

**Meeting of the Central Valley Flood Protection Board  
March 23, 2012**

**Staff Report – Encroachment Permit**

**Colusa Shooting Club  
Elevated Clubhouse, Colusa County**

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**1.0 – ITEM**

Consider approval of Permit No. 18711 (Attachment B)

**2.0 – APPLICANT**

Colusa Shooting Club

**3.0 – LOCATION**

The project is located approximately 4-miles northeast of the City of Colusa and east of the Colusa Bypass on the right bank of Butte Creek in Area D of the Butte Basin. (Butte Basin, Colusa County, see Attachment A)

**4.0 – DESCRIPTION**

The applicant proposes to remove an existing floating 3,000-square-foot clubhouse which floats on Butte Creek, and replace it with a new 5,445-square-foot elevated steel clubhouse.

**5.0 – PROJECT ANALYSIS**

The existing floating clubhouse will be totally removed from the Butte Basin. The new clubhouse will sit atop 25 steel columns, approximately 20-feet above the existing ground elevation, on the right (west) bank of Butte Creek. A new septic system will be installed and an existing well will be upgraded to service the new clubhouse.

There is no design water surface elevation for the Butte Basin. Historic flood elevation benchmarks at the Colusa Weir were used to establish a maximum base flood elevation

of 66-feet (NGVD29) for this area. A flood data report done by the U.S. Geological Survey for the Sacramento River and Butte Basin confirms this assumption (Flood Data for the Sacramento River and Butte Basin, 1875 to 1978, Open File Report 80-971, June 1981, page 29). The finished floor elevation of the clubhouse will be approximately 7-feet above the established base flood elevation. The project conforms to Sections 113 and 135 of Title 23.

### **5.1 – Hydraulic Analysis**

The width of the floodway at the clubhouse location is approximately 3-miles wide and the 25 steel support pilings will block less than 1% of the floodway; therefore a hydraulic analysis was not required.

### **5.2 – Geotechnical Analysis**

There are no levees in close proximity to the project; therefore a geotechnical analysis was not required.

## **6.0 – AGENCY COMMENTS AND ENDORSEMENTS**

The comments and endorsements associated with this project from all pertinent agencies are shown below:

- There is no local maintaining agency in the project area.
- The U.S. Army Corps of Engineers 208.10 comment letter has not been received for this application. Staff anticipates receipt of a letter indicating that the USACE District Engineer has no objection to the project, subject to conditions. Upon receipt of the letter, staff will review to ensure conformity with the permit language and incorporate it into the permit as Exhibit A.

## **7.0 – CEQA ANALYSIS**

The Board, as a responsible agency under CEQA, has reviewed Initial Study/Mitigated Negative Declaration (IS/MND) (April 2010) and Mitigation Measures for the Colusa Shooting Club Project prepared by the lead agency, the Colusa County Department of Planning. These documents, including project design, may be viewed or downloaded from the Central Valley Flood Protection Board website at <http://www.cvfpb.ca.gov/meetings/2012/03-23-2012.cfm> under a link for this agenda

item. These documents are also available for review in hard copy at the Board and the Colusa County offices.

Colusa County determined that the project would not have a significant effect on the environment on May 10, 2010 and filed a Notice of Determination on May 13, 2010 with the Colusa County Clerk. Board staff finds that although the proposed project could have a potentially significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project proponent has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where no significant impacts will occur. These mitigation measures are included in the project proponent's IS/MND and address impacts to aesthetics, air quality, biological resources, and cultural resources. The description of the mitigation measures are further described in the adopted IS/MND.

### **8.0 – SECTION 8610.5 CONSIDERATIONS**

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on the entire State Plan of Flood Control:

The proposed club house will be above all previously recorded flood events in the Butte Basin at the project location. Effects from the club house on the entire State Plan of Flood Control are considered insignificant.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

The proposed club house will be approximately 7-feet above all previously recorded flood events for the Butte Basin. Effects from reasonable projected future events to the proposed project will be negligible.

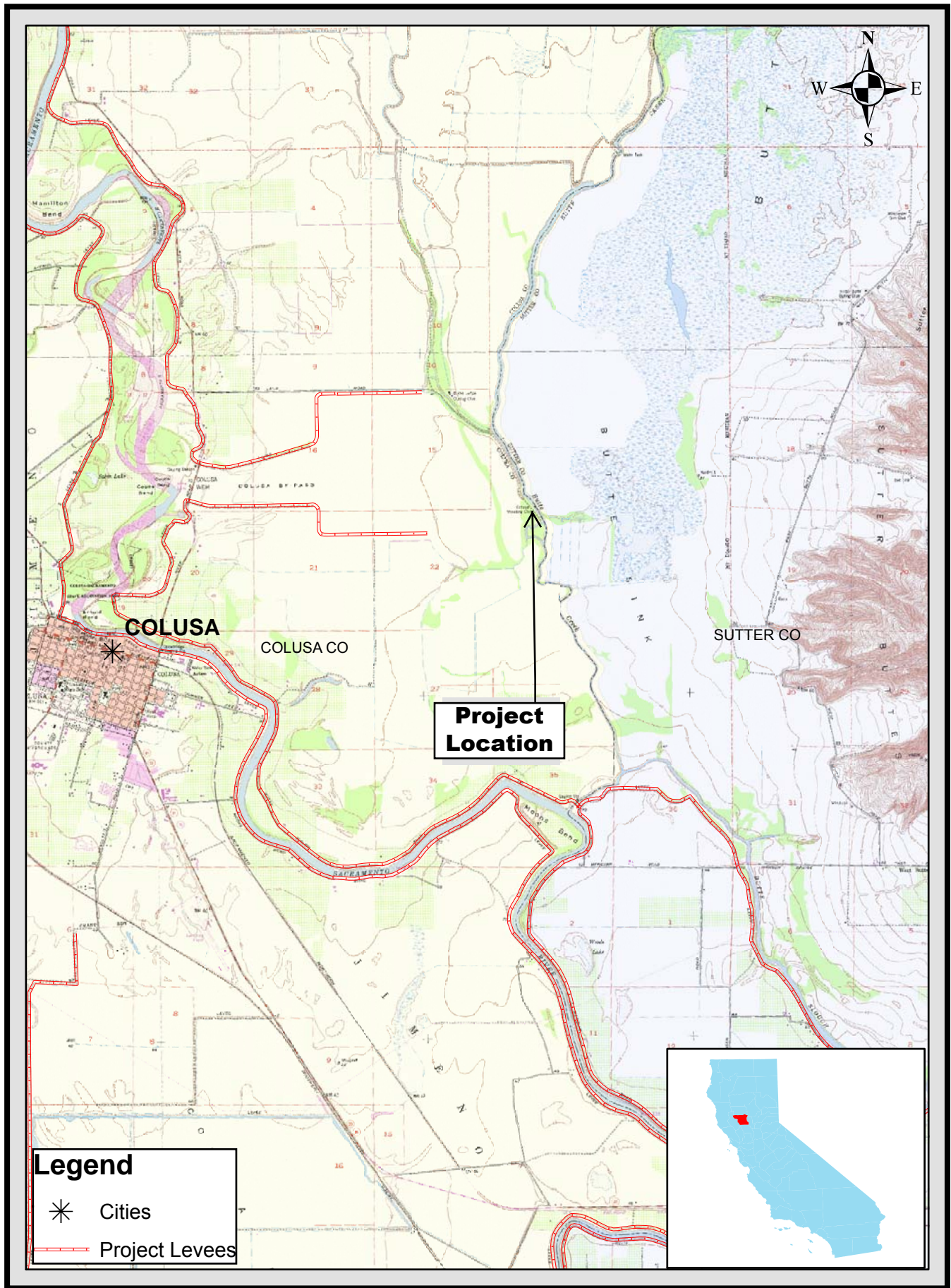
### **9.0 – STAFF RECOMMENDATION**

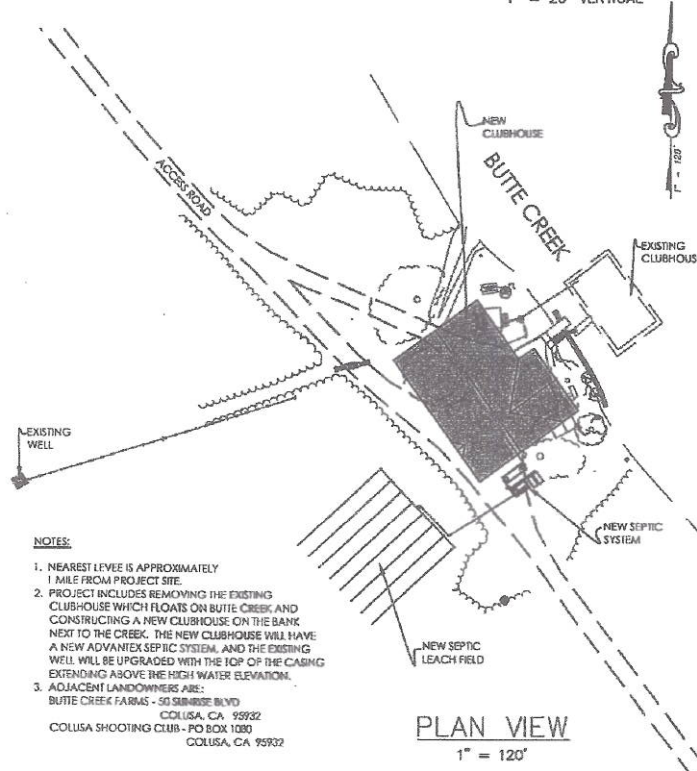
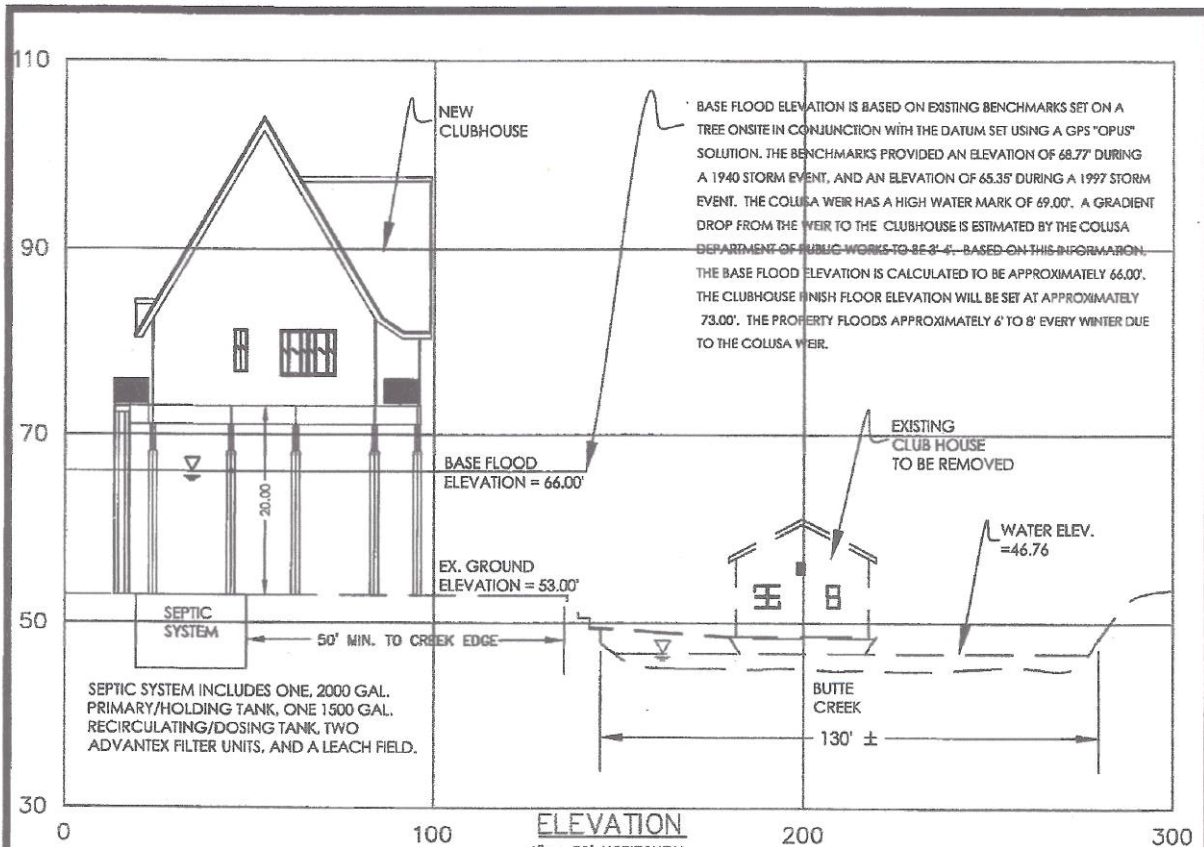
Staff recommends that the Board adopt the CEQA findings and approve the permit, conditioned upon receipt of a U.S. Army Corps of Engineers comment letter indicating that the District Engineer has no objection to the project, subject to conditions, and direct staff to file a Notice of Determination with the State Clearinghouse or the Colusa County Clerk.

### **10.0 – LIST OF ATTACHMENTS**

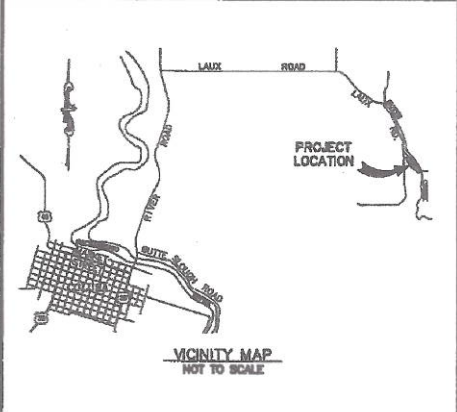
- A. Location Maps and Photos
- B. Draft Permit No. 18711
- C. Drawings

Design Review:	Gary W. Lemon P.E.
Environmental Review:	Andrea Mauro, James Herota
Document Review:	Mitra Emami P.E., Len Marino P.E.





- NOTES:**
1. NEAREST LEVEE IS APPROXIMATELY 1 MILE FROM PROJECT SITE.
  2. PROJECT INCLUDES REMOVING THE EXISTING CLUBHOUSE WHICH FLOATS ON BUTTE CREEK AND CONSTRUCTING A NEW CLUBHOUSE ON THE BANK NEXT TO THE CREEK. THE NEW CLUBHOUSE WILL HAVE A NEW ADVANTEX SEPTIC SYSTEM, AND THE EXISTING WELL WILL BE UPGRADED WITH THE TOP OF THE CASING EXTENDING ABOVE THE HIGH WATER ELEVATION.
  3. ADJACENT LANDOWNER'S ADR: BUTTE CREEK FARMS - 50 SUMMERS BLVD COLUSA, CA 95932 COLUSA SHOOTING CLUB - PO BOX 1080 COLUSA, CA 95932



**FACILITY RECONSTRUCTION FOR THE COLUSA SHOOTING CLUB**

DATUM IS BASED ON GPS STATIC SURVEY ON SET #1 REBAR WITH CAP STAMPED "CEC CONTROL" ESTABLISHED "OPUS" ELEVATION: 16.34(M) = 53.609(FT), NAVD 88 DATUM USING GED003

OCTOBER 11, 2010

PREPARED BY:



Office: 530.751.0852  
Fax: 530.751.0853  
1110 Civic Center Blvd., Ste. 404  
Yuba City, CA 95993

Engineering - Planning - Surveying - Community Development  
www.cccusa.net

**DRAFT**

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
**THE CENTRAL VALLEY FLOOD PROTECTION BOARD**

**PERMIT NO. 18711 BD**

**This Permit is issued to:**

Colusa Shooting Club  
7750 Laux Road  
P.O.Box 1082  
Colusa, California 95932

To remove an existing floating 3,000 SF clubhouse which floats on Butte Creek, and replace with a new 5,445 SF elevated steel clubhouse. The project is located approximately 4 miles northeast of the City of Colusa and east of the Colusa Bypass on the right bank of Butte Creek in Area D of the Butte Basin (Section 14, T16N, R1W, MDB&M, Butte Creek, Colusa County).

**NOTE:** Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project as described above.

**(SEAL)**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Executive Officer

**GENERAL CONDITIONS:**

**ONE:** This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

**TWO:** Only work described in the subject application is authorized hereby.

**THREE:** This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

**FOUR:** The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and The Central Valley Flood Protection Board.

**FIVE:** Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of The Central Valley Flood Protection Board.

**SIX:** This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 days' notice.

**SEVEN:** It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

**EIGHT:** This permit does not establish any precedent with respect to any other application received by The Central Valley Flood Protection Board.

**NINE:** The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

**TEN:** The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

**ELEVEN:** The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

**TWELVE:** Should any of the work not conform to the conditions of this permit, the permittee, upon order of The Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

#### **SPECIAL CONDITIONS FOR PERMIT NO. 18711 BD**

**THIRTEEN:** All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

**FOURTEEN:** The permittee is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California; including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

**FIFTEEN:** The permittee shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California, including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages related to the Central Valley Flood Protection Board's approval of this permit, including but not limited to claims filed pursuant to the California Environmental Quality Act. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

**SIXTEEN:** The Central Valley Flood Protection Board and the Department of Water Resources shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.

**SEVENTEEN:** No construction work of any kind shall be done during the flood season from November 1st to April 15th without prior approval of the Central Valley Flood Protection Board.



EIGHTEEN: Upon receipt of a signed copy of the issued permit the permittee shall contact the Department of Water Resources by telephone, (916) 574-0609, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project.

NINETEEN: The abandoned floating clubhouse shall be completely removed and disposed of outside the limits of the Butte Basin as identified in Title 23, Section 135.

TWENTY: The proposed structure is considered a seasonal structure and shall not be used for human habitation during the flood season from November 1st to April 15th.

TWENTY-ONE: Cleared trees and brush shall be completely burned or removed from the Butte Basin, and downed trees or brush shall not remain in the Butte Basin during the flood season from November 1st to April 15th.

TWENTY-TWO: All pipes within the Butte Basin shall be buried with a minimum of 2-feet of cover.

TWENTY-THREE: The work area shall be restored to the condition that existed prior to start of work.

TWENTY-FOUR: Trees, brush, and other debris shall be removed from the site and disposed of outside the Butte Basin following each high water event.

TWENTY-FIVE: Stockpiled material, temporary buildings, or equipment shall not remain in the Butte Basin during the flood season from November 1st to April 15th.

TWENTY-SIX: If the permitted encroachments result in an adverse hydraulic impact, the permittee shall provide appropriate mitigation measures, to be approved by the Central Valley Flood Protection Board, prior to implementation of mitigation measures.

TWENTY-SEVEN: The permittee shall maintain the permitted encroachments in the manner required and as requested by any authorized representative of the Department of Water Resources or any other agency responsible for maintenance.

TWENTY-EIGHT: The permitted encroachments shall not interfere with operation and maintenance of the flood control project. If the permitted encroachments are determined by any agency responsible for operation or maintenance of the flood control project to interfere, the permittee shall be required, at permittee's cost and expense, to modify or remove the permitted encroachments under direction of the Central Valley Flood Protection Board or Department of Water Resources. If the permittee does not comply, the Central Valley Flood Protection Board may modify or remove the encroachments at the permittee's expense.

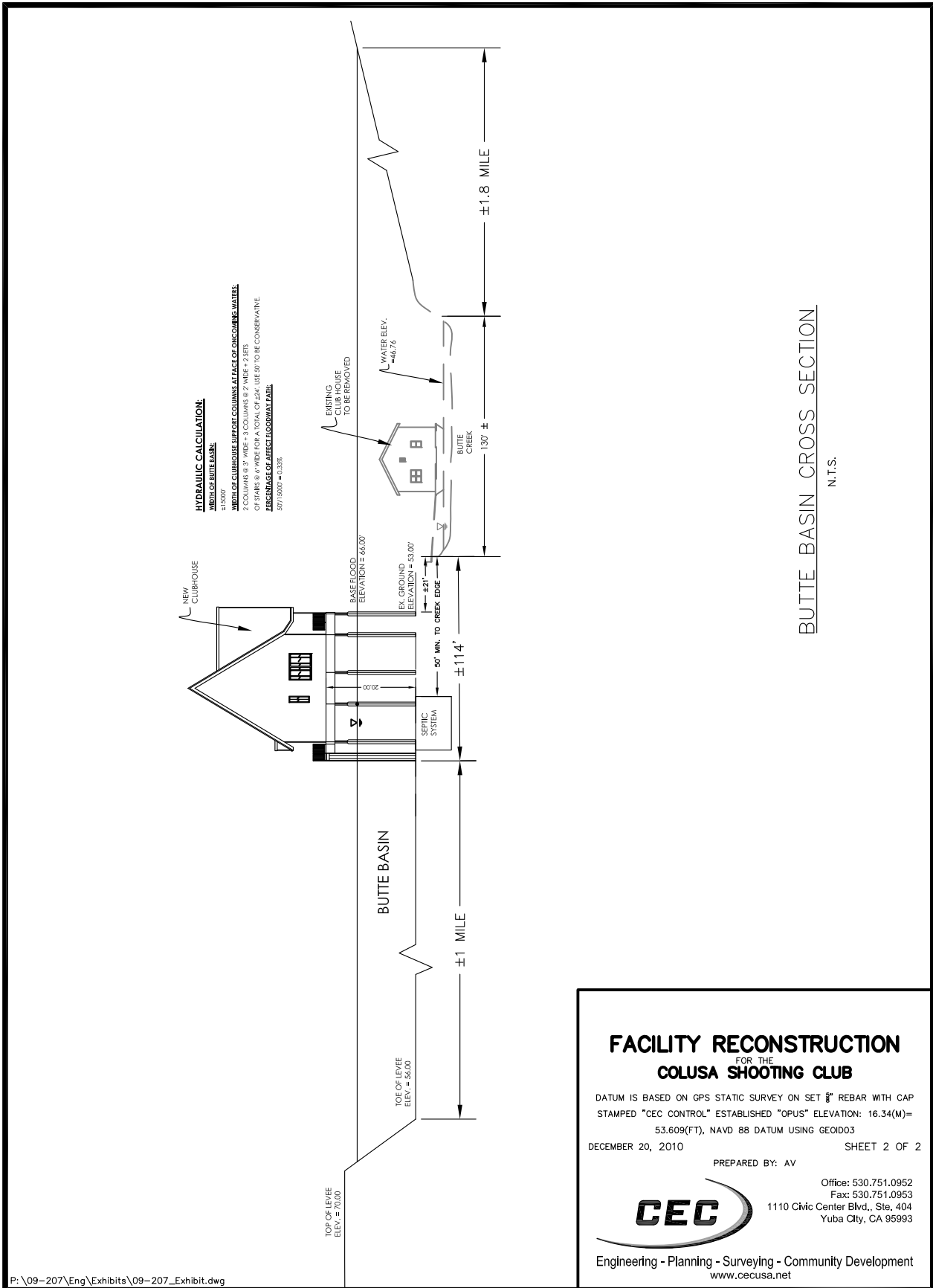
TWENTY-NINE: The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachments if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachments at the permittee's expense.

THIRTY: If damage to the dwelling exceeds 50 percent of its market value within a 10-year period, the dwelling cannot be rebuilt or replaced without approval of the Central Valley Flood Protection Board. If the dwelling is not repaired or replaced, the remaining portion must be completely removed from the floodway prior to the next flood season.

THIRTY-ONE: If the project, or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of the Central Valley Flood Protection Board and Department of Water Resources, at the permittee's or successor's cost and expense.

THIRTY-TWO: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated March XX, 2012, which is attached to this permit as Exhibit A and is incorporated by reference.

THIRTY-THREE: Upon completion of the project, the permittee shall submit as-constructed drawings to: Department of Water Resources, Flood Project Inspection Section, 3310 El Camino Avenue, Suite 256, Sacramento, California 95821.



BUTTE BASIN CROSS SECTION  
 N.T.S.

**FACILITY RECONSTRUCTION**  
 FOR THE  
**COLUSA SHOOTING CLUB**

DATUM IS BASED ON GPS STATIC SURVEY ON SET #8" REBAR WITH CAP  
 STAMPED "CEC CONTROL" ESTABLISHED "OPUS" ELEVATION: 16.34(M) =  
 53.609(FT), NAVD 88 DATUM USING GEOID03

DECEMBER 20, 2010 SHEET 2 OF 2  
 PREPARED BY: AV

Office: 530.751.0952  
 Fax: 530.751.0953  
 1110 Civic Center Blvd., Ste. 404  
 Yuba City, CA 95993

**CEC**

Engineering - Planning - Surveying - Community Development  
 www.cecusa.net