

Central Valley Flood Protection Board

Executive Officer Delegation Report

Posting Date: November 10th, 2022

Number of Applications Scheduled: 12

Application Number: 19695

Applicant: Caltrans

Location Description: The project is located in State Route (SR) 99, near the Cosumnes River Bridges, (Br Nos. 24-0390R/L) and Cosumnes River Overflow Bridges, (Br Nos. 24-0391R/L) from Postmile 7.1 to Postmile 9.4

County: Sacramento

Stream: Consumnes River

Project Description: To implement a restoration plan to satisfy mitigation requirements for the Cosumnes River Bridge Replacement Project (Permit No. 19431.) The proposed project includes plantation of 52 valley oak trees and 56 Sandbar willow shrubs in the 0.527 ac planting area.

LMA Endorsement: N/A

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the Cosumnes River Bridge Replacement Initial Study with Proposed Negative Declaration/Draft Section 4(f) De Minimis Determination (State Clearinghouse No. 2019039070, March 2019), prepared by the lead agency, the California Department of Transportation (Caltrans). The proposed work to implement a restoration plan which includes plantation of 52 valley oak trees and 56 Sandbar willow shrubs in the 0.527-acre planting area is covered by the IS/ND. 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, 2019. Caltrans did not incorporate mandatory mitigation measures into the project plans to avoid or mitigate impacts. The proposed project will result in 0.69 acres of impacts to riparian habitat. Although the 0.69 acres of impact to riparian habitat is considered less than significant, through consultation, the California Department of Fish and Wildlife requires that riparian impacts be offset by the purchase of credits at a CDFW approved mitigation bank or by on-site restoration. The IS/ND found no impact under hydrology for flood-related impacts associated with the vegetation plantings covered by the Board permit application.

In accordance with CEQA Guidelines § 15096(f), Board staff considered Caltrans's IS/ND, which supports the Board's approval of Permit No. 19695 to authorize work to implement its restoration plan which includes planting valley oak trees and Sandbar willow shrubs 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 analyses to determine if there will be flood impacts as a result of the project. The Updated Technical Memorandum of Hydraulic Impact Analysis for the Cosumnes River Bridge Replacement and Rehabilitation Project with 2022 Planting Plan prepared by Sungho Lee and Sang Won Lee (July 2022) found the proposed plantings will result in a decrease to water surface elevation (WSE) of about 0.01 feet (ft) upstream and an increase of about 0.1 ft downstream of the Cosumnes River Bridge. Board staff has reviewed the hydraulic analyses, 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 analyses, and in accordance with CEQA Guidelines § 15096(f) and (g), staff recommends that the Executive Officer make responsible agency findings that approval of Permit No. 19695 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 Caltrans'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: 19542

Applicant: Sutter County

Location Description: The project is located along the Garden Highway, approximately 60 feet south of the intersection of Garden highway and Howsley Road.

County: Sutter

Stream: Sacramento River

Project Description: To authorize a permit for an existing guardrail on the waterside (east bank) of a paved road in Sutter County. The guardrail is located along the Sacramento River East Levee (SREL) between stations 1+00 and 4+00, just downstream of the Natomas Cross Canal. The guardrail was constructed as part of the Natomas Levee Improvement Program (NLIP).

LMA Endorsement: Reclamation District 1000

CEQA Finding: Board staff has determined that the project is exempt from CEQA under the Class 1, Existing Facilities categorical exemption (CEQA Guidelines § 15301), because the activity consists of permitting existing facilities. No expansion of existing or former use will occur. The project is also exempt under the Class 2, Replacement or Reconstruction categorical exemption (CEQA Guidelines § 15302) because the activity authorizes replacement of a guardrail. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

Application Number: 19543

Applicant: Sutter County

Location Description: The project is located along Sankey Road, at the intersection of Sankey Road and Garden highway.

County: Sutter

Stream: Sacramento River

Project Description: To authorize the realignment of Sankey Road, an existing paved road, on the east side of the Sacramento River, from station 4+00 to its new alignment at station 14+40 in Sutter County. The road was required to be realigned during the construction of the Natomas Levee Improvement Program (NLIP). This work is associated with NLIP under Master Permit 18159-3, authorized by the Board in 06/05/2009, and was previously constructed in compliance with California Code of Regulations, Title 23, Division 1.

LMA Endorsement: Reclamation District 1000

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the following environmental documents, prepared by the lead agency, the Sacramento Area Flood Control Agency (SAFCA):

- Natomas Levee Improvement Program (NLIP), Landside Improvements Project Environmental Impact Report (EIR) (State Clearinghouse No. 2007062016, January 2009) the MMRP, and Statement of Overriding Considerations; and
- NLIP, Landside Improvements Project - Phase 2 Project Supplemental EIR (State Clearinghouse No. 2007062016, November 2007) the MMRP, and Statement of Overriding Considerations.

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 2 Landside Improvements Project on March 21, 2008, and March 27, 2009, and made appropriate CEQA findings for significant and unavoidable environmental impacts for the NLIP, Phase 2 Project as further described in its previously adopted Resolutions 2008-04 and 2009-07. The Board finds that the proposed project is within the scope of the previously adopted EIR and/or Supplemental EIR and therefore constitutes a subsequent activity to the EIR and/or Supplemental. 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.

Application Number: 19544

Applicant: Sutter County

Location Description: The project is located on the intersection of West Riego Road and Garden Highway.

County: Sutter

Stream: Sacramento River

Project Description: To authorize the reconfiguration of Riego Road, an existing paved road, on the east side of the Sacramento River, at Station 124+50 (Station Reference to Natomas Levee Improvement Program - NLIP), in Sutter County. The road was required to be reconfigured during the construction of the NLIP. This work is associated with NLIP under Master Permit 18159-3, authorized by the Board in 06/05/2009, and was previously constructed in compliance with California Code of Regulations, Title 23, Division 1.

LMA Endorsement: Reclamation District 1000

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the following environmental documents, prepared by the lead agency, the Sacramento Area Flood Control Agency (SAFCA):

- Natomas Levee Improvement Program (NLIP), Landside Improvements Project Environmental Impact Report (EIR) (State Clearinghouse No. 2007062016, January 2009) the MMRP, and Statement of Overriding Considerations; and
- NLIP, Landside Improvements Project - Phase 2 Project Supplemental EIR (State Clearinghouse No. 2007062016, November 2007) the MMRP, and Statement of Overriding Considerations.

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 2 Landside Improvements Project on March 21, 2008, and March 27, 2009, and made appropriate CEQA findings for significant and unavoidable environmental impacts for the NLIP, Phase 2 Project as further described in its previously adopted Resolutions 2008-04 and 2009-07. The Board finds that the proposed project is within the scope of the previously adopted EIR and/or Supplemental EIR and therefore constitutes a subsequent activity to the EIR and/or Supplemental. 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.

Application Number: 19545

Applicant: Calpine- CPN Pipeline

Location Description: The project is located on the Garden Highway, approximately 1,930 feet south from the intersection of Garden Highway and Pritchard Lake Road.

County: Sacramento

Stream: Sacramento River

Project Description: To authorize an existing gas pipeline going through the left bank levee of the Sacramento River at station 215+75. The encroachment, 4-inch pressurized gas pipeline, starts on the waterside (east levee) of the Sacramento River and continues through the levee to the landside. A total of 140-foot segment of 4" gas pipeline was required to be replaced during the construction of the Natomas Levee Improvement Program (NLIP) under Permit No. 18159-3 that was issued to Sacramento Area Flood Control Agency (SAFCA).

LMA Endorsement: Reclamation District 1000

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the following environmental documents, prepared by the lead agency, the Sacramento Area Flood Control Agency (SAFCA):

- Natomas Levee Improvement Program (NLIP), Landside Improvements Project Environmental Impact Report (EIR) (State Clearinghouse No. 2007062016, January 2009) the MMRP, and Statement of Overriding Considerations; and
- NLIP, Landside Improvements Project - Phase 2 Project Supplemental EIR (State Clearinghouse No. 2007062016, November 2007) the MMRP, and Statement of Overriding Considerations.

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 2 Landside Improvements Project on March 21, 2008, and March 27, 2009, and made appropriate CEQA findings for significant and unavoidable environmental impacts for the NLIP, Phase 2 Project as further described in its previously adopted Resolutions 2008-04 and 2009-07. The Board finds that the proposed project is within the scope of the previously adopted EIR and/or Supplemental EIR and therefore constitutes a subsequent activity to the EIR and/or Supplemental 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.

Application Number: 19546

Applicant: Department of Airports Sacramento County

Location Description: The project is located on the Garden highway, approximately 2,300 feet north, from the intersection of Garden highway and W Elverta Road.

County: Sutter

Stream: Sacramento River

Project Description: To authorize an existing paved/gravel ramp on the landside of the east bank of the Sacramento River at station 232+00. The construction that replaced the previously unpermitted ramp, is comprised of miscellaneous fill and its surface is comprised of asphalt at the top of the ramp nearest to the levee and aggregate base on the lower portion of the ramp. The ramp was required during the construction of the Natomas Levee Improvement Program (NLIP) under Permit No. 18159-4 that was issued to Sacramento Area Flood Control Agency (SAFCA).

LMA Endorsement: Reclamation District 1000

CEQA Finding: Board staff has determined that the project is exempt from CEQA under the Class 1, Existing Facilities categorical exemption (CEQA Guidelines § 15301), because the activity consists of permitting existing facilities. No expansion of existing or former use will occur. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

Application Number: 19547

Applicant: Sacramento Municipal Utility District

Location Description: The project is located approximately 85 feet south from the intersection of Garden Highway and W Elverta Road.

County: Sacramento

Stream: Sacramento River

Project Description: To authorize an existing electrical pole, light pole and one overhead cable on the waterside of the left bank levee of the Sacramento River between station 255+00 and 256+00. The poles and the overhead cable were required to be installed during the construction of the Natomas Levee Improvement Program (NLIP) under Permit No. 18159-4 that was issued to Sacramento Area Flood Control Agency (SAFCA).

LMA Endorsement: Reclamation District 1000

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the Natomas Levee Improvement Program (NLIP), Phase 3 Landside Improvements Project Environmental Impact Report (EIR) (State Clearinghouse No. 2008072060, May 2009) 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 3 Landside Improvements Project on April 23, 2010 and made appropriate CEQA findings for significant and unavoidable environmental impacts for the NLIP, Phase 3 Project as further described in its previously adopted Resolution 2010-10. The Board finds that the proposed project 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.

Application Number: 19548

Applicant: Natomas Central Mutual Water Company

Location Description: The project is located on Reservoir Road at the intersection of Reservoir Road and Garden Highway.

County: Sacramento

Stream: Sacramento River

Project Description: To authorize the reconfiguration of Reservoir Road, an existing paved road, on the east side of the Sacramento River, at Station 309+00 (Stations Reference to Natomas Levee Improvement Program - NLIP) in Sutter County. The road was required to be realigned during the construction of the NLIP. This work is associated with NLIP under Master Permit 18159-3, authorized by the Board in 05/10/2010, and was previously constructed in compliance with California Code of Regulations, Title 23, Division 1.

LMA Endorsement: Reclamation District 1000

CEQA Finding: Board staff has determined that the project is exempt from CEQA under the Class 1, Existing Facilities categorical exemption (CEQA Guidelines § 15301), because the activity consists of permitting existing facilities. No expansion of existing or former use will occur. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

Application Number: 19549

Applicant: Sacramento Municipal Utility District

Location Description: The project is located on Garden highway, approximately 7956 feet south from the intersection of Garden highway and N. Bayou Road.

County: Sacramento

Stream: Sacramento River

Project Description: To authorize an existing electrical pole and two overhead cables on the waterside of the left bank levee of the Sacramento River at Station 516+00 (Stations Reference to Natomas Levee Improvement Program - NLIP). The pole and the overhead cable were required to be installed during the construction of the NLIP. This work is associated with NLIP under Master Permit 18159-7, authorized by the Board in 03/30/2011, and was previously constructed in compliance with California Code of Regulations, Title 23, Division 1.

LMA Endorsement: Reclamation District 1000

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the Natomas Levee Improvement Program, Phase 4a Landside Improvements Project Environmental Impact Report (EIR) (State Clearinghouse No. 2009032097, November 2009) 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 4a Landside Improvements Project on September 23, 2010 and made appropriate CEQA findings for significant and unavoidable environmental impacts for the NLIP, Phase 4a Project as further described in its previously adopted Resolution 2010-44. The Board finds that the proposed project 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.

Application Number: 19550

Applicant: Sacramento County Department of Airports

Location Description: The project is located on the Garden highway, approximately 5180 feet north from the intersection of Garden highway and Power Line Road.

County: Sacramento

Stream: Sacramento River

Project Description: To authorize an existing paved/gravel ramp on the landside of the east bank of the Sacramento River at Station 583+00 (Stations Reference to Natomas Levee Improvement Program - NLIP). The ramp is comprised of miscellaneous fill and its surface is comprised of asphalt at the top of the ramp nearest to the levee and aggregate base on the lower portion of the ramp. This work is associated with NLIP under Master Permit 18159-4, authorized by the Board in 05/03/2010, and was previously constructed in compliance with California Code of Regulations, Title 23, Division 1.

LMA Endorsement: Reclamation District 1000

CEQA Finding: Board staff has determined that the project is exempt from CEQA under the Class 1, Existing Facilities categorical exemption (CEQA Guidelines § 15301), because the activity consists of permitting existing facilities. No expansion of existing or former use will occur. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

Application Number: 19551

Applicant: Sacramento County Department of Airports

Location Description: The project is located on the Garden highway, approximately 170 feet north from the intersection of Garden highway and Power Line Road.

County: Sacramento

Stream: Sacramento River

Project Description: To authorize an existing paved/gravel ramp on the landside of the east bank of the Sacramento River at Station 633+00 (Stations Reference to Natomas Levee Improvement Program - NLIP). The ramp is comprised of miscellaneous fill and its surface is comprised of asphalt at the top of the ramp nearest to the levee and aggregate base on the lower portion of the ramp. This work is associated with NLIP under Master Permit 18159-7, authorized by the Board in 03/30/2011, and was previously constructed in compliance with California Code of Regulations, Title 23, Division 1.

LMA Endorsement: Reclamation District 1000

CEQA Finding: Board staff has determined that the project is exempt from CEQA under the Class 1, Existing Facilities categorical exemption (CEQA Guidelines § 15301), because the activity consists of permitting existing facilities. No expansion of existing or former use will occur. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

Application Number: 7891-1

Applicant: Jaspal Singh

Location Description: This project is located at levee mile 1.41 adjacent to the Old River in Reclamation District 2089. The project is located west of the city of Lathrop.

County: San Joaquin

Stream: Old 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. 7891 that was issued to Frank Pellegrini on April 14, 1972 to authorize the 10-inch steel pipe.

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)).