

# Central Valley Flood Protection Board

## Executive Officer Delegation Report

Posting Date: February 10th, 2022

Number of Applications Scheduled: 5

### Application Number: 10037-2

Applicant: Windswept Land and Livestock Company

Location Description: The project is located approximately 0.3 miles north of State Route 45 and approximately 1.65 miles southeast of Tisdale Landing at Sacramento River Mile 100.09

County: Sutter

Stream: Sacramento River

Project Description: To install a 14-inch diameter steel pipe through the levee to connect the existing waterside slant pump and landside concrete-lined ditch for irrigation purposes. The project also includes re-installation of the slant pump shaft in the existing pump conductor pipe at the waterside, installation of a positive closure device at the waterside hinge of the levee along with a 30-inch diameter standpipe, installation of a siphon breaker at the landside hinge of the levee, installation of a blind flanged camera port at the landside hinge of the levee, and installation of landside connections to the existing concrete-lined ditch. The project also includes authorizing the existing 20-inch diameter conductor pipe at the waterside and the existing concrete-lined ditch at the landside.

LMA Endorsement: Reclamation District 1500

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 proposed activity consists of restoring and replacing existing deteriorated irrigation facilities to prevent levee erosion and meet standards of public safety. The project will authorizing the existing 20-inch diameter conductor pipe at the waterside and the existing concrete-lined ditch at the landside. The project is also exempt under the Class 2, Replacement or Reconstruction categorical exemption (CEQA Guidelines § 15302) because the proposed activity consists of reinstalling the slant pump shaft in the existing pump conductor pipe at the waterside. The project is also exempt under the Class 3, New Construction or Conversion of Small Structures categorical exemption (CEQA Guidelines § 15303) because the proposed activity consists of installation of a positive closure device at the waterside hinge of the levee along with a 30-inch diameter standpipe, installation of a siphon breaker at the landside hinge of the levee, installation of a blind flanged camera port at the landside hinge of the levee, installing a 14-inch diameter steel pipe through the levee to connect the existing waterside slant pump and landside concrete-lined ditch for irrigation purposes. The project is also exempt under the Class 4, Minor Alteration to Land categorical exemption (CEQA Guidelines § 15304) because the proposed activity consists of the minor trenching and grading that will occur with the project. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

### Application Number: 18229-1

Applicant: Farmland Partners, Inc.

Location Description: The project is located on the right (west) bank levee of the Sacramento River, approximately 1.82 miles west of Interstate 5 and 0.35 miles south of Pocket Road in Clarksburg

County: Yolo

Stream: Sacramento River

Project Description: To authorize the existing waterside elevated pump platform structure, catwalk, security gate, electrical conduit, and slope metal steps, the existing landside water valve, an approximately 9-foot long 8-inch diameter supply pipe connected to a booster pump within the Board's jurisdiction, and to install a positive-closure device on the waterside of the levee accessible during high water events. The pump, walkway, and electrical service were noted in the U. S. Army Corps of Engineers as-built drawing no. 50-04-2948, page 3 (station 182+00). This permit is also a "name change" permit and includes conditions that are consistent with the current flood control standards and policies of the Central Valley Flood Protection Board. This permit supplements and where in conflict supersedes the conditions in Permit No. 18229 issued to Mr. Albert Martinelli on October 30, 2007, for the construction of a 16-inch-diameter steel irrigation pipe through the right (west) bank levee of the Sacramento River.

LMA Endorsement: Reclamation District 307

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 proposed activity consists of authorizing existing facilities including waterside elevated pump platform structure, catwalk, security gate, electrical conduit, and slope metal steps, the existing landside water valve, an approximately 9-foot long 8-inch diameter supply pipe connected to a booster pump. The project is also exempt under the Class 3, New Construction or Conversion of Small Structures categorical exemption (CEQA Guidelines § 15303) because the proposed activity consists of the installation of a closure device on the levee. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

Board staff has determined that 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: 19577**

Applicant: City of Sacramento

Location Description: The project is located on the left (south) bank levee of the American River, approximately 530 feet downstream of the H Street bridge across the American River

County: Sacramento

Stream: American River

Project Description: To remove and replace two (2) approximately 140 feet long 36-inch diameter welded steel pressurized pipes (WSP) with 42-inch diameter High-density polyethylene (HDPE) pipes; to remove and replace approximately 110 feet long 42-inch diameter corrugated metal gravity pipe (CMP) with 42-inch diameter reinforced concrete pipe (RCP). Additional improvements include installing two (2) positive closure vaults with two (2) new 6-inch diameter HDPE vault drainpipes, installation of a gate riser structure and sluice gate for the new 42-inch diameter RCP, removing and

replacing the existing outfall structure, constructing a retaining wall and removing and replacing the existing fence at the sump station near the landside levee toe, installing stairs on waterside levee slopes, installing aggregate surface along the disturbed section of the levee crown and maintenance access road. Lastly, up to four (4) trees may be removed from the waterside of the levee. Sump 155

LMA Endorsement: American River Flood Control District

CEQA Finding: The Board, as a responsible agency under CEQA, has reviewed the Draft and Final IS/MND and the Mitigation Monitoring and Reporting Program, prepared by the City of Sacramento. The proposed work as identified in Permit 19577 is covered by the IS/MND. The City of Sacramento determined that the project will not have a significant effect on the environment and filed a Notice of Determination with the State Clearinghouse and the Sacramento County Clerk on August 19, 2021. The City of Sacramento incorporated mandatory mitigation measures into the project plans to avoid or mitigate impacts. These mitigation measures, included in the IS/MND and MMRP, address impacts to air quality, biological resources, cultural resources, and tribal cultural resources. These mitigation measures are within the responsibility and jurisdiction of and have been adopted by the City of Sacramento. The IS/MND found no additional significant environmental effect under hydrology for flood-related impacts associated with the proposed project.

In accordance with CEQA Guidelines § 15096(f), Board staff considered the City's IS/MND, which supports the Board's approval of Permit 19577 to authorize the proposed project which is within the Board's jurisdiction as it relates to effects on the federal-State facilities of the State Plan of Flood Control, adopted plans of flood control, regulated streams, and designated floodways (State's flood control system). The Board, as a responsible agency, is responsible for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to approve (CEQA Guidelines § 15096(g); Public Resources Code § 21002.1(d)). Here, the Board's action is limited to approving an encroachment permit, and the Board's jurisdiction is limited to imposing conditions to mitigate or avoid impacts to the environment under its authority, specifically the State's flood control system.

In addition to the discussion within the IS/MND related to flood risk, Board staff reviewed hydraulic analyses to determine if there will be flood impacts as a result of the project. Board engineering staff has reviewed the hydraulic analyses, agree with the methodology and findings, and has determined that impacts to flood risk will be less than significant. When considering the record as a whole, including the hydraulic analyses, and in accordance with CEQA Guidelines Section 15096(f) and (g), staff recommends that the Board make responsible agency findings that approval of Permit 19577 will not result in any significant adverse impacts related to flood risk. The project will not adversely impact the State's flood control system; therefore, no conditions or mitigation measures within the Board's jurisdiction are required.

These documents, including project design, are available for review in hard copy at the Board and the City's offices. These documents which constitute the administrative record of the Board in this matter are in the custody of the Executive Officer, Central Valley Flood Protection Board, 3310 El Camino Ave., Suite 170, Sacramento, California 95821.

**Application Number: 19616**

Applicant: Shane Hughes

Location Description: The project is located approximately 0.6 miles upstream of the Interstate 5 crossing over the Sacramento River, north of the City of Anderson.

County: Shasta

Stream: Sacramento River

Project Description: To construct access driveway, swimming pool and gazebo on the left (east) bank of the Sacramento River at 6600 Riverland Drive, Shasta County APN: 055-380-048.

LMA Endorsement: N/A

CEQA Finding: Board staff has determined the project is exempt from CEQA under the Class 4, Minor Alterations to Land categorical exemption (CEQA Guidelines § 15304) because the proposed activity consists of the construction of a driveway. The project is also exempt under the Class 3, New Construction or Conversion of Small Structures categorical exemption (CEQA Guidelines § 15303) because the proposed activity consists of the construction of accessory structures including a swimming pool and gazebo. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.

**Application Number: 19616-1**

Applicant: Shane Hughes

Location Description: The project is located approximately 0.6 miles upstream of the Interstate 5 crossing over the Sacramento River, north of the City of Anderson.

County: Shasta

Stream: Sacramento River

Project Description: To construct access driveway, swimming pool and gazebo on the left (east) bank of the Sacramento River at 6598 Riverland Drive, Shasta County APN: 055-380-049.

LMA Endorsement: N/A

CEQA Finding: Board staff has determined the project is exempt from CEQA under the Class 4, Minor Alterations to Land categorical exemption (CEQA Guidelines § 15304) because the proposed activity consists of the construction of a driveway. The project is also exempt under the Class 3, New Construction or Conversion of Small Structures categorical exemption (CEQA Guidelines § 15303) because the proposed activity consists of the construction of accessory structures including a swimming pool and gazebo. Further, none of the exceptions to the exemption in CEQA Guidelines § 15300.2 apply.