

# Central Valley Flood Protection Board

## Executive Officer Delegation Report

Posting Date: September, 10th 2024

Number of Applications Scheduled: 9

### **Application Number: 19890 (Posted 7/24/2024)**

Applicant: California Department of Transportation (Caltrans)

Location Description: The project is located on State Route 151, approximately at 40.680332°N, 122.359578°W, at Postmile 6.33, Shasta County

County: Shasta

Stream: Salt Creek

Project Description: To authorize the existing 10 – foot by 6 – foot reinforced concrete box culvert (Caltrans Inventory No. 61514000635) crossing Salt Creek.

LMA Endorsement: N/A

CEQA Finding: 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 public facility, involving negligible or no expansion of use. 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: 19894 (Posted 7/24/2024)**

Applicant: California Department of Technology

Location Description: The project is located on State Route 191, at approximately 40.680332°N, 122.359578°W, Postmile 6.33, crossing Salt Creek Culvert (#61514000635), in Shasta Lake, Shasta County.

County: Shasta

Stream: Salt Creek

Project Description: To install one (1) 2-inch diameter conduit, housing multiple fiber optic cables as part of the Middle-Mile Broadband Infrastructure (MMBI) Network. Method of installation includes horizontal directional drilling (HDD) and attachment to the downstream culvert crossing concrete barrier

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 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: 1976-1**

Applicant: Ronald Chambers Jr. and Cynthia Chambers.

Location Description: The project is located at 6575 Garden Highway, Sacramento, CA 95837, Levee Mile 7.31, Reclamation District 1000 (RD-1000), left bank, Sacramento River, Sacramento County, at 38.68720°N 121.63265°W.

County: Sacramento

Stream: Sacramento River

Project Description: This is a “name change” permit only and includes conditions that are consistent with current flood control standards and policies of the Central Valley Flood Protection Board. This permit supplements Permit No. 1976 that was issued to Teofla and Manuel Rosa on September 15, 1954, for the approval of plans for construction of a house and appurtenances on Lot 76, Elkhorn Subdivision on the Garden Highway, in Sacramento County, California

LMA: Reclamation District 1000

CEQA Finding: The Board 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 (CEQA Public Resources Code Section 21065; CEQA California Code of Regulations, Title 14, Section 15378(a)).

**Application Number: 19794**

Applicant: California Department of Transportation (Caltrans)

Location Description: The project is located on State Route 178 in the city of Lake Isabella. Section 10, T27S, R32E, MDB&M.

County: Kern

Stream: Kern River

Project Description: To authorize an existing 3-span, 470-foot-long, 60-foot-wide, 4-lane, steel girder, Caltrans Bridge No. 50-0279, located on State Route 178, and crossing the Kern River in Kern County.

LMA Endorsement: N/A

CEQA Finding: 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 public facility, involving negligible or no expansion of use. 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: 19840**

Applicant: California Department of Transportation (Caltrans)

Location Description: The project is location on State Route 168, Postmile 21.61, approximately at 36.939839°N, 119.505193°W, in the City of Clovis, Fresno County

County: Fresno

Stream: Dry Creel

Project Description: To authorize the existing 4-span, 57-foot-long, 32-foot-wide, 2-lane, continuous concrete culvert bridge, Caltrans Bridge No 42-0089, located on State Route 168, and crossing Dry Creek in Fresno County.

LMA Endorsement: N/A

CEQA Finding: 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 public facility, involving negligible or no expansion of use. 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: 19875**

Applicant: California Department of Transportation (CAL TRANS)

Location Description: The Bridge is located at PM 6.33 (40.01422, -121.22578) on State Route 70 (SR-70) in Plumas County. This location is above a CVFPB Regulated Stream. There are no CVFPB Designated Floodways.

County: Plumas

Stream: Feather River

Project Description: To authorize the North Fork Feather River Bridge (#09-0009) located on State Route 70, at Postmile 6.33, in Plumas County.

LMA Endorsement: N/A

CEQA Finding: 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 public facility, involving negligible or no expansion of use. 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: 19906**

Applicant: Epick Homes

Location Description: approximately 470 feet east of the intersection of Quail Creek Lane and Ferrari Ranch Road in Lincoln, California in Placer County.

County: Placer

Stream: Auburn Ravine

Project Description: To install two 8 inch welded HDPE pipes and 8 inch air pipe encased in 36-inch steel casing pipe using Horizontal Directional Drilling (HDD) and two bore pits. The pipe will be installed a minimum of 8 feet below the low water channel of the Auburn Ravine overbank area (floodway) and Auburn Ravine (perennial creek). Project also proposes to remove 35 linear feet of 12 inch sewer pipe on the right bank, to install two air release valves, two manholes, and a 3 feet by 4 feet concrete box cleanout. The casing pipe will be filled with sand and plugged on both sides with 12" thick non-shrink mortar plug.

LMA Endorsement: N/A

CEQA Finding: As a responsible agency under CEQA, Board staff has reviewed the Village 1 Specific Plan Draft and Final EIR (SCH No. 2010102018, October 2012), and the Mitigation Monitoring and Reporting Program (MMRP) and Statement of Overriding Considerations, prepared by the lead agency, City of Lincoln. The proposed work installing pipes using Horizontal Directional Drilling (HDD) below Auburn Ravine and removing an existing sewer pipe is covered by the EIR.

The City of Lincoln determined that the project will have a significant effect on the environment and filed a Notice of Determination (NOD) with the State Clearinghouse on December 3, 2012, and with the Placer County Clerk on December 14, 2012. The City of Lincoln incorporated mandatory mitigation measures into the project plans to avoid or mitigate impacts. These mitigation measures, included in the City of Lincoln's Final EIR and MMRP, address impacts to aesthetics and visual quality, agriculture, air quality, biological resources, cultural resources, greenhouse gas emissions and climate change, hazardous materials, hydrology and water quality, noise, public services, public utilities, and transportation and circulation. These mitigation measures are within the responsibility and jurisdiction of the City of Lincoln and have been adopted by the City of Lincoln. The Draft and Final EIR found less than significant impacts with mitigation under hydrology for flood related impacts resulting from the proposed project resulting from the proposed project.

In accordance with CEQA California Code of Regulations, Title 14, Section 15096(f), Board staff independently reviewed and considered the City of Lincoln's Draft and Final EIR, MMRP, and Statement of Overriding Considerations which supports the Board's approval of Permit No. 19906 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, 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); CEQA Public Resources Code Section 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.

As a responsible agency, Board staff is required to make findings for each significant effect of the project (CEQA California Code of Regulations, Title 14, Sections 15096(h) and 15091). However, the Draft and Final EIR identified less than significant impacts with mitigation to flood risk. Based on staff's review of the EIR, there is no substantial evidence to support a fair argument that the project will result in significant impacts related to flood risk, which is the only resource area within the Board's jurisdiction. Therefore, approving an encroachment permit does not require additional findings unrelated to flood risk under CEQA California Code of Regulations, Title 14, Section 15096(h), nor is the consideration of alternatives required. 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. 19906 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 City of Lincoln'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: 8010B-1**

Applicant: White Rock Assets, LLC

Location Description: Project is located approximately 1,500 feet upstream from Jack Tone Road bridge, Levee Mile 2.43.

County: San Joaquin

Stream: Paddy Creek

Project Description: This is a "name change" permit only and includes conditions that are consistent with current flood control standards and policies of the Central Valley Flood Protection Board. This permit supplements Permit No. 8010-B that was issued to Goehring Brothers Dairy on September 29, 1977, to replace an existing 16-inch corrugated metal pipe with a 12-inch steel 10 gage pipe through the left bank levee of Paddy Creek perpendicular to the centerline of the levee, approximately 1,500 feet upstream from Jack Tone Road bridge.

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

CEQA Finding: The Board 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 (CEQA Public Resources Code Section 21065; CEQA California Code of Regulations, Title 14, Section 15378(a)).

### **Application Number: 19675**

Applicant: Andre Pimentel

Location Description: The project is located at left bank levee at 7173 Garden Hwy, Sacramento 95837.

County: Sacramento

Stream: Sacramento River

Project Description: The project includes installation of a private boat dock with cover, gangway, and landing. The purpose of the dock is to moor a privately-owned boat and to provide recreational access to the river. The proposed dock and gangway will be manufactured off-site and delivered to the nearest boat ramp. Installation of the dock will require pile driving of three (3) 12" steel piles with a barge-mounted pile driver.

LMA Endorsement: Reclamation District 1000

CEQA Finding: The Board has determined the project is exempt from CEQA under the Class 3, New Construction of Small Structures categorical exemption (CEQA California Code of Regulations, Title 14, Section 15303) because the proposed activity consists of the installation of a private boat dock with cover, gangway, and landing. The project is also exempt under the Class 4, Minor Alterations to Land categorical exemption (CEQA California Code of Regulations, Title 14, Section 15303) because the proposed activity consists of minor private alterations in the condition of land, water, and/or vegetation which does not involve removal of healthy, mature, scenic trees. Further, none of the exceptions to the exemption in CEQA California Code of Regulations, Title 14, Section 15300.2 apply.