

Central Valley Flood Protection Board

Executive Officer Delegation Report

Posting Date: August 6, 2020

Number of Applications Scheduled: 4

Application Number: 19450

Applicant: Durham Mutual Water Company

Location Description: The project is located approximately 0.3 miles west of the intersection of Renz Road and Cummings Road, about 0.7 miles northeast of the town of Durham.

County: Butte

Stream: Butte Creek

Project Description: To authorize an existing concrete distribution box that is connected to an existing 30-inch diameter corrugated metal pipe, 42-inch diameter corrugated metal riser and concrete overflow box on the left (east) bank levee of Butte Creek, as shown on sheet number 3350/22.3 in the USACE as-built drawings # 50-4-3350 dated 1957.

LMA Endorsement: Maintenance Area 5

CEQA Finding: Board staff has determined the project is exempt from CEQA under the Class 1, Existing Facilities categorical exemption (CEQA Guidelines §15301) because the activity involves the permitting of an existing concrete distribution box that is connected to an existing 30-inch diameter corrugated metal pipe, a 42-inch diameter corrugated metal riser, and a concrete overflow box. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

Application Number: 19516

Applicant: Butte Creek Farms

Location Description: The project is located about 1.14 miles west of the intersection of Butte Slough Road and Marty Road, about 2.6 miles east of the City of Colusa.

County: Colusa

Stream: Sacramento River

Project Description: To remove and replace an existing deteriorated 18-inch diameter irrigation steel pipe with a new 18-inch diameter steel pipe up-and-over the left (north) bank levee of the Sacramento River; and to remove the existing related 36-inch diameter corrugated metal standpipe that is located on the waterside of the levee.

LMA Endorsement: Sacramento Maintenance Yard.

CEQA Finding: Board staff has determined the project is exempt from CEQA under the Class 1, Existing Facilities, and Class 2, Replacement or Reconstruction categorical exemptions (CEQA Guidelines §15301 and §15302) because the activity consists of removal and replacement of an existing deteriorated 18-inch diameter irrigation pipe with a new 18-inch diameter irrigation pipe. The replacement pipe will have substantially the same purpose

and capacity as the existing irrigation supply pipe, and the project involves negligible expansion of an existing use. In addition, the proposed project would remove an existing 36-inch diameter standpipe (no replacement of this pipe, only removal). Further, none of the exceptions to the exemption in CEQA Guidelines §15300.2 apply.

Application Number: 16323-1

Applicant: The City of Davis

Location Description: The project is located at the crossing of Mace Blvd. and Putah Creek, 1.4 miles south from the intersection of Mace Blvd. and Montgomery Avenue, south east of the City of Davis

County: Yolo

Stream: Putah Creek

Project Description: To upgrade approximately 650-feet of existing pedestrian/bike trail and install approximately 2500-feet of new pedestrian/bike trail as part of the public accessibility improvement in the Putah Creek South Fork Preserve. The proposed improvements also include constructing approximately a 660-square-foot viewing deck with a 5-foot wide boardwalk; installing benches, picnic tables, and upgrading existing parking lot.

LMA Endorsement: N/A

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the South Fork Preserve Public Accessibility Improvements project Initial Study/Mitigated Negative Declaration (IS/MND) (SCH No. 2019019011, September 2016), and the Mitigation Monitoring and Reporting Program (MMRP), prepared by the lead agency, City of Davis (City). These documents, including project design, are available for review in hard copy at the Board and the City offices.

The City determined that the project would not have a significant effect on the environment and filed a Notice of Determination with the State Clearinghouse on January 29, 2019, and the Yolo County Clerk/Recorder on September 30, 2016. The City made revisions to the project and/or incorporated mandatory mitigation measures into the project plans to avoid or mitigate such impacts to a point where no significant adverse impacts will occur. These mitigation measures, further described in the City's IS/MND, address impacts to biological resources and cultural resources.

In accordance with CEQA Guidelines § 15096(f), Board staff considered the City's IS/MND, which supports the CVFPB Executive Officer's approval of Permit No. 16323-1 to authorize work to make pedestrian and bike trail accessibility improvements at the Putah Creek South Fork Preserve, which is within the Board's responsibility as it relates to effects on the federal-State facilities of the State Plan 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 and indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve (CEQA Guidelines § 15096(g); Public Resources Code § 21002.1(d)). The Board is limited to imposing conditions to mitigate or avoid impacts to the environmental under its authority, specifically the State's flood control system.

In addition to the discussion within the IS/MND, Board staff reviewed the submitted hydraulic analysis to determine if there will be flood impacts as a result of the project. The Technical Memorandum for the Putah Creek South Fork Preserve Hydraulic Analysis prepared by West Yost Associates (August 2018) found there will be a slight increase to the water surface elevation of .10 ft between the existing and proposed conditions and was determined to be insignificant. Board staff have reviewed the hydraulic analysis, agree with the methodology and findings and have determined that impacts to flood risk will be less than significant. When considering the record as a whole, including this hydraulic analysis, and in accordance with CEQA Guidelines § 15096(f) and (g), staff recommends that the CVFPB Executive Officer make responsible agency findings that

approval of Permit No. 16323-1 will not result in any significant adverse impacts related to flood risk. The project will not adversely impact the Stat's flood control system; therefore, no conditions or mitigation measures within the Board's jurisdiction are required.

Application Number: 18763-1

Applicant: Woodland-Davis Clean Water Agency

Location Description: The project is located on the waterside of right (west) bank levee of the Sacramento River, approximately 0.2 miles north of the I-5 crossing, in Yolo County.

County: Yolo

Stream: Sacramento River

Project Description: This is a "name change" permit that includes conditions that are consistent with current flood control standards and policies of the Central Valley Flood Protection Board. This permit supplements Permit No. 18763 that was reissued to Reclamation District 2035 on March 29, 2013, to remove the existing Reclamation District 2035 pump station facility and construct a new pump station facility with fish screen intake and appurtenant structures.

LMA Endorsement: Reclamation District 1600

CEQA Finding: Board staff has prepared the following California Environmental Quality Act (CEQA) determination: 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)).

Application Number: 19525

Applicant: Randall Grimmus

Location Description: The project is located along the east bank of Cross Creek, approximately 0.25 miles south of the intersection of Kansas Avenue and 6th Avenue and 4.25 miles east of the Community of Guernsey in Kings County.

County: Kings

Stream: Cross Creek

Project Description: To construct a biogas upgrading facility to connect to an existing dairy farm's anaerobic digesters via a 8-inch diameter low pressure biogas pipeline. Facility features also include; a perimeter fence and gates, facility access road, and point of receipt area. The fence encloses above-ground mechanical equipment, tanks, and seatrains, housed on concrete foundations.

LMA Endorsement: Kaweah Delta Water Conservation District (KDWCD)

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the Conditional Use Permit No. 19-07 for the Hanford Biogas Cluster Project Initial Study/Mitigated Negative Declaration (IS/MND) (SCH No. 2019129014, December 2019), and the Mitigation Monitoring and Reporting Program (MMRP), prepared by the lead agency, Kings County. The County determined that the project would not have a significant effect on the environment and filed a Notice of Determination with the Kings County Clerk on May 5, 2020 and the State Clearinghouse on June 1, 2020. The County made revisions to the project and/or incorporated mandatory mitigation measures into the project plans to avoid or mitigate such impacts to a point where no significant

adverse impacts will occur. These mitigation measures, included in the County's IS/MND, address impacts to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality (non-flood related), transportation, and tribal cultural resources.

In accordance with CEQA Guidelines § 15096(f), Board staff considered the County's IS/MND which supports the Board's approval of Permit No. 19525 to install a biogas upgrading facility, which is within the Board's responsibility as it relates to effects on the federal-State facilities of the State Plan 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 and indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve (CEQA Guidelines § 15096(g); Public Resources Code § 21002.1(d)). The Board 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, Board staff reviewed the submitted hydraulic blockage calculation and analysis to determine if there will be flood impacts as a result of the project. The Memorandum Summarizing Hydraulic Blockage Calculation and Analysis for the Biogas Upgrading Facility at Cross Creek in Kings County prepared by 4Creeks, Inc (July 2020) found the proposed encroachments result in a negligible increase in water surface elevation between existing and proposed conditions. Board staff have reviewed the hydraulic analysis, agree with the methodology and findings, and have determined that impacts to flood risk will be less than significant. When considering the record as a whole, including this hydraulic analysis, 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. 19525 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 County's offices. These documents which constitute the record of the Board's proceedings 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.