

CENTRAL VALLEY FLOOD PROTECTION BOARD

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April 20, 2020

Governor's Office of Planning & Research

Mr. Gary Bardini
Sacramento Area Flood Control Agency
1007 7th St, 7th Floor
Sacramento, California 95814

APR 20 2020

STATE CLEARINGHOUSE

Subject: Groundwater Recharge and Swainson's Hawk Habitat Preservation Project, Mitigated Negative Declaration, SCH No. 2020039072

Location: Sacramento County

Dear Mr. Bardini,

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed project is within the vicinity of the Cosumnes River, which is a regulated stream and designated floodway under the Board's jurisdiction and may require a Board permit prior to construction.

The Board's jurisdiction covers the entire Central Valley including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins south of the San Joaquin River.

Under authorities granted by California Water Code and Public Resources Code statutes, the Board enforces standards set forth in California Code of Regulations, Title 23, Division 1 (Title 23) for the construction, maintenance, and protection of adopted plans of flood control, including the federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways.

Pursuant to Title 23, Section 6 (a), a Board permit is required prior to working within the Board's jurisdiction for the placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee.

Board staff have reviewed the subject document and provides the following comments on the potential environmental effects within the Board's jurisdiction:

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Hydrologic Impacts

According to page 5: "The Groundwater Recharge and Swainson's Hawk Habitat Preservation Project (Project) consists of protecting 129 acres for groundwater recharge and constructing a pipeline to allow surface water spreading and infiltration on the property. SAFCA will buy fee title to the property that will secure the right to recharge groundwater by surface application on the site. SAFCA will construct a pipeline from the adjoining Omochumne-Hartnell Water District (OHWD) groundwater recharge project (OHWD Project) onto the site. The source of recharge water is excess (winter) stormwater flow diversion from the Cosumnes River. Up to four monitoring wells or real-time transducers will be installed on or near the site. Data collection will be integrated on an internet-based platform."

An encroachment permit application will be required for the Project as it is located within the Cosumnes River Designated Floodway. The encroachment permit may also be required to include any existing works that predate permitting into compliance with Title 23, or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the works has not been clearly established or ownership and use have been revised.

Other federal (including U.S. Army Corps of Engineers Section 10 and 404 regulatory permits), State and local agency permits may be required and are the applicant's responsibility to obtain.

Board permit applications and Title 23 regulations are available on our website at <http://www.cvfpb.ca.gov/>. Maps of the Board's jurisdiction are also available from the California Department of Water Resources website at <http://gis.bam.water.ca.gov/bam/>.

Encroachment permit applications received on or after July 1, 2019 are subject to fees, additional information is available on the Board's website at <http://cvfpb.ca.gov/fees-2019/>.

Please contact James Herota at (916) 574-0651, or via email at James.Herota@CVFlood.ca.gov if you have any questions.

Sincerely,

Andrea Buckley

Andrea Buckley
Environmental Services and Land Management Branch Chief

cc: Gary Lemon, Permitting Section Chief, Central Valley Flood Protection Board

Nate Kibret, Permitting Engineer, Central Valley Flood Protection Board

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