

Central Valley Flood Protection Board

Executive Officer Delegation Report

Posting Date: April 10th, 2024

Number of Applications Scheduled: 5

Application Number: 19043-1

Applicant: Solano Resource Conservation District

Location Description: The project is located approximately 11 miles southeast of the City of Dixon in Solano County.

County: Solano

Stream: Ulatis Creek

Project Description: To restore 20 acres of riparian woodland along the left (north) bank of Ulatis Creek.

LMA Endorsement: N/A

CEQA Finding:

As a responsible agency under CEQA, Board staff has reviewed the Ulatis Creek Habitat Restoration Project Draft and the Final Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2021070447, October 2021), and the Mitigation Monitoring and Reporting Program (MMRP), prepared by the lead agency, Solano Resource Conservation District (SRCD). The proposed project is covered by the IS/MND. SRCD determined that the project will not have a significant effect on the environment and filed a Notice of Determination with the State Clearinghouse and County of Solano Records Office on October 25, 2021. SRCD incorporated mandatory mitigation measures into the project plans to avoid or mitigate impacts. These mitigation measures, included in the SRCD's IS/MND and MMRP, address impacts to biological resources, cultural resources, and hydrology and water quality with mitigation measures. These mitigation measures are within the responsibility and jurisdiction of SRCD and have been adopted by SRCD. The IS/MND found less than significant impacts under hydrology for flood-related impacts associated with the riparian woodland restoration. In accordance with CEQA California Code of Regulations, Title 14, Section 15096(f), Board staff considered SRCD's IS/MND, which supports the Board's approval of Permit No. 19043-1 to authorize work to restore 20 acres of riparian woodland which is within the Board's jurisdiction as it relates to effects on the federal-State facilities of the State Plan of Flood Control, regulated streams, designated floodways, and easements (Adopted Plan of Flood Control). 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 California Code of Regulations, Title 14, Section 15096(g); Public Resources Code § 21002.1(d)). Here, the Executive Officer'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. The Updated Technical Memorandum prepared by West Yost (October 2022) found the proposed restoration will result in the water surface elevation increase 0.09

feet. Board 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 California Code of Regulations, Title 14, Section 15096(f) and (g), staff recommends that the Executive Officer make responsible agency findings that approval of Permit No. 19043-1 will not result in any significant adverse impacts related to flood risk. The project will not adversely impact the Adopted Plan of Flood Control; 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 SRCD'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: 19772

Applicant: Betty Jean Morgan Survivor's Trust under the Morgan 2007 Revocable Trust es

Location Description: The irrigation facility is located at coordinate (38.167983N, 121.625702W) which is approximately two miles downstream of the Isleton Bridge, on Sacramento River, Grand Island, California, Reclamation District No. 3, Sacramento County.

County: Sacramento

Stream: Sacramento River

Project Description: To authorize an existing irrigation facility which includes a 10-inch diameter 3/8-inch-thick steel up-and-over pipe, a 1.5-inch diameter metal electrical conduit, a waterside slant pump supported on a wooden and metal structure, a sheet pile partial enclosure around the intake, a siphon breaker, a landside concrete distribution box, and an electrical service pole. The electrical conduit was authorized by Permit Number 1647 on April 4, 1952, with USACE concurrence received on March 28, 1952. The irrigation facility is identified in USACE Supplement to Standard Operation and Maintenance Manual Sacramento River Flood Control Project, Unit 104, February 1960 (Revised December 29, 2016) at River Mile 16.49.

LMA Endorsement: Reclamation District 3

CEQA Finding: The Board has determined that the project is exempt from CEQA under the Class 1, Existing Facilities categorical exemption (CEQA California Code of Regulations, Title 14, Section 15301), because the activity consists of authorizing an existing irrigation facility and electrical conduit. No expansion of existing or former use will occur. Further, none of the exceptions to the exemption in CEQA California Code of Regulations, Title 14, Section 15300.2 apply.

Application Number: 19796

Applicant: California Department of Technology

Location Description: The project is located on State Route 178 at 35.587932°N, 118.526344°W, crossing the Kern River Bridge (#50-0279) in the city of Lake Isabella. (Designated Floodway, Kern River, Kern County)

County: Kern

Stream: Kern River

Project Description: To install one (1) 2-inch diameter Fiber Optic Conduit (FOC) with fiber optic cables crossing the Kern River Bridge (Bridge #50-0279). The FOC will be installed by trenching 2 feet to 6 feet deep (4.2 feet typical depth) on each end of the bridge and it will be attached to the bridge deck overhang.

LMA Endorsement: N/A

CEQA Finding: The project is statutorily exempt under the provisions of CEQA. The Board's approval involves issuing an encroachment permit for the installation of a Broadband Network Infrastructure on State Route 178 along the Kern River Bridge 50-0279, which is exempt under the statutory exemption of the CEQA Public Resources Code Section 21080.51. In addition, the Board has determined that the project is exempt from CEQA under the Class 3, New Construction or Conversion of Small Structures categorical exemption (CEQA CCR, Title 14, Section 15303), because the activity consists of the installation of utility extensions. The project is also exempt under the Class 4, Minor Alterations to Land categorical exemption (CEQA CCR, Title 14, Section 15304), because the project involves minor public alterations in the condition of the land which does not involve the removal of healthy, mature, or scenic trees. Further, none of the exceptions to the exemption in CEQA CCR, Title 14, Section 15300.2 apply.

Application Number: 19852

Applicant: California Department of Transportation

Location Description: On the right bridge over Shimizu Dr. and Smith Canal (Bridge #29-0173R). The project is located on State Route (SR) 5 at post mile 28.26 in San Joaquin County.

County: San Joaquin

Stream: Smith Canal

Project Description: To install two 2-inch fiber optic conduits mounted on the right (northbound) bridge over Shimizu Dr. and Smith Canal (Bridge #29-0173R). The fiber optic conduits would be supported by hangers in the exterior bay of the right bridge. Hangers will be installed to the underside of the bridge using mechanical expansion anchors. All bridge work will be done from bridge deck.

LMA Endorsement: San Joaquin County Flood Control and Water Conservation District

CEQA Finding: As a responsible agency under CEQA, Board staff has reviewed the State Route 4 Transportation Management Systems Upgrade Draft and the Final Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2022100495, January 2023), and the Environmental Commitments Record (ECR), prepared by the lead agency, California Department of Transportation (Caltrans). The proposed project is covered by the IS/MND. Caltrans determined that the project will not have a significant effect on the environment and filed a Notice of Determination with the State Clearinghouse on February 27, 2023. Caltrans incorporated mandatory mitigation measures into the project plans to avoid or mitigate impacts. These mitigation measures, included in the Caltrans's IS/MND and ECR, address impacts to biological resources. These mitigation measures are within the responsibility and jurisdiction of Caltrans and have been adopted by Caltrans. The IS/MND found no impacts under hydrology for flood-related impacts associated with the proposed project. In accordance with CEQA California Code of Regulations, Title 14, Section 15096(f), Board staff considered Caltrans's IS/MND, which supports the Board's approval of Permit No. 19852 to authorize work to install two 2-inch fiber optic conduits on Bridge #29-0173R which is within the Board's jurisdiction as it relates to effects on the federal-State facilities of the State Plan of Flood Control, regulated streams, designated floodways, and easements (Adopted Plan of Flood Control). 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 California Code of Regulations, Title 14, Section 15096(g); Public Resources Code § 21002.1(d)). Here, the Executive Officer'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 Adopted Plan of Flood Control. According to the discussion within the IS/MND, the proposed project results in less than significant impacts related to flood risk. When considering the record as a whole, and in accordance with CEQA California Code of Regulations, Title 14, Section 15096(f) and (g), staff recommends that the Executive Officer make responsible agency findings that approval of Permit No. 19852 will not result in any significant adverse impacts related to flood risk. The project will not adversely impact the Adopted Plan of Flood Control; 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 lead agency name ('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: 19244-1

Applicant: Wilbur Rev 94 Trust

Location Description: The ramp is located at Sutter Butte Flood Control Agency Station 1 162-00. The United States Corps of Engineers Unit is 148 Levee Mile 0.56.

County: Sutter

Stream: Feather River

Project Description: This permit, where in conflict, supersedes the conditions and levee unit number in Permit No. 19244 BD issued January 16, 2020. The encroachment consists of a landside levee access ramp which provides access to the Wilbur Ranch land located on landside of levee, commonly referred to as the Wilbur Ramp. The ramp is fifteen feet wide and has a maximum slope of ten percent. This work is associated with Feather River West Levee Project under Permit 18793-1 and was previously constructed in compliance with California Code of Regulations, Title 23, Division 1.

LMA Endorsement: Levee District 9

CEQA Finding: The proposed administrative action consists of the Board updating the Levee District and Levee Units identified in Permit 19244. The Board has determined that the proposed action does not have the potential for resulting 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 the purposes of the California Environmental Quality Act (CEQA Public Access Resources Code Section 21065; CEQA California Code of Regulations, Title 14, Section 15378(a)).