

**Meeting of the Central Valley Flood Protection Board
September 23, 2011**

**Staff Report – Encroachment Permit
Peter Steidlemayer
Floodway Protection Section**

1.0 - ITEM

Consider approval of Permit No. 12632-A (Attachment B) to install a new water intake approximately 300 feet downstream of the current intake location and install a 20-inch welded steel pipe on the waterside of the levee (15 feet minimum from the levee toe) to make a connection to the existing 20-inch pipe crossing the levee (Approved Permit No. 12632 GM).

2.0 - APPLICANT

Peter Steidlemayer

3.0 - LOCATION

The project is located on the left (west) bank of the Sacramento River, approximately 0.85 miles downstream (south) of Ogden Bend and 1.25 miles north of Grimes, Section 31, T15N, R1E, MDB&M, Colusa County, see Attachment A.

4.0 - DESCRIPTION

To install a new intake pump approximately 300 feet downstream of the existing intake. The pump will be supported by a 14- by 10-foot supported by four 8-inch diameter steel pipe pilings. The new intake pipe will consist of 70 feet of 20-inch, 3/8" wall welded steel pipe and approximately 60 feet of it will be within a 36-inch, 3/8" wall welded steel pipe protective casing.

5.0 - PROJECT ANALYSIS

The new 20-inch pipe will be installed/buried about 5 feet deep with a minimum distance of 15 feet from waterside toe of the levee and back fill material will be observed and approved by applicant's geotechnical engineering firm to confirm with Title-23 Waters. A positive closure device (butterfly valve) will be installed on the existing 20-inch pipe

located on the waterside top of the levee. The existing pipe is not able to retrieve irrigation water.

5.1 - HYDRAULIC ANALYSIS

No Hydraulic Analysis is required.

5.2 - GEOTECHNICAL ANALYSIS

Geotechnical Analysis (Compaction test) will be made by Laugenour and Meikle, Engineers for the applicant.

6.0 - AGENCY COMMENTS AND ENDORSEMENT:

The U.S. Army Corps of Engineers 208.10 comment letter for this project has not been received.

- Sacramento River West Side Levee District has endorsed the project without conditions.

7.0 - CEQA ANALYSIS

Proposed CEQA Findings:

Board staff has prepared the following CEQA determination:

Colusa County, as lead agency under CEQA, approved the project (Steidlemayer ED#11-42) on June 22, 2011 and determined that the project was categorically exempt under Class 2 (CEQA Guidelines Section 15302(c)) covering replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

The Board, acting as a responsible agency under CEQA, has reviewed the Colusa County determination and has independently determined that the project is exempt from CEQA Class 2 (CEQA Guidelines Section 15302(c)) covering replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Staff Comments:

The silt from the river is making it impossible to retrieve irrigation water from the existing pump location. The applicant is requesting this project to be consider/approved as maintenance and modification of the existing permitted project.

8.0 - SECTION 8610.5 CONSIDERATION

- 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 that 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 the entire State Plan of Flood Control:

This project has no effects on the State Plan of Flood Control.

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

None.

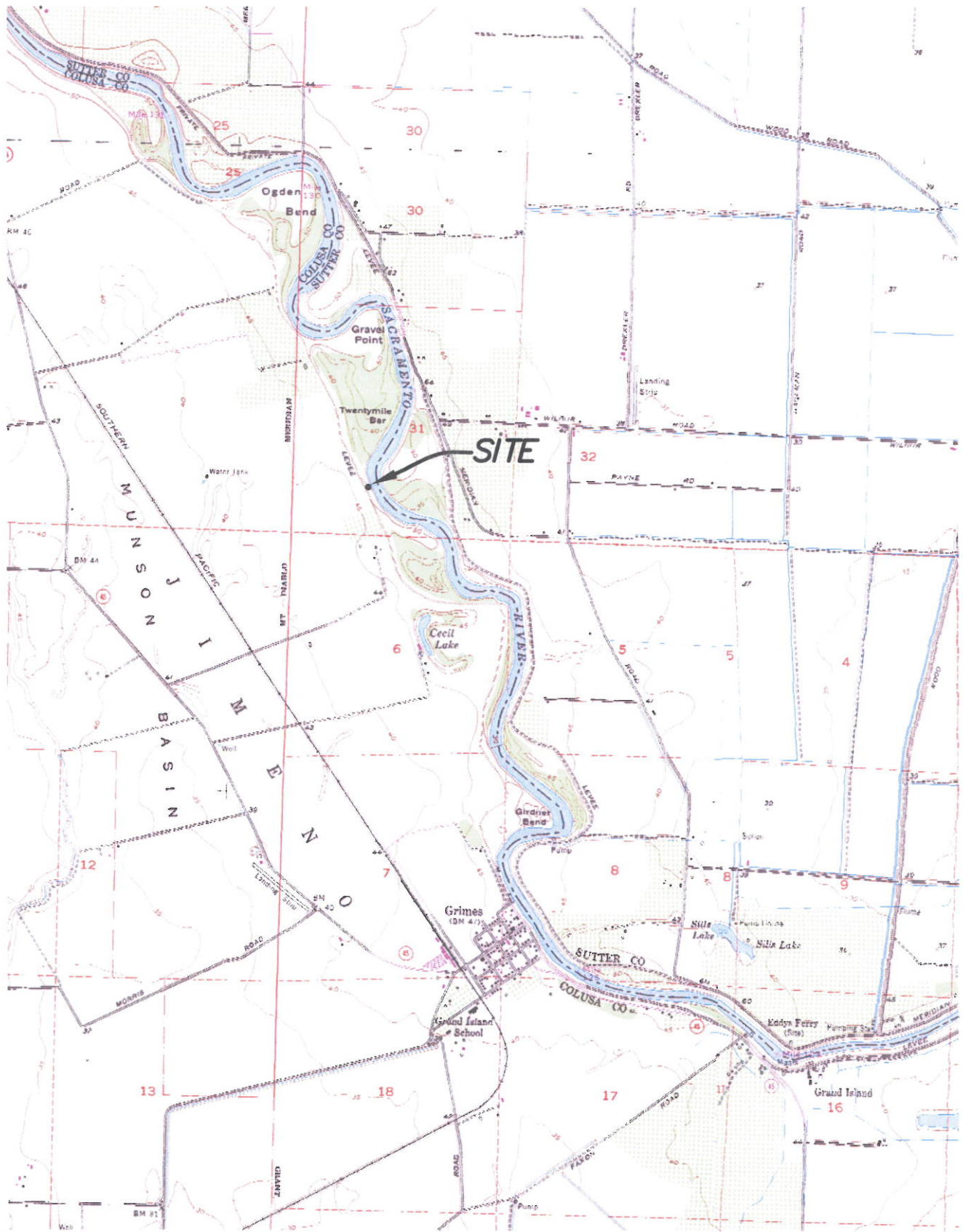
9.0 – STAFF RECOMMENDATION

Staff recommends that the Board determine the project to be exempt from CEQA, approve Permit No. 12632-A and direct the Executive Officer to take necessary actions to execute the permit.

10.0 – LIST OF ATTACHMENTS

- A. Location Map and Photos
- B. Draft Permit No. 12632-A
 - Exhibit A: Corps Comment Letter (expected prior to 9-23-11 Board meeting)

Design Review:	Sam Brandon
Environmental Review:	James Herota, Andrea Mauro
Document Review:	Mitra Emami P.E., Len Marino P.E.



SCALE: 1"=2000'



VICINITY/LOCATION MAP

FOR

STEIDLMEYER

LOCATED IN A PORTION 31,
TOWNSHIP 15 NORTH, RANGE 1 EAST,
MOUNT DIABLO MERIDIAN,
YOLO COUNTY, CALIFORNIA

LM LAUGENOUR AND MEIKLE
CIVIL ENGINEERING · LAND SURVEYING · PLANNING
608 COURT STREET, WOODLAND, CALIFORNIA 95695 · PHONE: (530) 662-1755
P.O. BOX 828, WOODLAND, CALIFORNIA 95776 · FAX: (530) 662-4602



EXISTING CONNECTION TO 20" LINE CROSSING LEVEE



LOOKING SOUTH TOWARDS NEW INTAKE LOCATION

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

PERMIT NO. 12632-A BD

This Permit is issued to:

Peter Steidlemayer
P.O. Box 411
Colusa, California 95932

To install a new water intake location approximately 300 ft. downstream of the current intake location and install a 20-inch welded steel pipe on the water side of the levee (15 ft. minimum from the levee toe) to make a connection to the existing 20-inch pipe crossing the levee (previous Permit Application No. 12632 GM). Located approximately 0.85 miles south of Ogden Bend and 1.25 miles north of Grimes, CA (Section 31, T15N, R1E, MDB&M, Sacramento River West Side Levee District, Sacramento River, Colusa 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.

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. 12632-A BD

THIRTEEN: If the construction project extends onto land owned in fee and/or easement by the Sacramento and San Joaquin Drainage District acting by and through the Central Valley Flood Protection Board (Board), the permittee should secure an easement, license, or temporary entry permit from the Board prior to commencement of work. Contact Angelica Aguilar at (916) 653-5782.

FOURTEEN: 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.

FIFTEEN: 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 Department of Water Resources, Sacramento River West Side Levee District or any other agency responsible for maintenance.

SIXTEEN: The permittee shall contact the Department of Water Resources by telephone, (916) 574-0609, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project.

SEVENTEEN: The Central Valley Flood Protection Board, Department of Water Resources, and Sacramento River West Side Levee District shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.

EIGHTEEN: 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 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 damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.

NINETEEN: The permittee should contact the U.S. Army Corps of Engineers, Sacramento District, Regulatory Branch, 1325 J Street, Sacramento, California 95814, telephone (916) 557-5250, as compliance with Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act may be required.

TWENTY: 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.

TWENTY-ONE: The permittee 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 related to the Central Valley Flood Protection Board's approval of this permit, including but not limited to claims filed pursuant to the California Environmental Quality Act. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

TWENTY-TWO: 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 and Department of Water Resources, at the permittee's or successor's cost and expense.

TWENTY-THREE: The permittee shall provide supervision and inspection services acceptable to the Central Valley Flood Protection Board. A professional engineer registered in the State of California shall certify that all work was inspected and performed in accordance with submitted drawings, specifications, and permit conditions.

TWENTY-FOUR: No construction work of any kind shall be done during the flood season from November 1 to April 15 without prior approval of the Central Valley Flood Protection Board.

TWENTY-FIVE: Cleared trees and brush shall be completely burned or removed from the floodway, and downed trees or brush shall not remain in the floodway during the flood season from November 1 to April 15.

TWENTY-SIX: At all times during construction, at least one lane of the levee crown roadway shall be kept clear for vehicular access.

TWENTY-SEVEN: No excavation shall be made or remain in the levee section during the flood season from November 1 to April 15.

TWENTY-EIGHT: A temporary bench mark, set to a known datum, shall be placed at the project site during construction.

TWENTY-NINE: The pipe shall be placed in the center of an open trench 2 feet wider than the diameter of the pipe or 2 times the diameter, whichever is greater.

THIRTY: 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.

THIRTY-ONE: The proposed pipe to be installed longitudinally at the waterside of the levee shall be installed off the levee section a minimum of 15 feet from the levee toe.

THIRTY-TWO: Abandoned pipes within the levee section shall be removed from the levee section or completely filled with concrete in accordance with Central Valley Flood Protection Board standards. A detailed plan for filling the abandoned pipe with concrete shall be submitted to and approved by the Central Valley Flood Protection Board prior to commencing work.

THIRTY-THREE: 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.

THIRTY-FOUR: Backfill material for excavations within the levee section and within 15 feet of the levee toes shall be placed in 4- to 6-inch layers, moisture conditioned above optimum moisture content, and compacted to a minimum of 90 percent relative compaction as measured by ASTM Method D1557-91.

THIRTY-FIVE: A positive-closure device that is readily accessible during periods of high water shall be installed on the waterward side of the levee.

THIRTY-SIX: A flap gate shall be installed on the waterward end of the pipe.

THIRTY-SEVEN: In the event existing rock revetment on the levee slope is disturbed or displaced during construction, it shall be restored to its preconstruction condition.

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

THIRTY-NINE: Right-of-way marker sign/s shall be located off the levee section so as not to interfere with levee maintenance.

FORTY: Existing pipe within the levee section shall be pressure tested to determine the soundness of the pipe. If the existing pipe is determined to be unsafe, it shall be removed or properly sealed after approval of plans by the Central Valley Flood Protection Board.

FORTY-ONE: A temporary bench mark set to a known datum shall be placed at the site during construction.

FORTY-TWO: A suitable fish screen shall be installed at the waterward end of the intake pipeline.

FORTY-THREE: The permittee shall replant or reseed the levee slopes to restore sod, grass, or other non-woody ground covers if damaged during project work.

FORTY-FOUR: The permittee is responsible for repairing any damage to the levees caused by the installation or operation of the well or pipelines.

FORTY-FIVE: A registered engineer or geologist representing the permittee shall evaluate and approve the backfill material for the excavated area.

FORTY-SIX: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated ,xx, 2011, which is attached to this permit as Exhibit A and is incorporated by reference.

ATTACHMENT B – Exhibit A: Corps 208.10 Comment Letter

These letters have not been received by Board staff; however, it is expected to arrive prior to the Board Meeting on September 23, 2011