

Central Valley Flood Protection Board

Executive Officer Delegation Report

Posting Date: January, 10th 2025

Number of Applications Scheduled: 7

Application Number: 19953 (POSTED 1/31/2025)

Applicant: Westervelt Ecological Services

Location Description: The project is located at 4075 River Road, along the left bank of the Sacramento River near levee mile 11.6 and approximately 4.5 miles north of the City of Colusa.

County: Colusa

Stream: Sacramento River

Project Description: To remove the existing walnut orchard to plant habitat for valley elderberry longhorn beetle and trench to a maximum depth of 12 inches to improve the existing irrigation system. Habitat will consist of native habitat including, but not limited to, elderberry shrub, valley oak, coyote brush, mulefat, and California wild rose. Upon completion, a conservation easement Sacramento River VELB Conservation Bank, will be recorded property and Westervelt will continue maintaining the habitat on the property.

LMA Endorsement: N/A

CEQA Finding: As a responsible agency under CEQA, Board staff has reviewed Sacramento River Valley Elderberry Longhorn Beetle (VELB) Conservation Bank Draft and the Final Initial

Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2024060998, June 2024), and the Mitigation Monitoring and Reporting Program (MMRP), prepared by the lead agency, County of Colusa. The proposed project is covered by the IS/MND. The County of Colusa determined that the project will not have a significant effect on the environment and filed a Notice of Determination with the Colusa County Clerk Recorder on October 4, 2024, and the State Clearinghouse on October 29, 2024. The lead agency name incorporated mandatory mitigation measures into the project plans to avoid or mitigate impacts. These mitigation measures, included in the County of Colusa's IS/MND and MMRP, address impacts to agricultural and forestry, cultural resources, and land use and planning. These mitigation measures are within the responsibility and jurisdiction of the County of Colusa and have been adopted by the County of Colusa. The IS/MND found less than significant impacts with mitigation 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 the County of Colusa's IS/MND, which supports the Board's approval of Permit No. 19953 to authorize work to remove the existing walnut orchard to plant habitat for valley elderberry longhorn beetle and trench to a maximum depth of 12 inches to improve the existing irrigation system, 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.

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 Hydraulic Impact Analysis – Hamilton Bend by MBK Engineers (November 2023) found the proposed project will result in negligible hydraulic impact. 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. 19953 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 County of Colusa’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: 6178-1 (POSTED 1/13/2025)

Applicant: Anthony Jaques Jr. and Nance Marie Jaques

Location Description: The pipe is located on Union Island, Section 25, T. 1 S., R. 5 E., MDB&M, San Joaquin County (Reclamation District No. 1).

County: San Joaquin

Stream: Old 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. 6178 that was issued to Carl H. Stark on June 18, 1968, to authorize the removal and replacement of a 14-inch discharge pipe through the west levee on Union Island.

LMA Endorsement: N/A

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: 19639-1

Applicant: Sukhjinder (Sukhy) Samra

Location Description: The project is located on the waterside of the right (west) bank levee of the Sacramento River, approximately 0.9 miles upstream of the confluence between Sacramento River and American River, at 860 Rivercrest Drive in West Sacramento.

County: Yolo

Stream: Sacramento River

Project Description: To construct dwelling improvements that include a 510-square-foot pool with spa, wood decking, concrete walkways, decomposed granite walkways, and synthetic turf, various new plantings with an irrigation system installed in both front and back yards.

LMA Endorsement: Maintenance Area 4

CEQA Finding: The project is exempt from CEQA under the Class 3, New Construction or Conversion of Small Structures categorical exemption (CEQA California Code of Regulations, Title 14, Section 15303), because the activity consists of construction and location of limited numbers of new, small facilities or structures, and the installation of small new equipment and facilities in small structures. The project is also exempt from CEQA under Class 4, Minor Alterations to Land Categorical exemption (CEQA California Code of Regulations, Title 14, Section 15304), because the activity consists of minor private alterations in the condition of land and vegetation which do not involve removal of mature, scenic trees. Further, none of the exceptions to the exemption in CEQA California Code of Regulations, Title 14, Section 15300.2 apply.

Application Number: 19851

Applicant: Joellen King

Location Description: The project is located in 35231 Tule River Drive, Springville, CA 93265

County: Tulare

Stream: Tule River

Project Description: To authorize the existing residence located within the Tule River Designated Floodway.

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 the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, 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: 19892

Applicant: Melody Creel

Location Description: The proposed project is located at 5800 Shadow Hills Drive in Bakersfield, within the Board Designated Floodway.

County: Kern

Stream: Kern River

Project Description: To Build a new 40-foot x 100-foot x 16-foot shop building for the storage of restored vehicles at the existing residence.

LMA Endorsement: N/A

CEQA Finding: The project is exempt from CEQA under the Class 3, New Construction or Conversion of Small Structures categorical exemption (CEQA California Code of Regulations, Title 14, Section 15303), because the activity consists of construction and location of limited numbers of new, small

facilities or structures, and the installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Further, none of the exceptions to the exemption in CEQA California Code of Regulations, Title 14, Section 15300.2 apply.

Application Number: 3300-2

Applicant: Premium California Orchards Inc

Location Description: The project is located along the left (west) bank levee of the San Joaquin River, near Frewert Road, approximately 1 mile southwest of the community of Lathrop.

County: San Joaquin

Stream: San Joaquin 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 Flood Protection Board. This permit supplements Permit no 33001, to remove and replace, in-kind, approximately 110 feet of 18-inch diameter steel irrigation pipe and a 1.25-inch diameter steel conduit and remove approximate 50 feet of abandoned 12-inch diameter steel pipe atop of the levee waterside slope and approximately 12 feet of abandoned 18-inch diameter PVC pipe.

LMA Endorsement: Reclamation District 544

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: 3928-1

Applicant: Yokoi Revocable Living Trust

Location Description: A boathouse and walkway, a 20-foot pole on the waterside berm, a ¾-inch conduit to the pole and waterside stairs on the left bank levee of the Sacramento River.

County: Sacramento

Stream: Sacramento River

Project Description: To revoke permit 3928-1, pursuant to 23 CCR Section 28.1, that was issued as a name change permit to Yokoi Revocable Living Trust reauthorizing a boathouse and walkway, a 20-foot pole on the waterside berm, a ¾-inch conduit to the pole and waterside stairs on the left bank levee of the Sacramento River

LMA Endorsement: N/A

CEQA Finding: The proposed administrative action consists of the Board revoking Permit 3928-1 pursuant to California Code of Regulations, Title 23, Section 28(d). The Board has determined that the proposed action 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 CEQA (Public Resources Code Section 21065; CEQA California Code of Regulations, Title 14, Section 15378(a)).