHO DOESN'T FEEL THAT WAY THEN THEY NEED TO SIT DOWN WITH STAFF AND TALK, GET THEIR NAMES, ADDRESSES, PARCEL NUMBERS WHATEVER, PHONE NUMBERS SO THAT STAFF CAN GET IN TOUCH WITH YOU IMMEDIATELY.

**MR. WASHBURN:**  
IF I MIGHT JUST -- WELL, THEN WHY PUT ANYTHING IN THE EIR ABOUT '09 AND '10? I THINK -- WE TRIED TO REACH A --

**CHAIR FARGO:**  
OKAY, AND WHY, TIM?

**MR. WASHBURN:**  
-- A, YOU KNOW MIDDLE GROUND. YOU HAVE TO HAVE A COHERENT PROJECT.

**CHAIR FARGO:**  
RIGHT.

**MR. WASHBURN:**  
THE PROJECT HAS TO MAKE SENSE AS A WHOLE. EVEN IF WE DON'T HAVE EVERY DETAIL AS THE PROJECT FOOTPRINT IN '09 AND '10 WE HAVE TO HAVE AN OVERALL COHERENT PROJECT. THAT WAS THE PURPOSE OF INCLUDING IT IN THE PROGRAM DOCUMENTS.

**CHAIR FARGO:**  
RIGHT. AND WE'RE ALSO ARE TRYING TO PROVIDE AS MUCH INFORMATION AS WE HAVE AS SOON AS WE HAVE IT SO THAT'S PART OF IT.

**MR. WASHBURN:**  
ABSOLUTELY:

**MR. TORGERSON:**  
SO WHEN CAN WE EXPECT THAT INFORMATION?

**MR. WASHBURN:**  
I THINK THE AGENCY --

**CHAIR FARGO:**  
ARE YOU MR. DEMARCO?

**MR. TORGERSON:**  
NO, I AM TRYING TO FOLLOW-UP ON A QUESTION. I AM TORGERSON.

**CHAIR FARGO:**  
YOU CAME BACK. THANK YOU.

**MR. TORGERSON:**  
I WAS HERE BEFORE.

**MR. WASHBURN:**

I THINK WE INDICATED IN THE TIME LINE THERE, THAT WE WOULD BE WORKING MOST PROBABLY WITH THE CORPS OF ENGINEERS TO ISSUE ANOTHER ENVIRONMENTAL DOCUMENT WHICH WILL MOST PROBABLY BE AN EIS/EIR. SOMETIME IN THE FALL OF 2008 WITH THE DISCUSSION, THE SCOPING OCCURRING IN THE SPRING, AND THE DOCUMENT BEING PREPARED OVER THE SUMMER.

**CHAIR FARGO:**

SO THERE WILL BE A LOT OF OPPORTUNITIES TO MEET, TALK --

**MR. WASHBURN:**

SO, OUR ANTICIPATION IS, IT'S ACTUALLY A GOOD THING. NOW WE HAVE EVERYBODY ENGAGED.

**CHAIR FARGO:**

YEAH.

**MR. WASHBURN:**

NOW THERE IS A REAL OPPORTUNITY TO WORK ON THOSE DETAILS AS THE PROGRAM FILLS OUT IN THOSE LOWER REACHES.

**CHAIR FARGO:**

RIGHT.

**MR. TORGERSON:**

SO TODAY'S VOTE ONLY AFFECTS THE FIRST ASPECT OF 2008, AND IT DOESN'T HAVE ANYTHING EFFECT THEN ON 2009, 2010?

**MR. WASHBURN:**

NO, THERE ARE PROGRAM LEVEL ENVIRONMENTAL ISSUES --

**MR. TORGERSON:**

WELL THAT'S, MY HOME IS ONE OF THOSE ISSUES.

**MR. WASHBURN:**

WELL, IT MAY NOT BE A PROGRAM LEVEL ISSUE, THOUGH. THE PROGRAM LEVEL ISSUES WE'RE TALKING ABOUT ARE ON THE LARGER SCALE. AIR QUALITY ISSUES, NOISE ISSUES --

**CHAIR FARGO:**

HABITAT ISSUES, AG ISSUES, TRANSPORTATION ISSUES. SO INDIVIDUAL IMPACTS OF INDIVIDUAL PARCELS, NOT AFFECTED IN THE FIRST YEAR OF CONSTRUCTION WILL BE DEALT WITH LATER.

**MR. WASHBURN:**

ABSOLUTELY.

**CHAIR FARGO:**

AND THEY WILL BE DEALT WITH AS RESPECTIVELY AND COMPREHENSIVELY AS WE CAN.

**MR. WASHBURN:**

CORRECT.

**CHAIR FARGO:**

OKAY, MR. DEMARCO, ARE YOU HERE? ERIK DEMARCO? OKAY. GIBSON HOWELL? AND AFTER GIBSON WILL BE DIANE HOVEY AND THEN FRANCES TENNANT. HI.

**MR. HOWELL:**

HELLO AGAIN. HI, GIBSON HOWELL ON THE RIVERSIDE OF GARDEN HIGHWAY. I'VE GOT A LOT OF COMMENTS SO I GUESS I WILL SPEAK FAST. MITIGATION. THIS IS GOING TO HURT THE ENVIRONMENT FOR THE SWAINSON'S HAWK AND OTHER BIRDS, THE GIANT GARTER SNAKE AND HUNDREDS OF THOUSANDS OF OLD OAK GROVE TREES, WE'RE ALL ADMITTING TO THAT BUT WE'RE GOING TO PROVIDE MITIGATION; NUTRIENTS FOR THE HAWKS AND BIRDS AND ADDITIONAL HABITAT FOR THE GARTER SNAKE. WHAT ABOUT

THE GARDEN HIGHWAY RESIDENTS' ENVIRONMENT? THOSE WHO LIVE THERE? WE'RE GOING TO BE MISERABLE FOR UP TO THE NEXT THREE YEARS, AND THAT'S GOVERNMENT YEARS. WHAT IS OUR MITIGATION? WE LIVE THERE JUST LIKE THE BIRDS AND SNAKES. WE UNDERSTAND THAT FLOOD CONTROL IS IMPORTANT. BUT WE'RE GOING TO HAVE TO BE SUFFERING THROUGH THIS FOR THE NEXT THREE-PLUS YEARS. I BELIEVE THAT SIMPLE MITIGATION IS POSSIBLE. FIRST, BY BRINGING US UP TO THE 21<sup>st</sup> CENTURY BY RUNNING CABLE AND FIBER OPTICS FOR INTERNET, TELEPHONE, AND TELEVISION. THIS COULD BE DONE IN THE NEW ADJACENT LEVEE AT VERY LITTLE COST, UNDERGROUND IF POSSIBLE, WHICH WOULD BE PREFERABLE, IF IT'S NOT AVAILABLE, THEN LET'S SEE IF WE CAN GET A VARIANCE FROM THE CORPS OF ENGINEERS BECAUSE WHY ARE THEY ALLOWED TO BURY DRAINAGE CULVERTS UNDERGROUND FOR WHAT THEY ARE PROPOSING FOR DRAINING BUT NOT UTILITIES? SECOND, IF WE CAN APPROVE THE SAFETY OF A VERY DANGEROUS ROAD, YOUR ENGINEERS HAVE POINTED OUT THE GARDEN HIGHWAY IS A VERY DANGEROUS NARROW ROAD, ARGUABLY ONE OF THE MOST DANGEROUS IN SACRAMENTO. IT HAS NO SHOULDER; THE ROAD IS SHARED BY CARS, TRUCKS, THOUSANDS OF BIKES AND JOGGERS AND IT HAS MANY BLIND CURVES, DRIVEWAYS AND VERY LITTLE VISIBILITY. WE COULD VERY EASILY IMPROVE THE SAFETY OF GARDEN HIGHWAY WHICH I DO BELIEVE IS AN ENVIRONMENTAL SAFETY AND SAFETY FOR OUR LIVES, BY EASILY IMPROVING, BY PAVING THE TOP OF THE NEW ADJACENT SETBACK LEVEE. THIS WILL SEPARATE VEHICULAR, BIKE FOOT TRAFFIC AND PROVIDE A PLACE FOR BROKEN CARS TO PULL OVER SAFELY IF THEY NEED TO. AND THIRD, WE HAVE ALREADY MENTIONED REMOVE THE GATES OF THE SACRAMENTO WEIR. THAT WILL HELP US FROM THE NUISANCE FLOODS THAT WE FACE EVERY SIX YEARS AND THAT THEY MIGHT OCCUR MORE OFTEN. BY NUISANCE FLOOD, I MEAN WHERE IT JUST GOES IN YOUR YARD AND UP IN YOUR BASEMENT.

**CHAIR FARGO:**

RIGHT. YEAH, WE WILL CONTINUE TO WORK ON THAT. WE HAVE BEEN TRYING FOR SOME YEARS. IT IS NOT WITHIN OUR CONTROL, BUT WE ARE CERTAINLY TRYING. THANK YOU FOR THAT. AND ONE THING THAT WE MIGHT WANT TO DO, FROM A STAFF POINT OF VIEW IS TRY TO GATHER THE INFORMATION AND WE CAN CERTAINLY HELP YOU FOR THOSE UTILITIES THAT MIGHT BE INTERESTED IN DOING CABLE IN THIS AREA, THAT IS NOT SOMETHING THE CITY OR COUNTY PAYS FOR. THAT -- I MEAN, IT WOULD BE NICE IF WE DID IN A WAY BECAUSE THEN WE COULD CONTROL WHEN THEY DIG UP OUR STREETS. BUT SINCE THEY ARE PUBLIC UTILITIES THEY GET TO DIG IT UP WHEN THEY WANT. AND THAT'S WHY WE HAVE CONSTRUCTION PROBLEMS IN A LOT OF PLACES. BUT THAT WOULDN'T BE SOMETHING THAT WOULD BE SEEN AS AN APPROPRIATE BENEFIT ASSESSMENT FOR THE PEOPLE THAT ARE PAYING FOR THIS PROJECT. SO, THAT WOULD HAVE TO BE DONE SEPARATELY. BUT WE CAN LET YOU KNOW, WHETHER IT IS COMCAST OR SUREWEST OR AT&T WHO'S GOING TO DO IT OR WHATEVER --

**MR. HOWELL:**

OH, I AM NOT SAYING TO PAY FOR OUR CABLE, ABSOLUTELY NOT.

**CHAIR FARGO:**

NO, I MEAN THE INSTALLATION.

**MR. HOWELL:**

I AM JUST SAYING THAT WHILE WE'RE REPLACING THE POWER POLES PUT THEM IN.

**CHAIR FARGO:**

WE DON'T DO THAT. THAT IS NOT WHAT GOVERNMENT DOES. SO, BUT WE --

**MR. HOWELL:**

RIGHT, SO OUR TAX DOLLARS WILL PAY TO IMPROVE THE SWAINSON'S HAWK HABITAT BUT NOT PAY TO IMPROVE THE RESIDENTS OF GARDEN HIGHWAY WHO SUFFER THROUGH THIS FOR THE NEXT THREE YEARS.

**CHAIR FARGO:**

IT DEALS WITH FLOOD PROTECTION ISSUES BUT WE'RE NOT THE ENTITY BASED ON STATE AND FEDERAL LAW, THAT PUTS IN CABLE LINES.

**MR. HOWELL:**

OKAY. NO, I UNDERSTAND.

**CHAIR FARGO:**

SO WE CAN --

**MR. HOWELL:**

ASSURANCES OF LET'S WORK WITH THEM AS OPPOSED TO NOPE, CAN'T BE DONE. THAT'S --

**CHAIR FARGO:**

WELL, WE CAN LET YOU KNOW WHO CAN BE WORKED WITH. AND --

**MR. HOWELL:**

I LIKE THAT. IF I MAY SAY ONE MORE QUICK SENTENCE.

**CHAIR FARGO:**

OKAY.

**MR. HOWELL:**

SAFCA'S ENGINEERS HAVE PROVEN HERE TODAY THAT NATOMAS IS NOT AT RISK OF A FLOOD IF THE PROJECT IS NOT DONE IMMEDIATELY. THEIR OWN GRAPHS SHOW THAT IT WILL OVERPASS THE YOLO SIDE AND THE UPSTREAM LEVEES IF THERE IS A CATASTROPHIC FLOOD. SO, NATOMAS IS NOT AT RISK OF A CATASTROPHIC FLOOD IF THIS PROJECT IS NOT APPROVED TODAY. THERE IS NO TIME CRUNCH.

**CHAIR FARGO:**

YOU KNOW, I WISH WE FELT -- THERE IS A TIME CRUNCH. AND I WISH ANY OF US FELT WE AGREED WITH YOU, MR. HOWELL BUT THANK YOU FOR YOUR COMMENTS. DIANE HOVEY IS OUR NEXT SPEAKER IF SHE IS HERE. OKAY HOW ABOUT FRANCES TENNET? MANUEL JARDIN? AND THEN BOBBY BURNS? AND THEN BILL BURNS?

**MR. JARDIN:**

YES, I AM MANUEL JARDIN AND I LIVE AT 4233 GARDEN HIGHWAY ON THE WATER SIDE. AND WHILE NONE OF US DOUBT THAT THERE IS A NEED FOR THE IMPLEMENTATION OF THE FLOOD CONTROL PROJECT MY CONCERN IS WITH ITS PROGRESS. HOW IT IS ACTUALLY GOING TO BE CONSTRUCTED.

**CHAIR FARGO:**

UH-HUH.

**MR. JARDIN:**

AND, BASICALLY MY QUESTION IS THE SAFETY ISSUES.

**CHAIR FARGO:**

SURE.

**MR. JARDIN:**

I KNOW FOR ALL OF US THAT LIVE ON THE GARDEN HIGHWAY, GETTING IN AND OUT OF OUR DRIVEWAYS IS A VERY BIG CONCERN. IF YOU'RE GOING TO PUT 1800 TRUCKS A DAY ON THAT GARDEN HIGHWAY AT 30 SECOND INTERVALS --

**MR. BUER:**

WE'RE NOT.

**MR. JARDIN:**

NONE OF US WILL EVER GET IN AND OUT OF OUR DRIVEWAYS.

**CHAIR FARGO:**

YOU MIGHT HAVE MISSED THAT PART OF THE PRESENTATION BUT WE'RE NOT PLANNING ON THOSE TRUCKS BEING ON THE GARDEN HIGHWAY.

**MR. JARDIN:**

BUT THERE ARE GOING TO BE OTHER CONSTRUCTION VEHICLES, I WOULD THINK PART OF THE SAFETY ISSUES WOULD BE THE HOURS OF IMPLEMENTATION OF THIS --

**CHAIR FARGO:**

CERTAINLY, ABSOLUTELY.



**MR. JARDIN:**

-- OF THIS WORK. BECAUSE NOT ONLY ARE THERE SAFETY --

**CHAIR FARGO:**

IT WILL BE.

**MR. JARDIN:**

SAFETY ISSUES IN THE TRAFFIC BUT THERE'S ALSO SAFETY ISSUES CONCERNED WITH NOISE POLLUTION AND THE DUST POLLUTION. NOW, HAVING ALL THOSE VEHICLES WORKING ALL THOSE HOURS, SIX DAYS A WEEK, NO ONE CAN TELL ME THAT IT IS NOT GOING TO HAVE A VERY BIG IMPACT ON ALL OF THE RESIDENTS. AND I DON'T THINK THAT THAT IMPACT IS ACTUALLY GOING TO BE NECESSARY. WE HAVE HAD TESTIMONY HERE FROM YOUR OWN PEOPLE, SUPPOSEDLY, AT LEAST AS I UNDERSTOOD IT, THAT THE FLOOD, THREAT OF A FLOOD TO THE NATOMAS DISTRICT, NOW IS NOT GREAT, BECAUSE OF ALL THESE ISSUES THAT THEY ARE GOING TO FAIL SOMEWHERE ELSE OR GOING TO OVERFLOW SOMEWHERE ELSE. WHY CANNOT THIS CONSTRUCTION SCHEDULE BE LENGTHEND A LITTLE BIT, TO ACCOMMODATE THE PEOPLE WHO ARE GOING TO BE DIRECTLY IMPACTED, BY ALL OF THIS CONSTRUCTION? THAT DOES NOT SEEM TO ME TO BE TOO MUCH TO ASK OF THIS BOARD. BECAUSE WE ALSO ARE PAYING FOR THIS FLOOD CONTROL, WE VOTED FOR THESE BONDS. WE UNDERSTAND THE NEED FOR THIS. BUT WE DON'T THINK THAT IT SHOULD BE DONE SOLELY ON OUR BACKS, ON ISSUES THAT COULD EASILY BE HANDLED THROUGH THE CONSTRUCTION PROGRESS AND FINALLY, IT WOULD SEEM TO ME THAT A WAY TO HANDLE SOME OF THESE ISSUES THAT ARE COMING UP TO ALL OF THESE RESIDENTS AND EVERYTHING ELSE WOULD BE TO HAVE SOME TYPE OF LIAISON

**CHAIR FARGO:**

MMM HMMM.

**MR. JARDIN:**

-- BETWEEN THE RESIDENTS AND THE PEOPLE

**CHAIR FARGO:**

ABSOLUTELY:

**MR. JARDIN:**

BEFORE THESE SPECKS ARE PUT IN WRITING. BECAUSE, ONCE THEY ARE IT IS SO HARD TO GET THEM OUT. PLEASE CONTACT US. WE WANT TO WORK WITH YOU.

**CHAIR FARGO:**

OKAY. THANK YOU FOR YOUR COMMENT.

**MR. JARDIN:**

BUT WE NEED TO BE IN THE LOOP AS FAR AS THE INFORMATION IS CONCERNED. AND WHAT YOU'RE GOING TO DO SO THAT WE CAN HAVE OUR INPUT. THANK YOU.

**CHAIR FARGO:**

THANK YOU FOR YOUR COMMENTS.

**DIRECTOR SHIELS:**

MAYOR:

**CHAIR FARGO:**

JUST TO CLARIFY, IN TERMS OF THE RISK IN NATOMAS, WE ARE -- HAVE BEEN ADVISED BY THE CORPS THAT WE DO NOT HAVE EVEN A 100 YEAR LEVEL OF FLOOD PROTECTION LEFT IN THE NATOMAS BASIN. SO THAT IS WHAT WE HAVE BEEN TOLD. THAT IS WHAT WE'RE WORKING ON. WE'RE ABOUT -- WE'RE IN A PROCESS RIGHT NOW OF TRYING TO FIGURE OUT WHAT ARE -- HAVING THEM FIGURE OUT WHAT OUR DESIGNATION IS GOING TO BE IN NATOMAS. BUT THERE WILL BE MANDATORY FLOOD INSURANCE FOR EVERY RESIDENT IN THE NATOMAS BASIN STARTING NEXT YEAR WHEN ALL THIS GOES INTO EFFECT. AND SO, I DON'T KNOW WHAT JOE COUNTRYMAN SAID THAT MADE YOU THINK WE WERE NOT AT RISK IN THE NATOMAS BASIN. THERE IS A RISK. STEIN, DO YOU WANT TO COMMENT? AND THEN I'LL CALL ON JOHN.

**MR. BUER:**

JUST A QUICK COMMENT. I THINK THERE MAY BE A LITTLE BIT OF CONFUSION ABOUT THE DIFFERENCE BETWEEN OUR DISCUSSION OF THE IMPACT ON FLOOD ELEVATIONS IN THE CHANNEL, AND THE RISK OF FAILURE IN NATOMAS. WHICH IS LARGELY GOVERNED BY GEOTECHNICAL CONSIDERATIONS, CHRIS KRIVANEC SPENT CONSIDERABLE TIME EXPLAINING UNDERSEEPAGE. THE LEVEES ARE GEOTECHNICALY WEAK. THAT IS THE PRIMARY REASON WHY THE CORPS HAS INSISTED, AND OUR OWN RESEARCH HAS SHOWN THAT THE LEVEES DO NOT PROVIDE 100-YEAR LEVEL OF FLOOD PROTECTION NOW.

**CHAIR FARGO:**

OKAY, THANK YOU. JOHN.

**DIRECTOR SHIELS:**

YEAH. I WOULD LIKE TO EXPAND ON THAT FOR A MINUTE. I THINK THERE IS A MISCONCEPTION THAT OUR MAJOR CONCERN IS OVER TOPPING THE LEVEES. THAT'S NOT THE MAJOR CONCERN. AT LEAST THAT I HAVE. IN RD1000, WE HAD A FLOOD FIGHT TWO YEARS AGO WHEN WE HAD UNDERSEEPAGE AT THE PRITCHARD LAKE PUMPING STATION. AND WE HAD TO TURN OUT ALL HANDS WITH SANDBAGS AND ROCK TO GET THAT UNDER CONTROL. THE MAJOR DANGERS THAT WE FACE IN THE NATOMAS BASIN RIGHT NOW IS UNDERSEEPAGE. AND SEEING THOSE LEVEES WASHED OUT FROM UNDERNEATH. SO THAT IS WHY WE HAVE TO MOVE AHEAD QUICKLY. IT IS NOT THE OVERTOPPING. IT IS THE UNDERSEEPAGE THAT IS A CONCERN.

**CHAIR FARGO:**

OKAY. THANK YOU FOR THAT. BOBBIE BURNS? OKAY. HOW ABOUT BILL BURNS? AND AFTER THAT WE WILL HEAR FROM CHRIS BARABINO, ASHLEY CROCKER, STAN STEWART, KAREN DIEPENBROCK. HI. ARE YOU BOBBIE BURNS?

**MS. BURNS:**

OH HI. I AM BOBBIE BURNS. I LIVE IN SUTTER COUNTY SIDE ON GARDEN HIGHWAY. BEEN THERE SINCE '86. AND MY CONCERN GREATLY AND I THINK JOE SAID IT RIGHT WAS THAT, RELY ON SOMEONE ELSE'S FAILURE. AND I DON'T KNOW WHY ALL OUR NEIGHBORS FROM POINT A TO POINT B ARE HAVING TO SUFFER BECAUSE OF SOMEONE'S FAILURE. AND I BRING THAT UP BECAUSE WE HAVE BEEN TO SEVERAL OF THE MEETINGS, AND THE WEIR HAS BEEN BROUGHT UP SO MANY TIMES BUT YET WE WERE TOLD THAT IT WAS IN THE NATOMAS -- NOT IN THE NATOMAS PLAN. SO THAT WOULDN'T BE APPROACHED. BUT NOW I AM HEARING FROM THE BOARD THAT THIS IS ONE THAT THEY ARE GOING TO LOOK AT. BUT IF IT IS NOT IN NATOMAS, THEN I DON'T CONSIDER IT FLOOD CONTROL. ISN'T FLOOD CONTROL FOR SACRAMENTO, WOODLAND, I MEAN FOR EVERYONE, IT SHOULD BE.

**CHAIR FARGO:**

SURE.

**MS. BURNS:**

AND I DON'T WANT TO SEE ANYBODY IN NATOMAS HURT BECAUSE I HAD THE OPPORTUNITY, AS A RESERVE FOR SUTTER COUNTY ON BOAT PATROL, TO GO IN AND MARK HOUSES DURING THAT FLOOD. AND EVEN TODAY, I GET THE GOOSE BUMPS AND DON'T WANT TO SEE ANYBODY IN HARM'S WAY. BUT WE NEED TO GET THE TRUTH OUT. I THINK WE ALL AGREE IN WHAT WE SAID TODAY IS THAT, IN GOD -- UNDER GOD INDIVISIONABLE, LIBERTY AND JUSTICE FOR ALL. AND I THINK THAT IS WHAT IT SHOULD BE. THANK YOU.

**CHAIR FARGO:**

OKAY. THANK YOU VERY MUCH.

**CHAIR FARGO:**

BILL BURNS? [APPLAUSE] IS BILL BURNS GOING TO SPEAK? OR IS HE HERE? IF SO, PLEASE COME FORWARD. HI BILL.

**MR. BURNS:**

HI. I AM BILL BURNS, I LIVE ON 10621 GARDEN HIGHWAY IN SUTTER COUNTY. AND I HAVE BEEN IN CONSTRUCTION SINCE 1949 WHEN I GRADUATED FROM McCLATCHY HIGH SCHOOL, WORKED ON A LOT OF JOBS IN SACRAMENTO. AND I WANTED TO TALK ABOUT THAT LITTLE ONE INCH. OKAY. NO ONE HAS MENTIONED HOW MUCH WATER GOES OVER THE FREMONT WEIR. AND THAT'S 349,000 CUBIC FEET -- IT WAS IN YOUR SAFCA WEIR BOOK AND THAT IS IMPORTANT. AND IF THAT WAS LOWERED, ONE FOOT, WE WOULD HAVE NO LEVEE PROBLEMS. THE WATER WOULD GO DOWN IN OUR RIVERS. IT GOES RIGHT BY MY BACK

DOOR. IT DOESN'T BOTHER ME. I BUILT TO THE TOP OF THE LEVEE. AND IF YOU RAISE IT I STILL HAVE A LITTLE FREEBOARD –

**CHAIR FARGO:**  
VERY GOOD JOB.

**MR. BURNS:**  
BUT I AM WORRIED ABOUT SOME OF THESE OTHER PEOPLE. AND, OKAY. LOWER OR REMOVE THAT FREMONT WEIR. OKAY REMOVE THE SACRAMENTO WEIR, AND WE GOT SOME GOOD ENGINEERS HERE. AND I HAVE BEEN -- I KNOW SOME OF THE BEST ENGINEERS IN THE COUNTRY, AND IF WE CAN'T BUILD AROUND THOSE TWO HOUSES THAT ARE BEING AFFECTED BEFORE THEY – THEY HAVE BEEN HERE A LONG TIME THOSE TWO -- I KNOW THOSE NEIGHBORS. AND I COULD -- I WAS AT CEEBEE'S FOR FOUR YEARS WHEN I WAS A KID. AND I WENT EVERYWHERE, ALL OVER THE COUNTRY, IN KOREA AND EVERYWHERE AND I BUILT, WHEN THEY SAID DO IT, WE SAID CAN DO. BUT WE CAN DO, BUILD AROUND THOSE TWO HOUSES. WE CAN BUILD RETAINING WALLS THAT SEEP THE WATER AWAY. AND THAT'S IMPORTANT TO US, ALL OUR NEIGHBORS.

**CHAIR FARGO:**  
OKAY.

**MR. BURNS:**  
TO PROTECT THOSE PEOPLE THAT ARE GOING TO HAVE TO MOVE OUR THEIR LONG-TIME HOMES. THANK YOU VERY MUCH.

**CHAIR FARGO:**  
THANK YOU, BILL. APPRECIATE YOUR TIME. [APPLAUSE] IS CHRIS BARABINO HERE? OKAY, THANK YOU. AND THEN ASHLEY CROCKER OR AMY HIGUERA, STAN STEWART, KAREN DIEPENBROCK, MOLLY MUNZ. THANK YOU.

**MR. BARABINO:**  
GOOD AFTERNOON BOARD. MY NAME IS CHRIS BARABINO. I AM A LITTLE BIT OF A UNIQUE SITUATION BECAUSE I BOTH LIVE AND HAVE A BUSINESS ON THE GARDEN HIGHWAY. I WAS A LITTLE BIT DISTURBED TO FIND OUT ABOUT THE PROJECT THROUGH THE NEWSPAPER, AND WASN'T CONTACTED DIRECTLY. AND EVEN AFTER CONTACTING AGENCIES I STILL HAVE TROUBLE GETTING INFORMATION WITH REGARD TO WHAT WAS HAPPENING WITH THE PROJECT.

**CHAIR FARGO:**  
WHERE ON THE GARD -- WHERE ON THE GARDEN HIGHWAY ARE YOU? JUST, I MEAN WHERE ARE --

**MR. BARABINO:**  
5871 GARDEN HIGHWAY.

**CHAIR FARGO:**  
YEAH I KNOW THAT. MY MAP DOESN'T HAVE ADDRESSES UNFORTUNATELY. ARE YOU?

**VICE-CHAIR PETERS:**  
NORTH OR SOUTH OF TEAL?

**MR. BARABINO:**  
I AM SOUTH OF TEAL BEND.

**CHAIR FARGO:**  
SOUTH OF TEAL, NORTH OF THE AIRPORT?

**MR. BARABINO:**  
I'M RIGHT BY NORTH BAYOU NEXT TO THE ELKHORN BOAT LAUNCH.

**CHAIR FARGO:**  
OKAY. THANK YOU.

**MR. BARABINO:**  
SWABEE'S RESTAURANT.

**CHAIR FARGO:**  
OKAY.

**MR. BARABINO:**  
SO BASICALLY MY CONCERN IS, IS THAT, IT IS A SEASONAL BUSINESS, AND UNFORTUNATELY THE WORK THAT HAS TO BE DONE, WHETHER IT IS NORTH OF ME OR WHEN IT COMES DOWN OUR WAY, HAS TO BE DONE AT THE SAME TIME. AND THE RESULTS COULD BE POTENTIALLY CATASTROPHIC. I'M SIMILAR TO A FARMER, OR A SEASONAL FISHERMAN, ONE DAY ON A SATURDAY, COULD EQUAL ALMOST A WHOLE MONTH'S REVENUE AS OPPOSED TO WINTER TIME. SO I WROTE A LETTER OF CONCERN INTO SAFCA AND I WASN'T VERY HAPPY WITH THE RESPONSES I GOT. THEY WERE VERY GENERIC IN NATURE. SO MY CONCERNS WERE ADDRESSED THE SAME AS MAYBE 40 OTHER PEOPLE'S CONCERNS WITH LIKE ONE GENERIC RESPONSE. AND I WOULD LIKE TO SEE MORE MITIGATION WITH THE BUSINESSES ALSO BEING INCLUDED.

**CHAIR FARGO:**  
SURE.

**MR. BARABINO:**  
INSTEAD OF JUST, YOU KNOW, ONLY THE PROPERTY OWNERS. MAYBE THERE CAN BE WAYS THAT WE COULD COMMUNICATE ON HOW BEST TO GO FORWARD SO I DON'T LOSE MY BUSINESS WHEN IT IS MY TURN FOR THE CONSTRUCTION TO COME MY WAY.

**CHAIR FARGO:**  
I THINK THAT WOULD BE VERY APPROPRIATE. WHAT I WOULD ASK THE STAFF TO DO IS TO SIT DOWN WITH BOTH THE COUNTY ECONOMIC DEVELOPMENT PEOPLE, AND/OR THE CITY, BECAUSE IN TERMS OF BEING ABLE TO DEAL WITH AN IMPACT ON A BUSINESS, THAT IS PROBABLY A LITTLE DIFFERENT, AND HAS DIFFERENT KIND OF CRITERIA AND WOULD BE WORTH SPENDING SOME TIME TO UNDERSTAND. BECAUSE CLEARLY THERE IS AN IMPACT. THANK YOU –

**MR. BARABINO:**  
YES. WHO WOULD I TALK TO?

**CHAIR FARGO:**  
WELL, STEIN BUER IS OUR EXECUTIVE DIRECTOR AND I AM SUGGESTING THAT HE GET IN TOUCH ON YOUR BEHALF AND THE OTHER BUSINESSES BEHALFS, WITH OUR ECONOMIC DEVELOPMENT EXPERT STAFF WHO COULD HELP DETERMINE IMPACTS AND HOW WE MITIGATE AND THOSE KINDS OF THINGS.

**MR. BARABINO:**  
EXCELLENT, THANK YOU.

**CHAIR FARGO:**  
OKAY.

**MS. GUALCO [FROM AUDIENCE]**  
I THINK I SPOKE WITH MR. BARABINO. HE DOESN'T OWN THE PROPERTY, IF I RECALL CORRECTLY.

**MR. BARABINO:**  
THAT'S CORRECT.

**MS. GUALCO:**  
SO THAT'S WHY HE DIDN'T -- THE PROPERTY OWNER DID GET A NOTICE.

**CHAIR FARGO:**  
OKAY, SO THE CLARIFICATION IS THAT PROPERTY OWNERS HAVE BEEN GIVEN NOTICES, UNFORTUNATELY YOURS DIDN'T PASS IT ON TO YOU? BUT, IF THERE ARE OTHER BUSINESSES, WE DO NEED TO IDENTIFY THE BUSINESS OWNERS, WHICH -- AGAIN, IF THEY HAVE A PERMIT, WHICH THEY SHOULD THE CITY OR THE COUNTY DEPENDING ON WHERE THEY ARE LOCATED SHOULD BE ABLE TO PROVIDE THAT INFORMATION. I

ASSUME SUTTER COUNMITY MIGHT HAVE SOME BUSINESSES AS WELL. OKAY. IS THERE SOMEONE HERE, EITHER -- AN ASHLEY CROCKER OR AMY HIGUERA? OKAY, THEN NEXT WE'RE GOING TO HAVE STAN STEWART. AND ONE OF THE REASONS I ANNOUNCE IT AHEAD OF TIME IS YOU MIGHT THINK ABOUT STANDING UP AND LETTING ME KNOW THAT YOU'RE STILL HERE.

**MS. HIGUERA:**

HI, GOOD AFTERNOON MAYOR FARGO, MEMBERS OF THE BOARD MY NAME IS AMY HIGUERA. I AM AN ATTORNEY AT RAMIE, THOMAS, MOOSE AND MANLEY. OUR FIRM REPRESENTS LAND OWNERS IN THE NATOMAS AREA AND THROUGHOUT THE SACRAMENTO REGION. AND WE'RE HERE TO URGE THE BOARD TO SUPPORT THIS IMPORTANT PROJECT. WE APPRECIATE THE EFFORT THAT HAS GONE INTO DEVELOPING THIS PROGRAM AND RECOGNIZE THAT IS A RESULT OF A LENGTHY PROCESS INVOLVING COMPLEX ENGINEERING AND PUBLIC POLICY CONSIDERATIONS. IN LIGHT OF THAT, WE HAVE REVIEWED THE EIR THAT WAS PREPARED FOR THE PROGRAM, AND BELIEVE THAT IT COMPLIES WITH THE REQUIREMENTS OF CEQA, AND WE THEREFORE URGE THE BOARD TO APPROVE THE PROJECT AND CERTIFY THE EIR. THANKS.

**CHAIR FARGO:**

OKAY, THANK YOU. STAN STEWART? HI.

**MR. STEWART:**

HI. MAYOR FARGO, MEMBERS OF THE BOARD AND STAFF, I AM STAN STEWART I LIVE AT 3077 GARDEN HIGHWAY ON THE WATER SIDE. THIS PROJECT WILL HAVE VERY, VERY SIGNIFICANT IMPACTS ON THE HOME OWNERS. AND SO I WOULD LIKE TO NOT REITERATE ANYTHING THAT HAS BEEN SAID BUT TO EMPHASIZE THE FACT THAT BILL YEATES REPRESENTS US. THE MEMBERS OF THE BOARD OF THE HOME OWNERS ASSOCIATION, PATRICK TULLY AND THE OTHERS REPRESENT US. WE'RE STAKE HOLDERS IN THIS PROCESS. WE WOULD LIKE TO BE INVOLVED WITH THE THINGS THAT GO FORWARD SO THAT WE'RE ALL IN FAVOR OF FLOOD CONTROL, BUT THERE ARE WAYS THAT IT CAN BE DONE THAT WILL BE MORE BENEFICIAL TO EVERYONE, AND WAYS THAT WOULD BE, VERY HARMFUL TO US ON THE GARDEN HIGHWAY. SO I WOULD REALLY REQUEST THAT WE CAN BE PART OF THE PROCESS IN THE FUTURE. THANK YOU.

**CHAIR FARGO:**

ABSOLUTELY. OKAY. THANK YOU. KAREN DIEPENBROCK? OKAY. MOLLY MUNZ? I THINK IT IS CHRIS RUFER? AND THEN ED BIANCI? AND IT LOOKS LIKE ED WILL BE OUR LAST SPEAKER.

**MR. RUFER:**

AND IT'S CHRIS RUFER, AND I LIVE ON THE GARDEN HIGHWAY, AND THE STRETCH CALLED 12. I DID READ THE EIR OR AT LEAST SCANNED IT AND LOOKED AT EVERY PAGE. THIS PROJECT SEEMS QUITE LIKE THE KINGS ARENA PROJECT, HASN'T BEEN STUDIED ENOUGH. CERTAINLY HASN'T BEEN COMMUNICATED ENOUGH. ALL THE DECISION MAKERS KEPT SAYING THAT THEIR E-MAIL IS RUNNING EIGHT TO TEN IN FAVOR OF IT. AND IT BLEW UP. OBVIOUSLY IT HASN'T BEEN COMMUNICATED ENOUGH BECAUSE 150 PEOPLE SHOW UP AT AN IMPROMPTU MEETING OF THE GARDEN HIGHWAY FOLKS. OBVIOUSLY IT WASN'T COMMUNICATED WELL ENOUGH. I COULDN'T DETECT THE IMPACT ON MY PROPERTY AND I USED A MAGNIFYING GLASS. YOU SEEM TO SEPARATE IT OUT -- MAKE A POINT THAT IT IS AN '08 PROJECT, YOU GUYS DON'T WORRY IT IS '09 OR '10. OBVIOUSLY YOU APPROVE THIS, THE WHOLE THING GOES. SO IT IS ALL ONE PROJECT. NO MATTER HOW YOU COUCH IT. MOST ALL THE PRESENTERS, ENGINEERS, MANY OF THEM, ON THE PROFESSIONAL SIDE, THE STAFF SIDE, ADMITTED THERE ARE MANY UNCERTAINTIES IN DESIGN, I ENGINEER FACTORIES AND PROJECTS MYSELF AND THERE ARE ALWAYS UNCERTAINTIES AND A LOT OF ASSUMPTIONS. FEMA'S NOT PARTICULARLY COMPETENT. LOOK AT THEIR RESULTS. AND YET WE'RE STANDING HERE AND SAYING, WELL IT'S ALL FEMA THIS AND FEMA THAT AND THE CORPS OF ENGINEERS. LOOK AT THEIR RESULTS, A LOT OF GOOD STUFF BUT A LOT OF BAD STUFF. THE ENGINEERS STATE THAT IT IS A RUSHED PROJECT. THEY DIDN'T HAVE ENOUGH TIME. LOOK AT THE TIMELINE THAT YOU'VE HAD? IT IS NOT LONG ENOUGH. URGENCY. THERE IS NO URGENCY TODAY. LOOK AT THE SKY? THERE IS NO URGENCY TODAY. NOT BEING TOO FACETIOUS BECAUSE THE POINT IS WHEN IS THE URGENCY? THE URGENCY IS NOT TODAY. IT IS LONG TERM. SO PERHAPS WE SHOULD DO THE WORK RIGHT TO GET A LONG TERM SOLUTION. IT WOULD BE A SHAME TO PROCEED HASTILY AND FIND OUT THAT THIS PROJECT AS DESIGNED DID NOT GET THE JOB DONE. JUST LIKE THE LAST ONE THAT SAID WE HAD WOULD HAVE 100 YEAR PROTECTION. AND LASTLY, A GOOD ENGINEER SHOULD CONSIDER NOW HOW NATURE HANDLES ISSUES. NATURE HANDLES ISSUES THROUGH DILUTION. DILUTION'S A SOLUTION. WE'RE BUILDING UP CONCENTRATION AND IT'S GOING TO SLAM DOWNTOWN SACRAMENTO. THANK YOU. [APPLAUSE]

**CHAIR FARGO:**

THANK YOU. ED BIANCI? IS ED BIANCHI STILL HERE OR DID HE --

**MR. BIANCHI:**

HELLO I AM ED BIANCI. I AM A FARMER OUT ON THE NATOMAS AREA. I'M A LAND OWNER ON 7050 GARDEN HIGHWAY. SOME OF MY CONCERNS ARE THAT THOSE PARCELS ALONG THERE THAT ARE BEING FARMED ARE FAIRLY SMALL. AND ANY OF THIS IMPACT THAT IS UNNECESSARY LIKE THAT MAINTENANCE ROAD THAT IS GOING TO TAKE 50-FOOT OFF OF 400 OR 500-FOOT PIECE OF GROUND IS NOT MAKING IT AGRICULTURALLY FEASIBLE.

**CHAIR FARGO:**

GOOD POINT.

**MR. BIANCHI:**

NOW, WE WERE PUT INTO THAT ONE-MILE BUFFER. AND AGRICULTURE HAS ALWAYS BEEN TALKED ABOUT BEING MAINTAINED OUT THERE.

**CHAIR FARGO:**

RIGHT.

**MR. BIANCHI:**

NOW WE'RE TAKING A BIG CHUNK OF THAT GROUND OUT OF PRODUCTION. NOW, I'M NOT AGAINST THE LEVEE BUILDING, IT HAS TO BE DONE. I UNDERSTAND THAT.

**CHAIR FARGO:**

OKAY.

**MR. BIANCHI:**

BUT THE BIG CANALS THAT ARE GOING TO BE REPLACING LITTLE CANALS THAT ARE STILL EFFICIENT, OR -- SUFFICIENT AND THEY ARE GOING TO BE LESS NEEDED BECAUSE THERE IS LESS AGRICULTURE THERE, ARE NOT -- ARE ONE OF THE LAND GRAB DEALS, AND ALONG WITH THAT 50-FOOT MAINTENANCE ROAD. THAT IS ONE OF MY PET PEEVES. THE OTHER THING IS, OUR VALUES FOR THE PARCELS OF GROUND THAT THEY ARE GOING TO TAKE ARE APPRAISED AT ALMOST NOTHING COMPARED TO WHAT WE'RE PROTECTING. AND I THINK THOSE APPRAISALS OUGHT TO BE BASED ON SOME OF THE TOP GROUND THAT WE'RE PROTECTING. THEY ARE NOT TAKING VERY MUCH, BUT WE SHOULD BE COMPENSATED FOR IT, IN A JUST WAY. THAT'S ABOUT ALL I CAN SAY BEFORE GETTING CUT OFF. THANK YOU.

**CHAIR FARGO:**

OKAY, THANK YOU, ED. [APPLAUSE] NOW, LET'S GIVE EVERYBODY A ROUND OF APPLAUSE. YOU HAVE ALL DONE A VERY GOOD JOB IN PRESENTING YOUR COMMENTS AND WE ARE NOW DONE WITH, WE ARE NOW CONCLUDING OUR PUBLIC TESTIMONY. OBVIOUSLY IT IS A -- THERE IS STILL SOME CONTROVERSY LEFT IN THE PROJECT THAT WE WILL BE NEEDING TO WORK THROUGH, THE BIG QUESTION NOW BEFORE THE BOARD IS THE RESOLUTION, TWO RESOLUTIONS. ONE IS DO WE WANT TO CERTIFY OR NOT THE FINAL EIR AND ALSO, ARE WE COMFORTABLE IN APPROVING THE 2008 CONSTRUCTION PROJECT. SO WE WILL --

**DIRECTOR DICKINSON:**

I HAVE A COUPLE OF QUESTIONS.

**CHAIR FARGO:**

WHY DON'T WE START WITH YOU.

**DIRECTOR DICKINSON:**

JUST A COUPLE QUESTIONS FIRST IF I MAY.

**CHAIR FARGO:**

YEAH, GOOD.

**DIRECTOR DICKINSON:**

JUST A COUPLE THINGS I WOULD LIKE YOU TO ADDRESS A LITTLE BIT FURTHER THAT WERE THAT IS COMMONLY THOUGHT ABOUT, AND QUESTIONED AND THAT'S WHY WE DON'T DEPEND MORE ON DREDGING OR CLEANING OUT THE RIVER BEDS, RATHER THAN BUILDING UP LEVEES. SO PERHAPS YOU COULD ELABORATE SOME ON THAT POINT. AND THE SECOND POINT WAS, THAT I THOUGHT DESERVED SOME

FURTHER ELABORATION WAS, THE INDICATION IN THE TESTIMONY THAT THE EIR SHOWS AN INCH INCREASE AT CERTAIN POINTS IN SUTTER COUNTY, AND THAT, THAT WOULD IN FACT HAVE A SIGNIFICANT IMPACT ON THOSE RESIDENTS ON THE WATER SIDE, POTENTIALLY. SO CAN YOU -- WHOEVER WANTS TO SPEAK TO THOSE TWO POINTS, CAN YOU DO THAT?

**MR. BUER:**

WE WILL ASK JOE TO STEP UP SINCE HE'S OUR SUBJECT MATTER EXPERT.

**MR. COUNTRYMAN:**

MY FOOT WOKE UP SO I CAN WALK AGAIN. THE DREDGING ISSUE COMES UP ON NEARLY EVERY PROJECT AND --.

**CHAIR FARGO:**

YEAH.

**MR. COUNTRYMAN:**

THERE IS A COUPLE THINGS ABOUT THE DREDGING. ONE, YOU DON'T -- YOU CAN'T DO UNLIMITED DREDGING BECAUSE YOU UNDERMINE THE BANKS, AND THEN YOUR LEVEE FALLS IN THE RIVER. SO YOU HAVE A VERY LIMITED FOOTPRINT WHERE YOU CAN ACTUALLY DO DREDGING THAT DOESN'T UNDERMINE THE LEVEE SYSTEM. SECONDLY, THE WHATEVER DREDGING YOU DO, THE RIVER JUST FILLS IT RIGHT IN AGAIN. SO IT IS NOT A ONE-TIME PROPOSITION. IT -- ONCE YOU START WITH DREDGING, YOU CAN NEVER STOP DREDGING. AND FINALLY, WITH THE LEVEE SYSTEM THAT WE HAVE, YOU CANNOT CREATE ENOUGH INCREASED AREA TO SIGNIFICANTLY CHANGE THE WATER SURFACE ELEVATION. I DON'T HAVE A GRAPHIC HERE TO SHOW YOU BUT, IF YOU LOOKED AT THE TOTAL FLOW AREA IN THE CROSS SECTION, BY LOWERING THE CHANNEL TEN FEET, WOULD BE A VERY SMALL PART OF THAT TOTAL DRAINAGE AREA. SO EVEN THOUGH INTUITIVELY YOU THINK IT WOULD HELP, IT WOULD HELP ON THE LOW FLOWS, BUT ON THE LARGE FLOWS IT'S RELATIVELY INSIGNIFICANT.

**CHAIR FARGO:**

I ASSUME IT DOESN'T DO ANYTHING TO HELP AN UNDERSEEPAGE ISSUE.

**MR. COUNTRYMAN:**

NO, AND IT WOULDN'T HELP THE UNDERSEEPAGE. BUT I THINK THE UNDERMINING OF THE LEVEES THEMSELVES IS THE BIGGEST PROBLEM.

**CHAIR FARGO:**

THAT'S A PRETTY SIGNIFICANT --

**MR. COUNTRYMAN:**

ESPECIALLY ON THE SACRAMENTO RIVER BECAUSE THE LEVEES ARE SO CLOSE TO THE CHANNEL SO --

**CHAIR FARGO:**

ASSUMING WITH THE RESERVOIRS THERE IS PROBABLY LESS COMING DOWN THAN THERE USED TO BE ANYWAY.

**MR. COUNTRYMAN:**

WELL, THE --

**CHAIR FARGO:**

OR IS IT COMING DOWN MOSTLY FROM AG RUN OFF?

**MR. COUNTRYMAN:**

THE WAY THE PROJECT WAS DESIGNED WAS TO ENCOURAGE SCOUR BECAUSE OF THE HYDRAULIC MINING DEBRIS. SO WE HAVE MOVED PRETTY MUCH ALL THE LOOSE MATERIALS DOWN. AND WE'RE EATING INTO THE BANKS AND WE'RE GOING --

**CHAIR FARGO:**

SO THERE IS A LOT OF NATURAL SCOUR. OKAY.

**MR. COUNTRYMAN:**

THE RIVER IS NOW DOING A LOT OF DAMAGE. WHAT WAS THE OTHER QUESTION?

**DIRECTOR DICKINSON:**  
THE INCH.

**CHAIR FARGO:**  
THE INCH QUESTION.

**DIRECTOR DICKINSON:**  
THE INCH.

**MR. COUNTRYMAN:**  
OH, I WANT TO REITERATE. THERE IS NO IMPACT FROM OUR PROJECT THAT WE'RE TALKING ABOUT TODAY ON INCREASING THE STAKES. NO, ZERO. NO IMPACT. WHAT THE ONE INCH REFERRED TO IS WE DID A STUDY FOR THE SACRAMENTO RIVER PLANNING FORUM THAT SAID WHAT IF WE PUT DOCKS EVERY 50 FEET FOR THE ENTIRE LENGTH OF THE RIVER. WHAT IF WE DID BANK PROTECTION FOR THE ENTIRE RIVER? WHAT IS THE OUTSIDE MAXIMUM IMPACT THAT WE COULD CONCEIVE OF IF WE DID ALL OF THOSE THINGS. THAT IS WHERE THAT TENTH CAME FROM. NOT FROM THIS PROJECT. THIS PROJECT HAS NO INCREASE IN WATER SURFACE ELEVATION.

**DIRECTOR DICKINSON:**  
OKAY.

**CHAIR FARGO:**  
THANK YOU FOR THAT CLARIFICATION.

???

WING DAMS, JOE?

**MR. COUNTRYMAN:**  
WELL, THE QUESTION WAS BROUGHT UP DURING THE DISCUSSION ON WING DAMS. WING DAMS DO SCOUR THE CENTER OF THE CHANNEL AND KEEP THE CENTER OF THE CHANNEL CLEAR. IF WE REMOVED THE WING DAMS, AND THEY ALSO HAVE THE BENEFIT OF MOVING THE HIGH VELOCITY FLOW AWAY FROM THE BANKS, SO, IF WE WERE TO REMOVE THE WING DAMS THERE WOULD BE SOME INCREASE IN CAPACITY, BUT THE OTHER SIDE OF THAT WOULD BE INCREASED EROSION OF THE BANKS SO IT IS NOT A CLEAR SOLUTION.

**CHAIR FARGO:**  
OKAY. THANK YOU. MR. TRETHERWAY:

**DIRECTOR TRETHERWAY:**  
YEAH, THANK YOU MAYOR. COUPLE OF QUESTIONS: ONE OF THEM IS --

**CHAIR FARGO:**  
PROBABLY FOR JOE?

**DIRECTOR TRETHERWAY:**  
**I DON'T THINK SO.**

**CHAIR FARGO:**  
OKAY.

**DIRECTOR TRETHERWAY:**  
WELL, I THOUGHT THEY MIGHT BE BUT THEN I DON'T THINK SO. HE MAY BE BACK UP. THAT WAS, SOMEBODY ASKED ABOUT, FOR THE SLURRY WALLS, THE EXTENSIVENESS OF THE SLURRY WALLS WOULD IT IMPACT THE DOMESTIC WATER WELLS, THE ACQUIFERS, THE DRAINAGE OF THE ACQUIFERS?

**MR. BUER:**  
I CAN RESPOND TO THAT.

**CHAIR FARGO:**



AND ALSO, THE DRAINAGE GOING THE OTHER WAY WAS THE OTHER ISSUE. WHETHER SHIFTING THE DRAINAGE WOULD AFFECT PEOPLE'S WELLS.

**DIRECTOR TRETHERWAY:**

YEAH.

**MR. BUER:**

YEAH. FOR THE PROJECTS THAT YOU ARE APPROVING TODAY IF YOU CHOOSE TO DO SO, WE ARE NOT CONSTRUCTING SLURRY WALLS EXCEPT ALONG THE NATOMAS CROSS CANAL. WE ARE TAKING TO HEART CONCERNS ABOUT GROUND WATER MOVEMENT, EAST AND WEST, FROM THE SACRAMENTO RIVER, THEY -- COMMENTS WERE MADE BY INDIVIDUAL HOME OWNERS AS WELL AS THE REGIONAL WATER AUTHORITY. SO WE WILL TAKE THE TIME TO DO ADDITIONAL STUDIES AND INVESTIGATE THE POTENTIAL IMPACT. IT IS RELATIVELY EASY TO MITIGATE FOR THOSE IN TERMS OF DOMESTIC WELLS. WE'RE NOT CONCERNED THAT - - THAT IS NOT A PROBLEM WE CAN'T OVERCOME. IN TERMS OF THE POTENTIAL IMPACT ON THOSE WALLS IN TERMS OF WATER QUALITY WE HAVE CONSTRUCTED A LOT OF CUT OFF WALLS THROUGHOUT THE SACRAMENTO REGION. THERE IS NO INDICATION THAT EXCEPT DURING THE CONSTRUCTION PERIOD WHEN YOU CAN HAVE A BLOWOUT, THAT HAS HAPPENED. ONCE THE WALLS ARE IN PLACE THEY CONGEAL AND THEY DO NOT MOVE. THEY ARE NOT TOXIC IN ANY WAY. THEY ARE JUST NATURAL CLAY AND THEY STAY IN PLACE. THEY DON'T CAUSE ANY WATER POLLUTION. BUT THE STARVATION ISSUE, WE'RE GOING TO LOOK AT THAT.

**DIRECTOR TRETHERWAY:**

THANK YOU. MY OTHER QUESTION IS -- AND LET ME KNOW IF IT IS PROJECT SPECIFIC TO TODAY'S ACTION. THAT IS THE MITIGATION OF FARM LAND. CAN YOU CLARIFY? IS THERE A TIERED APPROACH THAT OUR FIRST OPTION IS TO, THE MITIGATION WILL BE WITHIN THE NATOMAS BASIN?

**MR. BUER:**

WE'LL ASK TIM TO ANSWER THAT QUESTION.

**DIRECTOR TRETHERWAY:**

CAN YOU CLARIFY WHAT THAT POLICY IS?

**MR. WASHBURN:**

THERE IS NO STATED TIERING IN THE DOCUMENT. THERE IS NO PRIMACY GIVEN TO ACQUIRING IN BASIN. HOWEVER, THERE IS AN ITEM TWO ON THE BOARD'S AGENDA TODAY WHERE WE ARE ACQUIRING 160 ACRES AND PRESERVING FARMLAND WITHIN THE BASIN. AND I THINK, YOU KNOW, THAT WOULD BE OUR PREFERENCE OBVIOUSLY. PARTICULARLY TO THE EXTENT THAT WE CAN MAKE IT WORK WITH THE PROJECT AS A WHOLE. BUT WE DID NOT SAY IN THE EIR THAT ALL OF IT WOULD BE INSIDE THE BASIN OR NOT. AND THERE IS NO POLICY STATEMENT WITHIN THE EIR ON THAT QUESTION. IF THE BOARD WANTS TO HAVE ONE, THAT'S FINE BUT YOU KNOW THE EIR SIMPLY SAYS, WE WILL LOOK TO REPLACE THE AGLANDS THAT GO OUT OF PRODUCTION BY ACQUIRING EASEMENTS OVER AGLANDS THAT CAN THEN BE PRESERVED IN PRODUCTION. BUT IT DIDN'T SAY ONLY INSIDE NATOMAS. IT DIDN'T SAY ANYTHING ON WHERE PER SE.

**DIRECTOR TRETHERWAY:**

I WOULD REQUEST WE COME BACK AT THE APPROPRIATE TIME AFTER THE STUDY TO MAKE SURE THAT WE'RE IN COMPLIANCE WITH THE REGIONAL APPROACH --

**MR. WASHBURN:**

RIGHT.

**DIRECTOR TRETHERWAY:**

-- OF THE HABITAT CONSERVATION PLAN THAT -- SUTTER COUNTY'S, SACRAMENTO COUNTY, CITY OF SACRAMENTO ARE WORKING UNDER, RD1000 AND SUCH.

**CHAIR FARGO:**

I THINK THAT WOULD BE VERY IMPORTANT AND

**DIRECTOR SILVA:**

MADAME CHAIR.

**MR. WASHBURN:**

SURE. RIGHT.

**CHAIR FARGO:**

PROBABLY MORE OPERATIONAL LESS HERE TODAY, BUT IT IS IMPORTANT FOR US TO DISCUSS THAT. YES DAN.

**DIRECTOR SILVA:**

WITH RESPECT TO AG PROPERTIES MR. BIANCI BROUGHT UP THE IDEA THAT ONE COMES DOWN TO A COMPONENT PIECE THAT IS UNFARMABLE. AS YOU LOOKED AT THE, INCREMENTALLY LOOKED AT THE PROPERTIES THAT YOU PURCHASED IN THE FOOTPRINT AND THE AREAS BEYOND THE FOOTPRINT, THE 50-FOOT ROADWAYS AND SO FORTH, ARE THERE PROPERTIES THAT WOULD BE CUT UP OR SOME WAY DIVIDED SO THAT THEY ARE NOT FARMABLE LESS THAN -- I DON'T -- I DON'T KNOW WHAT TO GIVE AS A NUMBER, LESS THAN 10 ACRES OR LESS THAN 5 OR LESS THAN 15. BUT THERE ARE TIMES WHEN THOSE PROPERTIES ARE -- YOU CAN'T ADDRESS THEM WITH WATER ISSUES -- FROM DELIVERY OF WATER FROM A PROGRAM FLYING ON THEM WITH HERBICIDES OR PESTICIDES OR JUST SIMPLY FARMING THEM. HAVE THOSE BEEN CONSIDERED? AND, IN READING THE EIR, I SAW THE AGRICULTURAL CONSIDERATIONS, BUT THOSE WEREN'T GIVEN AS TO THE UNIT SIZE OF THE PROPERTY BEING THE ECONOMICAL, VIABLE ELEMENT IN YOUR FARMING OPERATION.

**MR. WASHBURN:**

THERE ACTUALLY ARE A COUPLE, FRANKLY IN '08 IN THE CANAL FOOTPRINT THAT ARE GOING TO BE PROBLEMATIC, IN TERMS OF THEIR VIABILITY, ONCE YOU PUT THE CANAL FOOTPRINT IN THERE. NOW, WHETHER THE REMAINDER CAN BE INTEGRATED, THEY HAPPEN TO BE IN THE MIDST OF A BUNCH OF COUNTY-OWNED AIRPORT BUFFERLANDS, SO WHETHER THEY COULD BE REASSEMBLED AND FARMED AS PART OF THE COUNTY BUFFERLANDS IS ANOTHER QUESTION. BUT AS PRIVATELY OWNED FARMLANDS THERE ARE TWO PARCELS IN PARTICULAR IN THE '08 CANAL PATH THAT ARE VERY PROBLEMATIC AS HAVING A REMAINDER VALUE. THAT DOESN'T MEAN THE REMAINDER VALUE CAN'T BE AGRICULTURE. IT IS PROBABLY NOT POSSIBLE FOR IT TO BE A PRIVATELY FARMED PARCEL. IT COULD BE AS I SAY INCORPORATED INTO THE AIRPORT BUFFERLANDS.

**DIRECTOR SILVA:**

WELL THEN, ONE WITH PRIVATE OWNERSHIP COULD SELL THAT LAND OFF TO THE AIRPORT FOR --

**MR. WASHBURN:**

WELL, WE WOULD PROBABLY END UP CONCLUDING WE HAVE TO TAKE THE WHOLE PARCEL --

**DIRECTOR SILVA:**

CORRECT.

**MR. WASHBURN:**

-- BECAUSE THE REMAINDER REALLY ISN'T VIABLE IN THOSE TWO CASES. MOST OF THE REST OF THEM FOR THE '08 ARE MUCH LARGER PARCELS AND THE TAKE IS NARROW ALONG THE LEVEE BAND. AND IT DOES APPEAR THAT THE REMAINDER, YOU KNOW, IS STILL --

**DIRECTOR SILVA:**

VIABLE.

**MR. WASHBURN:**

VIABLE.

**MR. BUER:**

I WOULD JUST ADD THEN THAT THE PROPERTY OWNERS PREFERENCES WOULD CARRY A LOT OF WEIGHT --

**MR. WASHBURN:**

SURE.

**MR. BUER:**

-- AS TO WHETHER OR NOT YOU OFFER SEVERANCE FOR THE PARCEL REMAINING OR WHETHER YOU TAKE THE WHOLE THING. SO AGAIN, THIS IS A MATTER OF NEGOTIATION. OUR GOAL IS TO DO THIS IN THE WAY THAT CAUSES THE LEAST HARM.

**CHAIR FARGO:**

OKAY. VIRGINIA?

**DIRECTOR MOOSE:**

I WANTED TO COMMENT ON THE PEOPLE WHO SAY THERE IS NO RUSH ABOUT THIS. AND THE GENTLEMEN THAT LOOKED OUT THERE AND SAID LOOK WHAT A BEAUTIFUL DAY IT IS. I RECALL IN 1997 WE HAD A LOVELY DRY LATE FALL AND WINTER, AND THEN JANUARY, THE SKIES OPENED UP, AND JOE COUNTRYMAN SAID THAT IF THE STORMS THAT HAD SAT OVER THE FEATHER RIVER WATERSHED HAD MOVED OVER TO THE AMERICAN RIVER WATERSHED WE WOULD HAVE HAD A MAJOR FLOOD, THE FOLSOM DAM AND OUR LEVEES COULD NOT HAVE ACCOMMODATED IT. WE NEVER KNOW WHAT IS GOING TO HAPPEN. WE HAVE A DUTY TO PROTECT THE PEOPLE WHO LIVE IN NATOMAS AS FAST AS WE POSSIBLY CAN. THEY ARE NOT PROPERLY PROTECTED NOW. I INTEND TO VOTE FOR -- IN FACT I WILL MOVE THE RESOLUTION.

**CHAIR FARGO:**

OKAY. THANK YOU FOR THAT MOTION.

**DIRECTOR NOTOLLI:**

EXCUSE ME, I HAVE A QUICK QUESTION.  
WOULD YOU LIKE TO MADE A SECOND?

**VICE-CHAIR PETERS:**

I HAVE SOME QUESTIONS.

**DIRECTOR TRETHERWAY:**

I WILL SECOND.

**CHAIR FARGO:**

OKAY, THANK YOU.

**DIRECTOR SILVA:**

MADAME CHAIR, DISCUSSION. WOULD YOU RESTATE BOTH OF THE RESOLUTIONS, PLEASE.

**VICE-CHAIR PETERS:**

WAIT, WAIT, WAIT, THERE ARE STILL SOME QUESTIONS ON THIS SIDE. PLEASE.

**DIRECTOR NOTTOLI:**

AND WE HAVE QUESTIONS DOWN HERE, TOO. WE DIDN'T GET DOWN TO THE RIGHT SIDE.

**CHAIR FARGO:**

IT'S OKAY. NO, I WAS GOING TO GET THERE.

**DIRECTOR NOTTOLI:**

I KNOW YOU WERE THERE, BUT BEFORE YOU GOT, SOMEBODY CALLED FOR QUESTIONS WHEN YOU GET A CHANCE THERE.

**CHAIR FARGO:**

DON'T WORRY. NOBODY IS GOING TO ASK FOR THAT YET. OKAY, MR. NOTTOLI, DO YOU WANT TO START AND THEN WE'LL JUST COME BACK AROUND?

**DIRECTOR NOTTOLI:**

YEAH. I THINK I ASKED MOST OF THE QUESTIONS ALREADY DURING THE HEARING. I WANT TO APPRECIATE EVERYONE'S PATIENCE INCLUDING, CERTAINLY THIS BOARD BUT ONE THING THAT HAS STUCK WITH ME THROUGHOUT THIS HEARING AND I APPRECIATED THE BRIEFING YESTERDAY FROM MR. BUER AND MS. GUALCO AS WELL, IS THAT UNDERSTANDING THE URGENCY AND CERTAINLY THE IMPORTANCE OF FLOOD PROTECTION, I THINK MS. MOOSE'S COMMENTS CERTAINLY HIGHLIGHTED THAT AGAIN TODAY, IS THAT, WITH SOME OF THE THINGS THAT WERE BROUGHT FORWARD. AGAIN RECOGNIZING THE -- I THINK THE WORK THAT HAS BEEN DONE HERE, I GUESS I AM CURIOUS BECAUSE AS I ASKED ABOUT THE SCHEDULE EARLIER THAT IF WE, FROM A STANDPOINT CERTAINLY OF THE DOCUMENTATION AND I THINK OF SOME OF THE OUTREACH. A LOT OF FOLKS HAVE SAT THROUGH THIS ENTIRE HEARING I THINK AND HAVE CERTAINLY HEARD EVERYTHING THIS BOARD HAS HEARD. THEY HAVE HEARD THEY'RE FRIENDS AND NEIGHBORS AND OTHERS COMMENT ON DIFFERENT POINTS, FROM THE STANDPOINT OF TAKING A FEW

MORE WEEKS TO INCORPORATE INTO, EITHER THE DOCUMENTS CERTAINLY INTO THE RECORD TO GIVE IT A CHANCE TO GO OUT WITH SOME OF THE FOLKS, RECOGNIZE THAT SOME OF THE ISSUES ARE NOT GOING TO BE RESOLVED BECAUSE THERE ARE VERY STRONG DIFFERENCES. OTHERS WILL REQUIRE MORE TIME, WILL REQUIRE SUBSEQUENT PROJECTS TO DO THAT. I GUESS MY BASELINE QUESTION HERE IS, IF WE -- AGAIN THIS BODY WILL MEET AGAIN IN TWO WEEKS FROM TOMORROW. ALSO, IF WE EVEN TOOK A LITTLE MORE TIME BEYOND THAT TO ONE, I THINK TAKE INTO ACCOUNT THE COMMENTS THAT WERE PUT ON THE RECORD TODAY, CERTAINLY CORRESPONDENCE THAT HAS COME FAST AND FURIOUS IN RECENT DAYS, RECOGNIZING SOME OF THAT IS DUPLICATIVE OF OTHER COMMENTS EITHER ALREADY RESPONDED TO OR RECEIVED. WHAT DOES THAT DO FROM THE STANDPOINT OF THE SCHEDULE? WE'RE HERE TODAY ON THE 29th OF NOVEMBER. IF WE COME BACK ON THE 15th OF DECEMBER AND GOT A CHANCE TO DO SOME ADDITIONAL OUTREACH RECOGNIZING SOME OF THESE ISSUES WILL REQUIRE MANY WEEKS IF NOT MONTHS OF OUTREACH AND WORK ON INDIVIDUAL CIRCUMSTANCES, SO I GUESS THAT'S MY QUESTION FOR THE STAFF.

**MR. BUER:**

WELL, THERE ARE TWO ASPECTS OF THE SCHEDULE. ONE IS, WE NEED A RECLAMATION BOARD PERMIT. THEY MEET ON THE 21st OF DECEMBER. WE NEED TO HAVE OUR MATERIALS INCLUDING THE CERTIFIED EIR, AVAILABLE TO THEM FOR THEIR STAFF REPORT. WELL AHEAD OF THAT TIME. SO IF WE GIVE OURSELVES ANOTHER COUPLE OF WEEKS TO THINK ABOUT THIS AND SIFT THROUGH THE INFORMATION AGAIN, WE WILL MISS THAT DEADLINE. THERE IS A VERY GOOD CHANCE, BECAUSE OF THE CASCADE OF ACTIONS THAT HAVE TO HAPPEN, THAT TRIGGERS THE CORPS' INVOLVEMENT ON SECTION 104 AND SECTION 408. WE'RE VERY LIKELY NOT TO MAKE THE '08 CONSTRUCTION SEASON. SO THAT'S THE TRADEOFF. I BELIEVE VERY FIRMLY WE WILL BE WORKING HARD -- WE WILL BE STRUGGLING TO MAKE '08 ANYWAY, IF THE BOARD TAKES ACTION TODAY OF DELAYING. I THINK -- I CAN ASSURE THE BOARD WE WILL NOT BE ABLE TO GET UNDERWAY IN '08. SO THAT'S THE TRADEOFF. MY OWN PERCEPTION, I HAVE LISTENED VERY CAREFULLY TODAY, I'VE HEARD A LOT OF CONCERNS. I DON'T BELIEVE I HAVE HEARD ANY NEW CONCERNS THAT WE HAVEN'T BEEN THINKING ABOUT AND ADDRESSING.

**CHAIR FARGO:**

THAT'S A VERY GOOD POINT.

**MR. BUER:**

WE TRIED TO RESPOND DURING THIS PRESENTATION AS WE HEARD THESE COMMENTS COME UP. I THINK WE HAVE REASONABLE ANSWERS FOR ALL OF THEM FOR THE '08 PERIOD. A LOT OF CONCERNS FOR '09 AND '10. WE'RE NOT VOTING ON THAT TODAY. THERE IS A LOT OF FLEXIBILITY IN THE DESIGN AS WE GO FORWARD FOR '09, AND '10.

**DIRECTOR NOTTOLI:**

JUST ONE OTHER COMMENT. I APPRECIATE AGAIN -- THAT WASN'T HIGHLIGHTED TO ME YOUR RESPONSE RELATIVE TO REC BOARD AND WHAT YOU HAVE KIND OF WORKED BACKWARD ON YOUR CALENDAR. BUT I WOULD JUST SAY, MY FINAL POINT IS THAT, RECOGNIZING CERTAINLY THAT THAT ADDS TO THE URGENCY, AND CERTAINLY COMPOUNDS THIS FURTHER. IN FAIRNESS CERTAINLY, TO THE PUBLIC PROCESS THAT WE HAVE DONE OUR BEST TO ADHERE TO AND SO FORTH. THE FACT SOME OF THIS WORD HAS COME LATE TO FOLKS. AND RECOGNIZING SOME OF THAT WILL BE DEALT WITH IN SUBSEQUENT MONTHS AND YEARS. IT JUST SEEMS TO ME THAT YOU KNOW, IT MAY HANG ON A MATTER OF DAYS BUT THAT -- YOU KNOW AS CRITICAL AS IT MAY BE, THAT IF WE AT LEAST GOT A COUPLE WEEKS TO INCORPORATE SOME OF THAT I THINK IT WOULD BE WELL SERVE THIS BODY. BECAUSE, IF THERE ARE LEGAL ACTIONS BROUGHT I THINK AGAIN THAT CAN CERTAINLY -- YOU KNOW YOU CAN INTERSPERSE THAT INTO THE CONSIDERATION AS WELL. AND THAT MAY COME IRRESPECTIVE OF WHAT WE DO, A LITTLE MORE TIME OR NOT, SO THANK YOU MADAME CHAIR.

**CHAIR FARGO:**

THANK YOU DON. MR. YEE, ANYTHING TO ADD OR QUESTION?

**DIRECTOR YEE:**

THANK YOU, MAYOR. THIS CERTAINLY HAS BEEN A GREAT SESSION AS FAR AS I AM CONCERNED, WITH A LOT OF INFORMATION COMING FORWARD. I WANT TO APPLAUD STEIN AND STAFF FOR ANSWERING A LOT OF QUESTIONS THAT I HAD PREVIOUSLY. INCLUDING THE QUESTION OF WHETHER THE RIVER ELEVATION IS GOING TO BE IMPACTED, AND FROM WHAT I HAVE HEARD IT IS NOT GOING TO BE IMPACTED IN SPITE OF THE FACT THAT WE WANT TO PUT UP THE THREE-FOOT HIGHER ELEVATION. BUT THAT IS PRIMARILY A

REQUIREMENT OF FEMA OR CORPS OF ENGINEERS TO GIVE IT THE FREEBOARD. IT DOES NOT RAISE THE LEVEL OF THE RIVER ELEVATION. I TALKED TO STEIN ABOUT UTILITY POLES. HE HAS ALSO GONE AS FAR AS HE COULD TO KEEP IT ON THE LAND SIDE OF THE LEVEE. FILL MATERIALS. I WAS CONCERNED ABOUT ALL THE TRUCKS GOING UP AND DOWN THE GARDEN HIGHWAY. AND HE HAS REASSURED ME THAT WHEREVER THEY CAN, OF COURSE, IS THAT IT WILL BE ON THE -- OFF THE GARDEN HIGHWAY. SO THAT'S ANOTHER PROBLEM THAT IS NO LONGER THERE. THE THREE TO ONE SLOPE, I ARGUED AND ARGUED AND ARGUED ABOUT THE THREE TO ONE SLOPE ON THE LAND SIDE. AND I WASN'T TOTALLY SATISFIED, BUT IF IT IS THE CORPS OF ENGINEERS REQUIREMENTS? THERE IS A SAYING, YOU DON'T BUG CITY HALL I GUESS. SO I HAVE GIVEN UP --

**CHAIR FARGO:**

THAT DOESN'T SEEM TO WORK HERE. [LAUGHTER]

**DIRECTOR YEE:**

I AM SAYING THAT BECAUSE -- I AM LOOKING AT YOU, MAYOR. BUT NEVERTHELESS IT WAS SOMETHING THAT I WASN'T TOO HAPPY WITH BECAUSE WHAT IT DOES IS IT EXTENDS THE WIDENING OF LEVEES, WHICH TAKE UP MORE PROPERTY, REQUIRES MORE LANDFILL AND ALL OF THAT JAZZ BUT. SO, ALL IN ALL, IT'S -- WHETHER THIS IS URGENT OR NOT? YES THIS IS URGENT. I JUST HEARD FROM MY COLLEAGUE THAT IT IS NOT SO MUCH RAISING THE LEVEE BUT THE UNDERSEEPAGE IS ANOTHER PROBLEM. SO, IT IS URGENT THAT WE ACT ON THIS PARTICULAR ISSUE RIGHT NOW. THE ONE LAST ISSUE I WANT TO ASK STAFF IS TO CONTINUE TO COOPERATE WITH THE HOME OWNERS ON BOTH THE LAND SIDE AND THE RIVERSIDE BECAUSE THERE IS STILL A LONG WAY TO GO YET AS FAR AS GETTING UNDERWAY ON CONSTRUCTION. SO, WE DO HAVE SOME TIME, PLEASE CONTINUE TO COOPERATE.

**MR. BUER:**

WE WILL BE HAPPY TO DO THAT.

**DIRECTOR YEE:**

YES. SO I AM TOTALLY SATISFIED.

**CHAIR FARGO:**

THANK YOU. MR. SHIELDS?

**DIRECTOR SHIELDS:**

THANK YOU. I WANT TO ADD MY THANKS TO THE STAFF FOR THE GREAT WORK THEY HAVE DONE. THEY HAVE BEEN WORKING UNDER A LOT OF PRESSURE FOR A LONG TIME. AND I DON'T THINK IT IS APPARENT THE AMOUNT OF THOUGHT AND PLANNING THAT HAS GONE INTO THIS. FROM THE ATTENDANCE AT SOME OF THE EXECUTIVE COMMITTEE MEETINGS I CAN TELL YOU THEY HAVE WORKED LONG AND HARD AND LOOKED AT MANY, MANY ALTERNATIVES. THERE IS A LOT OF WORK THAT HAS GONE INTO THIS OVER AN EXTENDED PERIOD OF TIME. AND AS FAR AS THE WORK ON THE LEVEE IS CONCERNED, I CAN'T LOOK MY NEIGHBORS IN NATOMAS IN THE EYE IF I DON'T DO EVERYTHING I CAN TO MOVE THIS FORWARD AS QUICKLY AS POSSIBLE. I HAVE OVER 40 YEARS OF PROJECT EXPERIENCE, MAJOR PROJECT EXPERIENCE AT BOTH THE MILITARY AND THE CORPORATE WORLD. I CAN TELL YOU A TWO-WEEK DELAY CAN KILL A PROJECT. YOU KILL PROJECTS, A BITE AT A TIME. YOU DON'T DO IT ALL AT ONE TIME. WE HAVE GOT TO KEEP OUR MOMENTUM AND KEEP MOVING FORWARD. WE HAVE GOT OVER 70,000 LIVES AT RISK. WE HAVE GOT BILLIONS OF DOLLARS IN PROPERTY, THE WHOLE SACRAMENTO ECONOMY WOULD TANK IF WE -- IF I-5, I-80, AND THE AIRPORT WERE FLOODED. WE JUST CAN'T AFFORD TO TAKE THAT CHANCE. UNTIL WE CAN GET A GUARANTEE ON WEATHER FORECASTING, WE CAN'T TAKE THE CHANCE THAT IF BY DELAYING ONE YEAR THAT HAPPENED TO BE THE YEAR THAT WE HAD A MAJOR FLOOD. AND WE COULD HAVE PREVENTED IT BY DOING THIS WORK. SO I AM VOTING FOR THIS BECAUSE I THINK WE HAVE TO MOVE AHEAD AS RAPIDLY AS WE POSSIBLY CAN. THANK YOU.

**CHAIR FARGO:**

THANK YOU, JOHN. MR. CHRISTOPHEL?

**DIRECTOR CHRISTOPHEL:**

A QUESTION AND A COMMENT IF I MAY.

**CHAIR FARGO:**

PLEASE, YEAH.

**DIRECTOR CHRISTOPHEL:**

FIRST OF ALL, AND MAYBE THIS IS FOR TIM OR STEIN, IS THERE ANYTHING THAT IS TAKING AN ACTION TODAY, IN ANY WAY, PRECLUDE THE OPPORTUNITY FOR SAFCA TO CONTINUE TO WORK WITH THE LAND OWNERS THAT WILL BE AFFECTED TO REFINE THE MITIGATIONS AND MOVE FORWARD.

**MR. BUER:**

NO, NOT AT ALL.

**DIRECTOR CHRISTOPHEL:**

OKAY.

**MR. WASHBURN:**

AND I MEAN TO TELL YOU THE TRUTH THE CORPS NOW HAS TO GO THROUGH AN EIS, THEY'RE GOING TO HAVE SCOPING SESSIONS. THERE WILL BE A WHOLE NEW ROUND OF DISCUSSION OF THESE ISSUES THAT HAS TO BE HAD AND THAT THE CORPS HAS TO REACH A SATISFACTORY JUDGMENT ON FOR THEM TO ALLOW US TO MODIFY THE FEDERAL LEVEE. SO THERE WILL BE NOW A WHOLE OTHER PROCESS COMMENCING IN JANUARY ON THE '08 PROJECT.

**DIRECTOR CHRISTOPHEL:**

OKAY. THANK YOU. AND I, TOO, WOULD LIKE TO THANK STAFF. I RECOGNIZE THE HARD WORK YOU FOLKS HAVE DONE TO PUSH THIS FORWARD. BUT I WOULD ALSO LIKE TO THANK ALL OF YOU. I MEAN, THE INPUT YOU PROVIDED CERTAINLY, YOU'VE PROVIDED SOME CLARIFICATION TO ME. I SUSPECT TO THE OTHER BOARD MEMBERS AS WELL. AND I THINK THIS IS JUST AS IMPORTANT IN UNDERSTANDING WHAT THOSE ISSUES ARE. I THINK HAS PROVIDED INSIGHTS ON HOW WE MIGHT BE ABLE TO BE REDUCE THOSE IMPACTS AND MINIMIZE EFFECTS THE PROJECTS GOING TO HAVE ON YOU. I ALSO THINK THAT THE TECHNICAL INFORMATION THAT WE HAVE IN FRONT OF US SUGGESTS THAT THE RISK IS REAL, AND THE SOLUTION IS URGENT, AND THAT I THINK WE HAVE A RESPONSIBILITY AS AN AGENCY AND I THINK THAT WE HAVE A RESPONSIBILITY AS A COMMUNITY TO GET THIS DONE AS QUICKLY AS WE CAN. I THINK THE CHALLENGE HERE IS STRIKING THE BALANCE BETWEEN MOVING FORWARD SWIFTLY AND BEING ABLE TO DO THIS IN WAY THAT IS PRUDENT AND MAKING SURE WE KNOW WHAT WE'RE DOING. I THINK WE HAVE STRUCK THAT BALANCE AND I INTEND TO VOTE FOR THIS AS WELL. THANK YOU.

**CHAIR FARGO:**

THANK YOU DAVE. MS. PETERS?

**VICE-CHAIR PETERS:**

YEAH, THANK YOU. ONE OF THE BENEFITS OF GOING LAST IS ALL MY QUESTIONS GOT TICKED OFF BY OTHER BOARD MEMBERS PRETTY MUCH. JUST A COUPLE THINGS. ONE THERE WAS SOMEONE INTERESTED IN CABLE. I WOULD SUGGEST THAT YOU TESTIFY OR WRITE TO THE CABLE COMMISSION. THEY CAN CERTAINLY COMMUNICATE WITH ALL OF THE CABLE PROVIDERS IN SACRAMENTO ABOUT WHAT INTEREST THEY MIGHT HAVE IN SERVING THE GARDEN HIGHWAY. AND I THINK THE THING -- I WISH I COULD SAY THAT I THOUGHT OUR COMMUNICATIONS AND OUTREACH WERE AS GOOD AS OUR ENGINEERING. I THINK STAFF HAS DONE A GREAT JOB AT ALL THE ENGINEERING AND BACKGROUND BUT I WOULD EMPHASIZE MY CONCERN THAT WE STEP UP OUR OUTREACH. THAT WE USE THIS PERIOD OF TIME -- THAT THE CORPS IS WORKING ON THE EIS TO CONTINUE TO COMMUNICATE WITH ALL THE LAND OWNERS. I THINK THE BIGGEST THING I HEARD TODAY AND AT THE LAST MEETING WAS THAT THE SEPARATION OF THE PROJECTS, THE '08, '09, AND '10 WERE NOT CLEAR TO EVERYONE AND I THINK THAT MIGHT HAVE LESSEND SOME OF THE ANXIETY FOR SOME OF THE FOLKS THAT WERE HERE. I THINK WE CERTAINLY HAVE EVERYONE'S ATTENTION NOW. SO THIS WOULD BE A VERY GOOD TIME TO CONTINUE TO MEET WITH THEM. AND I WOULD URGE MORE COMMUNICATION RATHER THAN LESS. AND WITH, THAT I WOULD SAY, I DO INTEND TO VOTE FOR IT, AND THANK YOU TO STAFF. I ACTUALLY HAVE IN MY SHORT TIME IN GOVERNMENT, I HAVEN'T SEEN A PROJECT OF THIS MAGNITUDE MOVE FORWARD THIS QUICKLY AND EFFICIENTLY. SO I DO APPRECIATE THAT.

**CHAIR FARGO:**

THANK YOU SUSAN. OKAY, OTHER COMMENTS OR QUESTIONS ON THIS SIDE, FROM ANYONE? RAY?

**DIRECTOR DICKINSON:**

I WILL MAKE A COMMENT.

**DIRECTOR TRETHERWAY:**

I HAVE ONE. THAT IS I BROUGHT THIS UP PROBABLY 15 YEARS AGO IN THE FIRST LEVEE IMPROVEMENTS. AND WE BROUGHT IT UP ALSO AT THE GARDEN HIGHWAY RIVER FRONT HOME OWNERS ASSOCIATION I GUESS IT IS CALLED? AND THAT IS, I'D REALLY LIKE TO SEE US SERIOUSLY CONSIDER AND PLAN OUT AND COST OUT A OFF STREET BICYCLE PED PATH AS PART OF OUR -- I CALL IT SECONDARY LEVEES OR LANDWARD SIDE LEVEES. I AM NOT SURE WHAT THE TECHNICAL NAME IS. I UNDERSTOOD 50, 60 YEARS AGO THE CORPS, BACK THEN, WOULD LOOK FAVORABLY PERHAPS ON IT IF IT WAS ENGINEERED CORRECTLY. BUT IT WOULD REALLY BE A REGIONAL ASSET AND CERTAINLY A BIG ASSET TO THE HOME OWNERS WHO ARE NOW WEAVING IN AND OUT OF THE BICYCLES AND SUCH. [APPLAUSE] BUT JUST OVERALL I GUESS I WILL JUST CONTINUE. I ALSO -- I THINK OUR ENGINEERING AND PLANNING AND DESIGN REPORTS YOU ASSEMBLED, JUST AN INCREDIBLE TEAM, NOT ONLY WITH THEIR LONGEVITY OF THEIR EXPERTISE BUT OF THIS REGION AND OF THIS SYSTEM BUT THEY ALSO SEEMED TO ME THEY HAD GREAT EXPERTISE AND RELATIONSHIPS WITH BOTH THE FEDERAL AND STATE AGENCIES AND DEPARTMENTS THAT WE HAVE TO BRING THIS PROJECT THROUGH AS TIM JUST MENTIONED. I ALSO REALLY DID APPRECIATE THE TRANSLATION. I THINK THE MAYOR MENTIONED VERY EARLY ON. WE'RE UP HERE ONCE A MONTH FOR EXECUTIVE MEETINGS ONCE A MONTH BUT WE'RE ALSO ON A LEARNING CURVE. MS.PETERS JUST SAID, THIS IS A VERY LARGE PROJECT, AND I HADN'T HEARD IT TODAY, WHEN THIS PROJECT FIRST CAME TO US A COUPLE THREE YEARS AGO, THE DISCUSSION WAS NOT HOW TO IMPROVE THE LEVEES TO MEET THE STANDARD FEMA REQUIREMENTS LIKE WE HAVE DONE IN THE PAST, LET'S MAKE THIS THE BEST POSSIBLE FOR THIS ERA. IT WILL LAST MUCH LONGER IN THE DECADES. AND THAT'S WHY WE HAVE GONE TO 200 YEAR AND SUCH. SO, WE HAVE TAKEN AN ADDITIONAL RESPONSIBILITY. BUT WHEN I SAY, THE TRANSLATIONS, WHAT WE HAVE HEARD TODAY THROUGH WHAT THE EXPERTS WERE SHARING WITH US, A LOT OF THAT WAS NEW FOR US, TOO. WE SAW IT IN, WE GOT -- WE'RE JUST GETTING BETTER AT HOW WE TELL THE STORY AND THE GRAPHICS, YOU KNOW, WHEN YOU TAKE THEM FROM THE TECHNICAL ENGINEERING TO THE LAYPERSON, IT OFTEN TAKES TWO OR THREE ATTEMPTS, AT LEAST ON ME, TO GET IT THROUGH TO UNDERSTANDING. AND IT IS VASTLY IMPROVED TODAY. ANOTHER AREA IS I HEARD CLEARLY FROM STEIN, THERE IS NO ROOM FOR DELAY AND HE HANDED THE JUNE '06 TO PRESENT PART. THE STAFF HAS BEEN AT THIS THREE YEARS, AT LEAST, I THINK SOMETHING LIKE THAT. IT HAS BEEN AN AMAZING AMOUNT -- TALK ABOUT STUDIES AND BOXES ON FLOORS THAT HAVE PASSED THROUGH THIS BOARD OVER THE LAST SEVERAL YEARS. AND, I CLEARLY UNDERSTAND WHAT HAS ALREADY BEEN REPEATED UP HERE THAT THE IMMENSITY OF THIS PROJECT, DAYS COUNT, HOURS COUNT. RELATIONSHIPS COUNT. AND THAT'S THE LAST PART I WOULD LIKE TO SHARE IS THAT I HAVE HEARD FROM EVERYBODY UP HERE. I HEARD IT FROM STAFF. IS THAT WE DON'T WANT A COMMUNITY DIVIDED HERE. YES, EACH COMMUNITY WE'RE TALKING ABOUT, THE RIVERSIDE RESIDENTS AND THE LANDWARD RESIDENTS. THERE IS HUGE INCONVENIENCES HERE. THEY ARE COSTLY. THEY ARE REAL. YOU KNOW, NOBODY HAS SHARED THAT MY RESIDENTS IN THE SOUTH AND NORTH NATOMAS, YOU KNOW, A LOT OF THEM ARE PRETTY STRUNG OUT ON SUB PRIME AND THEIR MORTGAGES. HOW MANY MONTHS CAN THEY ENDURE A HIGHER FLOOD INSURANCE, MANDATORY FLOOD INSURANCE, AND FOR HOW LONG BEFORE THEY MAY GO INTO FORECLOSURE OR SELL THEIR HOMES? SO BOTH SIDES ARE HIGHLY INCONVENIENCED. BOTH SIDES WILL HAVE COSTS, DIRECT COSTS TO THIS PROJECT. MY LAST POINT, AND I BELIEVE THE STAFF DID AN INCREDIBLE OUTREACH JOB ON THIS BUT I THINK THE POINT WAS -- NOT AS MUCH I DON'T THINK THE PHASING, BUT THE SEEPAGE, THIS UNDERSEEPAGE. I THINK WE HAVE ALL COME A LONG WAY IN UNDERSTANDING THE PRINCIPLES OF IT AND THEN HOW DO YOU RESOLVE IT WITH BEST PRACTICES KNOWN TODAY. AND I THINK WE STILL NEED TO GO OUT AND SHARE THAT STORY OF THE UNDERSEEPAGE IS REALLY OUR FIX. I DON'T KNOW FOR WHAT PERCENTAGE. I JUST WANT TO THANK THE RESIDENTS IN SOUTH AND NORTH NATOMAS THAT CAME OUT HERE THIS MORNING. I KNOW THEY HAD VERY LITTLE NOTICE, AND I COULDN'T SPEAK ANY MORE ELOQUENTLY THAN THEM OF THE RISKS THEY FEAR. THEY WANT THEIR VOTES TO COUNT. THEY WANT THEIR --

**CHAIR FARGO:**

- ASSESSMENTS TO COUNT.

**DIRECTOR TRETHERWAY:**

-- ASSESSMENT TO THE COUNT. AND MIRACULOUSLY THIS -- OUR STAFF BROUGHT FORWARD EARLY WORK ON THE CROSS CANAL. NOT ONLY TO SHORE UP THE CROSS CANAL, BUT WE LEARNED ABOUT THE BEST TECHNIQUES AND COST AND SUCH. SO THE BATTLE CRY I HEARD FROM STEIN IS THERE IS NO ROOM FOR DELAY. I ALSO AGREE THAT THE TECHNICAL GROUNDWORK AND ENGINEERING PLANNING IS VERY SUFFICIENT, AND ADDRESSING THE EIR AND SUCH. SO I AM VERY SUPPORTIVE. THANK YOU.

**CHAIR FARGO:**

THANK YOU, RAY.

**DIRECTOR SILVA:**

THANK YOU, THANK YOU MADAME MAYOR, CHAIR. A BIT DIFFERENT THAN OTHER FOLKS ON THIS BOARD, FOR THE LAST 20 YEARS I HAVE LIVED AT -- EAT, SLEEP AND BREATHE FLOOD CONTROL IN NORTHERN CALIFORNIA. SUTTER COUNTY IS ONE OF THOSE UNIQUE COUNTIES AND THOSE FOLKS HERE WHO ARE MY CONSTITUENTS NEED TO UNDERSTAND THAT WHERE I COME FROM WITH FLOOD CONTROL. I AM THE CHAIR CURRENTLY OF SUTTER BUTTE'S FLOOD CONTROL AGENCY WHICH IS A NEWLY FORM JPA, WHICH IS LARGER THAN THIS JPA. IT'S GOING TO ENCOMPASS 70 MILES OF PROJECT LEVEES IN CALIFORNIA. WE HAVE A DAUNTING TASK IN FRONT OF US TO FACE WITH CITIZENS WITH AN ASSESSMENT DISTRICT AND HOW ONE WILL BUILD AN ADEQUATE FUTURE FOR THE YUBA CITY BASIN. SUTTER COUNTY IS A UNIQUE COUNTY IN THAT IT HAS SIX SEPARATE FLOOD CONTROL BASINS AND EACH OF THOSE BEING UNIQUE IN THE FACT WE HAVE A DEFINED URBAN BASIN, WE HAVE DEFINED RURAL AGRICULTURAL BASINS. THIS ONE IS VERY DIFFICULT THIS MORNING FOR ME. COMING DOWN HERE AND TO THE LAST WEEK, I HAVE DONE A LOT OF SOUL SEARCHING ON THOSE OF YOU WHO LIVE ALONG THE RIVER WHO NEED TO BE ADDRESSED WITH PROPERTY RIGHTS, BECAUSE YOU'RE MY CONSTITUENTS. YOU ELECTED ME TO PUT ME THERE TO DO GOOD POLICY JUDGMENT FOR YOU AS FAR AS CITIZENS OF SUTTER COUNTY. THE URGENCY. THE URGENCY IS OF UTMOST IMPORTANCE, WE CAN'T DELAY. THERE IS NO TIME FOR DELAY IN THIS BECAUSE THE STATE, THE FEDS AND OURSELVES ARE ON A TIMELINE THAT IS UNPRECEDENTED. IT'S AN UNPRECEDENTED TIME FOR FLOOD CONTROL IN CALIFORNIA HISTORY. WE NEED TO MOVE FORWARD AND WE NEED TO BE AGGRESSIVELY MOVING FORWARD AS WE DO OUR PROJECTS. I AM SORRY TO SAY THIS MORNING THAT THOSE FOLKS WHO HAD SPEAKER CARDS FROM SUTTER COUNTY WHO WERE RESIDENTS ALONG THE RIVER GOT UP AND WALKED OUT OR ABROGATED THEIR SPEECH TO SOMEONE ELSE BECAUSE I REALLY WANTED TO HEAR FROM THEM. I HAVE RECEIVED A NUMBER OF E-MAILS FROM YOU AND HAVE TALKED WITH STAFF. I JUST WANT TO REITERATE TO YOU FOLKS THAT THE FOLKS THAT ARE IN AGRICULTURE, THE LAUPPE'S, THE BIANCIS, ALL THOSE FOLKS WHO HAVE BEEN IN AGRICULTURE FOR NUMEROUS GENERATIONS IN THE NATOMAS BASIN NEED TO BE WATCHED AND NEED TO BE LISTEND TO BECAUSE WE NEED TO PRESERVE AGRICULTURE, WHETHER IT IS IN YOUR BACKYARD IF YOU'RE A RURAL RESIDENT OF SACRAMENTO COUNTY OR YOU'RE AN URBAN RESIDENT 100 MILES AWAY FROM THE NEAREST STORE IT NEEDS TO BE PRESERVED. AND, I I HAVE A REAL NERVE RUNNING UP ONE SIDE OF MY BACK THAT SAYS I CAN'T STOP THIS CONSTRUCTION SEASON IN 2008. IT HAS TO MOVE FORWARD. THE NEXT SIDE I SAY WELL, I HAVE RESIDENTS WITH ISSUES BASED ON THEIR PROPERTY RIGHTS INSIDE THE RIVER. HOME OWNERS THAT ARE NOT DEFINED BY COUNTY LINES BEING AT SUTTER COUNTY OR SACRAMENTO COUNTY, BUT, HAVE REAL CONCERNS. AND THAT ONE INCH OF WATER I THINK WAS ONE OF THE HOMERUNS THIS MORNING FOR ME THAT SAID IF YOU GET ONE INCH OF WATER INSIDE YOUR RESIDENCE, IT REALLY CAUSES SOME PROBLEMATIC ISSUES FOR YOU. I WAS THROUGH ONE OF THOSE FLOOD EVENTS AS A YOUNG BOY IN 1955, HAD THREE OF OUR FAMILY RESIDENCES TOTALLY INUNDATED AND PROBABLY SET OUR FAMILY BACK 20 YEARS AS FAR AS ECONOMICS AND SOCIO ECONOMICS BASE IN THE COUNTY AND WHERE WE WENT FROM ALL OF THE MOVING FORWARD WITH OUR AGRICULTURAL OPERATIONS. I AM A FARMER. I HAVE FARMED FROM TEHAMA COUNTY, GLENN COUNTY, BUTTE COUNTY, COLUSA COUNTY, SUTTER, YUBA AND YOLO OVER TIME, AND UNDERSTAND THE SYSTEM BECAUSE ONE WHO FARMS, FARMS NEAR THOSE RIPARIAN CORRIDORS THAT EXIST. AND THE UNDERSEEPAGE ISSUE IS NOT SOMETHING NEW FOR ME. I HAVE KNOWN IT'S EXISTED. I KNOW HOW SEVERE IT WAS AND HOW DAUNTING A TASK IT WOULD BE FOR THE STATE TO TAKE THAT ON AND TO PERFORM. I CAN'T TELL YOU, THERE AREN'T ENOUGH ZEROS BEHIND NUMBERS TO TELL YOU WHAT IT IS GOING TO TAKE TO FIX THE LEVEE SYSTEM IN CALIFORNIA TO WHAT YOU THINK SHOULD BE ADEQUATE FOR ONE HUNRED, I HEARD SOMEONE IN HERE ASK FOR A DEFINITION OF 200 YEAR. I DON'T THINK THERE'S ANYBODY IN THIS ROOM THAT COULD GIVE US A DEFINITION OF 200 YEAR EXCEPT JOE'D GOT SOME NICE DEFINING NUMBERS THAT SHOW CURVES AND SOME ELEVATIONS OF WATER. BUT BELIEVE ME WHEN THAT CATASTROPHIC EVENT COMES DOWN THE RIVER, AND WE DO GET A BREACH IN THE SYSTEM BECAUSE IT IS DYNAMIC AND YOU ALL ARE BACK HERE IN THIS ROOM AND YOU'RE IN THAT ANTE ROOM OUT THERE OUTSIDE TRYING TO CHEW ON ME OR THIS BOARD ABOUT SOMETHING WE DIDN'T DO FOR YOU, WE'RE AT THAT POINT. AND, AGAIN, I JUST CAN'T REITERATE ENOUGH TO SAY THAT I AM DOWN HERE REPRESENTING SUTTER COUNTY. I AM DOWN HERE AS AN ELECTED OFFICIAL, BY YOU FOLKS THAT LIVE ON THAT RIVER, AND WE DON'T HAVE THE NUMBER OF HOMES ON THAT RIVER THAT YOU HAVE. I AM HERE TO REPRESENT AGRICULTURE IN THE NATOMAS BASIN AND THOSE RESIDENTS THAT LIVE IN SUTTER COUNTY. I HAVE A REAL TOUGH TIME IN HOW I AM GOING TO DO MY VOTE THIS MORNING. THE CONSTRUCTION SEASON I DON'T WANT TO STOP. PART OF THE EIR I WANT TO STOP AND VOTE NO ON AND SAY YOU KNOW JUST A BIT MORE TIME FOR YOU FOLKS TO UNDERSTAND, BECAUSE I THINK THAT IS THE PROBLEM. I DON'T WANT TO SEE A LAWSUIT BROUGHT FORWARD BECAUSE I THINK THAT IS ONLY A STOPLOG IN THE BUREAUCRATIC PROCESS IN GOVERNMENT. AND I THINK THAT IN ITSELF WILL STOP



PORTIONS OF THIS PROGRESS OF THIS PROJECT. SO I WOULD WANT YOU FOLKS THAT ARE SUTTER COUNTY RESIDENTS THAT HAVE REAL ISSUES, AND COULD I SEE THAT THERE IS DISPLACEMENT FOR THOSE FOLKS LIKE THE LAUPPE'S THAT EXIST UP IN THAT UPPER REACH NEAR VERONA? YEAH, I WOULD WANT MY HOUSE MOVED? MAYBE THAT IS A CINDER BLOCK HOME AND YOU PICK IT UP AND YOU JUST DESTROY IT. THAT DESTROYS A LOT OF US. YOU FOLKS ARE THE HEART OF THE VALLEY. YOU FOLKS ARE THE HEART OF SACRAMENTO AND SUTTER COUNTY. AND I JUST HAVE A REAL, REAL DIFFICULT TIME WITH THIS ONE AS A BOARD MEMBER AT THIS JUNCTURE IN THE GAME. AND I UNDERSTAND WHERE MY OTHER COLLEAGUES ARE COMING FROM BUT PART OF THIS I HAVE TO LOOK AT AND SAY NO TOO SO I WILL WORK THROUGH THAT AS WE GO THROUGH THIS SO THANK YOU VERY MUCH. THANK THOSE OF YOU FROM SUTTER COUNTY FOR LISTENING TO ME. BE AWARE OF THE FACT THAT I AM THERE FOR YOU WHEN YOU NEED IT. FOR ALL THOSE BASINS THAT EXIST. WE HAVE ONE NORTH OF US, WE HAVE A REPRESENTATIVE IN THE AUDIENCE FROM RD1001. THEY HAVE REAL CONCERNS ABOUT THE FACT THAT ONCE WE ARMER THAT CROSS CANAL AND THE ARMING OF THE CROSS CANAL DOESN'T HAVE THE DEFENSIBLE MECHANISM THERE FOR US TO WATCH PLACER COUNTY AND NOT LET THEM PUT ALL THEIR RURAL RUN OFF WATER DOWN ON TOP OF US. WE HAVE TO BE REALLY DILIGENT ABOUT THAT BECAUSE THAT'S GOING TO BE A PROBLEM FOR RD1001, IT'S GOING TO BE A PROBLEM FOR RD1000 IN THE FUTURE. I DON'T KNOW THAT WE FULLY ADDRESSED THAT LONG TERM. AND I SYMPATHIZE WITH OUR FOLKS ABOVE THAT. BUT AS ALL OF YOU KNOW OR DON'T KNOW, IE WAS PROVIDED FOR, FOR FLOOD PROTECTION FOR BASINS WITH POPULATIONS GREATER THAN 10,000. SO, WE HAVE GOT THOSE BASINS IN SUTTER COUNTY THAT ARE IN EXCESS OF 10,000. WE HAVE THOSE BASINS IN EXCESS OF TEN. SO WE HAVE GOT A DAUNTING TASK IN FRONT US. HOW DO WE REGIONALLY LOOK AT THIS FROM A FLOOD CONTROL PERSPECTIVE FOR SUTTER COUNTY AND MAKE IT A WORKABLE AND VIABLE ENVIRONMENT. THANK YOU.

**CHAIR FARGO:**

THANK YOU DAN. ANYONE ELSE AT THIS END WANT TO SPEAK? VIRGINIA?

**DIRECTOR MOOSE:**

WELL, JUST TO ADD MY THANKS TO STAFF. YOU HAVE WORKED VERY HARD I KNOW. THANKS TO EVERYBODY WHO CAME AND LISTEND AND SPOKE. WE HEARD YOU. WE WILL DO OUR BEST TO BE AS GOOD NEIGHBORS AS WE CAN. BUT WE DO HAVE A JOB TO DO.

**CHAIR FARGO:**

STEVE?

**DIRECTOR COHN:**

THANK YOU. FOR EVERYONE FOR YOUR ELOQUENT TESTIMONY. I WANT TO THANK OUR STAFF AND CONSULTANT TEAM FOR THEIR EXCELLENT WORK UNDER PRESSURE HERE. I AM JUST GLAD WE'RE HAVING THIS DISCUSSION, WHEN PEOPLE AREN'T 10, 15 FEET UNDER WATER. I AM READY TO VOTE.

**CHAIR FARGO:**

OKAY, THANK YOU. MR. HOLLOWAY?

**DIRECTOR HOLLOWAY:**

YEAH I WOULD LIKE TO THANK STAFF AND THE CONSULTANT TEAM AS WELL. I THINK THEY DID A GREAT JOB, ESPECIALLY TODAY ANSWERING ALL THE QUESTIONS THAT WE GOT. I WOULD LIKE TO SAY ONE THING. THE, NEW ORLEANS WAS MENTIONED. I HAD THE OPPORTUNITY TO GO TO NEW ORLEANS THIS PAST NOVEMBER AND WHAT I FOUND WAS THE PEOPLES WHOSE HOMES WERE BARELY SAVED, THEY WERE JUST ABOUT AS DAMAGED AS THE FOLKS WHO LOST THEIR HOMES BECAUSE IT TOOK WEEKS FOR THE WATER TO RECEDE. WHEN IT RECEDED THOSE PEOPLE CAME OUT AND FOUND THAT OKAY THEY STILL HAD THEIR HOUSE, THEY DIDN'T HAVE A JOB. THE GROCERY STORE WAS GONE. THEIR FAMILY AND THEIR -- MANY OF THEIR FAMILY MEMBERS, THEIR FRIENDS AND MANY OF THEIR NEIGHBORS HAD TO MOVE AWAY. IT IS A PERMANENT SITUATION. YOU SEE ENTIRE NEIGHBORHOODS BASICALLY DESTROYED WITH MAYBE A FEW HOUSES. SO I GUESS MY POINT IS, IT IS NOT ABOUT JUST SAVING OUR HOUSE. IT IS ABOUT PROTECTING THE COMMUNITY AS WELL. SO I AM IN SUPPORT OF THIS TODAY.

**CHAIR FARGO:**

MR. DICKINSON.

**DIRECTOR DICKINSON:**

ALL RIGHT, THANK YOU, MADAME CHAIR. I WANTED TO OF COURSE JOIN MY COLLEAGUES IN THANKING ALL THOSE WHOVE TAKEN THE TIME, NOT JUST TO BE HERE TODAY TO SPEAK, BUT THE LETTERS, THE E-MAILS, THE COMMUNICATIONS OF ALL KINDS HAVE BEEN IMPORTANT IN THIS PROCESS. AS I HAVE LISTENED AND READ, THE ISSUES, WHICH I HAVE DISSTILLED WHICH ARE OUTSTANDING AND DISCRETE THAT I THINK NEED TO BE THE SUBJECT OF ON GOING CONVERSATION TO RESOLUTION, ARE, PLACEMENT OF POWER POLES, THE EFFECT ON WELLS, WHAT WE DO ABOUT THE ROADWAY IN THE FINAL ANALYSIS, AND WHAT THE NATURE AND CHARACTER OF THAT ROADWAY IS IF IT IS TO CHANGE AT ALL. WHAT HAPPENS WITH DRAINAGE AND OF COURSE CONSTRUCTION, IMPACTS HOW WE PUT TO SPECIFICS WHAT WE HAVE TALKED ABOUT IN GENERAL TERMS OF MINIMIZING THE CONSTRUCTION IMPACTS. ONE PERSON JUST PARENTHETICALLY SPOKE OF IT, WHY NOT TAKE LONGER RATHER THAN SHORTER. I THINK, I SURMISE THAT MOST PEOPLE WOULD FRANKLY PROBABLY PREFER A SHORTER MORE INTENSE IMPACTIVE OF CONSTRUCTION RATHER THAN ONE THAT WAS SPREAD OUT OVER A LONGER PERIOD OF TIME. ALTHOUGH, ALTHOUGH INDIVIDUALS MAY DIFFER IN THAT REGARD. AND I THINK WE NEED TO CONTINUE TO HAVE OR DEVELOP, IF WE DON'T THINK THAT EXISTS TODAY, A SINGLE POINT OF CONTACT FOR RESIDENTS AND BUSINESS PEOPLE ALONG GARDEN HIGHWAY. IN PARTICULAR, SO THAT WE DO HAVE A CLEAR AND DIRECT CONTINUING LINE OF OPEN COMMUNICATION AND REGULAR COMMUNICATION. I WOULD EXPECT THAT WE WOULD DO THAT UNDER ANY CIRCUMSTANCES. WE HAVE DONE THAT IN THE PAST, WITH SAFCA PROJECTS AS WELL AS OTHER PROJECTS OF LOCAL GOVERNMENTAL AGENCIES HERE. THOSE ARE AS I SAID THE DISCRETE ITEMS. I WANT TO MAKE A COUPLE OF COMMENTS, FROM THE PERSPECTIVE OF THE MEMBER OF THIS BOARD WHO OUTSIDE OF SUTTER COUNTY REPRESENTS EVERYBODY WHO IS CONCERNED ABOUT THIS PROJECT, IF THEY LIVE OR WORK IN THE STRETCH ALONG GARDEN HIGHWAY IN PARTICULAR AND IN NATOMAS IN GENERAL. I WANT TO REITERATE THAT WE HAVE BEEN -- I HAVE PERSONALLY BEEN AN ADVOCATE FOR CHANGING THE OPERATION OF THE SACRAMENTO WEIR AND ADDRESSING THE FREMONT WEIR, AND I THINK THE FIRST TIME I WROTE A LETTER ON THAT SUBJECT TO THE STATE AND FEDERAL AGENCIES, WAS MORE THAN TEN YEARS AGO. I THINK THAT EITHER -- SPEAKS TO THEIR RESPONSIVENESS OR MORE MY EFFECTIVENESS, YOU CAN TAKE YOUR CHOICE IN THAT REGARD. BUT IT IS NOT AN ISSUE THAT I THINK WE'RE GOING TO GIVE UP ON. BECAUSE WE AGREE WITH THOSE OF YOU WHO THINK CHANGING THE FORMULA WITH RESPECT TO THE WEIRS WILL BE BENEFICIAL FOR THOSE WHO LIVE ALONG THE GARDEN HIGHWAY. WE HAVE USED REALLY, REFERENCED TODAY I THINK AS MUCH TO FEMA AND THE CORPS IN SOME RESPECTS AS MUCH AS A PROXY AS ANYTHING ELSE. SOME HAVE SAID WHY DO WE CARE IF WE MEET THE CORPS REQUIREMENTS OR FEMA'S REQUIREMENTS. WELL, IN THE ABSTRACT PERHAPS WE DON'T. BUT IN THE REAL WORLD, WE HAVE TO. AND WE HAVE TO BECAUSE TO NOT DO SO, CARRIES WITH IT ENORMOUS SOCIAL ENVIRONMENTAL AND ECONOMIC CONSEQUENCES FOR ALL OF US. FOR ALL OF US, WHEREVER WE LIVE, WHEREVER WE WORK. AND NOT JUST IN THE NATOMAS BASIN BUT IN SACRAMENTO IN GENERAL. THE REASON I THOUGH, SAY IT, IT SERVES TO A CERTAIN EXTENT AS A PROXY, IS BECAUSE IT'S REALLY FOR US IN SOME RESPECTS A SHORT HAND SAYING OF WE NEED TO MEET THESE STANDARDS AT THE MINIMUM TO SATISFY THESE AGENCIES TO PROTECT OURSELVES. I THINK ABOUT IT IN THE SAME WAY, WHEN WE TALK IN THE AIR QUALITY CONTEXT ABOUT SATISFYING THE EPA, OR THE STATE AIR RESOURCES BOARD, OR THE CLEAN AIR ACT REQUIREMENTS, BUT WHAT WE'RE REALLY TALKING ABOUT IS, OUR FIRST AND FUNDAMENTAL RESPONSIBILITY AND NECESSITY WHICH IS TO PROTECT PUBLIC HEALTH, WHETHER IT IS THE AIR WE BREATHE OR THE THREAT FROM FLOODING. WHAT WE'RE REALLY TALKING ABOUT IS PROTECTING OUR COMMUNITY'S PUBLIC HEALTH. AND I THINK AS OTHERS HAVE WELL AND REPEATEDLY SAID, WE CAN'T IGNORE THAT. WE WOULD BE IRRESPONSIBLE, SIMPLY PUT, IRRESPONSIBLE FOR US, IF WE DIDN'T TAKE THAT AS SERIOUSLY AND AS IMMEDIATELY AS POSSIBLE. THERE IS ALSO COMMENT MADE ABOUT TAKING A REGIONAL APPROACH. THE MAYOR SPOKE TO THAT WITH RESPECT TO THE COMPOSITION OF THIS BODY. I JUST WANED TO ADD ONE NOTE. I JUST FINISHED TWO YEARS OF CHAIRING A FLOOD PROTECTION TASK FORCE OF THE STATE ASSOCIATION, CALIFORNIA STATE ASSOCIATION OF COUNTIES, MR. SILVA ALSO PARTICIPATED IN THAT EFFORT AS DID MEMBERS FROM THE YOLO COUNTY BOARD OF SUPERVISORS, AND UPSTREAM OF US AND THROUGHOUT THE STATE. THE IMPORTANCE OF THAT IS, THAT WE WERE VERY MUCH IN THE MIDST OF THIS DEBATE WHICH LED TO THE LEGISLATION THAT NOW CALLS FOR THE DEVELOPMENT OF A STATE PLAN OF FLOOD PROTECTION. BY 2015, IF I RECALL THE YEAR. BUT IT WAS SIMPLY REFLECTIVE OF THE REGIONAL APPROACH THAT WE HAVE CONSISTENTLY TAKEN, BOTH FROM THIS POSITION AS SAFCA BOARD MEMBERS AS WELL AS I THINK HERE IN THE SACRAMENTO REGION RECOGNIZING THE THAT THIS ENTIRE SYSTEM HAS TO FUNCTION, THAT WAY. IN ORDER TO GIVE US ALL FLOOD PROTECTION, THAT IS NECESSARY. IT WOULD BE OBVIOUSLY AT LEAST DISINGENOUS IF NOT FOOLISH FOR US TO SUGGEST THAT THERE WON'T BE IMPACTS TO PEOPLE AS A RESULT OF THIS PROJECT. TO ME, THE MOST IMPORTANT QUESTION HAS ALWAYS BEEN, WHAT WILL BE THE IMPACT OF THOSE WHO HAVE HOMES PARTICULARLY ON THE RIVERSIDE OF THE LEVEE. WITH REGARD TO POSSIBLE INCREASED EXPOSURE TO FLOODING vs. WHAT THEY FACE TODAY. AND I AM PERSUADED, IF I WERE NOT PERSUADED, I WOULDN'T SUPPORT WHAT WE'RE GOING TO DO TODAY. BUT I AM PERSUADED THAT WE ARE NOT GOING TO

AFFECT THE LEVEL IN THE RIVER AS A RESULT OF THIS WORK. THEREFORE, I CONCLUDE THAT WE ARE NOT TRADING OFF THE WELFARE OF THOSE WHO LIVE ON THE RIVERSIDE FOR THE BENEFIT OF THOSE WHO LIVE ON THE LEVEE SIDE. NOW IT IS OUR RESPONSIBILITY, AS TIME GOES ON, TO MAKE SURE THAT THAT CONCLUSION IS REALIZED. AND I HAVE CONFIDENCE THAT WE WILL BE ABLE TO DO THAT. IF I DIDN'T HAVE THAT CONFIDENCE, I WOULDN'T SUPPORT MOVING FORWARD TODAY. WE HAVE HEARD MENTIONED THAT KATRINA IS THE REASON WE'RE DOING WHAT WE'RE DOING. WE HAVE BEEN AT THIS A LOT LONGER THAN THAT. THE MAYOR HAS SAT ON THIS BOARD SINCE ITS INCEPTION IN 1989. I HAVE BEEN HERE FOR -- IN MY 14th YEAR. OTHER MEMBERS -- SOME OTHER MEMBERS HAVE BEEN HERE NEARLY AS LONG. WE HAVE BEEN WORKING AT FLOOD CONTROL FOR A LONG TIME. LONG BEFORE THE REST OF THE NATION, AND FRANKLY SOME IN OUR OWN COMMUNITY WOKE UP TO THE THREAT WE FACE THAT KATRINA CAPTURED SO DRAMATICALLY. BUT WHAT KATRINA HAS DONE, I THINK FOR ALL OF US, HAS INCREASED OUR SENSE OF URGENCY THAT YOU HAVE HEARD OTHERS SPEAK ABOUT WITH RESPECT TO THE WORK WE'RE DOING. WE DO NOT HAVE TIME TO SIT BY AND WAIT WITH THE HOPE AND THE PRAYER THAT THE SUN STAYS OUT AND THE CLOUDS STAY AWAY. WE HAVE TO ACT. AND I DON'T VIEW THIS ACTION TODAY ACTUALLY AS BEING EITHER RUSHED OR PRECIPITOUS. I HAVE BEEN IN DISCUSSIONS WITH STAFF AND RESIDENTS OUT IN THE GARDEN HIGHWAY AREA FOR SEVERAL YEARS. THIS IS NOT THE FIRST TIME WE HAVE TALKED ABOUT THE NECESSITY TO RAISE LEVEES AND, IN THIS VICINITY. ADMITTEDLY IT HAS BECOME CRYSTALLIZED NOW FOR MANY WHO -- FOR WHOM IT PERHAPS WAS SIMPLY AN ACADEMIC DISCUSSION IN THE PAST. IT HAS BECOME MORE REAL. BUT THAT IS EXACTLY WHAT IT IS. IT IS REAL. AND WHAT IS PARTICULARLY REAL IS THE NEED, THE NECESSITY, THE ABSOLUTE INDISPENSIBILITY OF INCREASING OUR LEVEL OF FLOOD PROTECTION IN THIS COMMUNITY AND IN THIS AREA. SO, I TOO, WILL JOIN IN SUPPORTING THE MOTION. NOT OUT OF A SENSE OF SACRIFICING SOME, FOR THE BENEFIT OF OTHERS, BUT OUT OF THE SENSE THAT WE CAN PROTECT ALL OF US, WHILE ADDRESSING AS WELL AS POSSIBLE THE CONCERNS THAT HAVE BEEN LEGITIMATELY RAISED AND WITHOUT ENDANGERING ANYONE. TO A GREATER EXTENT THAN THEY ALREADY ARE SO THAT SOME OF US ARE MORE SAFE. THANKS.

**CHAIR FARGO:**

THANK YOU, ROGER. WELL, THERE HAS BEEN A LOT OF ELOQUENCE IN THE ROOM TODAY NOT ONLY FROM THE AUDIENCE BUT FROM THE SAFCA BOARD AS WELL AS THE STAFF. I DON'T HAVE A LOT TO ADD TO WHAT HAS BEEN SAID OTHER THAN TO SAY I AGREE WITH ALMOST EVERYTHING THAT HAS BEEN SAID. AS SOMEONE WHO'S FLOOD INSURANCE RATES WILL DOUBLE OR TRIPLE NEXT YEAR FOR THE NEXT SEVERAL YEARS AGAIN, THAT IS SOMETHING WHICH IS OF CONCERN TO A LOT OF PEOPLE WHO DID NOT SPEAK TODAY, IS THEIR OWN PERSONAL ECONOMIC IMPACT. I DO AGREE WITH ROGER THAT THE IMPACTS, AND I THINK WITH STAFF AND THE BOARD AS WELL, TO THE GARDEN HIGHWAY RESIDENTS WHILE THEY WILL BE SHORT TERM, MANY OF THEM CAN BE IN FACT MITIGATED. I THINK A LOT OF ADDITIONAL SPECIFIC CONCERNS THAT CAME UP TODAY CAN BE ADDRESSED AS WE PROCEED, AND WILL BE. AND IN TERMS OF THE COMMUNICATION ISSUE, I DO THINK WE NEED TO IMPROVE THAT SOMEWHAT. I DO WANT TO SAY HOWEVER, COMMUNICATION IS ALWAYS A TWO-WAY THING. FOR THOSE OF US WHO HAVE HAD TO DEAL WITH IT BECAUSE OF LIVING BEHIND LEVEES ON ONE SIDE OF THE LEVEE, WE MAYBE HAVE STAYED IN TOUCH MORE THAN PEOPLE WHO DIDN'T HAVE THAT CONCERN WHO DIDN'T NEED TO WORRY ABOUT THAT AND FOCUSED MORE ON WHETHER THE SACRAMENTO WEIR WAS RAISED OR LOWERED OR WHETHER RELEASES WERE COMING OUT OF ONE OF THE DAMS. BUT THIS IS SOMETHING WE'RE ALL IN TOGETHER. EVER SINCE I MOVED TO SACRAMENTO, I HAVE ALWAYS THOUGHT HOW WONDERFUL IT WOULD BE TO LIVE ON THE GARDEN HIGHWAY. I STILL THINK THAT. I STILL THINK AFTER THIS PROJECT IT WILL BE WONDERFUL TO LIVE ON THE GARDEN HIGHWAY. BUT I WOULDN'T WANT TO LIVE ON THE GARDEN HIGHWAY IF THE NATOMAS BASIN WAS FLOODED. SO IT -- TO ME, THERE IS A RELATIONSHIP HERE BETWEEN THESE COMMUNITIES THAT THIS PROJECT IS TRYING TO ADDRESS. SO I THINK THAT -- AND I HAVE READ THROUGH A LOT OF EIRs. WE HAVE ALL BEEN INVOLVED IN A LOT OF DIFFERENT EIRs FOR MANY, MANY PROJECTS, AND VERY FEW HAVE HAD THIS KIND OF DEPTH OF INPUT TO MAKE SURE THAT WE HAVE THE RIGHT INFORMATION, BOTH FROM THE CONSULTANTS POINT OF VIEW AS WELL AS FROM THE COMMUNITY'S POINT OF VIEW. SO, I AM READY TO VOTE ON IT AS WELL. AND I DO THINK IT IS URGENT. AND I THINK WE'RE READY. YOU HAVE A GOOD EIR. WE'RE READY TO MOVE TO THE NEXT STEP. WITH THAT, I THINK I WILL GO AHEAD AND JUST CALL ALL THOSE IN FAVOR TO SAY AYE AND WE'LL --

**DIRECTOR MOOSE:**

DO WE HAVE A SECOND? I MOVED IT.

**CHAIR FARGO:**

YES. MR. TRETHERWAY WAS THE SECOND I BELIEVE. SO, WITH THAT ALL IN FAVOR, AND I AM ASSUMING THE RESOLUTION IS FOR BOTH A AND B. IT'S O0 DASH 105, JUST TO CLARIFY. SO, ALL IN FAVOR PLEASE SAY AYE.

**ALL:**  
AYE.

**CHAIR FARGO:**  
ANY OPPOSED?

**DIRECTOR SILVA:**  
YOU'RE ALL GOING TO HATE ME FOR THIS, NO.

**CHAIR FARGO:**  
OKAY. ANY ABSTENTIONS? WE UNDERSTAND AND WE WILL CONTINUE TO WORK WITH YOU AND GO FROM THERE. THANK YOU ALL WHO ARE HERE FOR THIS ITEM. WE WILL BE IN TOUCH, OBVIOUSLY. AND THERE IS A LOT MORE TO COME IN MONTHS AND YEARS UNFORTUNATELY AHEAD. WE LOOK FORWARD TO WORKING WITH YOU. THANK YOU AGAIN FOR YOUR COMMENTS AND FOR THE SAFCA BOARD WE STILL DO HAVE A FEW ITEMS LEFT ON OUR AGENDA WHICH WE WILL GET THROUGH QUICKLY.

**MR. WASHBURN:**  
VERY IMPORTANT.

**CHAIR FARGO:**  
EXCUSE ME, BUT WE DO HAVE MORE WORK TO DO. IF THOSE OF YOU THAT ARE HERE, NOT FOR THE NEXT ITEMS, COULD YOU STEP OUT INTO THE BEAUTIFUL LOBBY AND HAVE YOUR CONVERSATIONS THERE, WE WOULD APPRECIATE IT. AND WITH THAT, I AM GOING TO ASK THE CLERK TO CALL THE NEXT ITEM SO WE CAN PROCEED.

**VICE-CHAIR PETERS:**  
IN YOUR LOUD VOICE.

**CHAIR FARGO:**  
YES, IN A LOUD VOICE.

**CLERK:**  
OKAY. ITEM 2. RESOLUTION NUMBER 07-106, APPROVING PURCHASE OF REAL PROPERTY AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A PURCHASE AND SALE AGREEMENT WITH DUNMORE HOMES, INC. REGARDING SACRAMENTO APN 201-0120-031.

**CHAIR FARGO:**  
OKAY. WE HAVE A STAFF REPORT ON THIS WHICH WE HAVE ALL READ. AGAIN, AUDIENCE -- PLEASE STEP OUTSIDE WITH YOUR CONVERSATIONS. YOU CAN REMAIN IN THE ROOM QUIETLY. MY -- IS THERE ANYBODY ON THE BOARD WHO WOULD LIKE TO HAVE A STAFF REPORT OR HAS QUESTIONS?

**DIRECTOR MOOSE:**  
I WILL MOVE THIS.

**CHAIR FARGO:**  
OKAY, THANK YOU FOR THAT MOTION.

**DIRECTOR TRETHERWAY:**  
SECOND.

**CHAIR FARGO:**  
AND FOR THAT SECOND. I HAVE NO ONE SIGNED UP TO SPEAK ON THIS ITEM. SO WITH THAT ALL IN FAVOR OF THE MOTION PLEASE SAY AYE.

**ALL:**  
AYE

**CHAIR FARGO:**

ANY OPPOSED OR ABSTENTIONS? OKAY. MOTION PASSES. THANK YOU. WE HAVE A CONSENT CALENDAR, ITEMS THREE THROUGH SIX --

**VICE-CHAIR PETERS:**  
MOVE THE CONSENT.

**DIRECTOR CHRISTOPHEL:**  
SECOND.

**CHAIR FARGO:**  
WE HAVE A MOTION AND SECOND FOR CONSENT CALENDAR. ANY QUESTIONS?

**DIRECTOR DICKINSON:**  
AYE

**CHAIR FARGO:**  
ALL IN FAVOR PLEASE SAY AYE.

**ALL:**  
AYE.

**CHAIR FARGO:**  
ANY OPPOSED. OKAY. MR. EXECUTIVE DIRECTOR, WOULD IT SUFFICE FOR US TO READ YOUR REPORT?

**MR. BUER:**  
THAT WOULD PLEASE ME GREATLY.

**CHAIR FARGO:**  
THANK YOU VERY MUCH. WE DO APPRECIATE THAT.

**VICE-CHAIR PETERS:**  
GOOD ANSWER.

**CHAIR FARGO:**  
AND COULD WE PASS THEN ON THE INFORMATION ITEM AS WELL.

**MR. BUER:**  
YEAH, SAME THING. IT'S JUST LETTING YOU KNOW.

**CHAIR FARGO:**  
GREAT.

**DIRECTOR DICKINSON:**  
GOOD IDEA.

**CHAIR FARGO:**  
THANK YOU FOR THAT INFORMATION. IS THERE ANYTHING ELSE TO COME BEFORE THE BOARD TODAY? IF NOT, THANK YOU ALL FOR GIVING SO MUCH OF YOUR TIME TODAY FOR THIS VERY IMPORTANT HEARING. AND WITH THAT WE'RE ADJOURNED.

**DIRECTOR MOOSE:**  
THANK YOU MADAME CHAIRMAN.

## **LIST OF PRESENTERS/ SPEAKERS**

### **SAFCA STAFF**

STEIN BUER, EXECUTIVE DIRECTOR  
TIM WASHBURN, AGENCY COUNSEL  
CHARLENE GRZECZKOWSKI, CLERK OF THE BOARD

### **SAFCA CONSULTANTS**

JOE COUNTRYMAN, MBK ENGINEERS  
CHRIS KRIVANEC, HDR ENGINEERING  
STEVE CHAINEY, EDAW, INC.  
ANDREW SCHWARTZ, SHUTE, MIHALY & WEINBERGER  
BARBARA GUALCO, GUALCO CONSULTING

### **SAFCA BOARD OF DIRECTORS**

MAYOR HEATHER FARGO, CHAIR  
ROGER DICKINSON, BOARD MEMBER  
SUSAN PETERS, VICE-CHAIR  
DON NOTTOLI, BOARD MEMBER  
DAN SILVA, BOARD MEMBER  
JIMMIE YEE, BOARD MEMBER  
DAVID CHRISTOPHEL, BOARD MEMBER  
JOHN SHIELS, BOARD MEMBER  
VIRGINIA MOOSE, BOARD MEMBER  
RAY TRETHERWAY, BOARD MEMBER  
STEVE COHN, BOARD MEMBER  
BRIAN HOLLOWAY, BOARD MEMBER

### **MEMBERS OF THE PUBLIC**

PAUL DEVEREUX, RD1000  
ROB BALL, RIO LINDA UNION SCHOOL DISTRICT  
WILLIAM QUAGLIA, RIVER OAKS COMMUNITY  
ASSOC.  
JUANITA CARRANCO, GARDENLAND  
NEIGHBORHOOD ASSOCIATION  
MATT MAHOOD, SACRAMENTO METRO CHAMBER  
HEINZ LUDKE, NATOMAS CHAMBER OF COMMERCE  
MICHAEL AULT, DOWNTOWN PARTNERSHIP  
KAREN WILSON, IN MAGAZINE  
LINDA HOVIS, 2236 HOWSLEY RD, PLEASANT GROVE  
BURTON LAUPPE, 11000 GARDEN HIGHWAY  
CAROLYN LANGENKAMP, 10533 GARDEN HIGHWAY  
CHUCK KELLEY, 10215 GARDEN HIGHWAY  
ROLAND CANDEE, 10411 GARDEN HIGHWAY  
BILL YEATES, ATTORNEY REPRESENTING GARDEN  
HIGHWAY COMMUNITY ASSN.  
PATRICK TULLY, 3067 GARDEN HIGHWAY  
DAVID INGRAM, 7045 GARDEN HIGHWAY  
MATT BREESE, 6598 GARDEN HIGHWAY

JEFF SCHNEIDER, 6409 GARDEN HIGHWAY  
JUDITH LAMARE, FRIENDS OF THE SWAINSON'S  
HAWK  
JIM PACHL, FRIENDS OF THE SWAINSON'S HAWK  
KEITH SHARWARD, 140 CAFARO CIRCLE,  
SACRAMENTO  
DODIE NEWMAN, 9 PRADO COURT, SACRAMENTO  
STEVE ARDITTI, 3107 GARDEN HIGHWAY  
JOHN TORGERSON, 2271 GARDEN HIGHWAY  
GIBSON HOWELL, 3551 GARDEN HIGHWAY  
MANUEL JARDIN, 4233 GARDEN HIGHWAY  
BOBBIE BURNS, 10621 GARDEN HIGHWAY  
BILL BURNS, 10621 GARDEN HIGHWAY  
CHRIS BARABINO, 5871 GARDEN HIGHWAY  
(SWABBIE'S RESTAURANT)  
AMY HIGUERA, RAMIE, THOMAS, MOOSE  
STAN STEWART, 3077 GARDEN HIGHWAY  
CHRIS RUFER, 4140 GARDEN HIGHWAY  
ED BIANCHI, 7050 GARDEN HIGHWAY