

# Central Valley Flood Protection Board

## Executive Officer Delegation Report

Posting Date: February 10th, 2025

Number of Applications Scheduled: 5

**Application Number: 19957 (POSTED 2/27/2025)**

Applicant: Westervelt Ecological Services

Location Description: The project is located on the left bank of Sacramento River, River Road, approximately 10 miles north of the City of Colusa, at approximately 39.35698°N, 122.007672°W.

County: Colusa

Stream: Sacramento River

Project Description: To remove the existing walnut trees to plant habitat for valley elderberry longhorn beetle and trench to a maximum depth of 12 inches to install an irrigation system. Habitat will consist of elderberry shrubs and associated native species including, but not limited to, valley oak, black walnut, coyote brush, coffeeberry, and California wild rose.

LMA Endorsement: Sutter Maintenance Yard

CEQA Finding: As a responsible agency under CEQA, Board staff has reviewed the Harmony Valley Elderberry Longhorn Beetle (VELB) Conservation Bank Draft and the Final Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2024110070, October 2024), and the Mitigation Monitoring and Reporting Program (MMRP), prepared by the lead agency, Colusa County. The proposed project is covered by the IS/MND. Colusa County determined that the project will or will not have a significant effect on the environment and filed a Notice of Determination with the State Clearinghouse on February 10, 2024. Colusa County incorporated mandatory mitigation measures into the project plans to avoid or mitigate impacts. These mitigation measures, included in Colusa County's IS/MND and MMRP, address impacts to agriculture and forestry, cultural resources, and land use and planning. These mitigation measures are within the responsibility and jurisdiction of Colusa County and have been adopted by the lead agency name. The IS/MND found less than significant 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 Colusa County's IS/MND, which supports the Board's approval of Permit No. 19957 to authorize work to remove the existing walnut trees to plant habitat for valley elderberry longhorn beetle and trench to a maximum depth of 12 inches to install an 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 Technical Memorandum Hydraulic Impact Analysis— Boyes Coffman (November 2023) found the proposed

project is not expected to increase flood risk to neighboring properties or the flood control infrastructures, nor increase in aggregation or erosion. 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. 19957 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 Colusa County'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: 1157-1 (POSTED 2/21/2025)**

Applicant: California Department of Water Resources

Location Description: through the levee through the levee on the east bank of the Haas Slough in Section 11, T. 5 N., R. 2 E., M.D.B.&M., Solano County,

County: Solano

Stream: Haas Slough

Project Description: To authorize the existence of an abandoned pipeline as part of the Lookout Slough Project under Permit 19477 and to approve a "name change" and include conditions that are consistent with current flood control standards and policies of the Central Valley Flood Protection Board. This permit supplements Permit 1157 that was issued to R.F. Moore and Sons on November 25, 1946 to authorize installing a 24 inch diameter welded steel pipe through the levee through the levee on the east bank of the Haas Slough Section 11, T. 5N., R. 2 E., M.D.B&M., Solano County, to serve as a discharge pipe for pumping plant.

LMA Endorsement: Reclamation District 2098

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 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. Additionally, 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: 13255-1 (POSTED 2/21/2025)**

Applicant: California Department of Water Resources

Location Description: located approximately 150 metres (500 feet) upstream of Sycamore Slough on the left bank of Haas Slough at mile post 7.43 on Moore Tract. Section 11, T5N, R2E, M.D.B.&M. (Reclamation District No. 2098) Haas Slough, Solano County.

County: Solano

Stream: Haas Slough

Project Description: To authorize the existence of an abandoned pipeline as part of the Lookout Slough Project under Permit 19477 and to approve a “name change” and include conditions that are consistent with current flood control standards and policies of the Central Valley Flood Protection Board. This permit supplements Permit 13255 that was issued to Bowsbey Ranch on October 13, 1981 to shorten walkway and 30-inch-diameter pipe extending into Haas Slough from 64 feet to 32 feet and to repair 30-inch gate attached to waterward end of pipe,

LMA Endorsement: Reclamation District 2098

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 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. Additionally, 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: 19477-2 (POSTED 2/21/2025)**

Applicant: California Department of Water Resources

Location Description: The Lookout Slough Tidal Habitat Restoration and Flood Improvements Project is located within the legal Delta in the Lower Yolo Bypass, west of Liberty Island and northeast of Cache Slough.

County: Solano

Stream: Yolo Bypass

Project Description: To authorize the existence of nine abandoned pipelines as part of the Lookout Slough Project and incorporate an amended letter of permission from the U.S. Army Corps of Engineers. This permit supplements Permit No. 19477-1 that was issued to the California Department of Water Resources on May 17, 2022 to approve a “name change” for the Lookout Slough Tidal Habitat Restoration and Flood Improvements Project which includes 2.9 miles of a new setback levee along Duck Slough and Liberty Island Road, a levee breach and degrade on the Yolo Bypass levee, levee improvements along the Cache/Haas Slough levee, and restoration work for 3,164 acres of upland, tidal, and floodplain habitat.

LMA Endorsement: Reclamation District 2098

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 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: 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.