

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

**Staff Report – Encroachment Permit**

**Coleman Reedy  
Modular Home Replacement, Yuba County**

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**1.0 – ITEM**

Consider approval of Permit No. 18676 (Attachment B)

**2.0 – APPLICANT**

Coleman Reedy

**3.0 – LOCATION**

The project is located at 2678 Hooper Road, in Marysville, CA, in Area C of the Yuba River Designated Floodway.  
(Yuba River Designated Floodway, Yuba County, see Attachment A)

**4.0 – DESCRIPTION**

The applicant proposes to replace a 24-foot by 60-foot modular home that was destroyed by fire with a 24-foot by 56-foot modular home.

**5.0 – PROJECT ANALYSIS**

The home that was destroyed by fire was installed in July of 1976. The new modular home will be located in the same location and will utilize the same building pad and all utilities that serviced the previous home. A hydraulic blockage calculation was done to show that the home blocks less than 1% (0.33%) of the Yuba River Designated Floodway. The proposed home is located in Area C of the Yuba River Designated Floodway (Title 23, Figure 8.11) which is designated as a shallow flooding area (Title 23, Section 134 (e) and Section 113(d)). The finished floor elevation of the new modular home will be 5.5-feet above the design water surface elevation.

### **5.1 – Hydraulic Analysis**

The existing building pad is at an elevation of 95.5-feet (NGVD) which is 3.5-feet higher than the design water surface elevation at the project location. In addition, the proposed modular home blocks less than 1% of the floodway, therefore a hydraulic analysis is not required.

### **5.2 – Geotechnical Analysis**

The proposed modular home will be located approximately 720-feet from the right bank project levee therefore a geotechnical analysis is not required.

## **6.0 – AGENCY COMMENTS AND ENDORSEMENTS**

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

- The Marysville Levee District endorsed this application on March 16, 2011 with no conditions.
- 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 A.

## **7.0 – CEQA ANALYSIS**

Board staff has prepared the following CEQA Findings:

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 15301) covering replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

## **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:

The proposed modular home is smaller than the modular it is replacing so there will be no new effects to 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:

The proposed modular home is in an area of shallow flooding and the finished floor elevation will be 5.5-feet above the design water surface elevation. Increased flows due to changes in climate could require that the home be elevated.

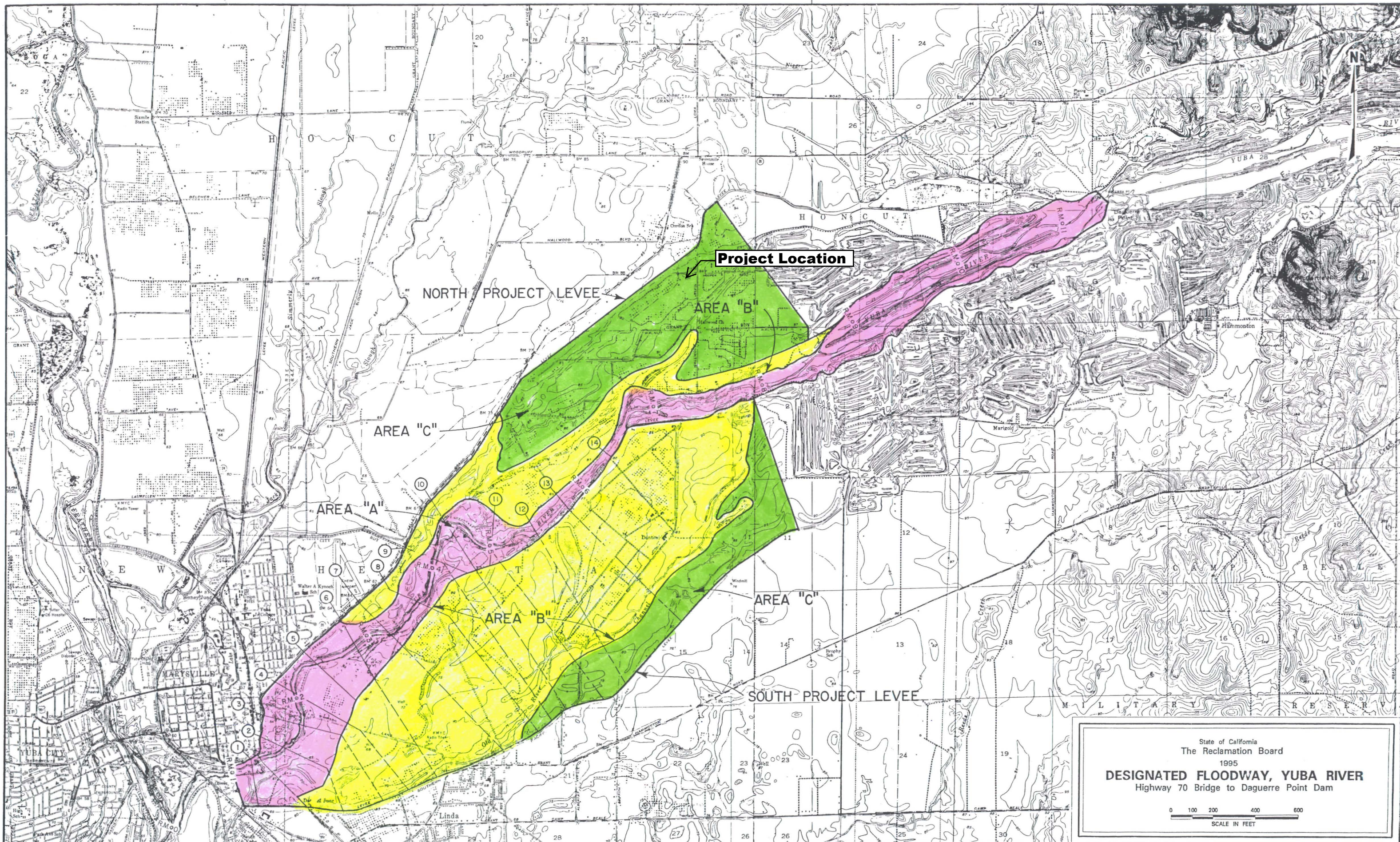
## **9.0 – STAFF RECOMMENDATION**

Staff recommends that the Board determine the project be exempt from CEQA, approve Permit No. 18676 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 and file a Notice of Exemption with the State Clearinghouse.

**10.0 – LIST OF ATTACHMENTS**

- A. Location Maps and Photos
- B. Draft Permit No. 18676
- C. Design Drawings

Design Review:	Gary W. Lemon P.E.
Environmental Review:	James Herota / Andrea Mauro
Document Review:	Mitra Emami P.E., Len Marino P.E.



State of California  
The Reclamation Board  
1995  
**DESIGNATED FLOODWAY, YUBA RIVER**  
Highway 70 Bridge to Daguerre Point Dam

0 100 200 400 600  
SCALE IN FEET

RIVER MILE (R.M.) ADDED 5/21/92 FROM CORPS OF ENGINEERS  
FLOOD PLAIN INFORMATION REPORT OF JUNE 1968

Figure 8.11

2678 Hooper road, yuba county, ca - Google Maps

Page 1 of 2


REEDY  
3/15/11

116639  
2/4

Google maps

Address 2678 Hooper Rd  
Marysville, CA 95901

Get Google Maps on your phone  
Text the word "GMAPS" to 466453




VICINITY MAP.





**Building Site**



**DRAFT**

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

**PERMIT NO. 18676 BD**

**This Permit is issued to:**

Coleman Reedy  
2678 Hooper Road  
Marysville, California 95901

To replace a home destroyed by fire with a 24'x56' modular home. The project is located at 2678 Hooper Road, in Marysville, CA, in Area C of the Yuba River Designated Floodway (Section 3 (PROJECTED), T15N, R4E, MDB&M, Marysville Levee District, 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)**

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. 18676 BD**

**THIRTEEN:** This permit is not valid until the enclosed Agreement Establishing a Covenant Running with the Land has been signed, notarized, and returned to the Central Valley Flood Protection Board.

**FOURTEEN:** The permittee is advised to 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.

**FIFTEEN:** 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.

**SIXTEEN:** 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.

**SEVENTEEN:** 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.

EIGHTEEN: The Central Valley Flood Protection Board, Department of Water Resources, and Marysville Levee District shall not be held liable for damages to the permitted encroachment(s) resulting from releases of water from reservoirs, flood fight, operation, maintenance, inspection, or emergency repair.

NINETEEN: The permittee acknowledges that the proposed pre-manufactured home is located within the Yuba River Designated Floodway and is subject to periodic flooding.

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

TWENTY-ONE: 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.

TWENTY-TWO: Stockpiled material, temporary buildings, or equipment shall not remain in the Yuba River Designated during the flood season from November 1st to April 15th.

TWENTY-THREE: Trees and/or brush that may be cleared for the installation of the pre-manufactured home shall be completely burned or removed from the Yuba River Designated Floodway.

TWENTY-FOUR: The finished floor elevation of the pre-manufactured home shall be at least 2 feet above the design flood plane elevation of 92-feet, NGV Datum. Permittee shall provide an elevation certificate indicating compliance with the above elevation requirement prior to completion of the project.

TWENTY-FIVE: The proposed pre-manufactured home shall be properly anchored to prevent floatation into the floodway in the event of high water.

TWENTY-SIX: All debris generated by this project shall be disposed of outside the Yuba River Designated Floodway.

TWENTY-SEVEN: Upon completion of the project, the permittee shall submit installation plans and photos of the pre-fabricated modular home to: Department of Water Resources, Flood Project Inspection Section, 3310 El Camino Avenue, Suite 256, Sacramento, California 95821.

TWENTY-EIGHT: 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.

TWENTY-NINE: 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.

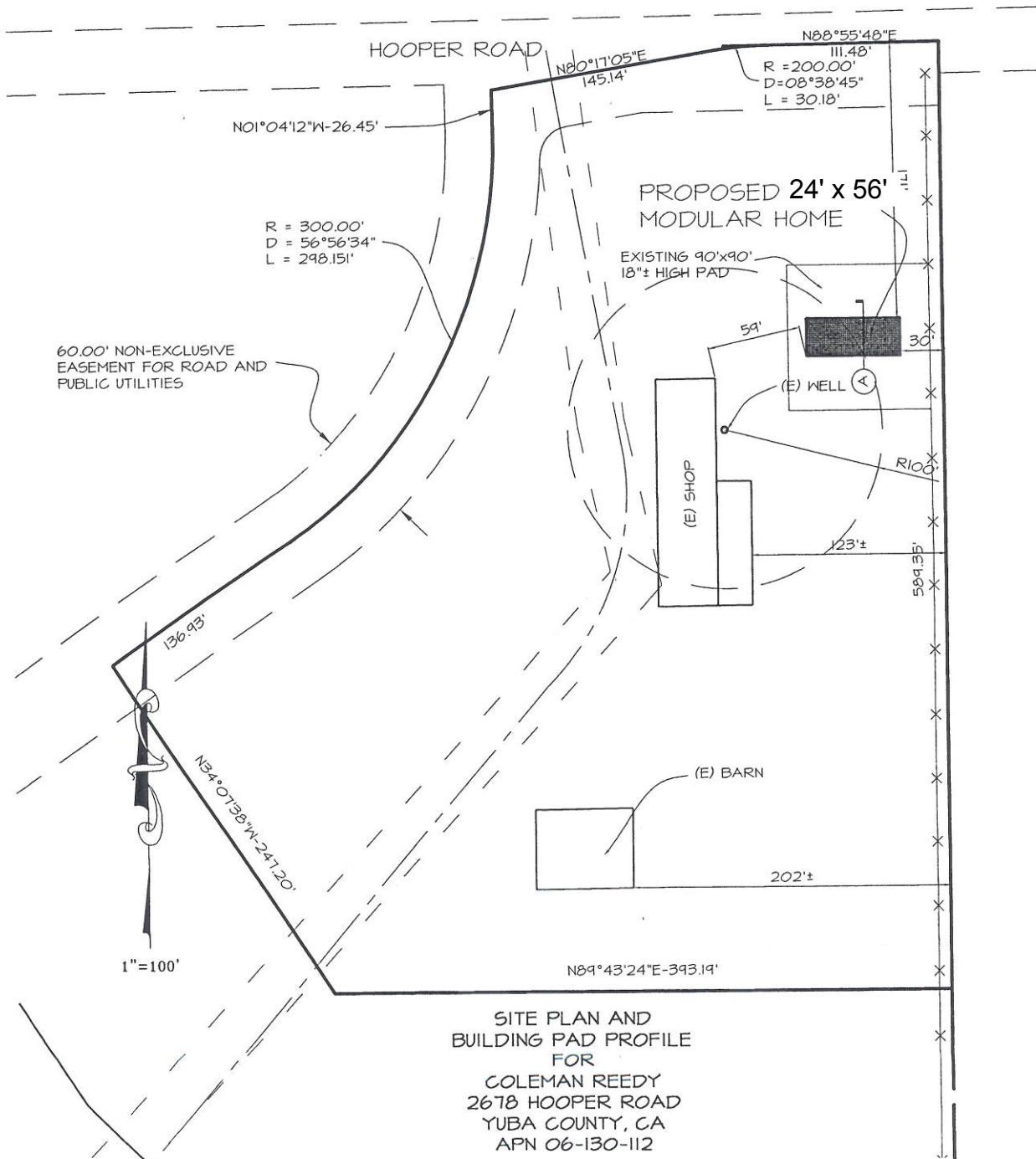
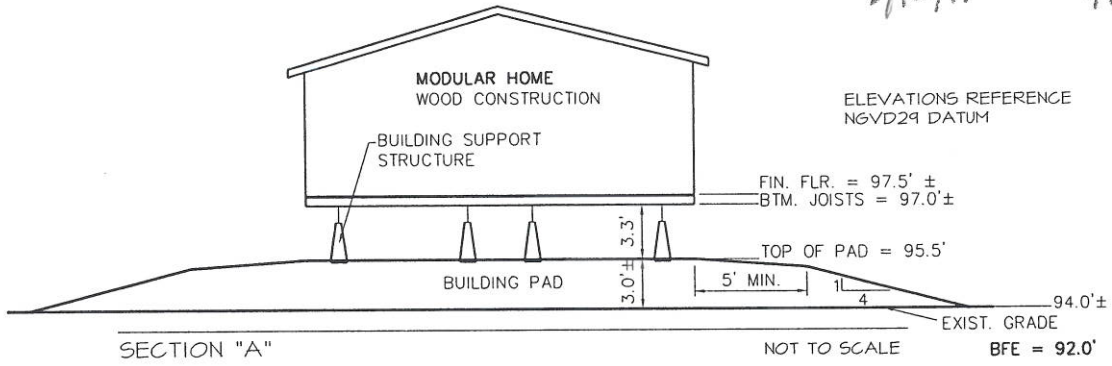
THIRTY: The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control 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.

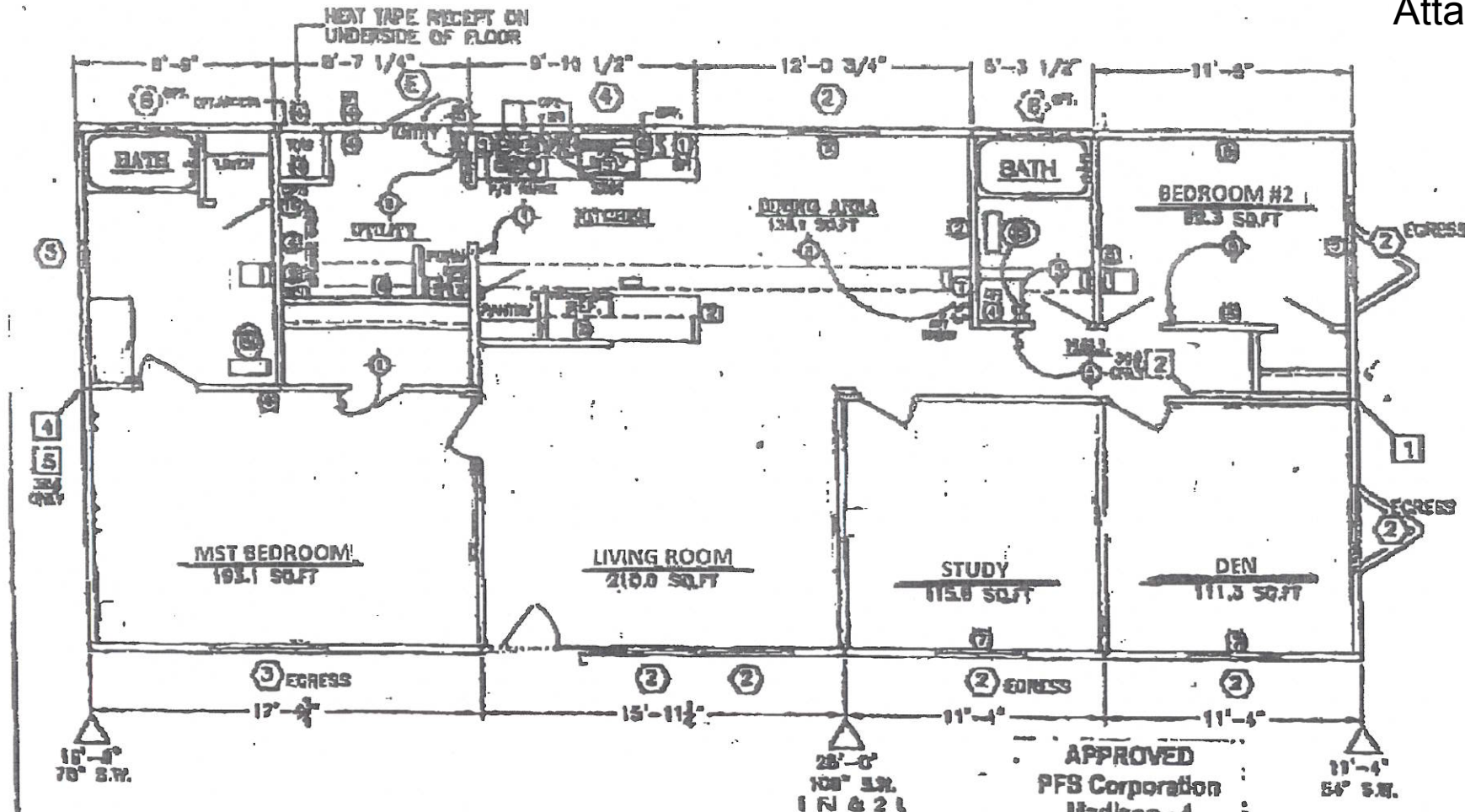
THIRTY-ONE: If damage to the dwelling exceeds 50 percent of its market value within a 10-year period, the dwelling cannot be rebuilt or replaced without approval of the Central Valley Flood Protection Board. If the dwelling is not repaired or replaced, the remaining portion must be completely removed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

THIRTY-TWO: 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.

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

REEDY 110639  
3/15/11 1/0





- NOTES:**
1. THIS FLOOR PLAN MAY BE BUILT IN AN EXACT MIRROR IMAGE ABOUT THE LENGTH AND/OR WIDTH AXIS.
  2. ASSUME 1 LAYER OF GYP. EA. SIDE OF INT. S.W. & 1 LAYER OF GYP. FOR END S.W. (U.N.D.)

**APPROVED**  
**PFS Corporation**  
**Madison - 4**  
**11-21-01**  
**HUD Manufactured**  
**Home**  
**Construction &**  
**Safety Standard**

*Reedy Plan*

NO.	SIZE	DESCRIPTION	GLAZ.	UNIT	NO.	DESC.	DESCRIPTION	GLAZ.	UNIT
1	46"X40"	H. SLIDER	17.1	5.0	E	36"X30"	CURBLOT	2.1	-
2	65"X45"	H. SLIDER	20.7	10.2					
3	30"X39"	H. SLIDER	7.2	3.7					
4	14"X40"	V. SLIDER	3.0	1.4					
5	36"X10"	H. SLIDER	2.2	1.2					

LEGEND:	
	MAIN DISTRIBUTION PANEL
	SUPPLY AIR GRILLE/REG.
	AIR SUPPLY
	CEILING MOUNTED THERMOSTAT
	SMOKE DETECTOR
	DOOR BELL TRANSFORMER
	SUPPORT POST
	RETURN AIR GRILLE

<b>FLORSTOOD</b>	<b>RIV</b>
<b>L.P.D.</b>	<b>11'-0" TSE</b>
<b>SCALE</b>	<b>DATE</b>
<b>3/16"=1'-0"</b>	<b>1/09/03</b>