

**Meeting of the Central Valley Flood Protection Board  
May 23, 2014  
Staff Report  
University of the Pacific  
North Calaveras River Levee Security Lighting Project  
Stockton, California; San Joaquin County**

---

**1.0 – ITEM**

Consider approval of Permit No. 18902 BD (see Attachment B)

**2.0 – APPLICANT**

University of the Pacific (UOP), Stockton, California.

**3.0 – PROJECT LOCATION**

The project is located along the north Calaveras River levee between Baxter Way and Pershing Avenue downstream of the wood foot bridge at the University of the Pacific, in the City of Stockton, San Joaquin County (see Attachment A).

**4.0 – PROJECT DESCRIPTION**

The applicant proposes to install 14 security lights with an interconnecting conduit parallel to the north Calaveras River landside levee shoulder, and an electrical service connection conduit perpendicular to the landside levee slope (see Attachment B: Exhibit C – Drawings and Specifications).

**5.0- AUTHORITY OF THE BOARD**

California Water Code: Sections 8534, 8590-8610.5, 8700-8710

California Code of Regulations, Title 23 (Title 23):

- \* § 6, Need for a Permit
- \* § 11, Variances
- \* § 112, Streams Regulated and Nonpermissible Work Periods
- \* § 123, Pipelines, Conduits and Utility Lines
- \* § 131, Vegetation

## **6.0 – PROJECT ANALYSIS**

The current levee crown road/bike path is frequently used by UOP students walking and biking to and from their residences and classes. In 2011, UOP hired Security Risk Management to assess risk on campus, as Stockton ranked the highest in the nation for crime. The consultants listed this levee crown road/bike path as a major security risk for UOP. Over the past 5 years, the City of Stockton Police Department has recorded 4 sexual assaults, 11 robberies, 20 thefts and 9 batteries along the Calaveras River levee crown road/bike path from Pershing Avenue to Pacific Avenue. UOP has recently installed a pan and zoom lens camera to monitor the area; however the camera lacks the ability to view the levee during the evening hours without proper lighting.

UOP's engineers for this project – Kjeldsen, Sinnock and Neudeck Consulting Engineers and Land Surveyors (KSN) – have proposed installing all 14 of the security light pole foundations above an approximated 200-year base flood elevation (6 inches above the 100-year base flood elevation) along this levee section. KSN notes on the plans that on average, the light pole foundations are 3.28 feet above the approximate 200-year base flood elevation. At some locations, the base of the foundation is above the approximate 200-year base flood elevation plus 3 feet of freeboard. The proposed interconnecting parallel electrical conduit is proposed to be installed above the approximate 200-year base flood elevation plus 3 feet of freeboard. This work by KSN complies with a CVFPB staff request from the initial encroachment permit application review process to design a security lighting system that would not have light pole foundation penetrations into the design levee prism.

CVFPB staff analyzed the KSN plans for this section of the north Calaveras River levee and found the average levee width at the 100-year base flood elevation, plus 3 feet of freeboard, was 34.64 feet. There were 3 cross sectional widths that measured 26, 27 and 28 feet on the low end; and 42, 44 and 47 feet on the high end of that average. Since all of these cross-sectional widths do not exceed 30 feet, this portion of levee does not technically meet the definition of an "Oversize levee" per Title 23, Section 131, Vegetation, Paragraph (a)(1). However, staff can conclude this levee was overbuilt when compared to the typical levee design standards in Title 23, Section 120, Levees.

### **6.1 – Variance Request**

The applicant also is requesting a variance to Title 23, Section 123, Pipelines, Conduits and Utility Lines, Paragraph (b)(2) and Paragraph (d)(2), to facilitate the installation of this proposed security lighting system along the north Calaveras River levee (see Attachment C – UOP Variance Request Letter). These paragraphs are noted below for reference:

- (b)(2): "Appurtenant structures, such as standpipes, utility lines, utility poles, distribution boxes, guy wires, and anchors, but not including siphon breakers, are generally not permitted in or below the levee crown, on the levee slopes, or

within ten (10) feet of the levee toes. Appurtenant structures may be permitted where they will not interfere with levee maintenance or flood fighting activities.”

- (d)(2): “Pipelines, conduits and utility lines must be installed through a levee at a right angle to the levee as practical.”

In addition to UOP’s Variance Request Letter, a letter from UOP’s Director of Public Safety, Mr. Edward Mike Belcher (see Attachment C), was also submitted that explains the safety risk involved for this section of levee, and his support to install the proposed security lights in order to provide UOP students a safe environment.

The applicant’s Variance Request Letter includes a statement addressing Title 23, Section 11, Variances, Paragraph (b), stating that compliance with the Board’s standards in Section 123 is infeasible and inappropriate because installing the lights near the toe of the levee would not provide sufficient lighting for the levee crown road/bike path nor the waterside slope of the levee. CVFPB staff with previous street and security light installation experience analyzed the area to be illuminated at night, and concluded that security lights installed near the landside levee toe would primarily illuminate the landside levee slope and not the levee crown road/bike path.

The applicant’s Variance Request Letter also noted installing security lighting poles near the landside levee toe would be in conflict with Pacific Gas & Electric’s (PG&E) 60,000 volt high voltage lines and towers already installed along the landside levee toe. CVFPB staff found the PG&E electric lines and towers were previously authorized by the Board per Permit No. 7286, and concluded security lighting poles near the landside levee toe would be in conflict with these high voltage lines and towers.

CVFPB staff also analyzed the plans submitted by KSN and concluded the proposed security light foundations and parallel foundation-to-foundation electrical conduit would not penetrate the design levee prism, and would be installed above the approximated 200-year base flood elevation (6 inches above the 100-year base flood elevation) along this levee section. CVFPB staff concluded the proposed security light foundations and parallel electrical conduit are consistent with the Central Valley Flood Protection Plan and Urban Level of Protection guidelines for proposed projects on or near urban levees.

## **6.2 – Hydraulic Analysis**

Since the proposed 14 security lights are proposed to be installed above the approximated 200-year base flood elevation, and the interconnecting parallel electrical conduit is proposed to be installed above the 200-year base flood elevation plus 3 feet of freeboard, the hydraulic impact of this proposed lighting project on the Calaveras River flood control system and State Plan of Flood Control (SPFC) is considered negligible.

### **6.3 – Geotechnical Analysis**

Since the proposed 14 security lights are proposed to be installed above the approximated 200-year base flood elevation, with the interconnecting parallel electrical conduit is proposed to be installed above the 200-year base flood elevation plus 3 feet of freeboard, and the foundations with interconnecting conduit are proposed to be installed above the projected levee prism, the geotechnical impact of this proposed lighting project on the Calaveras River flood control system and SPFC is considered negligible.

### **6.4 – CVFPB Staff Recommendations**

Because of the conclusions made in the above project analysis, CVFPB staff recommends approval of this proposed security light project because the requested deviation from Title 23 standards will not adversely affect the SPFC.

### **7.0 – AGENCY COMMENTS AND ENDORSEMENTS**

The U.S. Army Corps of Engineers (USACE) comment letter has been received for this application that included conditions for approval. This letter with conditions is incorporated into the permit as Exhibit A.

The San Joaquin County Flood Control and Water Conservation District (SJCFC&WCD) endorsement letter has been received for this application that included conditions for approval. This letter with conditions is incorporated into the permit as Exhibit B.

### **8.0 – CEQA ANALYSIS**

CVFPB staff has prepared the following California Environmental Quality Act (CEQA) determination:

The Board determined that the project is categorically exempt from CEQA under a Class 3 Categorical Exemption (CEQA Guidelines Section 15303) covering new construction of structures and Class 4 Categorical Exemption (CEQA Guidelines Section 15304) covering minor alterations to land.

### **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 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 at or before the meeting where this item is considered.*

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 with respect to flood control.*

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:

*The proposed project will have no adverse effects on facilities of the State Plan of Flood Control because it is proposed to be installed above the projected 200-year base flood elevation, which is consistent with the Central Valley Flood Protection Plan and Urban Level of Protection guidelines.*

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 to the proposed project from reasonable projected future events. The project has been designed to comply with the future projected 200-year base flood elevation for this area of the flood control system within an urban environment. Staff is not aware of other planning efforts or reasonably likely projects in the area in the near future that would impact this project.*

### **9.1 – Delta Plan Consistency**

Staff has determined that this project is sited within the legal definition of the Delta as defined by the Delta Reform Act. However, staff finds that the requested permit does not constitute a "covered action" as defined by the Delta Plan because this project was determined to be exempt from CEQA, has been designed to comply with the Central Valley Flood Protection Plan and Urban Level of Protection guidelines, and therefore has no significant impact to the coequal goals of the Delta Plan.

### **10.0 – STAFF RECOMMENDATION**

CVFPB staff recommends that the Board:

- Approve the requested variance to Title 23, § 123, Pipelines, Conduits and Utility Lines, Paragraphs (b)(2) and (d)(2), as summarized in Section 6.1 herein;
- Approve the draft encroachment permit, No. 18902 (Attachment B), in substantially the form provided; and

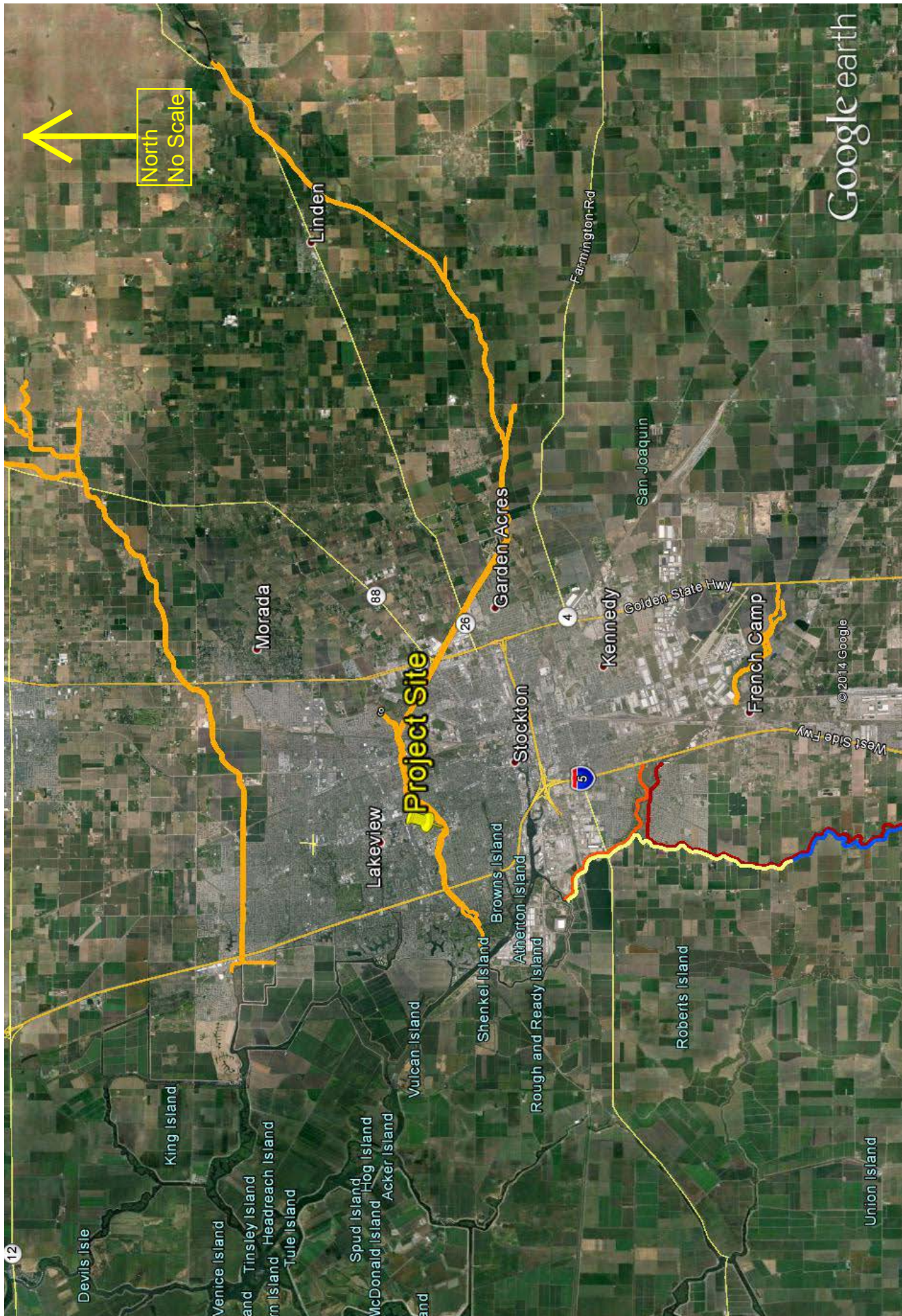
- Direct the Executive Officer to take the necessary actions to execute the permit and file a Notice of Determination pursuant to CEQA with the State Clearinghouse.

### **11.0 – LIST OF ATTACHMENTS**

- A. Project Vicinity and Location Maps
- B. Draft Permit No. 18902
  - 1. Exhibit A – USACE Comment Letter
  - 2. Exhibit B – SJCFC&WCD Comment Letter
  - 3. Exhibit C – Drawings and Specifications
- C. UOP Variance Request Letter & Director of Public Safety Letter
- D. Resolution No. 2014 - 20

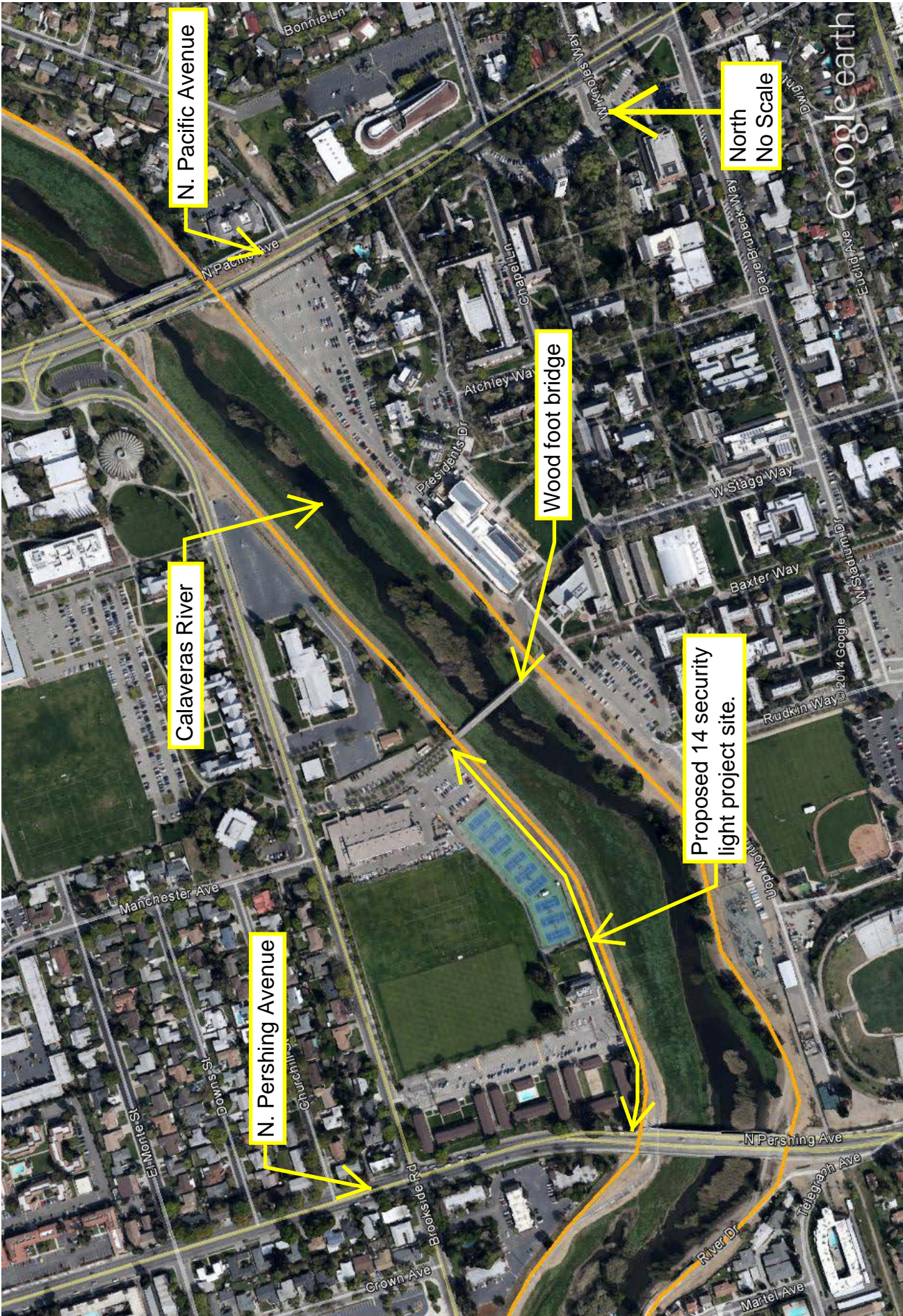
Design Review:	Jon P. Tice, Jr., P.E.
Environmental Review:	James Herota
Document Review:	Len Marino P.E.; Michael Wright, P.E.;
	Mitra Emami, P.E.; Alison Tang, P.E.
Legal Review	Leslie Gallagher, Chief Counsel





Regional Location Map for the University of the Pacific's proposed 14 security light project.





Vicinity Location Map for the University of the Pacific's proposed 14 security light project.



**DRAFT**

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

**PERMIT NO. 18902 BD**

**This Permit is issued to:**

University of the Pacific  
3601 Pacific Avenue  
Stockton, California 95211

To install 14 security lights along the landside shoulder of the right bank (north) levee of the Calaveras River. The project is located in Stockton, California, between Baxter Way and Pershing Avenue downstream of the wooden foot bridge at the University of the Pacific, San Joaquin County (Section 5, T2N, R6E, MDB&M, San Joaquin County Flood Control and Water Conservation District, Calaveras River, San Joaquin 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. 18902 BD**

**THIRTEEN:** All work approved by this permit shall be in accordance with the submitted drawings and specifications as shown in Exhibit C, 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 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 San Joaquin County Flood Control and Water Conservation District, or any other agency responsible for maintenance.

**FIFTEEN:** 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.

**SIXTEEN:** The Central Valley Flood Protection Board and 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:** 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.

**EIGHTEEN:** 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.



NINETEEN: 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.

TWENTY: 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.

TWENTY-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.

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

TWENTY-THREE: A temporary bench mark, set to a known datum, shall be placed at the project site during construction.

TWENTY-FOUR: Electrical lines over 24 volts installed through the levee section and within 10 feet of the levee toes shall be encased in Schedule 40 PVC conduit or equivalent.

TWENTY-FIVE: Location markers shall be placed for any/all electrical lines buried within the levee section that have a capacity greater than 12 volts.

TWENTY-SIX: The proposed security light poles and foundations shall be located as designed per the submitted drawings and specifications which are attached to this permit in Exhibit C.

TWENTY-SEVEN: Any excavation made in the levee section for the installation of a light post base/foundation shall be no deeper than the 200 year flood plane elevation, must be cleaned of all loose soil, and backfilled with concrete poured against clean undisturbed soil.

TWENTY-EIGHT: Backfill material for electrical conduit excavations shall be placed in 4- to 6-inch layers and compacted to at least the density of the adjacent, firm, undisturbed material.

TWENTY-NINE: The project site shall be restored to at least the condition that existed prior to commencement of work.

THIRTY: All debris generated by this project shall be disposed of outside the floodway and off the levee section.



THIRTY-ONE: The permittee shall submit as-built drawings in both hard copy and electronic format to the Central Valley Flood Protection Board, Flood Project Inspection Section, upon completion of the project.

THIRTY-TWO: 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 April 30, 2014, which is attached to this permit as Exhibit A and is incorporated by reference.

THIRTY-THREE: The permittee shall comply with all conditions set forth in the letter from the San Joaquin County Flood Control and Water Conservation District dated October 4, 2013, which is attached to this permit as Exhibit B and is incorporated by reference.

THIRTY-FOUR: Any additional encroachment(s) on the levee section require an approved permit from the Central Valley Flood Protection Board and shall be in compliance with the Central Valley Flood Protection Board's regulations (Title 23 California Code of Regulations).



DEPARTMENT OF THE ARMY  
U.S. Army Engineer District, Sacramento  
Corps of Engineers  
1325 J Street  
Sacramento, California 95814-2922

REPLY TO  
ATTENTION OF

Flood Protection and Navigation Section (18902)

APR 30 2014

Mr. Jay Punia, Executive Officer  
Central Valley Flood Protection Board  
3310 El Camino Avenue, Room 151  
Sacramento, California 95821

Dear Mr. Punia:

We have reviewed a permit application by University of the Pacific (application number 18902). This project includes installing 14 security lights along the landside shoulder of the north Calaveras River levee. The project is located between Baxter Way and Pershing Avenue, downstream of the wooden foot bridge at the University of the Pacific, in Stockton, between 37.980029°N 121.318383°W and 37.981556°N 121.314402°W NAD83, in San Joaquin County, California.

The District Engineer has no objection to approval of this application by your Board from a flood control standpoint, subject to the following conditions:

- a. That no work shall be performed during the flood season of November 1 to April 15, unless otherwise approved in writing by your Board.
- b. That the proposed work shall not interfere with the integrity of the flood risk management project; easement access; or maintenance, inspection, and flood fighting procedures.
- c. That any damage to the levee or levee crown surfacing due to the power poles and electrical conduits installation shall be repaired to pre-construction conditions.
- d. That in the event trees and brush are cleared, they shall be properly disposed of by either complete burning or complete removal outside the limits of the project right-of-way. All cleared vegetation shall be properly grubbed. All roots greater than ½ -inch in diameter shall be completely removed and the levee embankment returned to existing lines and grade.

Based upon the information provided, no Section 10 or Section 404 permit is needed.

-2-

A copy of this letter is being furnished to Mr. Don Rasmussen, Chief, Flood Project Integrity and Inspection Branch, 3310 El Camino Avenue, Suite 200, Sacramento, CA 95821.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick L. Poeppelman".

Rick L. Poeppelman, P.E.  
Chief, Engineering Division





SAN JOAQUIN COUNTY

## FLOOD CONTROL & WATER CONSERVATION DISTRICT

P. O. BOX 1810

1810 EAST HAZELTON AVENUE

STOCKTON, CALIFORNIA 95201

TELEPHONE (209) 468-3000

FAX NO. (209) 468-2999

THOMAS M. GAU  
DIRECTOR OF PUBLIC WORKS  
FLOOD CONTROL ENGINEER

Attachment B: Exhibit B  
SJCFC&WCD Endorsement Letter

October 4, 2013

The Central Valley Flood Protection Board  
3310 El Camino Avenue  
Sacramento, California 95821

Attention: Central Valley Flood Protection Board  
Floodway Protection Section

SUBJECT: CENTRAL VALLEY FLOOD PROTECTION BOARD PERMIT APPLICATION OF THE  
UNIVERSITY OF THE PACIFIC, ASSESSOR'S PARCEL NOS. 110-260-04, 110-260-05,  
AND 113-140-09, CALAVERAS RIVER  
ENDORSEMENT NO. PW-1200021 (REVISED)

Gentlemen:

Reference is made to the Central Valley Flood Protection Board (Board) Permit Application (Permit) of the University of the Pacific to install 14 security lights at the edge of the petrol road pavement along the north levee.

The Project is located along the Calaveras River between Pacific and Pershing Avenues upstream and downstream of the wooden foot bridge at the University of the Pacific in the City of Stockton, in San Joaquin County, in Section 5, Township 2 North, Range 6 East, Mount Diablo Base and Meridian, San Joaquin County Assessor's Parcel Nos. 110-260-04, 110-260-05, and 113-140-09.

The San Joaquin County Flood Control and Water Conservation District (District) has reviewed the Board's Permit Application of the University of the Pacific (Permittee) and endorses the Project subject to the following conditions:

1. The District shall not be responsible for the maintenance of the facilities specified in this Permit.
2. The approval of the security lights is subject to the approval of the Board and the U. S. Army Corps of Engineers. The Permittee or the Successors-in-Interest shall be responsible for the removal of these encroachments, as requested by the District, if identified in the future as deficiencies in the California Department of Water Resources' or the U. S. Army Corps of Engineers' inspections.
3. The District shall not be held liable for damage(s) to the permitted encroachment(s) due to the District's operation, maintenance, flood fight, inspection, or emergency repairs.
4. The Permittee or the Successors-in-Interest shall be responsible for the modification or possible removal of the facilities, as requested by the District, if required for any future flood control plans at the Permittee or the Successors-in-Interest sole cost and expense.
5. The Permittee shall be liable for any damage to the Calaveras River that may occur as a result of this Project.



6. All security lights shall be constructed at locations where they do not prevent inspections and maintenance of the Calaveras River and its levees and obstruct floodfight procedures, as determined by the District.
7. No work shall be allowed in the Calaveras River's channel between November 1st and April 15th without prior approval of the Board and the District.
8. The Permittee or Successors-in-Interest shall keep the encroachments properly maintained in accordance with applicable current or future local, State, and Federal standards.
9. Access roads shall be kept open for maintenance at all times.
10. Electrical wiring buried below the levee surface shall have a ground fault circuit interrupter and a sub-panel that is clearly marked and located at least 15 feet from the landside levee toe to cut off power when required.
11. Maintenance of the improvements shall be the ongoing responsibility of the Permittee or Successors-in-Interest.
12. Should significant damage occur to any encroachment covered by this permit, it shall not be repaired or replaced without prior approval of the District. Any replacement shall be brought into conformance with applicable local, State, and Federal standards and permit requirements in effect at the time, including type and location.
13. Upon completion of the project, the Permittee shall submit a hard copy and an electronic copy in AutoCAD and pdf format of the as-built drawings to:

San Joaquin County Flood Control and Water Conservation District  
1810 East Hazelton Avenue  
Stockton, California 95205

and to:

San Joaquin Area Flood Control Agency  
22 East Weber Avenue  
Stockton, California 95202

Should there be any questions regarding these comments, please contact me at (209) 953-7617.

Sincerely,

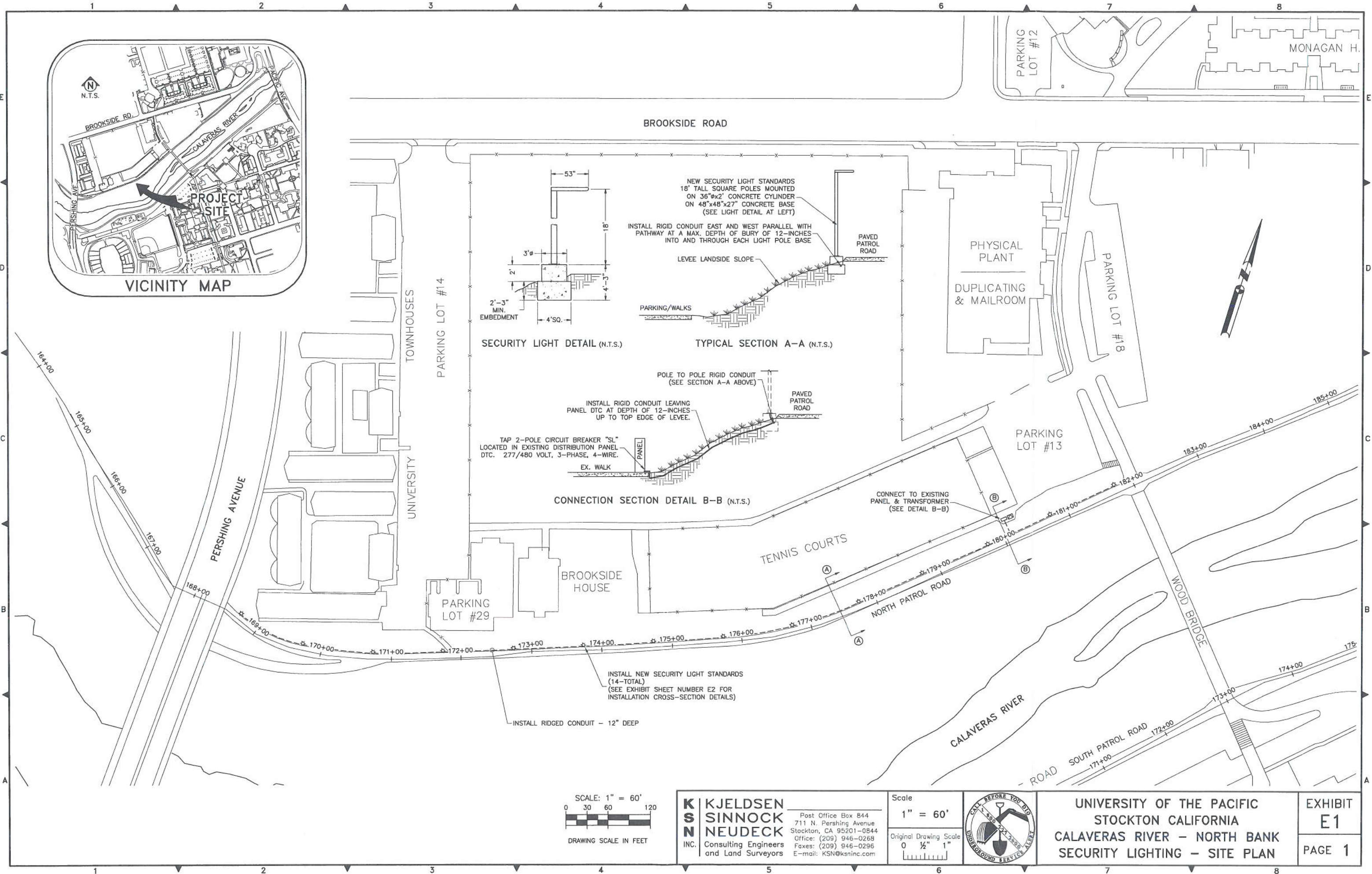


JOHN I. MAGUIRE, P.E.  
Engineering Services Manager

JM:SS:mk  
FM-13J001-M1

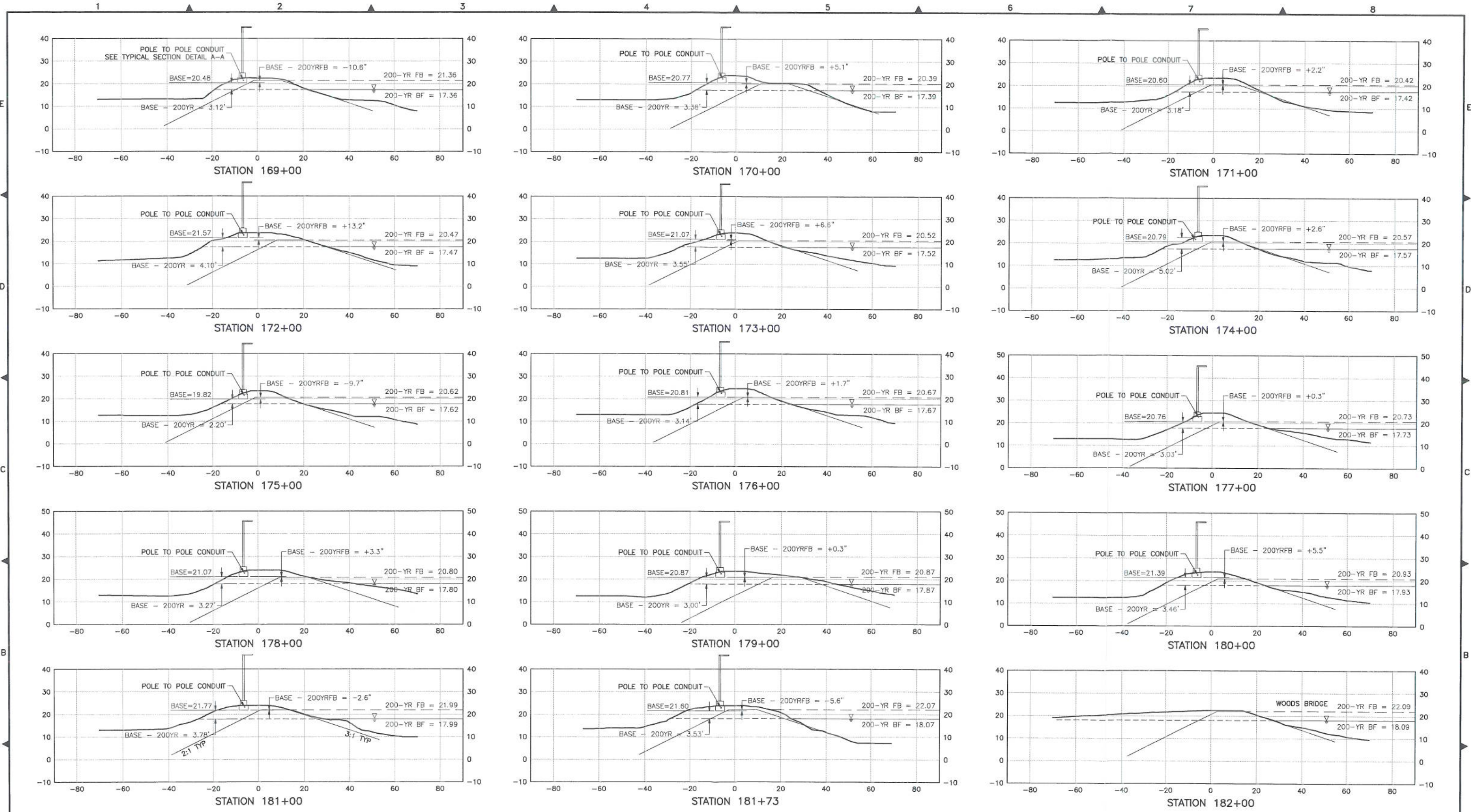


FILE SPEC: P:\1287\_UOP\0010\_General\_Items\2010-06\_Levee-LS-Permits\140206\_Electrical-Exhibits.dwg  
PLOT DATE: Feb 05, 2014 - 3:26pm





FILE SPEC: P:\1287\_UOP\0010\_General\_Items\2010-06\_Levee-LS-Permits\140206\_Electrical-Exhibits.dwg  
PLOT DATE: Feb 06, 2014 - 3:27pm

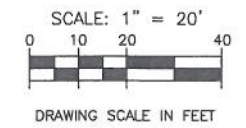


LEVEE CROSS SECTIONS

NOTE: PROPOSED LIGHT POLE FOUNDATIONS ARE, ON AVERAGE, 3.28 FT ABOVE THE APPROXIMATE 200-YR W.S.E.

200-YEAR BASE FLOOD ELEVATIONS:  
SINCE 200-YR BASE FLOOD ELEVATIONS ARE NOT KNOWN, THESE PLANS ARE SHOWING AN APPROXIMATED 200-YR BASE FLOOD AT 6-INCHES ABOVE THE 100-YR BASE FLOOD ELEVATION.

VERTICAL DATUM:  
ELEVATIONS SHOWN ON THESE PLANS HAVE BEEN CONVERTED TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD-29). ORIGINAL SURVEYS WERE PERFORMED AND WERE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD-88). TO CONVERT NAVD-88 ELEVATIONS TO NGVD-29 ELEVATIONS, A UNIFORM 2.34 FEET WAS SUBTRACTED. DEPENDING ON LOCATION, ACTUAL SHIFTS BETWEEN NAVD 88 AND NGVD 29 MAY VARY SLIGHTLY.



**K S N** **KJELDSSEN SINNOCK NEUDECK**  
INC. Consulting Engineers and Land Surveyors  
Post Office Box 844  
711 N. Pershing Avenue  
Stockton, CA 95201-0844  
Office: (209) 946-0268  
Fax: (209) 946-0296  
E-mail: KSN@ksninc.com

Scale  
1" = 20'  
Original Drawing Scale  
0 1/2" 1"



UNIVERSITY OF THE PACIFIC  
STOCKTON CALIFORNIA  
CALAVERAS RIVER - NORTH BANK  
SECURITY LIGHTING - CROSS SECTIONS





April 18, 2014

Mitra Emami  
Chief, Floodway Protection Section  
Central Valley Flood Protection Board  
3310 El Camino Ave, Rm. 151  
Sacramento, CA 95821

Support Services  
3601 Pacific Avenue  
Stockton, CA 95211  
Tel 209.946.2541  
Fax 209.946.3109

Subject: University of the Pacific, Encroachment Permit Application No. 18902 BD.

Dear Ms. Emami,

This letter is in reference to Application No. 18902 BD and response to your letter dated October 14, 2013. The University is requesting a Board evidentiary hearing and request variances from Title 23 Section 123, Pipelines, Conduits and Utility Lines, Paragraph (b)(2): "Appurtenant structures, such as standpipes, utility lines, utility poles, distribution boxes, guy wires, and anchors, but not including siphon breakers, are generally not permitted in or below the levee crown, on the levee slopes, or within ten (10) feet of the levee toes. Appurtenant structures may be permitted where they will not interfere with levee maintenance or flood fighting activities."

Paragraph (d)(2): "Pipelines, Conduits and Utility Lines must be installed through a levee at a right angle to the levee centerline as practical". Attached are new plans showing how the proposed security light pole foundations and connecting electrical conduits are all proposed to be installed above the approximated 200 year flood plane elevation.

Compliance with the Boards' standards is infeasible and not appropriate. Installing the lights at the toe of the levee would not provide sufficient lighting for the pathway on top of the levee nor the inside slope of the levee. In addition the poles would be in conflict with Pacific Gas and Electric's 60,000 volt high voltage lines and towers. Also find attached, Director of Public Safety, Edward Mike Belcher's letter addressing risk assessment and request for a variance.

UNIVERSITY OF THE  
PACIFIC

We have complied with all revisions requested by Mary Perlea with USACE. This project is intended to enhance the safety of our students who frequently use the pedestrian pathway on the levee crown to access our facilities north of the Calaveras River as well as other parts of our campus. An important added benefit is that lighting on the crown will improve the ability to inspect at nighttime both the land and water side slopes during high water events.

In addition the University would like to thank you for enabling John Tice and/or other staff prior to the Board hearing "for further information on the regulations that may apply as applicability of regulations are site condition specific" as stated in the USACE variance request procedure published in the Federal Register (February 17, 2012).

Thank you for your prompt attention to this matter. I will await hearing from you.

Sincerely,



Martin Van Houten  
University of the Pacific  
(209) 946-3114

Support Services  
3601 Pacific Avenue  
Stockton, CA 95211  
Tel 209.946.2541  
Fax 209.946.3109





April 16, 2014

To Whom It May Concern:

This letter is being submitted in response to a request for a variance for a lighting project along the Calaveras Bike Path. I have been a peace officer in the City of Stockton for 36 years. This area has always been a challenge regarding personal safety. In 2011, the University of Pacific hired the consultant firm Security Risk Management to conduct a risk assessment of the campus to assist the university identify risks, as Stockton ranked in the top of the nation in crime. The consultants listed the Calaveras Bike path as a major security risk due to the lack of safeguards.

In July 2012, the Stockton Police Department assigned two motorcycle officers to patrol the bike path but scaled back that program due to lack of resources. Over the past five years, the Stockton Police Department has recorded 4 sexual assaults, 11 robberies, 20 thefts and 9 batteries. The university recently installed a pan and zoom lens which can monitor the levee but the camera lacks the ability to view the levee during the evening hours without proper lighting.

This levee is a major walkway for students who walk the north campus. The levee is also a place where transients, many with mental health issues, take refuge. Please consider allowing the university the ability to place sufficient lighting along the levee in order to provide students a safe environment.

A handwritten signature in blue ink, appearing to read "Edward Mike Belcher".

Edward Mike Belcher  
Director of Public Safety

*Department of Public Safety*  
3601 Pacific Avenue  
Stockton, CA 95211  
Tel 209.946.2537

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
CENTRAL VALLEY FLOOD PROTECTION BOARD

RESOLUTION NO. 2014-20

FINDINGS AND DECISION AUTHORIZING ISSUANCE OF  
ENCROACHMENT PERMIT NO. 18902  
UNIVERSITY OF THE PACIFIC  
NORTH CALAVERAS RIVER LEVEE SECURITY LIGHTING PROJECT

**WHEREAS**, The University of the Pacific (UOP) is proposing to construct, per the plans and drawings incorporated into the permit as Exhibit C, a security lighting project (SLP) along the north Calaveras River levee landside shoulder, located in-between Baxter Way and North Pershing Avenue downstream of the wood foot bridge in Stockton, California, and;

**WHEREAS**, the SLP will provide added safety for UOP students and the general public using the bicycle/pedestrian path along the north Calaveras River levee crown; and

**WHEREAS**, UOP, the SLP owner, submitted Encroachment Permit Application No. 18902 to the Central Valley Flood Protection Board (Board) on October 7, 2013; and

**WHEREAS**, UOP also submitted a variance request letter to the Board on April 14, 2014, regarding Title 23 standards Section 123, Pipelines, Conduits, and Utility Lines, Paragraphs (b)(2) and (d)(2); and

**WHEREAS**, UOP has stated in their variance request letter that compliance with the Board's Title 23 standards in Section 123, Paragraphs (b)(2) and (d)(2) is infeasible and not appropriate because:

- a) Installing the lights at the landside levee toe would not provide sufficient lighting for the levee crown bike/pedestrian path, nor the waterside levee slope;
- b) Installing lights near the landside levee toe would be in conflict with Pacific Gas & Electric's 60,000 volt high voltage lines and towers already installed along the landside levee toe as authorized per Encroachment Permit No. 7286; and

**WHEREAS**, Board staff completed a technical review of Permit Application No. 18902, has determined that the proposed variance request will not jeopardize levee integrity at this location, and that the remainder of the proposed SLP conforms to all Title 23 standards; and

**WHEREAS**, the U.S. Army Corps of Engineers (USACE) issued a no-objection letter to the proposed project dated April 30, 2014, with conditions, that are incorporated into the permit as Exhibit A; and

**WHEREAS**, the San Joaquin County Flood Control and Water Conservation District (SJCF&WCD) issued an endorsement letter to the proposed project dated October 4, 2013, with conditions, that are incorporated into the permit as Exhibit B; and

**WHEREAS**, the Central Valley Flood Protection Board has conducted an evidentiary hearing on Encroachment Permit Application No. 18902, and has reviewed the application and all supporting documentation, the Staff Report of its staff, the documents and correspondence in its file;

NOW, THEREFORE, BE IT RESOLVED THAT,

**Findings of Fact**

1. The Central Valley Flood Protection Board hereby adopts as findings the facts set forth in the Staff Report.
2. The Board has reviewed all Attachments listed in the Staff Report.

**CEQA Findings**

3. Board staff has prepared the following California Environment Quality Act (CEQA) determination:
  - a. The Board determined that the proposed SLP is categorically exempt from CEQA under a Class 3 Categorical Exemption (CEQA Guidelines Section 15303) covering new construction of structures and Class 4 Categorical Exemption (CEQA Guidelines Section 15304) covering minor alterations to land.
4. **Custodian of Record.** The custodian of the CEQA record for the Board is its Executive Officer, Jay Punia, at the Central Valley Flood Protection Board Offices at 3310 El Camino Avenue, Room 151, Sacramento, California 95821.

**Findings pursuant to Water Code section 8610.5**

5. **Evidence Admitted into the Record.** The Board has considered all the evidence presented in this matter, including the application and supporting documents, the Staff Report and attachments, and 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.
6. **Best Available Science.** In making its findings, the Board has used the best available science relating to the issues presented by all parties.
7. **Effects on State Plan of Flood Control.** This project has no effects on facilities of the State Plan of Flood Control as the hydrologic and geotechnical impacts from the proposed



project are localized and considered to be insignificant. The project is also compatible with the stated goals of the 2012 Central Valley Flood Protection Plan.

8. **Effects of Reasonable Projected Future Events.** There will be no effects to the proposed project from reasonable projected future events. The project has been designed to comply with the future projected 200-year base flood elevation for this area of the flood control system within an urban environment.
9. **Delta Plan Consistency.** Staff has determined that this project is sited within the legal definition of the Delta as defined by the Delta Reform Act. However, staff finds that the requested permit does not constitute a "covered action" as defined by the Delta Plan because this project was determined to be exempt from CEQA, has been designed to comply with the Central Valley Flood Protection Plan and Urban Level of Protection guidelines, and therefore has no significant impact to the coequal goals of the Delta Plan.

**Other Findings/Conclusions regarding Issuance of the Permit**

10. This resolution shall constitute the written decision of the Central Valley Flood Protection Board in the matter of Encroachment Permit Application No. 18902.

**Approval of Encroachment Permit No. 18902**

11. Based on the foregoing, the Central Valley Flood Protection Board hereby conditionally approves issuance of Encroachment Permit Application No. 18902 in substantially the form provided by the Board Staff as Attachment B of the Staff Report, subject to any necessary additional consideration of testimony by the USACE, SJCFC&WCD, UOP or the public, and;
12. The Central Valley Flood Protection Board directs the Executive Officer to take the necessary actions to prepare and execute the permit and all related documents and to prepare and file a Notice of Determination pursuant to CEQA for Encroachment Permit Application No. 18902.

PASSED AND ADOPTED by vote of the Board on \_\_\_\_\_, 2014.

---

William H. Edgar  
President

---

Jane Dolan  
Secretary