

# CVFPB Meeting – May 23, 2014



## AGENDA ITEM 8A

### Application No. 18902

Applicant: University of the Pacific

Project: To install 14 security lights along the  
landside shoulder of the right bank (north)  
levee of the Calaveras River.

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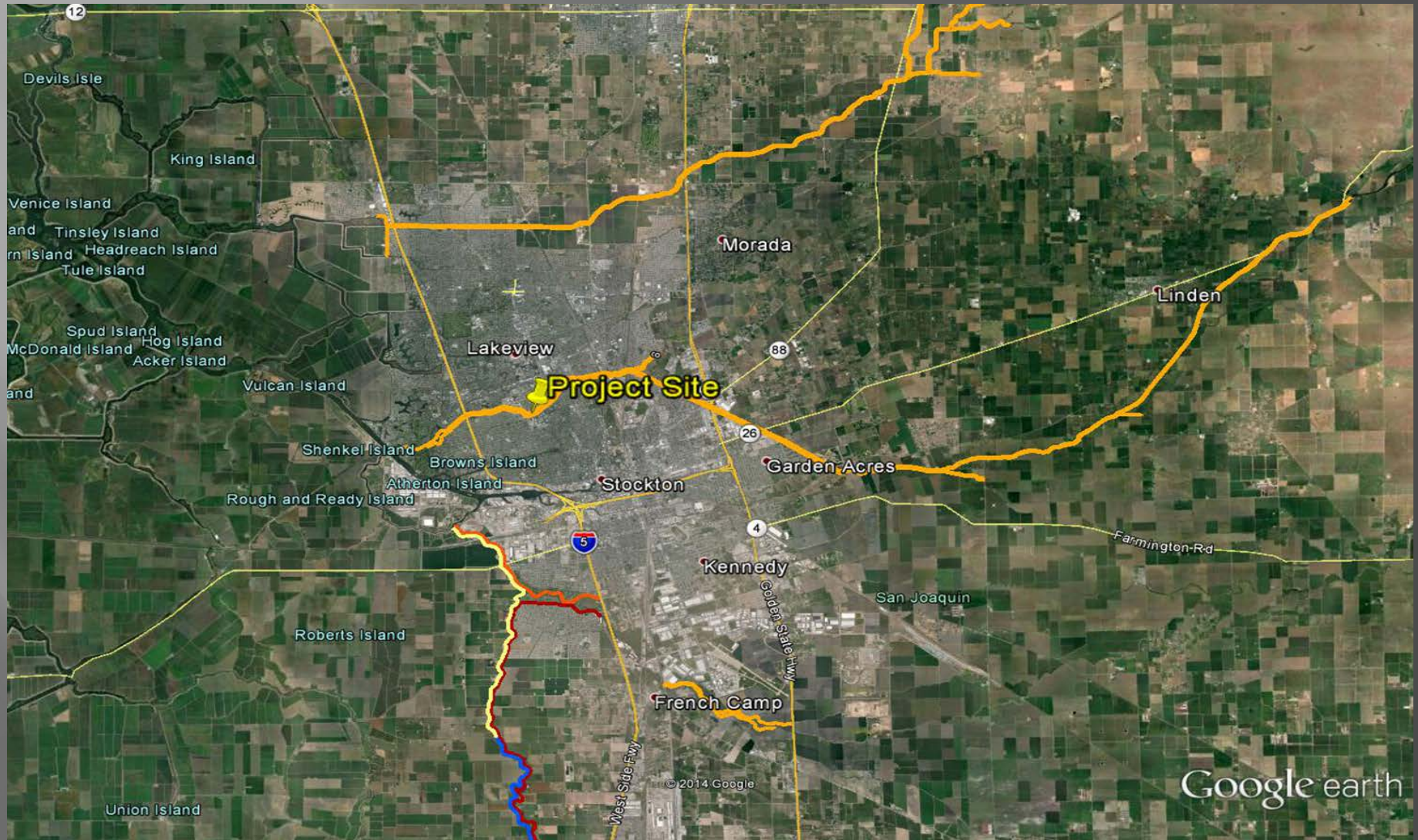


# Board Action

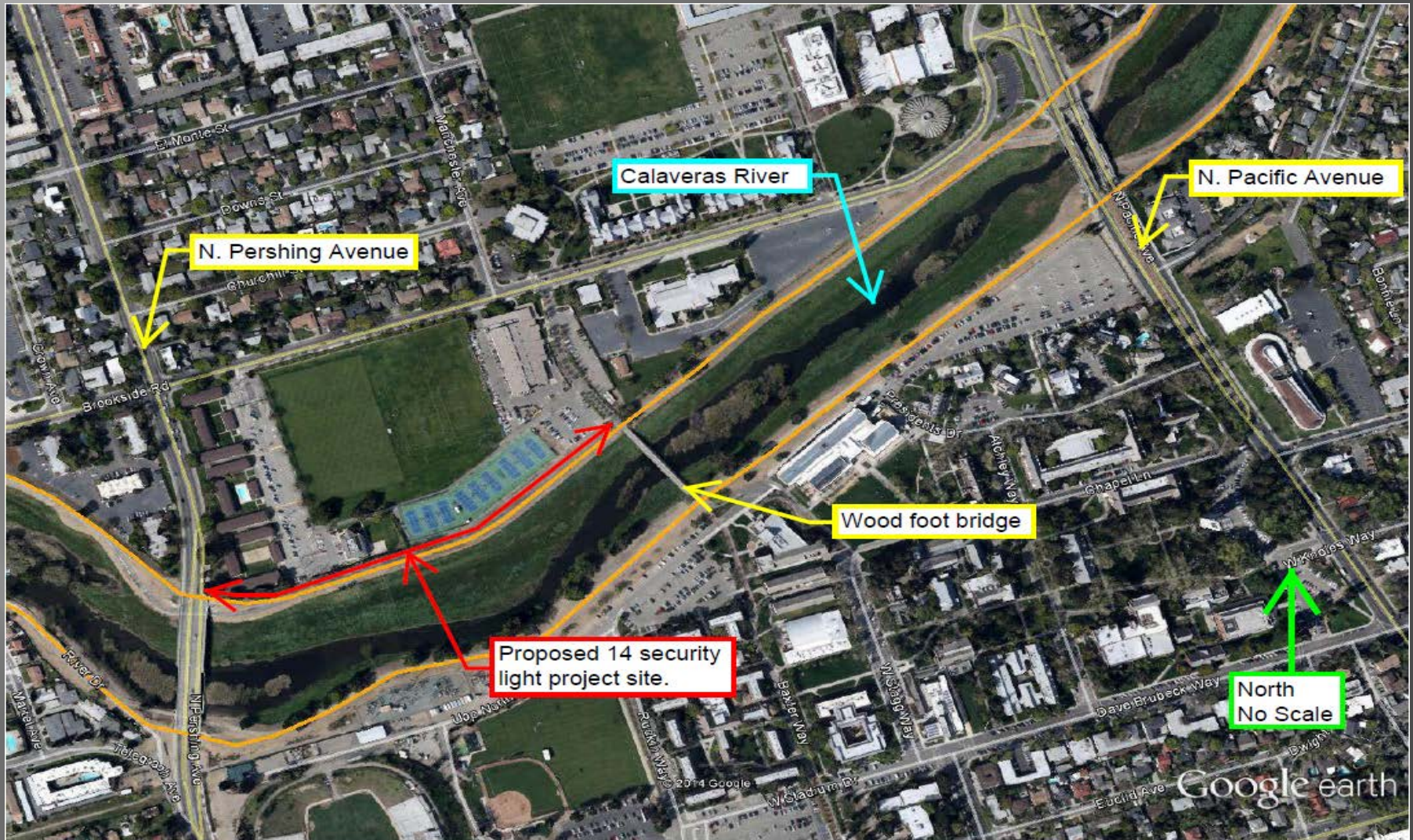
## Consider Adoption of Resolution No. 2014-20 and Approval of Permit No. 18902 to:

- Install 14 security lights with an interconnecting conduit parallel to the north Calaveras River landside levee shoulder, and an electrical service connection conduit perpendicular to the landside levee slope.

# Regional Aerial View



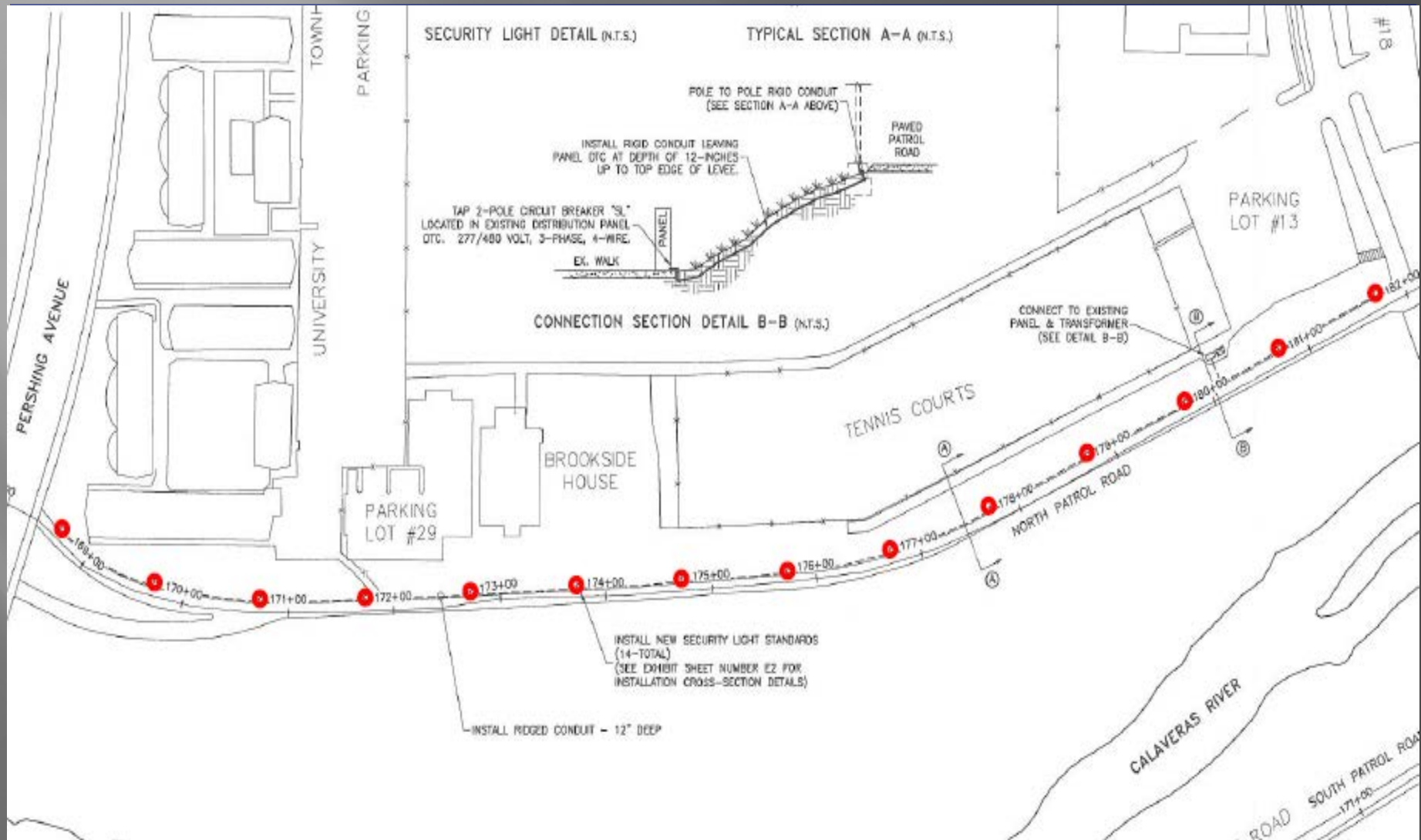
# Project Location



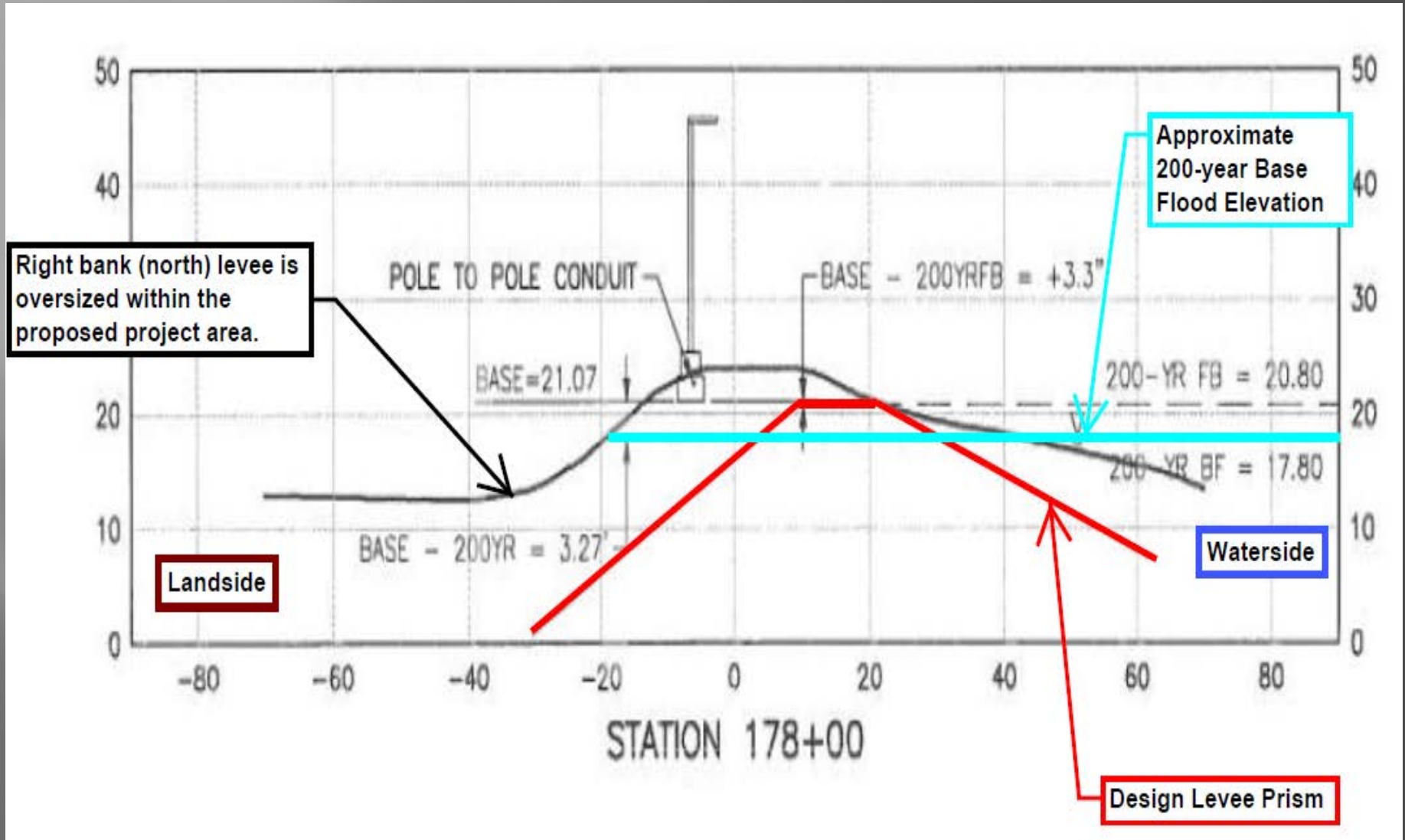
# Project Site Photograph



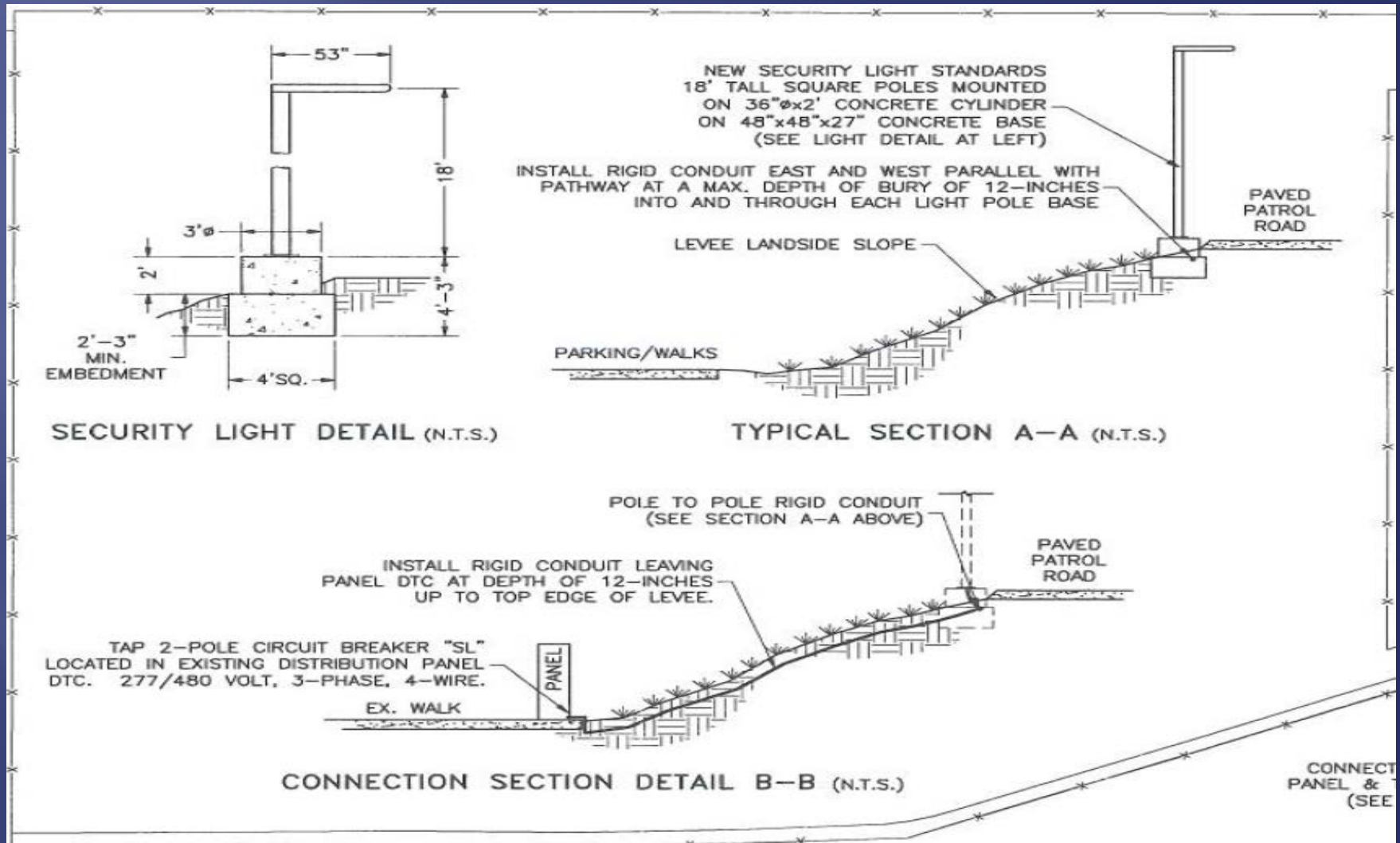
# Proposed Project Plans



# Proposed Project Plans - Continued



# Proposed Project Plans - Continued



# Project Analysis



- The current levee crown road/bike path is frequently used by UOP students walking and biking to and from their residences and classes.
- Security consultants hired by UOP listed this levee crown road/bike path as a major security risk for UOP.
- Over the past 5 years, the City of Stockton Police Department has recorded 4 sexual assaults, 11 robberies, 20 thefts and 9 batteries along the Calaveras River levee crown road/bike path from Pershing Avenue to Pacific Avenue.
- UOP has recently installed a pan and zoom lens camera to monitor the area; however the camera lacks the ability to view the levee during the evening hours without proper lighting.

# Project Analysis - Continued



- UOP's engineers for this project – Kjeldsen, Sinnock and Neudeck Consulting Engineers and Land Surveyors (KSN) – have proposed installing all 14 of the security light pole foundations above an approximated 200-year base flood elevation (6 inches above the 100-year base flood elevation) along this levee section.
- KSN notes on the plans that on average, the light pole foundations are 3.28 feet above the approximate 200-year base flood elevation.
- The proposed interconnecting parallel electrical conduit is proposed to be installed above the approximate 200-year base flood elevation plus 3 feet of freeboard.
- This work by KSN complies with a CVFPB staff request from the initial encroachment permit application review process to design a security lighting system that would not have light pole foundation penetrations into the design levee prism.



# Project Variance Request



- The applicant also is requesting a variance to Title 23, Section 123, Pipelines, Conduits and Utility Lines, Paragraph (b)(2) and Paragraph (d)(2), to facilitate the installation of this proposed security lighting system. These paragraphs are noted below for reference:
  - (b)(2): “Appurtenant structures, such as standpipes, utility lines, utility poles, distribution boxes, guy wires, and anchors, but not including siphon breakers, are generally not permitted in or below the levee crown, on the levee slopes, or within ten (10) feet of the levee toes. Appurtenant structures may be permitted where they will not interfere with levee maintenance or flood fighting activities.”
  - (d)(2): “Pipelines, conduits and utility lines must be installed through a levee at a right angle to the levee as practical.”

# Project Variance Request - Continued



- In the applicant's Variance Request Letter, a statement addressing Title 23, Section 11, Variances, Paragraph (b), states that compliance with the Board's standards in Section 123 is infeasible and inappropriate because: 
- Installing the security lights at the landside toe of the levee would not provide sufficient lighting for the levee crown road/bike path nor the waterside slope of the levee, and
- Installing security lights at the landside levee toe would be in conflict with Pacific Gas & Electric's 60,000 volt high voltage lines and towers already at the landside levee toe (per Permit No. 7286).
- UOP's Director of Public Safety, Mr. Edward Mike Belcher also submitted a support letter to install the proposed security lights in order to provide UOP students a safe environment. 

# Hydraulic & Geotechnical Analysis



- The hydraulic impact of UOP's proposed lighting project on the State Plan of Flood Control is considered to be negligible because:
  - The 14 security lights are proposed to be installed above the approximated 200-year base flood elevation, and;
  - The interconnecting parallel electrical conduit is proposed to be installed above the 200-year base flood elevation plus 3 feet of freeboard.
- The geotechnical impact of UOP's proposed lighting project on the State Plan of Flood Control is considered to be negligible because:
  - The 14 security lights are proposed to be installed above the approximated 200-year base flood elevation, and;
  - The interconnecting parallel electrical conduit is proposed to be installed above the 200-year base flood elevation plus 3 feet of freeboard, and;
  - The security light pole foundations with interconnecting conduit are proposed to be installed above the design levee prism.



# Agency Comments/Endorsements

- The U.S. Army Corps of Engineers (USACE) comment letter has been received for this application. The USACE District Engineer has no objection to the project, subject to conditions. The letter has been incorporated into the permit as Exhibit A. ★
- The San Joaquin County Flood Control and Water Conservation District (SJCFC&WCD) endorsement letter has been received for this application. The SJCFC&WCD Manager has no objection to the project, subject to conditions. The letter has been incorporated into the permit as Exhibit B. ★

# Water Code & Delta Considerations



## Water Code 8610.5 Considerations:

- **Admission of Records**
  - 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 at or before the meeting where this item is considered.
- **Use of Best Available Science**
  - 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 with respect to flood control.
- **Effects on the State Plan of Flood Control**
  - The proposed project will have no adverse effects on facilities of the State Plan of Flood Control because it is proposed to be installed above the projected 200-year base flood elevation, which is consistent with the Central Valley Flood Protection Plan and Urban Level of Protection guidelines.

# Water Code & Delta Considerations



## Water Code 8610.5 Considerations (Continued):

- **Effects of Reasonable Projected Future Events**
  - There will be no effects to the proposed project from reasonable projected future events. The project has been designed to comply with the future projected 200-year base flood elevation for this area of the flood control system within an urban environment. Staff is not aware of other planning efforts or reasonably likely projects in the area in the near future that would impact this project.

## Delta Considerations:

- Staff has determined that this project is sited within the legal definition of the Delta as defined by the Delta Reform Act. However, staff finds that the requested permit does not constitute a "covered action" as defined by the Delta Plan because this project was determined to be exempt from CEQA, has been designed to comply with the Central Valley Flood Protection Plan and Urban Level of Protection guidelines, and therefore has no significant impact to the coequal goals of the Delta Plan.

# Staff Recommendations



- Board staff recommends that the Board:
  - Adopt Resolution No. 2014-20; ★
  - Approve the requested variance to Title 23, § 123, Pipelines, Conduits and Utility Lines, Paragraphs (b)(2) and (d)(2);
  - Approve the draft encroachment permit, No. 18902 (Attachment B), in substantially the form provided; and ★
  - Direct the Executive Officer to take the necessary actions to execute the permit and file a Notice of Determination pursuant to CEQA with the State Clearinghouse.

# Questions?



**Presented by: Jon P. Tice, Jr., P.E.**  
**CVFPB Staff**