

# Central Valley Flood Protection Board

## Executive Officer Delegation Report

Posting Date: October 10th, 2022

Meeting Date: October 28th, 2022

Number of Applications Scheduled: 4

### Application Number: 19698

Applicant: Diana Haussman

Location Description: The pipe is located approximately 0.3 miles north of the Hwy 20 Bridge crossing the Sutter Colusa County line, west of Meridian

County: Colusa

Stream: Sacramento River

Project Description: To authorize existing waterside access ramp at levee mile 40.88 (Historic 41.38) and a 30-inch corrugated metal pipe through the levee with slip lined 18-inch-diameter mortar-lined steel pipe and grouted annulus, a slide gate on the waterside headwall, a 30-inch standpipe and butterfly valve at landside toe at Levee Mile 40.89 (Historic 41.39). The pipe was previously authorized under Permit No. 9351 Automatic Board Order (ABO) and noted in USACE Operations and Maintenance Manual Unit 131 Page 5 and USACE As-Builts Drawing No. 50-4-2545 Sheet No. 2 (station 2173+00).

LMA Endorsement: Sacramento River West Side Levee District

CEQA Finding: Board staff has determined that the project is exempt from the California Environmental Quality Act (CEQA) under the Class 1, Existing Facilities categorical exemption (CEQA Guidelines § 15301), because the activity consists of permitting existing facilities. These facilities were previously authorized under ABO 9351 and referenced in USACE Operation and Maintenance, Unit 131, Page 5 and United States Army Corps of Engineers As-Builts Drawing No. 50-4-2545 Sheet No. 2 (station 2173+00). No expansion of existing or former use will occur. This is an administrative change to ABO 9351 to reflect current and existing facilities subject to the property owner. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

### Application Number: 2273-1

Applicant: William M. Schoeningh and Annabella Schoeningh, as Trustees of the William M. and Annabella Schoeningh Revocable Trust, established November 16, 2011, as to an undivided 7/16ths interest; Christian M. Schoeningh Revocable Trust, established December 12, 2012, as to an undivided 3/16ths interest; William A. Schoeningh, as Trustee of the William A. and Jimena Schoeningh Revocable Trust, as to an undivided 3/16ths interest; Peter Ricardo Schoeningh, as his sole and separate property, as to an undivided 3/16ths interest.

Location Description: The project is located through the south levee of Putah Creek of the west section line of Section 25, T. 8N., R. 2E., M.D.B.M., Solano county

County: Solano

Stream: Putah Creek

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. 2273 that was issued to Peter Schoeningh on April 4, 1956, to authorize the installation of a 10-inch steel pipe through the south levee of Putah Creek, Solano County.

LMA Endorsement: Sacramento Maintenance Yard

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 CEQA (Public Resources Code § 21065; CEQA Guidelines § 15378(a)).

### **Application Number: 4997-1**

Applicant: Union Pacific Railroad

Location Description: The project is located where the existing UPRR Fresno Subdivision rail line spans the Mokelumne at Milepost 70.56, approximately 0.8 miles downstream from the State Route 99 bridge, in the City of Lodi.

County: San Joaquin

Stream: Mokelumne River

Project Description: To replace the existing 14-span, 439-foot-long single track railroad bridge spanning the Mokelumne River with a 14-span, 436-foot-long bridge with PCB girders on existing steel H-pile pier bents. A temporary work bridge on the east side of the bridge and a temporary causeway under the bridge will be utilized for the construction.

LMA Endorsement: N/A

CEQA Finding: The project is statutorily exempt under the provisions of CEQA and the State CEQA Guidelines. The Board’s approval involves issuing an encroachment permit for replacement of an existing railroad bridge that is related to the institution or increase of passenger or commuter service of rail lines already in use, which is exempt under the statutory exemption of the Public Resources Code Section 21080(b)(10) and CEQA Guidelines Section 15275(a). In addition, the project is exempt from CEQA under the Class 2, Replacement or Reconstruction (CEQA Guidelines §15302), because the activity consists of replacement and reconstruction of an existing structure in the same location and will have substantially the same purpose and capacity as the replaced structure. Further, none of the exceptions to the exemption in CEQA Guidelines §15300.2 apply.

### **Application Number: 19686 (ADDED 10/17/2022)**

Applicant: SMUD

Location Description: The project lies on the Steel Head creek levee prism between Interstate 80 and Silver Eagle road.

County: Sacramento

Stream: Steelhead Creek

Project Description: To authorize the removal of seven (7) existing utility poles, placement of ten (10) new steel poles, and in-place replacement of one (1) existing pole with a steel pole and new guy wires. This utility relocation project is required for the Natomas Basin Civil Works Project.

LMA Endorsement: Reclamation District 1000

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the Natomas Levee Improvement Program, Phase 4b Landslide Improvements Project Environmental Impact Statement/ Environmental Impact Report (October 2010) (State Clearinghouse No. 2009112025), the Mitigation Monitoring and Reporting Program (MMRP), and Statement of Overriding Considerations, prepared by the lead agency, the Sacramento Area Flood Control Agency (SAFCA).

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 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.

The Board previously approved construction of the NLIP Phase 4b Landside Improvements Project on June 24, 2016 and made appropriate CEQA findings. The Board finds that the proposed removal of seven existing utility poles, placement of 10 new poles, and in-place replacement of one existing pole and new guy wires is within the scope of the previously adopted Program EIR and therefore constitutes a subsequent activity to the EIR. The Board further finds that no new environmental effects could occur, and no new mitigation measures are required pursuant to CEQA Guidelines section 15162.

Therefore, no new environmental document is required pursuant to CEQA Guidelines section 15168. These documents, including project design, are available for review in hard copy at the Board and SAFCA'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.