

CENTRAL VALLEY FLOOD PROTECTION BOARD

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October 8, 2020

Reclamation District 1001
c/o Thomas Engler, P.E.
1959 Cornelius Avenue
Rio Oso, CA 95674

Subject: Comments on the Draft Initial Study with Proposed Mitigated Negative Declaration for the Reclamation District 1001 Auxiliary Drainage Pump Station Project (SCH No. 2020099009)

Dear Mr. Engler,

Thank you for the opportunity to comment on the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Reclamation District 1001 Auxiliary Drainage Pump Station Project (proposed project). The proposed project, located in Sutter County, involves construction of a new auxiliary drainage pump station along the Natomas Cross Canal to provide backup water conveyance during flood conditions when the existing pump station is inoperable due to power outages. The project consists of the following improvements:

- Regrading of the Lateral 4 Channel from the south end of the existing culvert to the landside toe of the Natomas Cross Canal North Levee.
- Raising and widening of the Natomas Cross Canal North Levee to accommodate the new pump station discharge pipes and associated appurtenances (i.e. propane tanks), and to maintain levee crown access.
- Construction of two landside ramps and one waterside ramp to provide access to the proposed pump station and a proposed outfall structure from the levee crown.
- Construction of the pump station¹ at the south end of the Lateral 4 Channel at the landside toe of the Natomas Cross Canal North Levee, including a walkway to provide maintenance access.
- Placement of propane tanks on the levee crown with fuel lines running from the propane tanks to the power units.
- Construction of two 36-inch drainage discharge pipes that commence at the proposed pump station, cross the Natomas Cross Canal North Levee within the levee

¹ The pump station would consist of a steel frame structure with a concrete mattress foundation, two vertical turbine pumps, two propane power units, and associated appurtenances.

embankment, and end at a proposed concrete outfall structure at the waterside toe of the levee.

- Construction of a railcar bridge with a trash rack at the upstream end that would span the Lateral 4 Channel at a location just upstream of the proposed pump station.
- Grading of two irrigation ditches (west and east) to convey flows to the Lateral 4 Channel at a location upstream of the proposed railcar bridge. The proposed ditch alignments include 12-foot access roads. The remainder of the existing ditch located in between the proposed irrigation ditches and the pump station would be filled.

1.0 Responsibility of the Central Valley Flood Protection Board

The Central Valley Flood Protection Board (Board) is the State's regulatory agency responsible for ensuring appropriate standards are met for the construction, maintenance, and operation of the flood control system that protects life, property, and habitat in California's Central Valley. The Board serves as the State coordinator between the local flood management agencies, and the federal government, with the goal of providing the highest level of flood protection possible to California's Central Valley.

As required by California Code of Regulations, Title 23, Division 1 (Title 23), Section 6, approval by the Board is required for all proposed work or uses, including the alteration of levees within any area for which there is an Adopted Plan of Flood Control within the Board's jurisdiction. In addition, Board approval is required for all proposed encroachments within a floodway, on adjacent levees, and within any Regulated Stream identified in Title 23, Table 8.1. Specifically, Board jurisdiction includes the levee section, the waterward area between project levees, a minimum 10-foot-wide strip adjacent to the landward levee toe, the area within 30 feet from the top of bank(s) of Regulated Streams, and inside Board's Designated Floodways. Activities outside of these limits which could adversely affect Federal-State flood control facilities, as determined by Board staff, are also under the Board's jurisdiction. Permits may also be required for existing unpermitted encroachments or where it is necessary to establish the conditions normally imposed by permitting, including where responsibility for the encroachment has not been clearly established or ownership or uses have been changed. The Board received your encroachment permit application (T2020072) on July 1, 2020. Board staff is reviewing your application and the environmental documents and will contact you if additional information is needed.

Federal permits, including U.S. Army Corps of Engineers (USACE) Section 404 and Section 10 regulatory permits and Section 408 Permission, in conjunction with a Board permit, may be required for the proposed project. In addition to federal permits, State and local agency permits, certification, or approvals may also be required. State approvals may include, but are not limited to, California Department of Fish and Wildlife's Lake and Streamed Alteration Agreement and Regional Water Quality Control Board's Section 401 Water Quality Certification. The project proponent must obtain all authorizations that the proposed project may require.

2.0 Comments on the IS/MND

Pursuant to Section 15 of Title 23, the Board may deny an encroachment permit if the proposed project could:

- Jeopardize directly or indirectly the physical integrity of levees or other works;
- Obstruct, divert, redirect, or raise the surface level of design floods or flows, or the lesser flows for which protection is provided;
- Cause significant adverse changes in water velocity or flow regimen;
- Impair the inspection of floodways or project works;
- Interfere with the maintenance of floodways or project works;
- Interfere with the ability to engage in flood fighting, patrolling, or other flood emergency activities;
- Increase the damaging effects of flood flows;
- Be injurious to, or interfere with, the successful execution, functioning, or operation of any adopted plan of flood control; or
- Adversely affect the State Plan of Flood Control, as defined in the California Water Code.

As a responsible agency under the California Environmental Quality Act (CEQA), the Board requires adequate information to evaluate the flood impacts of the project. We appreciate the IS/MND discussion summarizing the results of the Hydraulic Analysis Report prepared for the proposed project. Board staff will review the report, along with other documents submitted in support of your application to determine if the proposed project could result in any potential impacts listed above. This includes direct impacts to facilities under construction, as well as indirect impacts from the project to surrounding facilities.

The Biological Resources section of the IS/MND notes that large diameter trees may be removed during project construction. California Code of Regulations, Title 23, Section 131 provides the regulatory requirements for maintenance, planting, and removal of vegetation. Specifically, Section 131(l) of the California Code of Regulations states that "trees removed from the levee and from within ten feet of the levee shall have all roots larger than 1 ½ inches in diameter removed for a distance of at least 3 feet from the tree trunk at ground level and the hole filled with impervious soil compacted in 4-6 inch lifts." In addition, it is recommended that you refer to California Code of Regulations, Title 23, Section 131 when completing restoration work. If onsite restoration is required, please contact Board staff to ensure that any planting plans and vegetation maintenance schedules that have been developed are included in your encroachment permit application documents.

Under Impact (b) of the Geology and Soils section it is noted that rock slop protection will be placed around the pump station as a method to reduce erosion. It is recommended that you refer to California Code of Regulations, Title 23, Section 121 to ensure the methods meets the Board's standards.

Board staff is available to discuss any questions you have regarding the above comments. Please contact Jennifer Calles via email at Jennifer.Calles@CVFlood.ca.gov if you have any questions.

Sincerely,

Andrea Buckley

Andrea Buckley
Environmental Services and Land Management Branch Chief

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