

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. LL40
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-0653 FAX: (916) 574-0682

**RECEIVED**

MAR 05 2010

MAR 3 - 2010

Permit No. 18204 BD

TRLIA

Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 218
Marysville, California 95901

Enclosed is your approved Central Valley Flood Protection Board Encroachment Permit Conditions.

Under the Standard General Condition Four (4) of the permit, you are required to accomplish the work under direction and supervision of the Department of Water Resources; therefore, you must advise the Department at 3310 El Camino Avenue, Sacramento, California 95821, attention Lorraine Pendlebury, telephone (916) 574-0609, at least ten days prior to starting your project. An addressed postcard is enclosed for your convenience.

Please note that the permit grants the work proposed in your application. This permit, in addition to the twelve (12) standard conditions, includes special conditions, which may place limitations on or require modifications to your project. You are advised to read all conditions prior to starting the project. Commencing any work under this permit shall constitute an acceptance of the provisions of the permit and an agreement to perform accordingly. This permit does not relieve you from the responsibility for obtaining authorization from any State, local, or federal agencies for your proposed project.

Please refer to your permit number when communicating with this office. For further information, contact Michael Petersen at (916) 574-0685.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Yego".

FOA Jon Yego, Chief
Floodway Protection Section
Division of Flood Management

Enclosure

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

PERMIT NO. 18204 BD

This Permit is issued to:

Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 218
Marysville, California 95901


To authorize existing 0.8 acre detention basin and drainage channels along the toe of approximately 1,100 linear feet of seepage berm on the landside slope of the left (south) bank levee of the Yuba River. The project is located south of Marysville, east of Highway 70 and north of N Beale Road (Section 24, T15N, R3E, MDB&M, Reclamation District 784, Yuba River, Yuba County).

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

(SEAL)

MAR 3 - 2010

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

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 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. 18204 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. 784 or any other agency responsible for maintenance.

FIFTEEN: The Central Valley Flood Protection Board, Department of Water Resources, and Reclamation District No. 784 shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.

SIXTEEN: 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.

SEVENTEEN: 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.

EIGHTEEN: 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.

NINETEEN: 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: 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-ONE: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated January 28, 2010, 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

January 28, 2010

Flood Protection and Navigation Section (18204)

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

Dear Mr. Punia:

We have reviewed a permit application by the Three Rivers Levee Improvement Authority (application number 18204). This project includes authorizing an existing 0.8 acre detention basin and drainage channels along the toe of approximately 1,100 linear feet of seepage berm on the landside slope of the left (south) bank levee of the Yuba River. The project is located south of Marysville, east of Highway 70 and north of North Beale Road, at 39.1292°N 121.5808°W NAD 83, Yuba County, California.

The District Engineer has no objection to approval of this application by your Board from a flood control standpoint. Should any additional work become necessary (e.g., relief wells), the applicant shall submit a new application for the Board's consideration.

Based upon the information provided, no Section 10 or Section 404 permit is needed.

A copy of this letter is being furnished to Mr. Jeremy Arrich, Chief, Flood Project Integrity and Inspection Branch, 3310 El Camino Avenue, Suite LL30, Sacramento, CA, 95821.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Knuuti".

Kevin Knuuti, P.E.
Chief, Engineering Division