

Central Valley Flood Protection Board

Executive Officer Delegation Report

Posting Date: December 12th, 2022

Number of Applications Scheduled: 2

Application Number: 19150-1

Applicant: California Department of Transportation

Location Description: The project is located adjacent to the State Route 216, PM 18.80, Kaweah River Bridge downstream of Terminus Dam, southeast of the community of Woodlake.

County: Tulare

Stream: Kaweah River

Project Description: To mitigate for trees removed during widening of the State Route 216 bridge authorized under Permit No. 19150 by planting 71 or more young native trees and shrubs above the 100-year water surface elevation. To remove noxious and invasive species from the project area. A temporary irrigation system will be installed on grade.

LMA Endorsement: N/A

CEQA Finding: Board staff has determined the project is exempt from CEQA under the Class 33, Small Habitat Restoration Projects, categorical exemption (CEQA Guidelines § 15333) because the proposed activity consists of the restoration of a disturbed area less than five acres with native plant species. The project is also exempt under the Class 4, Minor Alterations to Land, categorical exemption (CEQA Guidelines § 15304) because the proposed activity consists of minor public alterations in the condition of land which does not involve the removal of healthy, mature, scenic trees. The project is also exempt under the Class 1, Existing Conditions, categorical exemption (CEQA Guidelines § 15301) because the proposed activity consists of maintenance of existing native growth by removing noxious and invasive plants. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

Application Number: 5365-2

Applicant: City of Sacramento

Location Description: The proposed project is located on the right (north) bank levee of the American River, approximately 0.8 miles upstream of the CA Highway 160 bridge across the American River.

County: Sacramento

Stream: American River

Project Description: To remove and replace two (2) approximately 140 feet long 30-inch diameter welded steel pressurized pipes (WSP) with 30-inch diameter High-density polyethylene (HDPE) pipes; to remove and replace approximately 150 feet long 16-inch diameter WSP with 16-inch diameter HDPE pipe; to remove and replace approximately 150 feet long 42-inch diameter WSP with 42-inch diameter HDPE pipe; to remove and replace approximately 150 feet long 54-inch diameter WSP with 54-inch diameter HDPE pipe; and to install a new 6-inch diameter HDPE vault drainpipe

with flapgate. Additional improvements include installing positive closure vault, repaving the waterside bike path and disturbed areas along the landside levee toe, and removing and replacing the existing fence near the landside levee toe. Sump 151

LMA Endorsement: American River Flood Control District

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the Draft and Final IS/MND and the Mitigation Monitoring and Reporting Program, prepared by the City of Sacramento. The proposed work as identified in Permit 5365-2 is covered by the IS/MND. The City of Sacramento determined that the project will not have a significant effect on the environment and filed a Notice of Determination with the State Clearinghouse and the Sacramento County Clerk on August 19, 2021. The City of Sacramento incorporated mandatory mitigation measures into the project plans to avoid or mitigate impacts. These mitigation measures, included in the IS/MND and MMRP, address impacts to air quality, biological resources, cultural resources, and tribal cultural resources. These mitigation measures are within the responsibility and jurisdiction of and have been adopted by the City of Sacramento. The IS/MND found no additional significant environmental effect under hydrology for flood-related impacts associated with the proposed project.

In accordance with CEQA Guidelines § 15096(f), Board staff considered the City's IS/MND, which supports the Board's approval of Permit 5365-2 to authorize the proposed project which is within the Board's 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 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.

In addition to the discussion within the IS/MND related to flood risk, Board staff reviewed hydraulic analyses to determine if there will be flood impacts as a result of the project. Board engineering 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 Section 15096(f) and (g), staff recommends that the Board make responsible agency findings that approval of Permit 5365-2 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 City'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.