

**Meeting of the Central Valley Flood Protection Board
August 26, 2011**

Staff Report – Encroachment Permit

**Windswept Land and Livestock Company
Fish Screen, Sutter County**

1.0 – ITEM

Consider approval of Permit No. 18678 (Attachment B)

2.0 – APPLICANT

Windswept Land and Livestock Company
9327 Boothwyn Way
Elk Grove, CA 95758-7634

3.0 – LOCATION

The project is located on the left bank of the Sacramento River at river mile 102.45 within Reclamation District 1500, Unit No. 1 at Levee Mile 17.44, Sutter County, California. APN 29-020-012 & 29-020-002. See Attachments A-1 thru-5.

4.0 – DESCRIPTION

To install a state-of-the-art, self cleaning, and retractable fish screen system on an existing agricultural diversion (Board Permit 1739) owned and operated by Windswept Land and Livestock Company. See Attachments C-1 thru-3.

5.0 – PROJECT ANALYSIS

The installation of the retractable, self cleaning fish screens are an effort to minimize incidental take of juvenile salmon and steelhead species during their migration downstream to the Pacific Ocean.

5.1 – HYDRAULIC ANALYSIS

A hydraulic impact report was provided by the applicant showing negligible impact to flows within the floodway. See Attachment D.

5.2 – GEOTECHNICAL ANALYSIS

The project as proposed will utilize existing pilings and structures permitted under Board Permit 1739 and will not require any new pilings and/or structures and therefore a geotechnical analysis is not pertinent.

6.0 – AGENCY COMMENTS AND ENDORSEMENTS

- Reclamation District 1500, the maintaining agency has provided an endorsement. See Attachment E.
- The U. S. Army Corps of Engineers 208.10 comment letter has not yet been received for this application. Upon receipt of a favorable letter and review by Board staff the letter will be incorporated into the permit as Exhibit A.

7.0 – CEQA ANALYSIS

Board staff has prepared the following CEQA Findings:

The Board, acting as the CEQA lead agency, has determined that the project is categorically exempt from CEQA under a Class 1 Categorical Exemption (CEQA Guidelines Section 15301) covering minor alteration of existing public or private structures involving negligible or no expansion of use.

8.0 – 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 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:

The proposed project will have no adverse 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:

Future changes in hydrology caused by climate change could result in the need to remove and redesign the project if precipitation and water levels raise necessitating floodway boundary modifications.

9.0 – STAFF RECOMMENDATION

Staff recommends that the Board determine the project be exempt from CEQA, direct staff to file a Notice of Exemption with the State Clearinghouse and approve Permit No. 18678 conditioned upon receipt of a USACE 208.10 letter of determination confirming that the Corps has no objection to the project, and direct the Executive Officer to take the necessary actions to execute the permit.

10.0 – LIST OF ATTACHMENTS

- A. Location Maps and Photos
- B. Draft Permit No. 18678
- C. Design Drawings
- D. Hydraulic Analysis
- E. District Endorsement

Design Review:	Sterling Sorenson
Environmental Review:	James Herota and Andrea Mauro

Document Review: Curt Taras P.E., Len Marino P.E.

DRAFT

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

PERMIT NO. 18678 BD

This Permit is issued to:

Windswept Land & Livestock Company
9327 Boothwyn
Elk Grove, California 95758-7634

To install a state-of-the-art, self-cleaning, retractable fish screen system on an existing agricultural water diversion (Permit 1739) owned & operated by the Windswept Land & Livestock Company. The project is located on the left (east) bank of the Sacramento River at approximate river mile 102.5 (Section 13, T12N, R1E, MDB&M, Reclamation District 1500, Sacramento River, Sutter 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. 18678 BD

THIRTEEN: 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.

FOURTEEN: The permittee is responsible for all liability associated with all construction, operation, maintenance and reclamation activities associated with the herein permitted project 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 assignees (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.

FIFTEEN: 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.

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

SEVENTEEN: Cleared trees or 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 1st to April 15th.

EIGHTEEN: No construction equipment and/or material(s) shall remain in the Sacramento River flood control project works during the flood season from November 1st to April 15th.

NINETEEN: At all times during construction the levee crown roadway shall be kept clear for vehicular

access.

TWENTY: All debris generated by this project shall be properly disposed of outside the Sacramento River flood control project works.

TWENTY-ONE: The work area shall be restored to the condition that existed prior to start of work.

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

TWENTY-THREE: Debris that may accumulate on the herein permitted encroachment(s) and related facilities shall be cleared off and properly disposed of outside the flood control project works after each period of high water.

TWENTY-FOUR: In the event that levee or bank erosion injurious to the adopted plan of flood control occurs at or adjacent to the herein permitted encroachment(s), the permittee shall repair the eroded area and propose measures, to be approved by the Central Valley Flood Protection Board, to prevent further erosion.

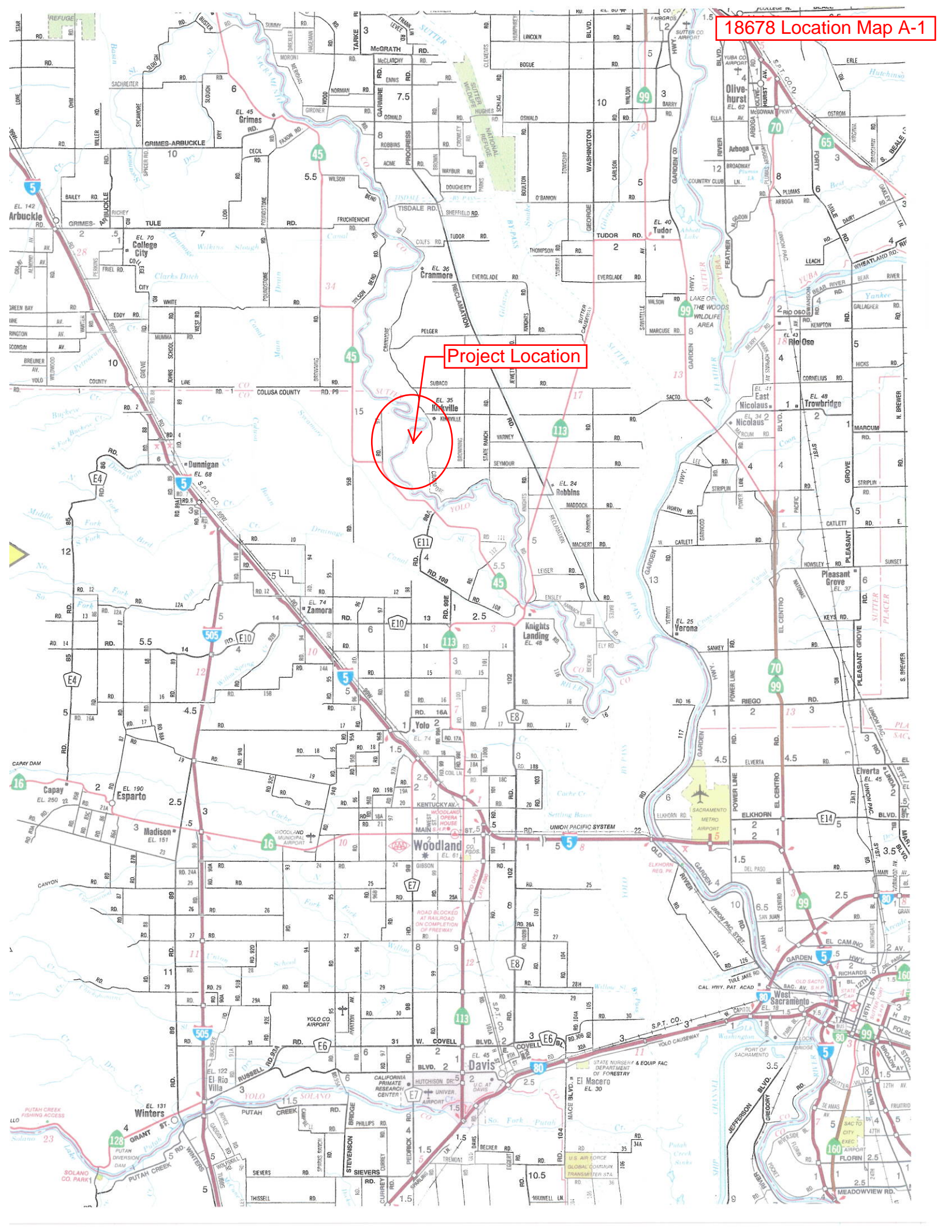
TWENTY-FIVE: The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for operation or maintenance of the flood control project to interfere, the permittee shall be required, at permittee's cost and expense, to modify or remove the permitted encroachment(s) under direction of the Central Valley Flood Protection Board or Department of Water Resources. If the permittee does not comply, the Central Valley Flood Protection Board may modify or remove the encroachment(s) at the permittee's expense.

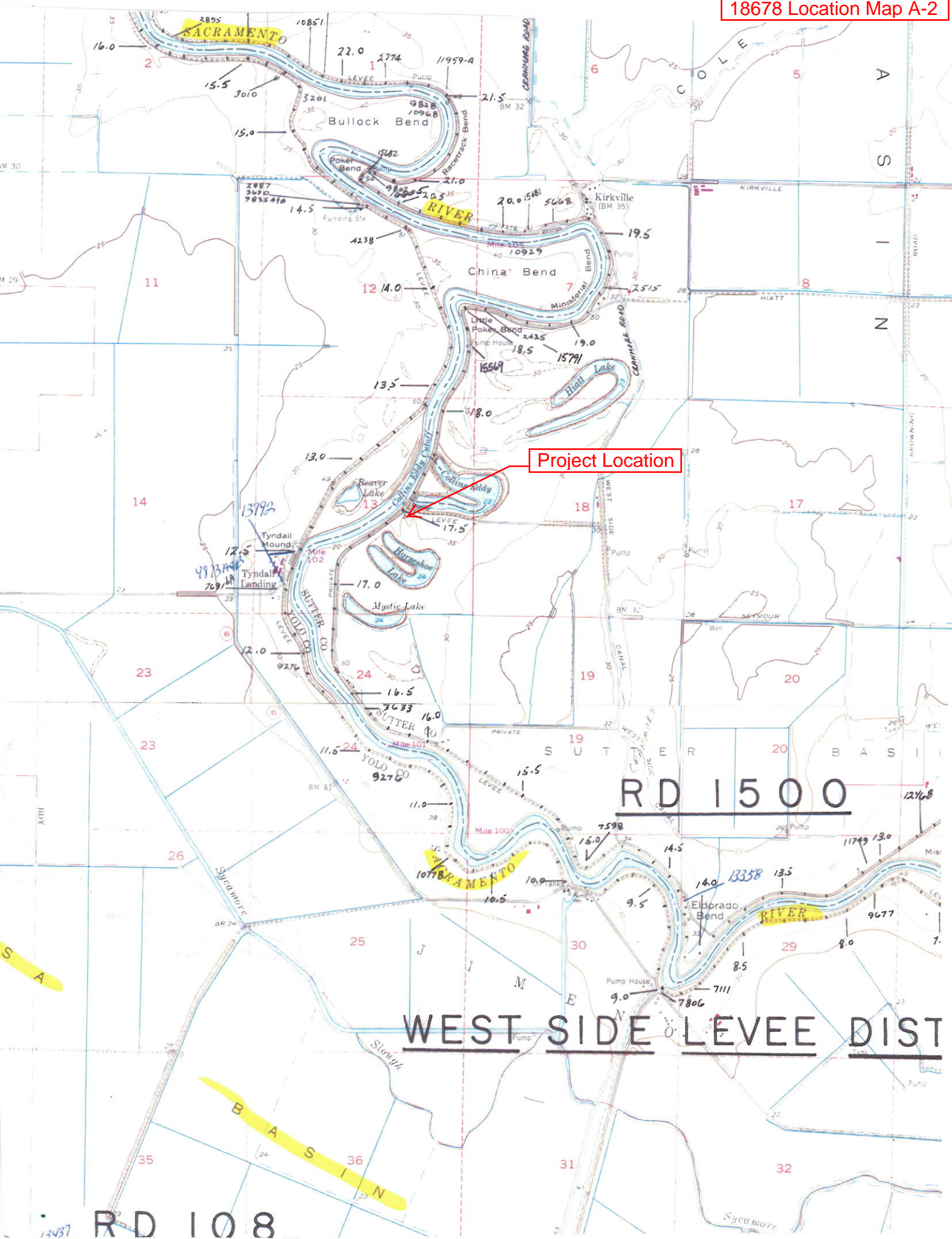
TWENTY-SIX: The Central Valley Flood Protection Board, Department of Water Resources, and Reclamation District No. 1500 shall not be held liable for damage(s) to the herein permitted encroachment(s) resulting from releases of water from reservoirs, flood fight, operation, maintenance, inspection, or emergency repair.

TWENTY-SEVEN: 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.

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

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





Project Location

RD 1500

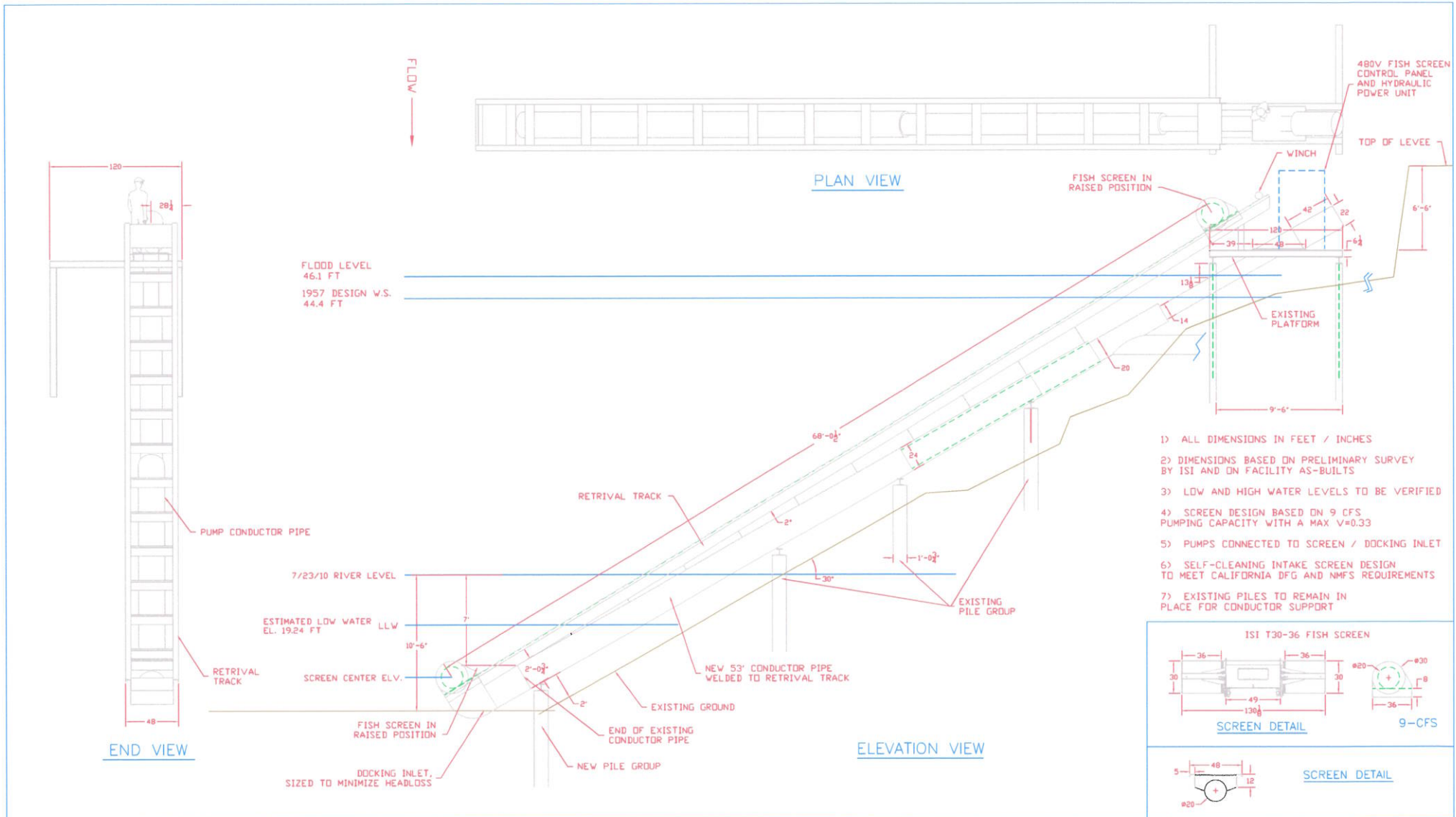
WEST SIDE LEVEE DIST

RD 108









- 1) ALL DIMENSIONS IN FEET / INCHES
- 2) DIMENSIONS BASED ON PRELIMINARY SURVEY BY ISI AND ON FACILITY AS-BUILTS
- 3) LOW AND HIGH WATER LEVELS TO BE VERIFIED
- 4) SCREEN DESIGN BASED ON 9 CFS PUMPING CAPACITY WITH A MAX V=0.33
- 5) PUMPS CONNECTED TO SCREEN / DOCKING INLET
- 6) SELF-CLEANING INTAKE SCREEN DESIGN TO MEET CALIFORNIA DFG AND NMFS REQUIREMENTS
- 7) EXISTING PILES TO REMAIN IN PLACE FOR CONDUCTOR SUPPORT

ALL DIMENSIONS IN INCHES UNLESS NOTED			
REV #	DESCRIPTION	DATE	INITIAL

Designs are property of INTAKE SCREENS INC. and are subject to change without notice.

STANDARD TOLERANCES
Fractional Dimensions = 1/32
Decimal Dimensions = .002

www.intakescreensinc.com
CAL. 706197

ISI Intake Screens, Inc.

8417 River Road - Sacramento, California 95842
(916) 665-2727 (916) 665-2729 FAX

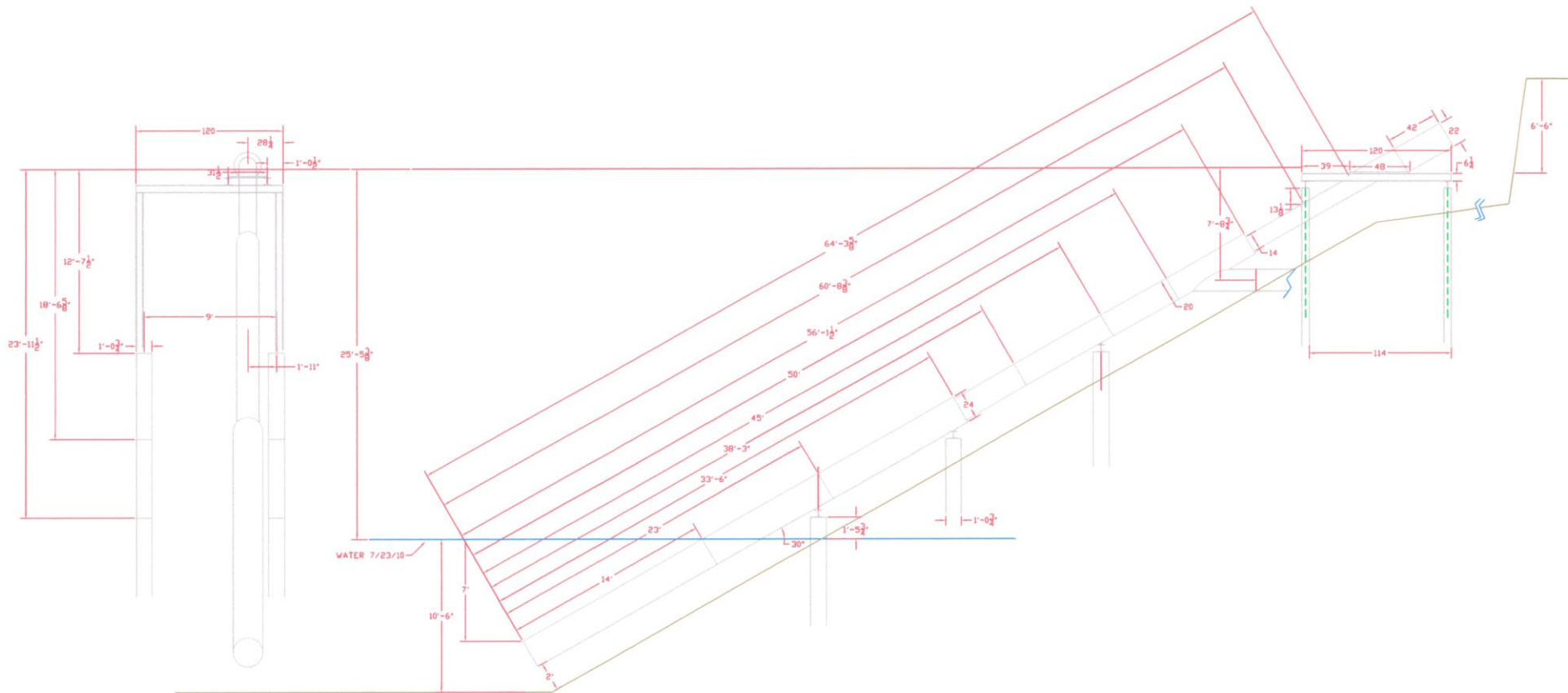
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APP'D BY DARRYL HAYES
DRAWN BY JACOB CHAPIN
"B" SHEET SCALE 1:80

PROJECT: WINDSWEPT

DESCRIPTION: WINDSWEPT FARMS LAYOUT

MATERIAL: 304 SS SCREEN / A36 STEEL TRACK

SHEET NUMBER
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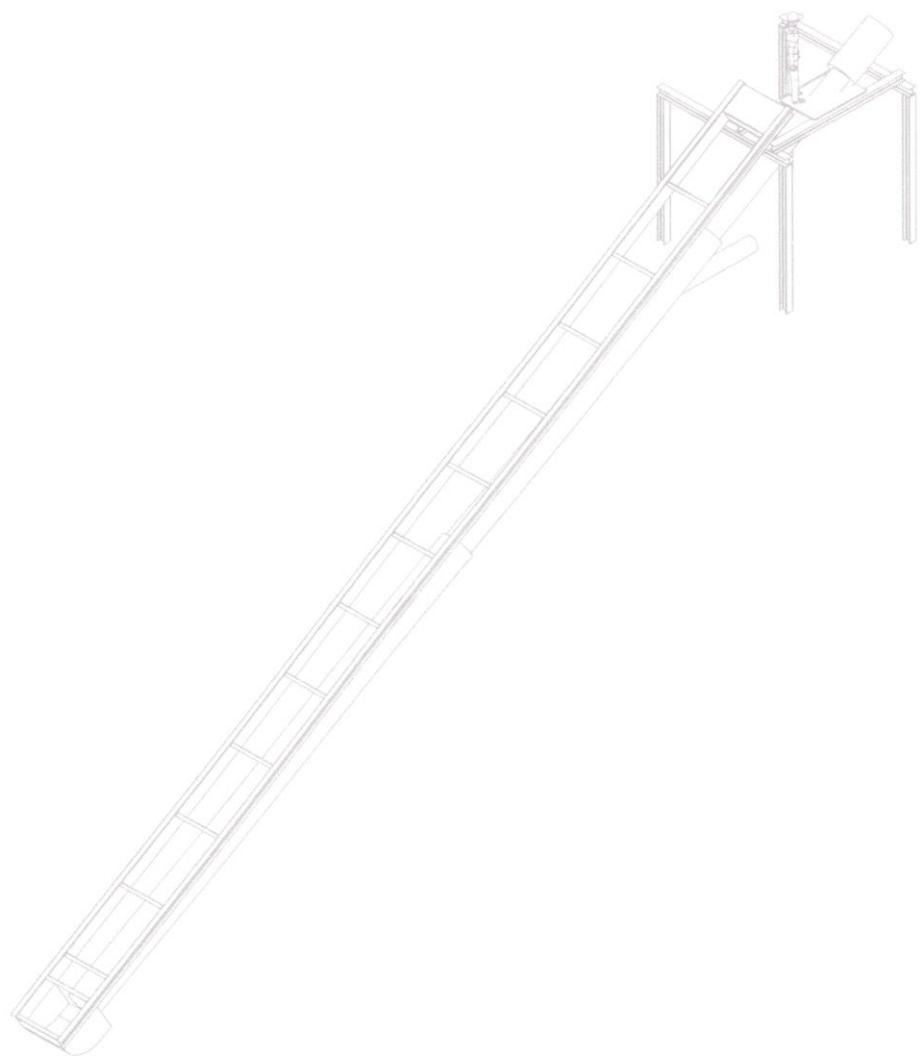
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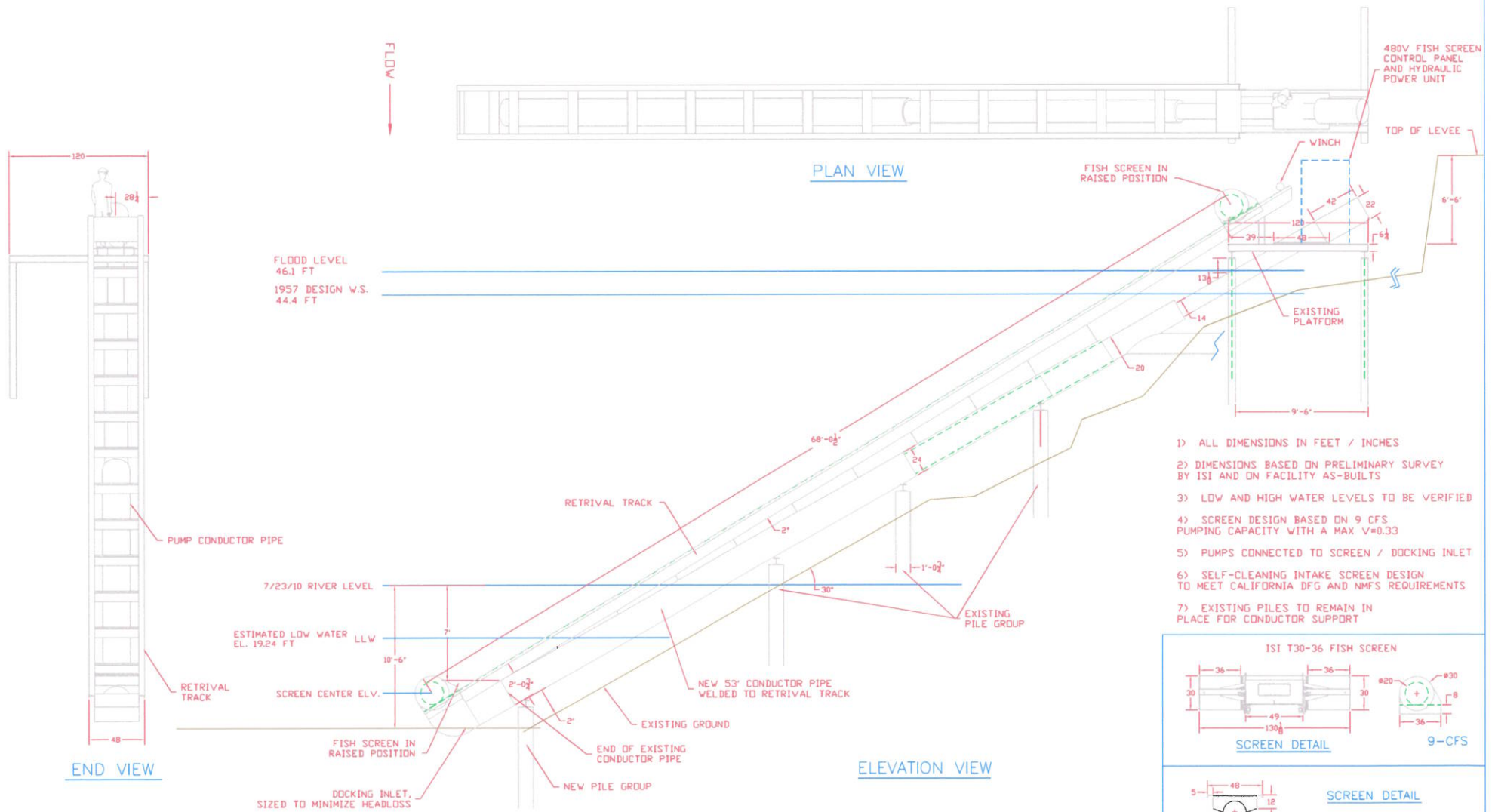
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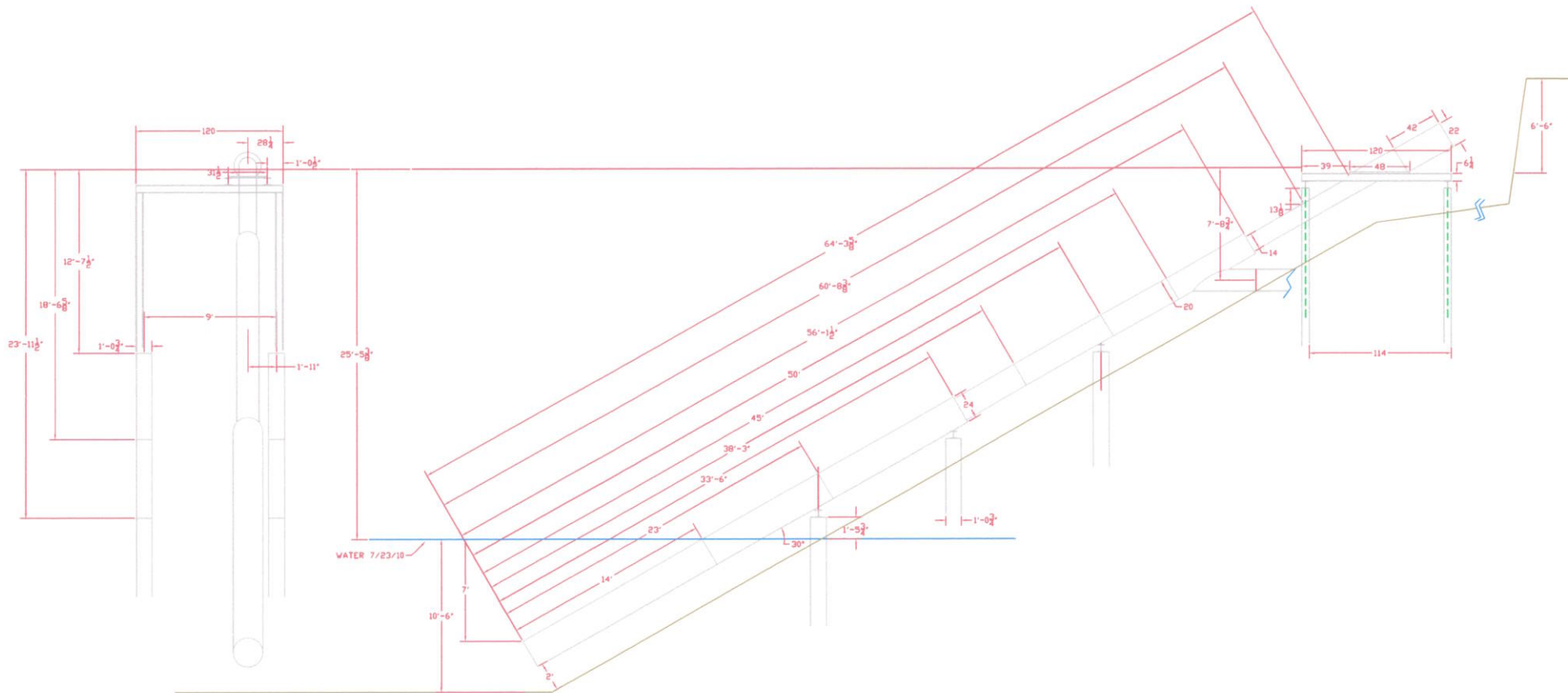
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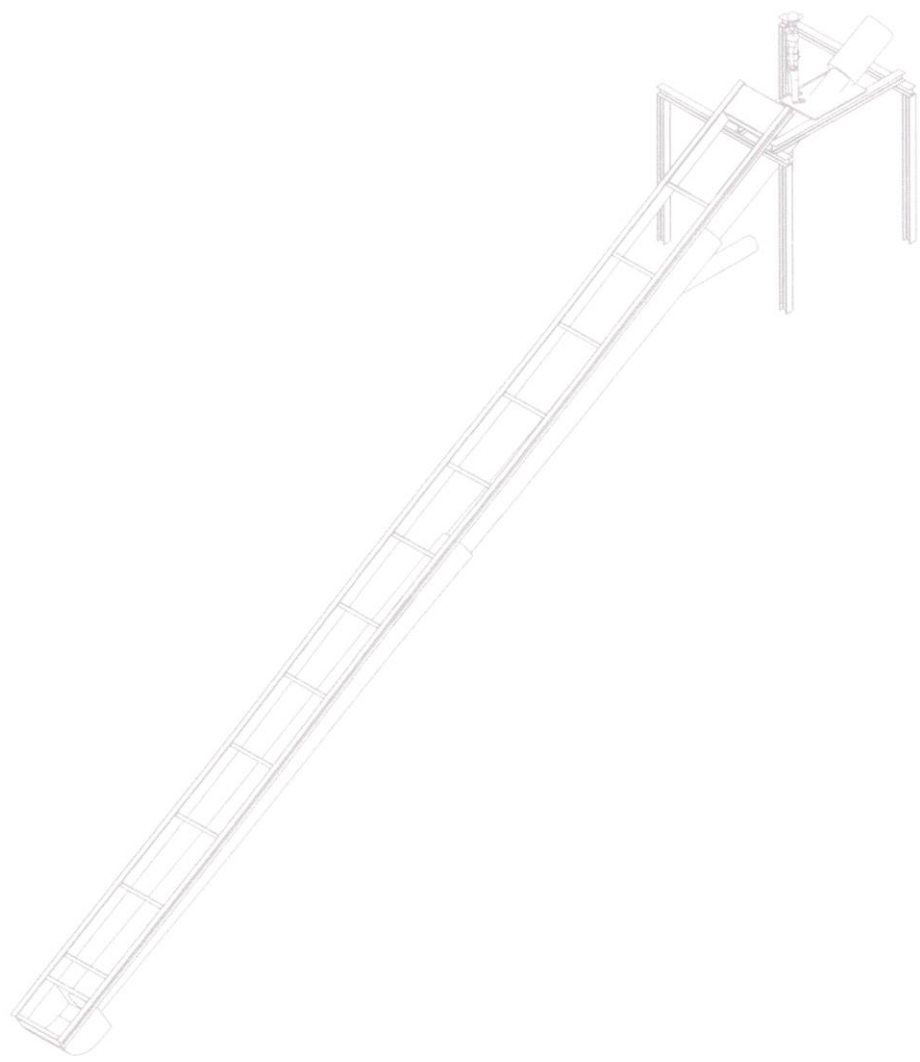
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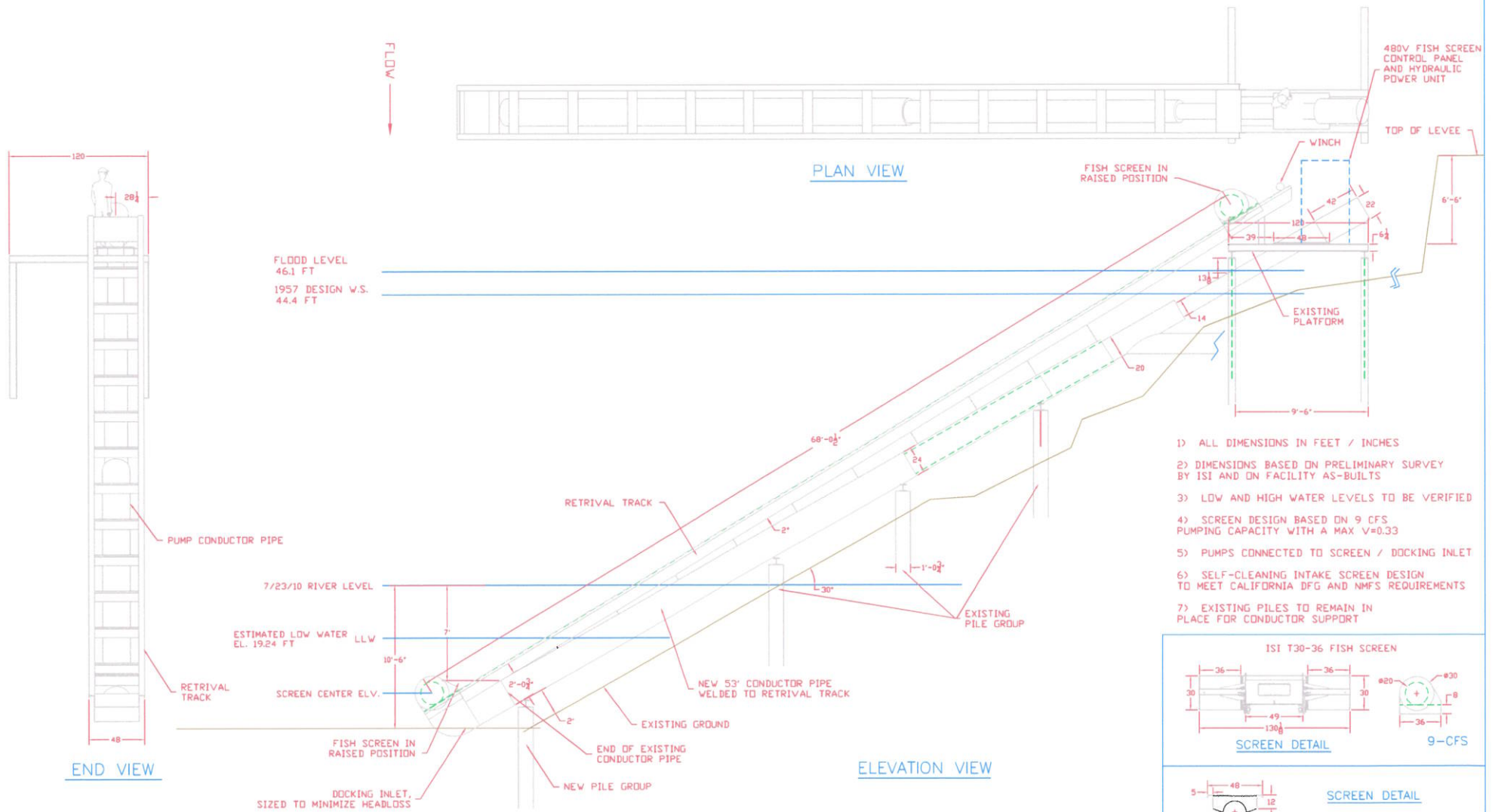
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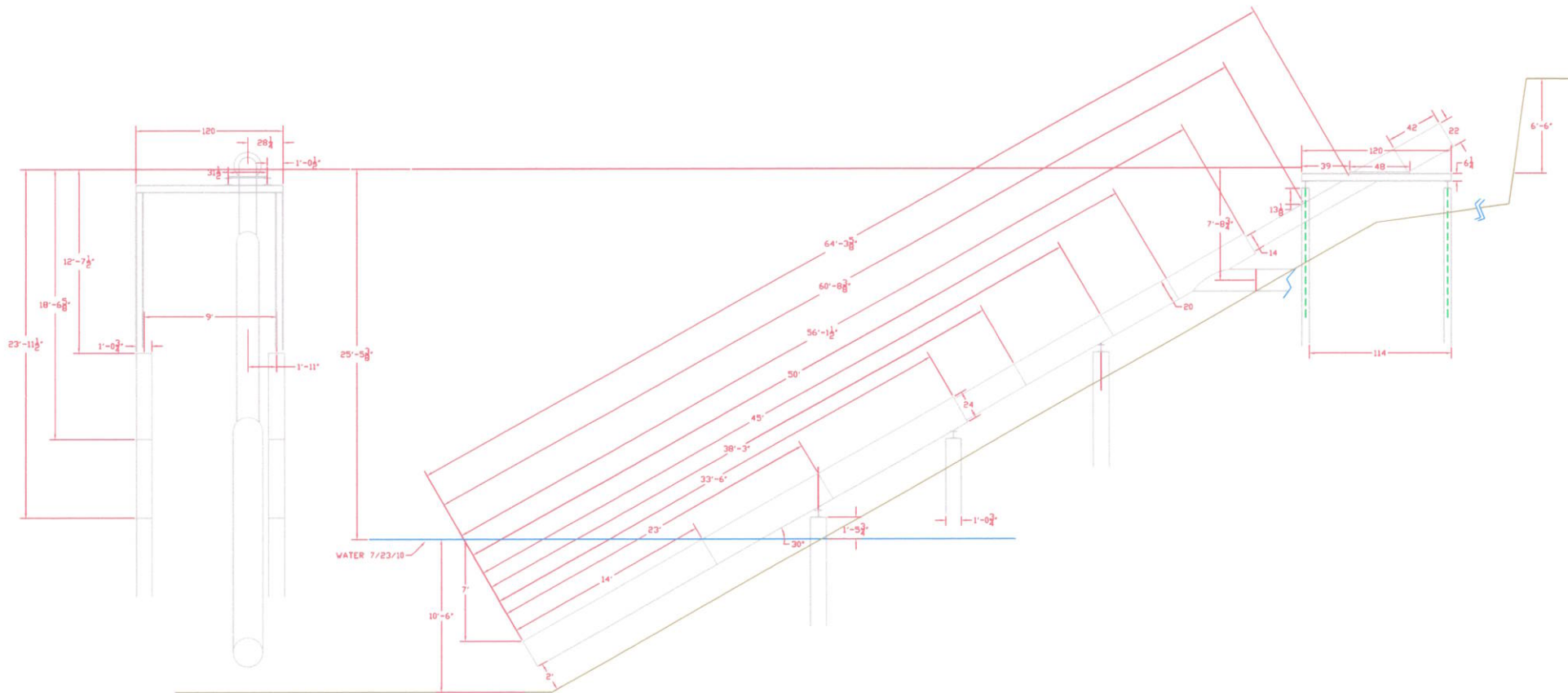
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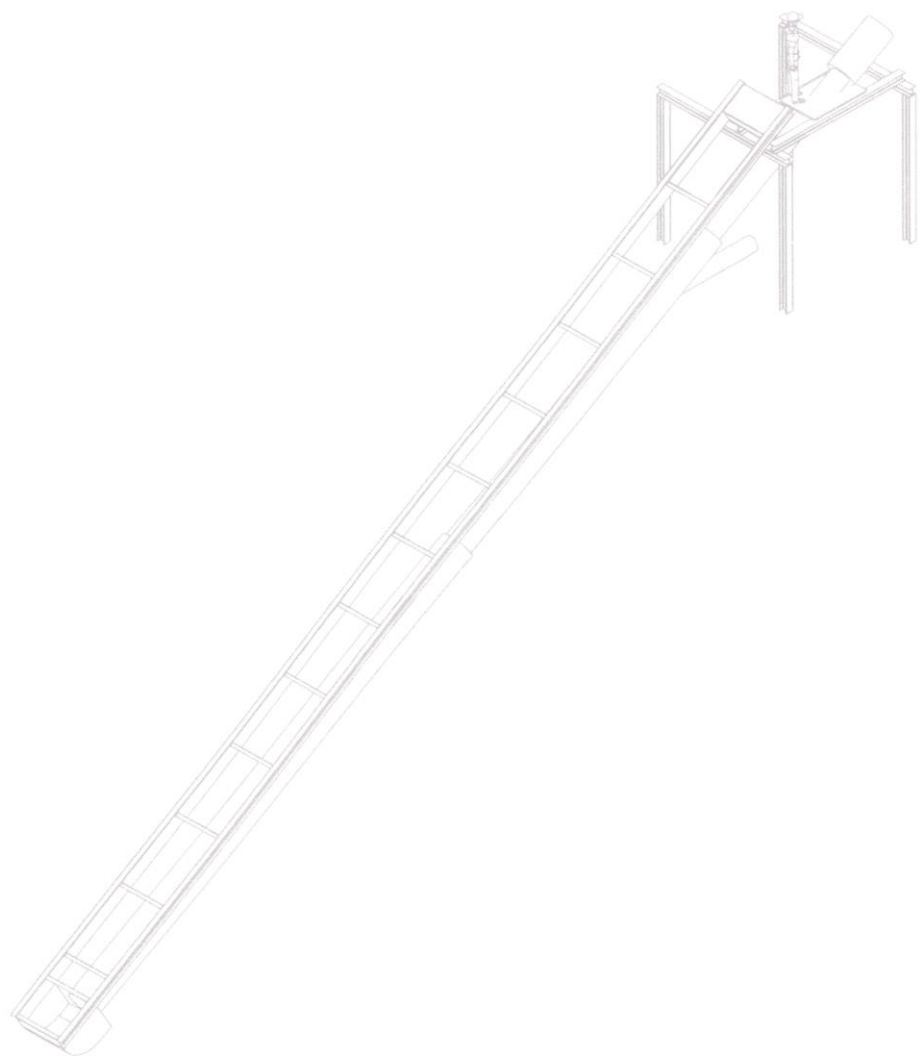
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Water Resources • Flood Control • Water Rights

TECHNICAL MEMORANDUM

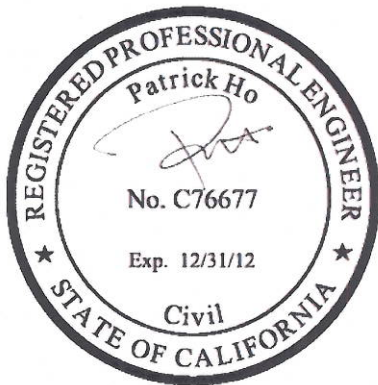
DATE: June 20, 2011

TO: Family Water Alliance
c/o Debbie Lemburg

SUBJECT: Hydraulic Impact Analysis of Windswept Land & Livestock #3 Fish Screening System Encroachment

Prepared by: Patrick Ho, P.E.

Reviewed by: Don Trieu, P.E.



The Windswept Land & Livestock #3 and the proposed fish screening system (project) are located on the Sacramento River at approximately USGS River Mile 102.5, as shown in Figure 1. The structures are located on the waterside of the Sacramento River levee, as shown in relationship to the Sacramento River Flood Control System on Figure 2. The purpose of this analysis is to determine the potential hydraulic impacts of the Windswept Land & Livestock #3 fish screening encroachment detailed in Figure 3.

Hydraulic Model

The Sacramento River HEC-RAS model release 2 (Model) was used for this analysis. The Model was originally developed by the United States Army Corps of Engineers (USACE) and calibrated by MBK Engineers to the January 1997 flood event. The calibration targeted system-wide observed flows and water marks for the January 1997 flood event. The calibration is

documented in the “USACE Sacramento River Basin HEC-RAS Model Calibration Refinement for West Sacramento Analyses.” For the project site’s particular reach of the Sacramento River, the calibrated Model is found adequate for this impact analysis. The extents of the hydraulic model are shown in Figure 4.

The Sacramento River Flood Control Project (SRFCP) design discharge in this particular reach of the Sacramento River is 30,000 cfs. A peak discharge of 30,860 cfs was simulated for the existing hydraulic model and used for the Base Condition and the Project Condition.

Encroachment Modeling

The Windswept Land & Livestock #3 fish screening system is located at USGS River Mile 102.5 on the Sacramento River. The corresponding Model’s River Mile is 102.9. Prior to modifying the Model to project specific geometry, the nearest hydraulic model’s cross-section to the project site is located at River Mile 103.0 (see Figure 2). Cross-sections 102.91, 102.9, and 102.89 were added in the model between existing cross-sections 103.0 and 102.75 to represent the location of the fish screening system encroachments. The impact of the Windswept Land & Livestock #3 fish screening system was then estimated by adding an obstruction to the left bank of cross-section 102.9, as shown in Figure 5.

Per the design drawing on Figure 3, the proposed fish screen system is installed with a new conductor pipe and new pile supports having an approximate total length of 68 feet measured to the top-of-platform. Due to the angle of the conductor pipes, the actual encroachment in the cross-sectional’s stationing is approximately only 60 feet along the left bank of cross-section 102.9. To simplify the modeling approach, the fish screening system was conservatively modeled by applying a blocked obstruction to the entire left bank for a width of approximately 93 feet measured from the left bank station. The selected length of blocked obstruction (93 feet) is focused on capturing the “blocked” elevation below the bottom of the existing conductor pipes.

Additional level of conservatism is present on this approach due to a wider range of elevations blocked in the cross-section. Specifically, the blocked obstruction blocks conveyance up to top-of-levee elevation at 49.22 feet, where the actual fish screening system encroaches only approximately 10 feet above and along the river’s bed and left side slopes. Figure 5 illustrates the actual encroachment versus the modeled encroachment.

Results

The results of the calculated water surface elevations are tabulated in the following table:

Water Surface Elevation (WSE) Comparison

River Mile	Base Condition (WSE, ft)	Project Conditions (WSE, ft)	Δ WSE (ft)
103.00	42.83	42.83	0.00
102.91	42.82	42.82	0.00
102.90 ¹	42.81	42.8	-0.01
102.89	42.81	42.81	0.00
102.75	42.8	42.8	0.00

¹Location of fish screen encroachments

Using the Base Condition's peak discharge, the analysis shows no change in maximum computed water surface outside of the range of 0.01 feet for the Sacramento River peak discharge. Therefore, it can be concluded that the Windswept Land & Livestock #3 fish screening system has no measureable impact on the SRFCP design flood plane.



Patrick Ho, P.E.

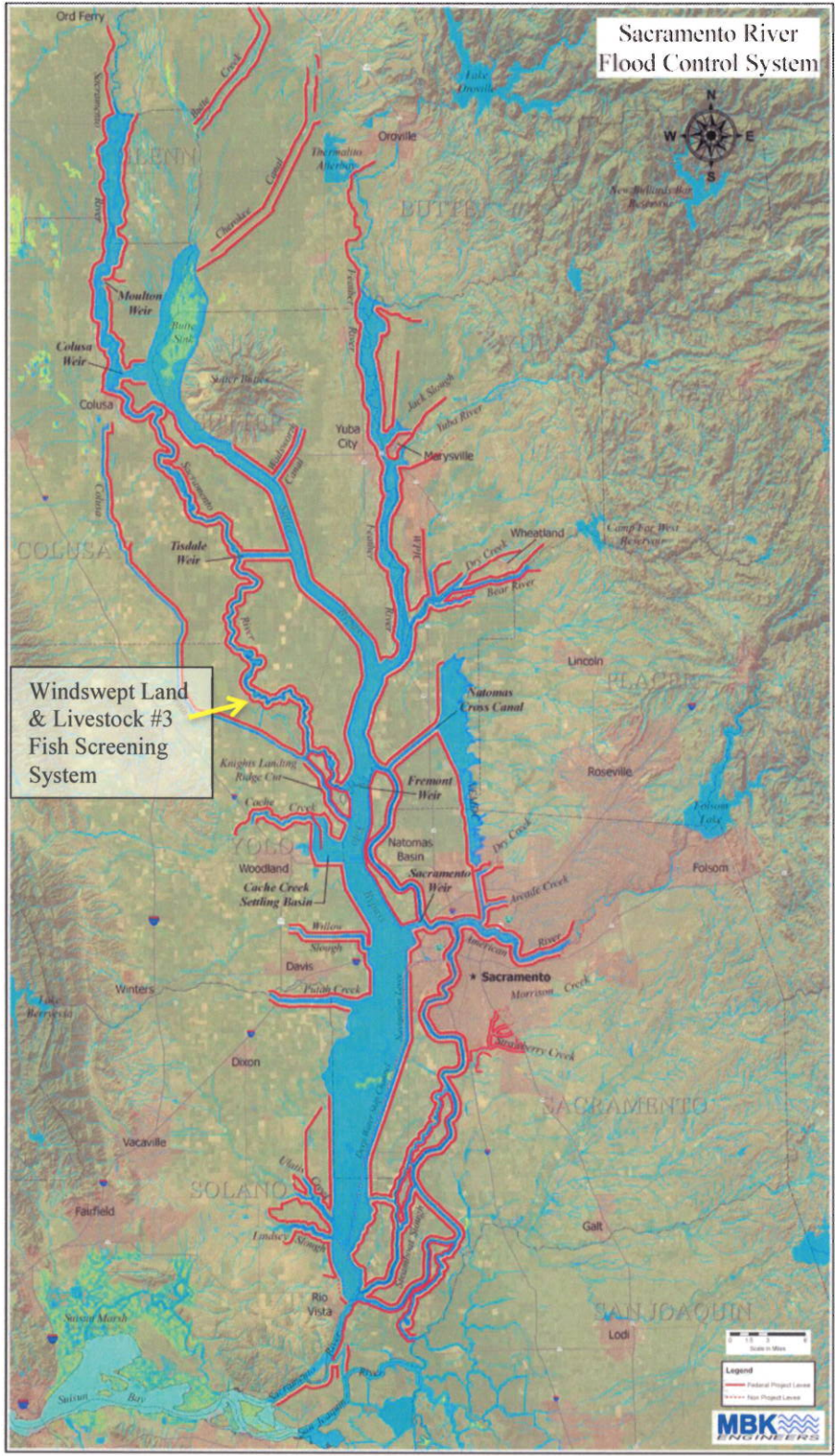


Figure 1. Location Map

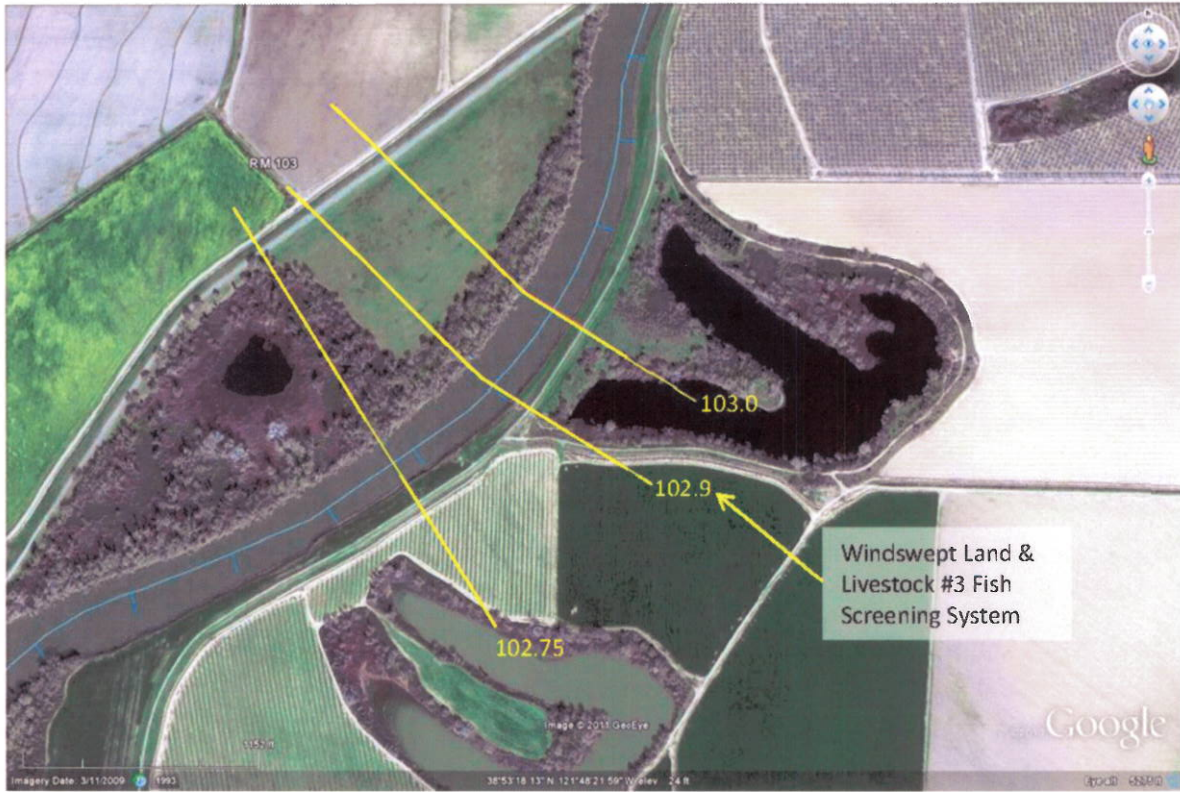


Figure 2. Site Map
Note: Cross-Sections 102.91 & 102.89 not shown for clarity

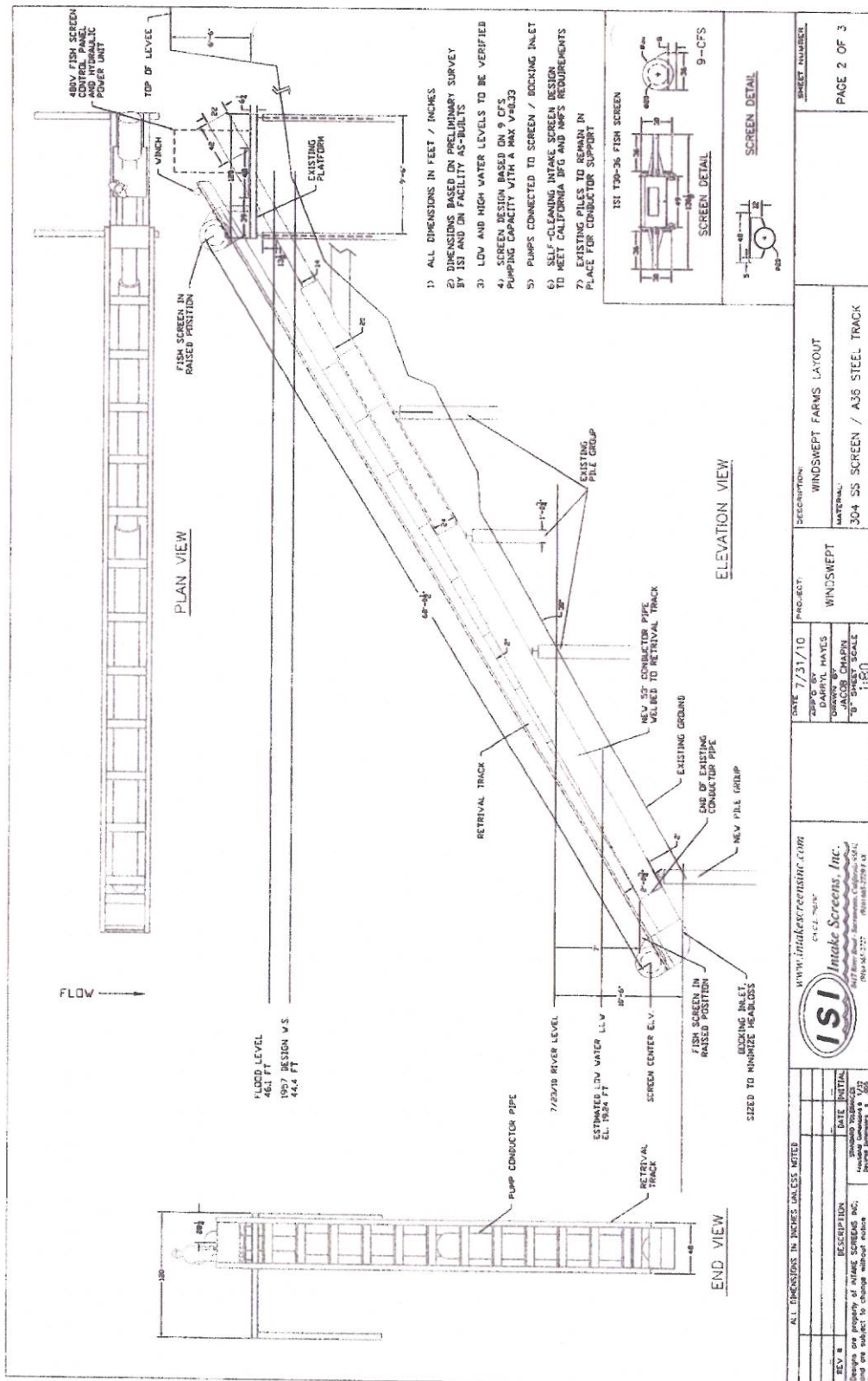


Figure 3. Windswept Land & Livestock Fish Screening System

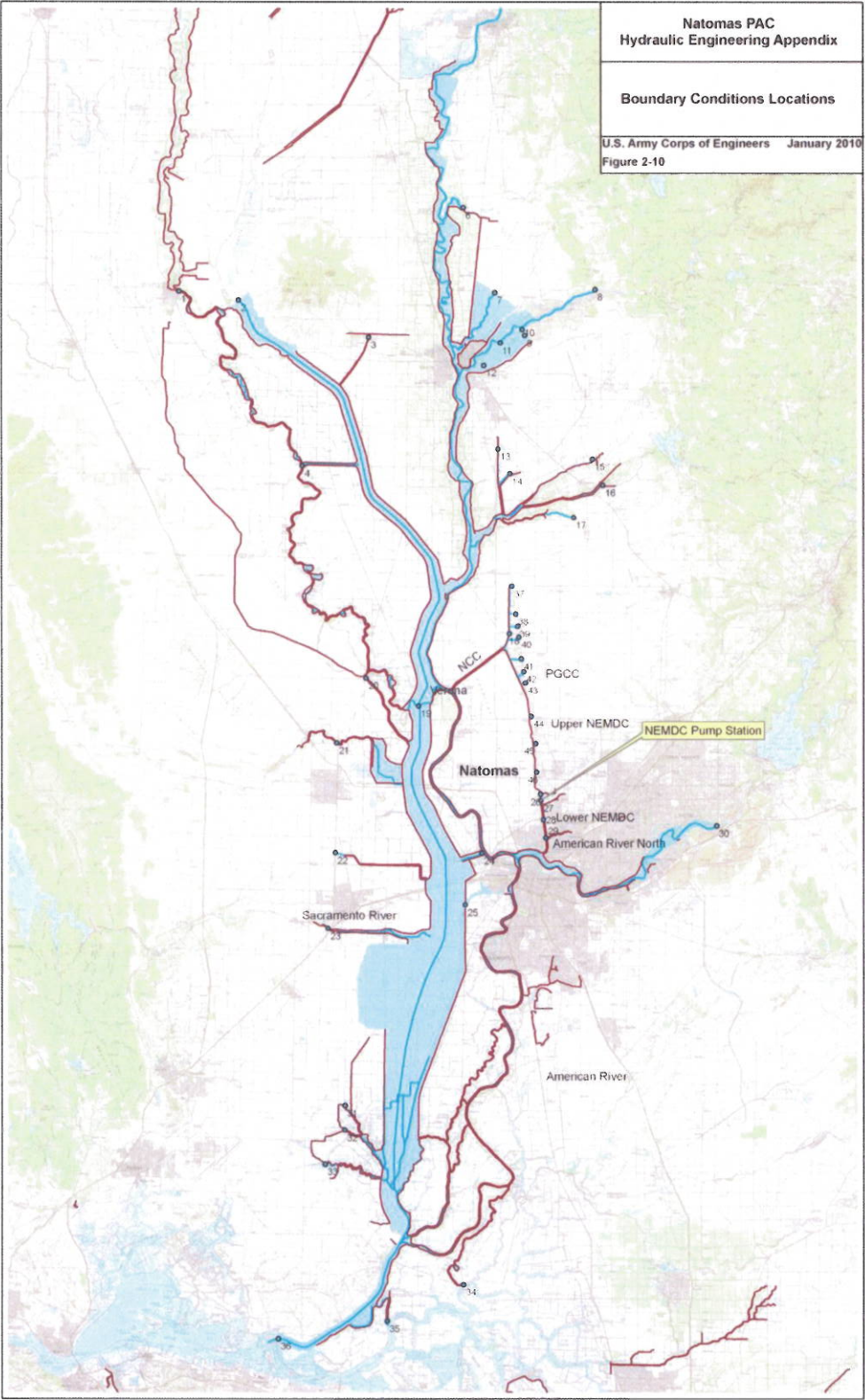


Figure 4. Hydraulic Model Extents

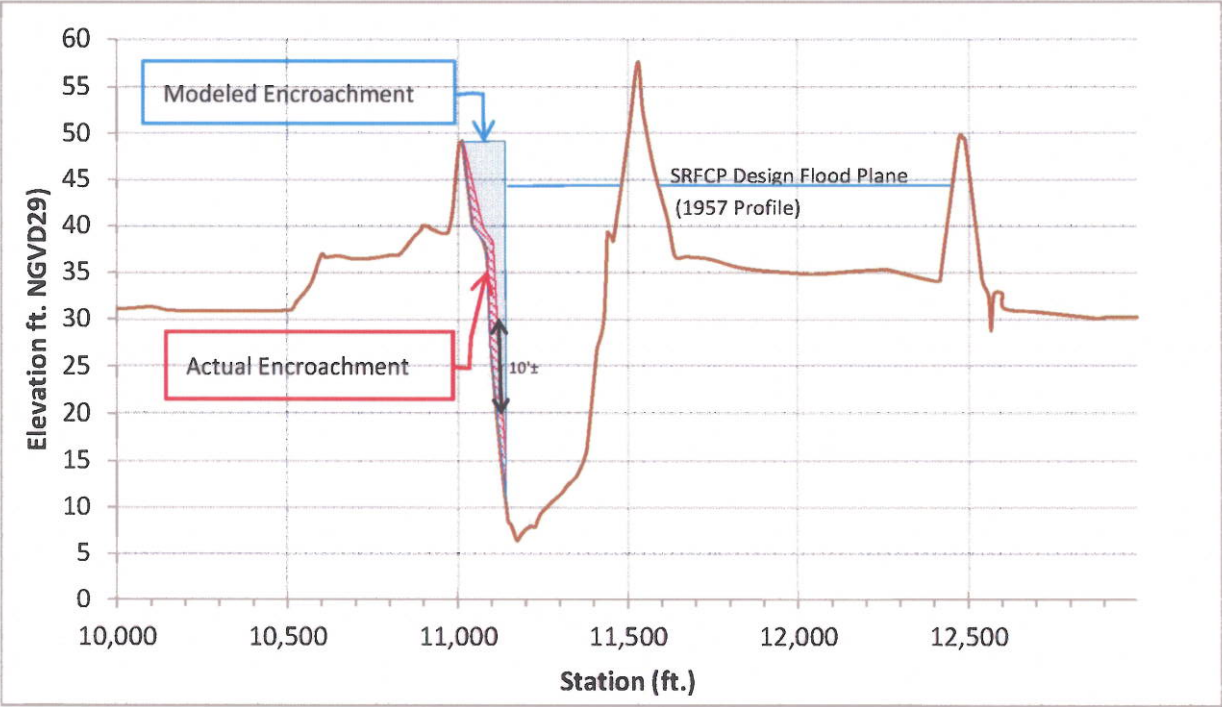


Figure 5. Cross-section 102.9

APPLICATION FOR A CENTRAL VALLEY FLOOD PROTECTION BOARD
ENCROACHMENT PERMIT

18678

Application No. _____
(For Office Use Only)

1. Description of proposed work:

This project will encompass the installation of a state-of-the-art, self-cleaning, retractable Intake Screens, Inc. fish screen system on an existing agricultural diversion owned and operated by Windswept Land & Livestock Company. The identifying information for this site is Project No. Y02-04 Windswept Land & Livestock #3. This diversion is located on the east bank of the Sacramento River at approximate river mile 102.5. The tentative date of installation is September through November 2011.

2. Location: Sutter County, in Section 13,

Township: 12 N (N) (S), Range 1 E (W), M. D. B. & M.

3. Windswept Land & Livestock Company of 9327 Boothwyn
Name of Applicant Address

Elk Grove CA 95758-7634 916-296-0767
City State Zip Code Telephone Number
541-524-1328
Fax Number

4. Endorsement: (of Reclamation District)

We, the Trustees of _____ Reclamation District No. 1500
Name and District Number

approve this plan, subject to the following conditions:

Conditions listed on back of this form Conditions Attached No Conditions

Mark Richter 4/26/11 Scott G. Jucker 4-26-11
Trustee Date Trustee Date
evell A. ... 4/26/11 [Signature] 4-26-11
[Signature] 4/26/11

5. Names and addresses of adjacent property owners sharing a common boundary with the land upon which the contents of this application apply. If additional space is required, list names and addresses on back of the application form or an attached sheet.

J. Henle P.O. Box 9500, Danville, CA 94526
Name Address Zip Code

6. Has an environmental determination been made of the proposed work under the California Environmental Quality Act of 1970? Yes No Pending

If yes or pending, give the name and address of the lead agency and State Clearinghouse Number:

SCH No. _____

7. When is the project scheduled for construction? September through November 15, 2011

8. Please check exhibits accompanying this application.

- A. Map showing the location of the proposed work.
- B. Drawings showing plan and elevation views of the proposed work, scale, materials of construction, etc.
- C. Drawings showing the cross section dimensions and elevations of levees, berms, stream banks, flood plain, low flow, etc.
- D. Drawings showing the profile elevations of levees, berms, flood plain, low flow, etc.
- E. Photograph depicting the project site.

9. Is the applicant acting for the owner of the proposed works? Yes No

If yes, the name, address and telephone number of the owner is


Signature of Applicant _____ Date _____

For additional information:

Levee pipe inspection performed on September 29, 2009. Report and DVD are enclosed with this application.

Reclamation District 1500 approves this plan subject to the conditions listed below:

Applicant has complied with any and all Corps of Engineers, Department of Water Resources, Central Valley Flood Protection Board, and Reclamation District No. 1500 standard conditions and compliance requirements concerning its pumping plant facilities and related structures in, on or through the levee.