Meeting of the Central Valley Flood Protection Board October 24, 2014

Staff Report

Sacramento Regional County Sanitation District Flow Equalization Project Sacramento County

<u> 1.0 – ITEM</u>

Consider approval of Draft Permit No. 18975 (Attachment B).

2.0 - APPLICANT

Sacramento Regional County Sanitation District (SRCSD)

3.0 - LOCATION

The project is located approximately two miles north of Laguna Boulevard and one mile east of Interstate 5 at 8521 Laguna Station Road in Elk Grove. The project is located outside of the Legal Delta.

(Morrison and Laguna Creeks, Sacramento County, see Attachment A).

4.0 - PROJECT DESCRIPTION

The applicant proposes to increase the capacity of the existing Emergency Storage Basins (ESBs) at the Sacramento Regional Wastewater Treatment Plant (SRWTP). The work will impact the north and west levees of the SRWTP which protect the facility from Morrison and Laguna Creeks. The levees are features of the South Sacramento Streams Group Project which is a Board sponsored project.

5.0 - AUTHORITY OF THE BOARD

California Water Code § 8534, 8590 – 8610.5, and 8700 - 8710

California Code of Regulations, Title 23 (Title 23)

- § 6, Need for a Permit
- § 13, Evidentiary Hearings
- § 112, Streams Regulated and Nonpermissible Work Periods
- § 120, Levees
- § 123, Pipelines, Conduits, and Utility Lines

6.0 - PROJECT ANALYSIS

The Sacramento Regional County Sanitation District (SRCSD) provides regional wastewater conveyance, treatment, and disposal through the operation of the Sacramento Regional Wastewater Treatment Plant (SRWTP). The SRWTP provides service for the cities of Sacramento, West Sacramento, Rancho Cordova, Citrus Heights, Elk Grove, Folsom; unincorporated Sacramento County; and the communities of Courtland and Walnut Grove. Approximately 1.4 million people are located within the SRCSD service area. The SRCSD proposes to upgrade its existing facilities at the SRWTP to meet the new National Pollutant Discharge Elimination System (NPDES) permit requirements that have been issued by the Central Valley Regional Water Quality Control Board. To meet these new standards the SRCSD will need to modify the existing Emergency Storage Basins (ESBs) located at the SRWTP. The Flow Equalization Project (FEQ) will increase the capacity of the existing ESBs at the facility by deepening and subdividing the existing ESB-A, ESB-B, and ESB-C basins. The northern levee of ESB-A, ESB-B, and ESB-C, and the western levee of ESB-C and ESB-D are considered Project Levees as they were modified as part of the South Sacramento Streams Group Project which is a Board sponsored project. These levees protect the facility from flood flows coming from Morrison and Laguna Creeks (area referred to as Beach Lake).

The modified ESBs will allow the facility to store partially and/or fully treated wastewater under a variety of circumstances including planned and unplanned shutdowns of treatment processes, high flow events, and permit compliance regarding temperature and dilution requirements (i.e., they store water during periods of low-flow in the Sacramento River). This process is called flow equalization. The ESBs are located along the northern and western perimeter levees of the treatment plant. Some of the ESBs will be deepened to provide approximately 80 million gallons of additional storage.

The ESBs will be lined with 9-inches of roller compacted concrete and one will be subdivided into three approximately equal sub-basins to facilitate cleaning and maintenance activities. The landside levee slopes of the Project Levees will be lined with 6-inches of shotcrete. New large diameter (84-inch) piping, valves, instrumentation, and wash down facilities will also be installed to provide more operational flexibility. An underdrain system and pumping station for groundwater control will also be included as part of the project. All work associated with the proposed FEQ Project, except for the paving of the top of the levee roads, will be conducted on the SRWTP side or landward side of the perimeter Project Levees. No work will be conducted within the Morrison/Laguna Creek floodway.

6.1 – Hydraulic Analysis

All proposed work will occur inside the SRWTP which is on the landside of the perimeter Project Levees; therefore a hydraulic analysis was not required.

6.2 - Geotechnical Analysis

A geotechnical analysis was conducted by Shannon & Wilson, Inc. The report included a levee seepage and slope stability analysis that was done along the northern perimeter Project Levee at two cross sections, S1 and S2. Cross section S1 was selected to represent soft, levee-foundation material observed during field explorations. Cross section S2 was selected to represent typical subsurface conditions along the levee alignment. Base on the field explorations it was concluded that cross section S1 represented the least stable conditions along the levee alignment.

Six different conditions were evaluated to include existing conditions and the proposed excavation within ESB-C. The analysis used guidelines from the Department of Water Resources (DWR) *Urban Levee Design Criteria* (May 2012) to evaluate stability of the cross section for cases with water on the Beach Lake side, and Division of Safety of Dams (DSOD) criteria to evaluate stability of the cross sections for cases with water on the ESB-C side. The DSOD requirements allow for the use of either the Federal Energy Regulatory Commissions guidelines or the United States Army Corps of Engineers (USACE) guidelines. The USACE guidelines were used, as found in USACE's Engineering Manual *EM 1110-2-1902* (October 2003).

The seepage analysis showed that the exit gradient through the perimeter levee for the worst case scenario, water at top of levee and ESB-C empty, resulted in an exit gradient of zero. The slope stability analysis considered multiple circular failure surfaces at the two levee cross sections. The results from the slope stability analysis showed that the

perimeter Project levee remained stable under all conditions in addition to meeting the intermittently loaded criteria, frequently loaded criteria, and DSOD criteria.

7.0 – AGENCY COMMENTS AND ENDORSEMENTS

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

- The Sacramento Regional County Sanitation District as the maintaining agency of the Project Levees protecting the SRWTP has endorsed the project with no conditions.
- The U.S. Army Corps of Engineers (USACE) Sacramento District comment letter has not been received for this application. Staff anticipates receipt of a letter indicating that the USACE District 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.

8.0 - CEQA ANALYSIS

Board staff has prepared the following CEQA findings:

The Board, acting as a responsible agency under CEQA, has independently reviewed the Draft Environmental Impact Report (DEIR, SCH No. 2012052017, March 2014), the Final Environmental Impact Report (FEIR, SCH No. 2012052017, September 2014), and the Mitigation Monitoring and Reporting Plan (MMRP) on the EchoWater Project (incorporated herein by reference and available at the Central Valley Flood Protection Board or Sacramento Regional County Sanitation District offices). 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/2014/10-24-2014.cfm under a link for this agenda item. The documents are also available for review in hard copy at the Board and SRCSD offices.

The Sacramento Regional County Sanitation District, as the lead agency, determined that the project would have a significant effect on the environment on September 24, 2014 (including Statement of Facts, Findings, Impacts and Mitigation Measures, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program) and adopted Resolution No. SR-2742. The Notice of Determination was filed with State Clearinghouse and Sacramento County Clerk on September 25, 2014.

Based on its independent review of the FEIR, the Board finds that although the proposed project could have a potentially significant effect on the environment, revisions have been made to the project and/or agreed to by the project proponent that reduce the environmental impacts to less than significant. 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. Moreover, such changes or alterations are within the responsibility and jurisdictions of another public agency, SRCSD, and such changes have been adopted by that agency. These mitigation measures are included in the project proponent's FEIR and address impacts to air quality, biological resources, climate change, cultural resources, hydrology and water quality, noise, public health and safety, traffic and transportation. The description of the mitigation measures are further described in the certified FEIR.

The documents and other materials which constitute the record of the Central Valley Flood Board's proceedings in this matter are in the custody of Leslie Gallagher, Acting Executive Officer, Central Valley Flood Protection Board, 3310 El Camino Ave., Rm. 151, Sacramento, California 95821.

9.0 - WATER CODE 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 has considered all the evidence presented in this matter, including the original and updated applications and supporting documents, this Staff Report and attachments, all other evidence presented by any individual or group, and all letters and other correspondence received by the Board and in the Board's files related to this matter.

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 earth work proposed and water delivery channels under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on facilities of the State Plan of Flood Control, and consistency of the proposed project with the Central Valley Flood Protection Plan as adopted by Board Resolution 2012-25 on June 29, 2012:

There will be no adverse effects on facilities of the State Plan of Flood Control as the project is located on the landside of the project levee(s). This also makes the project consistent with the 2012 Central Valley Flood Protection Plan.

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

There will be no effects of reasonable projected future events as the project will be on the landside of the levee.

<u>10.0 – STAFF RECOMMENDATION</u>

Staff recommends that the Board (in substantially the form provided):

- Adopt the CEQA findings;
- Approve Board Encroachment Permit No. 18975 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 Clearing House.

11.0 – LIST OF ATTACHMENTS

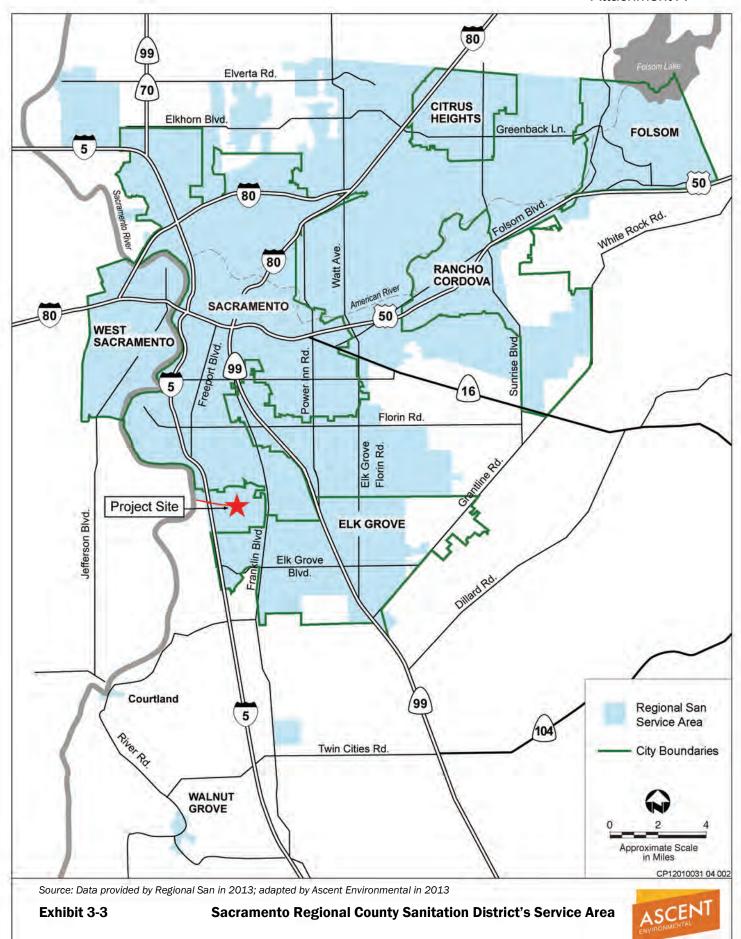
- A. Location Maps and Photos
- B. Draft Permit No. 18975
- C. Project Drawings

Design Review: Gary W. Lemon P.E.

Environmental Review: Andrea Buckley, Senior Environmental Scientist Document Review: Mitra Emami P.E., Permitting Section Chief,

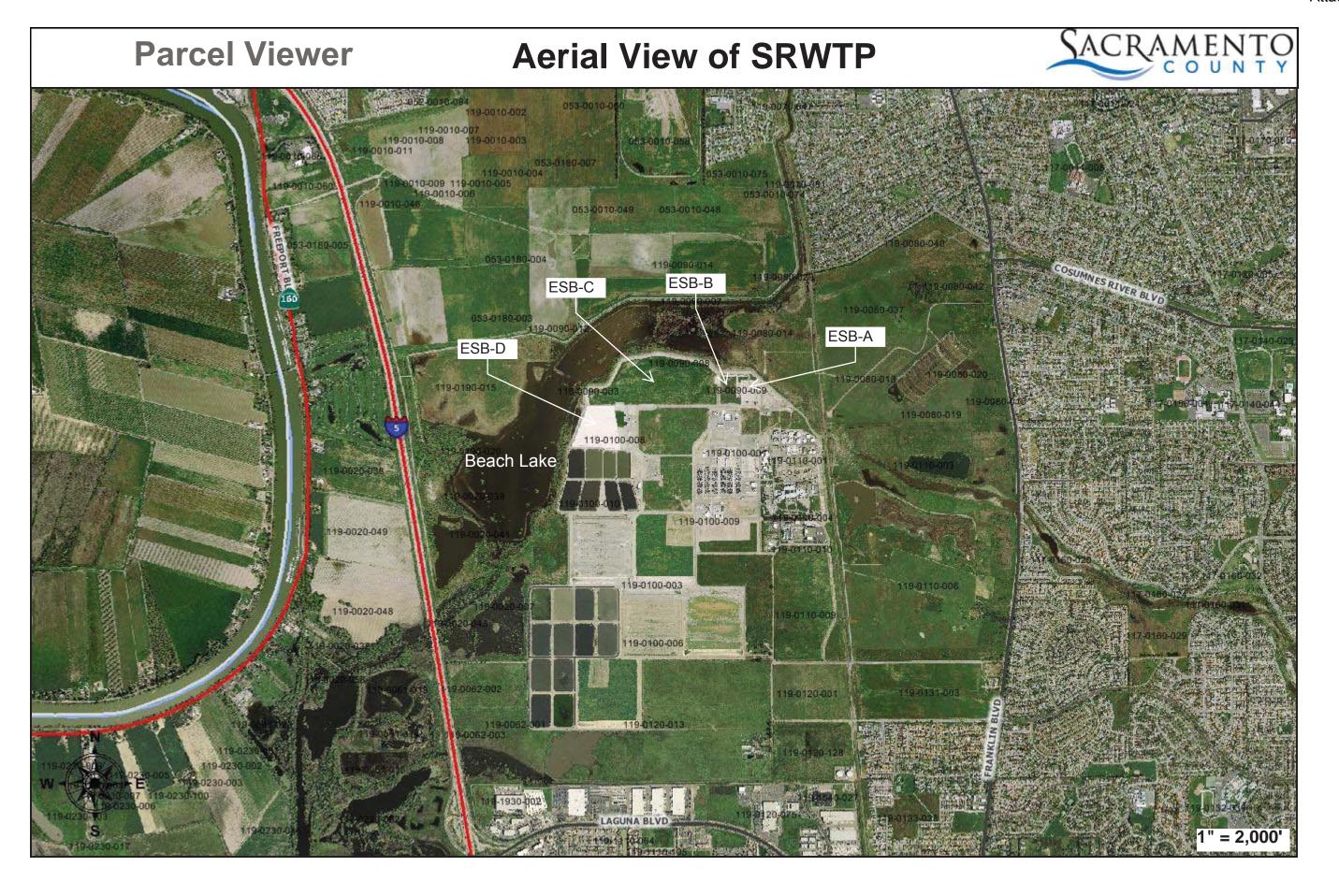
Len Marino P.E., Chief Engineer

Legal Review: Leslie Gallagher, Chief Counsel



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Photo taken at CVFPB levee east of ESB-A looking west towards panhanle area of ESB-B.



Photo taken at north CVFPB levee north of ESB-B looking east along the northern levee road.



Photo taken at ESB-B on north CVFPB levee looking southwest at ESB-B.



Photo taken at ESB-B on north CVFPB levee looking west towards ESB-B to ESB-C overflow.

Attachment A



Photo taken at CVFPB north levee east of ESB-B looking sothwest across ESB-C.



Photo taken at north CVFPB levee east of ESB-B looking west along the northern levee road.



Photo taken on northwest corner of ESB-C CVFPB levee looking south along western ESB-C levee towards ESB-D.



Photo taken on northwest corner of ESB-C CVFPB levee looking southwest across ESB-C towards ESB-D.

DRAFT

STATE OF CALIFORNIA THE RESOURCES AGENCY

THE CENTRAL VALLEY FLOOD PROTECTION BOARD

PERMIT NO. 18975 BD

This Permit is issued to:

Sacramento Regional County Sanitation District 8521 Laguna Station Road Elk Grove, California 95758

To increase the capacity of the existing Emergency Storage Basins (ESBs) at the Sacramento Regional Wastewater Treatment Plant (SRWTP). The work will impact the north and west levee of the SRWTP which protect the facility from Morrison and Laguna Creek flood flows. The levees are features of the South Sacramento Streams Group Project. The project is located approximately two miles north of Laguna Boulevard and one mile east of Interstate 5 in the City of Elk Grove (Section 18, 19, T7N, R5E, MDB&M, Sacramento County Regional Sanitation District, Laguna Creek/Morrison Creek Basin, Sacramento 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)		

Executive Officer

GENERAL CONDITIONS:

(CITALE)

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 Page 1 of 3

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. 18975 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 permittee shall be responsible for repair of any damages to the project levee and other flood control facilities due to construction, operation, or maintenance of the proposed project.

TWENTY: The mitigation measures approved by the CEQA lead agency and the permittee are found in its Mitigation and Monitoring Reporting Program (MMRP) adopted by the CEQA lead agency. The permittee shall implement all such mitigation measures.

TWENTY-ONE: The permittee shall maintain the permitted encroachment(s) and the project works within the utilized area in the manner required and as requested by the authorized representative of the Department of Water Resources or any other agency responsible for maintenance.

TWENTY-TWO: The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) 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 encroachment(s) 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 encroachment(s) at the permittee's expense.

TWENTY-THREE: The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) 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 encroachment(s) at the permittee's expense.

TWENTY-FOUR: 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.

TWENTY-FIVE: The permittee shall comply with all conditions set forth in the letter from the Department of the Army (U.S. Army Corps of Engineers, Sacramento District) dated October xx, which is attached to this permit as Exhibit A and is incorporated by reference.

TWENTY-SIX: 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.

