

**Meeting of the Central Valley Flood Protection Board
May 26, 2011**

Staff Report – Encroachment Permit

**Verona Village River Resort
Sewer Pipe; Sutter County**

1.0 – ITEM

Consider approval of Permit No. 18643 to install a 3-inch diameter steel sewer pipe through the left (east) bank levee of the Sacramento river at the intersection of Garden Highway and Sankey Road. (Attachment B)

2.0 – APPLICANT

Verona Village River Resort

3.0 – LOCATION

The project is located north of Sacramento at the intersection of Garden Highway and Sankey Road. (Sacramento River, Sutter County, see Attachment A)

4.0 – DESCRIPTION

Applicant proposes to install (trench) a 3-inch-diameter steel pipe through the left (east) bank levee of the Sacramento River.

5.0 – PROJECT ANALYSIS

The existing RV park and marina recreation area has a leach field for their sewage system, which is located on the waterside of the Sacramento River East Levee. As part of the American Basin Fish Screen and Habitat Improvement Plan, the new Sankey Diversion will be constructed in the location of the existing leach field. Thus, a new sewage treatment system will be required for the Verona Village River Resort. The new drain field (mound system) and pressured force main will be constructed concurrently with the Sankey Diversion.

The new drain field for Verona Village will be constructed on the landside of the levee in an existing agricultural field and consists of two adjacent 4,576 SF pressurized drain fields, each with four cells, approximately four feet in elevation above the existing grade. The total drain field area is approximately 0.5 acres. A second area of approximately 0.3 acres will be set aside as a reserve for future needs. Approximately 815 linear feet of new three-inch-diameter steel pressurized force main will connect an existing 2,500 gallon holding tank on the waterside of the levee to the new drain field. The new pipe will tie into existing force main on the waterside of the levee just south of the existing tank and cross the Garden Highway. Approximately 100 feet beyond the levee toe, the pipe will turn 90 degrees and run parallel to Garden Highway on the landside connecting to the new drain field. The Garden Highway crossing and the connection to the new drain field will be constructed via open trenching. The pipe crossing under the existing Garden Highway will be installed having a minimum of two feet of cover over the pipe, and installed above the 200-year flood elevation with a minimum of two feet of cover under the new levee patrol road.

The location of the Garden Highway crossing is near the new access driveway for the Sankey Diversion. Construction of the drain field and force main will be concurrent with the construction of the new Sankey Diversion pipe crossing and access road. Therefore, the construction of the force main would not require a second disturbance of the Garden Highway.

As this permit only addresses the proposed three-inch-diameter steel force main from the aforementioned tie in point on the waterside of the levee to a point approximately sixty feet landward (east) from the landward toe of the levee, Board staff has concluded the proposed project is Title 23 compatible.

5.1 – Hydraulic Analysis

A Hydraulic Analysis is not required as the proposed project will have no impact to the floodway.

5.2 – Geotechnical Analysis

A Geotechnical Analysis is not required for this project as the work is minor trenching.

6.0 – AGENCY COMMENTS AND ENDORSEMENTS

The comments and endorsements associated with this project, from all pertinent agencies are shown below:

- Reclamation District No. 1000 endorsed this project on October 1, 2010 with comments. The comments will be incorporated into the permit as Exhibit A.
- The U. S. Army Corps of Engineers 208.10 comment letter. has not yet been received for this application. Upon receipt of a favorable letter and review by Board staff the letter will be incorporated into the permit as Exhibit B.

7.0 – CEQA ANALYSIS

Board staff has prepared the following CEQA determination:

The Board, acting as the CEQA lead agency, has determined that the project is categorically exempt from CEQA under a Class 2 Categorical Exemption (CEQA Guidelines Section 15302) covering replacement or reconstruction of existing structures.

8.0 – SECTION 8610.5 CONSIDERATIONS

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:

There are no effects on the entire 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:

There should be no impacts to the proposed project as the work will be in a newly constructed flood control project with future events considered.

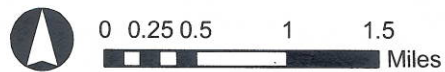
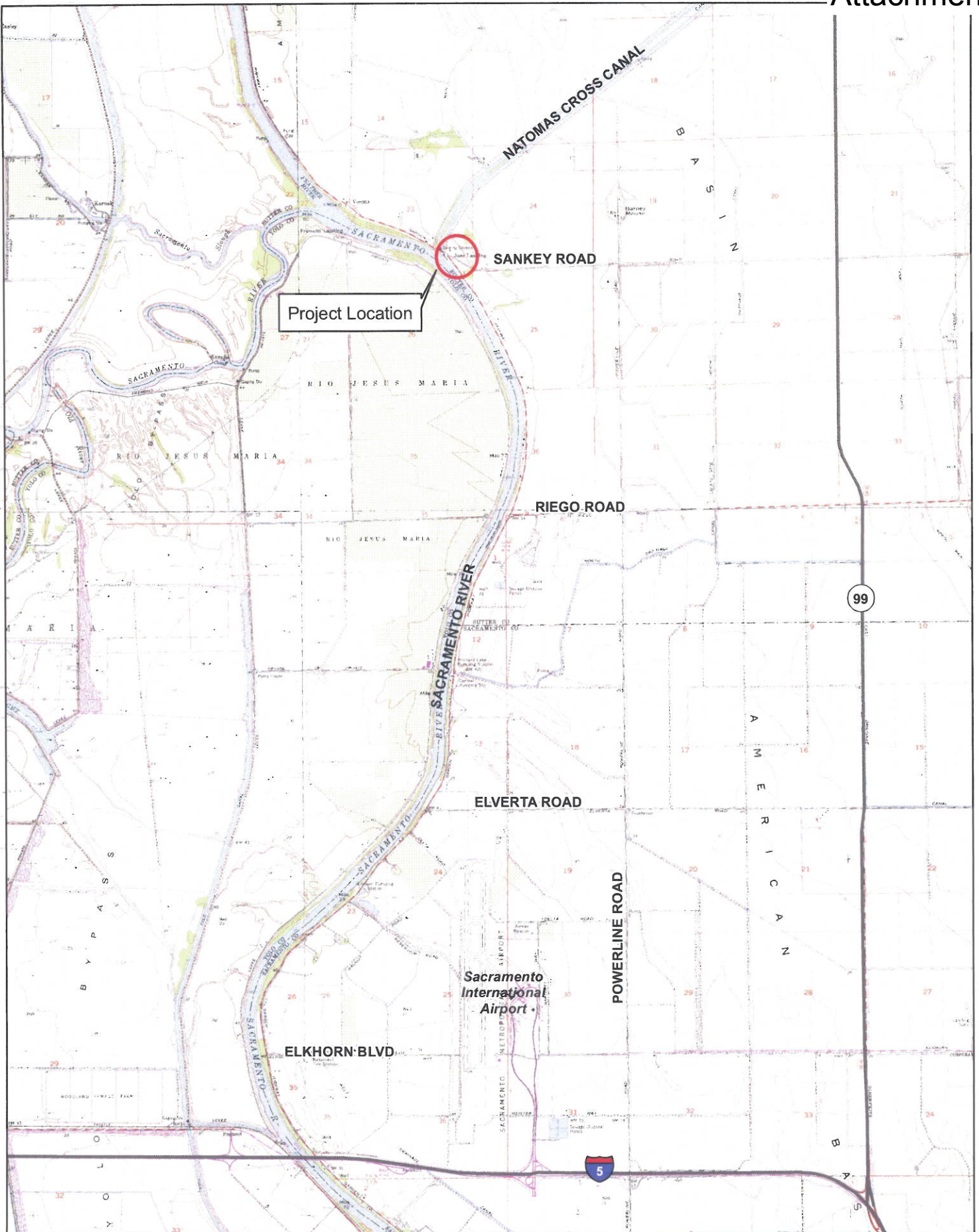
9.0 – STAFF RECOMMENDATION

Staff recommends that the Board determine the project to be exempt from CEQA, approve Permit No. 18643 conditioned upon receipt of a USACE 208.10 letter of determination confirming that the Corps has no objection to the project, and direct the Executive Officer to take necessary actions to execute the permit.

10.0 – LIST OF ATTACHMENTS

- A. Location Maps and Photos
- B. Draft Permit No. 18643
- C. Drawings

Design Review:	Steve Dawson
Environmental Review:	James Herota
Document Review:	Mitra Emami P.E., Len Marino P.E., Curt Taras, PE



Project Vicinity Map
 Verona Village River Resort On-Site Sewage System
 November 25, 2009



Photograph 1. Looking west at proposed pipe crossing location across Sacramento River East Levee towards Verona Village Resort and Marina.



Photograph 2. Looking east across Garden Highway and Sacramento River East Levee at location of proposed pipe crossing.



Photograph 3. Looking east across Garden Highway and Sacramento River East Levee at location of proposed pipe crossing in to landside field where mound system will be located.

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

PERMIT NO. 18643 BD

This Permit is issued to:

Verona Village River Resort
6985 Garden Highway
Nicolaus, California 95659

To install (trench) a 3-inch-diameter steel sewer pipe through the left (east) bank levee of the Sacramento River. The project is located north of Sacramento at the intersection of Garden Highway and Sankey Road (Section 23, T11N, R3E, MDB&M, Reclamation District 1000, Sacramento River, Sutter 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)

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. 18643 BD

THIRTEEN: If the construction project extends onto land owned in fee and/or easement by the Sacramento and San Joaquin Drainage District acting by and through the Central Valley Flood Protection Board (Board), the permittee should secure an easement, license, or temporary entry permit from the Board prior to commencement of work. Contact Angelica Aguilar at (916) 653-5782.

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 Central Valley Flood Protection 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, Reclamation District No. 1000 or any other agency responsible for maintenance.

SIXTEEN: The permittee shall contact the Department of Water Resources by telephone, (916) 574-0609, 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 Central Valley Flood Protection Board, Department of Water Resources, and Reclamation District No. 1000 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 Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.

NINETEEN: 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.

TWENTY: 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-ONE: The permittee is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California; including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

TWENTY-TWO: The permittee shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California, including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages related to the Central Valley Flood Protection Board's approval of this permit, including but not limited to claims filed pursuant to the California Environmental Quality Act. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

TWENTY-THREE: 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-FOUR: 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 256, Sacramento, California 95821.

TWENTY-FIVE: 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-SIX: 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-SEVEN: At all times during construction, at least one lane of the levee crown roadway shall be kept clear for vehicular access.

TWENTY-EIGHT: The portion of the force main that runs parallel to the landward levee toe shall be placed a minimum of fifty feet from the landward levee toe outside of the Board's easement area.

TWENTY-NINE: The pipe shall be placed in the center of an open trench 2 feet wider than the diameter of the pipe.

THIRTY: Pipe installed in the levee section and within 10 feet of the levee toes shall be new steel and at least 10 gauge. Steel pipe shall be corrosion-proofed externally with a coating of coal-tar enamel; asphalt-saturated felt wrap; cement mortar; or PVC or polyethylene tape wrapped to a thickness of 30 mils. Steel pipe shall be corrosion-proofed internally with a continuous lining of cement mortar, asphalt or epoxy resin.

THIRTY-ONE: The pipeline shall be tested and confirmed free of leaks by X-ray, pressure tests, or other approved methods during construction (prior to backfill operations) or anytime after construction upon request by the Central Valley Flood Protection Board.

THIRTY-TWO: The invert of the pipe through the levee section shall be above the design flood plane elevation of 45.6 feet, NGV Datum.

THIRTY-THREE: All pipe joints within the levee section shall be butt welded or threaded.

THIRTY-FOUR: A positive-closure device 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 the pipe and shall be located off the levee patrol road.

THIRTY-SIX: The pipe shall be installed through the levee section at a right angle to the centerline of the levee.

THIRTY-SEVEN: The pipe shall be buried at least 12 inches below the levee slopes and 24 inches below the levee crown.

THIRTY-EIGHT: Backfill material for excavations within the levee section and within 10 feet of the levee toes (except where Controlled Low Strength Material is to be used) 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-NINE: 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.

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

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

FORTY-THREE: Any additional encroachment(s) on or in the levee section, within 50 feet of the landward levee toe or waterward berm, require an approved permit from the Central Valley Flood Protection Board and shall be in compliance with the Central Valley Flood Protection Board's

regulations (Title 23 California Code of Regulations).

FORTY-FOUR: Permittee shall comply with all conditions set forth in the letter from reclamation District No. 1000 dated October 1, 2010, which is attached to this permit as Exhibit A and is incorporated by reference.

FORTY-FIVE: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated XX XX, 2011, which is attached to this permit as Exhibit B and is incorporated by reference.

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**APPLICATION FOR A CENTRAL VALLEY FLOOD PROTECTION BOARD
ENCROACHMENT PERMIT**

Application No. -18643
(For Office Use Only)

1. Description of proposed work:

The proposed project includes a new wastewater disposal drain field and forcemain for the Verona Village River Resort. Please see Attachment A (Project Description) for a complete description of the proposed work.

2. Location: Sacramento River County, in Section 23,

Township: 11 N (N) (S), Range 3 E (W), M. D. B. & M.

3. Verona Village River Resort of 6985 Garden Highway
Name of Applicant Address

Nicolaus CA 95659 (916) 927-8387
City State Zip Code Telephone Number

Fax Number

4. Endorsement: (of Reclamation District)

We, the Trustees of Reclamation District 1000
Name and District Number

approve this plan, subject to the following conditions:

- Conditions listed on back of this form Conditions Attached No Conditions

Paul [Signature]

10-1-2010

Trustee Date Trustee Date

*Not required by Resolution 2010-02
adopted by the Board of Trustees
January 8, 2010 (copy attached)*

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.

Odysseus Farms PO Box H, Yuba City, CA 95992
Name Address Zip Code

Sacramento/San Joaquin Drainage District 9th and O Streets, Sacramento, CA 95814

Reclamation District 1001 1959 Cornelius Avenue, Rio Oso, CA 95674

Reclamation District 1000 1633 Garden Highway, Sacramento, CA 95833



RECLAMATION
DISTRICT 1000

Permit Conditions

Permit Application No. Unnumbered

Location: Sacramento River East Levee (approx RM 78.8)

Applicant: Verona Village River Resort

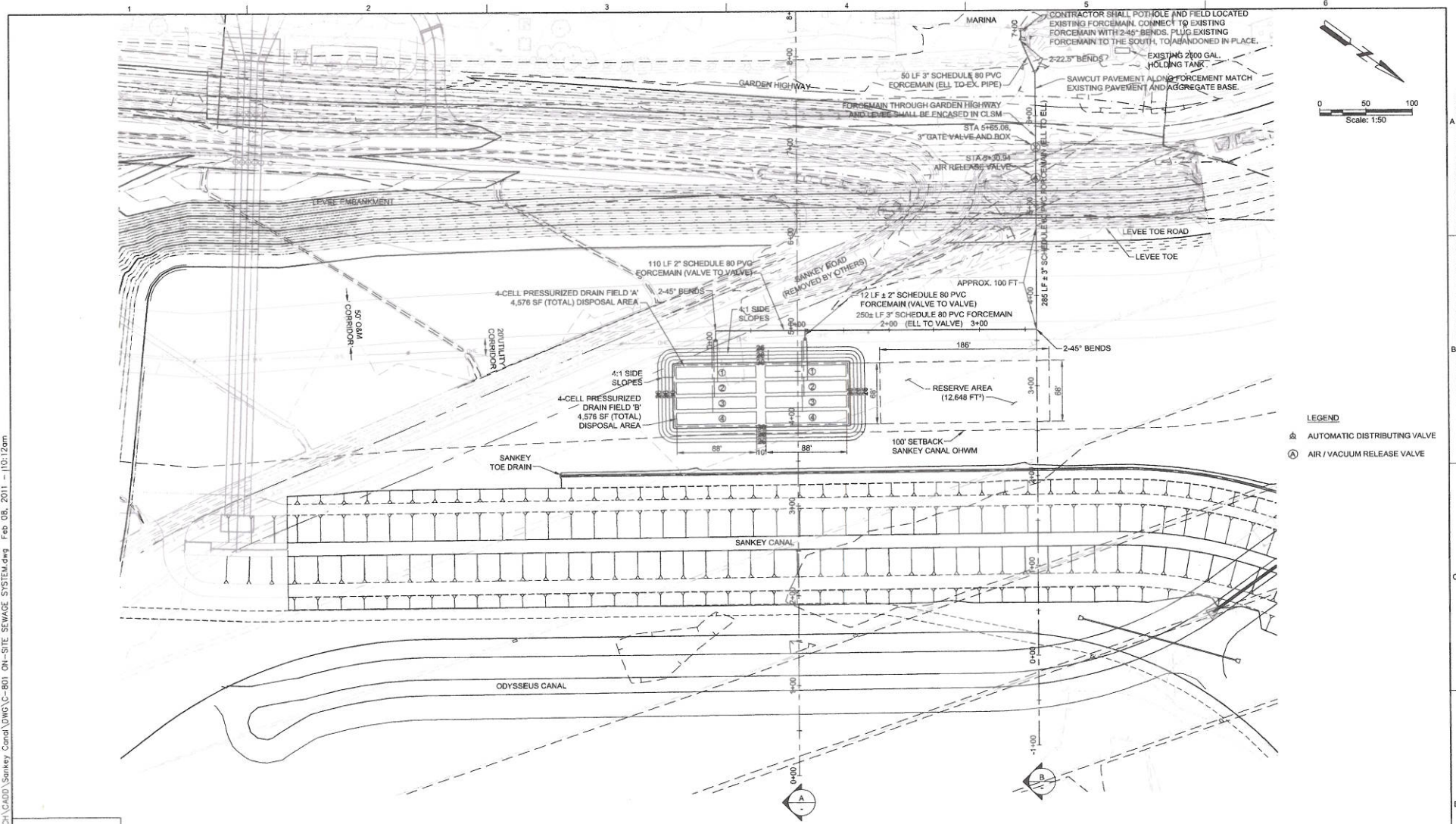
Description: Sewer Force Main and Pressurized Drain Field

CONDITIONS:

1. Maintenance of all encroaching structures, facilities, vegetation or any other items or matters approved under this permit shall remain the responsibility of the Permittee. This includes, but is not limited to, maintaining the vegetation on the sewage disposal mound area.
2. Permittee may be required, at the Permittee's sole cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted work if such 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 the encroaching facilities interferes with the District's ability to operate and maintain its flood control facilities or if the encroaching facilities are damaged by any cause.
3. Permittee(s) hereby agree(s) to indemnify and hold and save the District and its employees harmless from any damage, costs or liability, including all costs of defense, which may arise as result of the exercise of this Permit.
4. Permittee(s) agree(s) to replace or repair any District property used and/or damaged as a result of the exercise of this Permit
5. Permittee shall obtain all necessary permits and regulatory approvals for the proposed work
6. Permittee shall notify the District one week in advance of the start of construction.
7. Proposed force main on landside of levee shall be located outside the 50-foot O&M levee corridor.

8. Permit shall be signed by the Applicant/Owner (Verona Village Resort) accepting all conditions prior to the start of construction.
9. Work shall be done in accordance with the plans dated January 2009 with the modifications required by these permit conditions.

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DR	JTH								
CHK	SRS								
APVD	TMB	NO.	DATE	REVISION	BY	APVD			

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NATOMAS MUTUAL WATER COMPANY
 AMERICAN BASIN FISH SCREEN AND HABITAT IMPROVEMENT PROJECT
 LANDSIDE FACILITIES

CIVIL
SANKEY ENCROACHMENT PLAN EXHIBIT

SHEET	1 OF 2
DWG	
DATE	JAN 2011
PROJ	14154-00-07001

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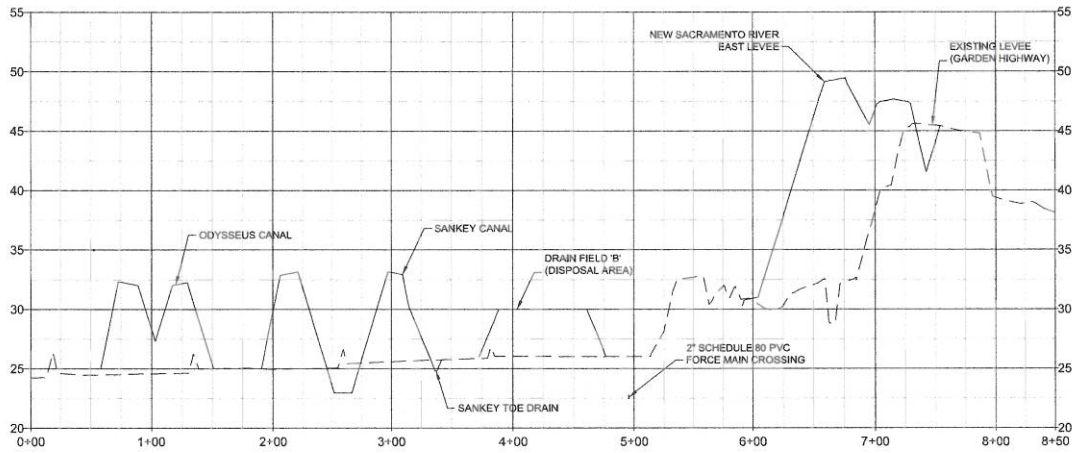
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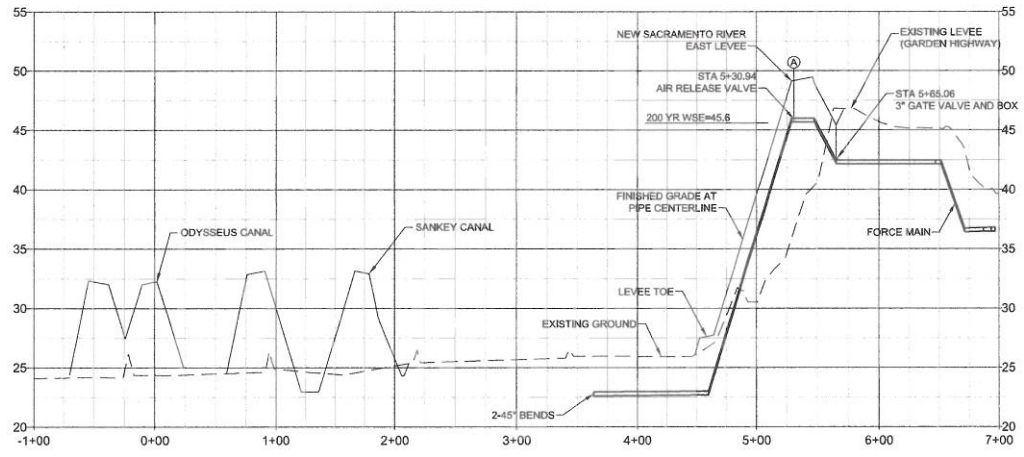
NATOMAS MUTUAL WATER COMPANY
 AMERICAN BASIN FISH SCREEN AND HABITAT IMPROVEMENT PROJECT
 LANDSIDE FACILITIES

CIVIL
SANKEY ENCROACHMENT CROSS SECTIONS EXHIBIT

SHEET	2 OF 2
DWG	
DATE	JAN 2011
PROJ	14154-00-07001



A CROSS SECTION-A
 SCALE 1"=10'



B CROSS SECTION-B
 SCALE 1"=10'

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