

# Central Valley Flood Protection Board

## Executive Officer Delegation Report

Original Posting Date: March 2, 2021

Number of Applications Scheduled: 2

### Application Number: 13632-1

Applicant: Pacific Gas and Electric Company (PG&E)

Location Description: The project is located approximately 0.9 miles east of the intersection of State Route (SR) 45 and SR 162, about 0.6 miles southwest of Butte City.

County: Glenn

Stream: Sacramento River

Project Description: To authorize an existing PG&E electric distribution line that spans the Sacramento River Overflow area near River Mile 167 for a total distance of approximately 3,000 feet. There are 13 utility poles associated with the distribution line. Four (4) of the 13 existing utility poles will be relocated to accommodate replacement of the Caltrans Highway 162 Bridge over the Sacramento River (Br. No. 11-0017). The electric distribution line being permitted is a segment of the existing electric distribution line that was permitted under Permit No.13632.

LMA Endorsement: Levee District 2 Glenn County

California Environmental Quality Act (CEQA) Finding: The Board, as a responsible agency under CEQA, has reviewed the Butte City Bridge Project Initial Study/Mitigated Negative Declaration (IS/MND) (SCH No. 2019039046, April 2019), and the Mitigation Monitoring and Reporting Program (MMRP), prepared by the lead agency, Caltrans. The applicant for this encroachment permit is Pacific Gas and Electric Company. The proposed work to relocate four utility poles in conjunction with the replacement of the California State Route 162 bridge crossing the Sacramento River is covered by the IS/MND. Caltrans determined that the project will not have a significant effect on the environment and filed a Notice of Determination with the State Clearinghouse on May 7, 2019. Caltrans made revisions to the project and incorporated mandatory mitigation measures into the project plans to avoid or mitigate impacts. These mitigation measures, included in the Caltrans' IS/MND and MMRP, address impacts to biological resources. The mitigation measures are further described in the Caltrans' adopted IS/MND. These mitigation measures are within the responsibility and jurisdiction of Caltrans and have been adopted by Caltrans. The IS/MND found less than significant impacts under hydrology for flood related impacts related to the utility pole relocation. In accordance with CEQA Guidelines § 15096(f), Board staff considered Caltrans' IS/MND, which supports the Board's approval of Permit No. 13632-1 to authorize work to relocate four PG&E utility poles, which is within the Boards jurisdiction as it relates to effects on the federal-

State facilities of the State Plan of Flood Control, adopted plans of flood control, regulated streams, and designated floodways (State's flood control system). The Board, as a responsible agency, is responsible for mitigating or avoiding only the direct or indirect effects of those parts of the project which it decides to approve (CEQA Guidelines § 15096(g); Public Resources Code 21002(d)). Here, the Board's action is limited to approving an encroachment permit, and the Board's jurisdiction is limited to imposing conditions to mitigate or avoid impacts to the environment under its authority, specifically the state's flood control system. In addition to the discussion within the IS/MND related to flood risk, Board staff reviewed the hydraulic blockage analysis to determine if there will be flood impacts as a result of the project. The Technical Memorandum: Central Valley Flood Protection Board Encroachment Permit Application 13632-1 Blockage Analysis prepared by Wood Rogers found the proposed utility relocation will result in less than one percent blockage of floodway conveyance for the design discharge for Sacramento River. Board staff have reviewed the hydraulic blockage analysis, agree with the methodology and findings, and have determined that impacts to flood risk will be less than significant. When considering the record as a whole, including the hydraulic analyses, and in accordance with CEQA Guidelines Section 15096(f) and (g), staff recommends that the Executive Officer make responsible agency findings that approval of Permit No. 13632-1 will not result in any significant adverse impacts related to flood risk. The project will not adversely impact the State's flood control system; therefore, no conditions or mitigation measures within the Board's jurisdiction are required. These documents, including project design, are available for review in hard copy at the Board and Caltrans offices. These documents 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: 19050-1**

Applicant: Benjamin Hernstedt

Location Description: The project is located on the left (east) bank of the Sacramento River near the intersection of Garden Highway and San Juan Road at 3197 Garden Highway in Sacramento. County: Sacramento

Stream: Sacramento River

Project Description: This is a "name change" permit that includes conditions that are consistent with current flood control standards and policies of the Central Valley Flood Protection Board. This permit supplements Permit No. 19050 that was issued to Joshua & Norman Dietz on June 1, 2018 to construct: a single family dwelling with attached garage and attached decks, a second detached garage shop structure, a chain link fence, a water well, and a septic system with a leech field. LMA Endorsement: Reclamation District 1000

CEQA Finding: Board staff has prepared the following California Environmental Quality Act (CEQA) determination: An application to change the name of the 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)).