

Central Valley Flood Protection Board

Executive Officer Delegation Report

Posting Date: April 13, 2020

Number of Applications Scheduled: 7

Application Number: 17252-1

Applicant: Chevron North America

Location Description: The project is located along China Grade Loop, approximately 0.35 miles south of the intersection of Chine Grade Loop and Round Mountain Road, northeast of the City of Bakersfield.

County: Kern

Stream: Kern River

Project Description: This is a "name change" permit only and includes conditions that are consistent with current flood control standards and policies of the Central Valley Flood Protection Board. This permit supplements Permit No. 17252 that was issued to Chevron Texaco on September 15, 2000, to drill 16 oil wells and install steam lines, productions lines, splitigatores and testing facilities within the left (south) bank designated floodway of the Kern River.

LMA Endorsement: N/A

CEQA Finding: A request to change the name of a permittee does not have the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and thus, is not a "project" for purposes of the California Environmental Quality Act (Public Resources Code § 21065; CEQA Guidelines § 15378(a)).

Application Number: 17918-1

Applicant: Chevron North America

Location Description: The project is located along China Grade Loop, approximately 0.35 miles south of the intersection of Chine Grade Loop and Round Mountain Road, northeast of the City of Bakersfield

County: Kern

Stream: Kern River

Project Description: This is a "name change" permit only and includes conditions that are consistent with current flood control standards and policies of the Central Valley Flood Protection Board. This permit supplements Permit No. 17918 that was issued to Chevron Texaco on May 26, 2005, to drill three temperature observation wells, and abandon water diversion structure on left bank, and abandon four oil wells on right bank within designated floodway of Kern River.

LMA Endorsement: N/A

CEQA Finding: A request to change the name of a permittee does not have the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the

environment, and thus, is not a “project” for purposes of the California Environmental Quality Act (Public Resources Code § 21065; CEQA Guidelines § 15378(a)).

Application Number: 19208

Applicant: Darleen Martin Revocable Living Trust

Location Description: The project is located on the right (south) bank levee of the Sacramento River at 42184 3rd Street in the community of Knights Landing.

County: Yolo

Stream: Sacramento River

Project Description: To remove and replace existing wooden landside levee steps with new pressure-treated wood steps and handrails.

LMA Endorsement: Yolo County Service Area

CEQA Finding: Board staff has determined the project is exempt from CEQA under the Class 1, Existing Facilities and Class 2, Replacement or Reconstruction categorical exemptions (CEQA Guidelines § 15301 and § 15302), because the proposed activity involves removing and replacing existing wooden landside levee steps with new pressure-treated wood steps and handrails. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

Application Number: 19224

Applicant: Marciana DeGuzman

Location Description: The project is located at 5277 Garden Highway in Sacramento, approximately 0.75 miles south of the intersection of Garden Highway and North Bayou Road.

County: Sacramento

Stream: Sacramento River

Project Description: To authorize an existing five foot tall chain link fence and twenty foot wide gate on the waterside levee slope.

LMA Endorsement: Reclamation District 1000

CEQA Finding: Board staff has determined the project is exempt from CEQA under the Class 1, Existing Facilities categorical exemption (CEQA Guidelines §15301) because the proposed project consists of authorizing an existing fence. Further, none of the exceptions to the exemption in CEQA Guidelines §15300.2 apply.

Application Number: 19481

Applicant: Fresno County

Location Description: The project is located approximately 1 mile southwest of the intersection of Lost Lake Road and North Friant Road, about 3 miles southwest of Friant Dam

County: Fresno

Stream: San Joaquin River

Project Description: To authorize the existing Lost Lake Nature pedestrian trail and an existing shade structure over a picnic area constructed within the San Joaquin River Designated Floodway; and to rehabilitate/restore approximately 2,700 linear feet of the existing trail.

LMA Endorsement: N/A

CEQA Finding: Board staff has determined the project is exempt from CEQA under the Class 1, Existing Facilities categorical exemption (CEQA Guidelines § 15301), because the project involves the repair, maintenance, and minor alteration of an existing public pedestrian trail and structure and the project involves no expansion of existing or former use. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

Application Number: 5914-1

Applicant: Pacific Gas & Electric

Location Description: The project is located where Manning's Avenue crosses James Bypass, approximately 3 miles east of the town of San Joaquin

County: Fresno

Stream: James Bypass

Project Description: To relocate a section of 4-inch diameter gas transmission line currently attached to the north side of the James Bypass West Channel bridge on Manning's Avenue. The new 1200-foot of 4-inch diameter gas transmission line will be installed under the James Bypass West Channel, and within the James Bypass Designated Floodway, via horizontal directional drill.

LMA Endorsement: N/A

CEQA Finding: The Central Valley Flood Protection Board (Board), as a responsible agency under CEQA, has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) (SCH No. 2019129056, December 2019), and the Mitigation Monitoring and Reporting Program (MMRP) for the James Bypass Bridge Replacement Project, prepared by the lead agency, Fresno County. PG&E's (applicant) gas transmission line relocation scope of work is covered/evaluated under the referenced IS/MND. These documents, including project design, are available for review in hard copy at the Board and Fresno County offices. Fresno County determined that the proposed project would not have a significant effect on the environment and filed a Notice of Determination with the Fresno County Clerk on January 22, 2020, and the State Clearinghouse on February 26, 2020. Fresno County incorporated mandatory mitigation measures into the project plans to avoid or mitigate such impacts to a point where no significant adverse impacts will occur. These mitigation measures are included in Fresno County's IS/MND and address impacts to biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, and tribal cultural resources. The mitigation measures are further described in Fresno County's adopted IS/MND. The Board, as a responsible agency, is responsible for mitigating and avoiding only the direct and indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve (CEQA Guidelines § 15096(g); Public Resources Code § 21002.1(d)). The Board's responsibility under CEQA is limited to imposing conditions or mitigation related to effects on the State Plan of Flood Control. In accordance with CEQA Guidelines § 15096, Board staff independently reviewed Fresno County's IS/MND, and finds the environmental documents prepared by the lead agency adequately address hydrology impacts, including potential flood risk, for the CVFPB Executive Officer's approval of Permit No. 5914-1, to authorize work to relocate a section of 4-inch diameter gas transmission line and install it under the James Bypass West Channel, which is within the Board's responsibility as it relates to effects on the State's flood control system. The IS/MND conclusions related to flood risk confirm the relocation of the gas transmission line

will result in less than significant hydraulic impacts. In accordance with CEQA Guidelines § 15096(f) and (g), staff recommends that the CVFPB Executive Officer make responsible agency findings that approval of Permit No. 5914-1 will not result in any significant adverse impacts related to flood risk. The project will not adversely impact the State Plan of Flood Control; therefore, no additional mitigation measures within the Board's jurisdiction are required. The documents and other materials which constitute the record of the Board's proceedings in this matter are in the custody of the Executive Officer, Central Valley Flood Protection Board, 3310 El Camino Ave., Suite 170, Sacramento, California 95821.

Application Number: 19503 – Posted April 29, 2020

Applicant: SMUD

Location Description: The project is located along the Garden Highway, beginning at approximately 1600 feet East of Power Line Road and ending at approximately 575 feet south of Farm Road in Sacramento County.

County: Sacramento

Stream: Sacramento River

Project Description: To authorize 68 new utility poles, abandonment of 66 utility poles, removal of 4 poles, and replacement of 3 poles from Garden Highway levees starting 1600' east of Power Line Road and ending 575' south of Farm Road. Additionally, the existing underground facilities would be routed to the new poles.

LMA Endorsement: Reclamation District 1000

CEQA Finding: The Central Valley Flood Protection Board (Board), as a responsible agency under CEQA, has reviewed the American River Watershed Common Features Project/Natomas Post-authorization Change Report/Natomas Levee Improvement Program, Phase 4b Landside Improvements Project (NLIP, Phase 4b Project) Draft and Final Environmental Impact Reports (EIR) (SCH No. 2009112025, October 2010), and the Mitigation Monitoring and Reporting Program (MMRP), prepared by the lead agency, SAFCA. The DEIR and FEIR considered the environmental impacts and required mitigation measures for the NLIP, Phase 4b Project. These documents, including project design, are available for review in hard copy at the Board and SAFCA offices. SAFCA determined that the NLIP, Phase 4b Project would have a significant effect on the environment (SAFCA Board of Directors Resolution 2010-145 (including Findings, MMRP, Statement of Overriding Considerations)), and filed a Notice of Determination with the State Clearinghouse on November 15, 2010. On June 24, 2016, the Board approved a Project Partnership Agreement with USACE and SAFCA, and a Local Partnership Agreement with SAFCA for the construction of a portion of the Natomas Basin Project known as the NLIP, Phase 4b Project. The Board, as a responsible agency, also made appropriate CEQA findings for significant and unavoidable environmental impacts for the NLIP, Phase 4b Project as further described in its previously adopted Resolution 2016-13. These findings discussed the significant and unavoidable impacts made to air quality, agricultural resources, biological resources, cultural resources, land use, noise, recreation, transportation, and visual resources, and mitigation measures for each were adopted and implemented by SAFCA, although they did not reduce the impacts to less than significant. The Board filed a Notice of Determination with the State Clearinghouse on June 29, 2016. Staff requests that the EO find that the utility infrastructure relocation to be implemented under Permit No. 19503 as part of the NLIP, Phase 4b Project, is within the scope of the previously adopted FEIR, including the Findings, Statement of Overriding Considerations, and MMRP; and the previously filed Notice of Determination. Staff also requests that the EO find that the encroachments described herein would result in no new adverse environmental impacts, and that no new mitigation measures are required pursuant to CEQA Guidelines Section 15168. The documents and other materials which constitute the record of the Board's proceedings in this matter are in the custody of the Executive Officer, Central Valley Flood Protection Board, 3310 El Camino Ave., Suite 170, Sacramento, California 95821.