Meeting of the Central Valley Flood Protection Board June 28, 2013

Staff Report Placer County Department of Public Works The Auburn-Folsom Road Widening Project, Placer County

<u> 1.0 – ITEM</u>

Consider approval of Permit No. 18833 (Attachment B)

2.0 – APPLICANT

Placer County Department of Public Works

3.0 - LOCATION

The project site (existing Linda Creek culvert and proposed bridge) is approximately 200 feet south of the Eureka Road / Auburn-Folsom Road intersection. Placer County's Auburn Folsom Road Widening Project begins at the Placer/Sacramento County line and proceeds north along Auburn Folsom Road to the intersection of Auburn Folsom Road and Douglas Boulevard in Granite Bay (see Attachment A for Project Vicinity and Location Maps). Linda Creek is a tributary of Dry Creek which runs through the City of Roseville into Sacramento County and drains into the Natomas East Main Drainage Canal.

4.0 – PROJECT DESCRIPTION

The Placer County Department of Public Works proposes to replace an existing culvert at the Linda Creek crossing of Auburn-Folsom Road with a single span bridge. The bridge is a component of the Auburn-Folsom Road Widening Project to expand the current two-lane road to four 12-foot wide lanes (two in each direction) with 6-foot paved shoulders, a 16-foot wide median, and 6-foot wide paved shoulders to accommodate Class II bike lanes on each side. A Central Valley Flood Protection Board (Board) encroachment permit is needed for the proposed bridge.

5.0 – PROJECT ANALYSIS

5.1 – Authority of the Board

- California Code of Regulations (CCR), Title 23, Section §6 Need for a Permit; §112 – Streams Regulated and Nonpermissible Work Periods; §116 – Borrow and Excavation; §121 – Erosion Control; §125 – Retaining Walls; and § 128 – Bridges.
- The proposed project would encroach upon Linda Creek, a regulated stream per CCR 23, §112, Table 8.1.

5.2 – Project Design

To expand the current two-lane road to four 12-foot lanes the existing Linda Creek culvert under Auburn Folsom Road must be removed and replaced with a single span bridge (see Attachment C). The proposed bridge will provide a minimum 2 feet of freeboard at its upstream and downstream faces. The proposed bridge will reduce the upstream water surface elevation by approximately 4 feet, while the downstream water surface elevation by approximately the same elevation. Under existing (culvert) conditions during flow events of 10-year and greater discharges Linda Creek overtops the roadway causing interruption to traffic. With the proposed bridge in place Linda Creek will not overtop Auburn Folsom Road at discharges up to and including the 100-year event.

The following additional project analyses have been made during review of the submitted technical information.

5.3 – Hydraulic Analysis

Placer County used the HEC-RAS modeling program to compute predicted channel hydraulics for this project. A Manning's roughness coefficient of 0.05 was used for inchannel flows and a coefficient of 0.08 was used for overbank flows.

Using a peak 100-year flow of 499 cubic feet per second (cfs) the County reported a computed 100-year water surface elevation of 390.61 feet (NAVD 1988) at the upstream face of the proposed bridge. The minimum soffit elevation at the upstream face of the bridge is designed to be 392.80 feet. This would provide a minimum freeboard of 2.19 feet above the 100-year water surface elevation which is compliant with CCR 23 § 128, Bridges (10)(a)) for minor streams where significant amounts of stream debris are unlikely. Placer County's January 31, 2013 letter to the Board

(Attachment D) provides justification that significant amounts of debris are unlikely at this location along Linda Creek.

While the Board does not yet regulate to a 200-year level of protection, the County also reported that the HEC-RAS model was run using a peak 200-year flow of 572 cfs. This resulted in a computed 200-year water surface elevation at the upstream face of the proposed bridge of 390.80 feet (NAVD 1988), resulting in a computed minimum freeboard of 2.00 feet at the 200-year flow.

Board staff has concluded that construction of the proposed bridge would result in no significant adverse hydraulic impacts to the existing floodway.

5.4 – Geotechnical Analysis

Three boring logs provide the depth to existing bedrock at the proposed bridge location. The logs at the downstream end of the proposed bridge are from the "Geotechnical Investigation, Auburn-Folsom Road Widening Project, Placer County, California, April 2007". The boring log on the upstream end of the proposed bridge is from the "Limited Geotechnical Evaluation Auburn Folsom Road Widening – Linda Creek Bridge, Placer County, California, January 29, 2013".

The project design delineates areas where excavation and fill will occur within the 100and 500-year Federal Emergency Management Agency (FEMA) floodways. A total of 4,200 cubic yards of excavation and 7,000 cubic yards of fill are proposed for the project.

Board staff has concluded that the proposed project would result in no significant adverse geotechnical impacts to the existing floodway.

6.0 – AGENCY COMMENTS AND ENDORSEMENTS

The comments associated with this project are discussed below:

• The U.S. Army Corps of Engineers comment letter was received for this application on April 4, 2013. The District Engineer had no comments or recommendations regarding flood control related to this project because the proposed work does not affect a federally constructed project. The letter is

incorporated by reference into the permit as Exhibit A. (see Attachment B, Exhibit A).

7.0 CEQA Analysis

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

The Board, acting as a responsible agency under CEQA, has independently reviewed the Draft Environmental Impact Report (DEIR, SCH No. 2002042036, March 2003), the Final Environmental Impact Report (FEIR, SCH No. 2002042036, September 2003), and the Mitigation Monitoring and Reporting Plan (MMRP) on the Auburn-Folsom Road Widening Project (incorporated herein by reference and available at the Central Valley Flood Protection Board or Placer County offices).

Placer County, acting as the lead agency under CEQA, determined that the project would have a significant effect on the environment on May 7, 2013 (including Statement of Facts, Findings, Impacts and Mitigation Measures, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program). The Notice of Determination was filed with State Clearinghouse on July 6, 2004. These documents, including project design and Resolution No. 2013-082, may be viewed or downloaded from the Central Valley Flood Protection Board website at http://www.cvfpb.ca.gov/meetings/2013/06-28-2013 under a link for this agenda item. The documents are also available for review in hard copy at the Board and Placer County offices.

The significant impacts and the mitigation measures to reduce them to less than significant were adopted by Placer County in Resolution 2013-082 on May 7, 2013 (which includes a Statement of Facts, Findings, Impacts and Mitigation Measures, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program). Based on its independent review of the FEIR, the Board finds that for each of the significant impacts described, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the FEIR. Moreover, such changes or alterations are within the responsibility and jurisdictions of another public agency, Placer County, and such changes have been adopted by that agency.

7.1 – Significant Unavoidable Adverse Impacts of the Project

The following impacts of the proposed project remain significant following adoption and implementation of the mitigation measures described in the FEIR:

Aesthetics – The removal of trees and vegetation due to construction will diminish the visual quality and change the rural character of the corridor.

The Board further finds that none of the significant unavoidable adverse impacts of the project are within the Board's jurisdiction. The Board also finds that the specific economic, legal, social, technological or other benefits of the project, as listed below, outweigh the unavoidable adverse environmental effects, which are considered to be "acceptable".

7.2 – Statement of Overriding Considerations

The Board has independently considered the significant and unavoidable environmental impacts of the proposed project. The Board finds that the proposed improvements are in the public interest to enhance capacity on an established transportation corridor. Improvements to Auburn Folsom Road enhance capacity on an established transportation corridor, enhance public accessibility throughout the region and provide necessary capacity for anticipated increases in traffic volume in the Project area. The project will improve safety along Auburn Folsom Road by improving sight distances and adding traffic lanes in each direction. The transportation, economic, and safety benefits of the project, outweighs the remaining unavoidable environmental impacts.

The documents and other materials which constitute the record of the Central Valley Flood Protection Board's proceedings in this matter are in the custody of Jay Punia, Executive Officer, Central Valley Flood Protection Board, 3310 El Camino Ave., Rm. 151, Sacramento, California 95821.

8.0 – SECTION 8610.5 CONSIDERATIONS

• 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. • 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.

• 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 project has no adverse effect on facilities of the State Plan of Flood Control and is consistent with the adopted 2012 Central Valley Flood Protection Plan.

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

While future climate change-induced sea level rise could result in increased water surface elevations along Linda Creek during flooding, no quantification of this impact has been completed to date.

9.0 – STAFF RECOMMENDATION

Staff recommends that the Board adopt Resolution No. 2013-16, in substantially the form provided, which:

- adopts the CEQA findings,
- approves the permit in substantially the form provided,
- and directs the Executive Officer to take the necessary actions to execute the permit, and to file a Notice of Determination with the State Clearinghouse.

<u>10.0 – LIST OF ATTACHMENTS</u>

- A. Project Vicinity and Location Maps
- B. Draft Permit No. 18833 Exhibit A: USACE Comment Letter (April 4, 2013)
- C. Project Design Plans
- D. Placer County Department of Public Works Letter (January 31, 2013)
- E. Board Resolution No. 2012-16

Technical Review:	Ali Porbaha, Senior Engineer
Environmental Review:	James Herota, Staff Environmental Scientist
Document Review:	Eric Butler, Projects and Environmental Branch Chief Len Marino, Chief Engineer

Attachment A Project Vicinity & Location



DRAFT

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

PERMIT NO. 18833 BD

This Permit is issued to:

Placer County Dept of Public Works 3091 County Center Drive, Suite 220 Auburn, California 95603

To replace an existing culvert at the Linda Creek crossing of Auburn-Folsom Road with a single span bridge. The bridge is a component of the Auburn-Folsom Road Widening Project to provide four 12-foot lanes (two in each direction) with 6-foot paved shoulders from the Placer County line north to Douglass Boulevard.

The existing Linda Creek culvert and proposed bridge site is approximately 200 feet south of the Eureka Road / Auburn-Folsom Road intersection. The overall road widening project begins at the Placer/Sacramento County line and proceeds north along Auburn Folsom Road to the intersection of Auburn Folsom Road and Douglas Boulevard in Granite Bay, Placer County. (Section 11, T10N, R7E, MDB&M, Placer County Flood Control and Water Conservation District, Linda Creek, Placer 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. 18833 BD

THIRTEEN: All work completed under this permit, as directed by the general and special conditions herein, shall be accomplished to ensure that the work is not injurious to the adopted plans of flood control, regulated streams, and designated floodways under Board jurisdiction, as defined in California Code of Regulations, Title 23. This permit only applies to the completion of work in the project description located within, or adjacent to and having bearing on Board jurisdiction, and which directly or indirectly affects the Board's jurisdiction. This special condition shall apply to all subsequent conditions herein.

LIABILITIES AND IMDEMNIFICATION

FOURTEEN: 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.

FIFTEEN: 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.

SIXTEEN: The Central Valley Flood Protection Board and Department of Water Resources shall not be held liable for damages to the permitted encroachment(s) resulting from releases of water from reservoirs, flood fight, operation, maintenance, inspection, or emergency repair.

PERMITTING AND AGENCY CONDITIONS

SEVENTEEN: The letter from the U.S. Army Corps of Engineers, Sacramento District dated April 4, 2013 is attached to this permit as Exhibit A in reference to this project.

EIGHTEEN: The permittee shall 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: If the permittee does not comply with the conditions of the permit and enforcement by the Board is required, the permittee shall be responsible for bearing all costs associated with the enforcement action, including reasonable attorney's fees.

TWENTY: The permittee agrees to incur all costs for compliance with local, State, and Federal permitting and to resolve conflicts between any of the terms and conditions that agencies might impose under the laws and regulations it administers and enforces.

PRE-CONSTRUCTION

TWENTY-ONE: The permittee shall contact the Central Valley Flood Protection Board by telephone at (916) 574-0609 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.

TWENTY-TWO: Thirty (30) calendar days prior to start of any demolition and/or construction activities within the channel and banks of Linda Creek, the permittee shall submit to the Chief Engineer two sets of plans, specifications and supporting geotechnical and/ or hydraulic impact analyses, for any and all temporary, in channel cofferdam(s), gravel work pad(s), work trestle(s), scaffolding, piles, and/or other appurtenances that are to remain in the channel or banks of Linda Creek during the flood season from Novenber 1 through April 15. The Central Valley Flood Protection Board shall acknowledge receipt of this submittal in writing within ten (10) working days of receipt, and shall work with the permittee to review and respond to the request as quickly as possible. Time is of the essence. The Central Valley Flood Protection Board may request additional information as needed and will seek comment from the local maintaining agency when necessary. The Central Valley Flood Protection Board will provide written notification to the permittee if the review period is likely to exceed thirty (30) calendar days.

TWENTY-THREE: Prior to commencement of work, the permittee shall create a photo record, including associated descriptions, of the Linda Creek bridge site conditions. The photo record shall

be certified (signed and stamped) by a licensed land surveyor or licensed civil engineer registered in the State of California and submitted to the Central Valley Flood Protection Board within thirty (30) calendar days of beginning the project.

TWENTY-FOUR: The permittee shall provide supervision and inspection services acceptable to the Central Valley Flood Protection Board. A licensed civil 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-FIVE: All addenda or other changes made to the submitted documents by the permittee after issuance of this permit shall be submitted to the Chief Engineer for review and approval prior to incorporation into the permitted project. The submittal shall include supplemental plans, specifications, and supporting geotechnical, hydrology and hydraulics, or other technical analyses. The Central Valley Flood Protection Board shall acknowledge receipt of the addendum or change submittal in writing within ten (10) working days of receipt, and shall work with the permittee to review and respond to the request as quickly as possible. Time is of the essence. The Central Valley Flood Protection Board may request additional information as needed and will seek comment from the local maintaining agency when necessary. The Central Valley Flood Protection Board will provide written notification to the permittee if the review period is likely to exceed thirty (30) calendar days. Upon approval of submitted documents the permit shall be revised, if needed, prior to construction related to the proposed changes.

TWENTY-SIX: A copy of any geotechnical studies and tests that may be performed prior to or during construction that are in addition to studies that were submitted in support of the permittee's application for an encroachment permit shall be provided to and approved by the Central Valley Flood Protection Board prior to project completion.

CONSTRUCTION

TWENTY-SEVEN: 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.

TWENTY-EIGHT: 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-NINE: No material stockpiles, temporary buildings, or equipment shall remain in the floodway during the flood season from November 1 to April 15.

THIRTY: 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.

THIRTY-ONE: All debris generated by this project shall be disposed of outside of the channel and banks of Linda Creek.

THIRTY-TWO: If any existing or proposed utility is to be attached to the exterior of the bridge a

separate encroachment permit application must be submitted by the utility owner for review and decision through the Board's normal regulatory review process.

CONSTRUCTION MATERIALS

THIRTY-THREE: 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-FOUR: All fill material shall be imported impervious material with 20 percent or more passing the No. 200 sieve, a plasticity index of 8 or more, and a liquid limit of less than 50 and free of lumps or stones exceeding 3 inches in greatest dimension, vegetative matter, or other unsatisfactory material. Fill material shall be compacted in 4- to 6-inch layers to a minimum of 90 percent relative compaction as measured by ASTM Method D1557-91, or appropriate Board approved equal.

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

VEGETATION / ENVIRONMENTAL MITIGATION

THIRTY-SIX: FIII placed at slopes greater than 2 horizontal to 1 vertical shall be seeded with a native grass mix to reduce the risk of erosion.

THIRTY-SEVEN: Trees, brush, sediment, and other debris shall be kept cleared from the bridge site and disposed of outside the floodway to maintain the design flow capacity and flowage area.

THIRTY-EIGHT: No further tree planting or work, other than that covered by this application, shall be performed in the area without prior approval of the Central Valley Flood Protection Board.

THIRTY-NINE: The mitigation measures approved by the CEQA lead agency and the permittee are found in its Mitigation and Monitoring Reporting Program (MMRP) adopted by the CEQA lead agency. The permittee shall implement all such mitigation measures.

POST-CONSTRUCTION

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

FORTY-ONE: Upon completion of the project the permittee shall submit a final completion letter to the Central Valley Flood Protection Board, 3310 El Camino Avenue, Suite 164, Sacramento, California 95821, and to the Department of Water Resources, Flood Project Inspection Section, 3310 El Camino Avenue, Suite 256, Sacramento, California 95821.

FORTY-TWO: Within 120 days of completion of the project, the permittee shall submit to the Central Valley Flood Protection Board as-built drawings and a certification report, stamped and signed by a civil engineer registered in the State of California, certifying the work was performed and inspected in accordance with the Central Valley Flood Protection Board permit conditions and submitted drawings and specifications.

OPERATIONS AND MAINTENANCE

FORTY-THREE: 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 Central Valley Flood Protecton Board, the Department of Water Resources, or any other agency responsible for maintenance.

FORTY-FOUR: If the bridge is damaged to the extent that it may impair the channel or floodway capacity, it shall be repaired or removed prior to the next flood season.

FORTY-FIVE: Drainage from the bridge or roadway shall not be discharged onto the streambank so as to cause erosion of the bank.

FORTY-SIX: The permittee shall be responsible for repair of any damages to the channel and banks of Linda Creek due to construction, operation, or maintenance of the proposed project.

FORTY-SEVEN: If the permitted encroachment(s) result in any adverse hydraulic impact or scouring the permittee shall provide appropriate mitigation meaures subject to review and approval of the Central Valley Flood Protection Board.

FORTY-EIGHT: All debris that may accumulate around the bridge piers and abutments within the channel and banks of Linda Creek shall be completely removed from the floodway following each flood season or during / after a flood event if necessary.

FORTY-NINE: If erosion occurs adjacent to the permitted encroachment(s), the permittee shall repair the eroded areas and place adequate revetment on the affected areas to prevent further erosion.

FIFTY: The permitted encroachment(s) shall not interfere with operation and maintenance of the channel and banks of Linda Creek. 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.

FIFTY-ONE: At the request of either the permittee or Central Valley Flood Protection Board the permittee and Board shall conduct joint inspections of the project and floodway after significant flood events or flood seasons to assess the integrity and operation of the project, and to assess and respond to any adverse impacts on the floodway or adjacent properties.

PROJECT ABANDONMENT, CHANGE IN PLAN OF FLOOD CONTROL

FIFTY-TWO: If the project, or any portion thereof, is to be abandoned in the future, the permittee shall abandon the project under direction of the Central Valley Flood Protection Board and Department of Water Resources, at the permittee's cost and expense.

FIFTY-THREE: 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.

END OF CONDITIONS

Attachment B-Exhibit A



DEPARTMENT OF THE ARMY U.S. Army Engineer District, Sacramento Corps of Engineers 1325 J Street Sacramento, California 95814-2922

REPLY TO ATTENTION OF

Flood Protection and Navigation Section (18833)

APR 4 2013

Mr. Jay Punia, Executive Officer Central Valley Flood Protection Board 3310 El Camino Avenue, Room 151 Sacramento, California 95821

Dear Mr. Punia:

We have reviewed a permit application by the Placer County Dept. of Public Works (application number 18833). This project includes expanding Auburn-Folsom Road to provide four 12-foot lanes (two in each direction) with 6-foot paved shoulders and constructing a 4-foot wide multi-purpose trail on the west side from Eureka Road to Oak Hill Drive. The project also includes replacing the existing Linda Creek culvert under the Auburn-Folsom Road with a single span bridge. The project begins at the Placer/Sacramento County line and proceeds north along Auburn Folsom Road to Douglas Boulevard in Granite Bay, at 38.7343°N 121.1705°W NAD83, Placer County, California.

The District Engineer has no comments or recommendations regarding flood control because the proposed work does not affect a federally constructed project.

A Section 404 permit (2003-654) has been issued for this work.

A copy of this letter is being furnished to Mr. Don Rasmussen, Chief, Flood Project Integrity and Inspection Branch, 3310 El Camino Avenue, Suite LL30, Sacramento, CA 95821.

Sincerely,

Meegan G. Nagy, P.E. Chief, Flood Protection and Navigation Section







PLACER COUNTY DEPARTMENT OF PUBLIC WORKS

Ken Grehm, Director Peter Kraatz, Deputy Director

January 31, 2013

Nancy C. Moricz, P.E. Central Valley Flood Protection Board 3310 El Camino Avenue Sacramento 95821

SUBJECT: CVFPB Encroachment Permit – Linda Creek Crossing Request for Reduced Freeboard Clearance

Placer County is submitting an application for a Central Valley Flood Protection Board Encroachment Permit for a culvert replacement with a proposed bridge at Linda Creek crossing of Auburn Folsom Road.

The project is located approximately 650 feet south of the intersection of Eureka Blvd and Auburn Folsom Road. The approximate site coordinates are 38,42'58" north latitude and 121,10'33" west longitude. According to California Code of Regulations, Title 23 (CCR 23), Linda Creek is a regulated minor stream based on published low flow rates and an observed low debris load.

Placer County Department of Public Works is the Local Maintaining Agency for the Linda Creek crossing at Auburn Folsom Road. Our road maintenance division performs maintenance of the creek as necessary to keep the creek crossing clear to maintain flow capacity. Maintenance includes removal of trees, brush, sediment, and other debris and disposes of such materials outside of the limits of the floodway. Our road maintenance division is also responsible for immediately removing any accumulation of debris during high flows. Historically this area is well maintained and is acknowledged as a minor stream site where significant amounts of debris are unlikely.

In addition to our roads division maintenance, Public Works also provides funding to the Placer County Flood Control District which coordinates an annual creek maintenance program at this location. Annually the Flood Control District contracts to have creek maintenance performed in the main channel of Linda Creek upstream and downstream of the crossing at Auburn Folsom Road. This annual program includes removal of vegetation (<4" diameter) with hand tools in the main channel, removal of all dead vegetation and trash.

Placer County requests that the required clearance be reduced to two (2) feet on the minor stream of Linda Creek at Auburn Folsom Road where significant amounts of debris are unlikely.

Sincerely,

Ken Grehm, Director

STATE OF CALIFORNIA THE RESOURCES AGENCY CENTRAL VALLEY FLOOD PROTECTION BOARD

RESOLUTION NO. 2013-16

FINDINGS AND DECISION AUTHORIZING ISSUANCE OF ENCROACHMENT PERMIT NO. 18833 PLACER COUNTY DEPARTMENT OF PUBLIC WORKS AUBURN-FOLSOM ROAD WIDENING PROJECT PLACER COUNTY

WHEREAS, in April 2002 Placer County released a Notice of Preparation on its proposed Auburn-Folsom Road Four-Lane Widening Project to seek public comments on the scope and content of a subsequent Environmental Impact Report; and

WHEREAS, Placer County, as lead agency under the California Environmental Quality Act, Public Resources Code sections 21000 *et seq*. ("CEQA") prepared a Draft Environmental Impact Report (DEIR) (SCH No. 2002042036, March 2003) and Environmental Impact (FEIR) (SCH No. 2002042036, September 2003) and Mitigation Monitoring and Reporting Plan (MMRP) on the Auburn-Folsom Road Widening Project (incorporated herein by reference and available at Board or Placer County Offices); and

WHEREAS, Placer County approved the Auburn-Folsom Road Widening Project on June 22, 2004, including the FEIR, and MMRP, and approved findings and a Statement of Overriding Considerations pursuant to the CEQA Guidelines (incorporated herein by reference), and filed a Notice of Determination with the State Clearinghouse on July 6, 2004; and

WHEREAS, Placer County submitted an application for an encroachment permit to the Central Valley Flood Protection Board (Board) on February 6, 2013 to replace the existing Linda Creek culvert under the Auburn-Folsom Road with a single span bridge; and

WHEREAS, the U.S. Army Corps of Engineers comment letter was received for this application on April 4, 2013. The District Engineer had no comments or recommendations regarding flood control related to this project because the proposed work does not affect a federally constructed project; and

WHEREAS, Placer County approved Resolution 2013-082 on May 7, 2013 for the Auburn-Folsom Road Widening North Phase Project, including the Linda Creek culvert, the FEIR, and MMRP and approved findings and a Statement of Overriding Considerations pursuant to the CEQA Guidelines (incorporated herein by reference); and

WHEREAS, Board staff completed a technical review of the application and all supporting technical documentation, determined that the proposed project meets all regulatory requirements of California Code of Regulations, Title 23, Division 1 (CCR 23), and determined that the

proposed project would result in no significant adverse hydraulic or geotechnical impacts to the existing Linda Creek channel and banks; and

WHEREAS, the Board conducted a public hearing on Encroachment Permit Application No. 18833 and has reviewed the Staff Report and Attachments, the documents and correspondence in its file, and the environmental documents prepared by Placer County.

NOW, THEREFORE, BE IT RESOLVED THAT,

Findings of Fact.

- 1. The Board has reviewed all Attachments, Exhibits, Figures, and References listed in the Staff Report.
- 2. The Board hereby adopts as findings the facts set forth in the Staff Report.

CEQA Findings.

- 3. The Board, as a responsible agency, has independently reviewed the analyses in the DEIR (SCH No. 2002042036, March 2003) and the FEIR (September 2003) which includes the MMRP, and the Placer County lead agency findings, and has reached its own conclusions.
- 4. The Board, after consideration of the DEIR (SCH No. 2002042036, March 2003) and the FEIR (September 2003) on the Auburn-Folsom Road Widening Project, and the Placer County Lead Agency findings, adopts the project description, analysis and findings which are relevant to the project.
- 5. **Findings regarding Significant Impacts**. Pursuant to CEQA Guidelines sections 15096(h) and 15091, the Board determines that the Placer County findings incorporated herein by reference, summarize the FEIR determinations regarding impacts of the Auburn-Folsom Road Widening Project, before and after mitigation. Having reviewed the FEIR, the Placer County findings, the Board makes its findings as follows:

a. <u>Findings Regarding Significant and Unavoidable Impacts.</u>

The Board finds that the Auburn-Folsom Road Widening Project, may have the following significant, unavoidable impacts, as more fully described in the Placer County findings. Mitigation has been adopted for each of these impacts, although it does not reduce the impact to less than significant. The impacts and mitigation measures are set forth in more detail in the Placer County findings.

Aesthetics – The removal of trees and vegetation due to construction will diminish the visual quality and change the rural character of the corridor.

Finding: The Board finds that changes or alterations have been required in, or incorporated into, the project which substantially lessen such impacts, as set forth more fully in the Placer County findings, but that each of the above impacts remains significant after mitigation. Such mitigation measures are within the responsibility of another agency (Placer County), and should be implemented as described. Specific economic, legal, social, technological or other considerations have rendered infeasible mitigation or alternatives that would have reduced these impacts to less than significant.

b. <u>Findings regarding Significant Impacts that can be reduced to Less Than</u> <u>Significant.</u>

The significant impacts and the mitigation measures to reduce them to less than significant are described in the FEIR and Placer County's Adopted Resolution 2013-082 dated May 7, 2013. This Resolution includes a Statement of Facts, Findings, Impacts and Mitigation Measures, Statement of Overriding Considerations, and MMRP. Based on its independent review of the FEIR and Placer County Resolution 2013-082, the Board finds that for each of the significant impacts described, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the FEIR. Moreover, such changes or alterations are within the responsibility and jurisdiction of another public agency (Placer County) and such changes have been adopted by that agency. It is hereby determined that the impacts addressed by these mitigation measures will be mitigated to a less-than-significant level or avoided by incorporation of these mitigation measures into the project.

As a responsible agency, the Board has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the Project which it decides to carry out, finance, or approve. The Board confirms that it has reviewed the MMRP, and confirmed that Placer County has adopted and committed to implementation of the measures identified therein. The Board agrees with the analysis in the MMRP and confirms that there are no feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment. None of the mitigation measures in the MMRP require implementation by the Board directly, although continued implementation of the MMRP shall be made a condition of issuance of the Permit. Modifications to the MMRP may or may not require supplemental analysis pursuant to CEQA Guidelines 15162, 15163 or 15164.

As a responsible agency, the Board has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the Project which it decides to carry out, finance, or approve. The Board confirms that it has reviewed the MMRP, and confirmed that Placer County has adopted and committed to implementation of the measures identified therein. The Board agrees with the analysis in the MMRP and confirms that there are no feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment. None of the mitigation measures in the MMRP require implementation by the Board directly, although continued implementation of the MMRP shall be made a condition of issuance of the Permit.

Modifications to the MMRP may or may not require supplemental analysis pursuant to CEQA Guidelines 15162, 15163 or 15164.

6. <u>Statement of Overriding Considerations.</u> Pursuant to CEQA Guidelines sections 15096(h) and 15093, the Board has balanced the economic, social, technological and other benefits of the Project described in Encroachment Permit Application No. 18833, against its significant and unavoidable impacts, listed in paragraph 5(a) above, and finds that the benefits of the Project outweigh these impacts and they may, therefore, be considered "acceptable".

The Board finds that the proposed improvements are in the public interest to enhance capacity on an established transportation corridor. Improvements to Auburn Folsom Road enhance capacity on an established transportation corridor, enhance public accessibility throughout the region and provide necessary capacity for anticipated increases in traffic volume in the Project area. The project will improve safety along Auburn Folsom Road by improving sight distances and adding traffic lanes in each direction. The transportation, economic, and safety benefits of the project, outweighs the remaining unavoidable environmental impacts.

7. <u>Custodian of Record.</u> The custodian of the CEQA record for the Board is its Executive Officer, Jay Punia, at the Central Valley Flood Protection Board Offices at 3310 El Camino Avenue, Room 151, Sacramento, California 95821.

Considerations pursuant to Water Code section 8610.5.

- 8. Evidence Admitted into the Record. The Board has considered all the evidence presented in this matter, including the original application for Permit No. 18833 and technical documentation provided by Placer County on the Auburn-Folsom Road Widening Project past and present Staff Reports and attachments, the original Environmental Impact Report on the Auburn-Folsom Road Widening Project (Draft and Final Versions), Placer County Resolution 2013-082 including findings, Statement of Overriding Considerations, and the MMRP.
- 9. **Best Available Science**. In making its findings, the Board has used the best available science relating to the issues presented by all parties and the design is in compliance with these standards.
- 10. **Effects on State Plan of Flood Control**. This project has no negative impacts on the State Plan of Flood Control. Both hydraulic and geotechnical impacts from the project construction are negligible.
- 11. Effects of Reasonably Projected Future Events. There are no other foreseeable projected future events that would impact this project.

Other Findings/Conclusions regarding Issuance of the Permit.

12. This resolution shall constitute the written decision of the Board in the matter of Encroachment Permit No. 18833.

Approval of Encroachment Permit No. 18833.

- 13. The Board adopts the Resolution 2013-16 and the CEQA findings, and
- 14. Based on the foregoing, the Board hereby approves issuance of Encroachment Permit No. 18833 in substantially the form provided in the Staff Report for Draft Permit No. 18833.
- 15. The Board directs the Executive Officer to take the necessary actions to prepare and execute Encroachment Permit No. 18833 and all related documents and to prepare and file a Notice of Determination pursuant to the CEQA for the Auburn-Folsom Road Widening Project.

PASSED AND ADOPTED by vote of the Board on _____, 2013

William H. Edgar President

Jane Dolan Secretary