

**Meeting of the Central Valley Flood Protection Board
May 20, 2016**

Staff Report – Encroachment Permit

**San Joaquin Facilities Management, Inc.
Centennial Corridor Project, Kern County**

1.0 – ITEM

Consider approval of Permit No. 19074 (Attachment B).

2.0 – APPLICANT

San Joaquin Facilities Management, Inc.

3.0 – LOCATION

The project is located approximately 800-feet northeast of the intersection of Westside Parkway and Truxtun Avenue in the City of Bakersfield. (Attachment A).

4.0 – PROJECT DESCRIPTION

To authorize an existing petroleum oil pipeline under the Kern River Designated Floodway (DF) that will be abandoned to accommodate a new proposed bridge; to install a new 24-inch diameter high density polyethylene (HDPE) casing pipeline that will house four (4) inner three inch diameter pipelines using the horizontal direction drilling (HDD) method under the Kern River DF.

5.0 – AUTHORITY OF THE BOARD

California Water Code § 8534, 8590 – 8610.5, and 8700 – 8710

California Code of Regulations (CCR), Title 23 (Title 23):

- § 6, Need for a Permit

- § 13, Evidentiary Hearings
- § 112, Streams Regulated and Nonpermissible Work Periods
- § 123, Pipelines, Conduits, and Utility Lines
- § 124, Abandoned Pipelines and Conduits

6.0 – PROJECT ANALYSIS

The proposed petroleum oil pipeline project is part of the Centennial Corridor Project. The Centennial Corridor Project intends to provide route continuity and associated traffic congestion relief along State Route 58 from Cottonwood Road to Interstate 5 within the City of Bakersfield and Kern County.

The Centennial Corridor Project includes three features that will encroach into the Kern River DF: a new petroleum oil pipeline, a new Kern River Bridge (Bridge No. 50C-0357J), and the widening of the existing EB Westside Parkway Bridge (Bridge No. 50C-0357S). The features have been divided into three separate permit applications to simplify the review process and to better track future modifications to these features. The oil pipeline has been assigned 19074, the new Kern River Bridge has been assigned 19077, and the widening of EB Westside Parkway Bridge has been assigned 18571-1.

The purpose of this oil pipeline project (Permit No. 19074) is to accommodate the construction of the new Kern River Bridge that will cross the Kern River DF. A 100-foot section of the existing 780-foot petroleum oil pipeline will be removed to allow for construction of the Kern River Bridge column and the remainder of the pipeline will be abandoned in-place by removing interior pipes within the existing pipe casing and filling the remaining pipe casing with concrete. A new 24-inch diameter HDPE pipeline casing will be installed approximately 50-feet upstream of the existing pipeline. Four smaller HDPE pipelines, 3-inch diameter each, will be routed through the new HDPE pipe casing. The 24-inch diameter pipeline will be installed using the HDD method and will tie into the existing oil pipeline vaults where closure valves are located (Attachment C). The project is located within the Kern River DF that was adopted by the Reclamation Board (now Central Valley Flood Protection Board) on April 19, 1976. The Kern River is also a Regulated Stream per Title 23; there are no Federal flood risk reduction project levees or channels involved. The HDD entry and exit locations of the new pipeline will be

located outside of the Kern River DF. The proposed work complies with all applicable Title 23 standards.

6.1 – Hydraulic Analysis

The new 24-inch diameter HDPE casing pipeline will be placed a minimum of 20-feet below the Kern River Channel. Due to the placement depth of the pipeline, there will be no adverse hydraulic impacts to the Kern River channel. As such, a hydraulic analysis was not required for this project.

6.2 – Geotechnical Analysis

The scope of the project does not require a geotechnical analysis since the project is located only within the Kern River DF with no Federal Flood Control Project levees.

7.0 – AGENCY COMMENTS AND ENDORSEMENTS

The comments and endorsements associated with this project, from all pertinent agencies are shown below:

- The City of Bakersfield Water Resources Department endorsed the project without conditions on December 28, 2015.
- The U.S. Army Corps of Engineers 33 USC 408 decision letter has been received for this application. The Sacramento District of the USACE has determined that the proposed work does not affect a Federally constructed project, subject to conditions. The letter is incorporated into the permit as Exhibit A.

8.0 – CEQA ANALYSIS

Board staff has prepared the following California Environmental Quality Act (CEQA) findings:

The Board, acting as a responsible agency under CEQA, has independently reviewed the Centennial Corridor Project Draft Environmental Impact Report (DEIR) (SCH No. 2008091102, May 2014) and Final Environmental Impact Report (FEIR) (SCH No. 2008091102, December 2015) and Mitigation Monitoring and Reporting Plan (MMRP) submitted by the lead agency Department of Transportation (Caltrans (incorporated

herein by reference) . These documents, including project design and the MMRP, may be viewed or downloaded from the Central Valley Flood Protection Board website at <http://www.cvfpb.ca.gov/meetings/2016/05-20-2016.cfm> under a link for this agenda item. The documents are also available for review in hard copy at the Board and Caltrans offices.

Caltrans, as the lead agency, determined that the project described in the FEIR would have a significant effect on the environment on December 9, 2015 (including Findings, Impacts and Mitigation Measures, Statement of Overriding Considerations) and filed a Notice of Determination with the State Clearinghouse on December 10, 2015. Based on its independent review of the FEIR, the Board finds that although the proposed project could have a potentially significant effect on the environment, revisions have been made to the project and/or agreed to by the project proponent that reduce the environmental impacts to less than significant. The Board finds that there are no direct or indirect environmental effects of the pipeline work which have not been previously addressed by the DEIR or the FEIR. Caltrans found that significant and unavoidable impacts may occur from aesthetics, land use and planning, and noise, however these impacts are not related to the proposed pipeline described above. Pursuant to CEQA, the Board as a responsible agency is responsible for mitigating and avoiding only the direct and indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve [CEQA Guidelines Section 15096(g); Public Resources Code § 21002.1(d)].

The project proponent has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where no significant impacts will occur. Moreover, such changes or alterations are within the responsibility and jurisdictions of another public agency, Caltrans, and such changes have been adopted by that agency. These mitigation measures are included in the project proponent's FEIR and address impacts to biological resources, hazards, cultural resources, and public services. The description of the mitigation measures are further described in the certified FEIR.

The documents and other materials which constitute the record of the Board's proceedings in this matter are in the custody of Leslie Gallagher, Executive Officer, Central Valley Flood Protection Board, 3310 El Camino Ave., Rm. 151, Sacramento, California 95821.

9.0 – SECTION 8610.5 CONSIDERATIONS

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on facilities of the State Plan of Flood Control (SPFC), and consistency of the proposed project with the Central Valley Flood Protection Plan (CVFPP) as adopted by Board Resolution 2012-25 on June 29, 2012:

The proposed HDPE casing pipeline will be installed using the HDD method and will be a minimum of 20-feet below the bottom of the Kern River channel; therefore, the proposed project is expected to result in no adverse effect on any SPFC and is consistent with the CVFPP.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

The proposed pipeline will be located deep enough that it will not be affected by potential scouring of the river bottom in future high water events; therefore, there are no expected adverse effects to the proposed project from reasonable projected future events.

10.0 – STAFF RECOMMENDATION

Staff recommends that the Board:

Adopt:

- The CEQA findings;

Approve:

- Draft Encroachment Permit No. 19074 in substantially the form provided, conditioned upon receipt of a U.S. Army Corps of Engineers comment letter indicating that the District Engineer has no objection to the project, subject to conditions, and;

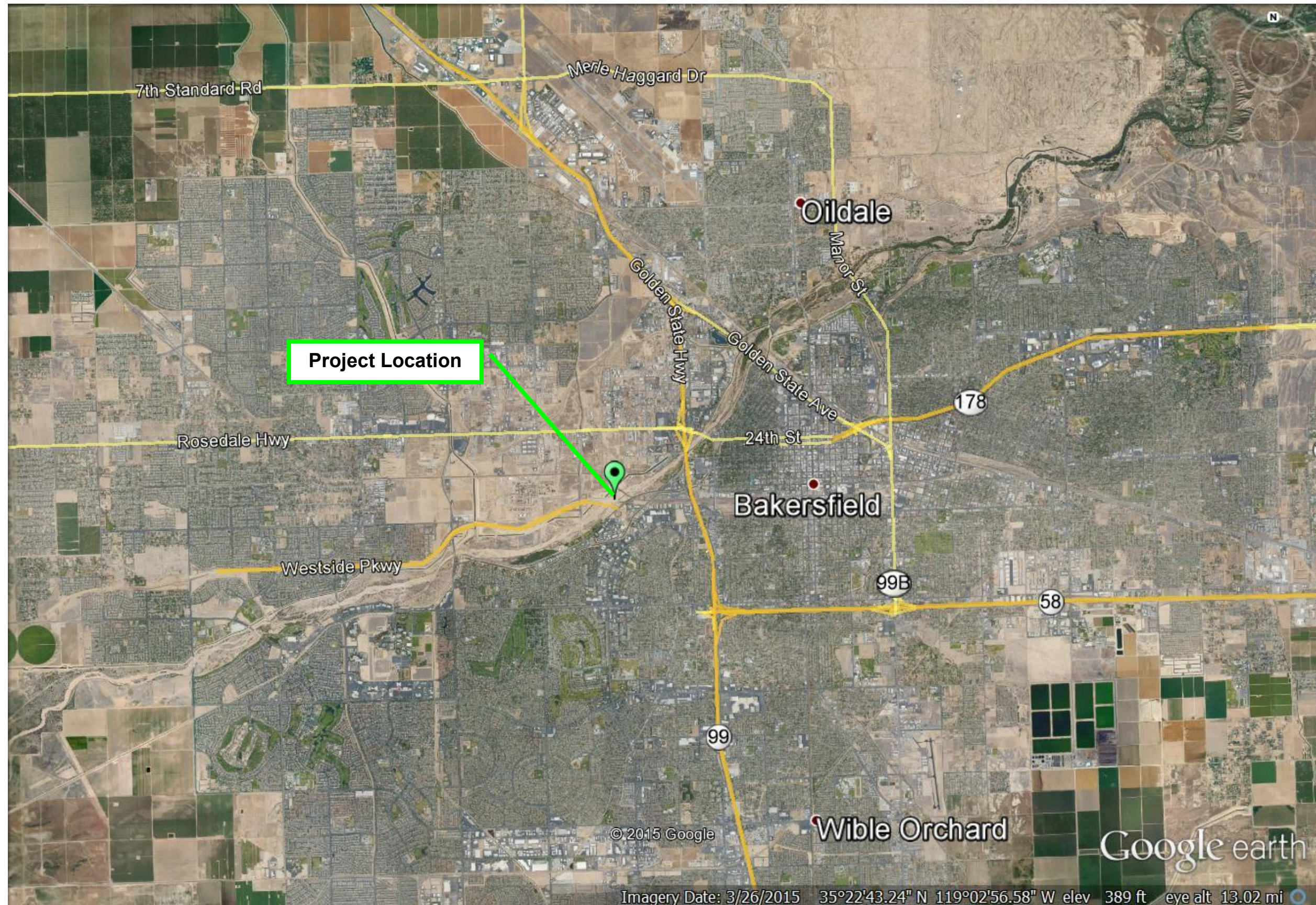
Direct:

- The Executive Officer to take the necessary actions to execute the permit and file a Notice of Determination pursuant to CEQA with the State Clearinghouse.

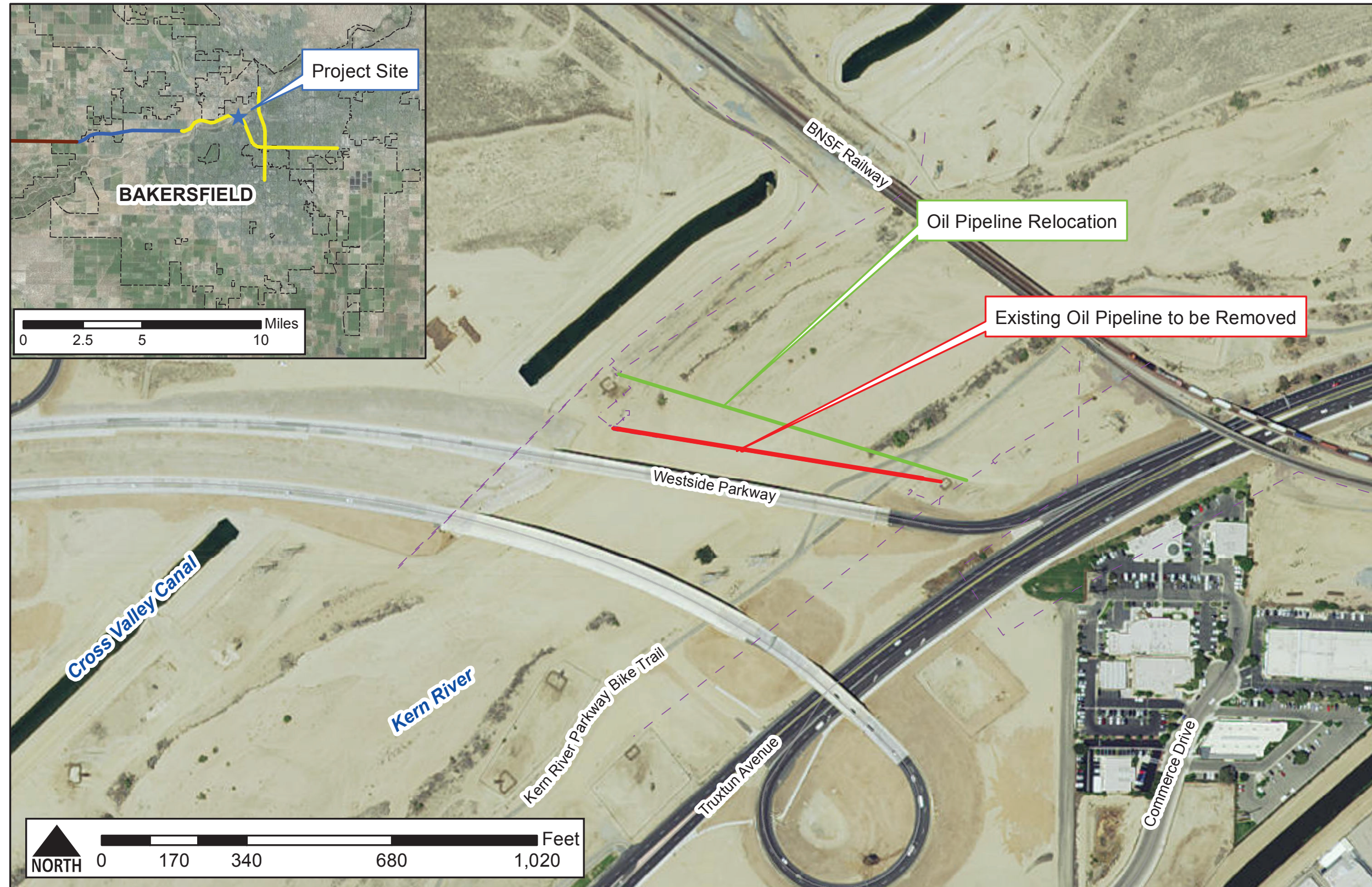
11.0 – LIST OF ATTACHMENTS

- A. Location Maps
- B. Draft Permit No. 19074
- C. Construction Plans

Design Review:	Mike Thao, Engineer, Water Resources, Permitting Section
Environmental Review:	James Herota, Senior Environmental Scientist (Specialist)
Document Review:	Gary Lemon, P.E., Chief Permitting Section
	Mitra Emami, P.E., Operation Branch Chief
Legal Review:	Kanwarjit Dua, Board Counsel







Data Source: Parsons 2015 Created On: 10/27/2015

Oil Pipeline Relocation, Removal, Abandonment

Centennial Corridor Project

Site Location and Vicinity

Legend

★ Project Location — Segment 1 — Segment 2 — Segment 3

□ Bakersfield City Limits - - - Existing Oil Lines — Pipeline Relocation — Existing to be Removed

DRAFT

STATE OF CALIFORNIA
THE RESOURCES AGENCY
THE CENTRAL VALLEY FLOOD PROTECTION BOARD

PERMIT NO. 19074 BD

This Permit is issued to:

San Joaquin Facilities Management, Inc.
4520 California Avenue, Suite 300
Bakersfield, California 93309

To abandon an existing 780-foot petroleum oil pipeline; to remove approximately 100-feet of the existing pipeline to accommodate a proposed bridge column, to install by horizontal directional drill (HDD) a new 24-inch diameter high-density polyethylene (HDPE) casing pipeline with four inner pipelines (3-inch diameter each) under the Kern River Designated Floodway in the City of Bakersfield.

The project is located slightly northeast of the intersection of Westside Parkway and Truxtun Avenue in the City of Bakersfield. (Section 27, T29S, R27E, MDB&M, City of Bakersfield Water Resources Dept., Kern River, Kern County).

NOTE: Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project as described above.

(SEAL)

Dated: _____

Executive Officer

GENERAL CONDITIONS:

ONE: This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

TWO: Only work described in the subject application is authorized hereby.

THREE: This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

FOUR: The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and The Central Valley Flood Protection Board.

Attachment B

FIVE: Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of The Central Valley Flood Protection Board.

SIX: This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 days' notice.

SEVEN: It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

EIGHT: This permit does not establish any precedent with respect to any other application received by The Central Valley Flood Protection Board.

NINE: The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

TEN: The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

ELEVEN: The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

TWELVE: Should any of the work not conform to the conditions of this permit, the permittee, upon order of The Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

SPECIAL CONDITIONS FOR PERMIT NO. 19074 BD

LIABILITY AND INDEMNIFICATION

THIRTEEN: The permittee is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California; including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

FOURTEEN: The permittee is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the Central Valley Flood Protection Board and the "State," safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

FIFTEEN: The Central Valley Flood Protection Board, Department of Water Resources, and the City of Bakersfield Water Resources Department shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.

AGENCY CONDITIONS

SIXTEEN: All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

SEVENTEEN: No construction work of any kind shall be done during the flood season from November 1st to July 15th without prior approval of the Central Valley Flood Protection Board.

EIGHTEEN: The permittee shall comply with all conditions set forth in the letter from the Department of the Army (U.S. Army Corps of Engineers, Sacramento District) dated February 4, 2016 which is attached to this permit as Exhibit A and is incorporated by reference.

NINETEEN: Permittee shall pay to the CVFPB, an inspection fee to cover inspection cost(s), including staff and/or consultant time and expenses, for any inspections before, during, post-construction, and regularly thereafter as deemed necessary by the CVFPB.

PRE-CONSTRUCTION

TWENTY: Upon receipt of a signed copy of the issued permit the permittee shall contact the Central Valley Flood Protection Board by telephone at (916) 574-0609, and submit the enclosed postcard, to schedule a preconstruction conference with the inspector that is assigned to your project. Failure to do so at least 10 working days prior to start of work may result in a delay of the project.

CONSTRUCTION

TWENTY-ONE: Concrete backfill for abandoned pipes shall be at least a 3-sack cement mix with 6- to 8-inch slump and all aggregate smaller than the 3/8-inch sieve. Only the minimum pressure needed to fill the pipe with concrete shall be applied.

TWENTY-TWO: In the event the abandoned pipe becomes exposed due to erosion, the permittee shall repair the erosion or remove the abandoned pipe as requested by the authorized representative of the Central Valley Flood Protection Board, Department of Water Resources, or any other agency responsible for maintenance.

TWENTY-THREE: Backfill material for excavations shall be placed in 4- to 6-inch layers and compacted to at least the density of the adjacent, firm, undisturbed material.

POST-CONSTRUCTION

TWENTY-FOUR: The project area shall be restored to at least the condition that existed prior to commencement of work.

TWENTY-FIVE: Upon completion of the project, the permittee shall submit as-constructed drawings to: Department of Water Resources, Flood Project Inspection Section, 3310 El Camino Avenue, Suite 256, Sacramento, California 95821.

TWENTY-SIX: The pipeline shall be tested and confirmed free of leaks by X-ray, pressure tests, or other approved methods during construction or anytime after construction upon request by the Central Valley Flood Protection Board.

OPERATIONS AND MAINTENANCE

TWENTY-SEVEN: The permittee shall maintain the permitted encroachment(s) and the project works within the utilized area in the manner required and as requested by the authorized representative of the Central Valley Flood Protection Board, Department of Water Resources, the City of Bakersfield Water Resources Department, or any other agency responsible for maintenance and shall, at all times, allow officials from these agencies to access the levee, levee slope, and any adjacent areas as necessary for flood control, including by providing access to any gates for inspections and levee patrols.

PROJECT ABANDONMENT / CHANGE IN PLAN OF FLOOD CONTROL

TWENTY-EIGHT: If the project, or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of the Central Valley Flood Protection Board at the permittee's or successor's cost and expense.

TWENTY-NINE: The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if in the discretion of the Central Valley Flood Protection Board the removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if the Project is not maintained or is damaged by any cause. If the permittee does not comply, or in the event of an emergency, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.

END OF CONDITIONS

Attachment B - Exhibit A



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

Flood Protection and Navigation Section (19074)

FEB 04 2016

Ms. Leslie M. Gallagher, Executive Officer
Central Valley Flood Protection Board
3310 El Camino Avenue, Room 151
Sacramento, CA 95821

Dear Ms. Gallagher:

We have reviewed a permit application by San Joaquin Facilities Management, Inc. (application number 19074). This project includes abandoning an existing 780 foot long petroleum pipeline, removing approximately 100 feet of the pipeline to accommodate a proposed bridge column, and installing by HDD, a new 24-inch diameter high-density polyethylene pipeline casing with four inner pipelines (3-inch diameter each) under the Kern River Designated Floodway. The project is located northeast of the intersection of Westside Parkway and Truxtun Avenue, in the City of Bakersfield, at 35.372076°N 119.058408°W NAD83, Kern County, California.

The proposed work does not affect a Federally constructed project, however, according to the Kern River Intertie Operation and Maintenance Manual, page 15, section 2, the capacity of the channels that existed prior to the construction of the Intertie Project is required for the Intertie project to function effectively. The channel capacity of the Kern River through Bakersfield was estimated at 8,000 cfs as shown in Table 1, Estimated Channel Capacities. This proposed project shall not affect the ability of the channel to pass the 8,000 cfs. In addition, the Kern River, through the City of Bakersfield, is in the Rehabilitation Program (RP) of the U.S. Army Corps of Engineers, as a Non-Federal Project, and it is suggested that independent geotechnical and hydraulic engineers review this project to ensure that there are no negative impacts to the Non-Federal flood control project.

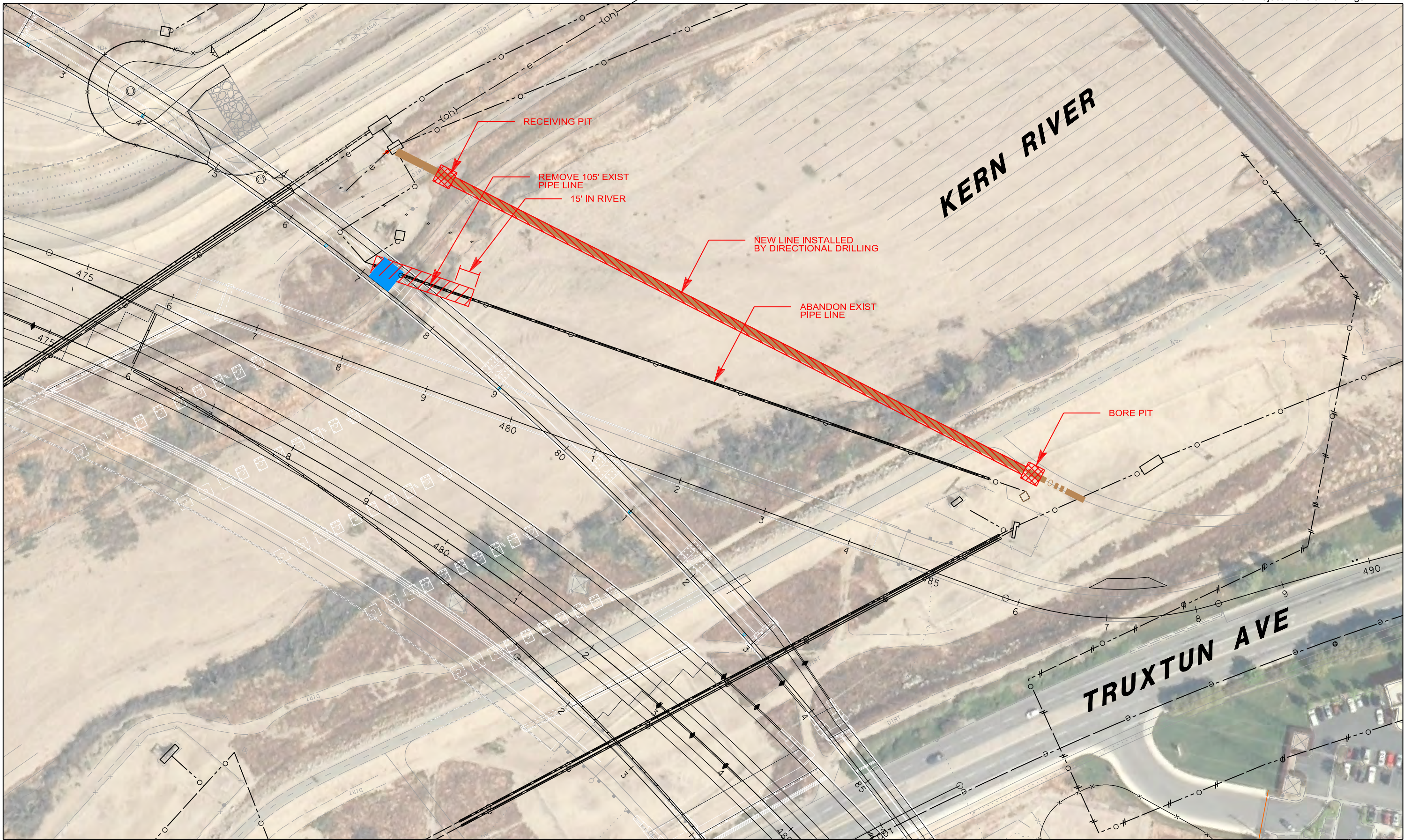
Additional information is needed to determine if a Section 10 and/or Section 404 permit is required. A letter was sent to the applicant on December 30, 2015, requesting the additional information that is needed to make a determination. A regulatory action (SPK-2008-01813) has been opened.

A copy of this letter is being furnished to Mr. Don Rasmussen, Chief, Flood Project Integrity and Inspection Branch, 3310 El Camino Avenue, Suite 200, Sacramento, CA 95821.

Sincerely,

A handwritten signature in blue ink, reading "Ryan Larson", is positioned above the printed name.

Ryan Larson, P.E.
Chief, Flood Protection and Navigation Section



SCALE: 1" = 100'

TYLININTERNATIONAL
engineers | planners | scientists

**CITY OF BAKERSFIELD
CENTENNIAL CORRIDOR PROJECT**
**SJFM RELOCATION @ KERN RIVER SCHEMATIC
OVERVIEW MAP - SEPTEMBER 2015**

ABANDONMENT PROCEDURE

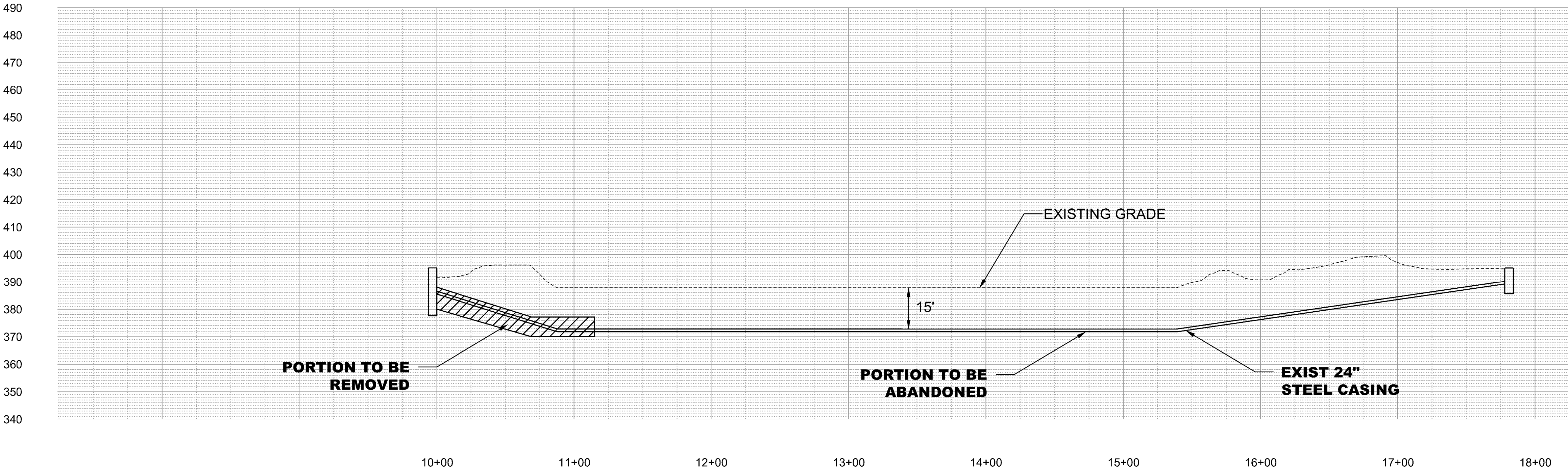
STEP 1- FLUSH SYSTEMS FREE OF MATERIAL.

STEP 2- WITH STANDARD EXCAVATION EQUIPMENT: REMOVE CASING IN CONFLICT WITH BRIDGE FOOTING.

STEP 3- REMOVE INTERIOR PIPES WITHIN CASING.

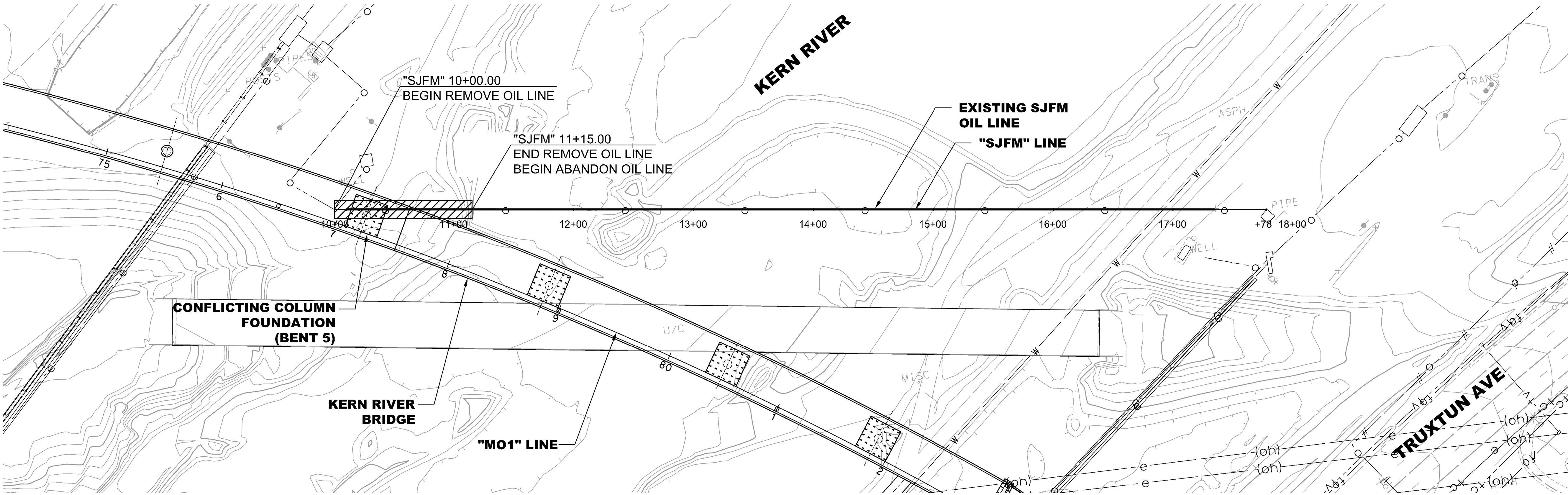
STEP 4- REMAINING PIPE WILL BE FILLED WITH CONCRETE CONFORMING TO TITLE 23, SECTION 124.

STEP 5. ALL EXCAVATIONS WILL BE BACKFILLED WITH NATIVE MATERIAL AND COMPACTED TO MEET REQUIREMENTS OF TITLE 23, SECTION 124.



PROFILE

SCALE: HOR: 1" = 50' VERT: 1" = 25'
VERTICAL DATUM - NAVD 88



PLAN

SCALE: HOR: 1" = 50'

LEGEND:

OIL PIPE REMOVAL

SJFM

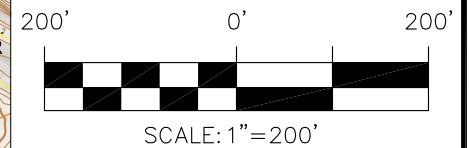
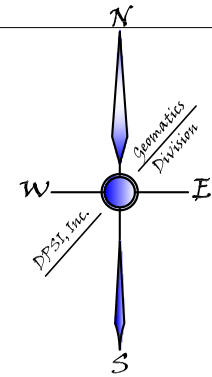
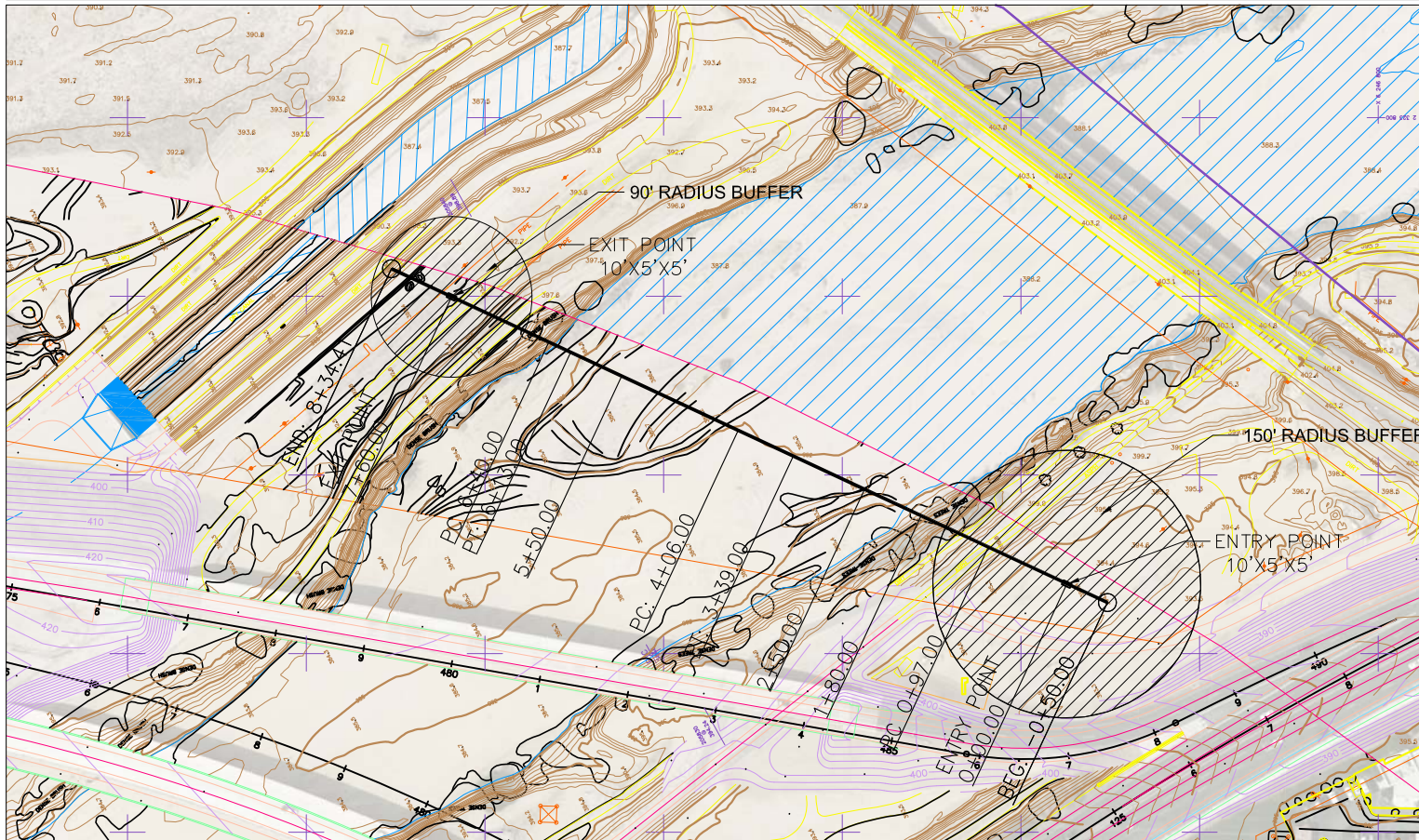
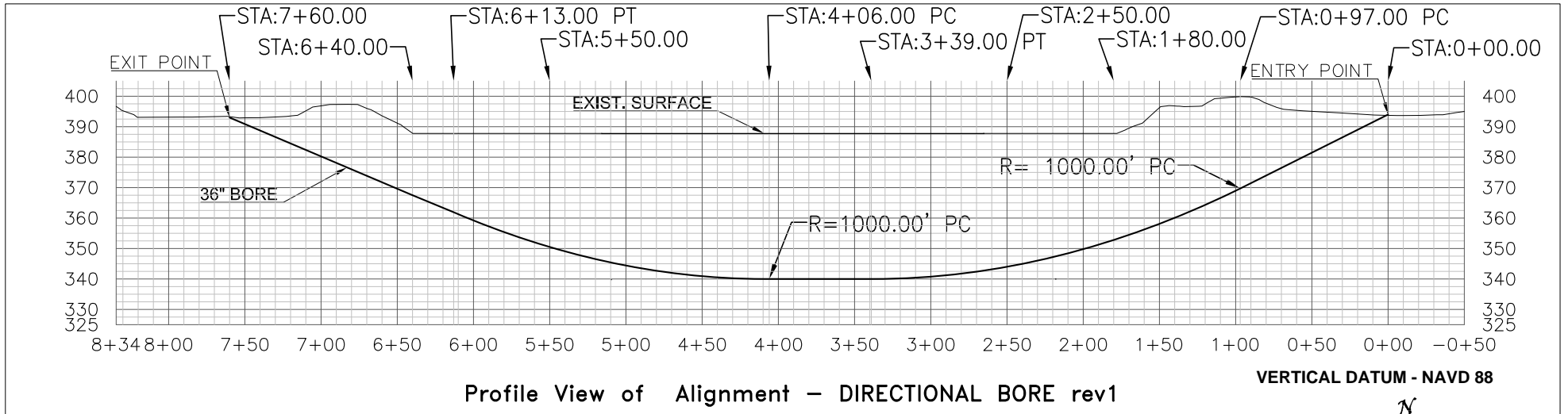
NOVEMBER 16, 2015



SJFM CASING REMOVAL EXHIBIT

EXHIBIT SITE PLAN

ATTACHMENT C: Project Plans & Drawings

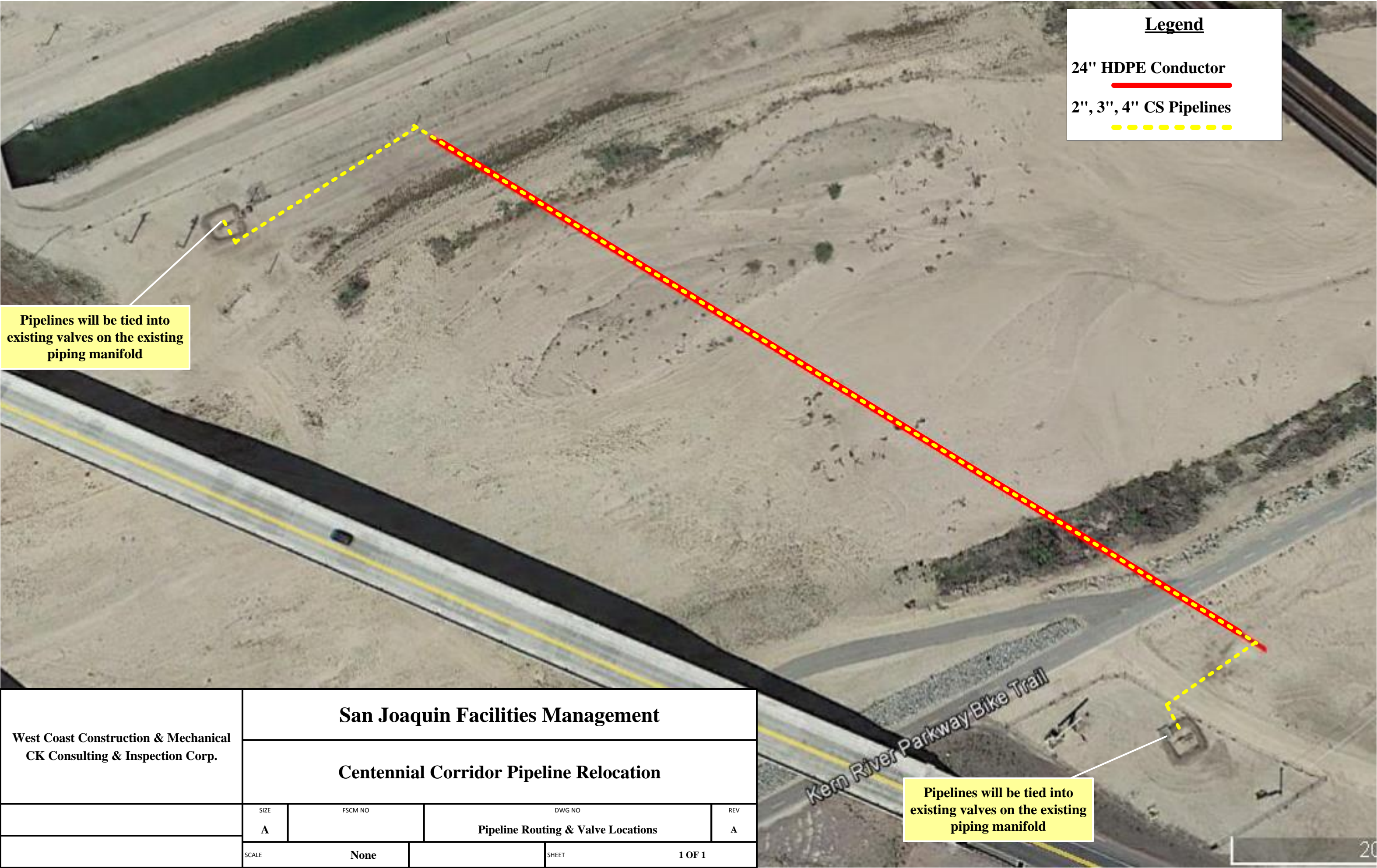


DIVERSIFIED PROJECT SERVICES
INTERNATIONAL

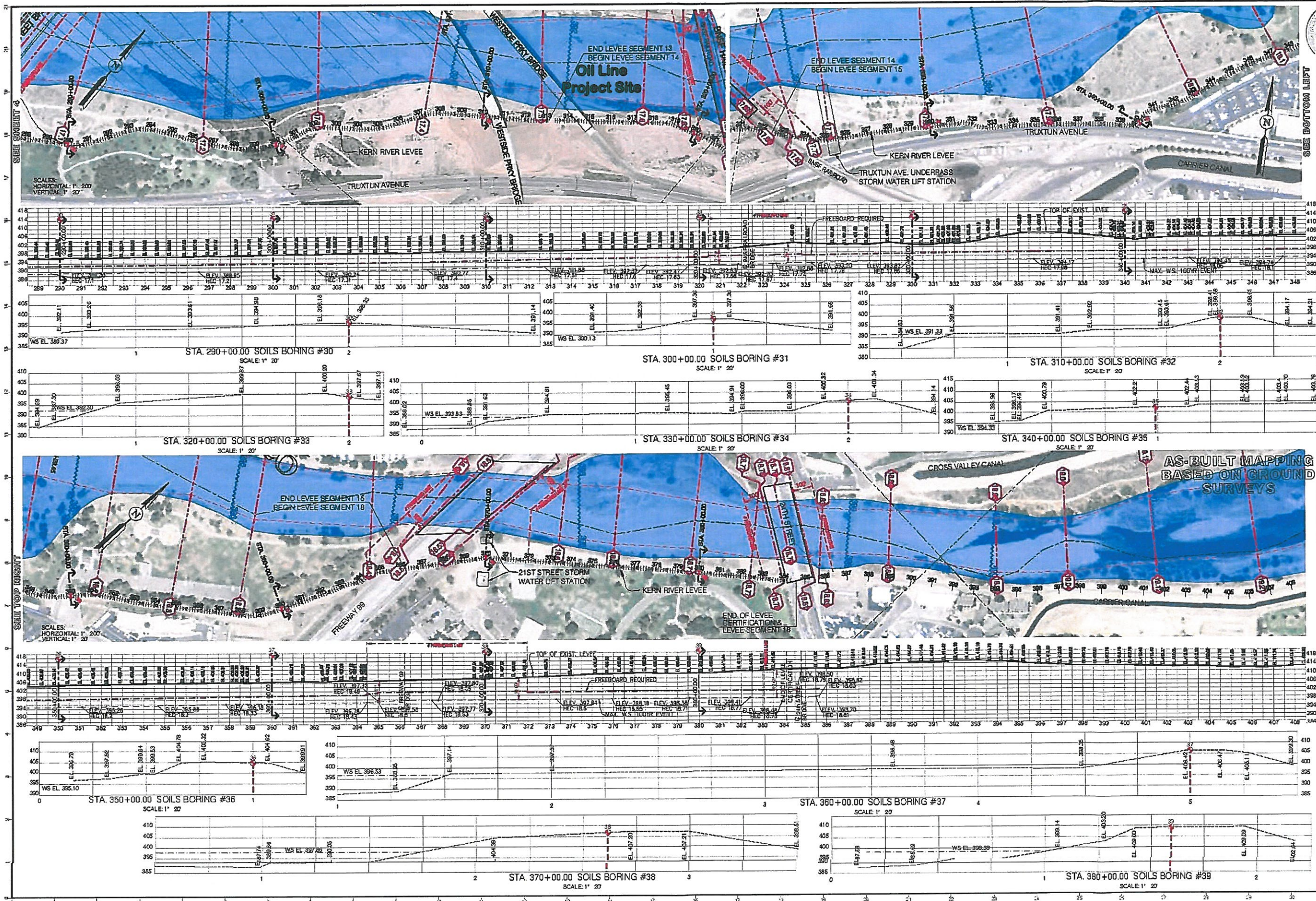
Bakersfield, CA
(661) 371-2800

www.dpsiinc.com

PROJECT: G151024



West Coast Construction & Mechanical CK Consulting & Inspection Corp.	San Joaquin Facilities Management			
	Centennial Corridor Pipeline Relocation			
	SIZE A	FSCM NO	DWG NO Pipeline Routing & Valve Locations	REV A
	SCALE	None	SHEET	1 OF 1



SEE BOTTOM LEFT

M. E. Meyer
Civil Engineering, Inc.
110 S. Main St., Ste. 104, Bakersfield, CA 93308
Phone 805-338-8824 FAX 805-338-8781

NO.	FROM	DATE	DESCRIPTION
1	AS-BUILT MAPPING	6/20/14	AS-BUILT MAPPING

CITY OF BAKERSFIELD
FEMA PAL PROGRAM

SOUTH LEVEE AS-BUILT MAPPING

SHEET NO. **01**
OF **01**