

**Meeting of the Central Valley Flood Protection Board  
May 16, 2008**

**Draft Staff Report  
DWR Floodway Protection Section**

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Item

Application No. 18196 requesting Central Valley Flood Protection Board approval of an encroachment permit (Attachment A) to install a pre-manufactured 10- by 17-foot concrete restroom and septic system on the left (east) bank overflow area of Steamboat Slough.

Applicant

Sacramento County Regional Parks

Location

The project is located west of Walnut Grove and west of Grand Island Road on Hogback Island within Steamboat Slough in Sacramento County (see Attachment B).

Description

The applicant wishes to install a pre-manufactured 10- by 17-foot concrete restroom and septic system on the left (east) bank overflow area of Steamboat Slough.

Agency Comments and Endorsements:

- The U. S. Army Corps of Engineers has endorsed this application (Permit Exhibit A).
- Reclamation District 3 has endorsed this application (Permit Exhibit B).

CEQA Compliance:

Sacramento County, Department of Environmental Review and Assessment, as lead agency under CEQA, determined that the project was exempt under Class 1 Section 15301 (existing facilities), Class 3 Section 15303 (new construction of small structures) and Class 4 Section 15304 (minor alterations to land) categorical exemptions. Board staff concur with the County's findings.

Section 8610.5 Compliance

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on the entire State Plan of Flood Control:

This project has no effects on the State Plan of Flood Control.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

None.

Staff Recommendation

Staff recommends that the Board find the project to be exempt from CEQA and to approve the permit.

List of Attachments

- A. Permit
- B. Location Maps and Photos

**DRAFT**

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
**CENTRAL VALLEY FLOOD PROTECTION BOARD**

**PERMIT NO. 18196 BD**

**This Permit is issued to:**

Sacramento County Regional Parks  
3711 Branch Center Road  
Sacramento, California 95827

To install a pre-manufactured 10- by 17-foot concrete restroom and septic system on the left (east) bank overflow area of Steamboat Slough. The project is located west of Walnut Grove and west of Grand Island Road on Hogback Island (Section 12, T4N, R3E, MDB&M, Reclamation District 3, Steamboat Slough, Sacramento County).

**NOTE:** Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project described above.

**(SEAL)**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Executive Officer

**GENERAL CONDITIONS:**

**ONE:** This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

**TWO:** Only work described in the subject application is authorized hereby.

**THREE:** This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

**FOUR:** The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and the Central Valley Flood Protection Board.

**FIVE:** Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of the Central Valley Flood Protection Board.

**SIX:** This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 day's notice.

**SEVEN:** It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

**EIGHT:** This permit does not establish any precedent with respect to any other application received by the Central Valley Flood Protection Board.

**NINE:** The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

**TEN:** The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

**ELEVEN:** The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

**TWELVE:** Should any of the work not conform to the conditions of this permit, the permittee, upon order of the Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

#### **SPECIAL CONDITIONS FOR PERMIT NO. 18196 BD**

**THIRTEEN:** All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

**FOURTEEN:** The permittee shall maintain the permitted encroachment(s) and the project works within the utilized area in the manner required and as requested by the authorized representative of the Department of Water Resources, Reclamation District No. 3 or any other agency responsible for maintenance.

**FIFTEEN:** The permittee shall contact the Department of Water Resources by telephone, (916) 574-1213, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project.

**SIXTEEN:** The Central Valley Flood Protection Board, Department of Water Resources, and Reclamation District No. 3 shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.

**SEVENTEEN:** The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.

**EIGHTEEN:** The permittee should contact the U.S. Army Corps of Engineers, Sacramento District,

Regulatory Branch, 1325 J Street, Sacramento, California 95814, telephone (916) 557-5250, as compliance with Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act may be required.

NINETEEN: The permittee shall be responsible for repair of any damages to the project levee and other flood control facilities due to construction, operation, or maintenance of the proposed project.

TWENTY: The permittee is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend and hold harmless the State of California, or any departments thereof, from any liability or claims of liability associated therewith.

TWENTY-ONE: If the project, or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of the Central Valley Flood Protection Board and Department of Water Resources, at the permittee's or successor's cost and expense.

TWENTY-TWO: The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for operation or maintenance of the flood control project to interfere, the permittee shall be required, at permittee's cost and expense, to modify or remove the permitted encroachment(s) under direction of the Central Valley Flood Protection Board or Department of Water Resources. If the permittee does not comply, the Central Valley Flood Protection Board may modify or remove the encroachment(s) at the permittee's expense.

TWENTY-THREE: No construction work of any kind shall be done during the flood season from November 1 to April 15 without prior approval of the Central Valley Flood Protection Board.

TWENTY-FOUR: Cleared trees and brush shall be completely burned or removed from the floodway, and downed trees or brush shall not remain in the floodway during the flood season from November 1 to April 15.

TWENTY-FIVE: Stockpiled material, temporary buildings, or equipment shall not remain in the floodway during the flood season from November 1 to April 15.

TWENTY-SIX: Above ground structures shall not be constructed within 65 feet or more than 150 feet from the centerline of the levee.

TWENTY-SEVEN: Septic tanks, leach lines, domestic wells, and appurtenant structures shall be located 65 feet or more from the centerline of the levee.

TWENTY-EIGHT: If damage to the structure exceeds 50 percent of its market value within a 10-year period, the structure cannot be rebuilt or replaced without approval of the Central Valley Flood Protection Board. If the structure is not repaired or replaced, the remaining portion must be completely removed from the floodway prior to the next flood season.

TWENTY-NINE: The proposed structure shall be properly anchored to prevent floatation into the floodway in the event of high water.

THIRTY: The proposed structure shall not be used for human habitation.

THIRTY-ONE: The permittee acknowledges that the proposed structure is located within the Steamboat Slough floodway and is subject to periodic flooding.

THIRTY-TWO: The project site shall be restored to at least the condition that existed prior to commencement of work.

THIRTY-THREE: All debris generated by this project shall be disposed of outside the floodway and off the levee section.

THIRTY-FOUR: Debris that may accumulate on the permitted encroachment(s) and related facilities shall be cleared off and disposed of outside the floodway after each period of high water.

THIRTY-FIVE: In the event that levee, channel or bank erosion injurious to the adopted plan of flood control occurs at or adjacent to the permitted encroachment(s), the permittee shall repair the eroded area and propose measures, to be approved by the Central Valley Flood Protection Board, to prevent further erosion.

THIRTY-SIX: If the permitted encroachments result(s) in an adverse hydraulic impact, the permittee shall provide appropriate mitigation measures, to be approved by the Central Valley Flood Protection Board, prior to implementation of mitigation measures.

THIRTY-SEVEN: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated April 21, 2008, which is attached to this permit as Exhibit A and is incorporated by reference.



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO, CALIFORNIA 95814-2922

Flood Protection and Navigation Section (18196)

**APR 21 2008**

Mr. Jay Punia, Executive Officer  
Central Valley Flood Protection Board  
State of California  
3310 El Camino Avenue, Room LL40  
Sacramento, California 95821

Dear Mr. Punia:

We have reviewed an application for a permit by Sacramento County Regional Parks (Reclamation Board Number 18196). These plans include installing a pre-manufactured 10- by 17-foot concrete restroom and a septic system on the left (east) bank overflow area of Steamboat Slough, in Section 12, Township 4 North, Range 3 East, M.D.B. & M. Survey, Sacramento County, California.

The District Engineer has no objection to approval of this application by your Board from a flood control standpoint subject to the following conditions:

- a. That no work shall be performed and no stockpiles of material, equipment or temporary buildings shall remain in the floodway during the flood season of November 1 to April 15.
- b. That in the event trees and brush are cleared, they shall be properly disposed of outside the limits of the project works.
- c. That the project area shall be restored to at least the same condition as existed prior to commencement of the proposed work.
- d. That all facilities, materials or equipment stored within the floodway must be securely anchored or removed prior to the flood season to prevent flotation into the floodway during periods of high water.
- e. That the proposed features shall not interfere with the integrity of the flood damage reduction project, hydraulic capacity, easement access, or interfere with maintenance, inspection, and flood fight procedures.
- f. That the proposed restroom shall be positioned with the 17-foot side of the structure parallel to the direction of flow.

There is not enough information provided to determine if there is a permit action under the Section 10 and/or Section 404 permits process. Please advise the applicant to contact the U.S. Army Corps of Engineers, Sacramento District, Regulatory Division, 1325 J Street, Sacramento, California 95814, telephone (916) 557-5250.

If you have any questions concerning our comments on this permit application, please contact Ms. Paige Caldwell at (916) 557-6903 or Mr. Robert Murakami at (916) 557-6738.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Knuuti". The signature is fluid and cursive, with a prominent initial "K".

Kevin Knuuti, P.E.  
Chief, Engineering Division

Copy Furnished:

Mr. Jeremy Arrich, Chief, Flood Project Integrity and Inspection Branch,  
3310 El Camino Avenue, Suite LL30, Sacramento, CA 95821

APPLICATION FOR A RECLAMATION BOARD ENCROACHMENT PERMIT

Application No. \_\_\_\_\_ (For Office Use Only)

1. Description of proposed work:

Installation of prefabricated, reinforced concrete restroom building and septic system to replace existing portable toilets.

2. Location: Walnut Grove, CA 95690, Sacramento County, in Section N/A,

Township: 5N (N) (S), Range 4E (W), M. D. B. & M.

3. Sacramento County Regional Parks of 3711 Branch Center Rd.  
Name of Applicant Address

Sacramento  
City

CA  
State

95827  
Zip Code

(916) 875-4162  
Telephone Number

(916) 875-6050  
Fax Number

4. Endorsement: (of Reclamation District)

We, the Trustees of Reclamation District #3  
Name and District Number

approve this plan, subject to the following conditions:

Conditions listed on back of this form

Conditions Attached

No Conditions

[Signature]  
Trustee

5-16-07  
Date

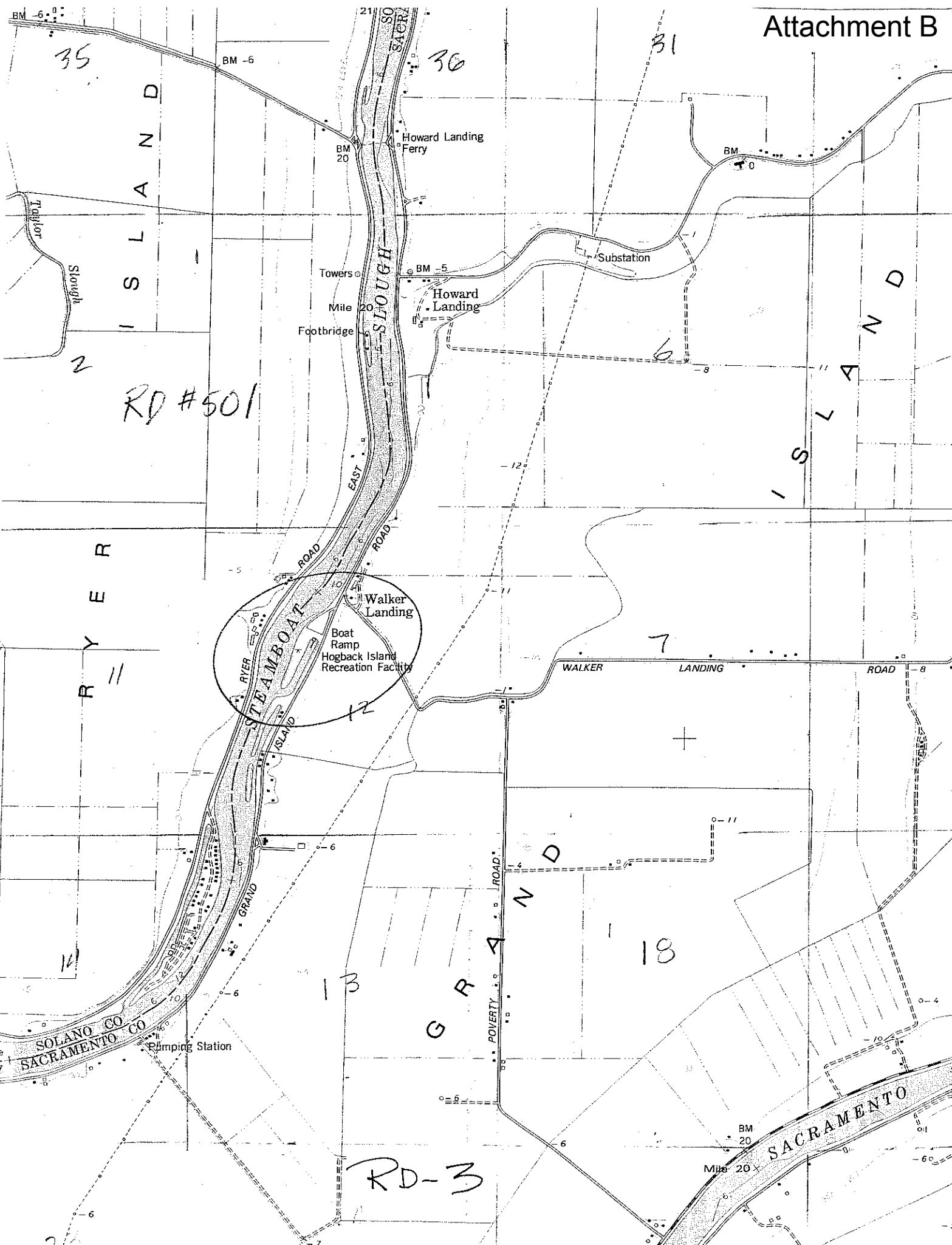
Charles McDowell 5/16/07  
Trustee Date

5. Names and addresses of adjacent property owners sharing a common boundary with the land upon which the contents of this application apply. If additional space is required, list names and addresses on back of the application form or an attached sheet.

Arellano Adhemar/Maria Enriqueta  
Name

5555 Coral Creek Wy, Elk Grove, CA  
Address

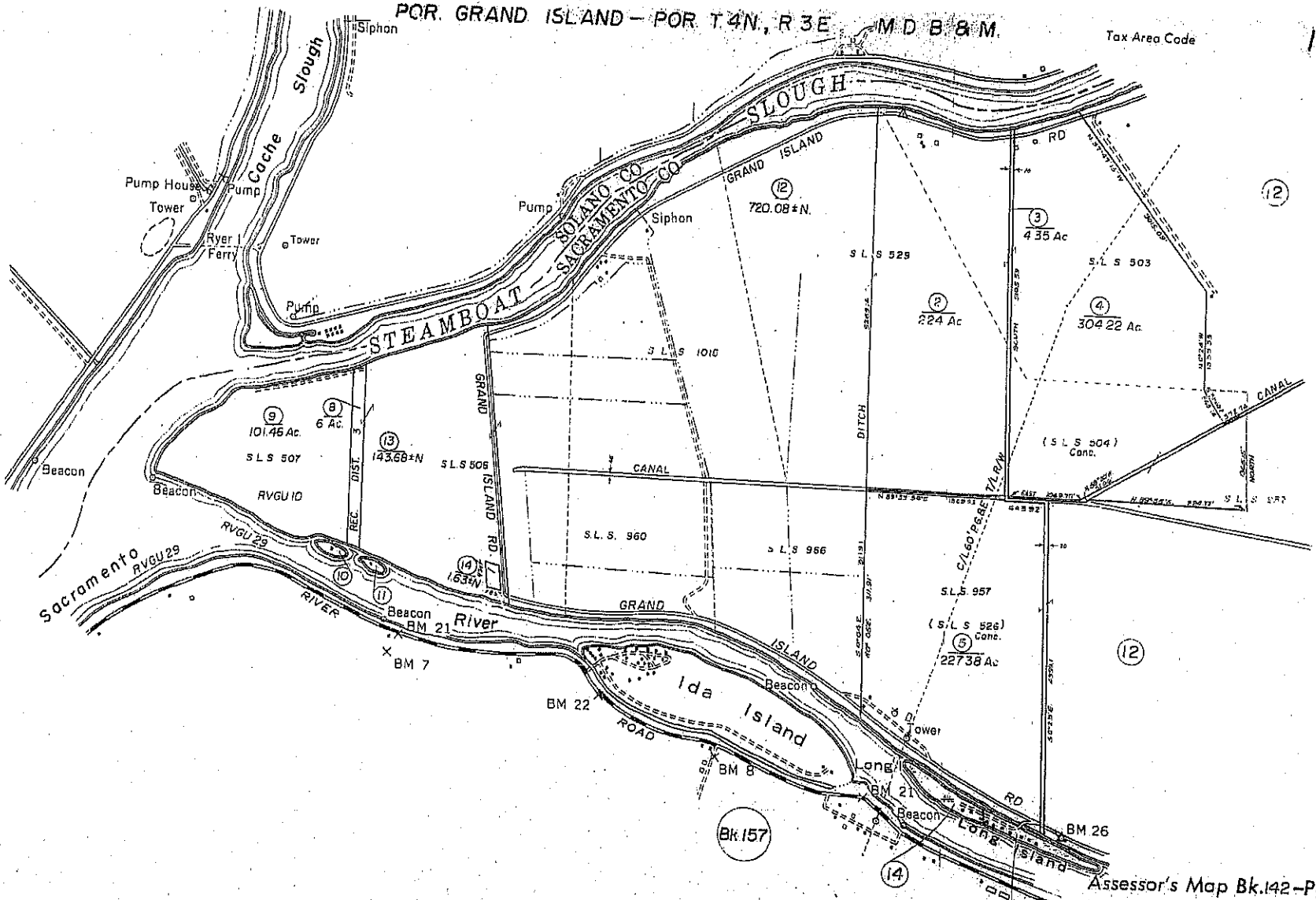
95758  
Zip Code



POR. GRAND ISLAND - POR. T. 4N., R. 3E., M. D. B. 8 M.

Tax Area Code

142-13



NOTE - Assessor's Block Numbers Shown in Ellipses  
 Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 142 - Pg. 13  
 County of Sacramento, Calif.

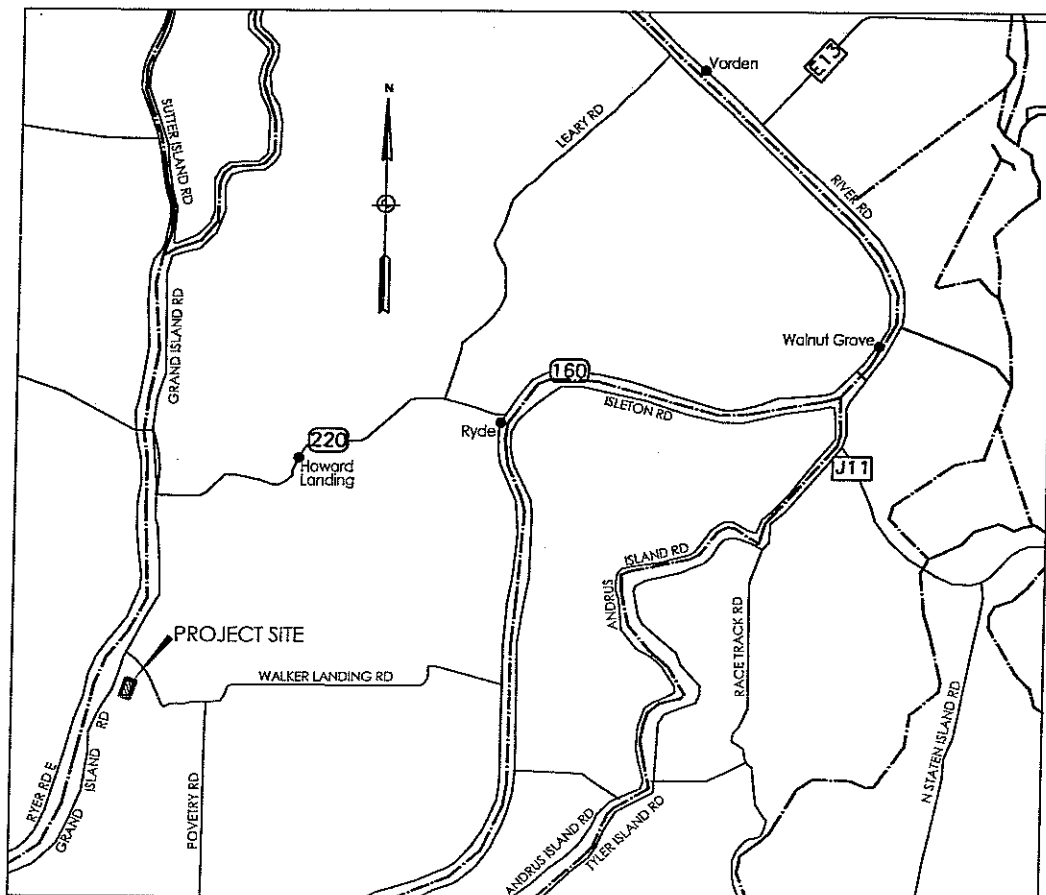
HOGBACK ISLAND FISHING  
CHEMICAL TOILET REPLACE  
ARCHITECTURAL SERVICE  
COUNTY OF SACRAMENTO

FEBRUARY, 2007

CONTRACT NO. 93228

SHEET INDEX

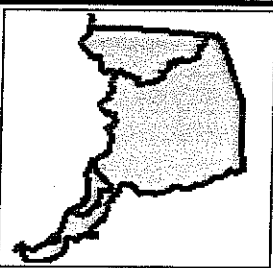
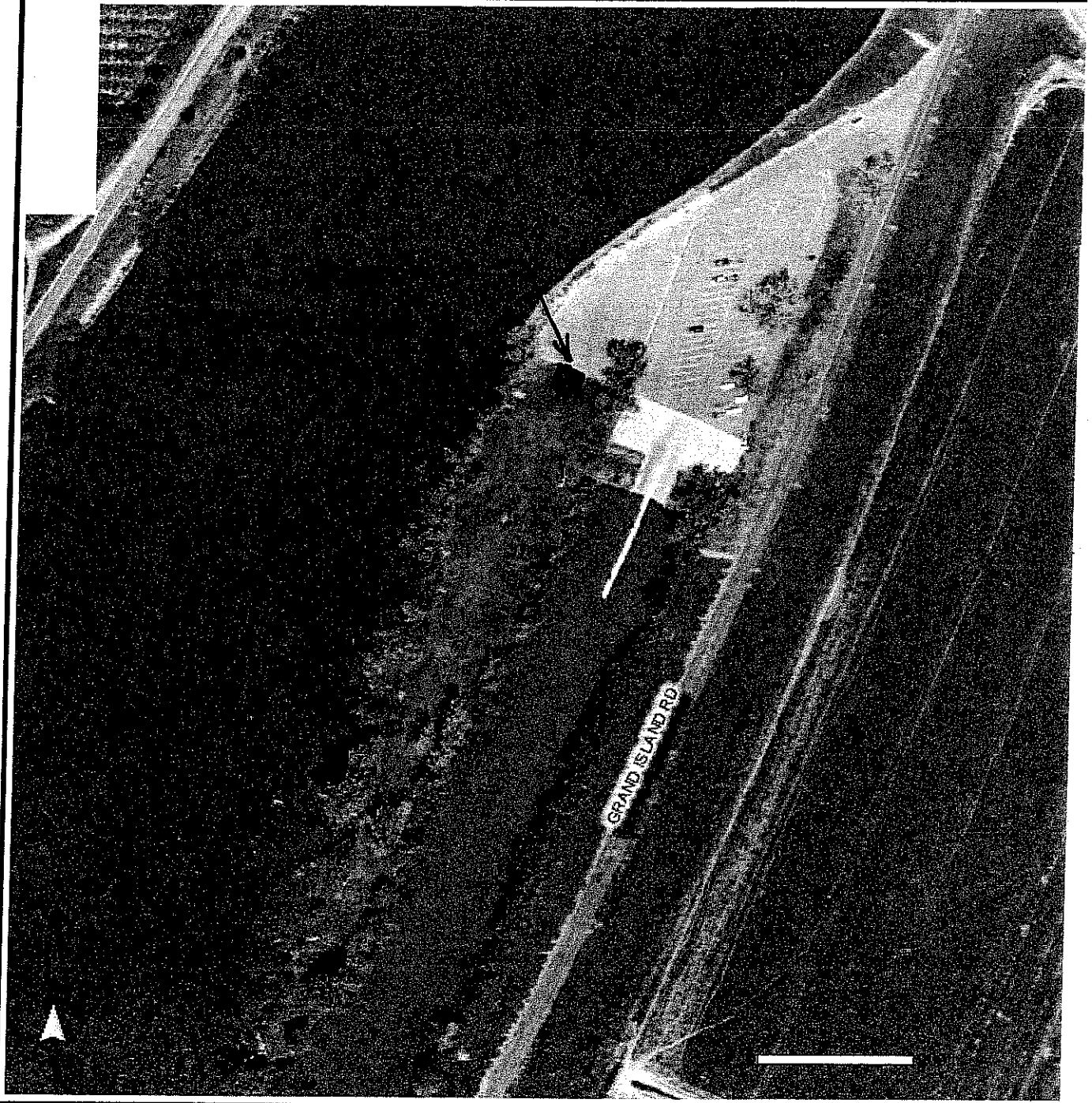
- 1 T-1 TITLE SHEET
- 2 C-1 SITE PLAN





VICINITY MAP



NOT TO SCALE

County of Sacramento



2004 Color  
Photograph-  
y

 Rivers  
 Parcels

 Street  
Centerlines  
 Streets