

STATE OF CALIFORNIA
THE RESOURCES AGENCY
THE RECLAMATION BOARD

PERMIT NO. 18090 GM

This Permit is issued to:

Three Rivers Levee Improvement Authority
915 8th Street Suite 115
Marysville, California 95901

To authorize four existing 42-inch-diameter HDPE discharge pipes; construct an 8-inch-thick concrete cap over the discharge pipes within the crown of levee; and place approximately 20 linear feet of riprap within the pumping plant discharge channel in the right bank overflow area of Bear River. The project is located south of Marysville, west of Highway 70, and north of Feather River Blvd (Section 17, T13N, R4E, MDB&M, Reclamation District 784, Bear River, Yuba County).

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

(SEAL)

Date:

11/3/06

Jay S. Pavia
General Manager

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 Reclamation 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 Reclamation 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 days' 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 Reclamation 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 Reclamation 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. 18090 GM

THIRTEEN: Prior to construction, the permittee shall provide the Sacramento and San Joaquin Drainage District, acting by and through The Reclamation Board of the State of California, a permanent easement granting all flood control rights upon, over and across the property to be occupied by the existing or to-be-reconstructed levee. The easement must include the area within the floodway, the levee section and the area ten (10) feet in width adjacent to the landward levee toe if the area is not presently encumbered by a Reclamation Board easement. Where the area adjacent to the landward levee toe is owned by the permittee or its member agencies, the easement shall be the width of the property or fifty (50) feet, which ever is greater. For information regarding existing Reclamation Board easements and required easements, please contact Jeffery Fong at (916) 657-2831.

FOURTEEN: 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 Reclamation Board.

FIFTEEN: 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 or any other agency responsible for maintenance.

SIXTEEN: 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.

SEVENTEEN: The Reclamation Board and Department of Water Resources shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.

EIGHTEEN: 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 Reclamation Board may remove the encroachment(s) at the permittee's expense.

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 Reclamation Board and Department of Water Resources, at the permittee's or successor's cost and expense.

TWENTY-TWO: Upon completion of the project, the permittee shall submit as-built drawings to: Department of Water Resources, Flood Project Inspection Section, 3310 El Camino Avenue, Suite LL30, Sacramento, California 95821.

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 Reclamation Board.

TWENTY-FOUR: 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 Reclamation Board or Department of Water Resources. If the permittee does not comply, The Reclamation Board may modify or remove the encroachment(s) at the permittee's expense.

TWENTY-FIVE: High-density polyethylene pipe may be used for pipeline or conduit installations provided the following conditions are met: (a) high-density polyethylene pipeline or conduit joints must be heat or electrofusion welded (ASTM Standard F1055-93, dated 1993 or D3261-93, dated 1993), (b) high-density polyethylene pipelines and conduits shall be designed to resist all anticipated loading conditions and the design calculations must be submitted to the Board for approval, and (c) high-density polyethylene pipelines and conduits must be ultraviolet radiation protected.

TWENTY-SIX: The pipelines shall be tested and confirmed free of leaks by X-ray, pressure tests, or other approved methods during construction or anytime after construction upon request by The Reclamation Board.

TWENTY-SEVEN: The invert of the pipelines through the levee section shall be above the design

food plane elevation of 57.9 feet, but no higher than 58.0 feet, NGV Datum.

TWENTY-EIGHT: All pipe joints within the levee section shall be electrofusion butt welded.

TWENTY-NINE: The permittee shall ensure that all pipe joints are watertight.

THIRTY: Pipes and joints shall be designed to withstand all anticipated loading conditions. Minimum design load conditions to be evaluated shall be 68,000 pounds from two consecutive sets of tandem axes.

THIRTY-ONE: The pipes shall be buried at least 12 inches below the waterward levee slope.

THIRTY-TWO: Backfill material for excavations within the levee section and within 10 feet of the levee toes shall be placed in 4- to 6-inch layers, moisture conditioned above optimum moisture content, and compacted to a minimum of 90 percent relative compaction as measured by ASTM Method D1557-91.

THIRTY-THREE: Density tests by a certified materials laboratory will be required to verify compaction of backfill within the levee section and within 10 feet of the levee toes.

THIRTY-FOUR: A positive-closure device for each pipe that is readily accessible during periods of high water shall be installed on the waterward side of the levee.

THIRTY-FIVE: A suitable siphon breaker and protective housing shall be installed on the apex of each pipe and shall be located off the levee patrol road.

THIRTY-SIX: A flap gate shall be installed on the waterward end of each pipe.

THIRTY-SEVEN: Revetment shall be uniformly placed and properly transitioned into the discharge channel bank or adjacent revetment and in a manner which avoids segregation.

THIRTY-EIGHT: The revetment shall not contain any reinforcing steel, floatable, or objectionable material. Asphalt or other petroleum-based products may not be used as fill or erosion protection on the levee section or within the floodway.

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

FORTY: The permittee shall replant or reseed the levee slopes to restore sod, grass, or other non-woody ground covers if damaged during project work.

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

FORTY-TWO: If the permitted encroachments result(s) in an adverse hydraulic impact, the permittee shall provide appropriate mitigation measures, to be approved by The Reclamation Board, prior to implementation of mitigation measures.

FORTY-THREE: 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.

FORTY-FOUR: In the event that levee 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 Reclamation Board, to prevent further erosion.

FORTY-FIVE: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated September 22, 2006, 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
1326 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

EXHIBIT - A

September 22, 2006

Navigation and Flood Control Unit (18090)

Mr. Jay Punia, General Manager
The Reclamation Board
State of California
3310 El Camino Ave., Rm. LL40
Sacramento, California 95821

Dear Mr. Punia:

We have reviewed an application for a permit by Three Rivers Levee Improvement Authority (Reclamation Board Number 18090). These plans cover enlarging an existing pump station by 11.3-feet in length, replacing four existing 20 cfs pumps with four 67 cfs pumps, placing approximately 20-linear-feet of riprap within the channel and placing an 8-inch concrete cap on the crown of the right (north bank levee of Bear River). The project is located south of Marysville, west of Highway 70 and north of Feather River Boulevard, in Section 17, Township 13 North, Range 4 East, M.D.B. & M. Survey, Yuba 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 excavation shall be made or remain in the project levee and channel during the flood season of November 1 to April 15, unless otherwise approved in writing by your Board.
- b. That in the event trees and brush are cleared, they shall be properly disposed of either by complete burning or complete removal outside the limits of the project works.
- c. That after each period of high-water, all debris caught by the pump station must be cleared and disposed of outside the limits of the floodway and levee section.
- d. That in the event levee or bank erosion injurious to the adopted plan of flood control occurs at or adjacent to the pump station, the permittee of the facility is responsible for the repair of the eroded area, and for the placement of adequate revetment to prevent further erosion.
- e. That the project levee section shall be restored to at least the same condition as existed prior to commencement of the proposed work.
- f. That the proposed bank protection work shall be placed uniformly and properly transitioned into the natural bank.

EXHIBIT - A

g. That the proposed work shall not change the streamflow velocity in such a way that might cause damage to the existing waterside levee nor reduce the channel flow capacity.

h. That no equipment or stockpiling of material shall be placed within a distance of 10-feet from the project levee toes.

i. That the proposed concrete cap shall be uniformly and properly transitioned into the adjacent levee crown.

A file number 200400685 has been opened because a Section 10 and/or Section 404 permit may be required. Please advise the applicant to contact the U.S. Army Corps of Engineers, Sacramento District, Regulatory Branch, 1325 J. Street, Sacramento, California 95814, telephone (916) 557-5250.

If you have any questions concerning our comments on this permit application, please contact Mr. Mohsen Tavara at (916) 557-5282 or Mr. Bob Murakami at (916) 557-8738.

Sincerely,



Michael D. Mahoney, P.E.
Chief, Construction-Operations Division

CF:

Mr. Tirath Pal Sandhu, Chief, Flood Project Integrity and Inspection Branch, 3310 El Camino Ave., Suite LL30, Sacramento, CA 95821