

# **Central Valley Flood Protection Board**

## **Executive Officer Delegation Report**

Original Posting Date: November 3, 2021

Reposting Date: November 8, 2021

Number of Applications Scheduled: 6

### **Application Number: 11152-1**

Applicant: Ramesh Adulla

Location Description: The encroachments are located 13075 River Road, within the community of Courtland.

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 Board Order 11152 that was issued to Frank A. Wilcox, et al on July 18, 1975 authorizing the following encroachments located on the left (east) bank of the Sacramento River within Reclamation District No. 551, Unit No. 1: Levee Mile Description 4.61 Ramp on landward slope. 4.63 10-inch pipe through levee, 6.5 feet below crown. Pump on pile structure in stream. Service pole at landward toe.

LMA Endorsement: N/A

CEQA Finding: 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)).

### **Application Number: 19514**

Applicant: California Department of Water Resources

Location Description: The project is located approximately 2.75 miles north from the Yolo and Solano County line.

County: Yolo

Stream: Yolo Bypass Toe Drain

Project Description: To construct a boat ramp along the left (east) bank toe drain of the Yolo Bypass; To place rock slope protection around the boat ramp; To authorize the existing downstream facing access road on the Navigation Levee slope.

LMA Endorsement: N/A

CEQA Finding: Board staff has determined the project is exempt from CEQA under the Class 1, Existing Facilities, and Class 4, Minor Alterations to Land, categorical exemptions (CEQA Guidelines §

15301 and § 15304), because the proposed activity consists of constructing a boat ramp at an existing site used to launch boats, placing rock slope protection around the boat ramp, and permitting the existing access road. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

### **Application Number: 19515**

Applicant: David Creps Revocable Trust

Location Description: The project is located near the east levee of Sutter Bypass approximately 0.65 miles south of Obanion Road.

County: Sutter

Stream: Sutter Bypass

Project Description: To install a water well within the Sutter Bypass; to construct a power pole and overhead line from an adjacent power line and have an electric service control box mounted on the pole.

LMA Endorsement: Sutter Maintenance Yard

CEQA Finding: Board staff has determined the project is exempt from CEQA under the Class 3, New Construction or Conversion of Small Structures categorical exemption (CEQA Guidelines §15303), because the proposed project involves the construction of a new small facility: a water well and associated pump to provide water for crop irrigation, in addition to the installation of one power pole and overhead line with an electric service control box mounted on the pole. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

### **Application Number: 19599**

Applicant: California Department of Transportation

Location Description: The project is located where State Route (SR) 99 crosses the Cosumnes River Designated Floodway (DF), approximately 1.6 miles south of the Grant Line Road Overcrossing, about 2.5 miles south of the City of Elk Grove.

County: Sacramento

Stream: Cosumnes River

Project Description: To implement a restoration plan within the Cosumnes River Designated Floodway. The project will mitigate for impacts occurring during tree removal activity at the Cosumnes Ecological Preserve as a result of the Cosumnes River Bridge Replacement Project (Permit No. 19431.) The restoration area includes approximately eight (8) acres and the restoration work includes planting 207 valley oak trees.

LMA Endorsement: N/A

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the Draft and Final Cosumnes River Bridge Replacement Project Initial Study/Negative Declaration Section 4(f) De Minimis Determination (IS/ND) (State Clearinghouse No. 2019039070, May 2019), and the Mitigation Monitoring and Reporting Program (MMRP), prepared by the lead agency, the California Department of Transportation (CalTrans). In May 2021, CalTrans prepared an addendum to the IS/ND that addressed restoration activities within the Dillard Unit of the Cosumnes River Preserve. The proposed restoration work within the Cosumnes River Preserve is covered by the IS/ND and addendum. 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 22, 2021. CalTrans incorporated avoidance and minimization measures into the project plans to avoid or minimize impacts to biological resources. These avoidance and minimization measures are within the responsibility and jurisdiction of and have been adopted by CalTrans. The IS/ND found less than significant impacts under hydrology for flood-related impacts associated with restoration work within the Cosumnes River Preserve.

In accordance with CEQA Guidelines § 15096(f), Board staff considered the CalTran's IS/ND and addendum, which supports the Board's approval of Permit No. 19599 to authorize restoration work within the Cosumnes River Preserve which is within the Board's jurisdiction as it relates to effects on the federal-State facilities of the State Plan of Flood Control and adopted plans of flood control for 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 environmental effects of those parts of the project which it decides to approve (CEQA Guidelines § 15096(g); Public Resources Code § 21002.1(d)). Here, the Executive Officer'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/ND related to flood risk, Board staff reviewed hydraulic analysis to determine if there will be flood impacts as a result of the project. The Addendum to the Technical Memorandum of Hydraulic Impact Analysis for the Cosumnes River Bridge Replacement and Rehabilitation Project (October 2020) found the proposed project will result in an increase to the water surface elevation by less than 0.1 foot and an increase in velocity of 0.02 foot/second. Board staff has reviewed the hydraulic analysis, agree with the methodology and findings, and has determined that impacts to flood risk will be less than significant. When considering the record as a whole, including the hydraulic analysis, 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. 19599 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 the CalTran's offices. These documents which constitute the administrative record of the Board 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: 19609**

Applicant: Kevin Sullivan

Location Description: The encroachments are located at 4237 Garden Highway in Sacramento, approximately 150-feet east of the intersection of Power Line Road and Garden Highway, along the left (north) bank of the Sacramento River.

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 the following permits associated with the 4237 Garden Highway property: Permit No. 6596-1 that was issued to Jonathan and Milissa Smith on 4/10/2019 for a name change to the dwelling permitted under Permit No. 6596 that was issued to Mrs. Eleanor R. Virtue on 5/20/1969 for the following features: To construct a single family dwelling on property, including well, septic tank and retaining wall between house and river. Permit No. 6596-2 that was issued to Jonathan David and Milissa Smith on 1/8/2020 to construct a 14-foot by 40-foot in-ground swimming pool with concrete

decking and to remove and relocate wooden stairs. Permit No. 18993 that was issued to Jonathan and Milissa Smith on 4/17/2015 to repair and replace an existing 18-foot by 34-foot U-shaped private boat dock attached to 3 pilings and a 70-foot long gangway on the left (north) bank of the Sacramento River.

LMA Endorsement: Reclamation District 1000

CEQA Finding: 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)).

## **Application Number: 12319-1**

Posted November 8, 2021

Applicant: Donald A Murphy 10-year Residence Trust and Donald A Murphy 12-year Residence Trust

Location Description: The project is located in the City of Sacramento at Garcia Bend. Section 5, T7N, R4E, M.D.B.&M., Maintenance Area 9, Levee Mile 5.30, Sacramento River, Sacramento County.

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. 12319 GM (Revised) that was issued to Janet A. Gordon on May 24, 1995 to authorize three sycamore trees, ivy ground cover, and timber steps on the landward slope, and a gated chain-link fence, shed, and five ornamental, two oak, and two fig trees along the landward toe of the left bank levee of the Sacramento River.

LMA Endorsement: Maintenance Area 9

CEQA Finding: 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)).