

**Meeting of the Central Valley Flood Protection Board
January 26, 2012**

**Staff Report – Encroachment Permit
Reclamation District (R.D.) 1601
Levee Improvement, Sacramento County**

1.0 – ITEM

Consider approval of Permit No. 18692 (Attachment B)

2.0 – APPLICANT

Reclamation District (R.D.) 1601

3.0 – LOCATION

The project is located along the left (south) bank of Sevenmile Slough on West Twitchell Island Road, Site 1, southeast of Rio Vista, Sacramento County, see Attachment A)

4.0 – DESCRIPTION

Applicant proposes to add fill to crown and landside slop of the existing non-project levee.

5.0 – PROJECT ANALYSIS

Levee improvement and rehabilitation activities which will consist of placing imported fill on the landside slope and levee crown and constructing a paved road consisting of ¾-inch aggregate base with asphalt concrete surface coat on the levee crown to achieve HMP standard from Station 278+00 to 300+00 along the Sevenmile Slough.

5.1 – Hydraulic Analysis

No Hydraulic Analysis is required.

5.2 – Geotechnical Analysis

Geotechnical Analysis was done by Neil O. Anderson & Associates, Inc. The placing, compaction, required densities of the fill will be done according to the recommendation.

5.3 – Additional Staff Analysis

Although the existing levee is not considered a project levee, the channel, Sevenmile Slough is a regulated stream.

6.0 – AGENCY COMMENTS AND ENDORSEMENTS

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

Staff believes this proposed project will not affect a federally constructed project. A letter from the USACE District Engineer indicating “no comments or recommendation” will be incorporated upon receipt into as Exhibit A.

7.0 – CEQA ANALYSIS

Board staff has prepared the following CEQA determination:

Reclamation District 1601, as lead agency under CEQA, approved the project (Seven Mile Slough Levee Improvement Project: Repairs to Levee Crown of Twitchell Island Road, Site 1) on October 30, 2011 and determined that the project was categorically exempt under Class 1 (CEQA Guidelines Section 153031) covering existing facilities and Class 2 (CEQA Guidelines Section 15302) covering reconstruction of existing facilities.

The Board, acting as a responsible agency under CEQA, has reviewed the Reclamation District 1601 determination and has independently determined that the project is exempt under Class 1 (CEQA Guidelines Section 153031) covering existing facilities and Class 2 (CEQA Guidelines Section 15302) covering reconstruction of existing facilities.

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:

None.

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 find the project exempt from CEQA, approve Permit No.18692 and direct Executive Officer to take the necessary action to execute the permit.

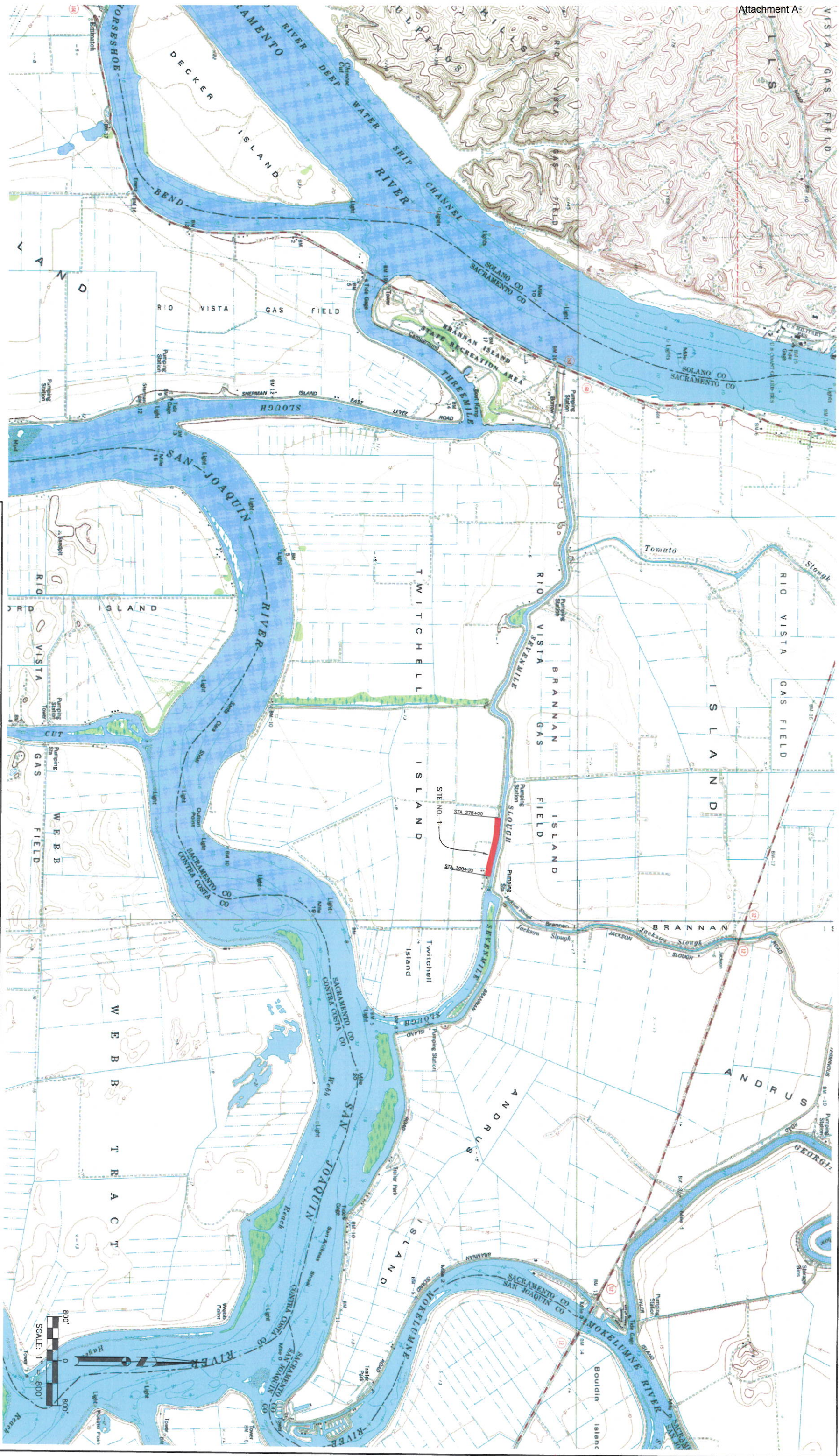
10.0 – LIST OF ATTACHMENTS

- A. Location Map and photos
- B. Draft Permit No. 18692

Design Review: Sam Brandon
Geotechnical Review: Sam Brandon

Environmental Review: James Herota and Andrea Mauro
Document Review: Mitra Emami, Len Marino





KJELDSEN SINNOCK NEUDECK INC.
 Consulting Engineers and Land Surveyors
 Post Office Box 844
 711 N. Pershing Avenue
 Stockton, CA 95201-0844
 Office (209) 946-0268
 Faxes (209) 946-0296
 E-mail: KSN@ksninc.com

**RECLAMATION DISTRICT NO. 1601
 TWITCHELL ISLAND
 7 MILE SLOUGH LEVEL IMPROV. SITE 1
 BASE MAP**

Revisions		Design		Scale		Date	
No.	Description	By	App'd	Scale	Scale	Sheet Number	Project File No.
		JAM	JAM	1" = 800'	1" = 800'	2	1110-0620
		JAM	JAM	Original Drawing Scale	0 1/2" = 1"	Of 6	
		CHN	CHN	Check			

DRAFT

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

PERMIT NO. 18692 BD

This Permit is issued to:

Reclamation District 1601
2360 West Twitchell Island Road
Rio Vista, California 94571

Project consists of Site 1 of the Sevenmile Slough Levee Setback Improvements by RD 1601 consists of adding fill to the existing levee crown and landside slope on West Twitchell Island Road. Located on West Twitchell Island Road just east of Twitchell Island Ferry Road in the county of Sacramento (Section 9, T3N, R3E, MDB&M, Reclamation District 1601, Sevenmile Slough, Sacramento 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. 18692 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 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.

FIFTEEN: 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.

SIXTEEN: The permittee shall be responsible for repair of any damages to the levee and other flood control facilities due to construction, operation, or maintenance of the proposed project.

SEVENTEEN: There shall be no plantings within the project area under this permit, except that of native grasses, which may be required for slope protection. The permittee shall be required to apply for a separate or modified permit for any proposed plantings within the floodway.

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

NINETEEN: The permittee shall provide construction supervision and inspection services acceptable to the Central Valley Flood Protection Board.

TWENTY: The stability of the levee shall be maintained at all times during construction.

TWENTY-ONE: Fill material shall be placed only within the area indicated on the approved plans.

TWENTY-TWO: Prior to placement of fill against the levee slope and within 10 feet of the levee toe, all surface vegetation shall be removed to a depth of 6 inches. Organic soil and roots larger than 1-1/2 inches in diameter shall be removed to a depth of 3 feet.

TWENTY-THREE: Fill on the levee slope shall be keyed into with each lift.

TWENTY-FOUR: Compaction tests by a certified soils laboratory will be required to verify compaction of backfill within the levee section or within 10 feet of the toe.

TWENTY-FIVE: 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.

TWENTY-SIX: The permittee shall be responsible for all damages due to settlement, consolidation, or heave from any construction-induced activities.

TWENTY-SEVEN: All fencing, gates and signs removed during construction of this project shall be replaced in kind and at the original locations. If it is necessary to relocate any fence, gate or sign, the permittee is required to obtain written approval from the Central Valley Flood Protection Board prior to installation at a new location.

TWENTY-EIGHT: All temporary fencing, gates and signs shall be removed upon completion of the project.

TWENTY-NINE: In the event that permitted improvements cause levee or bank erosion injurious to the adopted plan of flood control to occur at or adjacent to the 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.

THIRTY: 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.