

**Meeting of the Central Valley Flood Protection Board
May 25, 2012**

Staff Report

**Conway Preservation Group, LLC
Agricultural Well, Yolo County**

1.0 – ITEM

Consider approval of Permit No. 18733 (Attachment B)

2.0 – APPLICANT

Conway Preservation Group, LLC

3.0 – LOCATION

The project is located east of the centerline of the west levee of the Yolo Bypass 200 feet in line with the extension of County Road 25.
(Yolo Bypass, Yolo County, see Attachment A)

4.0 – DESCRIPTION

Applicant proposes to install an agricultural well (8W-2N), well platform, controller, service pole and ancillary flatwork within the Yolo Bypass.

5.0 – PROJECT ANALYSIS

The installation of agricultural irrigation wells in the Yolo Bypass is consistent with the operation of the Yolo Bypass. The impacts of the well site are minimal and localized.

5.1 – Hydraulic Analysis

A flowage block calculation was performed that showed there was less than 1% blockage of the floodway therefore no further hydraulic analysis is necessary.

5.2 – Geotechnical Analysis

A Geotechnical Analysis is not needed for this project.

6.0 – AGENCY COMMENTS AND ENDORSEMENTS

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

- Reclamation District 2035 has endorsed this project with no conditions.
- The U.S. Army Corps of Engineers 208.10 comment letter has not been received for this application. Staff anticipates receipt of a letter indicating that the USACE District Engineer has no objection to the project, subject to conditions. Upon receipt of the letter, staff will review to ensure conformity with the permit language and incorporate it into the permit as Exhibit A.

7.0 – CEQA ANALYSIS

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

The Board has determined that the project is categorically exempt from CEQA under a Class 3 Categorical Exemption (CEQA Guidelines Section 15303) covering new construction of small structures.

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 measureable effects on the entire 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:

Reasonable projected future events should have no effects on the proposed project.

9.0 – STAFF RECOMMENDATION

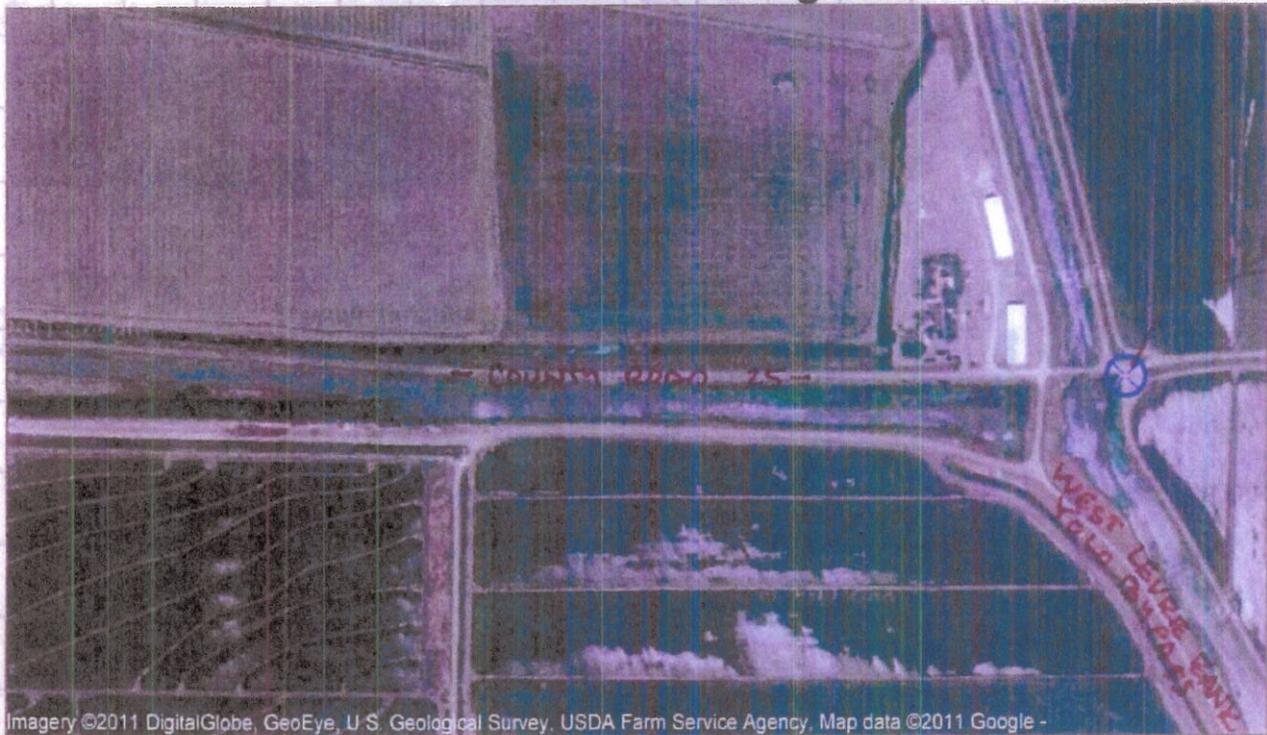
Staff recommends that the Board find the project exempt from CEQA, approve the permit, and direct staff to file a Notice of Exemption with the State Clearinghouse.

10.0 – LIST OF ATTACHMENTS

- A. Location Maps and Photos
- B. Draft Permit No. 18733
- C. Drawings

Design Review:	Steve Dawson
Environmental Review:	James Herota/Andrea Mauro
Document Review:	Mitra Emami; Curt Taras; Len Marino

Find Latitude and Longitude

**Selected Coordinates**

Latitude: N 38° 38' 49.3523"
 Longitude: W 121° 39' 55.2393"
 Latitude: N 38° 38.82253900745113'
 Longitude: W 121° 39.920654296875'
 Latitude: 38.64704231679085°
 Longitude: -121.66534423828125°

Selected Location (Approximate)

Address: 45599 County Road 25, West
 Sacramento, CA 95691, USA
 Latitude: 38.6471029°
 Longitude: -121.6653595°
 Accuracy: 8: Address level.
 Status: 200: Successful geocode.

Mouse Position

Latitude: mouse off map
 Longitude: mouse off map
 Latitude:
 Longitude:
 Latitude:
 Longitude:

Load Location

Latitude:
 Longitude:
 Location:
 Post Code:

Map Parameters

Zoom: 16
 Type: Satellite
 current link: [link](#)
 reset map:

TOWNSHIP T9N R3E
 MERIDIAN MOUNT DIABLO
 CALIFORNIA

Instructions

"Selected Coordinates" displays the latitude and longitude coordinates in degrees, minutes, seconds decimal, degrees minutes decimal and degrees decimal of the current location.

"Selected Location" displays the reverse geocoded location of the current latitude and longitude (approximation only). See also find address from latitude and longitude.

COUNTY RECORDER
Filing Requested by:

Yolo County Planning and Public Works
Name
292 West Beamer Street
Address
Woodland, CA 95695
City, State, Zip
Attention: Eric Parfrey

FILED
YOLO COUNTY CLERK/RECORDER
DEC 06 2011
BY Freddie Oakley, CLERK
DEPUTY Linda Smith



Notice of Exemption

To: Yolo County Clerk
625 Court Street
Woodland, CA 95695

Project Title: ZF 20011-0061 Conaway Preservation Group ag wells

Applicant: Conaway Preservation Group
401 Watt Avenue, Suite 4
Sacramento, CA 95864

Project Location: Yolo Bypass West Levee, Conaway Ranch, north and south of I-5 freeway, in unincorporated Yolo County, five miles east of the City of Woodland

Project Description: Four well permits issued by Yolo County Environmental Health Department for four agricultural wells along the Yolo Bypass West Levee, on the Conaway Ranch, located on the western edge of Assessor Parcels No. 042-180-003, 042-170-001 and -003, and 057-200-001.

Exempt Status: The project is exempt from further environmental review based on Section 15268 of the California Environmental Quality Act Guidelines (CEQA).

Reasons why project is exempt: Section 15268 allows a Statutory Exemption for "ministerial" projects that are absent of any discretionary provisions, such a building and other permits. Any potential impacts to the Sacramento River levee or any other jurisdictional flood control levees or streams are presumed to be insignificant because the Central Valley Flood Protection Board is authorized to deny any project that will be injurious to a flood control work pursuant to Water Code Section 8723.

Lead Agency Contact Person: Eric Parfrey, Principal Planner Telephone Number: (530) 666-8043

Signature (Public Agency): _____

Date: _____

RECEIPT#
FEE STATUS

FILE: FILE NAME:
AUTHORIZED SIGNATURE

POSTED DEC 06 2011 TO

N 11-87

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

PERMIT NO. 18733 GM

This Permit is issued to:

Conaway Preservation Group, LLC
45332 County Road 25
Woodland, California 95776

Install an agricultural well (8W-2N), well platform, controller, service pole and ancillary flatwork within the Yolo Bypass. The project is located east of the centerline of the west levee of the Yolo Bypass, 200 feet in line with the extension of County Road 25. (Section 8, T9N, R3E, MDB&M, Reclamation District 2035, Yolo Bypass, Yolo 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. 18733 GM

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 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, reclamation District No. 2035 or any other agency responsible for maintenance.

FIFTEEN: Upon receipt of a signed copy of the issued (not approved only) permit 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: The Central Valley Flood Protection Board, Department of Water Resources, and Reclamation District No. 2035 shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.

SEVENTEEN: 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.

EIGHTEEN: 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.

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

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: 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-FOUR: 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-FIVE: The pipe shall be placed in the center of an open trench 2 feet wider than the diameter of the pipe.

TWENTY-SIX: Pipe installed in the Yolo Bypass shall be new steel and at least 10 gauge. Steel pipe shall be corrosion-proofed externally with a coating of coal-tar enamel; asphalt-saturated felt wrap; cement mortar; or PVC or polyethylene tape wrapped to a thickness of 30 mils. Steel pipe shall be corrosion-proofed internally with a continuous lining of cement mortar or asphalt.

TWENTY-SEVEN: 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.

TWENTY-EIGHT: 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-NINE: The project site shall be restored to at least the condition that existed prior to

commencement of work.

THIRTY: All debris generated by this project shall be disposed of outside the Yolo Bypass.

THIRTY-ONE: All debris that may accumulate around the permitted encroachments within the floodway shall be completely removed from the floodway following each flood season.

THIRTY-TWO: If the permitted encroachments result(s) in an adverse hydraulic impact, the permittee shall provide appropriate mitigation measures, to be approved by the Central Valley Flood Protection Board, prior to implementation of mitigation measures.

THIRTY-THREE: Any additional encroachment(s) within the Yolo Bypass require an approved permit from the Central Valley Flood Protection Board and shall be in compliance with the Central Valley Flood Protection Board's regulations (Title 23 California Code of Regulations).

THIRTY-FOUR: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated May XX, 2012, which is attached to this permit as Exhibit A and is incorporated by reference.