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

Staff Report – Enforcement Hearing

Mr. Lino Catabran
Sacramento County

1.0 – ITEM

Encroachment Enforcement Hearing for Mr. Lino Catabran, property owner of 5291 Garden Highway, Sacramento, California.

Conduct a hearing regarding the Encroachment Removal Enforcement Notice No. 2011-138, dated May 20, 2011 (Attachment A) that was sent to the Respondent, to consider ordering removal of unauthorized encroachments and restoration to the East levee of Sacramento River Flood Control Project. The encroachments listed in the notice are summarized into three categories, as follows:

Item I: Excavation on the waterside hinge point of the levee for the installation of a masonry block wall.

Item II: Placement of a parallel solid masonry block wall (varying from 6-8 ft high), including 2 gates on the levee within 10-feet from the waterside levee hinge point.

Item III: Placement of utility lines associated with the new masonry block wall and new landscaping on the levee.

2.0 – RESPONDENT/PROPERTY OWNER

Mr. Lino Catabran
5291 Garden Highway
Sacramento, CA 95833

Assessor's Parcel Number (APN) 201-0330-031

3.0 – LOCATION

The encroachments are located on the Sacramento River East levee in Natomas, approximately 0.64 miles downstream from Interstate 5, and between Levee Mile 9.02-9.11, Unit No. 1, Reclamation District 1000 in Sacramento County. Figures 1a and 1b show the vicinity map and an aerial view of the property at 5291 Garden Highway, respectively.

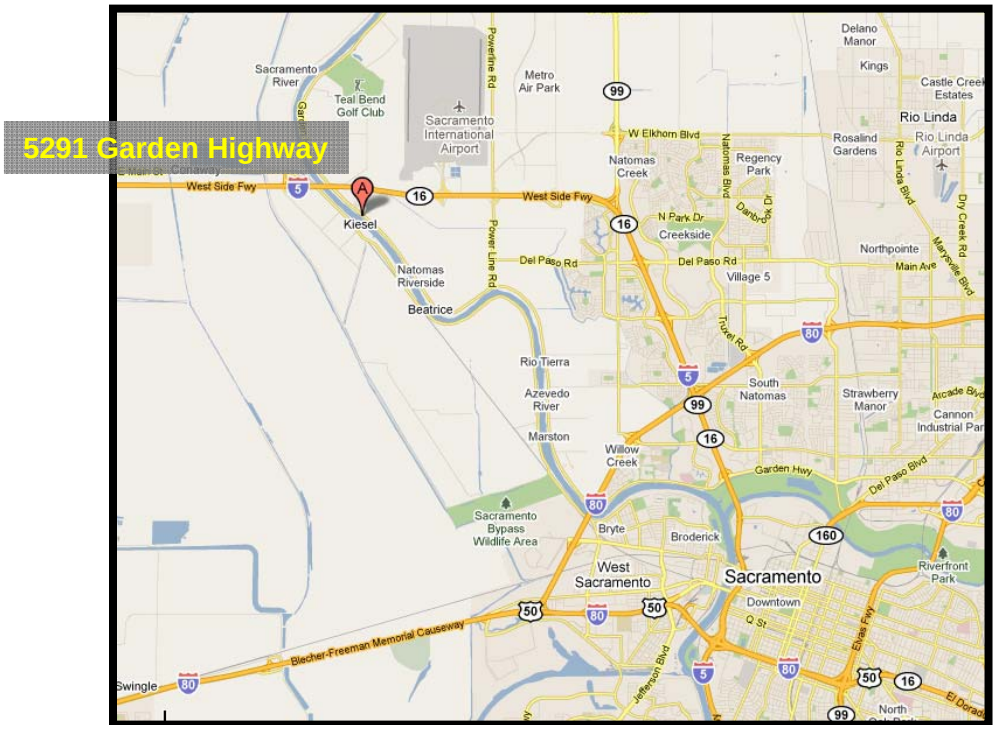


Figure 1a- Vicinity map of the property at 5291 Garden Highway (Source: Google Maps)

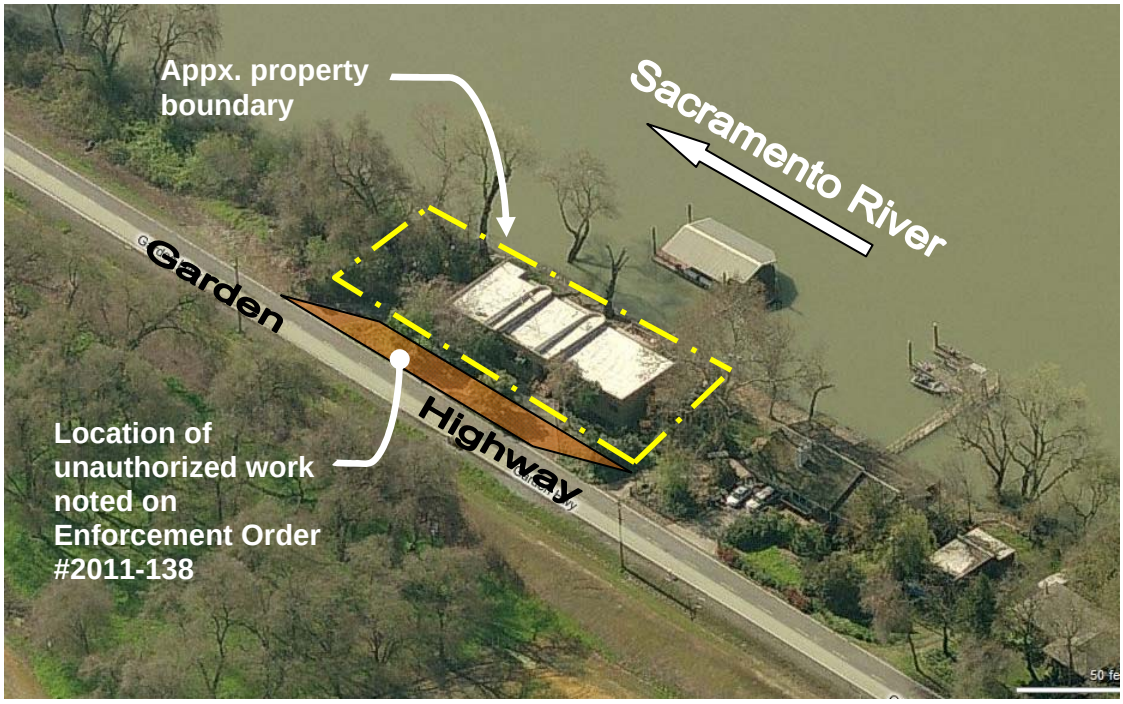


Figure 1b- Aerial view of the property at 5291 Garden Highway (Source: Bing Maps.)

4.0 –APPLICABLE LAWS AND REGULATIONS

4.1 – Water Code

The Central Valley Flood Protection Board ("Board") has the authority to enforce the "*erection, maintenance and protection of such levees, embankments and channel rectification as will, in its judgment, best serve the interests of the State"* (Water Code § 8534). In addition, the Board has given assurances to the US Army Corps of Engineers ("Corps") that the State will maintain and operate federal flood control works in accordance with federal law (Water Code § 8708). The Board must approve any encroachment into an adopted plan of flood control, such as the East levee of the Sacramento River (Water Code § 8710). Unauthorized encroachments that may interfere with or obstruct the operation or maintenance of the flood control works constitute a public nuisance and as such, if the respondent fails to remove such unauthorized encroachment, the Board may commence and maintain a suit in the name of the people of the State to abate the nuisance (Water Code § 8709)

4.2 – California Code of Regulations Title 23 (CCR 23)

The Board's Regulations state that "*every proposal or plan of work…requires a Board approval prior to commencing any work*" (CCR 23, Section 6 (a)).

The board requires applications to be filed for all proposed encroachments within the floodways under its jurisdiction (identified in Table 8.1) and on levees adjacent thereto, on any stream which may affect those floodways (CCR 23, Section 112 (a)).

The General Manager [subsequently re-titled as Executive Officer] may institute an enforcement proceeding by serving a notice by certified mail, return receipt requested, to the landowner or person (referred to hereafter as the "respondent") owning, undertaking or maintaining a work that is in violation of this division or threatens the successful execution, functioning or operation of an adopted plan of flood control (CCR 23, Section 20 (a)).

The construction of the solid masonry block wall interferes with RD 1000 visual inspections and as such is in violation of the Board's Regulations Section 133 (c)(2), which states "…*fences parallel to the levee must be an open type and constructed to provide for the unobstructed visual inspection of the levee slope and toe from the levee crown roadway*."

4.3 – Other applicable Codes/Regulations

Sacramento County Code 12.12.020 "*Obstructions at Private Driveways and Public Streets"* states that "*it is unlawful to…install or maintain…any sign…fence, or other obstruction to the view that does not comply with County Improvement Standards."*

California Department of Transportation (Caltrans) Highway Design Manual states that "*at unsignalized intersection a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the crossroad and the driver of the approaching vehicle. Adequate time must be provided for the waiting vehicle to either cross all lanes of through traffic, cross the near lanes and turn left, or turn right, without requiring through traffic to radically alter their speed"* (Caltrans Highway Design Manual 405.1 (2) (a)). See Attachment E for exhibit.

5.0 – STAFF ANALYSIS

5.1 – Background

The following is a chronology of the events related to this enforcement:

- September 1, 2010 - The Local Maintaining Agency, Reclamation District 1000 (RD 1000), notified the Respondent of the unauthorized encroachments (Attachment B, Exhibit A).
- September 21, 2010 - Board staff visited the site with RD Manager and DWR Inspector and provided the Respondent a copy of the Board's encroachment permit application form.
- September 23, 2010 - Board staff notified Respondent that the submitted encroachment application was lacking RD1000 endorsement and provided initial review comments on the submitted site plan via e-mail (Attachment B, Exhibit B).
- September 23, 2010 - The Respondent delivered copies of permit application with the LMA endorsement to CVFPB offices (Attachment B,Exhibit C).
- October 6, 2010 - Board staff was notified that the Respondent continued to work on the property and DWR Inspector visited the site and issued an NOV (Attachment B, Exhibit D).
- October 18, 2010 - Board staff notified Respondent to stop all work at the property via email (Attachment B, Exhibit E).
- October 18, 2010 - Reclamation District 1000 issues Cease and Desist letter to Respondent on (Attachment B, Exhibit F).
- October 19, 2010 - Respondent replied to staff's cease and desist order on (Attachment B, Exhibit G).
- April 12, 2011 - Board staff sent to Respondent notifying him that his submitted application would not be processed as the work on the property was not in compliance with the Board's Title 23 requirements (Attachment B, Exhibit H).
- April 20, 2011 Board staff coordinated with Sacramento County on the work taken place at this property and as a result, Sacramento County issued a Notice of Violation to the Respondent on (Attachment B, Exhibit I).
- May 20, 2010 Board Staff Enforcement Notice & Order was issued to the Respondent (Attachment A).
- June 9, 2011 The Respondent requested a hearing appealing the issued Enforcement Order and requested copies of all documents related to his case (Attachment B, Exhibit J).
- June 13, 2011 Board staff sent the Respondent acknowledgment of hearing request and DVD with copies of documents related to the case (Attachment B, Exhibit K).

- June 22, 2011 — At the request of the Respondent, Board staff met with the Respondent at Board's office.
- July 8, 2011 — Respondent was mailed Notice of Hearing, along with a copy of the Board's agenda for the Enforcement Order hearing (Attachment B, Exhibit L).
- July 20, 2011 — Board staff sent letter to Mr. Eric Rasmusson (representing Mr. Catabran) with copies of staff report and other items related to the case (Attachment B, Exhibit M).
- July 21, 2011 — Received letter from Mr. Eric Rasmusson requesting continuance of the scheduled enforcement hearing for Mr. Catabran (Attachment B, Exhibit N).
- July 26, 2011 — Board staff sent letter to Mr. Rasmusson notifying that his request for postponement was granted by the Board and notified him Enforcement hearing scheduled for August (Attachment B, Exhibit O).
- August 15, 2011 — A copy of the Board's agenda with the scheduled hearing time was sent to Mr. Rasmusson (Attachment B, Exhibit P).

5.2 – Easements

On July 25, 1917, Reclamation District 1000 acquired the Deed recorded on Book 473, Page 74 which covers the Respondent's property (parcel 9), in which the following rights were transferred:

> *"…the right to construct, replace, renew, repair, maintain and operate a levee over and upon all those certain lots…"* (Attachment C, Exhibit A and Figure 2a)

On June 26, 2009, RD 1000 and the Sacramento San Joaquin Drainage District (SSJDD) through the Board executed a Joint Use Agreement (CA 5049), which transferred rights originally obtained by RD1000 in 1917 to be jointly used the Board (Attachment C, Exhibit B).

On November 15, 1926, Sacramento County obtained a road easement which was recorded on Book 101 Page 79 of the County's Official Records. See Figure 2a for exhibit showing the limits of the easement.

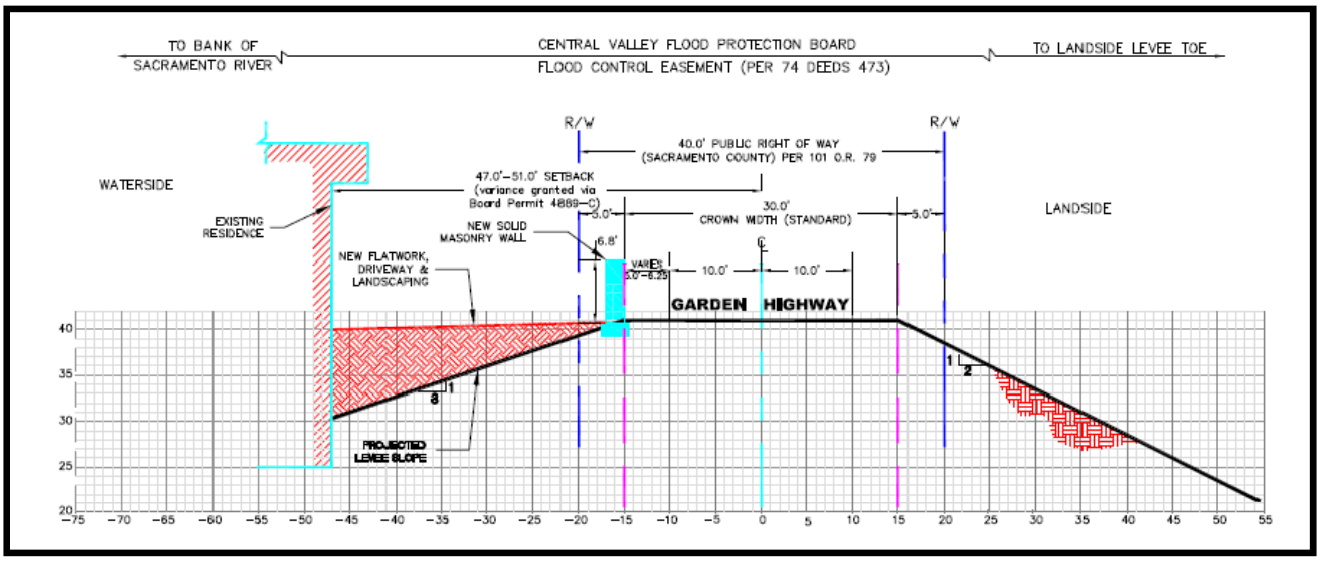


Figure 2a- Cross section at Respondent's property. (Source: CVFPB Staff). See Attachment D for full size.

The basis for Board staff's encroachment removal and restoration identified in the Encroachment Removal Enforcement Notice 2011-138 dated May 20, 2011 is summarized as follows:

Item I: Excavation on the waterside hinge point for the installation of a masonry block wall.

- The levee embankment was cut in order to accommodate the parallel solid masonry wall without Board approval (see Figure 2b and 2c). This is a violation of the Board's Regulations Section 112 (b), which states that "*banks, levees, and channels of floodways along any stream, its tributaries, or distributaries may not be excavated, cut, filled, obstructed, or left to remain excavated during the flood season*."



Figure 2b- Cut on waterside levee slope in preparation for block wall. Board staff site visit on September 21, 2010.



Figure 2c- Cut on waterside levee slope in preparation for block wall. Board staff site visit on September 21, 2010.

Item II: Placement of a parallel solid masonry block wall (varying from 6-8 ft high), including 2 gates within 10-feet from the waterside levee hinge point.

- The Respondent placed uncontrolled fill material for the reconfiguration of the driveway without prior Board approval. This action is in violation of the Board's Regulations Section 115 (a) which states "d*redged, spoil, or waste materials, regardless of their composition, may not be deposited on the levee crown, levee slopes, or within the limits of a project floodway without specific prior approval of the board."*

- The Board's Special Regulations for RD 1000 allow for parallel fences on the waterside, provided that the panels do not exceed 2-ft and the columns not exceed 4-ft. The panels were measured 6-feet 3-inches and 3-feet 4-inches and the columns were 6-feet 6-inches. See figures 3a, 3b and 4a.

- The construction of the solid masonry block wall interferes with RD 1000, State and Corps visual inspections and as such is in violation of the Board's Regulations Section 133 (c)(2), which states "…*fences parallel to the levee must be an open type and constructed to provide for the unobstructed visual inspection of the levee slope and toe from the levee crown roadway*."



Figure 3a - New solid masonry wall. Board staff site visit June 22, 2011



Figure 3b - New solid masonry wall. Board staff site visit June 22, 2011

Item II: Placement of utility lines associated with the new masonry block wall and new landscaping.

- New vegetation placed adjacent to the masonry wall is in violation of the U.S. Army Corps of Engineers ("Corps") vegetation policy Engineering Technical Letter 1110-2-571 which requires the waterside levee slope plus 15-feet adjacent to the levee toe to be vegetation-free with the exception of perennial grasses. See figure 4a for photo of the site showing the new vegetation.

- The placement of utility lines associated with the masonry block wall are in violation of the Board's Regulations Section 123 (a)(1), which states "…*conduits, utility lines and appurtenant structures may not be installed within the levee section, within ten (10) feet of levee toes….unless authorized by the General Manager*…"



Figure 4a- New landscaping and parallel block wall constructed. Board staff site visit on June 22, 2011.

6.0 –CEQA ANALYSIS

Board staff has prepared the following CEQA determinations:

The Board, acting as the CEQA lead agency, has determined the project (enforcement action) is categorically exempt in accordance with CEQA Guidelines Section 15321 under Class 21 (a) actions of regulatory agencies to enforce standards and Section 15301 under Class 1 covering the minor alteration of existing public or private structures and facilities.

7.0 – STAFF RECOMMENDATION

The information contained in this Staff report constitutes significant evidence that these encroachments interfere with the maintenance, performance, or functioning of the Sacramento River Flood Control Project and the adopted plan of flood control pursuant to Water Code sections 8708 and 8709. Pursuant to Water Code section 8708, the State has given assurances to the Corps that the State will maintain and operate federal flood control works. Therefore, the State is obligated to enforce the removal or modification of encroachments that impact the flood control system operations and maintenance. Furthermore, pursuant to Water Code section 8709, if an encroachment "*does or may interfere with or obstruct the operation or maintenance*" of the flood control works, the encroachments constitute a public nuisance. Therefore, the Board may commence or authorize actions to abate such nuisance.

For the reasons stated on this staff report, Board staff recommends the Board determine the encroachment removal to be exempt from CEQA, approve enforcement action 2011-138 to order removal of the unauthorized encroachments and order restoration of the site.

8.0 – LIST OF ATTACHMENTS

A. Board Enforcement Notice and Order No. 2011-138 dated May 20, 2011
B. Correspondence
   Exhibit A- RD 1000 Notified Respondents of violation in letter dated September 1, 2010
   Exhibit B- Board staff email to Respondent on September 23, 2010
   Exhibit C- Submitted Encroachment permit application with RD1000 endorsement
   Exhibit D- DWR Inspector visited site and issued NOV dated October 6, 2010
   Exhibit E- Board staff email to Respondent directing a cease and desist on October 18, 2010
   Exhibit F- RD 1000 Cease and Desist letter to Respondent dated October 18, 2010
   Exhibit G- Respondent's response to Board staff email dated October 18, 2010
   Exhibit H- Letter dated April 12, 2011, to Respondent declining to process application
   Exhibit I – Sacramento County NOV issued on April 20, 2011
   Exhibit J- Email dated June 9, 2011 from Respondent requesting a hearing
   Exhibit K- Hearing request acknowledgement letter sent to Respondent on June 13, 2011
   Exhibit L- Notice to Respondent to appear for hearing dated July 8, 2011
   Exhibit M - Letter to Mr. Rasmusson with copy of staff report dated July 20, 2011
   Exhibit N – Request for continuance letter from Mr. Rasmusson dated July 21, 2011
   Exhibit O – Letter dated July 26, 2011 to Mr. Rasmusson notifying of new date for hearing
   Exhibit P – E-mail dated August 15, 2011 to Mr. Rasmusson with copy of Board Meeting Agenda
C. Easement Information
   Exhibit A- Deed Recorded on Book 473 Page 74
   Exhibit B- Joint Use Agreement dated June 26, 2009 (CA 5049)
D. CVFPB Site cross section dated July 12, 2011
E. Caltrans Highway Design Manual Appendix J Exhibit

Report Prepared by: Angeles Caliso
Document Review: Len Marino, Curt Taras, Ali Porbaha
Ward Tabor

ATTACHMENT A

Enforcement Notice & Order No. 2011-138
Issued May 20, 2011

ATTACHMENT A

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY **EDMUND G. BROWN JR.**, GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-2380 FAX: (916) 574-0682

ENCROACHMENT REMOVAL ENFORCEMENT ORDER

The State of California - Central Valley Flood Protection Board (Board) has determined that encroachments in violation of the California Water Code or of the more specific California Code of Regulations (CCR) Title 23 Waters, Division 1 are constructed works or activities that threaten the successful execution, functioning, operations, or maintenance of an adopted plan of flood control. California Water Code Section 8709 also states that an encroachment that interferes with or obstructs such operation and maintenance constitutes a public nuisance. You are therefore requested to cease the encroaching activity and remove the encroachments described in the enforcement notice. You may obtain a compliance inspection of the encroachment removal by contacting the inspection section identified in the notice ten (10) days prior to the start of removal work. Restoration of the encroachment removal site shall be completed in accordance with the specifications found in the California Code of Regulations Title 23, Div 1, Article 8, Section 120 Levees which are summarized in the attached enforcement conditions.

Respondents Rights: The landowner or person owning, undertaking, or maintaining the work that is the subject of the attached notice is the respondent. The respondent has the opportunity to an enforcement hearing which must be requested in writing within 30 days of receipt of this notice. All hearings are open to the public and are held by one or more members of the Board or a designated hearing officer. Failure to file a hearing request response within thirty (30) days constitutes a waiver of the respondent's right to a hearing. The respondent and other parties may request the board provide a copy of any document not exempt from disclosure under the Public Records Act that is relevant to the enforcement proceedings. The Board may charge a reasonable fee for each copy.

Board's Rights: If the respondent fails to comply with this notice within the specified timelines, the Board may seek judicial enforcement and commence and maintain a suit in the name of the People of the State of California for the prevention and abatement of the nuisance. A failure to comply with this notice renders the owner or operator of any of the encroaching structures liable to any person for the damages caused by the structure's failure. The Board may also physically remove the violating encroachments using a contractor or the local maintaining agency and recover its costs from the respondent. Further, the Board may abate violations or threats to the adopted plan of flood control by requiring you to take an action, at your cost, that may include, but is not limited to: (1) removal of the work; (2) alteration of the work; (3) performance of additional work; (4) implementation of specified mitigation for effects on the environment; (5) compliance with additional reasonable conditions; (6) filing an application for a permit pursuant to this division; or (7) revocation of a permit.

L J Marine
for

Jay S. Punia
Executive Officer

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-2380 FAX: (916) 574-0682

ENFORCEMENT CONDITIONS

Property Owner: Mr. Lino Catabran
Mailing Address: 5291 Garden Highway
Sacramento, CA 95833

Date: May 20, 2011
Enforcement Action: 2011-138

Encroachment Location: Sacramento River, Project Levee (East Bank), Unit 1, Levee Mile 9.02-9.11
Local Maintaining Agency: Reclamation District 1000
Assessor Parcel Number: 201-0330-031

GENERAL CONDITIONS:

1. These enforcement conditions are issued under the provisions of Sections 8700-8723 of the California Water Code and the provisions of the California Code of Regulations, Title 23 Waters, Division 1, Article 8 Standards.

2. The property owner is responsible for all personal liability and property damage which may arise out of failure on the property owner's part to perform the obligations under this enforcement order. 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 property owner shall hold each of them harmless from each claim.

3. Should any of the work not conform to the conditions of this enforcement notice, the property owner, 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 described.

REMOVAL CONDITIONS:

1. The Property Owner shall contact the Encroachment Control and Land Use Section by telephone at (916) 574-0609, to schedule an inspection conference at least 10 working days prior to start of work.

2. Encroachment removal work defined by this enforcement notice can NOT be completed during the flood season from November 1st through April 15th.

3. All unauthorized encroachment items within the levee section and easement area mentioned in the attached Enforcement Notice need to be removed.

RESTORATION CONDITIONS:

1. Backfill all voids following the removal of the unauthorized encroachments within the levee section and easement area.

2. Fill material shall be placed in 4-inch to 6-inch layers, moisture conditioned with water or by drying to ± 2 percent of optimum moisture content, and compacted with a vibratory plate compactor or hand operated hammer to a minimum of 97 percent relative compaction as measured by ASTM Method D698.

3. Levee fill material must be free of stones or lumps exceeding three (3) inches in greatest dimension, and must be free of vegetative matter or other unsatisfactory materials.

4. Fill on levee section shall be keyed into the existing levee section whenever there is substantial fill, as determined by the inspector.

5. The finished slope of the levee must be 3:1 (horizontal: vertical) on the waterside of the levee.

6. Levee surfaces left barren due to encroachment removal shall be re-vegetated with sod or seeded grass.

ATTACHMENT A

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-2380 FAX: (916) 574-0682

Sent Via U.S. Certified Mail Return Receipt Requested

ENCROACHMENT REMOVAL ENFORCEMENT NOTICE

Property Owner: Mr. Lino Catabran
Mailing Address: 5291 Garden Highway
Sacramento, CA 95833

Date: May 20, 2011
Enforcement Action: 2011-138

Encroachment Location: Sacramento River, Project Levee (East Bank), Unit 1, Levee Mile 9.02 - 9.11
Local Maintaining Agency: Reclamation District 1000
Assessor Parcel Number: 201-0330-031

Description: The State of California - Central Valley Flood Protection Board (Board) staff has documentation that encroachment violations of the State Plan of Flood Control exist within its jurisdiction at this encroachment location consisting of the following:

1. Excavation on the waterside hinge point for the installation of a masonry block wall.
2. Placement of a parallel solid masonry block wall (varying from 6-8 ft high) including 2 gates within 10-feet from the waterside levee hinge point.
3. Placement of utility lines associated with the new masonry block wall and new landscaping.

Regulations: These encroachments are in violation of provisions in the California Water Code and the California Code of Regulations (CCR) Title 23 Waters, Division 1. The United States Army Corps of Engineers has also determined that these encroachments are in violation of provisions of the Code of Federal Regulations (CFR) Title 33--Navigation and Navigable Water, Part 208 –Flood Control Regulations. The provisions are as follows:

1. 33 CFR 208.10 Local flood protection works; maintenance and operation of structures and facilities.
2. California Water Code Section 8708 Flood Control - Interference with Maintenance & Operation of Works.
3. California Water Code Section 8709 Flood Control - Public Nuisance; Abatement.

Conditions: Removal of the identified encroachments shall be completed in accordance with the attached enforcement conditions within sixty (60) days of receipt of this notice. To comply with this notice please schedule a compliance inspection within 10 days of the start of removal work. The rights of the Respondent and the Board are detailed in the attached enforcement order.

Staff Contact: The staff member assigned this enforcement action is: Angeles Caliso, Staff Engineer, Encroachment Control and Land Use Section; E-mail: acaliso@water.ca.gov; Desk: (916) 574-2386.

Signed,

for

Jay S. Punia
Executive Officer

Attachments:
1. Enforcement Order
2. Enforcement Conditions
3. Site photos taken on November 3, 2010





Source: Board staff site visit November 3, 2010 (property: 5291 Garden Highway, Sacramento CA)

ATTACHMENT B

CORRESPONDENCE

Exhibit A RD 1000 Notified Respondents of violation in letter dated September 1, 2010

Exhibit B Board staff email to Respondent on September 23, 2010

Exhibit C Submitted Encroachment permit application with RD1000 endorsement

Exhibit D DWR Inspector visited site and issued Notice of Violation dated October 6, 2010

Exhibit E Staff email to Respondent directing a cease and desist on October 18, 2010

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Exhibit G Respondent's response to Board staff email dated October 18, 2010

Exhibit H Letter to Respondent dated April 12, 2011 declining to process application

Exhibit I Sacramento County Notice of Violation dated April 20, 2011

Exhibit J Request for a hearing Email dated June 9, 2011

Exhibit K Hearing request acknowledgement letter dated June 13, 2011

Exhibit L Notice to Respondent to appear for hearing dated July 8, 2011

Exhibit M Letter dated July 20, 2011 to Mr. Eric Rasmusson with copies of staff report

Exhibit N Continuance request letter from Mr. Rasmusson dated July 21, 2011

Exhibit O Board staff letter dated July 26, 2011 to Mr. Rasmusson informing him of new hearing date.

Exhibit P Copy of Board Agenda sent to Mr. Rasmusson via e-mail on August 15, 2011

ATTACHMENT B, EXHIBIT A

RD1000

RECLAMATION
DISTRICT 1000

September 1, 2010

Lino and Linda Catabran
5291 Garden Highway
Sacramento, CA 95837

Dear Mr. and Mrs. Catabran;

During a recent patrol along the Garden Highway levee by staff from our District, we noticed the levee area had been cleared and today plants and shrubs were delivered presumably to plant within the cleared area. Our District along with the State and Sacramento Area Flood Control Agency have done extensive outreach to residents along the Garden Highway advising them of the need for an encroachment permit from the Central Valley Flood Protection Board (CVFPB) with an endorsement by our District for any activity on or adjacent to the levee including the planting you appear ready to do.

We know you are aware of these regulations because in 2007 you requested and received permission from the State Reclamation Board (predecessor to the CVFPB) to modify the foundation of the residence. That approval explicitly stated it was only for the work included in your letter and any additional work would require prior approval of the CVFPB. Please be advised any work you do prior to obtaining a permit will need to be removed if it is not subsequently approved or does not meet the guidelines for vegetation on levees.

It is important to understand the need for these regulations. The levees along the Sacramento River protect the lives and property of thousands of Natomas residents as well as numerous businesses, schools, churches and other public property including Sacramento International Airport. During the flood season, our crews need to inspect the levee slope for erosion, seepage or other signs of levee distress. We must be able to access areas on and adjacent to the levee for emergency flood fight activities including placement of sandbags, visquine, large rocks or other materials. During non-flood season, our crews inspect the levees for necessary repairs, trim vegetation obstructing our view of the levee slope, and monitor for burrowing animals who may threaten the integrity of the levee system. It is important than any encroachment upon the levee and adjacent area not impede our ability to perform these crucial functions. If you have any questions about this letter you may contact me at 916-922-1449.

3433 GARDEN HIGHWAY
SACRAMENTO, CA 95837
916-922-1449

Sincerely,

Paul Devereux
General Manager/District Engineer

cc Jay Punia (CV Flood Protection Board)
Ali Porbaha (CV Flood Protection Board Encroachment Control)
Ryan Larson (Corps of Engineers)
Jim Day (Day, Carter, Murphy)

Caliso, Angeles

From: Caliso, Angeles
Sent: Thursday, September 23, 2010 1:17 PM
To: 'LINO CATABRAN'
Cc: Paul Devereux; Porbaha, Mohammad (Ali); Taras, Curt
Subject: RE: 5291 Garden Hwy Emergency Permit Lot topography
Attachments: RD 1000 Special Encroachment Standards.pdf; Corps ETL 1110-2-571 Vegetation.pdf; Std Project Levee Section.pdf; Catabran markup.pdf

Lino,

Since Paul already has a copy of the package, I suggest you re-submit the package with their endorsement to our office. I will go ahead and keep the package you submitted and replace the cover page with the RD endorsement once we receive it. Please note that our offices are closed every 2nd, 3rd and 4th Friday of each month due to furloughs.

Our application processing time is approximately 3 months. Given your situation, I will do my best to expedite your application. However, you should know that part of our permitting process includes obtaining concurrence from the U.S. Army Corps of Engineers. Once our review is complete and we have the Corps' review letter, we will schedule your application for the next available Board meeting. This meetings are held once a month, typically every 4th Friday of the month. However, with the current furloughs, they have been changed to the 4th Thursday of the month. You can find more information on this at our website (see link on my signature below).

Based on the plans that you submitted, my initial comments are as follows:

- No structures or utilities can be installed within 15' from the edge of the levee crown. Therefore, the drinking fountain and retaining wall must be relocated towards the waterside (closer to home).
- The only vegetation allowed within 15' from the edge of the levee crown is grass. See attached US Army Corps ETL 1110-2-571 for details on vegetation.
- The levee section cannot be penetrated.
- The parallel fence must be see-through to allow for inspections. See attached RD1000 standards for allowed fences.
- Identify/show the center line of the levee and of Garden Highway.
- Provide cross section (per attached marked-up plan) showing horizontal and vertical information for the proposed work.

I'm also attaching a copy of the Board's standards for RD1000 to assist you in revising/modifying your plans. Also, you can find a copy of the Board's regulations on our website at the following link:
http://www.cvfpb.ca.gov/regulations/Title23TierIupdates_Register2009.pdf

I will be out of the office next week (Monday thru Wednesday), but I will be checking my email periodically. In the time being, if you have any questions, or need additional information, please call.

Best Regards,

Angeles Caliso
Central Valley Flood Protection Board
(916) 574-2386 Office | (916) 628-0540 Mobile | (916) 574-0682 Fax
Email: acaliso@water.ca.gov | www.cvfpb.ca.gov

From: LINO CATABRAN [mailto:linoc@att.net]
Sent: Thursday, September 23, 2010 9:36 AM
To: Caliso, Angeles
Cc: Paul Devereux
Subject: Re: 5291 Garden Hwy Emergency Permit Lot topography

Good morning, and please call me Lino. I just got off the phone with Paul Devereux. He said he should be done with plan before noon tomorrow. I have left a complete package with him. Would it be ok if you held your package until I can add signed copy or should I pick up the package and have him sign all copies?

Once that is complete what is the approximate timeline before I can restart construction? In areas that there is no grading to be done, can I start building forms for driveway and footings? I appreciate your help.

Lino 916 240 8531

From: "Caliso, Angeles" <acaliso@water.ca.gov>
To: LINO CATABRAN <linoc@att.net>; "Dawson, Charles" <sdawson@water.ca.gov>
Cc: "Porbaha, Mohammad (Ali)" <mporbaha@water.ca.gov>; Paul Devereux <pdevereux@rd1000.org>; "Petersen, Michael" <michaelp@water.ca.gov>
Sent: Thu, September 23, 2010 8:13:40 AM
Subject: RE: 5291 Garden Hwy Emergency Permit Lot topography

Mr. Catabran,

Thank you for submitting your application on such a timely manner. I did receive the original copies you hand-delivered to our office. However, your application is incomplete. Item #4 on the application requires the endorsement from the reclamation district, in this case RD 1000. Please get the District's signature and re-submit your package. Attached is a scan copy of the application you submitted. I will be mailing you back the package you submitted.

If you have any questions or need additional information, feel free to contact me.

Best Regards,

Angeles Caliso
Central Valley Flood Protection Board
(916) 574-2386 Office | (916) 628-0540 Mobile | (916) 574-0682 Fax
Email: acaliso@water.ca.gov | www.cvfpb.ca.gov

From: LINO CATABRAN [mailto:linoc@att.net]
Sent: Wednesday, September 22, 2010 2:03 PM
To: Caliso, Angeles; Dawson, Charles
Subject: 5291 Garden Hwy Emergency Permit Lot topography

I just wanted to make sure that you recieved the application I dropped at your office yesterday. I left it with someone with the last name Tice, I think. I am also attaching the lot topography which is also shown in the landscape plan but is hard to see. If I am missing anything please call me at home or on cell. 916 924 9999 home or cell 916 240 8531. I am obviously concerned about completing at least the steps and driveway before it starts raining. My contractor is trying to work with me but luckily for him he has a busy schedule.

I would llike to talk with you today for an update.

ATTACHMENT B, EXHIBIT C

State of California

DEPARTMENT OF WATER RESOURCES
CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency

APPLICATION FOR A CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMIT

Application No. _____
(For Office Use Only)

1. Description of proposed work: EMERGENCY REPLACEMENT OF BROKEN DRIVEWAY - NEW LANDSCAPE, FENCE, GATES, SPRINKLERS, LIGHTING

APN 201-0330-03

2. Location: 5291 GARDEN HWY SACTO. County, in Section _____

Township: _____ (N) (S), Range _____ (W), M. D. B. & M.

3. LINO CATABRAN of 5291 GARDEN HWY
Name of Applicant — Address

SACRAMENTO — CA — 95837 — 916-924-9990
City — State — Zip Code — Telephone Number

916 924-9900
Fax Number

4. Endorsement: (of Reclamation District)
We, the Trustees of Reclamation District NO. 1000
Name and District Number

approve this plan, subject to the following conditions:

☐ Conditions listed on back of this form ☒ Conditions Attached ☐ No Conditions

Trustee — 9/23/2010 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 add ional space is required, list names and addresses on back of the application form or an attached sheet.

TIM [redacted] LAUGHLIN — 5295 GARDEN HWY — 95837
Name — Address — Zip Code

ALBERT DE GUZMAN — 5277 GARDEN HWY — 95837

6. Has an environmental determination been made of the proposed work under the California Environmental Quality Act of 1970? ☐ Yes ☒ No ☐ Pending

If yes or pending, give the name and address of the lead agency and State Clearinghouse Number:

SCH No. _____

7. When is the project scheduled for construction? ASAP

8. Please check exhibits accompanying this application.

   A. ☑ Map showing the location of the proposed work.

   B. ☑ Drawings showing plan and elevation views of the proposed work, scale, materials of construction, etc.

   C. ☐ Drawings showing the cross section dimensions and elevations of levees, berms, stream banks, flood plain, low flow, etc.

   D. ☐ Drawings showing the profile elevations of levees, berms, flood plain, low flow, etc.

   E. ☑ Photograph depicting the project site.

9. Is the applicant acting for the owner of the proposed works? ☐ Yes ☒ No

If yes, the name, address and telephone number of the owner is

_____

_____ 9-21-10

Signature of Applicant Date

For additional information:

HARDSCAPE/LANDSCAPE RENOVATION

CATEBRAN RESIDENCE

5291 GARDEN HIGHWAY

SACRAMENTO, CALIFORNIA

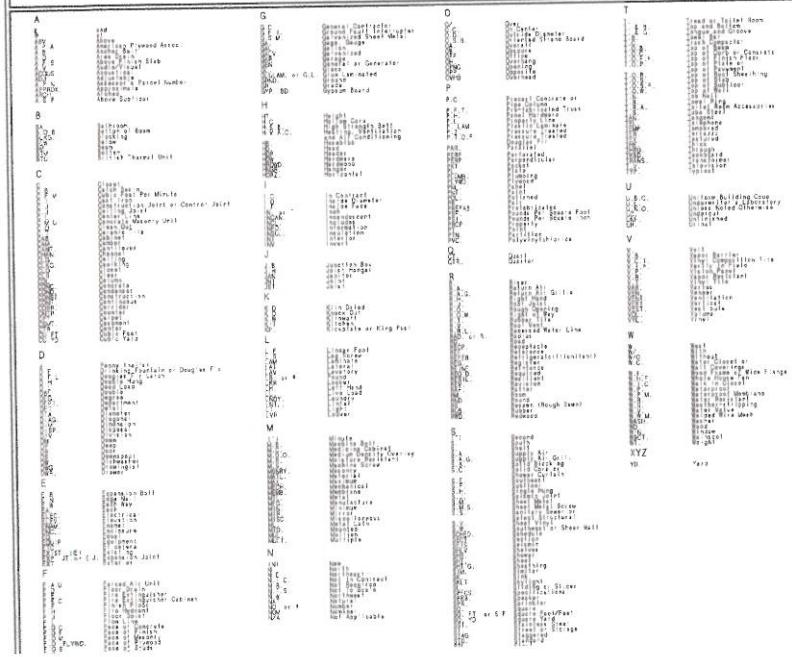
NO CHANGE TO AREA OR FOOTPRINT OR FLOOR HEIGHT OF EXISTING RESIDENCE. SCOPE OF WORK IS FOR NEW EXTERIOR HARDSCAPE AND LANDSCAPE ONLY

DONALD JOSEPH INC.
Architecture Design Planning
2820 21st Street Sacramento, California 95818 916-456-2300 FAX 916-456-3915

JOB: #08009
DATE: 6/26/08
DRAWN: M.L.B.
REVISION:
1
2
3

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Donald Joseph Inc. AIA
CA. LIC. # C17446

ABBREVIATIONS



GENERAL NOTES

1. INFORMATION CONFIDENTIAL: ALL PLANS, DRAWINGS, SPECIFICATIONS AND INFORMATION CONTAINED HEREIN ARE AND SHALL REMAIN THE PROPERTY OF DONALD JOSEPH INC. AND SHALL BE HELD CONFIDENTIAL AND NOT USED FOR ANY OTHER PURPOSES OTHER THAN THOSE FOR WHICH THEY HAVE BEEN SUPPLIED OR PREPARED. THESE PLANS SHALL NOT BE REPRODUCED, COPIED OR TRACED WITHOUT THE EXPRESS WRITTEN CONSENT OF DONALD JOSEPH INC.
2. ALL WORK SHALL CONFORM TO THE FOLLOWING CODES AND ALL OTHER FEDERAL, STATE, AND LOCAL CODES AND REGULATIONS:
   - 2001 CALIFORNIA BUILDING CODE (BASED ON 2001 IBC)
   - 2001 CALIFORNIA ELECTRICAL CODE (BASED ON 2026 NEC)
   - 2001 CALIFORNIA MECHANICAL CODE (BASED ON 2001 UMC)
   - 2001 CALIFORNIA PLUMBING CODE (BASED ON 2001 UPC)
   - 2001 CALIFORNIA ENERGY CODE (TITLE 24 STATE REQUIREMENTS)
   - 2001 CALIFORNIA FIRE CODE (BASED ON 2001 IFC)
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING AND MAINTAINING THE PROPERTY LINES AND CORNERS.
4. THE CONTRACTOR SHALL USE THE DIMENSIONS ON THE DRAWING RATHER THAN SCALING THE DRAWINGS.
5. THE CONTRACTOR SHALL REVIEW ALL CONSTRUCTION DOCUMENTS TO BECOME FAMILIAR WITH ENTIRE SCOPE PROJECT AND CONTACT ARCHITECT REGARDING ANY DISCREPANCIES OR CLARIFICATIONS. ALL SUCH DISCREPANCIES AND CLARIFICATIONS SHALL BE BROUGHT TO ARCHITECT'S ATTENTION PRIOR TO CONSTRUCTION.

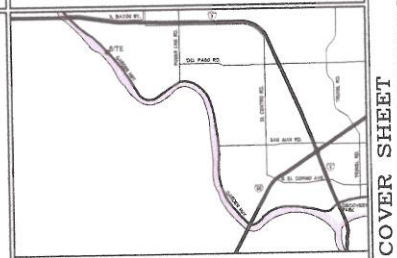
PROJECT INFORMATION

PROJECT OWNER:	JNO AND LINDA CATABRAN
PROJECT ADDRESS:	5291 GARDEN HIGHWAY
PROJECT A.P.N.:	201-0330-031
OCCUPANCY TYPE:	R3 / U
CONSTRUCTION TYPE:	TYPE V-B (NON SPRINKLED)
PROJECT CONSULTANTS:	
STRUCTURAL ENGINEER:	PZSE ENGINEERING- ATTN PAUL ZACHER (415) 421-3140
TITLE 24 ENGINEER:	N/A
CIVIL ENGINEER:	N/A
SOILS ENGINEER:	N/A
SITE SURVEYOR:	VARNEY LAND SURVEY - ATTN DICK VARNEY (415) 379-2922
PROJECT ARBORIST:	N/A

SHEET INDEX

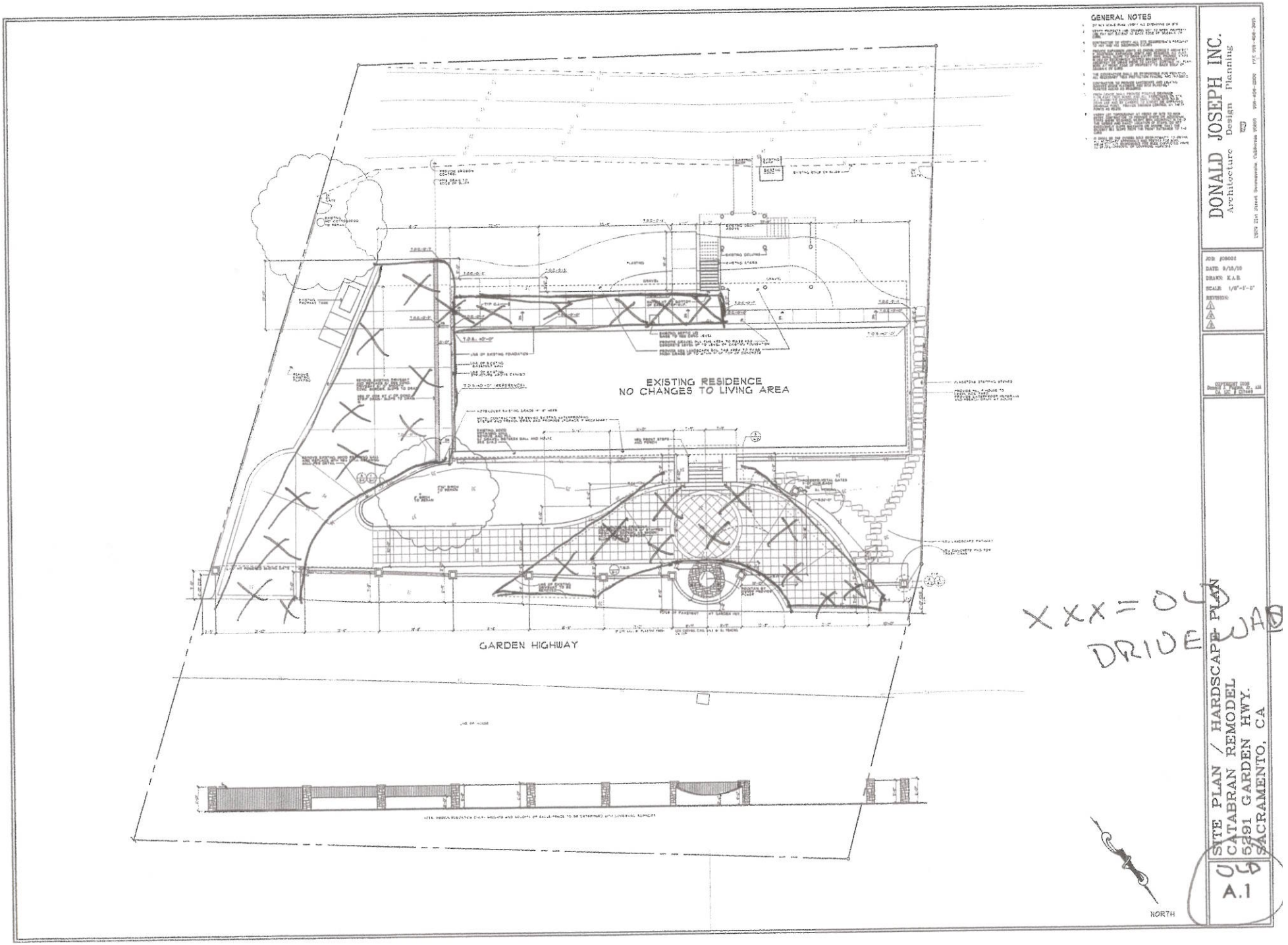
A.0	COVER SHEET
A1	SITE PLAN / HARDSCAPE PLAN
A.2	ARCHITECTURAL DETAILS
L1	LANDSCAPE PLAN
L.2	LANDSCAPE DETAILS
S1	STRUCTURAL NOTES AND DETAILS

VICINITY MAP

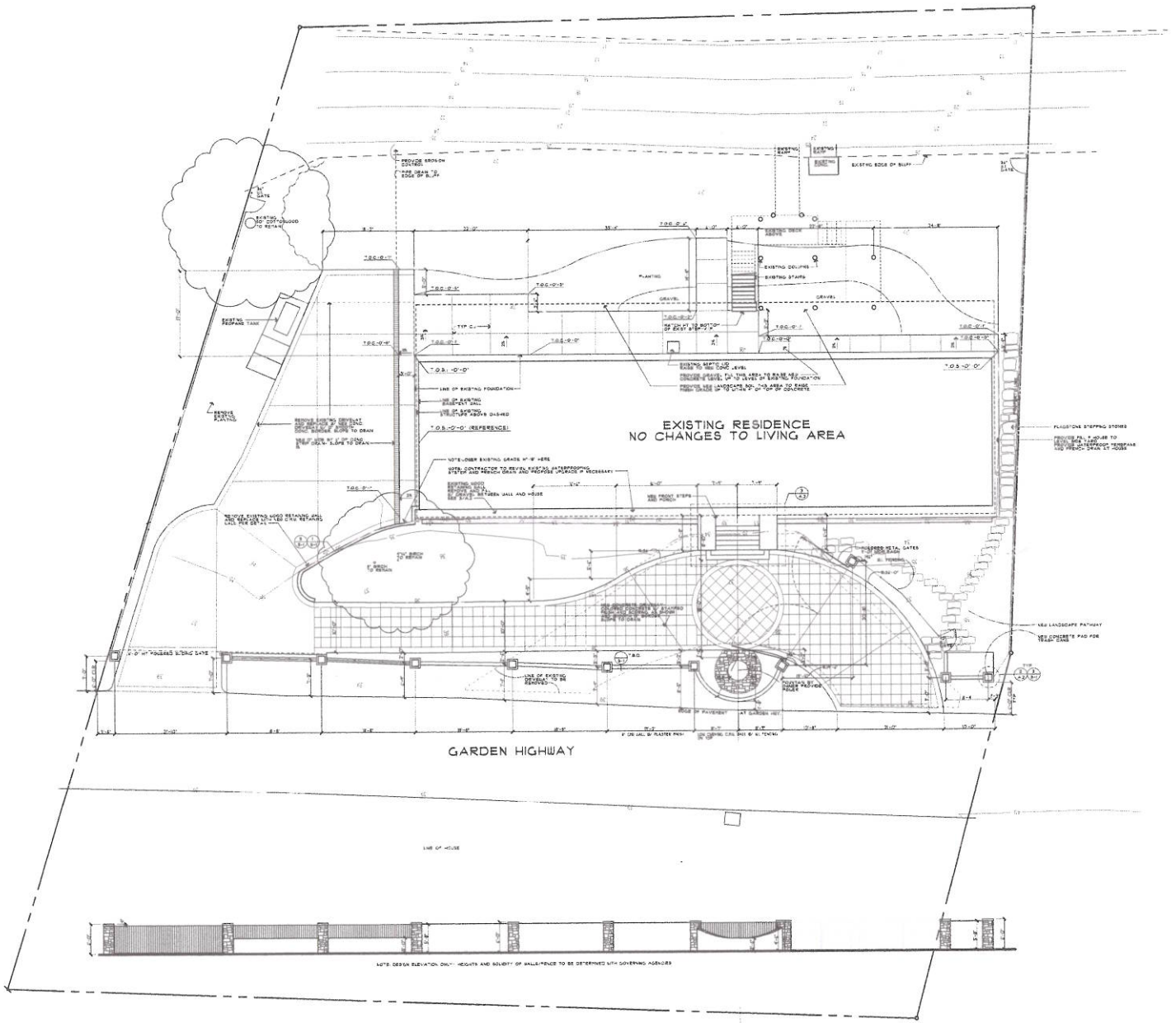


COVER SHEET
CATABRAN RESIDENCE
5291 GARDEN HWY.
SACRAMENTO, CA

ATTACHMENT B, EXHIBIT C



ATTACHMENT B, EXHIBIT C



GENERAL NOTES

DONALD JOSEPH INC.
Architecture Design Planning

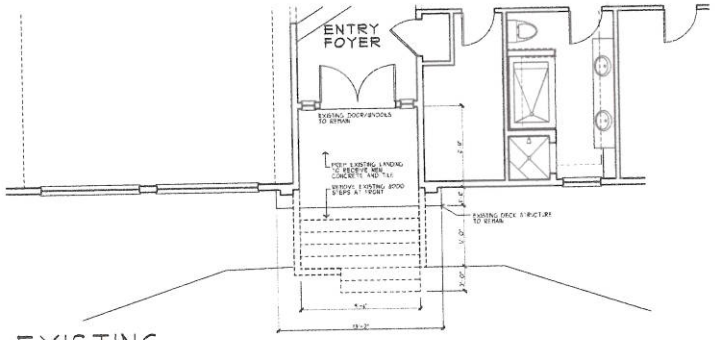
JOB: J08002
DATE: 9/15/10
DRAWN: K.A.B.
SCALE: 1/8"=1'-0"
REVISION:

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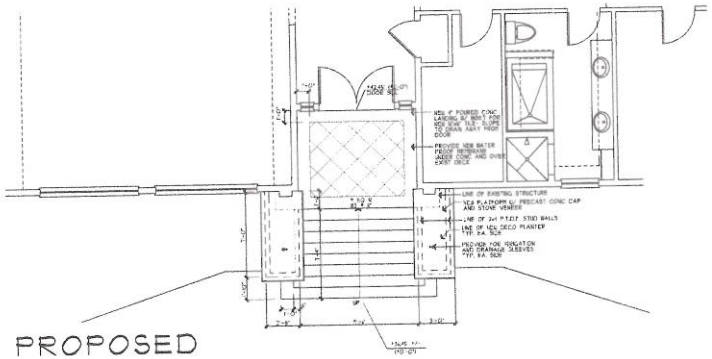
SITE PLAN / HARDSCAPE PLAN
CATABRAN REMODEL
5291 GARDEN HWY.
SACRAMENTO, CA

A.1

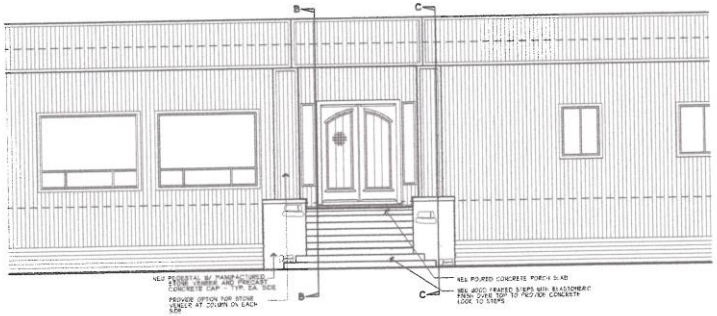
ATTACHMENT B, EXHIBIT C



EXISTING

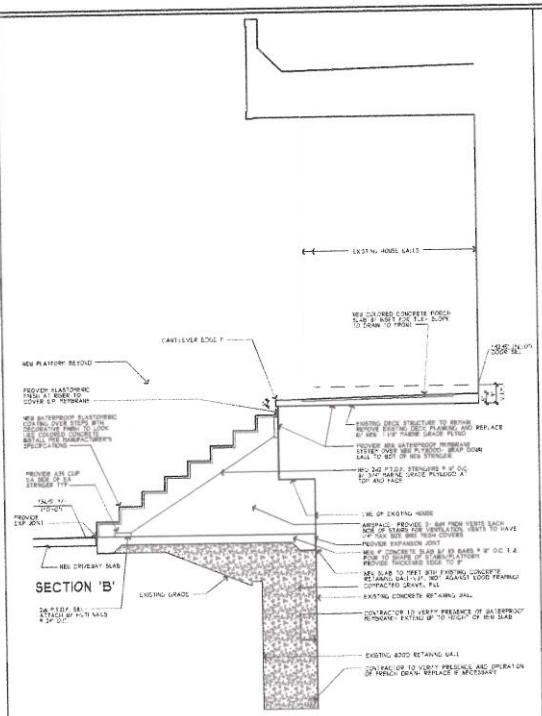


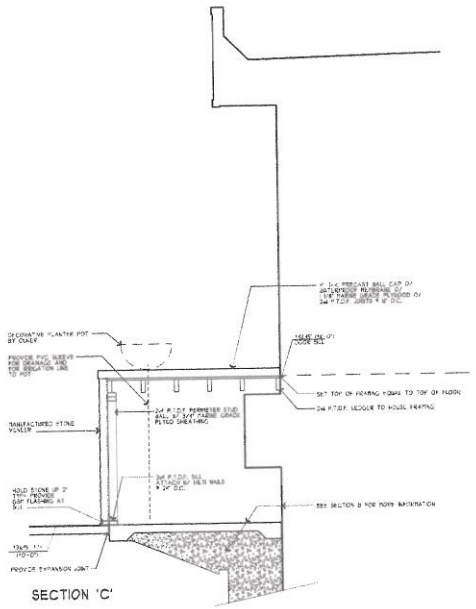
PROPOSED



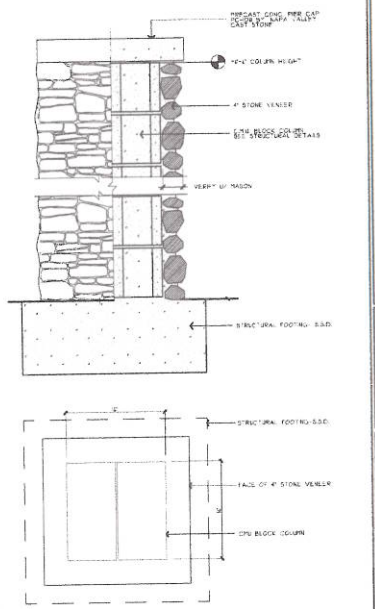
FRONT ELEVATION

3 NEW FRONT STEPS
SCALE: 1/4"=1'-0"





1 SECTIONS
SCALE: 1/2"=1'-0"



2 NEW COLUMN
SCALE: 1 1/2"=1'-0"

DONALD JOSEPH INC.
Architecture Design Planning
2805 21st Street Sacramento, California 95818 916-456-2300 FAX 916-456-7015

JOB: J08002
DATE: 6/26/08
DRAWN: L.M./M.L.B.
SCALE: AS NOTED
REVISION:
1
2
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CA. LIC. # 17948

ARCHITECTURAL DETAILS
CATABRAN REMODEL
5291 GARDEN HWY.
SACRAMENTO, CA

A.2

GENERAL NOTES:

1. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS AND SITE CONDITIONS BEFORE STARTING WORK AND SHALL NOTIFY PZSE, INC - STRUCTURAL ENGINEERS, (PZSE, INC) OF ANY DISCREPANCIES
2. ALL OMISSIONS AND CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND/OR SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF PZSE, INC BEFORE PROCEEDING WITH WORK SO INVOLVED.
3. RESOLVE ANY CONFLICTS ON THE DRAWINGS WITH PZSE, INC BEFORE PROCEEDING WITH CONSTRUCTION.
4. ALL MATERIAL AND WORK SHALL CONFORM TO THE REQUIREMENTS OF THE 2007 CBC.
5. PROVIDE MANUFACTURER'S APPROVED PRODUCT EVALUATION REPORTS (ICC REPORTS) AND A LIST OF ALL PROPOSED SUBSTITUTIONS TO PZSE, INC FOR REVIEW AND WRITTEN APPROVAL BEFORE FABRICATION AND/OR INSTALLATION.
6. NEITHER THE OWNER NOR PZSE, INC WILL ENFORCE SAFETY MEASURES OR REGULATIONS. THE CONTRACTOR SHALL DESIGN, CONSTRUCT, AND MAINTAIN ALL SAFETY DEVICES INCLUDING SHORING AND BRACING, AND SHALL BE SOLELY RESPONSIBLE FOR CONFORMING TO ALL LOCAL, STATE AND FEDERAL SAFETY AND HEALTH STANDARDS, LAWS AND REGULATIONS. THE CONTRACT DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE AND DO NOT INDICATE METHODS, PROCEDURES OR SEQUENCE OF CONSTRUCTION. THE CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO MAINTAIN AND ENSURE THE INTEGRITY OF THE STRUCTURE DURING CONSTRUCTION. IF A LAWSUIT IS FILED BY ONE OF THE CONTRACTOR'S OR SUBCONTRACTOR'S EMPLOYEES, OR ANY ONE ELSE, THE CONTRACTOR WILL INDEMNIFY, DEFEND AND HOLD THE OWNER AND PZSE, INC HARMLESS OF ANY AND ALL SUCH CLAIMS.
7. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO ASSURE THAT ALL STRUCTURAL ELEMENTS AND MEMBERS (I.E. ROOF, SLAB, COLUMNS ETC.) ARE ADEQUATELY BRACED DURING CONSTRUCTION. BRACING OF SUCH ELEMENTS AND MEMBERS SHALL REMAIN IN PLACE UNTIL THEY ARE PROPERLY SECURED.
8. CONSTRUCTION MATERIAL SHALL BE EVENLY DISTRIBUTED IF PLACED ON FRAMED FLOORS OR ROOFS. LOADS SHALL NOT EXCEED THE ALLOWABLE LOADING FOR THE SUPPORTING MEMBERS AND THEIR CONNECTIONS.
9. SPECIFIC DETAILS OR NOTES ON OTHER SHEETS SHALL PREVAIL OVER STANDARD NOTES ON THIS SHEET. WHERE CONSTRUCTION DETAILS ARE NOT SHOWN OR NOTED FOR ANY PART OF THE WORK, SUCH DETAILS SHALL BE THE SAME AS FOR SIMILAR WORK SHOWN ON THE DRAWINGS.
10. THE CONTRACTOR SHALL DETERMINE THE LOCATION OF THE UTILITY SERVICE IN THE AREA TO BE EXCAVATED PRIOR TO BEGINNING EXCAVATION.
11. NO PIPES, DUCTS, SLEEVES, CHASE ETC., SHALL BE PLACED IN SLABS, BEAMS, COLUMNS, WALLS, ETC. UNLESS SPECIFICALLY SHOWN OR NOTED. NOR SHALL ANY STRUCTURAL MEMBER BE CUT FOR PIPES, DUCTS, ETC. UNLESS SPECIFICALLY SHOWN OR NOTED WITHOUT THE WRITTEN APPROVAL FOR INSTALLATION OF ANY ADDITIONAL PIPES, DUCTS, ETC.

REINFORCING STEEL NOTES:

1. BAR REINFORCING SHALL CONFORM TO ASTM A615, GRADE 40.
2. ALL WELDED REINFORCEMENT SHALL BE GRADE 60 ASTM A706.
3. WELDING OF REINFORCING STEEL SHALL CONFORM TO CHAPTER 3 OF ACI 318-08 AND AWS D1.4. THE CONTRACTOR SHALL PREPARE A WRITTEN WELDING PROCEDURE SPECIFICATION CONFORMING TO THE REQUIREMENTS OF AWS D1.4 FOR EACH WELDED SPLICE. THE PRODUCER OF THE REINFORCING BARS SHALL REPORT THE CHEMICAL COMPOSITION AND CARBON EQUIVALENT OF THE STEEL TO THE CONTRACTOR.
4. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A185. LAP 12" WHERE SPLICED.
5. REINFORCING DETAILING, FABRICATION AND PLACING SHALL CONFORM TO THE PROVISIONS OF THE BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE OF THE AMERICAN CONCRETE INSTITUTE
6. VERTICAL BARS IN WALLS SHALL BE ACCURATELY POSITIONED AT THE CENTER OF THE WALL UNLESS OTHERWISE NOTED, AND SHALL BE TIED IN POSITION AT THE TOP AND BOTTOM AT INTERVALS NOT EXCEEDING 192 BAR DIAMETERS.
7. DOWELS SHALL BE THE SAME SIZE AND SPACING AS WALL REINFORCEMENT.
8. THE CLEAR DISTANCE BETWEEN PARALLEL REINFORCEMENT IN A LAYER SHALL NOT BE LESS THAN 1-1/2 TIMES THE NOMINAL DIAMETER OF THE REINFORCEMENT, OR 1-1/3 TIMES THE MAXIMUM SIZE AGGREGATE, NOR LESS THAN 1-1/2 INCHES.
9. ALL REINFORCING STEEL, ANCHOR BOLTS, HOLD DOWN ANCHORS, DOWELS AND INSERTS SHALL BE WELL SECURED IN POSITION PRIOR TO PLACING CONCRETE OR GROUT.
10. REINFORCING STEEL SHALL BE PROVIDED WITH THE FOLLOWING AMOUNTS OF CONCRETE COVER UNLESS OTHERWISE NOTED:
    - CONCRETE CAST AGAINST EARTH ..... 3"
    - FORMED CONCRETE EXPOSED TO EARTH OR WEATHER:
      - NO. 6 THROUGH NO. 18 BAR ..... 2"
      - NO. 5 OR SMALL BARS ..... 1-1/2"
    - COLUMNS (INCLUDING TIES AND SPIRALS) ..... 1-1/2"
    - BEAMS AND ASSEMBLIES (INCLUDING STIRRUPS) ..... 1-1/2"
    - SLABS AND WALLS (NO. 11 BAR AND SMALLER) ..... 3/4"
11. SPLICES:
    - VERTICAL WALL BARS SHALL BE SPLICED AT OR NEAR FLOOR LINES. STAGGER BOTTOM SPLICES AT LEAST 5'-0" FROM SPLICES IN OTHER BOTTOM REINFORCEMENT. STAGGER SPLICE IN TOP REINFORCEMENT EQUALLY. REAR AND CORNER SPLICES, IF NECESSARY, SHALL BE AT MIDSPAN FOR TOP BARS AND AT THE SUPPORT FOR BOTTOM BARS.
    - CONCRETE:
      - SPLICES IN NO. 8 OR SMALLER BARS SHALL BE 48 DIAMETERS. SPLICES IN ADJACENT BARS SHALL BE STAGGERED 8'-0".
    - MASONRY:
      - SPLICES IN NO. 7 OR SMALLER BARS SHALL BE 48 DIAMETERS OR 24 INCHES, WHICHEVER IS GREATER. SPLICES IN ADJACENT BARS SHALL BE STAGGERED 2'-0".

REINFORCED CONCRETE NOTES:

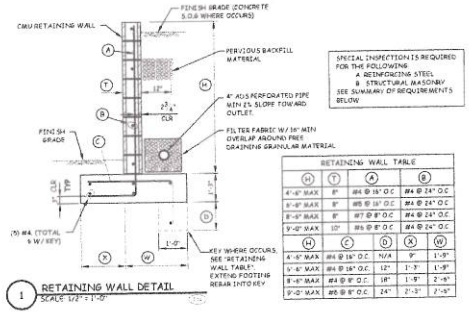
1. CEMENT SHALL CONFORM TO ASTM C 150, TYPE II
2. AGGREGATES SHALL CONFORM TO ASTM C-33 FOR NORMAL WEIGHT CONCRETE AND ASTM C-330 FOR LIGHT WEIGHT CONCRETE
3. HEADED ANCHOR BOLTS SHALL CONFORM TO ASTM A307, GRADE C. HOOKED ANCHOR BOLTS SHALL CONFORM TO ASTM A36.
4. ALL REINFORCING STEEL, ANCHOR BOLTS, DOWELS AND OTHER INSERTS SHALL BE SECURED IN POSITION AND INSPECTED BY THE LOCAL BUILDING DEPARTMENT INSPECTOR PRIOR TO THE POURING OF ANY CONCRETE
5. FINISHED SURFACES OF FLOOR SLABS SHALL NOT DEVIATE MORE THAN 1/8" FROM THE LOWER EDGE OF A 10 FOOT STRAIGHT EDGE
6. CONCRETE SHALL MEET THE FOLLOWING DESIGN CRITERIA:

LOCATION	MIN 28 DAY COMP STRENGTH	MIN CEMENT	MAX AGGREGATE	MAX SLUMP
FOUNDATION	2500 psi	5.5 SACKS/YD	1"	4"
RETAINING WALLS	2500 psi	5.5 SACKS/YD	3/4"	4"
NONSTRUCTURAL SLAB ON GRADE	2500 psi	5.0 SACKS/YD SLAB ON GRADE	1"	4"

7. CONCRETE MIX TESTING AND DESIGN SHALL MEET THE REQUIREMENTS OF CHAPTER 1 OF ACI 318-05 AND SECTION 1909 OF THE 2007 CBC RESPECTIVELY, AND THESE SPECIFICATIONS.
8. ADMIXTURES SHALL BE REVIEWED BY PZSE, INC. CALCIUM CHLORIDE OR ADDED CHLORIDES ARE NOT PERMITTED.
9. DRY PACK SHALL BE 1 PART CEMENT AND 2 PARTS SAND BY VOLUME.
10. PROVIDE A 3/4 INCH CHAMFER ON EXPOSED CORNERS.
11. CONSTRUCTION JOINTS SHALL BE ROUGHENED TO 1/4" AMPLITUDE MINIMUM OR LEVELED JOINTS PER PLAN. WAIT 48 HOURS BETWEEN POURS.
12. THE LOCATION OF ALL SLAB ON GRADE CONSTRUCTION, CONTROL, AND WEAKENED PLANE JOINTS NOT SPECIFICALLY INDICATED ON THE DRAWINGS SHALL BE REVIEWED AND APPROVED BY PZSE, INC PRIOR TO THE PLACING OF REINFORCEMENT
13. CONCRETE CURING SHALL BE PER THE PROVISIONS OF THE BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE OF THE AMERICAN CONCRETE INSTITUTE
14. ALL CONCRETE SHALL BE CONSOLIDATED WITH MECHANICAL VIBRATORS

REINFORCED CONCRETE MASONRY UNIT NOTES:

1. CONCRETE MASONRY UNITS (CMU'S) SHALL BE NORMAL WEIGHT UNITS CONFORMING TO ASTM DESIGNATION C90 GRADE N-1 AND SECTION 2103 OF THE 2007 CBC. CMU'S SHALL BE EITHER SOLID OR DOUBLE OPEN-ENDED
2. THE 28 DAY STRENGTH, f'm, OF CONCRETE MASONRY UNITS SHALL BE 1500 PSI.
3. CEMENT FOR MASONRY SHALL BE THE SAME AS THAT FOR CONCRETE.
4. SAND FOR MORTAR SHALL CONFORM TO ASTM C 144.
5. AGGREGATE FOR GROUT SHALL CONFORM TO ASTM C 404
6. LIME SHALL CONFORM TO ASTM C 207, TYPE S.
7. GROUT (FILL) SHALL CONFORM TO SECTION 2103 OF THE 2007 IBC AND SHALL HAVE A MINIMUM 28 DAY STRENGTH OF 2000 PSI.
8. MORTAR SHALL CONFORM TO ASTM C 270 AND TO SECTION 2103 OF THE 2007 CBC
9. RETAINING WALLS: ALL CELLS SHALL BE FILLED SOLID WITH GROUT.
10. BLOCK SHALL BE LAYED IN A RUNNING BOND PATTERN WITH CONCAVE COMPRESSED JOINTS.
11. ALL VERTICAL REINFORCEMENT SHALL BE CENTERED IN THE UNIT UNLESS OTHERWISE NOTED.
12. THE MINIMUM COVERAGE OF OTHER REINFORCEMENT FROM THE EXPOSED SURFACE OF CONCRETE MASONRY UNITS SHALL BE 1/2 INCH
13. GROUT SHALL BE CONSOLIDATED WITH MECHANICAL VIBRATORS WITHIN 15 MINUTES OF POURING. BRING TO ANCHOR 2 INCHES FROM THE TOP OF MASONRY UNITS WHEN GROUTING OF SECOND LIFT IS TO BE DONE AT A LATER DATE.
14. PROVIDE CLEANOUTS IN BOTTOM COURSE WHERE REINFORCEMENT OCCURS FOR POURS OVER 5 FEET
15. LIFTS LESS THAN 4 FEET SHALL BE PLACED IN A CONTINUOUS POUR.
16. PIPES SHALL NOT BE EMBEDDED IN ANY MASONRY WALL EXCEPT WHEN SHOWN ON THE PLANS OR AS APPROVED BY THE PZSE, INC.
17. ELECTRICAL CONDUITS, PANELS OR FIXTURES MAY BE PLACED IN CELLS WITH THE FOLLOWING RESTRICTIONS:
    - A. THE CONDUITS SHALL NOT INTERFERE WITH OR DISPLACE THE REINFORCING STEEL.
    - B. CONDUITS SHALL NOT BE PLACED IN SUCH A CONGESTED MANNER AS TO PREVENT THE COMPLETE FILLING OF THE CELLS WITH GROUT.
    - C. HORIZONTAL RUN OF 3/4" MAXIMUM SIZE CONDUIT MAY BE PLACED IN A BOND BEAM UNIT COURSE THAT DOES NOT HAVE HORIZONTAL REINFORCING STEEL.
    - D. RECESSES FOR ELECTRICAL PANELS OR FIXTURES SHALL BE FRAMED AND HAVE SIMILAR REINFORCEMENT AS DOORS AND WINDOWS.



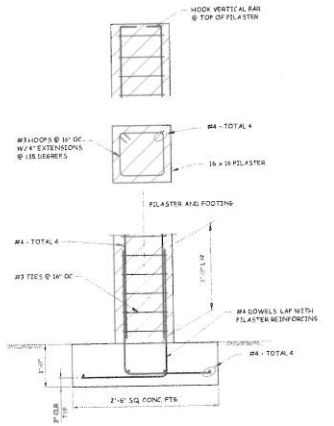
SPECIAL INSPECTION IS REQUIRED FOR THE FOLLOWING
A. REINFORCING STEEL
B. STRUCTURAL MASONRY
SEE SUMMARY OF REQUIREMENTS BELOW

RETAINING WALL TABLE

(H)	(T)	(A)	(B)
4'-0" MAX	8"	#4 @ 16" O.C.	#4 @ 24" O.C.
5'-0" MAX	8"	#5 @ 16" O.C.	#4 @ 24" O.C.
8'-0" MAX	8"	#7 @ 8" O.C.	#4 @ 24" O.C.
9'-0" MAX	10"	#6 @ 8" O.C.	#4 @ 24" O.C.

(H)	(C)	(D)	(X)	(W)
4'-0" MAX	#4 @ 16" O.C.	N/A	9"	1'-9"
5'-0" MAX	#4 @ 16" O.C.	12"	1'-3"	1'-9"
8'-0" MAX	#4 @ 8" O.C.	18"	1'-9"	2'-6"
9'-0" MAX	#6 @ 8" O.C.	24"	2'-3"	2'-9"

1 RETAINING WALL DETAIL
SCALE: 1/2" = 1'-0"



2 PILASTER DETAIL
SCALE: 1"-1"-1'-0"

FOUNDATION REQUIREMENTS:

SPREAD FOOTINGS:
VERTICAL LOADS:
MIN. DEPTH: 12"
ALLOWABLE BEARING PRESSURE = 1500 PSF

LATERAL LOADS:
PASSIVE RESISTANCE: 250 PCF (NEGLECT TOP 6" UNLESS RESTRAINED AT THE SURFACE)
FRICTION FACTOR: 0.35 (BETWEEN CONCRETE AND SOIL)

FOOTING SHOULD HAVE AT LEAST FIVE (5) FEET OF HORIZONTAL CONFINEMENT BETWEEN THE BOTTOM OF FOOTING AND THE FACE OF THE NEAREST SLOPE.

RETAINING WALLS:
CANTILEVER WALLS:
ACTIVE EQUIVALENT FLUID PRESSURE: 35 PCF (WITH RETAINING WALL BACK DRAINS).

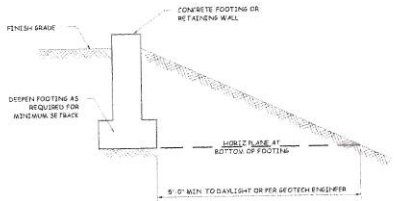
LOADING CRITERIA:

WIND DESIGN DATA:

BASIC SPEED, V:	85 MPH
DIRECTIONALITY FACTOR, Kd:	0.85
IMPORTANCE FACTOR, I:	1.00
SURFACE ROUGHNESS CATAGORY:	B
EXPOSURE CATAGORY:	B
PRESSURE COEFFICIENT, Kz:	0.87
TOPOGRAPHICAL FACTOR, Kzt:	1.00
GUST EFFECT FACTOR, G or Gf:	0.85
ENCLOSURE CLASSIFICATION:	ENCLOSED

SEISMIC COEFFICIENTS:

OCCUPANCY CATAGORY:	II
RESPONSE FACTOR, R:	6.5
IMPORTANCE FACTOR, I:	1.00
SITE CLASSIFICATION:	D (STIFF SOIL)
ACCELERATION PARAMETER, Ss:	0.653 G
ACCELERATION PARAMETER, S1:	0.240 G
SITE COEFFICIENT, Fa	1.278
SITE COEFFICIENT, Fv	1.879
DESIGN ACCEL. PARAMETER, Sds:	0.555 G
DESIGN ACCEL. PARAMETER, Sd1:	0.326 G
SEISMIC DESIGN CATAGORY:	C



3 FOOTING SETBACK DETAIL
Scale: 1" = 1'-0"

SPECIAL INSPECTION/ INSPECTOR REQUIREMENTS (CHAPTER 17, 2007 CBC):

1. THE SPECIAL INSPECTOR SHALL BE EMPLOYED BY THE OWNER PER SECTION 1704.1 OF THE 2007 CBC.
2. THE REPORT(S) PREPARED BY THE SPECIAL INSPECTOR SHALL BE SIGNED BY A LICENSED CALIFORNIA CIVIL ENGINEER AND SHALL BE SUBMITTED TO THE BUILDING OFFICIAL AND PZSE, INC.
3. THE SPECIAL INSPECTION SHALL BE CONTINUOUS DURING THE PERFORMANCE OF THE WORK UNLESS OTHERWISE SPECIFIED.
4. THE SPECIAL INSPECTOR MUST BE CERTIFIED BY THE BUILDING OFFICIAL TO PERFORM THE TYPES OF INSPECTIONS SPECIFIED.

FILL IN BOX IF REQUIRED ■

SUMMARY OF STRUCTURAL CONTINUOUS AND PERIODIC SPECIAL INSPECTION:

THE CONSTRUCTION INSPECTIONS LISTED ARE IN ADDITION TO THE INSPECTIONS REQUIRED IN SECTION 109, APPENDIX CHAPTER 1.
SPECIAL INSPECTION IS NOT A SUBSTITUTE FOR INSPECTION BY THE BUILDING OFFICIAL. SPECIALLY INSPECTED WORK THAT IS INSTALLED OR COVERED WITHOUT THE APPROVAL OF THE BUILDING OFFICIAL AND THE SPECIAL INSPECTOR IS SUBJECT TO REMOVAL OR EXPOSURE

1. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO INFORM THE SPECIAL INSPECTION AGENCY AT LEAST 24 HOURS PRIOR TO PERFORMING ANY WORK THAT REQUIRES SPECIAL INSPECTION.
2. SPECIAL INSPECTION AT:
   - A. CONCRETE (CBC 1704.4): DURING THE TAKING OF TEST SPECIMENS AND PLACING OF REINFORCED CONCRETE ..... ☐
   - B. BOLTS INSTALLED IN CONCRETE (CBC 1704.4): PRIOR TO AND DURING THE PLACEMENT OF CONCRETE AROUND BOLTS ..... ☐
   - C. REINFORCING STEEL (CBC 1704.4): PRIOR TO CLOSING OF THE FORMS AND DELIVERY OF CONCRETE FOR ALL CONCRETE SPECIFIED TO HAVE SPECIAL INSPECTION ..... ■
   - D. STRUCTURAL MASONRY (CBC 1704.4 & 2105): VERIFICATION OF COMPLIANCE FOR f'm, AT THE START OF LAYING UNITS, AFTER THE PLACEMENT OF REINFORCING STEEL AND/OR ANCHOR BOLTS, AND DURING OPERATIONS ..... ■
   - E. FOUNDATION EXCAVATIONS AND FILLS (CBC 1704.7): PERFORMED BY THE GEOTECHNICAL ENGINEER ..... ☐

SPECIAL STRUCTURAL OBSERVATIONS BY THE (ENGINEER) (CBC 1709):

1. PZSE, INC SHALL BE NOTIFIED A MINIMUM OF 48 HOURS BEFORE OBSERVATION, DELINQUENT NOTIFICATION MAY REQUIRE DEMOLITION OF COVERING MATERIALS TO FACILITATE OBSERVATION
2. OBSERVATIONS BY PZSE, INC:
   - A. REINFORCEMENT BEFORE CONCRETE PLACEMENT ..... ☐
   - B. AT COMPLETION OF ROUGH FRAMING (INCLUDING STRUCTURAL PANEL SHEATHING NAILING AND INSTALLATION OF FRAMING HARDWARE ..... ☐
3. PZSE, INC IS RESPONSIBLE FOR THE STRUCTURAL DESIGN (EOR) AND SHALL SUBMIT TO THE BUILDING OFFICIAL A WRITTEN STATEMENT (CBC 1709.5) THAT THE SITE VISITS HAVE BEEN MADE AND IDENTIFYING ANY REPORTED DEFICIENCIES WHICH, TO THE BEST OF THE STRUCTURAL OBSERVER'S KNOWLEDGE, HAVE NOT BEEN RESOLVED.

General Notes
All drawings are subject to copyright protection by law. Reproduction in any form is expressly forbidden without prior approval in writing from paul kocher - structural engineers, inc.

No.	Revision/Issue	Date

PZSE, Inc
Structural Engineering
PZSE, INC.
4701 Lakeside Way
Fair Oaks, CA 95628

Project: CATABRAN RESIDENCE
5291 GARDEN HIGHWAY
SACRAMENTO, CA

RETAINING WALL PLAN

Project # 2008-191
Date 06-23-2008
Scale AS SHOWN
Sheet S-1

IRRIGATION MATERIALS

ALL IRRIGATION MATERIALS SHALL BE NEW AND IN PERFECT CONDITION AND SHALL BE OF THE TYPE, SIZE AND TYPE SPECIFIED.

IRRIGATION INSTALLATION

PRIOR TO INSTALLATION, INSTALLER SHALL VERIFY SITE CONDITIONS, STATIC WATER PRESSURE, AND POINT OF CONNECTION LOCATION AND SIZE. IN THE EVENT OF ANY DISCREPANCIES INSTALLER SHALL NOTIFY OWNER IMMEDIATELY. INSTALLER SHALL BE RESPONSIBLE FOR COMPLETE COVERAGE. SPRINKLER SPRAY HEADS SHALL BE INSTALLED MINIMUM OF 2" AND A MAXIMUM OF 4" APART FROM ALL CONCRETE HEADER BOARDS AND PAVING STRIPS. ROTOR HEADS SHALL BE INSTALLED A MINIMUM OF 4" AND A MAXIMUM OF 10" FROM CONCRETE, HEADER BOARD, CURBS, AND PAVING STRIPS.

IRRIGATION VALVES SHALL BE INSTALLED IN PLANTER AREAS AND SCREENED BY SHRUBBERY WHENEVER POSSIBLE.

ALL PLUMBING AND ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH CITY AND/OR COUNTY PLUMBING CODES. SUCH CODES SUPERCEDE ANY DETAILS OR SPECIFICATIONS FOUND HEREIN.

ALL MAIN PRESSURE LINES SHALL BE INSTALLED AT A MINIMUM DEPTH OF 18". ALL NON-PRESSURE LATERAL LINES SHALL BE INSTALLED AT A MINIMUM DEPTH OF 6".

INSTALLER AGREES TO NOTIFY UNDERGROUND SERVICE ALERT (1-800-642-2444) PRIOR TO COMMENCING ANY EXCAVATION WORK.

LAYING OF PVC PIPE: ALL RUBBISH AND LARGE ROCKS SHALL BE REMOVED FROM TRENCHES. PIPE SHALL HAVE A TWIN UNIFORM BEARING FOR THE ENTIRE LENGTH OF EACH PIPE LINE TO PREVENT UNEVEN SETTLEMENT. THE TRENCHES SHALL BE FILLED WITH DIRT OR SAND IF THE SOIL IS EXTREMELY ROCKY.

PVC PIPE SHALL NOT BE LAID WHEN THERE IS WATER IN THE TRENCH. PVC PIPE SHALL NOT BE LAID WHEN TEMPERATURE IS 32 DEGREES F OR BELOW.

PVC PIPE WILL EXPAND OR CONTRACT 1/2 INCH PER 100 FEET PER 10 DEGREES F CHANGE IN TEMPERATURE. THEREFORE, THE PIPE SHALL BE SNAKED FROM SIDE TO SIDE ALONG THE TRENCH BOTTOM TO ALLOW OR EXPANSION AND CONTRACTION.

ALL FOREIGN MATTER OR DIRT SHALL BE REMOVED FROM INSIDE THE PIPE BEFORE LAYING. PIPING SHALL BE KEPT CLEAN BY APPROVED MEANS DURING AND AFTER LAYING OF PIPE.

THREAD CONNECTIONS - ON PVC TO METAL CONNECTIONS, THE INSTALLER SHALL WORK THE METAL CONNECTIONS FIRST A NON-HARDENING TEFLON PIPE DOPE OR TEFLON TAPE SHALL BE USED ON ALL THREADED PVC TO METAL JOINTS AND JUST ENOUGH PRESSURE IS ALL THAT SHOULD BE USED ON THREADED SCHEDULE 40 PVC MALE ADAPTERS INTO FEMALE METAL THREADED PIPE.

PVC PIPE AND FITTINGS ASSEMBLY - THE PIPE AND FITTINGS SHALL BE THOROUGHLY CLEANED OF DIRT, DUST, AND MOISTURE BEFORE APPLYING SOLVENT.

CONTRACTOR WILL TAKE SOLVENT GLUES WITH A NON-SYNTHETIC BRISTLE BRUSH IN THE FOLLOWING SEQUENCE:

1. CUT PIPE SQUARE WITH FINE TOOTH HACKSAW.
2. BURR THE CUT PIPE END.
3. CLEAN DIRT AND MOISTURE FROM PIPE AND FITTING SOCKET.
4. APPLY SOLVENT TO INSIDE OF FITTING SOCKET (VERY THIN LAYER).
5. APPLY SOLVENT TO OUTSIDE OF PIPE.
6. STAB PIPE TO STOP IN FITTING SOCKET WITH A ROTATION MOVEMENT OF APPROX. 1/4 TURN.
7. HOLD JOINT FOR 30 SECONDS TO SET.
8. DO NOT APPLY WATER PRESSURE FOR 24 HOURS.

NOTE: DO NOT USE AN EXCESSIVE AMOUNT OF SOLVENT. ALL EXCESS SOLVENT SHOULD BE WIPED OFF. EXCESSIVE SOLVENT WILL WEAKEN THE PIPE.

IRRIGATION GUARANTEE

MATERIALS AND LABOR SHALL BE GUARANTEED AGAINST ANY DEFECT OR FAILURE OR WORKMANSHIP FOR A PERIOD OF ONE YEAR FROM DATE OF COMPLETION.

FINISH GRADE

FINISH GRADING IS TO INCLUDE ALL LANDSCAPED AREAS WHICH CONTRACT GRADING SHALL BE RAKED TO GIVE A SMOOTH, EVEN AND PLEASING APPEARANCE. THERE SHALL BE NO ABRUPT CHANGES IN GRADE. FINISH GRADE SHALL BE SET 1/2" BELOW ALL EXISTING CONCRETE.

DRAINAGE SYSTEM

ALL AREAS THAT CANNOT BE SURFACE DRAINED SHALL BE DRAINED PER 4" ADS FLEXIBLE DRAIN PIPE WITH NDS DRAIN INLETS (SIDE AS NECESSARY). DRAIN PIPE SHALL HAVE A MINIMUM FALL OF 1/2%.

3/8 x 4 REDWOOD BENDER BOARD

BENDER BOARD SHALL BE A STANDARD 3/8 x 4 REDWOOD. STAKES SHALL BE NOMINAL 2" STAKES. NAILS SHALL BE 1" GALVANIZED NAILS.

2x4 REDWOOD HEADER BOARD

HEADER BOARD SHALL BE ROUGH 2x4 REDWOOD STAKES SHALL BE NOMINAL 2" STAKES. NAILS SHALL BE 8d COMMON GALVANIZED NAILS.

TREE AND SHRUB PLANTING

PLANT HOLES ARE TO BE DUG TWICE THE DIAMETER OF THE PLANT CONTAINER AND 20% DEEPER THAN THE HEIGHT OF THE ROOT BALL. PLANTS ARE TO BE PLACED ON TAMPED NATIVE SOIL SET SO THE ROOT FLARE (TOP OF EACH PLANT FACING THE MOST HEAVILY TRAFFICKED AREAS. USE ROOT BALL TO TOP OF THE ROOT BALL IS NATIVE SOIL SO THAT THE TOP OF THE ROOT BALL IS ABOVE SURROUNDING GRADE. BACKFILL SOIL SHALL BE 50% STRIPPED PLANTS SHALL BE THOROUGHLY WATERED IN DURING THE PLANTING PROCEDURE. AGRIFORM 21 GM PLANTING TABLETS (20-10-5) OR EQUAL ARE, TO BE USED WITH ALL CONTAINER PLANTS. USE ONE TABLET FOR EACH 1 GALLON CONTAINER PLANT, TWO FOR EACH 5 GALLON, THREE FOR EACH 15 GALLON AND SIX FOR EACH 24 PLANTING HOLE SO THAT TABLET WILL NOT CONTACT THE ROOT BALL.

SOD INSTALLATION

ALL SOD SHALL BE INSTALLED WITH STAGGERED ADJOINING ENDS. SOD ENDS SHALL BE TIGHT WITH NO VISIBLE SPACES AT THE JOINTS. LAID IN EATER AND SOIL ENTIRE SOD AREA. AFTER ROLLING, SOD SHALL BE WATERED THOROUGHLY TO ASSURE WATER PENETRATION. FERTILIZER SHALL BE APPLIED EITHER AFTER OR BEFORE SOD IS LAID.

GROUND COVER PLANTING

GROUND COVER SHALL BE CAREFULLY PLANTED TO INSURE MINIMUM DISTURBANCE OF PLANT ROOTS. SOIL AROUND ROOTS SHALL BE FIRM. GROUND COVER SHALL BE SPACED AS SPECIFIED ON PLAN. CARE SHALL BE TAKEN TO PREVENT PLANTS FROM DRYING OUT BEFORE OR DURING PLANTING. FOLLOWING INSTALLATION, FERTILIZER SHALL BE APPLIED AS PER SPECIFICATIONS.

ALL FILL SOIL SHALL BE OF CONSISTENT, FRIABLE AND FREE OF WEEDS, ASPHALT, CONCRETE, AND/OR HARD PAN.

PLANT MATERIAL

ALL PLANT MATERIAL SHALL BE OF THE SIZE AND VARIETY SPECIFIED ON PLANS. ALL PLANTS SHALL BE HEALTHY, WELL-FORMED, WELL-ROOTED, FREE OF INSECTS, PESTS AND DISEASE, AND PROPERLY HARDENED OFF BEFORE DELIVERY.

SOD LAWN

SOD LAWN SHALL BE FREE OF NOXIOUS WEEDS, INSECTS, PESTS AND DISEASE. SOD SHALL BE WELL-ROOTED WITH A 3/4" MINIMUM SOIL BASE.

TOP SOIL

TOP SOIL SHALL BE CLEAN, FRIABLE LOAM, FREE OF ANY MATERIAL LARGER THAN 1" WITH A PH OF 6.0 TO 7.5. MATERIAL SHALL CONTAIN NO MATERIAL THAT WOULD INHIBIT GERMINATION OR PLANT GROWTH.

FERTILIZER

FERTILIZER SHALL BE COMMERCIAL GRADE 16-8-8 OR 12-12-12. NORMAL APPLICATION RATE SHALL BE 6 POUNDS PER 1000 SQUARE FEET FOR 16-8-8, AND 8 POUNDS PER 1000 SQUARE FEET FOR 12-12-12.

PRE-EMERGENCE HERBICIDE

PRE-EMERGENCE HERBICIDE SHALL BE "RONSTAR" BRAND OR EQUAL AND APPLIED AS PER MANUFACTURER'S INSTRUCTIONS.

TREE STAKES AND TIES

TREE STAKES SHALL BE 2" DIAMETER LODGEPOLE PINE STAKES WITH AN 8' MINIMUM LENGTH. STAKES SHALL BE TREATED PRESSURE TYPE FOR PROTECTION AGAINST DECAY. TIES WITH BIRT OR EQUIVALENT LENGTH TO PROVIDE A FIGURE 8 LOOP AND TIE TWO PER STAKE.

BARK TOP DRESSING

ALL PLANTER BEDS WITHOUT GROUNDCOVER SHALL BE COMPLETELY COVERED WITH LAYER OF SHREDDED BARK OR PATHWAY BARK.

ALL PLANTER BEDS WITHOUT GROUNDCOVER SHALL BE TOP-DRESSED WITH A MINIMUM DEPTH OF 3" AS ABOVE BARK UNLESS NOTED OTHERWISE.

SOIL SHALL CONTAIN NO MATERIAL THAT WOULD IN ANY WAY INHIBIT PLANT GROWTH.

TREE STAKING

STAKE ALL BROADLEAF TREES 5 GALLON CONTAINER SIZE OR LARGER UP TO AND INCLUDING 24" BOX TREES WITH (2) 2" DIAMETER LODGEPOLE PINE STAKES. STAKE EACH 15 GALLON SIZE OR LARGER UP TO AND INCLUDING 24" BOX SIZE WITH (3) 2" DIAMETER STAKE. SECURE AS SHOWN IN DETAILS WITH FLEXIBLE TIE AT RECOMMENDED HEIGHT.

BENDER BOARD (CURVED RUNS)

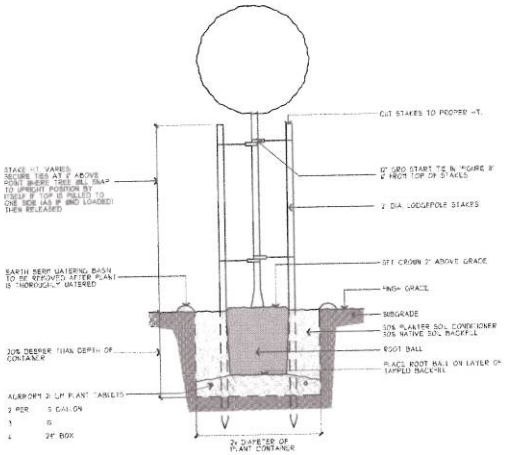
STANDARD 3/8x4 REDWOOD BENDER SHALL BE LAMINATED OF (3) 3 THICKNESS WITH #4 COPPER GALVANIZED NAILS AND INSTALLED WITH NOMI STAKES 4'-0" ON CENTER MAXIMUM. USE (2) #4 COPPER GALVANIZED NAILS PER STAKE. ALL STAKE, BENDER BOARD PIECES SHALL BE CONSTRUCTED WITH STAGGERED ENDS SECURELY LAMINATED TOGETHER WITH #4 GALVANIZED NAILS. INSTALL BENDER BOARD 1/2" ABOVE FINISH GRADE IN LAWN AREAS AND 1" ABOVE FINISH GRADE IN SHRUB AND GROUND COVER AREAS.

HEADER BOARD (STRAIGHT RUNS)

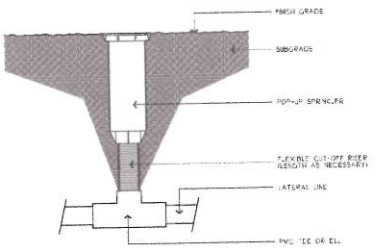
ROUGH QUALITY REDWOOD HEADER SHALL BE INSTALLED WITH NOMI STAKES 4'-0" ON CENTER MAXIMUM. USE (2) #8 COPPER GALVANIZED NAILS PER STAKE. ALL SPLICES SHALL BE WHO REDWOOD. IF ANY BOWING IS PRESENT, 1000 SHALL BE INSTALLED WITH THE BOW SPRUNG. HEADER BOARD SHALL BE INSTALLED AT 1/2" ABOVE FINISH GRADE IN SHRUB AND GROUND COVER AREAS. ALL HEADER BOARD SHALL BE INSTALLED SECURELY ENOUGH TO SUPPORT THE WEIGHT OF ONE PERSON WITHOUT SHIFTING OR SINKING.

CLEAN-UP

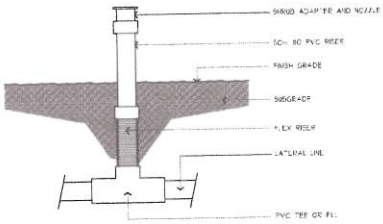
CLEAN UP SHALL CONSIST OF REMOVING FROM THE SITE SURPLUS LANDSCAPE MATERIAL AND OTHER DEBRIS RESULTING FROM LANDSCAPE OPERATIONS. WALKS, PAVED AREAS, ADJACENT WALLS AND WORK AREAS SHALL BE FLUSHED CLEAN OF SOIL. CARE TO ACCOMPLISH BY LANDSCAPING. CLEAN UP WILL BE DONE UPON COMPLETION OF LANDSCAPING.



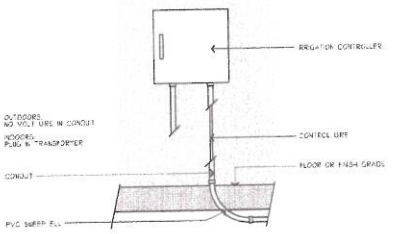
TREE PLANTING
NOT TO SCALE



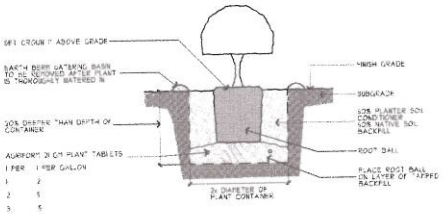
LAWN POP-UP SPRINKLER
NOT TO SCALE



FIXED SHRUB SPRINKLER
NOT TO SCALE



WALL MOUNT CONTROLLER
NOT TO SCALE
NOTE: MOUNT CONTROLLER SECURELY TO WALL OR BUILDING



SHRUB PLANTING
NOT TO SCALE

DONALD JOSEPH INC.
Architecture Design Planning
2520 22nd Street Sacramento, California 95818 916-456-2200 FAX 916-456-2626

JOB #08002
DATE: 9/26/08
DRAWN: M.J.B./J.M.
SCALE: 1/8"=1'-0"
REVISION:
1
2
3

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Donald J. Joseph, Jr. AIA
CA. LIC. # C27449

LANDSCAPE DETAILS
CATABRAN REMODEL
5291 GARDEN HWY.
SACRAMENTO, CA

Lino:

Per Linda and your selections, we have so far selected the following to plant in your front yard:

- Acer Palmatum, 5 -7 mature trees, various varieties
- Betula Pendula, replace birch trees that had to be removed due to driveway restructure
- Buxus, suffriticosa and Green Gem
- Daphne odorata
- Escallonia compacta
- Euphorbia, Tasmanian Tiger
- Gardenia, radicans
- Grevillia noellii
- Liriope muscari
- Miscanthus, morning light
- Nandina, Compacta and harbor dwarf
- Podocarpus, macrophyllus
- Pittosporum, Wheeler's Dwarf

Jackie Bird
Clancy's Garden

Resolution No. 2010-02

WHEREAS, Reclamation District No. 1000 (District) operates and maintains levees under the authority of the California Central Valley Flood Protection Board (CCVFPB)and the California Water Code; and

WHEREAS, the CCVFPB and Title 23 of the California Water Code require any encroachment on or adjacent to the levee or within the designated floodway have an encroachment permit be issued by the CCVFPB with appropriate conditions to insure they do not impede or impair the operations and maintenance of the flood control system; and

WHEREAS, such permit applications are reviewed and endorsed by the local maintaining agency responsible for the operations and maintenance of the levee system where the encroachment is proposed and allows for conditions to be included in the permits to address issues including, but not limited to, operations, maintenance, public safety and flood emergency response; and

WHEREAS, endorsement of the permit applications for levees surrounding the Natomas basin are the purview of the District and various actions through the years by past District Boards have granted authority to the General Manager to endorse permit applications; and

WHEREAS, the Board desires to enumerate a clear policy on how future permit applications are to be reviewed and endorsed by the District

NOW, THEREFORE BE IT RESOLVED:

The Reclamation District No. 1000 Board of Trustees desires to delegate their authority to endorse encroachment permit applications to the District General Manager for routine encroachments and those which do not involve District policy issues. A determination as to which permits will be endorsed by the General Manager shall be left to his or her judgment, provided however, that all such endorsements shall be presented to the Board of Trustees at the next scheduled Board meeting.

Those permit applications which are not routine in nature, present policy issues or are likely to be controversial shall be brought to the Board for consideration and action at which time the Board may delegate signature authority to the General Manager if approved. This will include all permit applications where the General Manager is recommending denial to the California Central Valley Flood Protection Board.

CERTIFICATION

I, Terrie Figueroa, Secretary of Reclamation District No, 1000, hereby certify that the foregoing Resolution 2010-02 was duly adopted by the Board of Trustees of Reclamation District No, 1000 at a regular meeting held January 8, 2010 and made a part of the minutes thereof.

Terrie Figueroa
District Secretary

RD1000

RECLAMATION
DISTRICT 1000

Permit Conditions

Permit Application No. Unnumbered
Location: 5291 Garden Highway (Sacramento River RM 69.5L approx)
Applicant: Lino and Linda Catabran
Description: Replace existing driveway, construct wrought iron fence, and place landscaping including miscellaneous plants and trees

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.

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 to the satisfaction of the District.

5. Proposed wrought iron fence shall be located a minimum of 5 feet from the existing fog line of the Garden Highway.

6. No trees are permitted in the levee section as determined by RD 1000 and the Central Valley Flood Protection Board (CVFPB) until such time as the levee improvements under the Natomas Levee Improvement Project are completed adjacent to this property. With completion of the levee improvements, the vegetation variance approved by the Corps of Engineers would apply allowing the trees to be planted.

1633 GARDEN HIGHWAY
SACRAMENTO, CA 95833
916-922-1449

7. Vegetation shall be maintained in a manner acceptable to RD 1000 and shall provide for reasonable visibility of the levee slope from the Garden Highway as determined by RD 1000 and the CVFPB. This shall require at least annual trimming and thinning prior to the flood season (November 1) which shall be at the Permittee's sole expense. Should RD 1000 have to trim or thin the vegetation to meet this condition, such costs shall be reimbursed by the Permittee.

8. Permittee acknowledges RD 1000, CVFPB, and other flood control officials or their authorized representatives may access the levee slope and immediately adjacent area as necessary to carry out their flood control responsibilities and shall provide access through any gates or fences to the satisfaction of RD 1000 and the CVFPB.

ATTACHMENT B, EXHIBIT D

State of California | DEPARTMENT OF WATER RESOURCES
Division of Flood Management/Flood Project Inspection Section | The Resources Agency

NOTICE OF VIOLATION

DATE	LOCATION	LANDOWNER/CONTRACTOR
10-6-10	RD-1000	
PHONE NO. ( )	ADDRESS 5191 GARDEN Hwy	

A Department of Water Resources' Inspector has found you in violation of Title 23 of the California Code of Regulations which protects floodways and flood control structures.

TYPE OF VIOLATION

1. ☒ UNAUTHORIZED ENCROACHMENT
2. ☐ UNAUTHORIZED SPOIL OR WASTE
3. ☒ UNAUTHORIZED WORK
4. ☐ IMPROPER MAINTENANCE
5. ☐ OTHER: _____

REQUESTED CORRECTION STOP ALL WORK

Corrective action must be taken no later than _____.

If you have questions about this notice, please contact the inspector listed below. If corrective action is not taken, the Department may request that enforcement action be taken against you.

Received By _____

Inspector CLAY THOMAS Phone No. 916 214-3532 Pager _____

Comments _____

DWR 168T (Rev. 7/03) Original-White; LMA-Green; Rec. Bd-Canary; Inspector-Pink; Landowner/Contractor-Goldenrod

Caliso, Angeles

From: Caliso, Angeles
Sent: Monday, October 18, 2010 10:34 AM
To: 'LINO CATABRAN'
Cc: Porbaha, Mohammad (Ali); Taras, Curt; Marino, Len; Thomas, Clay; 'Paul Devereux'; Lemon, Gary
Subject: NOTICE: Cease & Desist All work at 5291 Garden Hwy
Attachments: RE: 5291 Garden Hwy Emergency Permit Lot topography

Importance: High

Mr. Catabran,

You are hereby noticed to stop all work at your property immediately. You are only authorized to do any work that is necessary to stabilize the site for erosion and public safety. All other work must wait until you have a Board approved permit.

When you hand-delivered your Board application to me on September 23, 2010, I informed you that you could not continue with any work until you received a Board permit. Furthermore, I informed you that no encroachments would be allowed to be built within 15 feet from the waterside crown hinge point. This included your proposed fence, water feature, utility lines, and landscaping (with the exception of grass). Refer attached email on 09/23/10 with comments on your submitted plans.

We have been informed that you have continued to work on your property after you were notified to stop all work on the following dates:

- September 1, 2010 – Letter from RD1000
- September 21, 2010 - Board staff, DWR Inspector & RD 1000 Manager site visit to your property
- September 23, 2010 – Meeting with me at our office, delivering RD endorsement of your Board application
- October 6, 2010 – DWR Inspector issued Notice of Violation during a site visit to your property

If you fail to follow this notice, your submitted Board application will NOT be processed and an Enforcement Action will be initiated.

Best Regards,

Angeles Caliso I Water Resources Engineer
Central Valley Flood Protection Board
Encroachment Control & Land Use Section
3310 El Camino Avenue, Room 151 I Sacramento, CA 95821
(916) 574-2386 Office I (916) 628-0540 Mobile I (916) 574-0682 Fax
Email: acaliso@water.ca.gov I www.cvfpb.ca.gov

Caliso, Angeles

From: Paul Devereux [pdevereux@rd1000.org]
Sent: Monday, October 18, 2010 6:44 PM
To: linoc@att.net
Cc: Porbaha, Mohammad (Ali); Punia, Jay; Caliso, Angeles; 'Mike Blickle'
Subject: Cease and desist block wall
Attachments: 5291 Garden Highway (Catabran)--cease and desist order.pdf

Lino,

Attached is my cease and desist order for any more work on your site—particularly the solid block wall. This wall is in violation of the California Water Code Title 23 standards. With a solid wall I cannot see to do my job to operate and maintain the levee. The plans you submitted to me showed a wrought iron fence which, if there is no vegetation, provides visibility. The wall will have to be removed, so I am notifying you now so it can be removed more easily before the concrete sets.

I have been trying to work with you to make sure the site is safe for you and your family and then secure the appropriate permit to work next spring on the remainder. However, your actions are not consistent with trying to work with me! I know the State also has told you to stop working and issued you two notices to that affect.

Paul Devereux
General Manager/District Engineer
Reclamation District No. 1000
916-922-1449
pdevereux@rd1000.org

RD1000

RECLAMATION
DISTRICT 1000

October 18, 2010

Lino and Linda Catabran
5291 Garden Highway
Sacramento, CA 95837

Subject: Cease and Desist Order

Dear Mr. and Mrs. Catabran;

You are hereby notified to cease and desist any further work on the area adjacent to your home along the Sacramento River levee which includes any more work on the block wall under construction today. I drove by your house today after receiving a phone call from our District Superintendent indicating you had constructed a solid block wall 6 to 8 feet in height within 10 feet of the waterside levee hinge point. This solid wall is in violation of the California Water Code Title 23 and is unacceptable to the District.

I have been assisting you to get authority from the Central Valley Flood Protection Board to restore the area along the levee in front of your house to make it safe for you and your family. This was to be limited to replacing the driveway and entrance stairs to your house. The encroachment permit application I endorsed and sent to the Central Valley Flood Protection Board included plans which clearly delineated a **wrought iron fence** in front of your house along the driveway. Subsequent to my endorsement of the permit, you were instructed by the CVFPB staff to cease any further work until the permit was approved. And subsequently, I believe they allowed you to continue work to stabilize and restore the levee. I reiterated these limitations when you visited my office this past Friday. However, the solid wall was never approved by me or the CVFPB. The wall will need to be removed.

Our District needs to be able to monitor the area along the levee during high water and access the levee to respond in an emergency. The solid wall will block our view of the levee and adjacent area. These issues were described in detail in my September 1, 2010 letter to you. Please call me so we can clear up any confusion and get the wall removed so we have visibility and access along the levee for the coming flood season.

1633 GARDEN HIGHWAY
SACRAMENTO, CA 95833
916-922-1449

Sincerely,

Paul Devereux
General Manager/District Engineer

cc Jay Punia (CV Flood Protection Board)
Ali Porbaha (CV Flood Protection Board Encroachment Control)
Ryan Larson (Corps of Engineers)
Jim Day (Day, Carter, Murphy)

Caliso, Angeles

From: LINO CATABRAN [linoc@att.net]
Sent: Tuesday, October 19, 2010 12:12 PM
To: Caliso, Angeles
Cc: Porbaha, Mohammad (Ali); Taras, Curt; Marino, Len; Thomas, Clay; Paul Devereux; Lemon, Gary
Subject: Re: NOTICE: Cease & Desist All work at 5291 Garden Hwy

Ms Caliso, I have terminated all work as directed and apologize for any problems that I have caused. I am going to review the attachments that you have sent and will respond within 24 hours. I believe all work completed is compliant with your regulations. The fence is fifteen feet from center line at its closest point. It is only that close for a couple of inches then curves away to eight feet from the fog line. The north 40 ft of the exterior wall height is 5 ft and the columns are 5ft 8". This section is also directly in front of the home and does not block any view of the levee or river. Going south after 5 ft wall and as soon as the home no longer blocks river view, the wall drops to 2 1/2 ft. As shown in the plan it is to have wrought iron in those panels. The two gates are also wrought iron. In regards to the ability to see the levee and river, this project has resulted in hundreds of additional feet of visibility.

Please accept my apology for any grief I have caused.

Sincerely, Lino Catabran

From: "Caliso, Angeles" <acaliso@water.ca.gov>
To: LINO CATABRAN <linoc@att.net>
Cc: "Porbaha, Mohammad (Ali)" <mporbaha@water.ca.gov>; "Taras, Curt" <ctaras@water.ca.gov>; "Marino, Len" <lmarino@water.ca.gov>; "Thomas, Clay" <cathom@water.ca.gov>; Paul Devereux <pdevereux@rd1000.org>; "Lemon, Gary" <glemon@water.ca.gov>
Sent: Mon, October 18, 2010 10:34:17 AM
Subject: NOTICE: Cease & Desist All work at 5291 Garden Hwy

Note: Forwarded message is attached.

Mr. Catabran,

You are hereby noticed to stop all work at your property immediately. You are only authorized to do any work that is necessary to stabilize the site for erosion and public safety. All other work must wait until you have a Board approved permit.

When you hand-delivered your Board application to me on September 23, 2010, I informed you that you could not continue with any work until you received a Board permit. Furthermore, I informed you that no encroachments would be allowed to be built within 15 feet from the waterside crown hinge point. This included your proposed fence, water feature, utility lines, and landscaping (with the exception of grass). Refer attached email on 09/23/10 with comments on your submitted plans.

We have been informed that you have continued to work on your property after you were notified to stop all work on the following dates:

- September 1, 2010 – Letter from RD1000
- September 21, 2010 - Board staff, DWR Inspector & RD 1000 Manager site visit to your property
- September 23, 2010 – Meeting with me at our office, delivering RD endorsement of your Board application
- October 6, 2010 – DWR Inspector issued Notice of Violation during a site visit to your property

If you fail to follow this notice, your submitted Board application will NOT be processed and an Enforcement Action will be initiated.

Best Regards,

Angeles Caliso | Water Resources Engineer
Central Valley Flood Protection Board
Encroachment Control & Land Use Section
3310 El Camino Avenue, Room 151 | Sacramento, CA 95821
(916) 574-2386 Office | (916) 628-0540 Mobile | (916) 574-0682 Fax
Email: acaliso@water.ca.gov | www.cvfpb.ca.gov

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-2380 FAX: (916) 574-0682

Via certified mail

April 12, 2011

Mr. Lino Catabran
5291 Garden Highway
Sacramento, California 95837

Subject: Application No. 18635

Dear Mr. Catabran:

After further review of your application No. 18635 to the Central Valley Flood Protection Board ("Board"), Board staff has determined your application to be non-conforming with California Code of Regulations Title 23 and therefore your application will not be processed for the following reasons:

1. You failed to obtain Board authorization prior to the commencement of the work, as required by California Code of Regulations, Title 23, Section 6 (a). You failed to follow the various notices issued to you by RD 1000 and Board staff to stop all work on your property until a Board permit was obtained. See attached Exhibits A, B, C, and D.

2. Your application requested authorization for a wrought iron fence. However, the fence you constructed consists of 8-ft high solid masonry and a wrought iron gate. Solid masonry walls along Garden Highway, within RD 1000, cannot exceed a height of 2 feet and the piers cannot exceed 4 feet in height. See attached Exhibit E.

3. The work constructed at your property will impair the inspection of the project levee and floodway. It interferes with periodic maintenance and will impair floodfighting, patrolling and other flood emergency activities of the floodway or project levee (pursuant to California Code of Regulations, Title 23, Section 15 (a) (4), (5) and (6)).

4. During a site visit of your property on November 3, 2010, the Board staff notified you that the unauthorized parallel fence was too close to Garden Highway's fog line and informed you that a Board permit was required before any work could take place.

5. A building permit from Sacramento County may be required for the work that has already taken place at your property. Please contact Mr. George Booth at (916) 874-6484.

The work constructed is in violation of the Board's Regulations and our office will be initiating an enforcement action against you for the unauthorized work completed without a Board permit. If you need further information, please contact Ms. Angeles Caliso at (916) 574-2386 or via e-mail at acaliso@water.ca.gov.

Sincerely,

Len Marino, P.E.
Chief Engineer

Attachments:
Exhibit A: RD1000 letter dated September 1, 2010
Exhibit B: Notice of Violation issued by DWR Inspector on October 6, 2010
Exhibit C: RD1000 Cease & Desist e-mail correspondence and letter dated October 18, 2010
Exhibit D: Board Cease & Desist Order via email on October 18, 2010
Exhibit E: Fences on the waterside of RD1000
Exhibit F: Board staff site visit photos on November 3, 2010

cc: Ms. Meegan Nagy, Chief
Flood Protection & Navigation Section
Sacramento District
U.S. Army Corps of Engineers
1325 J Street
Sacramento, California 95814-2922

Mr. George Booth
Department of Water Resources
Sacramento County
827 7th Street, #301
Sacramento, CA 95814

Mr. Don Rasmussen, Branch Chief
Mr. David Pesavento, Section Chief
Mr. Clay Thomas, Inspector
Flood Project Integrity and Inspection Branch
Department of Water Resources

Robin Brewer, Senior Staff Counsel
Department of Water Resources

ATTACHMENT B, EXHIBIT I
EXHIBIT A

RD1000

RECLAMATION
DISTRICT 1000

September 1, 2010

Lino and Linda Catabran
5291 Garden Highway
Sacramento, CA 95837

Dear Mr. and Mrs. Catabran;

During a recent patrol along the Garden Highway levee by staff from our District, we noticed the levee area had been cleared and today plants and shrubs were delivered presumably to plant within the cleared area. Our District along with the State and Sacramento Area Flood Control Agency have done extensive outreach to residents along the Garden Highway advising them of the need for an encroachment permit from the Central Valley Flood Protection Board (CVFPB) with an endorsement by our District for any activity on or adjacent to the levee including the planting you appear ready to do.

We know you are aware of these regulations because in 2007 you requested and received permission from the State Reclamation Board (predecessor to the CVFPB) to modify the foundation of the residence. That approval explicitly stated it was only for the work included in your letter and any additional work would require prior approval of the CVFPB. Please be advised any work you do prior to obtaining a permit will need to be removed if it is not subsequently approved or does not meet the guidelines for vegetation on levees.

It is important to understand the need for these regulations. The levees along the Sacramento River protect the lives and property of thousands of Natomas residents as well as numerous businesses, schools, churches and other public property including Sacramento International Airport. During the flood season, our crews need to inspect the levee slope for erosion, seepage or other signs of levee distress. We must be able to access areas on and adjacent to the levee for emergency flood fight activities including placement of sandbags, visquine, large rocks or other materials. During non-flood season, our crews inspect the levees for necessary repairs, trim vegetation obstructing our view of the levee slope, and monitor for burrowing animals who may threaten the integrity of the levee system. It is important than any encroachment upon the levee and adjacent area not impede our ability to perform these crucial functions. If you have any questions about this letter you may contact me at 916-922-1449.

Sincerely,

Paul Devereux
General Manager/District Engineer

cc Jay Punia (CV Flood Protection Board)
Ali Porbaha (CV Flood Protection Board Encroachment Control)
Ryan Larson (Corps of Engineers)
Jim Day (Day, Carter, Murphy)

EXHIBIT B

State of California

DEPARTMENT OF WATER RESOURCES
Division of Flood Management/Flood Project Inspection Section

The Resources Agency

NOTICE OF VIOLATION

DATE	LOCATION	LANDOWNER/CONTRACTOR
10-6-10	RD-1000	
PHONE NO. ( )	ADDRESS 5191 GARDEN Hwy	

A Department of Water Resources' Inspector has found you in violation of Title 23 of the California Code of Regulations which protects floodways and flood control structures.

TYPE OF VIOLATION

1. ☒ UNAUTHORIZED ENCROACHMENT
2. ☐ UNAUTHORIZED SPOIL OR WASTE
3. ☒ UNAUTHORIZED WORK
4. ☐ IMPROPER MAINTENANCE
5. ☐ OTHER: _____

REQUESTED CORRECTION STOP ALL WORK

Corrective action must be taken no later than _____.

If you have questions about this notice, please contact the inspector listed below. If corrective action is not taken, the Department may request that enforcement action be taken against you.

Received By _____

Inspector CLAY THOMAS Phone No. 916 214-3532 Pager _____

Comments _____

DWR 168T (Rev. 7/03)

Original-White; LMA-Green; Rec. Bd-Canary; Inspector-Pink; Landowner/Contractor-Goldenrod

ATTACHMENT B, EXHIBIT I

Caliso, Angeles

From: Paul Devereux [pdevereux@rd1000.org]
Sent: Monday, October 18, 2010 6:44 PM
To: linoc@att.net
Cc: Porbaha, Mohammad (Ali); Punia, Jay; Caliso, Angeles; 'Mike Blickle'
Subject: Cease and desist block wall
Attachments: 5291 Garden Highway (Catabran)--cease and desist order.pdf

Lino,

Attached is my cease and desist order for any more work on your site—particularly the solid block wall. This wall is in violation of the California Water Code Title 23 standards. With a solid wall I cannot see to do my job to operate and maintain the levee. The plans you submitted to me showed a wrought iron fence which, if there is no vegetation, provides visibility. The wall will have to be removed, so I am notifying you now so it can be removed more easily before the concrete sets.

I have been trying to work with you to make sure the site is safe for you and your family and then secure the appropriate permit to work next spring on the remainder. However, your actions are not consistent with trying to work with me! I know the State also has told you to stop working and issued you two notices to that affect.

Paul Devereux
General Manager/District Engineer
Reclamation District No. 1000
916-922-1449
pdevereux@rd1000.org

ATTACHMENT B, EXHIBIT I

EXHIBIT C

RD1000

RECLAMATION
DISTRICT 1000

October 18, 2010

Lino and Linda Catabran
5291 Garden Highway
Sacramento, CA 95837

Subject: Cease and Desist Order

Dear Mr. and Mrs. Catabran;

You are hereby notified to cease and desist any further work on the area adjacent to your home along the Sacramento River levee which includes any more work on the block wall under construction today. I drove by your house today after receiving a phone call from our District Superintendent indicating you had constructed a solid block wall 6 to 8 feet in height within 10 feet of the waterside levee hinge point. This solid wall is in violation of the California Water Code Title 23 and is unacceptable to the District.

I have been assisting you to get authority from the Central Valley Flood Protection Board to restore the area along the levee in front of your house to make it safe for you and your family. This was to be limited to replacing the driveway and entrance stairs to your house. The encroachment permit application I endorsed and sent to the Central Valley Flood Protection Board included plans which clearly delineated a **wrought iron fence** in front of your house along the driveway. Subsequent to my endorsement of the permit, you were instructed by the CVFPB staff to cease any further work until the permit was approved. And subsequently, I believe they allowed you to continue work to stabilize and restore the levee. I reiterated these limitations when you visited my office this past Friday. However, the solid wall was never approved by me or the CVFPB. The wall will need to be removed.

Our District needs to be able to monitor the area along the levee during high water and access the levee to respond in an emergency. The solid wall will block our view of the levee and adjacent area. These issues were described in detail in my September 1, 2010 letter to you. Please call me so we can clear up any confusion and get the wall removed so we have visibility and access along the levee for the coming flood season.

1633 GARDEN HIGHWAY
SACRAMENTO, CA 95833
916-922-1449

Sincerely,

Paul Devereux
General Manager/District Engineer

cc Jay Punia (CV Flood Protection Board)
Ali Porbaha (CV Flood Protection Board Encroachment Control)
Ryan Larson (Corps of Engineers)
Jim Day (Day, Carter, Murphy)

Caliso, Angeles

From:	Caliso, Angeles
Sent:	Monday, October 18, 2010 10:34 AM
To:	'LINO CATABRAN'
Cc:	Porbaha, Mohammad (Ali); Taras, Curt; Marino, Len; Thomas, Clay; 'Paul Devereux'; Lemon, Gary
Subject:	NOTICE: Cease & Desist All work at 5291 Garden Hwy
Attachments:	RE: 5291 Garden Hwy Emergency Permit Lot topography
Importance:	High

Mr. Catabran,

You are hereby noticed to stop all work at your property immediately. You are only authorized to do any work that is necessary to stabilize the site for erosion and public safety. All other work must wait until you have a Board approved permit.

When you hand-delivered your Board application to me on September 23, 2010, I informed you that you could not continue with any work until you received a Board permit. Furthermore, I informed you that no encroachments would be allowed to be built within 15 feet from the waterside crown hinge point. This included your proposed fence, water feature, utility lines, and landscaping (with the exception of grass). Refer attached email on 09/23/10 with comments on your submitted plans.

We have been informed that you have continued to work on your property after you were notified to stop all work on the following dates:

- September 1, 2010 – Letter from RD1000
- September 21, 2010 - Board staff, DWR Inspector & RD 1000 Manager site visit to your property
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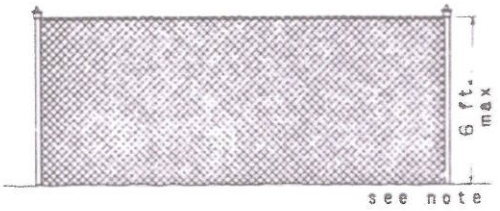
Best Regards,

Angeles Caliso I Water Resources Engineer
Central Valley Flood Protection Board
Encroachment Control & Land Use Section
3310 El Camino Avenue, Room 151 I Sacramento, CA 95821
(916) 574-2386 Office I (916) 628-0540 Mobile I (916) 574-0682 Fax
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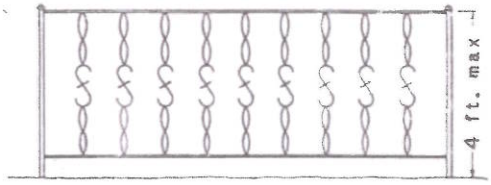
FENCES ON RIVER LEVEE

LEFT BANK SACRAMENTO RIVER
AMERICAN RIVER TO NATOMAS CROSS CANAL

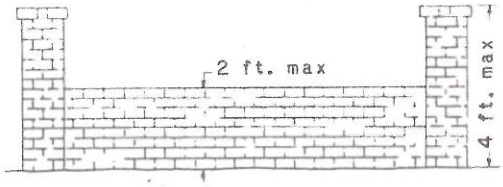
FOR BERMS WHERE FILL IS LESS THAN ONE FOOT ABOVE PROJECT DESIGN FLOOD PLANE



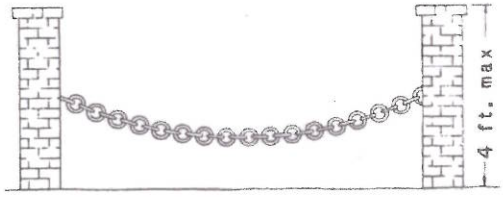
METAL POSTS AND CHAIN LINK FENCE
TOP RAIL AND POSTS MAY BE ORNAMENTAL



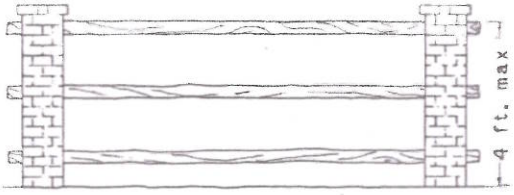
ORNAMENTAL METAL FENCE



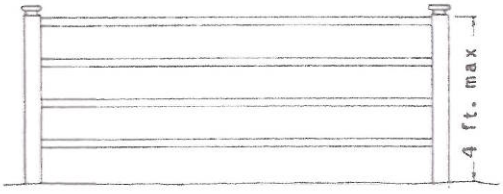
SOLID MASONRY WALL OR CURB
MATERIAL OPTIONAL—BRICK, CUT STONE, RUBBLE OR CONCRETE. PIERS MAY BE OMITTED. SPACING OF PIERS 8.0 FT. MINIMUM



BRICK PIERS AND CHAIN FENCE
MATERIAL FOR PIERS OPTIONAL—BRICK, CUT STONE, RUBBLE OR CONCRETE. SPACING OF PIERS 8.0 FT. MINIMUM.



BRICK PIERS AND WOOD RAILS
MATERIAL FOR PIERS OPTIONAL—BRICK, CUT STONE, RUBBLE, CONCRETE, WOOD, OR METAL. SIZE OF PIER OPTIONAL. SPACING OF PIERS 8.0 FT. MINIMUM.



WOOD POSTS AND RAIL FENCE
SPACING OF POSTS 8.0 FT. MINIMUM.

NOTE: Where the elevation of the top of the fill on berms is less than one foot above project design flood plane, chain link fences up to six feet high may be installed on the waterward slope of the levee and within 65 feet from the centerline of the levee. For inspection purposes, no plantings, fence slats, or other materials will be placed on or adjacent to the fence that will restrict maximum visibility through the fence. For permitted vegetation, refer to "Guide for Vegetation on Project Levees".





Source: Board staff site visit November 3, ~~2011~~ 2010 (property: 5291 Garden Highway, Sacramento CA)





Source: Board staff site visit November 3, ~~2011~~ 2010 (property: 5291 Garden Highway, Sacramento CA)

ATTACHMENT B, EXHIBIT I

SACRAMENTO COUNTY BUILDING INSPECTION

www.bldginspection.org (916) 875-5296 For Inspections (916) 875-5381

4101 Branch Center Rd, Sacramento 95827
Fax: (916) 854-9228

827 7th St., Rm. 102, Sacramento 95814
Fax: (916) 854-9229

6015 Watt Ave., Ste. 4, N. Highlands 95660
Fax: (916) 874-2632

NOTICE OF VIOLATION

Property Location: 5291 Shiloh Hwy Date: 4-20-11

Owner:

Address:

City: State: ZIP:

You are hereby notified that the following violations of the Sacramento County Building Code, (Chapter 16.04, Sacramento County Code) exist on the above referenced property:

1. Comply with Notice of Violation from Water Resources for Stop work Order on CMU wall at front of property
2. Provide permit for electrical to CMU wall

Permits Required: ☒ Building ☐ Plumbing ☐ Mechanical ☒ Electrical

☐ Special Investigation and fee required ☒ Plans Required

☐ Other Permit required for electrical to wall/fence

WARNING: Investigative fees based on the loaded rate will be assessed whether a permit is issued or not as per Chapter 16.02, Sacramento County Code

The above listed violations must be corrected within 30 days. Please notify the undersigned inspector when the corrections have been completed. If you have any questions, please call this department. Thank you, your cooperation is appreciated.

Matthews 177 Matthews 343-2788

Printed Inspector's Name & Badge # Signature Phone

Legal Notices:

If you object to the determination concerning this notice, you must file a written APPEAL with the County Building Inspection within 10 days from the date of this notice.

Failure to resolve the listed violations may result in a Notice of Pending Enforcement Action being filed with the Sacramento County Recorder's office within thirty days from the date of this notice, effectively clouding the property title.

Failure to correct the listed violations may result in Building Inspection referring this matter to the County Counsel.

Compliance with this notice, before, on, or after the above compliance date does not prevent prosecution by the County Counsel's Office on any of the above violations of the Sacramento County Code.

White – OWNER Yellow – FILE Pink – SUPERVISOR

Caliso, Angeles

From: Caliso, Angeles
Sent: Friday, June 10, 2011 3:35 PM
To: LINO CATABRAN
Cc: Porbaha, Mohammad (Ali)
Subject: RE: Board hearing

Mr. Catabran,

We acknowledge your request for a hearing. We will be sending you a letter with copies of the requested correspondence related to this enforcement action.

We are available to meet with you on Tuesday June 14, 2011 between 9 am – 11 am. Please let us know what time works best for you.

Best Regards,

Angeles Caliso
Central Valley Flood Protection Board
(916) 574-2386 Office | (916) 574-0682 Fax
Email: acaliso@water.ca.gov | www.cvfpb.ca.gov

From: LINO CATABRAN [mailto:linoc@att.net]
Sent: Thursday, June 09, 2011 2:48 PM
To: Caliso, Angeles
Subject: Board hearing

Ms Caliso, please accept this email as a written request for a board hearing regarding the security wall at my residence. I will need time to interview & obtain legal assistance in this important matter. I would still like the opportunity to first meet with you and your supervisor in hopes of resolving this at a lower level.

When we last spoke you said you would email copies of correspondence that you referenced. I have not received them.

Regards,

Lino Catabran

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY
EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-2380 FAX: (916) 574-0682

Sent Via U.S. Certified Mail

June 13, 2011

Mr. Lino Catabran
5291 Garden Highway
Sacramento, California 95833

Subject: **Acknowledgement of Receipt of Request for Hearing**
Enforcement Action: 2011-138
Property Owner: Mr. Lino Catabran
Property Address: 5291 Garden Highway, Sacramento, California 95833

Dear Mr. Catabran:

The staff of the Central Valley Flood Protection Board (Board) hereby acknowledges the receipt of your e-mail dated June 9, 2011, requesting an enforcement hearing. In addition, attached is a CD with copies of all the correspondence related to this enforcement action. If there are any additional documents not included in the CD, please let us know within 2 weeks from receipt of this letter.

A written notice of the hearing date will be mailed to you at least ten (10) days prior to the date of the hearing.

Should you have any questions, please contact Mr. Ali Porbaha, Chief of the Encroachment Control and Land Use Section, at (916) 574-2378, or by e-mail at mporbaha@water.ca.gov.

Sincerely,

Jay S. Punia

Jay S. Punia
Executive Officer

Attachments: As referenced above

cc: (See attached list).

cc: Mr. Paul Devereux, General Manager
Reclamation District 1000
1633 Garden Highway
Sacramento, California 95833

Ms. Meegan Nagy, Chief
Flood Protection & Navigation Section
Sacramento District
U.S. Army Corps of Engineers
1325 J Street
Sacramento, California 95814-2922

Mr. George Booth
Department of Water Resources
Sacramento County
827 7th Street, #301
Sacramento, California 95814

Robin Brewer, Senior Staff Counsel
Department of Water Resources

ATTACHMENT B, EXHIBIT L

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY
EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-0685 FAX: (916) 574-0682

July 8, 2011

Mr. Lino Catabran
5291 Garden Highway
Sacramento, California 95833

Subject: Enforcement Action: 2011-138
Property Owner: Mr. Lino Catabran
Property Address: 5291 Garden Highway, Sacramento, California 95833

Dear Mr. Catabran:

Your requested hearing for Enforcement Action 2011-138 will be held at 10 AM on Friday, July 22, 2011. The location for the hearing will be at the Resources Building Auditorium, on the first floor, at 1416 Ninth Street, Sacramento, CA 95814. Attached to this letter is a copy of the Agenda for the Board meeting and a copy of the Board Enforcement Proceeding Governing Procedures.

Should you have any questions, please contact Mr. Ali Porbaha, Chief of the Encroachment Control and Land Use Section, at (916) 574-2378, or by e-mail at mporbaha@water.ca.gov.

Sincerely,

Curt Taras, PE, MSCE, Chief
Floodway Encroachment and Enforcement Branch

Attachments: As referenced above

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California
3310 El Camino Avenue, Room 151
Sacramento, California 95821
Phone (916) 574-0609 – Fax (916) 574-0682
http://www.cvfpb.ca.gov

BOARD MEMBERS
Ben Carter, President
Teri Rie, Vice-President
Butch Hodgkins, Secretary
John Brown, Member
Emma Suarez, Member
Mike Villines, Member
John Moffatt, Member
Jared Huffman, Ex Officio Member
Fran Pavley, Ex Officio Member

BOARD STAFF
Jay Punia, Executive Officer
Len Marino, Chief Engineer
Dan Fua, Supervising Engineer
Curt Taras, Supervising Engineer
Eric Butler, Senior Engineer
Lorraine Pendlebury, Staff Analyst
Amber Woertink, Staff Assistant

BOARD COUNSEL
Deborah Smith, Legal Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

Friday, July 22, 2011 – 8:30 AM
The Resources Building Auditorium, First Floor
1416 Ninth Street, Sacramento, CA 95814

NOTE: ***THE BOARD WILL CONSIDER TIMED ITEMS AS CLOSE AS POSSIBLE TO THE LISTED TIME, BUT NOT BEFORE THE TIME SPECIFIED. UNTIMED ITEMS MAY BE HEARD IN ANY ORDER.***

1. ROLL CALL

2.* APPROVAL OF MINUTES – May 27, 2011

3.* APPROVAL OF AGENDA

4. PUBLIC COMMENTS (non-agendized items only)

5. RECOGNITION OF SERVICE - JOE COUNTRYMAN *(Board President Benjamin Carter)*

6. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES
(Gary Bardini)

- Central Valley Flood Protection Plan Status Update - Key Policy Issues *(Jeremy Arrich)*

*action item

Anyone may upon request obtain a copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged. If you need reasonable accommodations due to a disability, or need language assistance, please contact the Equal Opportunity Management Investigations Office at (916) 653-6952, or TDD (916) 653-6934 at least a week prior to the meeting.

7. REPORT OF ACTIVITIES OF THE EXECUTIVE OFFICER *(Jay Punia)*

8.* CONSENT CALENDAR

A. Permit No. 18166-1, Sacramento Regional Transit District *(Sungho Lee)*

Consider approval of Permit No. 18166-1 to construct a 2000-foot aerial concrete structure to support light rail improvements over Morrison Creek east of Franklin Blvd. in the City of Sacramento for the South Sacramento Corridor Phase 2 project and includes embankment, abutments, temporary crossings, falsework, bents, bridge (aerial structure over Morrison creek/UPRR), track, and retaining walls. (Sacramento County)

B. Permit No. 18387, Reclamation District 1601 *(Nancy Moricz)*

Consider approval of Permit No. 18387 to authorize an existing non-federal backup levee/county road re-alignment and appurtenances along the left (south) bank levee of Sevenmile Slough. (Sacramento County)

C. Permit No. 18517-A, Reclamation District 17 *(Steve Dawson)*

Consider approval of Permit No. 18517-A, to install landscape planting, irrigation improvements, Shoreblock (articulated concrete-block mat covering the exposed gravel portions of the seepage berm), concrete curb at base of Shoreblock, bicycle/pedestrian trail adjacent to curb, bollards on bicycle/pedestrian trail concrete mow strips and retain above/below ground utilities (i.e. street lights, fire hydrants) within the 15-foot-wide area landward of the berm toe for the previously constructed landside seepage berm on the right (east) bank levee of the San Joaquin River. (San Joaquin County)

D. Permit No. 18518-A, Reclamation District 17 *(Steve Dawson)*

Consider approval of Permit No. 18518-A, to install landscape planting, irrigation improvements, Shoreblock (articulated concrete-block mat covering the exposed gravel portions of the seepage berm), concrete curb at base of Shoreblock, bicycle/pedestrian trail adjacent to curb, bollards on bicycle/pedestrian trail concrete mow strips and retain above/below ground utilities (i.e. street lights, fire hydrants) within the 15-foot-wide area landward of the berm toe for the previously constructed landside seepage berm on the right (east) bank levee of the San Joaquin River. (San Joaquin County) .

E. Permit No. 18519-A, Reclamation District 17 *(Steve Dawson)*

Consider approval of Permit No. 18519-A, to install landscape planting, irrigation improvements, Shoreblock (articulated concrete-block mat covering the exposed gravel portions of the seepage berm), concrete curb at base of Shoreblock, bicycle/pedestrian trail adjacent to curb, bollards on bicycle/pedestrian trail concrete mow strips and retain above/below ground utilities (i.e. street lights, fire hydrants) within the 15-foot-wide area landward of the berm toe for the previously constructed

landside seepage berm on the right (east) bank levee of the San Joaquin River. (San Joaquin County)

F. Permit No. 18586, George Turkmany *(Alison Tang)*

Consider approval of Permit No. 18586 to authorize an 8-inch diameter, 80-foot deep PVC domestic water well with a submersible pump on the overflow area of the right (north) bank levee of the Stanislaus River. (San Joaquin County)

G. Permit No. 18652, Ojii Bros. Farms, LLC *(Sterling Sorenson)*

Consider approval of Permit No. 18652 to allow the installation of a state-of-the-art, self cleaning, and retractable Intake Screens, Inc. fish screen system on an existing permitted agricultural diversion owned and operated by Ojii Bros. Farms, Inc. (Sutter County)

H. Permit No. 18653, California Department of Transportation, District 3 *(Nancy Moricz)*

Consider approval of Permit No. 18653 to authorize two existing cast-in-place reinforced box girder concrete bridge structures crossing Auburn Ravine at Highway 65 near Moore Road, north of the City of Roseville. (Placer County)

I. Permit No. 18660, Sutter Mutual Water Company *(Sterling Sorenson)*

Consider approval of Permit No. 18660 to allow the installation of a state-of-the-art, self cleaning, and retractable Intake Screens, Inc. fish screen system on an existing permitted agricultural diversion owned and operated by Sutter Mutual Water Company. (Sutter County)

J. Permit No. 18662, California Department of Transportation, District 10 *(Deb Biswas)*

Consider approval of Permit No. 18662 to widen the existing bridge from four-lanes to six-lanes over Lone Tree Creek by adding two 12-foot lanes in the median. (San Joaquin County)

K. Permit No. 18665, Tulare Co. Resource Management Agency *(Nancy Moricz)*

Consider approval of Permit No. 18665 to remove the existing single-lane Mountain Road M319 bridge over the South Fork of the Kaweah River and replace it with a precast concrete, pre-stressed box girder two-lane bridge along the same alignment as the existing bridge. (Tulare County)

L. Permit No. 18667, Kent Lang *(Gary Lemon)*

Consider approval of Permit No. 18667 to remove an 18-inch diameter steel pipe through the levee and replace it with an 18-inch diameter steel pipe up and over the right (west) bank levee of the Sacramento River. (Yolo County)

M. Permit No. 18668, Placer County Parks Division *(David Williams)*

Consider approval of Permit No. 18668 to construct 3 bridges on upper Coon Creek at Hidden Falls Regional Park. (Placer County)

N. Operations, Maintenance, Repair, Replacement and Rehabilitation (OMRR&R), Three Rivers Levee Improvement Authority (TRLIA) *(Kelly Fucciolo/Charles Rabamad)*

Consider approval and execution of the Reclamation District 784/TRLIA OMRR&R Agreement for the Feather River and the Upper Yuba Levee Improvement Projects between the Central Valley Flood Protection Board and RD 784/TRLIA.

9.* HEARINGS AND DECISIONS

A. Encroachment Removal Enforcement Hearing for Mr. Lino Catabran, 5291 Garden Highway, Sacramento, California *(Curt Taras)* **– 10:00 AM**

Conduct a hearing regarding the Enforcement Removal Notice No. 2011-138, dated May 20, 2011 that was sent to Mr. Lino Catabran to consider ordering removal of a newly constructed parallel solid masonry wall along the East levee of the Sacramento River Flood Control Project.

10. INFORMATIONAL BRIEFINGS

A. Presentation and Discussion: Central Valley Flood System Conservation Strategy *(David Carlson, DWR)*

BREAK FOR LUNCH

B. Briefing on the Delta Levees Subventions Criteria and Procedures *(Mike Mirmazaheri and John Wilusz, DWR)*

C. Briefing on the Draft EIS/EIR for the San Joaquin River Restoration Program *(Kevin Faulkenberry, DWR, and Alicia Forsythe, SJRRP)*

11. BOARD COMMENTS AND TASK LEADER REPORTS

12. FUTURE AGENDA

13. CLOSED SESSION

- To discuss litigation (Giudice v. State of California et. al; San Joaquin County Superior Court Case No. 39-2011-00256176-CU-OR-STK) pursuant to Govt. Code section 11126(e)(1). *(Deborah Smith, Deputy Attorney General)*

- Pursuant to the authority of Government Code section 11126, subdivisions (e)(1), (e)(2)(B)(i), and (e)(2)(C)(i), the Board will meet in Closed Session to consider potential litigation involving the Board.

14. ADJOURN

For further information about items on this agenda, please contact Amber Woertink at awoertin@water.ca.gov , 3310 El Camino Ave., Room 151, Sacramento, CA 95821, or (916) 574-0609.

- Items on the Consent Calendar may be removed at the request of any Board member or person.

CENTRAL VALLEY FLOOD PROTECTION BOARD ENFORCEMENT PROCEEDINGS PURSUANT TO TITLE 23

The Central Valley Flood Protection Board ("Board") has authority pursuant to the Water Code and Title 23 of the California Code of Regulations to enforce standards for the erection, maintenance, and operation of levees, channels, and other flood control works within its jurisdiction, including but not limited to standards for encroachments, construction, vegetation, and erosion control measures.

The Board's regulations related to enforcement proceedings are located in Title 23, Division 1, Chapter 1, Article 4, sections 20 through 22 of the California Code of Regulations ("CCR"), and can be found at the Board's website at www.cvfpb.ca.gov by clicking the "Regulations" tab. This document provides a summary of the governing procedures for enforcement proceedings undertaken by the Board pursuant to Title 23.

Governing Procedures

A. Initiation and Notice; Interested Parties

The Executive Officer may initiate an enforcement proceeding pursuant to section 20 of the Board's regulations by serving a notice by certified mail, return receipt requested, to the landowner or person (referred to as the "respondent") owning, undertaking or maintaining a work that is in violation of the division or that threatens the successful execution, functioning or operation of an adopted plan of flood control. The notice must state the acts or omissions which the Executive Officer believes to constitute the violation, as well as specify the statutes or regulations the respondent is alleged to have violated.

The notice must be accompanied by an order requiring the respondent to respond within 30 days of receipt of the notice. The notice and order must state that the Board may seek judicial enforcement should the respondent fail to respond in a timely manner and that the Board may abate violations by such actions identified in section 22 of the Board's regulations. Such actions may include, for example, physical removal of the encroachments at respondent's cost and expense.

Other interested parties may become parties to an enforcement proceeding by filing a notice to that effect with the Board. The Board shall mail a copy of that notice to the respondent within 10 days of receipt.

Notwithstanding the above notice requirements, if there is work that has not been approved by the Board, the Executive Officer or Chief Engineer may issue an order for compliance with Division 1 of Title 23 of the regulations, including an order to stop work.

B. Hearing Procedures

The respondent shall have the opportunity for a hearing, which must be requested in the respondent's timely response to the notice of enforcement hearing. Failure by the respondent to file such a response within 30 days of receipt of the notice constitutes a waiver of the respondent's right to a hearing.

A full hearing or partial hearing may be held before the entire Board or before a committee of one or more Board members at any place within the state. If the hearing is held before less than the full Board, the Board President shall designate a hearing officer to prepare a record of the evidence and a proposed decision for consideration by the full Board at a subsequent Board meeting. All hearings must be open to the public.

Written notice of the hearing shall be mailed to the respondent and each other party at least 10 days prior to the hearing. Respondents and other parties shall be mailed a copy of any staff report or recommendations on the enforcement proceedings at least 10 days prior to the hearing.

The Administrative Procedure Act's ("APA") Bill of Rights, which sets forth basic requirements of due process, is incorporated into the Board's enforcement hearing procedures (Government Code section 11425.10). The Board has not adopted the formal hearing requirements found in Chapter 5 of the APA (Government Code section 11500 et. seq.). At the hearing, the respondent will be provided the opportunity to present and rebut evidence. The presentation of evidence is subject to the reasonable control and limitation by the Board President, acting chair, or appointed hearing officer, including the length and manner of presentation of evidence. The Board President, acting chair, or appointed hearing officer may also place other controls or limitations as he or she deems appropriate to the specific proceeding. Prior hearings before the Board have typically followed the following format and order:

- Board staff presentation of evidence
- Respondent presentation of evidence
- Board staff rebuttal
- Respondent rebuttal

Cross examination is not typically allowed, but the Board can ask questions at any time during any presentation. Once the Board President, acting chair, or hearing officer closes the hearing, typically no additional evidence is permitted unless allowed by the Board President, acting chair, or hearing officer.

C. Requests for Documents

The respondent and other parties may request that the Board provide a copy of any document that is relevant to the proceedings and that is not exempt from disclosure

under the Public Records Act (Government Code section 6521 et. seq.). The Board may charge a reasonable fee for each copy.

D. Board Decision

After the conclusion of the hearing, the Board shall issue a decision in writing based upon the record, including a statement of the factual and legal basis of the decision. Where the full Board hears the matter, the Board may either vote on the matter on the day of the hearing or, if deemed appropriate by the Board, at a subsequent meeting after the preparation of a proposed decision and order or revised written findings. If a hearing officer is appointed, the hearing officer shall prepare a proposed decision within 30 days after the conclusion of the hearing and the Board shall adopt its final decision based upon the record of evidence at the next regularly scheduled Board meeting after issuance of the proposed decision.

The Board decision shall by order specify what action must be taken by the respondent, if any, at respondent's cost, and the time within which such action must be taken. The required action may include, but is not limited to:

1) Removal of the work;
2) Alteration of the work;
3) Performance of additional work;
4) Implementation of specified mitigation for effects on the environment;
5) Compliance with additional reasonable conditions, including but not limited to requiring the respondent to permit inspection by the Board, its officers, staff, or authorized representatives of the Department of Water Resources during and after construction and requiring the respondent to file with the Board reports and data, including a description of all work done. The Board may request in writing at any time any reports or data, even if not expressly stated in a condition to the decision;
6) Filing an application for a permit;
7) Revocation of the permit.

The Board decision may also give notice that if the respondent does not comply with the decision within a reasonable time, the Board may take actions to abate violations or threats to the adopted plan of flood control, such as physical removal, and recover its costs from the respondent.

E. Additional Procedures

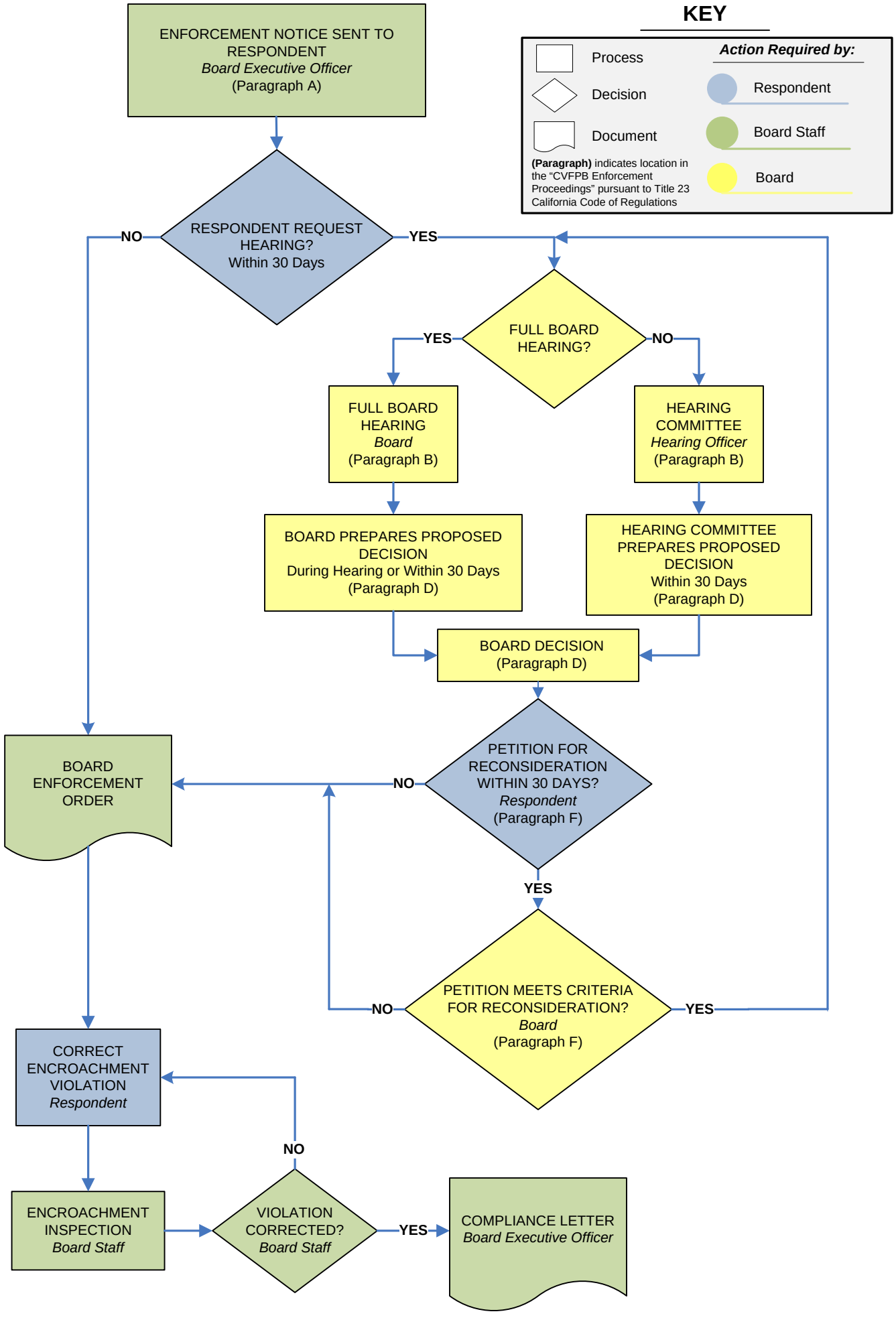
If the respondent believes that additional procedures or regulations apply to their particular proceeding, the respondent may request that such additional procedures be incorporated. The respondent should advise Board enforcement staff of the request in advance of the hearing and specify the basis of the request. Such requests will be considered on an individual basis.

F. Reconsideration

No later than 30 days after adoption by the Board of a decision or order, any interested person affected by the decision or order may petition the Board for reconsideration for any of the reasons stated and in the manner stated in section 23 of the Board's regulations.

BOARD ENFORCEMENT PROCEEDING

ATTACHMENT B, EXHIBIT L



STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-0685 FAX: (916) 574-0682

July 20, 2011

Mr. Eric Rasmusson
Respondent's Representative
2200 L Street
Sacramento, California 95816

Subject: July Board Meeting – Agenda Item 9A Staff Report
Enforcement Action: 2011-138
Property Owner: Mr. Lino Catabran
Property Address: 5291 Garden Highway, Sacramento, California 95833

Dear Mr. Rasmusson:

Thank you for contacting our offices. Per your phone call on July 20, 2011, you informed us that you are representing Mr. Catabran with respect to the subject matter. Attached is a copy of the Staff Report for the enforcement hearing scheduled to be heard by our Board on July 22, 2011 at approximately 10 am. Please note that these documents are also publicly available on our website at http://www.cvfpb.ca.gov/meetings/2011/072211Item9A_Enf_Hearing_StaffReportandAttachments.pdf

Should you have any questions, please contact Ms. Angeles Caliso at (916) 574-2386, or by e-mail at acaliso@water.ca.gov.

Sincerely,

Curt Taras, PE, MSCE, Chief
Floodway Encroachment and Enforcement Branch

Attachments: As referenced above

Caliso, Angeles

From: Caliso, Angeles
Sent: Wednesday, July 20, 2011 1:09 PM
To: 'eric@rpaco.org'
Cc: Taras, Curt; Porbaha, Mohammad (Ali); Tabor, Ward; Marino, Len
Subject: Enforcement Hearing 2011-138 (Catabran)

Importance: High

Tracking:

Recipient	Delivery	Read
'eric@rpaco.org'		
Taras, Curt	Delivered: 7/20/2011 1:09 PM	Read: 7/20/2011 1:11 PM
Porbaha, Mohammad (Ali)	Delivered: 7/20/2011 1:09 PM	
Tabor, Ward	Delivered: 7/20/2011 1:09 PM	
Marino, Len	Delivered: 7/20/2011 1:09 PM	

Mr. Rasmusson,

Please see attached document related to the subject matter. The hard copy will be going out on the mail today. However the documents are also available on our website at the following link: http://www.cvfpb.ca.gov/meetings/2011/072211Item9A_Enf_Hearing_StaffReportandAttachments.pdf

Should you have any additional questions, feel free to contact me.

Best Regards,

Angeles Caliso | Water Resources Engineer
Central Valley Flood Protection Board
Encroachment Control & Land Use Section
3310 El Camino Avenue, Room 151 | Sacramento, CA 95821
(916) 574-2386 Office | (916) 574-0682 Fax
Email: acaliso@water.ca.gov | www.cvfpb.ca.gov



Catabran_Rasmusson ltr_07.20.1...

RASMUSSON
PUBLIC AFFAIRS INC.

July 21, 2011

Mr. Benjamin Carter, President
Central Valley Flood Protection Board
3310 El Camino Ave., Room 151
Sacramento CA 95821

Re: Enforcement Action: 2011-138 Request for Continuance

Dear Board President Carter and honorable Board Members in Session:

I was retained by the Catabran family on July 20, 2011 to represent them in the above referenced matter. I have contacted your staff and have respectfully requested that they the hearing scheduled for tomorrow July 22, 2011 be rescheduled. I made this request based on the following reasons:

- Mr. Catabran in currently under a physician's care and is unable to attend or participate.
- I have not had sufficient time to review the lengthy staff report and even more lengthy complete file.

It is my intention, based on the Catabran's direction to attempt to find a reasonable solution to the recently constructed improvements in question. While I understand based on my brief discussion with Chief of Enforcement Curt Taras that there may have already been considerable attempts to discuss this matter, I've only just been brought into this matter and again, would respectfully request that the Board grant a brief postponement which will allow me to better understand the issue and meet with staff to determine what available options there might be.

As a matter of reference, I have been involved in flood control matters for well over 20 years in Northern/Central CA.I was one of the original founding consultants of Sacramento Citizens for Flood Safety which successfully led the first 2 of 3 successful special assessments for flood control and most recently, led several clients in their support of the Natomas area assessment for levee improvements. I continue to work closely with the Sacramento Area Flood Control Agency, the West Sacramento Flood Control Agency and with other groups such as RD-1000. I understand the importance of limiting encroachments both for inspection purposes and basic levee integrity reasons.

Again, I would respectfully request a postponement and opportunity to resolve this issue outside of formal enforcement process.

Respectfully,

Eric D. Rasmusson

Eric D. Rasmusson

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-0685 FAX: (916) 574-0682

Sent via certified mail

July 26, 2011

Mr. Eric Rasmusson
Representative for Mr. Lino Catabran
2200 L Street
Sacramento, California 95816

Subject: Enforcement Action: 2011-138
Property Owner: Mr. Lino Catabran
Property Address: 5291 Garden Highway, Sacramento, California 95833

Dear Mr. Rasmusson:

As requested on your letter dated July 21, 2011, the Central Valley Flood Protection Board ("Board") voted during our meeting on July 22, 2011 to grant your request for a continuance on the subject matter. The hearing will be scheduled for either August 25 or August 26, 2011. Please reserve these dates as the Board will not grant any additional requests for continuance of this case and the hearing will proceed as scheduled with or without the presence of Mr. Catabran. We will confirm the date and time for the hearing no later than August 12, 2011 when the Board's agenda is finalized and published on the Board's website.

For future reference, please note that the agenda and related documents are publicly available on our website at http://www.cvfpb.ca.gov/

Should you have any questions, please contact Ms. Angeles Caliso at (916) 574-2386, or via e-mail at acaliso@water.ca.gov.

Sincerely,

Eric R. Butler 7/26/2011

for Curt Taras, PE, MSCE, Chief
Floodway Encroachment and Enforcement Branch

Caliso, Angeles

From: Caliso, Angeles
Sent: Monday, August 15, 2011 2:31 PM
To: 'Eric@RPAco.org'
Cc: 'LINO CATABRAN'; Porbaha, Mohammad (Ali); Taras, Curt; 'Meegan Nagy'; Tabor, Ward
Subject: CVFPB August 26th, 2011 Agenda
Attachments: August 26 2011 Agenda_Rev.pdf

Importance: High

Tracking:

Recipient	Read
'Eric@RPAco.org'	
'LINO CATABRAN'	
Porbaha, Mohammad (Ali)	Read: 8/15/2011 2:59 PM
Taras, Curt	Read: 8/15/2011 2:45 PM
'Meegan Nagy'	
Tabor, Ward	Read: 8/15/2011 3:37 PM

Mr. Rasmussen

Please find attached to this email our Central Valley Flood Protection Board meeting August 26, 2011 Agenda. Enforcement Hearing for Mr. Catabran is scheduled for **1:00 PM** (not AM as noted our agenda). We will be sending you a revised staff report for the case within the next day. For future reference, you can find the agenda and related meeting documents on our website.

Should you have any additional questions, feel free to contact me.

Best Regards,

Angeles Caliso | Water Resources Engineer
Central Valley Flood Protection Board
Encroachment Control & Land Use Section
3310 El Camino Avenue, Room 151 | Sacramento, CA 95821
(916) 574-2386 Office | (916) 574-0682 Fax
Email: acaliso@water.ca.gov | www.cvfpb.ca.gov

ATTACHMENT C

EASEMENT INFORMATION

Exhibit A – Deed Recorded on Book 473 Page 74

Exhibit B- Joint Use Agreement between RD1000 and SSJDD dated June 26, 2009

74

State of California,)
) SS.
County of Sacramento.)

On this 10th day of September, in the year one thousand nine hundred and thirteen, before me, T.A. Farrell, a Notary Public in and for the County of Sacramento, State of California, residing therein, duly commissioned and sworn, personally appeared G.A. White known to me to be the person described in and whose name is subscribed to the within instrument, and he acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal at my office in the said County of Sacramento, State of California, the day and year in this certificate first above written.

(Seal) T.A. Farrell Notary Public in and for the County of Sacramento, State of California.

Recorded at request of J.W.S. Butler & B.F.Van Dyke Sep.6,1917 at 10h 20' A.M.

Natomas Company of California,)
-to-)
Reclamation District No. 1000.)

THIS INDENTURE, made and entered into this 25th day of July, A.D. 1917, by and between Natomas Company of California, a corporation incorporated, organized and existing under and by virtue of the laws of the State of California, the party of the first part, and Reclamation District No. 1000, a reclamation district created by act of the legislature of the State of California, approved April 8th, A.D. 1911, the party of the second part, WITNESSETH: That the party of the first part, for and in consideration of the sum of ten dollars ($10) , gold coin of the United States, to it paid by the party of the second part, the receipt of which is hereby acknowledged, has granted, and by these presents does grant unto the party of the second part, and to its successors and assigns forever, the right to construct, replace, renew, repair, maintain and operate a levee over and upon all those certain lots, pieces or parcels of land situate, lying and being in the County of Sacramento, State of California, particularly described as follows:

(1) Commencing at the northeast corner of the southeast quarter (¼) of Section thirty-six (36), Township ten (10) north, Range four (4) east, Mount Diablo Base and Meridian; running thence along the northerly boundary line of the south-east quarter (¼) of the said Section thirty-six (36) north 89° 09' west four hundred and ten (410) feet to a point fifty (50) feet distant from and at right angles to the center line of levee of Reclamation District No. 1000 as now staked out and located; thence by a line parallel to and fifty (50) feet distant from the said center line of the said levee, south 00° 19' east eight hundred and six (806) feet; thence by a curve to the left of seven hundred sixty-six and eight-tenths (766.8) feet radius eight hundred seven and four-tenths (807.4) feet; thence south 60° 39' east thirty-seven and two-tenths (37.2) feet to the easterly boundary line of the said Section thirty-six (36), the said easterly boundary line being the center of the Marysville Road, as it runs along and adjacent to the said easterly boundary line of the said Section thirty-six (36); and thence along the said easterly boundary line of the said Section thirty-six (36) north 00° 41½' west one thousand four hundred eighty-two and three-tenths (1482.3) feet to the said point of commencement; containing twelve and twenty-five hundredths (12.25) acres,, more or less.

(2) Commencing at the northeast corner of Section seven (7), Township nine (9) north, Range five (5) east, Mount Diablo Base and Meridian; running thence along the easterly boundary line of the said Section seven (7) south 00° 07½' west two thousand sixteen and three-tenths (2016.3) feet to a point four hundred and fifty (450) feet distant from and at right angles to the westerly right of way line of the Western Pacific Railway Company's right of way; thence by a line parallel to and four hundred and fifty (450) feet distant from the said westerly right of way line of the said Western Pacific Railway Company's right of way north 08' 27½' west two thousand thirty-two and three-tenths (2032.3) feet to a point in the northerly boundary line of the said Section seven (7); and thence along the said northerly boundary line of the said Section seven (7) north 88° 50½' east three hundred three and four-tenths (303.4) feet to the said point of commencement; containing seven and two-hundredths (7.02) acres, more or less.

(3) Commencing at a point in the easterly boundary line of Section twenty-seven (27), Township nine (9) north, Range four (4) east, Mount Diablo Base and Meridian, where the said easterly boundary line is intersected by a line parallel to and sixty (60) feet distant from and at right angles to the center line of levee of Reclamation District No. 1000, as now staked out and located, the said point being south 00° 23½' west two thousand eight hundred thirteen and six-tenths (2813.6) feet from the northeast corner of the said Section twenty-seven (27); thence by a line parallel to and sixty (60) feet distant from the said center line of the said levee, north 78° 51½' west five hundred ninety and two-tenths (590.2) feet; thence by a curve to the left of seven thousand six hundred ninety-nine and five-tenths (7699.5) feet radius, five hundred and fifty (550) feet to a point on the boundary line between the lands now owned by or formerly belonging to Natomas Consolidated of California, a corporation, and Alden Anderson, the said boundary line also being the westerly bank of Second Bannon Slough; thence along the said last-mentioned boundary line in a southerly direction two hundred and forty (240) feet to the left bank of the Sacramento River; thence along the said left bank of the said Sacramento River down stream in an easterly direction one thousand one hundred and seventy (1170) feet to a point in the easterly boundary line of the said Section twenty-seven (27); and thence along the said easterly boundary line of the said Section twenty-seven (27) north 00° 23½' east two hundred and three (203) feet to the said point of commencement; containing four and ninety-six hundredths (4.96) acres, more or less.

(4) Commencing at a point in the westerly boundary line of Section twenty-seven (27), Township nine (9) north, Range four (4) east, Mount Diablo Base and Meridian, where the said westerly boundary line is intersected by a line parallel to and fifty (50) feet distant from and at right angles to the center line of the levee of Reclamation District No. 1000 as now staked out and located, the said point being south three thousand four hundred and forty (3440) feet from the northwest corner of the said Section twenty-seven (27); thence by a line parallel to and fifty (50) feet distant from the said center line of the said levee north 51° 28½' east two hundred ninety-one and two-tenths (291.2) feet; thence by a curve to the right of two thousand nine hundred fourteen and nine-tenths (2914.9) feet radius one thousand eight hundred sixty-two and nine-tenths (1862.9) feet; thence north 88° 05½' east nine hundred and sixty-five (965) feet; thence by a curve to the right of seven thousand six hundred eighty-nine and five-tenths (7689.5) feet radius forty (40) feet to a point in the boundary line between the lands now owned by or formerly belonging to Natomas Consolidated of California, a corporation, and Alden Anderson; thence along the said last mentioned boundary line due south two hundred and five (205) feet to a point on the left bank of the Sacramento River; thence along the said left bank of the said Sacramento River up stream with its meanderings in a westerly direction three thousand one

hundred and twenty-five (3125) feet to a point in the westerly boundary line of the said Section twenty-seven (27); and thence along the said westerly boundary line of the said Section twenty-seven (27) in a northerly direction two hundred and forty (240) feet to the said point of commencement; containing sixteen and two-tenths (16.2) acres, more or less.

(5) Commencing at a point in the easterly boundary line of Section twenty-eight (28), Township nine (9) north, Range four (4) east, Mount Diablo Base and Meridian, where the said easterly boundary line is intersected by a line parallel to and fifty (50) feet northerly from and at right angles to the center line of levee of Reclamation District No. 1000, as now staked out and located, the said point being southerly three thousand four hundred and forty (3440) feet from the northeast corner of the said Section twenty-eight (28); thence by a line parallel to and fifty (50) feet distant from the said center line of the said levee south 51° 28½' west one thousand eight hundred and twenty (1820) feet; thence by a curve to the right of nine hundred sixty-nine and nine-tenths (1269.9) feet; thence north 48° 09½' west four hundred fifty and six-tenths (450.6) feet; thence by a curve to the right of two thousand eight hundred fourteen and nine-tenths (2814.9) feet radius six hundred eighteen and two-tenths (618.2) feet; thence north 35° 34½' west two thousand one hundred fourteen and three-tenths (2114.3) feet; thence by a curve to the right of five thousand six hundred seventy-nine and seven-tenths (5679.7) feet radius one thousand one hundred and forty (1140) feet; thence north 24° 04½' west two hundred eleven and seventy-two hundredths (211.72) feet; thence by a curve to the right of five thousand six hundred sixty-four and seven-tenths (5664.7) feet radius four hundred fifteen and twenty-five hundredths (415.25) feet; thence north 19° 52½' west two hundred forty and ninety two-hundredths (240.92) feet; thence by a curve to the right of five thousand six hundred sixty-four and seven-tenths (5664.7) feet radius, ninety-eight (98) feet to a point in the boundary line between the lands now owned by or formerly belonging to Natomas Consolidated of California, a corporation, and V.S. and C.K. McClatchy; thence along the said last mentioned boundary line due west one hundred ninety-eight and no-tenths (198.0) feet to the left bank of the Sacramento River; thence along the said left bank of the said Sacramento River down stream with its meanderings about nine thousand (9000) feet to the point of intersection with the easterly boundary line of the said Section twenty-eight (28); and thence along the said easterly boundary line of the said Section twenty-eight (28) due north two hundred and forty (240) feet to the said point of commencement; containing fifty-one and five-tenths (51.5) acres, more or less.

(6) Commencing at a point in the northerly boundary line of Section twenty (20), Township nine (9) north, Range four (4) east, Mount Diablo Base and Meridian, the said northerly boundary line being the dividing line between the lands now owned by or formerly belonging to Natomas Consolidated of California, a corporation, and San Juan Investment Company, a corporation, where the said northerly boundary line is intersected by a line parallel to and fifty (50) feet easterly from the center line of the levee of Reclamation District No. 1000 as now staked out and located, the said point being south 89° 45' west five hundred and seventy-six (576) feet from the northeast corner of the said Section twenty (20); thence in a southerly direction by a curve to the right of two thousand nine hundred fourteen and nine-tenths (2914.9) feet radius one hundred and sixty-five (165) feet; thence south 03° 52' west six hundred six and thirty-five hundredths (606.35) feet; thence by a curve to the left of five thousand six hundred seventy-nine and seven-tenths (5679.7) feet radius six hundred eleven and sixty-seven hundredths (611.67) feet; thence south 2°15' east one thousand five hundred eighty-four and ninety-four hundredths (1584.94) feet; thence by a curve to the left of nine thousand two hundred forty-seven and three-tenths (9247.3) feet radius three hundred and sixty (360) feet to a point in the boundary line between the lands now owned by or formerly be-

longing to Natomas Consolidated of California and V.S. and C.K. McClatchy; thence along the said last mentioned boundary line due west two hundred and forty-two (242) feet to the left bank of the Sacramento River; thence along the said left bank of the said Sacramento River up stream with its meanderings in a northerly direction three thousand three hundred and ninety (3390) feet to a point in the said northerly boundary line of the said Section twenty (20); and thence along the said northerly boundary line of the said Section twenty (20) north 89° 45' east two hundred and five (205) feet to the said point of commencement; containing twenty and one-tenth (20.1) acres, more or less.

(7) Commencing at a point in the westerly boundary line of Section eight (8), Township nine (9) north, Range four (4) east, Mount Diablo Base and Meridian, the said westerly boundary line being the dividing line between the lands now owned by or formerly belonging to Fred W. Kiesel and Natomas Consolidated of California, a corporation, where the said westerly boundary line is intersected by a line parallel to and fifty (50) feet northerly from the center line of levee of Reclamation District No. 1000 as now staked out and located the said point being south 00° 12' west two thousand two hundred and thirty (2230) feet from the northwest corner of the said Section eight (8); thence by a line parallel to and fifty (50) feet northerly from the said center line of the said levee in an easterly direction by a curve to the right of one thousand nine hundred sixty and one-tenth (1960.1) feet radius one hundred (100) feet; thence north 75° 25½' east twenty-six and three-tenths (26.3) feet; thence by a curve to the right of one thousand nine hundred sixty and one-tenth (1960.1) feet radius one thousand four hundred eight and six-tenths (1408.6) feet; thence by a curve to the right of four thousand nine hundred ninety-six and six-tenths (4996.6) feet radius one thousand seven hundred ninety-seven and nine-tenths (1797.9) feet; thence by a curve to the right of four thousand three hundred forty-seven and three-tenths (4347.3) feet radius two thousand four hundred ninety-two and four-tenths (2492.4) feet; thence south 08° 37' east two thousand two hundred seventy-nine and two-tenths (2279.2) feet to a point in the southerly boundary line of the northeast quarter (¼) of Section Seventeen (17), Township nine (9) north, Range four (4) east, Mount Diablo Base and Meridian, the said southerly boundary line being the dividing line between the lands now owned by or formerly belonging to said Natomas Consolidated of California and the San Juan Investment Company, a corporation; thence along the said southerly boundary line of the northeast quarter (¼) of the said Section seventeen (17) south 89° 45' west two hundred and five (205) feet to the left bank of the Sacramento River; thence along the said left bank of the said Sacramento River up stream with its meanderings in a northwesterly direction about seven thousand six hundred and ninety (7690) feet to a point in the westerly boundary line of the said Section eight (8); and thence along the said westerly boundary line of the said Section eight (8) north 00° 12' east two hundred and twenty (220) feet to the said point of commencement; containing sixty-five and no-tenths (65.0) acres, more or less.

(8) Commencing at a point in the northerly boundary line of Section twelve (12), Township nine (9) north, Range three (3) east, Mount Diablo Base and Meridian, where the said northerly boundary line is intersected by the easterly right of way line, River Levee, Reclamation District No. 1000, the said point being fifty (50) feet distant from and at right angles to the center line of levee, Reclamation District No. 1000, as now staked out and located, the said point being further described as being west two thousand two hundred and twelve (2212) feet from the northeast corner of the said Section twelve (12), the said northerly boundary line of the said Section twelve (12) also being the dividing line between the lands now owned by or formerly belonging to Natomas Consolidated of California,

a corporation, and Clarke & Cox Farms Company, a corporation; thence by a line parallel to and fifty (50) feet distant from the said center line of the said levee south 33° 42' east four thousand six hundred sixty-one and three-tenths (4661.3) feet; thence by a curve to the left of nine hundred five and four-tenths (905.4) feet radius three hundred fifty-four and five-tenths (354.5) feet; thence south 56° 08' east two and nine-tenths (2.9) feet; thence by a curve to the left of one thousand six hundred sixty-nine and one-tenth (1669.1) feet radius two thousand twenty-six and six-tenths (2025.6) feet; thence north 54° 18' east one thousand seven hundred sixty-nine and one-tenth (1769.1) feet to a point in the boundary line between the lands now owned by or formerly belonging to Natomas Consolidated of California and F.W. Kiesel, the said point being fifty (50) feet distant and at right angles to the said center line of the said levee; thence along the said property line south 00° 12' west three hundred and ninety (390) feet to the left bank of the Sacramento River; thence along the said left bank of the said Sacramento River with its meanderings up stream in a westerly and northwesterly direction nine thousand three hundred and sixty (9360) feet to a point in the said northerly boundary line of the said Section twelve (12); and thence along the said northerly boundary line of the said Section twelve (12) due east two hundred and thirty (230) feet to the said point of commencement; containing sixty and five-tenths (60.5) acres, more or less.

(9) Commencing at a point in the boundary line between Swamp Land Surveys Nos. 404 and 898, the said line being the dividing line between the lands now owned by or formerly belonging to Natomas Consolidated of California, a corporation, and R.H. and L. Welhausen, where the said boundary line is intersected by the easterly right of way line, River Levee, Reclamation District No. 1000,, the said point being fifty (50) feet distant from and at right angles to the center lins of the said levee, as now staked out and located, and being further described as south 52° 30' west one thousand four hundred sixty-five and one-tenth (1465.1) feet from the northeast corner of the said Swamp Land Survey No. 404 ; thence south 44° 16½' east nine hundred sixty-eight and two-tenths (968.2) feet; thence by a curve to the left of two thousand eight hundred fourteen and nine-tenths (2814.9) feet radius three hundred thirty-four and nine-tenths (334.9) feet; thence south 51° 05½' east two thousand seven and six-tenths (2007.6) feet; thence by a curve to the right of fourteen thousand three hundred seventy-three and six-tenths (14,373.6) feet radius four hundred eight and one-tenth (408.1) feet to a point in the boundary line between the lands now owned by or formerly belonging to said Natomas Consolidated of California and the Clarke & Cox Farms Company, a corporation, the said point being fifty (50) feet destant from and at right angles to the said center line of levee of said Reclamation District No. 1000, as now staked out and located; thence along the said property line south 46° 45' west one hundred and eighty (180) feet to the left of the Sacramento River; thence along the said left bank of the said Sacramento River with its meanderings in a northwesterly direction three thousand seven hundred and seventy (3770) feet to its point of intersection with the said boundary line between the lands now owned by or formerly belonging to the said Natomas Consolidated of California and the said R.H. and L. Welhausen; and thence along the said last mentioned line north 52° 30' east three hundred and seventeen (317) feet to the said point of commencement; containing eighteen and four-tenths (18.4) acres, more or less.

(10) Commencing at a point in the northerly boundary line of Section twenty-six (26), Township ten (10) north, Range three (3) east, Mount Diablo Base and Meridian, where the said northerly boundary line is intersected by a line parallel to and fifty (50) feet easterly from the center line of levee of Reclamation District No. 1000, as now staked out and located, the said point being three thousand three hundred and seventy (3370) feet from

the northeast corner of Section twenty-six (26), Township ten (10) north, Range three (3) east, Mount Diablo Base and Meridian; thence by a line parallel to and fifty (50) feet distant from the said center line of the said levee south 51° 46½' west seven hundred seventy-three and five-tenths (773.5) feet; thence by a curve to the left of one thousand eight hundred sixty and one-tenth (1860.1) feet radius six hundred and nineteen (619) feet; thence south 32° 42½' west two hundred ninety-four and three-tenths (294.3) feet; thence by a curve to the left of two thousand eight hundred fourteen and nine-tenths (2814.9) feet radius one hundred and fifty-eight (158) feet; thence south 29° 29½' west one thousand ninety-six and two-tenths (1096.2) feet; thence by a curve to the left of one thousand eight hundred sixty and one-tenth (1860.1) feet radius four hundred ninety-six and seven-tenths (496.7) feet; thence by a curve to the left of three thousand seventy-five and four-tenths (3075.4) feet radius one thousand eighty-one and six-tenths (1081.6) feet; thence by a curve to the left of eight thousand five hundred forty-four and four-tenths (8544.4) feet radius seven hundred twenty and eight-tenths (720.8) feet; thence south 10° 47½' east one thousand seven hundred and thirty-eight (1738) feet; thence by a curve to the left of four thousand five hundred thirty-three and eight-tenths (4533.8) feet radius five hundred eighty-four and two-tenths (584.2) feet; thence by a curve to the left of two thousand eight hundred fourteen and nine-tenths (2814.9) feet radius four hundred eighty and seven-tenths (480.7) feet; thence south 27° 57½' east one hundred and eighty (180) feet to a point in the northerly boundary line of Swamp Land Survey No. 898, the said last mentioned line being the dividing line between the lands now owned by or formerly belonging to R., H. and L. Welhausen and Natomas Consolidated of California, a corporation; thence along the said last mentioned line south 63° 30' west one hundred and eighty-five (185) feet to the left bank of the Sacramento River; thence along the said left bank of the said Sacramento River with its meanderings in a northerly direction eight thousand two hundred and ten (8210) feet to its point of intersection with the said northerly boundary line of the said Section twenty-six (26); and thence along the said northerly boundary line of the said Section twenty-six (26) north 89° 54½' east four hundred and sixty-five (465) feet to the said point of commencement; containing fifty and six-tenths (50.6) acres, more or less.

(11) Commencing at a point in the southerly boundary line of Section twenty-three (23), Township ten (10) north, Range three (3) east, Mount Diablo Base and Meridian, where the said southerly boundary line is intersected by a line parallel to and fifty (50) feet easterly from the center line of levee of Reclamation District No. 1000, as now staked out and located, the said point being south 89° 54½' west three thousand three hundred and seventy (3370) feet from the southeast corner of the said Section twenty-three (23); thence by a line parallel to and fifty (50) feet easterly from the said center line of the said levee north 51° 46½' east two thousand two hundred and fifty-eight (2258) feet; thence by a curve to the left of one thousand nine hundred sixty and one-tenth (1960.1) feet radius four hundred eighty and four-tenths (480.4) feet; thence north 37° 44' east one thousand three hundred seventy-nine and one-tenth (1379.1) feet; thence by a curve to the right of two thousand eight hundred fourteen and nine-tenths (2814.9) feet radius three hundred sixty-eight and five-tenths (368.5) feet; thence north 45° 14' east one thousand four hundred seventy-two and thirty-six hundredths (1472.36) feet; thence by a curve to the left of five thousand seven hundred seventy-nine and seven-tenths (5779.7) feet radius one thousand two hundred thirty-nine and one-tenth (1239.1) feet; thence north 32° 57' east two hundred four and six-tenths (204.6) feet to a point in the northerly boundary line of Section twenty-four (24), Township ten (10) north, Range three (3)

east, Mount Diablo Base and Meridian, the said point being south 89° 32½' west three thousand five hundred and thirty-eight (3538) feet from the northeast corner of the said Section twenty-four (24); thence along the said northerly boundary line of the said Section twenty-four (24) south 89° 32½' west three hundred and ninety (390) feet to the left bank of the Sacramento River; thence along the said left bank of the said Sacramento River with its meanderings in a southwesterly direction seven thousand five hundred and ten (7510) feet to a point in the southerly boundary line of the said Section twenty-three (23); and thence along the said southerly boundary line of the said Section twenty-three (23) north 89° 54½' east four hundred and sixty-five (465) feet to the said point of commencement; containing thirty-seven and fifty-four hundredths (37.54) acres, more or less.

(12) Commencing at a point in the southerly boundary line of Section thirteen (13), Township ten (10) north, Range three (3) east, Mount Diablo Base and Meridian, where the said southerly boundary line is intersected by a line parallel to and fifty (50) feet easterly from the center line of levee of Reclamation District No. 1000, as now staked out and located, the said point being south 89° 32½' west three thousand five hundred and thirty-eight (3538) feet from the southeast corner of the said Section thirteen (13); thence by a line parallel to and fifty (50) feet easterly from the said center line of the said levee, north 32° 57' east eight hundred four and one-tenth (804.1) feet; thence by a curve to the left of three thousand four hundred eighty-seven and nine-tenths (3487.9) feet radius one thousand five hundred seventy-four and six-tenths (1574.6) feet; thence north 07° 05' east five hundred eighty-eight and two-tenths (588.2) feet; thence by a curve to the left of five thousand seven hundred seventy-nine and seven-tenths (5779.7) feet radius four hundred sixty-four and one-tenth (464.1) feet; thence north 02° 29' east nine hundred thirty-nine and three-tenths (939.3) feet; thence by a curve to the right of five thousand six hundred seventy-nine and seven-tenths (5679.7) feet radius three hundred sixty-eight and four tenths (368.4) feet; thence north 06° 12' east one thousand eight hundred eighty-one and eight-tenths (1881.8) feet; thence by a curve to the right of five thousand six hundred seventy-nine and seven-tenths (5679.7) feet radius six hundred sixty-five and eight-tenths (665.8) feet; thence north 12° 55' east five hundred thirty and six-tenths (530.6) feet; thence by a curve to the right of five thousand six hundred seventy-nine and seven-tenths (5679.7) feet radius three hundred one and five-tenths (301.5) feet; thence north 15° 57½' east one hundred fourteen and five-tenths (114.5) feet to a point in the northerly boundary line of the southeast quarter (¼) of Section twelve (12), Township ten (10) north, Range three (3) east, Mount Diablo Base and Meridian; thence along the said northerly boundary line of the southeast quarter (¼) of the said Section twelve (12) in a westerly direction two hundred and forty (240) feet to the left bank of the Sacramento River; thence along the said left bank of the said Sacramento River with its meanderings in a southwesterly direction eight thousand three hundred and fifteen (8315) feet to a point in the southerly boundary line of the said Section thirteen (13); and thence along the said southerly boundary line of the said Section thirteen (13) north 89° 32½' east three hundred and ninety (390) feet to the said point of commencement; containing forty-six and five hundredths (46.05) acres, more or less.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said party of the second part and to its successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part has hereunto caused its corporate name to be signed and its corporate seal to be affixed by its officers thereunto duly authorized, the

day and year first above written.

(Corporate Seal) NATOMAS COMPANY OF CALIFORNIA,

By Leon Sloss, Vice-President.

By P.C.Knapp, Secretary.

State of California,)
) SS.
City and County of San Francisco.)

On this 30th day of July, A.D. 1917, before me, Mattie G. Stirling, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared Leon Sloss and P.C.Knapp, known to me to be the Vice-President and the Secretary, respectively, of Natomas Company of California, the corporation which executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Seal) Mattie G. Stirling Notary Public in and for the City and County of San Francisco, State of California.

Recorded at request of John T. Pig ott Sep. 6, 1917 at 10h 30' A.M.

E. Baldani, et al.)
)
-to-)
)
Pacific Gas and Electric Company.)

GRANT OF RIGHT OF WAY for ELECTRIC TRANSMISSION LINE.

We - Jointly and severally, E.Baldani, A. Baldani D.Baldani, S. Baldani and G. Baldani , of the County of Sacramento, State of California, for and in consideration of the sum of one dollar ($1.00) in lawful money of the United States of America to us paid by the Pacific Gas and Electric Company, a corporation duly organized and existing under and by virtue of the laws of the State of California, the receipt whereof is hereby acknowledged, do hereby grant unto the said corporation, its successors or assigns, the right and privilege of erecting, maintaining and using, for the transmission and distribution of electricity and for all purposes connected therewith, a single line of poles and wires suspended thereon and all necessary and proper crossarms and braces and other fixtures for use in connection therewith, and also a right of way along said line of poles, together with the right of ingress thereto and egress therefrom along said line, over and across our land situate in the County of Sacramento, State of California, and more particularly described as follows:

Being in Wright & Kimbrough Tract #1, Located in Sections 4 and 9. Tp 8 N. R. 5 E. Recorded in Book A at Surveys on page 36, Office Sacramento County Recorder.

The route of said line of poles and wires across said land shall be as follows:

Three feet east of the westerly boundary of our several lots which face east on 54th. Street.

The said corporation is also hereby granted the right to trim any trees along said line of poles and wires whenever considered by it necessary for the complete enjoyment of the rights hereby granted.

IN WITNESS WHEREOF, We have executed these presents this 27th day of August, 1917.

When recorded,
return this document to:

NAME Department of Water Resources
Division of Engineering

MAILING ADDRESS Real Estate Branch, Room 425
P.O. Box 942836

CITY, STATE ZIP CODE Sacramento, CA 94236-0001

Sacramento County Recorder
Craig A. Kramer, Clerk/Recorder
BOOK 20090731 PAGE 1752
Friday, JUL 31, 2009 3:48:19 PM
Ttl Pd $0.00 Nbr-0005992725
SJS/57/1-10

JOINT USE AGREEMENT

Sacramento, California

June 26, 2009

Project: Sacramento River Bank Protection

PARCEL CA 05049

This Agreement, entered into on the date above written, by and between Reclamation District Number 1000 of the State of California, a public entity formed as a special district by special act of the California Legislature, hereinafter called DISTRICT, and the SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT, acting by and through The Central Valley Flood Protection Board of the State of California, hereinafter called BOARD;

WITNESSETH THAT:

WHEREAS, DISTRICT owns and is in possession of real property, rights of way, and easements for reclamation and levee purposes, described in Exhibit "A" attached hereto and made a part hereof; and,

WHEREAS, DISTRICT desires to grant to BOARD the right to jointly use the said property rights; and, to the extent permitted under the instruments granting the real property, rights of way and easements to District,

a) Construct, reconstruct, enlarge, fence, plant with trees, shrubs, and other vegetation, preserve and retain all vegetative growth desirable for project purposes, repair and use flood control works, which shall include, but not be limited to, access, haul, and patrol roads, levees, ditches, embankments, channels, berms, fences, and appurtenant structures, and operate and maintain said flood control works in conformity with the Code of Federal Regulations, Corps of Engineers' Standard Operation and Maintenance Manual, and State of California Standards.

JUN 17 2009

b) Clear and remove from said flood control works any and all natural or artificial obstructions, improvements, trees, and vegetation necessary for construction, operation, maintenance, repair, reconstruction, and emergency flood fight.

c) Flow waters and material and by said flow erode.

d) Place or deposit earth, debris, sediment, or other material.

e) Excavate and remove earth, debris, sediment, or other material, including that placed or deposited as above.

f) Locate or relocate roads and public utility facilities by grantee or others.

g) Restrict the rights of the Grantor, his successors and assigns, without limitations, to explore, extract, remove, drill, mine, or operate through the surface or upper 100 feet of the subsurface in exercise of the Grantor's interest in any minerals, including oil and gas.

h) Restrict any use by others which may interfere with any of the uses listed herein or any use necessary or incidental thereto.

WHEREAS, BOARD desires to accept the grant of the right to jointly use the said property rights;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth, DISTRICT and BOARD do hereby mutually agree as follows:

1. DISTRICT hereby perpetually agrees to the construction, reconstruction, maintenance or use by BOARD and the United States Army Corps of Engineers and their contractors of the flood control project works ("Project Works") upon or across the DISTRICT's property, excluding pumping plants and interior canals and drainage ditches.

2. In the event that the future use of DISTRICT's works shall at any time or times necessitate rearrangement, relocation, or reconstruction of any of the Project Works then existing in the area of joint use, DISTRICT shall notify BOARD of such necessity in accordance with Water Code Sections 8710 through 8723, and DISTRICT agrees to pay the cost of such rearrangement, relocation, or reconstruction of the Project Works following BOARD's approval of all plans and specifications for the said improvement, relocation, or reconstruction, which approval shall not be unreasonably withheld.

JUN 17 2009

3. BOARD shall pay the cost of any construction, reconstruction, modification, alteration, or relocation of DISTRICT's works in the area of joint use when such construction, rearrangement, modification, alteration, or relocation is requested by BOARD or its authorized agent, and BOARD shall submit to DISTRICT for approval all plans and specifications of any proposed construction, modification, or alteration by BOARD of DISTRICT's works within the area of joint use, which approval shall not be unreasonably withheld.

4. DISTRICT shall pay the cost of repair and maintenance of the Project Works in the area of joint use at its full expense, excepting damage resulting from BOARD's acts.

5. When work is to be performed within the area of joint use where facilities are located, the BOARD shall comply with the following provision:

   a. Except in emergencies, BOARD shall give reasonable notice to DISTRICT, and to the underlying fee owner if other than DISTRICT, before performance of any construction or construction related activities, such as topographic surveys, geotechnical investigations or environmental surveys, in the area of joint use.

   b. In all cases, BOARD shall make adequate provisions for the protection of the public in the area of joint use and provide such safety devices as are generally required on construction projects.

   c. All work shall be planned and carried out so there will be minimum inconvenience to the public in the area of joint use.

   d. All work shall be planned and carried out so that there is no unreasonable interference with the DISTRICT's use of its facilities.

6. DISTRICT and BOARD shall use said area of joint use in such a manner as not to unreasonably interfere with the rights and responsibilities of the other.

7. BOARD may, with DISTRICT's permission in writing, assign the rights granted herein; said assignments shall not, however, relieve the BOARD of duties

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EXHIBIT "A"

PARCEL CA 05049

All that real property lying within the DISTRICT's boundary as shown on Exhibit "B", attached hereto and made a part hereof, and situated in the County of Sacramento, State of California, conveyed to the DISTRICT and to its successors and assigns, described as follows:

UNIT 100: A right of way for reclamation purposes conveyed by Regina Welhausen, et al, by deed dated September 17, 1912, and recorded September 24, 1912, in Deed Book 362, at Page 295, Official Records of said County, containing 18.59 acres, more or less.

UNIT 101: A right of way for reclamation purposes conveyed by Regina Welhausen, Et Al, by deed dated December 10, 1912, and recorded December 30, 1912, in Deed Book 367, at Page 461, Official Records of said County, containing 0.32 acre, more or less.

UNIT 102: A right of way for reclamation purposes conveyed by San Juan Investment Co. by deed dated September 23, 1912, and recorded November 1, 1912, in Deed Book 367, at Page 54, Official Records of said County, containing 11.97 acres, more or less.

UNIT 103: A right of way for reclamation purposes conveyed by San Juan Investment Co. by deed dated March 7, 1927, and recorded March 9, 1927, in Book 116, at Page 353, Official Records of said County, containing 12.51 acres, more or less.

UNIT 104: A right of way for reclamation purposes conveyed by Fredrick W. Kiesel, by deed dated September 23, 1912, and recorded November 1, 1912, in Deed Book 367, at Page 57, Official Records of said County, containing 8.36 acres, more or less.

UNIT 105: A right of way for reclamation purposes conveyed by Fredrick W. Kiesel, by deed dated September 23, 1912, and recorded November 20, 1912, in Deed Book 367, at Page 188, Official Records of said County, containing 7.18 acres, more or less.

UNIT 106: A right of way for reclamation purposes conveyed by Clarke & Cox Farms Co., by deed dated September 23, 1912, and recorded December 20, 1912, in Deed Book 367, at Page 411, Official Records of said County, containing 19.8 acres, more or less.

UNIT 107: A right of way for levee purposes conveyed by Valentine S. McClatchy, et al, by deed dated April 5, 1913, and recorded April 12, 1913, in Deed Book 371, at Page 404, Official Records of said County, containing 9.03 acres, more or less.

UNIT 108: A right of way for levee purposes over an upon all those certain lots, pieces or parcels of land described and numbered (8) through (17), conveyed by Natomas Consolidated of California by deed dated January 29, 1913, and recorded April 12, 1913, in Deed Book 371, at Page 395, Official Records of said County, containing a total of 366.45 acres, more or less.

UNIT 109: A right of way for levee purposes over an upon all those certain lots, pieces or parcels of land described and numbered (1) through (12), conveyed by Natomas Company of California by deed dated July 25, 1917, and recorded September 6, 1917, in Deed Book 473, at Page 74, Official Records of said County, containing a total of 390.12 acres, more or less.

UNIT 110: All that real property conveyed by Natomas Company by deed dated August 1, 1938, and recorded September 13, 1938, in Book 699, at Page 268, Official Records of said County, containing of 9.07 acres, more or less.

UNIT 111: All that real property and right of way for private road purposes conveyed by Elmer F. Christophel and Winifred L. Christophel, his wife, by deed dated May 9, 1958, and recorded May 29, 1958, in Book 3518, at Page 248, Official Records of said County, containing of 2.2 acres, more or less.

UNIT 112: All that real property conveyed by Elmer F. Christophel and Winifred L. Christophel, his wife, by deed dated May 30, 1969, and recorded June 3, 1969, in Book 69-07-03, at Page 263, Official Records of said County, containing of 0.3072 acres, more or less.

UNIT 113: A levee maintenance and open space easement conveyed by California Farm Bureau Federation, a California Non-Profit Corporation, by deed dated November 20, 1996, and recorded December 11, 1996, in Document 199612111004, Official Records of said County.

TOGETHERWITH all of that real property lying within the DISTRICT's boundary as shown on the hereinafter Exhibit "B", situated in the County of Sutter, State of California, conveyed to the DISTRICT and to its successors and assigns, described as follows:

UNIT 200: A right of way for reclamation purposes conveyed by Charles F. Roth by deed dated July 11, 1912, and recorded July 12, 1912, in Book 49 of Deeds, at Page 156, Official Records of said County, containing 10.45 acres, more or less.

UNIT 201: A right of way for reclamation purposes conveyed by Final Order or Judgment of Condemnation in the Superior Court of the State of California, Case No. 1346, against defendant Margaret Lyall, et al, dated August 1, 1912, and recorded August 1, 1912, in Book 49 of Deeds, at Page 239, Official Records of said County, containing 5.69 acres, more or less.

UNIT 202: A right of way for reclamation purposes conveyed by D. W. Hobson, et al, by deed dated August 8, 1912, and recorded November 2, 1912, in Book 49 of Deeds, at Page 442, Official Records of said County, containing 3.67 acres, more or less.

UNIT 203: A right of way for reclamation purposes conveyed by F. H. Bennett, et ux, by deed dated January 31, 1913, and recorded February 4, 1913, in Book 50 of Deeds, at Page 46, Official Records of said County, containing 5.04 acres, more or less.

UNIT 204: A right of way for levee purposes over an upon all those certain lots, pieces or parcels of land described and numbered (2) through (7) by Natomas Consolidated of California by deed dated January 29, 1913, and recorded May 19, 1913, in Book 50 of Deeds, at Page 387, Official Records of said County, containing 147.70 acres, more or less.

UNIT 205: A right of way for levee purposes over an upon all those certain lots, pieces or parcels of land described and numbered (1) through (8), conveyed by Natomas Company of California by deed dated July 25, 1917, and recorded September 6, 1917, in Book 59, of Deeds, at Page 227, Official Records of said County, containing a total of 189.39 acres, more or less.

Robert E. Chesner

LICENSED LAND SURVEYOR
ROBERT E. CHESNER
EXP. 06/30/10
L.S. 6670
STATE OF CALIFORNIA

imposed upon it by this agreement. DISTRICT will not unreasonably withhold permission.

8. DISTRICT may, with BOARD permission in writing, assign the rights and responsibilities granted herein to a local district responsible for the maintenance of Project Works. Said assignment shall not, however, relieve the DISTRICT of duties imposed upon it by this Agreement. BOARD will not unreasonably withhold its consent.

IN WITNESS WHEREOF, the parties hereto have caused these present to be executed in duplicate by their respective officers, thereunto duly authorized.

Reclamation District No. 1000
of the State of California

By: _____
Paul Devereux, General Manager

Date: 06/26/2009

SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT, acting by and through The Central Valley Flood Protection Board of the State of California

By: _____

Date: 7/6/09

Approved as to Legal Form and Sufficiency for Reclamation District No. 1000

_____
James M. Day, Jr., General Counsel

Date: _____

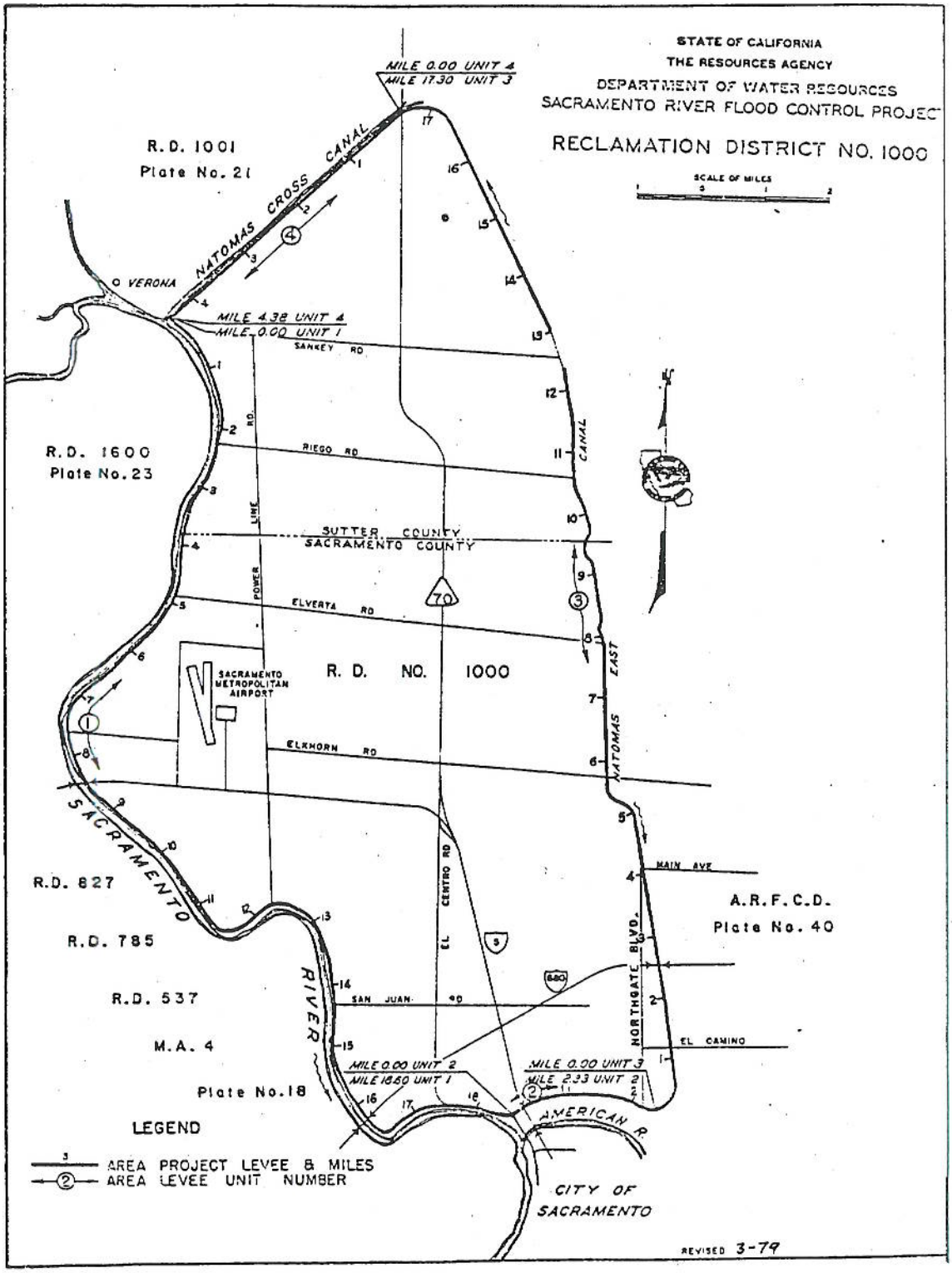
Approved as to Legal Form and Sufficiency for The Central Valley Flood Protection Board

_____
Nancy Finch, Staff Counsel III

Date: July 1, 2009

JUN 17 2009

Exhibit "B"



JUN 17 2009

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Sacramento }

On June 26, 2009 (Date) before me, Terrie A. Figueroa, Notary (Here Insert Name and Title of the Officer),
personally appeared Paul Devereux (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Terrie A. Figueroa (Signature of Notary Public)

TERRIE A. FIGUEROA
Commission # 1726605
Notary Public - California
Sacramento County
My Comm. Expires Feb 24, 2011

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Joint Use Agreement
Document Date: June 26, 2009 Number of Pages: 8
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Paul Devereux
☐ Individual
☑ Corporate Officer — Title(s): General Manager
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: Reclamation District No. 1660

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Sacramento

On July 6, 2009 (Date) before me, Delia Grijalva, Notary Pub. (Here Insert Name and Title of the Officer)

personally appeared Jay (Satinder) S. Punia (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

DELIA GRIJALVA
COMM. #1719574
Notary Public - California
Sacramento County
My Comm. Expires Jan. 23, 2011

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Joint Use Agreement

Document Date: June 24, 2009 Number of Pages: 8

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Jay S. Punia

- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☒ Other: General Manager

Signer Is Representing: CVFPD

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

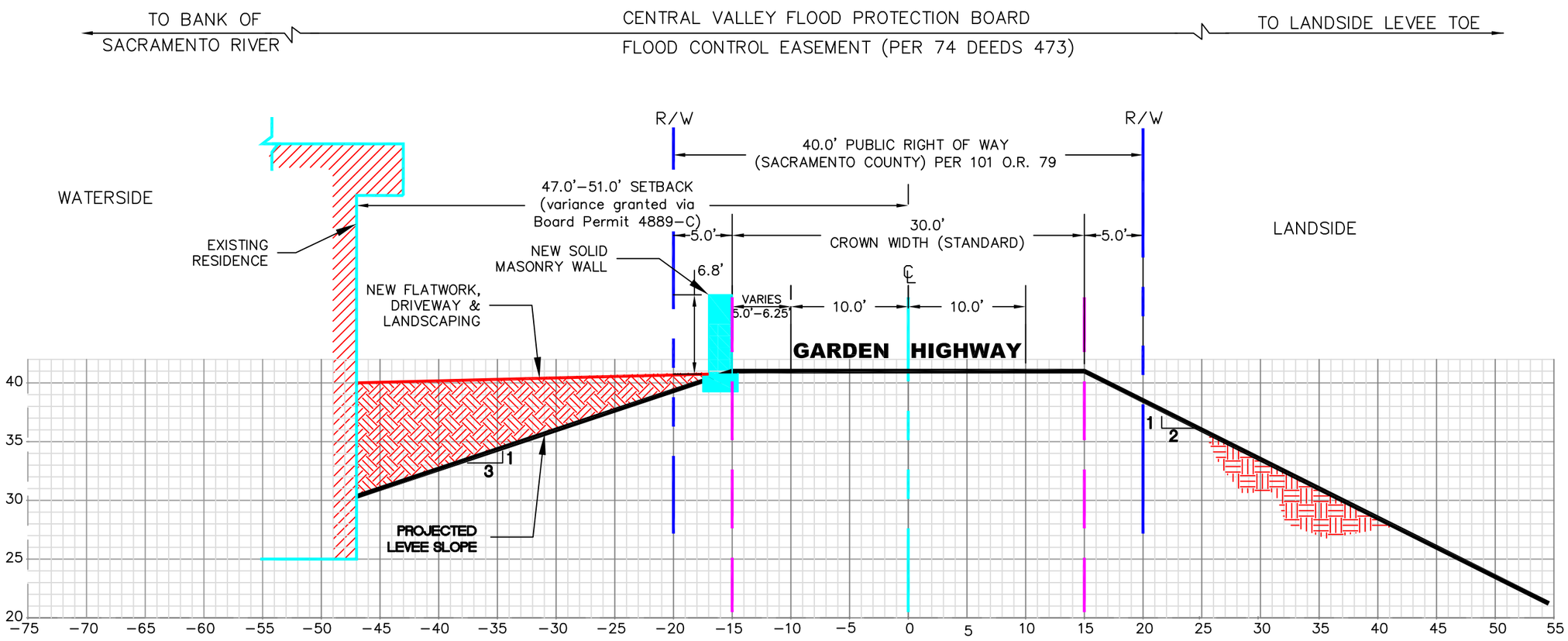
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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ATTACHMENT D

Site Cross section prepared by CVFPB Staff



5291 GARDEN HIGHWAY – SECTION

SCALE: 1"=10'

CENTRAL VALLEY FLOOD PROTECTION BOARD

ENFORCEMENT ORDER NO. 2011-138

RESPONDENT: MR. LINO CATABRAN

5291 GARDEN HIGHWAY

APN: 201-0330-031

JULY 12, 2011

PREPARED BY: A. CALISO

SHEET 1 OF 1

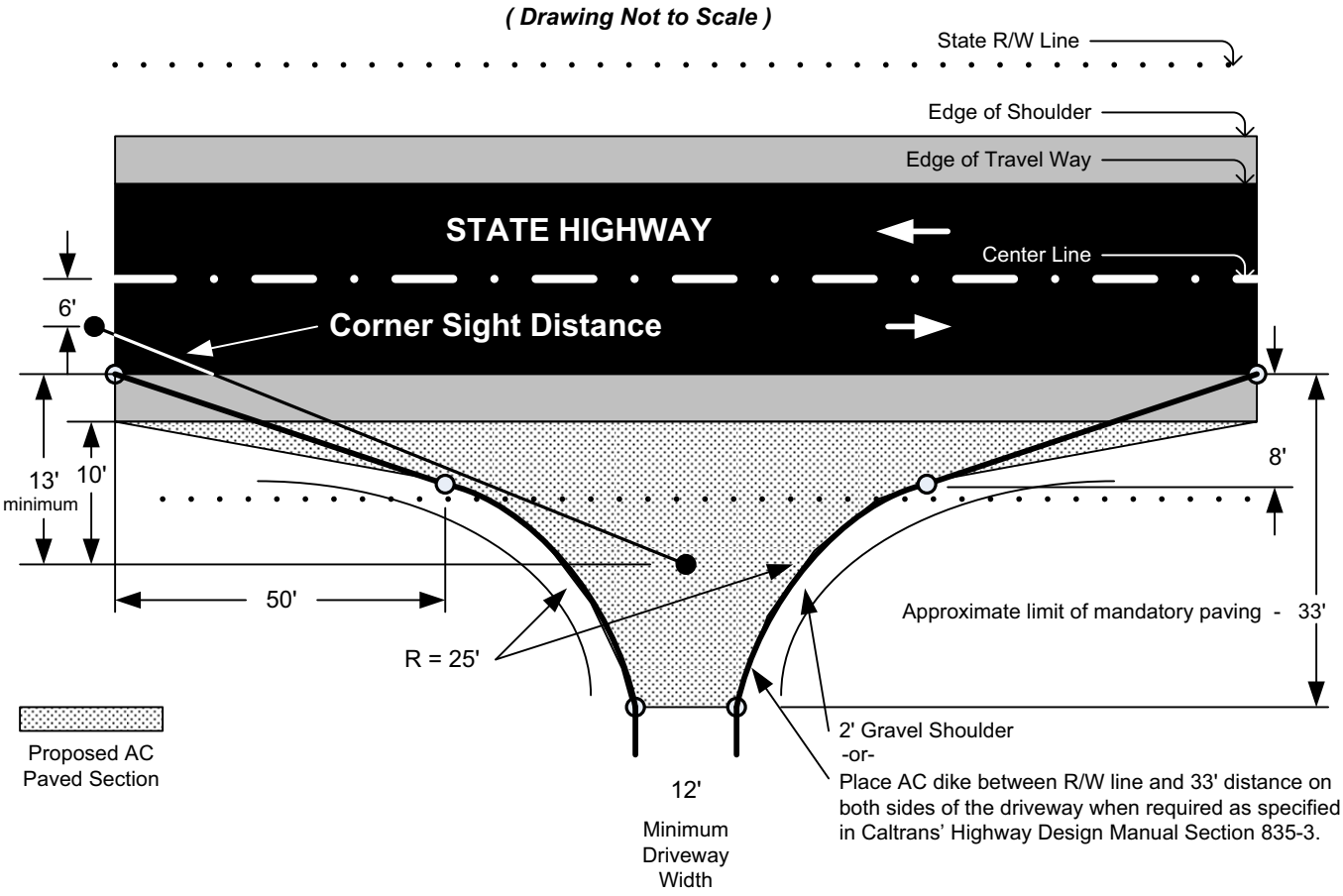
ATTACHMENT E

Caltrans Highway Design Manual Appendix J Exhibit

ATTACHMENT E

Standard Private and Commercial Driveway Approach

For Rural Areas With Unimproved Frontage On Conventional State Highways



Source: Caltrans Highway Design Manual, Appendix J (March 2007)