

**Meeting of the Central Valley Flood Protection Board
August 24, 2012**

Staff Report – Encroachment Permit

**Michael and Jill Steinbacher
Boat Dock, Sacramento County**

1.0 – ITEM

Consider approval of Permit No. 18769 (Attachment B)

2.0 – APPLICANT

Michael and Jill Steinbacher

3.0 – LOCATION

The project is located along the left (east) bank of the Sacramento River. Unit 1, Levee Mile 4.99. (Sacramento River, Sacramento County, see Attachment A)

4.0 – DESCRIPTION

Applicant proposes to install a 51-ft by 22-ft boat dock, supported by four 14-inch diameter pilings, attached to a 4-ft wide gangway, metal bridge and a concrete landing pad.

5.0 – PROJECT ANALYSIS

The proposed boat dock, pilings and gangway as stated in the above description. The boat dock and gangway conforms to all standards in Title 23, Sections 127 and 123, respectively.

5.1 – Hydraulic Analysis

Hydraulic impacts from the floating boat dock are considered insignificant and therefore a hydraulic analysis was not required.

5.2 – Geotechnical Analysis

A geotechnical analysis for the boat dock is not applicable. Earthwork for the conduit installation will be completed in accordance with conditions in Permit No. 18769 (Attachment B) and Title 23, Section 123.

6.0 – AGENCY COMMENTS AND ENDORSEMENTS

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

- 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.
- Reclamation District 551 endorsed the project on April 10, 2012, with conditions. The conditions will be incorporated into the permit as Exhibit B.

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 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 facilities of the State Plan of Flood Control, and consistency of the proposed project with the Central Valley Flood Protection Plan as adopted by Board Resolution 2012-25 on June 29, 2012:

The proposed boat dock will have no effect on facilities of the State Plan of Flood Control and is consistent with the Central Valley Flood Protection Plan.

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

There will be no effects to the boat dock from reasonable projected future events.

9.0 – STAFF RECOMMENDATION

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

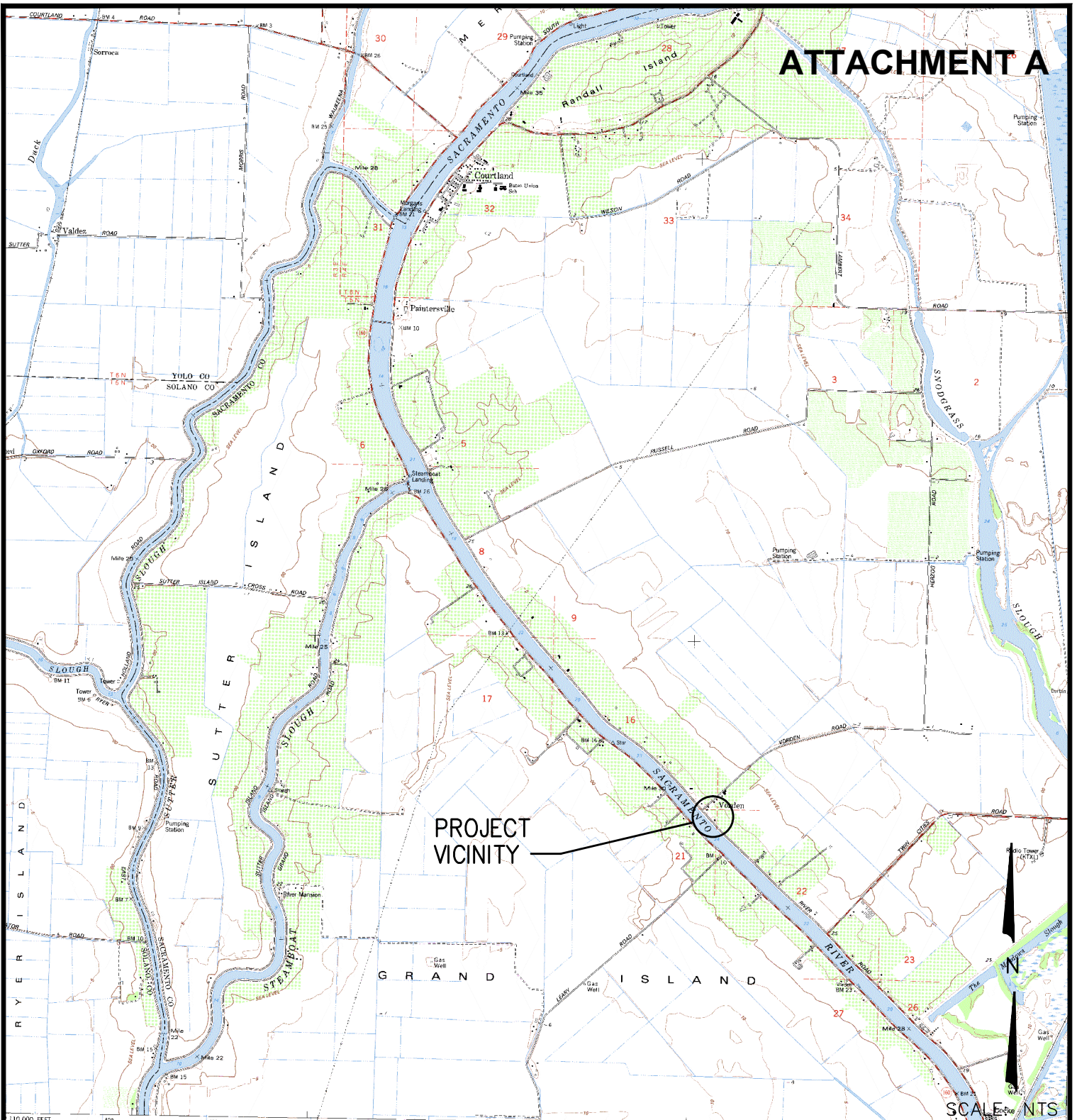
10.0 – LIST OF ATTACHMENTS

- A. Location Map and Photos
- B. Draft Permit No. 18769
 - Exhibit A – USACE 208.10 comment letter (Pending)
 - Exhibit B – RD 551 Endorsement Letter
- C. Plans and cross section

Design Review:	Angeles Caliso
Environmental Review:	Andrea Mauro, James Herota
Document Review:	Michael Wright, P.E., Len Marino, P.E.

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ATTACHMENT A



PROJECT
VICINITY

SCALE: NTS

OWNER: MICHAEL AND JILL STEINBACHER
13201 RIVER ROAD
WALNUT GROVE, CA 95690

DATUM: NAVD 88

ADJACENT PROPERTY OWNERS:

UPSTREAM: APN: 146-0420-001
VICTORIA TRUST
565 VORDEN ROAD
COURTLAND, CA 95615

DOWNSTREAM: APN: 146-0090-024
WILLIAM AND KATHERINE JOHNSON
POST OFFICE BOX 404
ELK GROVE, CA 95759

CONTENTS: VICINITY MAP

APN: 146-0090-026 (RESIDENCE)
146-0090-023
13201 RIVER ROAD
WALNUT GROVE, CA 95690



PLANNING
PERMITTING
ARCHITECTURE
CIVIL ENGINEERING
PROJECT MANAGEMENT

PROJECT: STEINBACHER PRIVATE RECREATIONAL DOCK

IN: SACRAMENTO RIVER
RIVER MILE ±33

COUNTY: SACRAMENTO

STATE: CA

APPLICATION BY:
DCC ENGINEERING CO., INC.

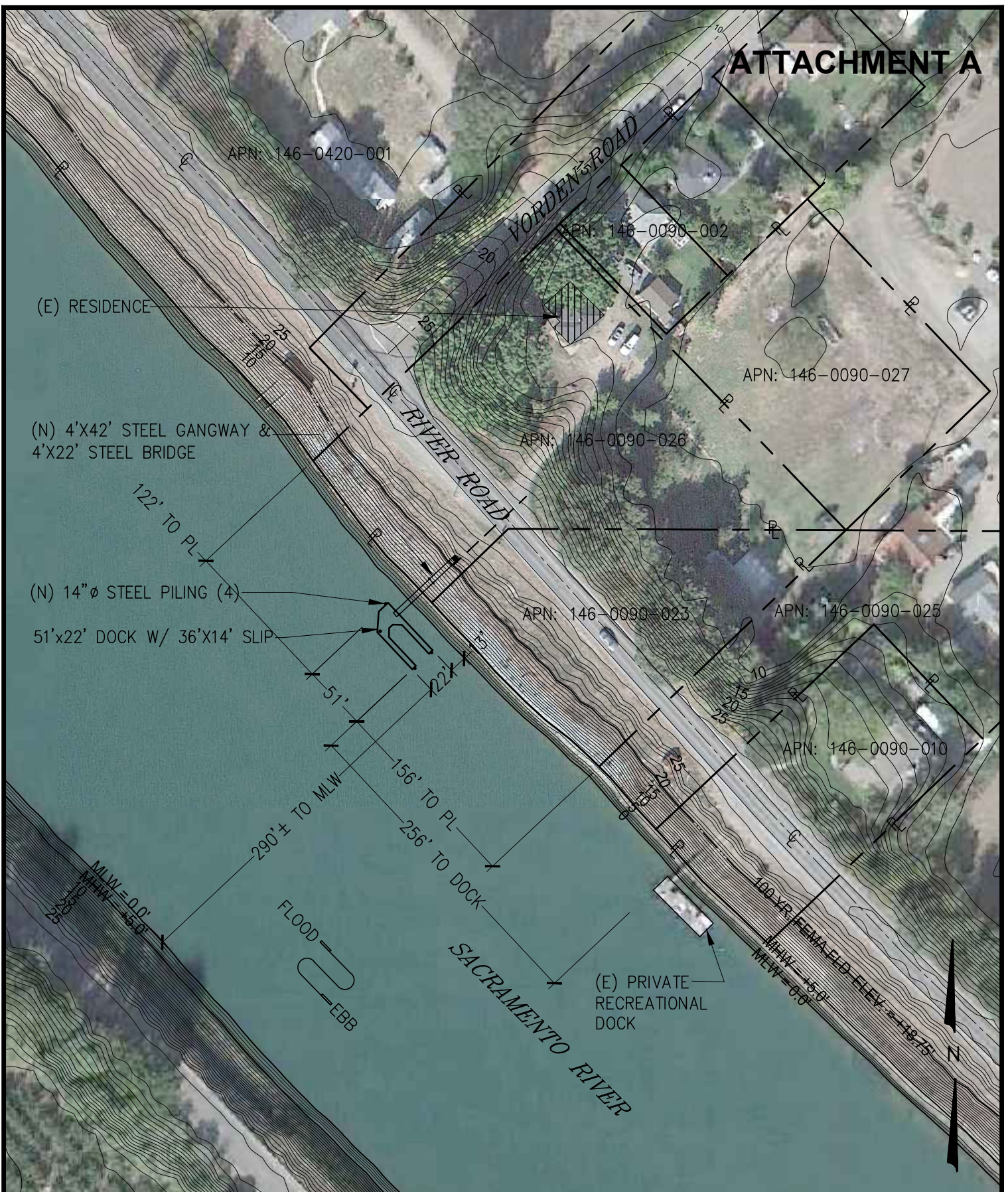
JOB #: 7669.01

DRAWN BY: EP

DATE: 2/3/2012

SHEET 1 OF 6 REV. 1

ATTACHMENT A



OWNER: MICHAEL AND JILL STEINBACHER
13201 RIVER ROAD
WALNUT GROVE, CA 95690

DATUM: NAVD 88

CONTENTS: SITE PLAN



PLANNING
PERMITTING
ARCHITECTURE
CIVIL ENGINEERING
PROJECT MANAGEMENT

PROJECT: STEINBACHER PRIVATE RECREATIONAL DOCK

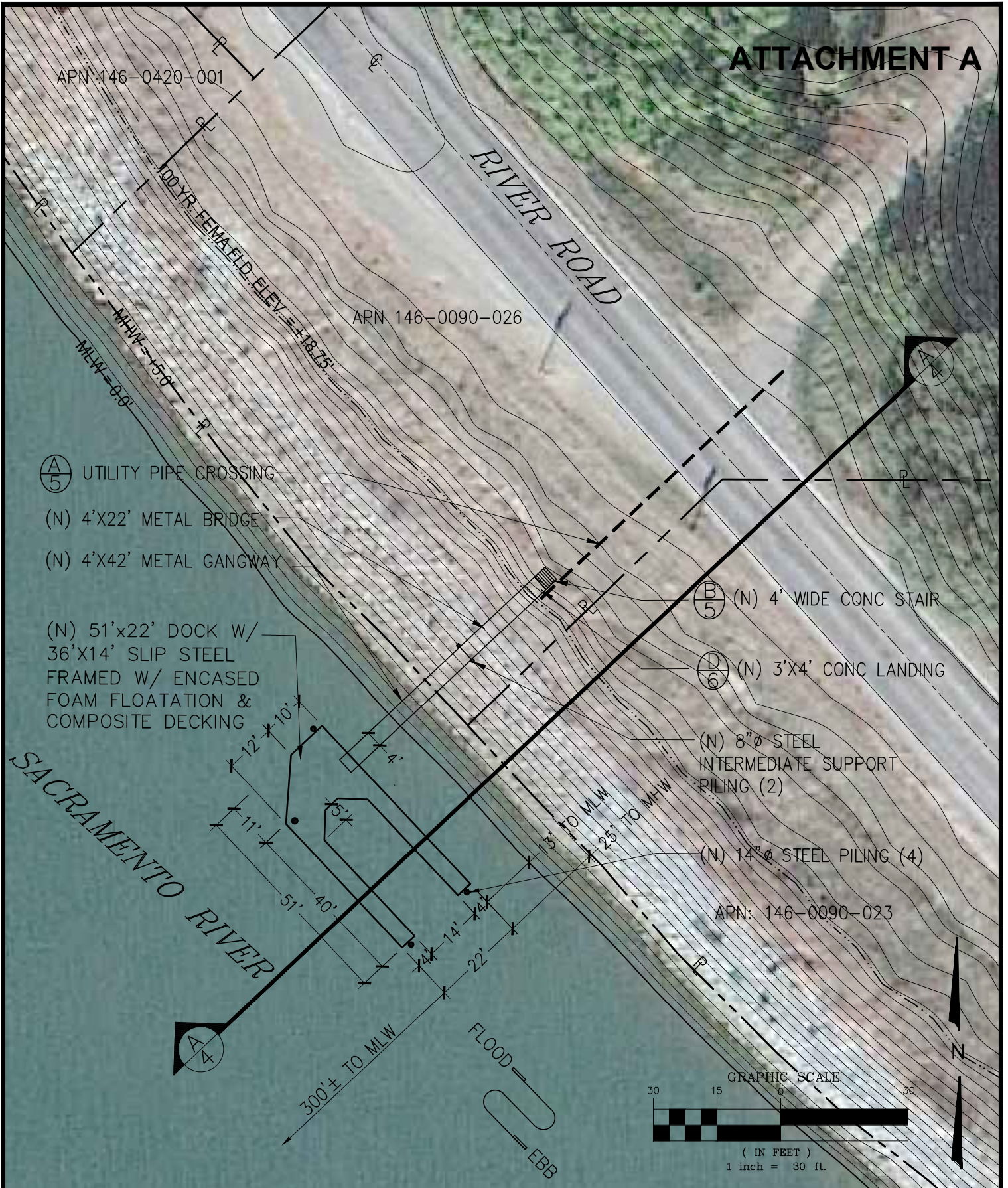
SCALE: 1" = 20'

DRAWN BY: EP

DATE: 2/3/2012

SHEET: 2 OF 6 , REV. 1

ATTACHMENT A



OWNER: MICHAEL AND JILL STEINBACHER
13201 RIVER ROAD
WALNUT GROVE, CA 95690

DATUM: NAVD 88

CONTENTS: DETAILED SITE PLAN



PLANNING
PERMITTING
ARCHITECTURE
CIVIL ENGINEERING
PROJECT MANAGEMENT

PROJECT: STEINBACHER PRIVATE
RECREATIONAL DOCK

SCALE: 1" = 30'

DRAWN BY: EP

DATE: 2/3/2012

SHEET: 3 OF 6 , REV. 1



View of Project Site.



View across the channel from levee crown



Upstream view from project site.



Downstream view from project site.



View of the upland property.

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

PERMIT NO. 18769 BD

This Permit is issued to:

Michael & Jill Steinbacher
13201 River Road
Walnut Grove, California 95690

Installation of a 51' by 22' dock with a 36' by 14' slip; four-14" diameter steel piling to anchor the dock structure; 4' by 43.5' metal gangway; 4' by 22.5' bridge supported by two-8" diameter steel piling and a 3' by 4' concrete landing at levee crown supported by two-8" diameter concrete-filled steel piling. Trenching of levee crown to install a 6" diameter steel utility chase. The project is located on the left bank of the Sacramento River at approximately River Mile 30.0 in Sacramento County. (Section 16,21, T5N, R4E, MDB&M, Reclamation District 551, Sacramento River, 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

ATTACHMENT B

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. 18769 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: 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.

FIFTEEN: Any additional encroachment(s) on the levee section or in the channel 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).

SIXTEEN: 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. 551 or any other agency responsible for maintenance.

SEVENTEEN: 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.

EIGHTEEN: The Central Valley Flood Protection Board, Department of Water Resources, and Reclamation District No. 551 shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.

ATTACHMENT B

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

TWENTY-TWO: The permittee is responsible for all liability associated with 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-THREE: 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-FOUR: 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-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 top elevation of the piles shall be at least 2 feet higher than the levee crown elevation of 27.5 feet, NAVD 88.

TWENTY-SEVEN: The existing floating facilities shall be properly anchored to prevent detachment from the anchoring system during periods of high water.

ATTACHMENT B

TWENTY-EIGHT: Objects connected to the dock shall be properly secured to prevent detachment during periods of high water.

TWENTY-NINE: The conduit shall be buried at least 24 inches below the levee crown.

THIRTY: 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.

THIRTY-ONE: Handrails on access ways shall not extend onto the levee crown.

THIRTY-TWO: The proposed steps constructed on the waterward levee slope shall be properly anchored to prevent movement during high water.

THIRTY-THREE: Excavation in the levee slope made for the construction of steps shall not exceed 12 inches in depth.

THIRTY-FOUR: The proposed steps shall be constructed flush with the levee slope.

THIRTY-FIVE: The levee section shall be restored to at least the condition that existed prior to commencement of work.

THIRTY-SIX: Debris that may accumulate on the permitted encroachment(s) and related facilities shall be cleared off and disposed of outside the floodway after each period of high water.

THIRTY-SEVEN: In the event that levee or bank erosion injurious to the adopted plan of flood control occurs 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-EIGHT: The permittee shall be responsible for removing all boats or other objects moored to the dock upon receiving notification to do so from the Central Valley Flood Protection Board, Department of Water Resources, or any other federal, State, or local agency having applicable authority.

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

FORTY: The permittee shall comply with all conditions set forth in the letter from Reclamation District No. 551, which is attached to this permit as Exhibit B and is incorporated by reference.

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RECLAMATION DISTRICT NO. 551
Standard Conditions of Encroachment

1. That the project described in the Plans presented to the Trustees on behalf of the Owner receive all necessary environmental clearances and approval of all governmental agencies having jurisdiction.
2. That if rock revetment on the levee is disturbed by the construction or maintenance of the Project, it shall be restored to the same condition that existed prior to the commencement of construction or maintenance.
3. That completion, repair and maintenance of the Project shall be accomplished by the Owner and no cost thereof shall be borne by the District.
4. That in the event levee or bank protection work is required in this area in the future, and the existence of the Project is an impediment thereto, the improvements shall be removed to the extent necessary to allow such work and the cost of removal and replacement shall be the responsibility of the Owner. Should the encroachment not be promptly removed by the Owner at the direction of the District to accommodate levee or bank protection work or emergency work which the District may require, then District reserves the right to remove the encroachment to the extent deemed necessary by the District and the Owner shall reimburse the District for the cost of such removal and bear the cost of replacement of the encroachment.
5. That the Owner maintain all elements of the Project in good condition. Failure to do so, at the discretion of the District would be cause for removal of the Project as described in Item 4 above.
6. If the Project causes any adverse problem or hazard to the levee of the District, such problem or hazard shall be immediately eliminated at the cost of the Owner and not at the cost of the District.
7. The Owner shall defend, protect and keep the District (including its agents and employees) harmless and free from all claims, losses, or damages (including attorney fees and costs) resulting from injury or harm to any person or property directly or indirectly arising out of or in any way connected with the construction or use of the property or facilities which constitute the Project.
8. In the event that the Project is ever abandoned, at the request of the District all remains of the Project shall be removed by the Owner at Owner's sole expense and without damage to the District levee.

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ATTACHMENT C

OWNER: MICHAEL AND JILL STEINBACHER
 13201 RIVER ROAD
 WALNUT GROVE, CA 95690

DATUM: NAVD 88

CONTENTS: CROSS SECTION



PLANNING
 ARCHITECTURE
 CIVIL ENGINEERING
 PROJECT MANAGEMENT

1419 HIGHTOWER STREET, SUITE 400, WALNUT GROVE, CA 95690
 TEL: (925) 938-8888 FAX: (925) 938-8889

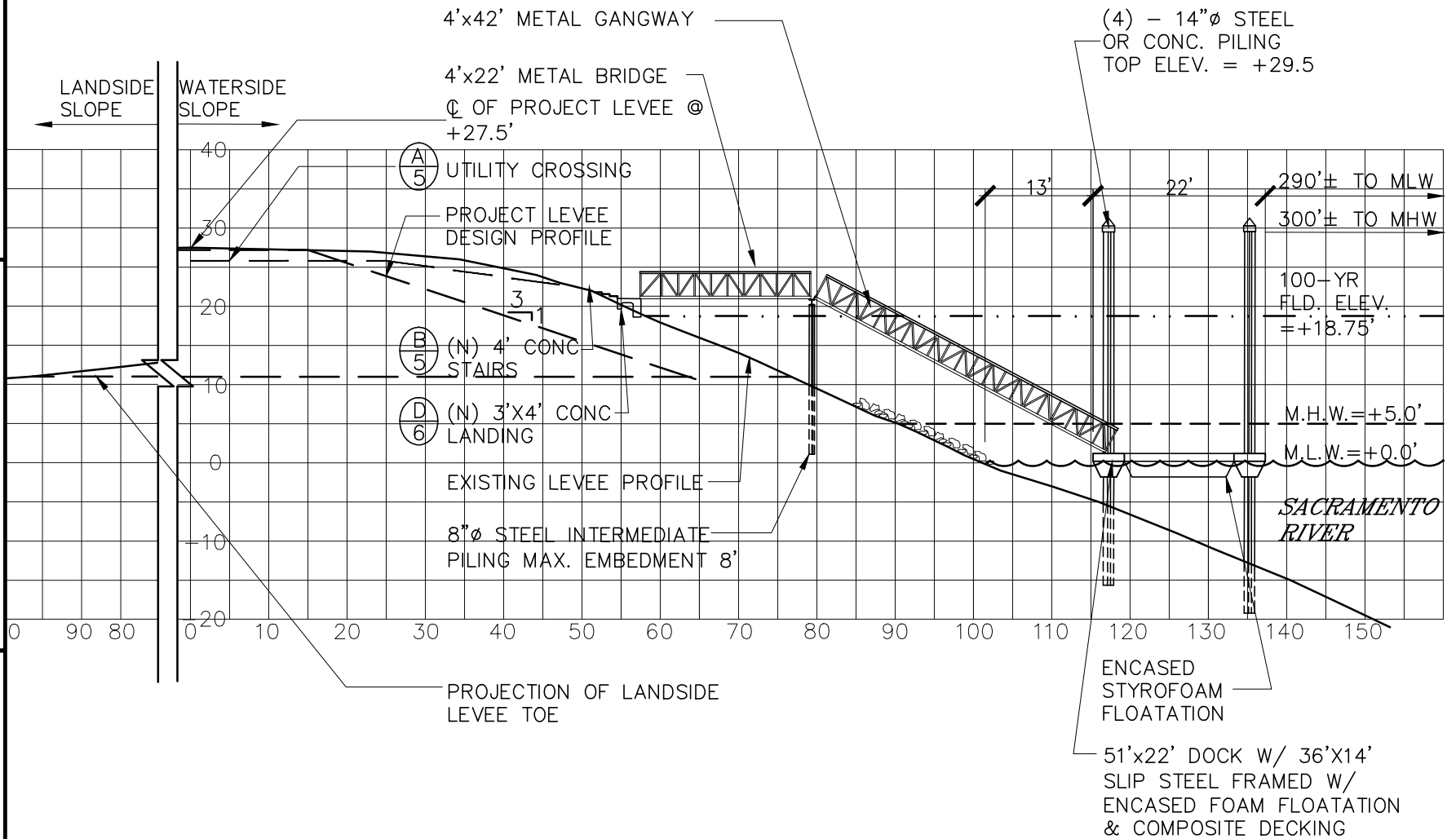
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SCALE: 1" = 20'

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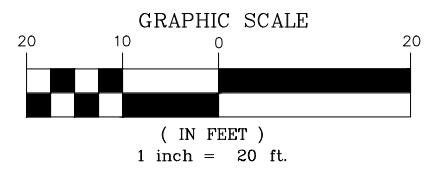
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SHEET: 4 OF 6 **REV:** 1

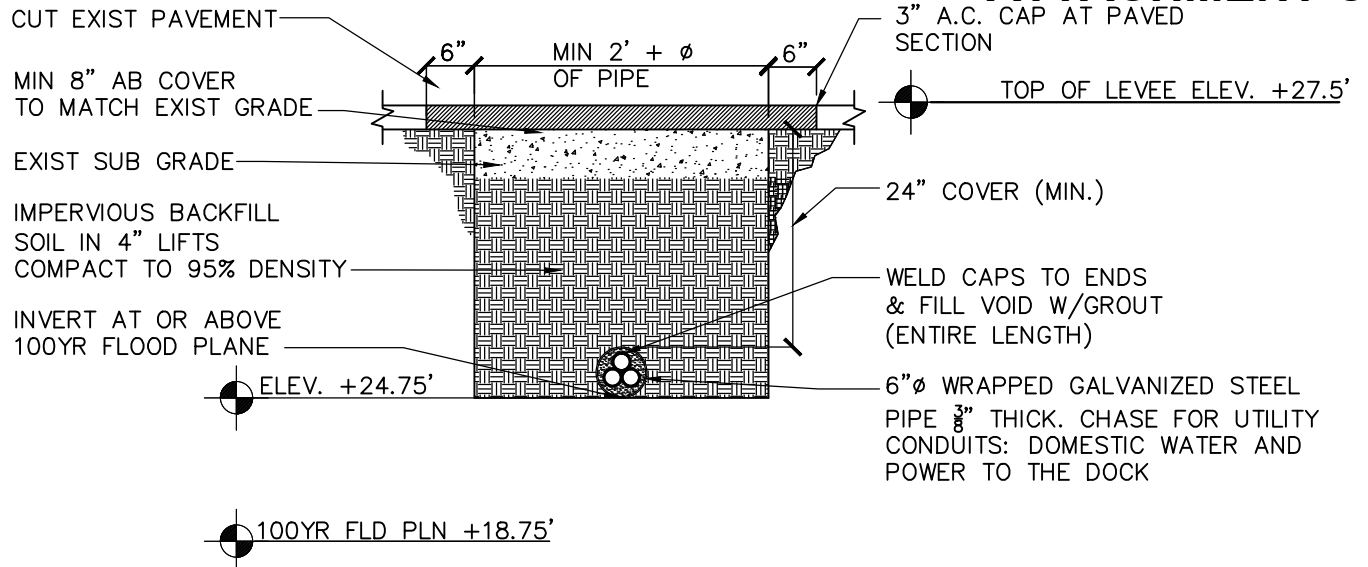


CROSS SECTION A-A

SCALE: 1"=20'

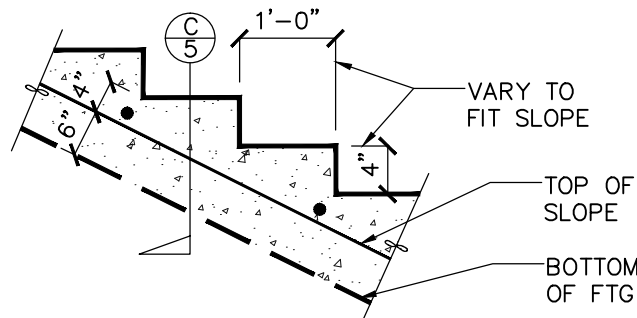


ATTACHMENT C

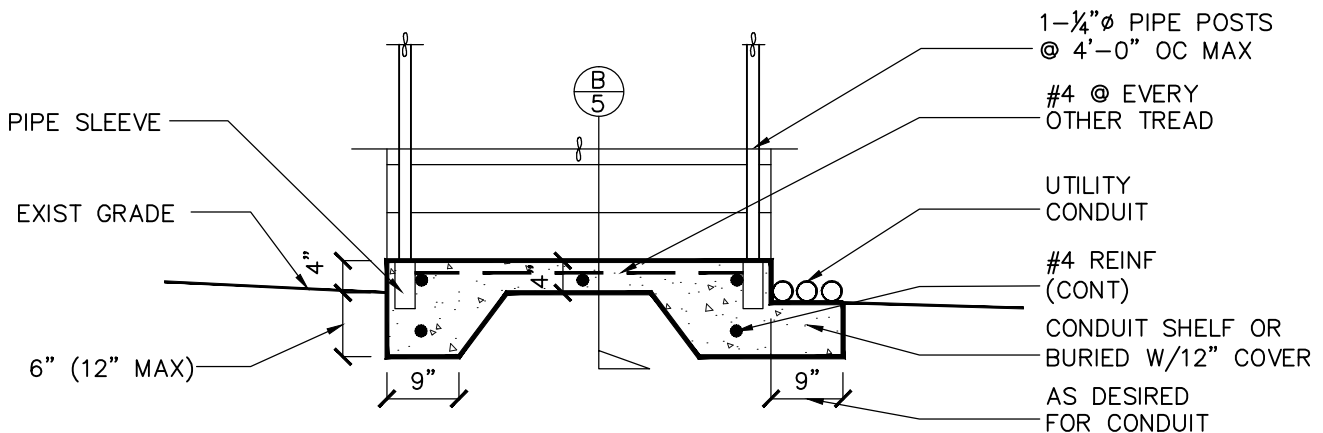


A UTILITY TRENCH DETAIL

SCALE: 1/2"=1'-0"



B CROSS SECTION



C TYPICAL STAIR SECTION

SCALE: 1/2"=1'-0"

OWNER: MICHAEL AND JILL STEINBACHER
13201 RIVER ROAD
WALNUT GROVE, CA 95690

DATUM: NAVD 88

CONTENTS: SITE PLAN



Tel (916) 770-2277 Fax (916) 770-2282
P.O. BOX 929 WALNUT GROVE, CA 95690

PLANNING
PERMITTING
ARCHITECTURE
CIVIL ENGINEERING
PROJECT MANAGEMENT

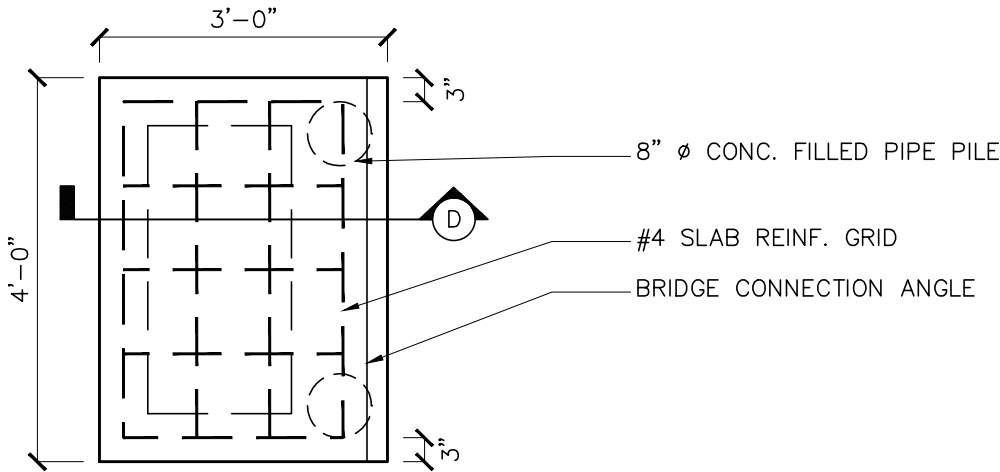
PROJECT: STEINBACHER PRIVATE
RECREATIONAL DOCK

SCALE: 1/2" = 1'-0"

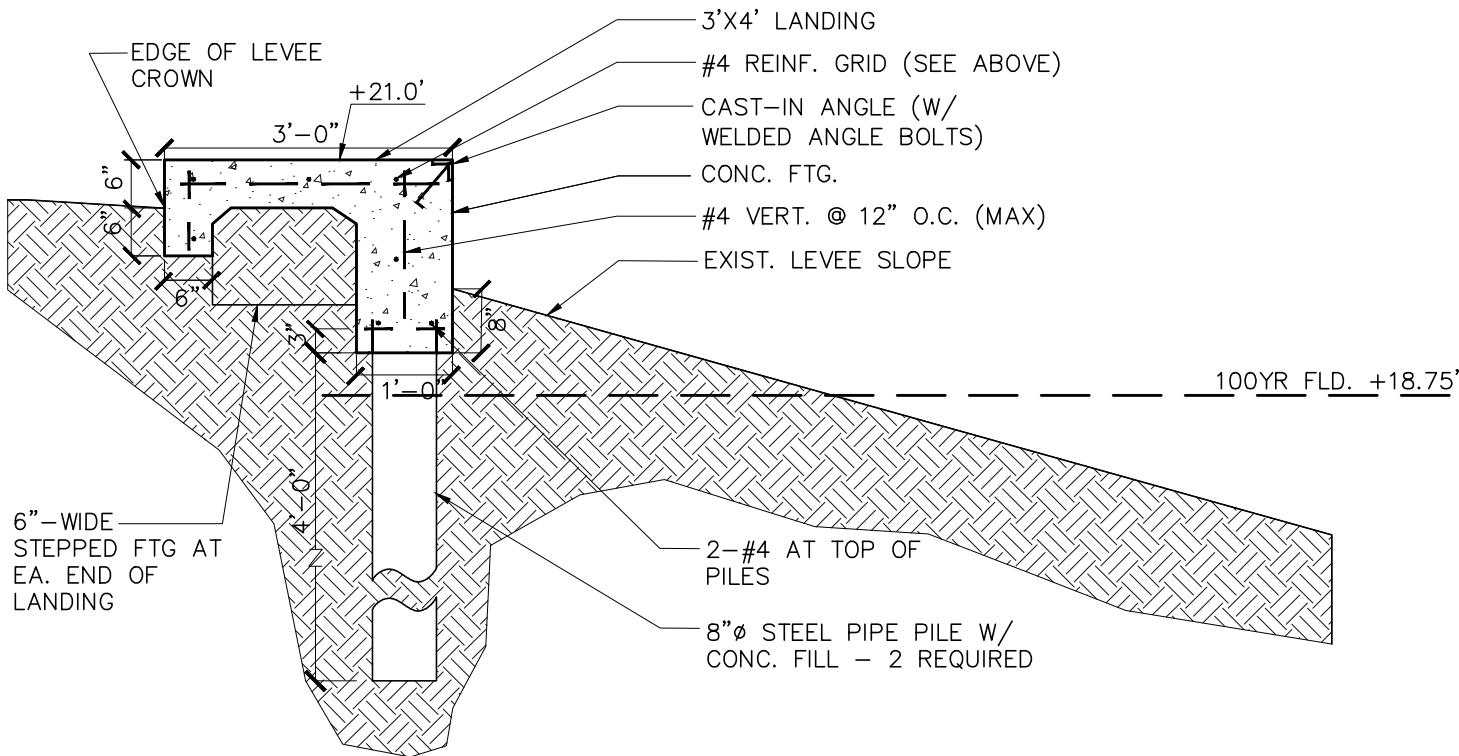
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DATE: 2/3/2012

SHEET: 5 OF 6 ,REV. 1



TOP VIEW



D TYPICAL LANDING SECTION

SCALE: 1/2"=1'-0"

OWNER: MICHAEL AND JILL STEINBACHER
13201 RIVER ROAD
WALNUT GROVE, CA 95690

DATUM: NAVD 88

CONTENTS: SITE PLAN



PLANNING
PERMITTING
ARCHITECTURE
CIVIL ENGINEERING
PROJECT MANAGEMENT

PROJECT: STEINBACHER PRIVATE RECREATIONAL DOCK

SCALE: 1/2" = 1'-0"

DRAWN BY: EP

DATE: 2/3/2012

SHEET: 6 OF 6, REV. 1

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