

**Meeting of the Central Valley Flood Protection Board
June 23, 2023**

**Staff Report for Permit No. 19728
Agenda Item No. 5B**

**City of Roseville Public Works Department
Dry Creek Greenway East Trail Project: Phase 1 – Bridge No. 2
Project, Placer County**

1.0 – ITEM

Approval of Permit No. 19728 (Attachment A).

2.0 - APPLICANT

City of Roseville Public Works Department (City).

3.0 – PROJECT LOCATION

The project is located along the right bank of Dry Creek from the junction with Cirby Creek to approximately 450 feet upstream, within the City of Roseville. (Dry Creek, Placer County, see Attachment B)

4.0 – PROJECT DESCRIPTION

Features associated with Phase 1 of the Dry Creek Greenway East Trail (DCGET) Project and included in Permit 19728, include: constructing a new 110-foot-long pedestrian steel bridge (Bridge No. 2) crossing Dry Creek with rock slope protection at the new bridge abutments and constructing a new paved multi-use off-street trail with a trailhead facility, access ramps, erosion control, and storm drains with outfalls along approximately 300 feet of the right (west) bank of Dry Creek. A temporary water diversion will be needed for construction. (Attachment C). Other features under the DCGET Phase 1 Project are covered under three other separate permit applications: 19727, 19729, and 19730.

5.0 – AUTHORITY OF THE BOARD

California Water Code §§ 8534, 8590 – 8610.5, and 8710

California Code of Regulations (CCR), Title 23, Waters, Division 1 (Title 23):

- § 6, Need for a Permit
- § 13.3, Consent Calendar
- § 112, Streams Regulated and Nonpermissible Work Periods
- § 121, Erosion Control
- § 123, Pipelines, Conduits, and Utility Lines
- § 128, Bridges
- § 132, Bicycle Trails

6.0 - PROJECT ANALYSIS

Overall DCGET Project

The overall DCGET Project consists of construction of a 4.25-mile paved multi-use trail in the City of Roseville along Dry, Cirby, and Linda Creeks from Riverside Avenue to Old Auburn Road. The trail will be used by pedestrians, bicyclists, and other non-motorized vehicles. Construction of the proposed multi-use trail requires removal of vegetation and existing features, grading, placement of aggregate base material, and construction of five roadway undercrossings, construction or modification of up to eight bridges, and approximately 27,000 square feet of retaining walls. Planned construction of the entire project entails up to four phases over four years. Phase 1 involves construction from Darling Way to Eastwood Park, Phase 2 from Eastwood Park to Oak Ridge Drive, Phase 3 from near Eich School to Rocky Ridge Drive, and Phase 4 from Rocky Ridge Drive to Spahn Ranch Road.

Phase 1 of the DCGET Project

Phase 1 of the DCGET Project consists of a 2.3-mile-long paved, off-street trail along Dry, Cirby, and Linda Creeks and is being done in cooperation with the California Department of Transportation (Caltrans). The new 2.3-mile section of the trail will connect from the existing Saugstad/Royer Park trail near Riverside Avenue and Darling Way and extend east to Eastwood Park following portions of the creek corridors. The new trail requires the widening of an existing bridge and the construction of; three new bridges, raised trail sections, access ramps, retaining walls, drainage structures, and trail lighting with signage. A typical cross section of the trail consists of a 10-foot-wide

paved section with 2-foot-wide shoulders, for a total of 14 feet. The pavement will be 2 to 3 inches of asphalt concrete over 4 inches of compacted aggregate base.

Proposed work covered under Permit No. 19728 (Part of Phase 1)

The proposed work, as requested under Permit No. 19728, is part of Phase 1 of the DCGET Project. This analysis and permit will be for the new pedestrian bridge (Bridge No. 2) and the new trail components from approximately 300 feet upstream (Attachment C, T1 Line at STA 16+00) of the west Bridge No. 2 abutment to the new access ramp (Attachment C, T1 Line at STA 22+45) located approximately 100 feet from the east Bridge No. 2 abutment. The total length for this trail section amounts to approximately 650 linear feet.

This is a continuation of the DCEGT that started from the east side of the existing Darling Way bridge being authorized via Permit No. 19727. This section of the trail includes an access ramp from a proposed trailhead facility and approaches for the new Bridge No. 2 crossing. This requires the trail to be raised along the embankment to match the new bridge deck elevation. The new bridge will be a clear span and consists of a prefabricated steel bridge supported on abutments on 5-foot diameter Cast-in-Drilled-Hole (CIDH) piles with wingwalls. A new trailhead facility with a parking lot, restroom structure, and trail access ramp are proposed at the west and east sides of the new bridge. For drainage, a reinforced concrete pipe and outfall will be constructed along the raised trail section upstream of the bridge, and the new parking lot will have a drainage pipeline to the stream bank with an outfall.

Bridge No. 2 will span Dry Creek, which is listed as regulated streams per Title 23, § 112, Table 8.1. There are no U.S. Army Corps of Engineers (USACE) federally constructed civil works project near this location.

The project will consist of the following work/activities:

1. Site access will be by existing paved county roads. Temporary access routes will be needed for site access.
2. Site preparation. Removing vegetation and implementing Best Management Practices. Equipment and materials to be staged within the new trailhead facility area.
3. Construction of temporary water diversion system for bridge construction.

4. Drilling and concrete operations for abutment piles. One pile per abutment will be drilled and steel reinforcement placed in excavated hole. Concrete is then placed with a concrete pump up to pier elevation.
5. Excavation, forming, and concrete placement for bridge abutments and wingwalls. To be cast-in-place with steel reinforcement. Concrete will be placed using a concrete pump.
6. Bridge construction. Prefabrication steel bridge sections installed via crane.
7. Trenching operations for new drainage pipes. Backfill of pipelines.
8. Grading operations for new trail and trailhead facility. Placement of asphalt concrete over compacted aggregate base for the trail and parking lot.
9. Construction of new bathroom structure and facility hardscaping.
10. Installation of lighting and signage for the new trail and parking lot.
11. Restoration of project area to pre-project conditions.

The project will be scheduled for construction upon permit approval. The proposed project adheres to all applicable Title 23 Standards.

6.1 – Hydraulic Analysis

The project spans and runs along the right (west) bank of Dry Creek, a Board Regulated Stream. A Hydrology and Hydraulic Study Report (Attachment D) was prepared by WRECO to summarize the results of a hydraulic model performed for all the features in the DCGET Project for the existing and proposed conditions. The study was performed using a one-dimensional and a two-dimensional unsteady flow models using the USACE Hydrologic Engineering Center's River Analysis System (HEC-RAS) software, Version 5.0.7. Hydrology for the models was obtained from the 2010 Flood Insurance Study model performed by the Federal Emergency Management Agency (FEMA). The two-dimensional model was utilized in the stream channels that included raised trail sections where more complex flow conditions are expected and was also used to provide internal boundary conditions for the one-dimensional model. The one-

dimensional model boundary conditions, including the peak flows used, are shown on Table 5 of Attachment D.

The hydraulic impacts due to the new bridge, trailhead facility, and a raised trail section, is analyzed in this section. The hydraulic report included results for the Darling Way to US I-80 section which included the features under the subject application, specifically the fill to raise the trail at the bridge approaches and the new bridge crossing. The modeling results indicate that the proposed raised trail sections in the vicinity of Bridge No. 2 will not increase the WSE compared to the existing conditions and Bridge No. 2 will maintain a minimum 2-foot freeboard over the 100-year event. Additionally, the two-dimensional modeling results for this area also indicate that the proposed conditions reduce the WSE relative to the existing conditions. Dry Creek is considered a minor stream at the location and the 2-foot clearance complies with Title 23, Section 128(a)(10)(A). Due to the lower WSE, corresponding increases in velocity will occur at the new bridge abutments, where grading lowers the trail, and any inundated paved areas on the new trail that decreases the roughness coefficient. Rock slope protection for erosion control will be placed in areas shown on the drawings where increased velocities are expected due to the project.

A scour analysis was included in the report. Local abutment scour was determined to be as deep as 9 feet. There are no piers or bents in the floodway. Rock slope protection will be installed at the abutments to counter the scour. Localized velocity increases will be mitigated with erosion protection.

The results of the report indicate that there would be no affects to the flood flow capacity of Dry Creek due to the proposed project.

6.2 – Geotechnical Analysis

There are no federally constructed levees at this location so a geotechnical analysis was not required. Any backfill compaction will comply with Title 23 standards.

7.0 – AGENCY COMMENTS AND ENDORSEMENTS

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

- There is no Local Maintaining Agency for the project area.

- Correspondence dated May 31, 2023, was sent to the Department of the Army (USACE), signifying that the proposed work does not affect a federally constructed project.

8.0 – CALIFORNIA ENVIRONMENTAL QUALITY ACT ANALYSIS AND FINDINGS

As a responsible agency under the California Environmental Quality Act (CEQA), Board staff has reviewed the DCGET Project: A Multi-Use Trail Along Dry, Cirby, and Linda Creeks from Riverside Avenue to Old Auburn Road Draft and Final Environmental Impact Report (EIR) (State Clearinghouse No. 2013112042, September 2018), the Mitigation Monitoring and Reporting Program (MMRP), and Statement of Overriding Considerations, prepared by the lead agency, the City. The proposed work as requested under Encroachment Permit 19728 is covered by the EIR.

The City determined that the project will have a significant effect on the environment and filed a Notice of Determination with the State Clearinghouse on March 21, 2019 and the Placer County Clerk on March 25, 2019. The City incorporated mandatory mitigation measures into the project plans to avoid or mitigate impacts. These mitigation measures, included in the City's Final EIR and MMRP, address impacts to air quality, biological resources, cultural resources, hazards and hazardous material, noise, and transportation and circulations. These mitigation measures are within the responsibility and jurisdiction of the City and have been adopted by the City. The Draft and Final EIR found less than significant impacts with no mitigation under hydrology for flood related impacts associated with proposed project.

In accordance with CEQA CCR, Title 14, Section 15096(f), Board staff independently reviewed and considered the City's Draft and Final EIR, MMRP, and Statement of Overriding Considerations which supports the Board's approval of Encroachment Permit 19728 to authorize the proposed project which is within the Board's jurisdiction as it relates to effects on the federal-State facilities of the State Plan of Flood Control (SPFC) and adopted plans of flood control for regulated streams and designated floodways (State's flood control system). The Board, as a responsible agency, is responsible for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to approve (CEQA CCR, Title 14, Section 15096(g); CEQA Public Resources Code Section 21002.1(d)). Here, the Board's action is limited to approving encroachment permits, and the Board's jurisdiction is limited to imposing conditions to mitigate or avoid impacts to the environment under its authority, specifically, the State's flood control system.

The Board, as a responsible agency, is required to make findings for each significant effect of the project (CEQA CCR, Title 14, Sections 15096(h) and 15091). In addition to the discussion within the EIR identifying less than significant impacts related to flood risk, Board staff reviewed hydraulic analyses to determine if there will be flood impacts as a result of the project. The Final Hydrology and Hydraulics Study prepared by WRECO (March 2023) found the proposed project will result in no increase in WSE at the boundaries of the model in the 100-year event. The project model for the 100-year event shows small, localized increases in WSE. Generally, the analysis showed increases in velocity at the proposed new bridges where high flows are constricted by the bridge abutments. Other causes are attributed to changes in grading and the decreased roughness of the trail. As such, the design had to be refined to include erosion control measures to maintain its no flood impact statement. These measures include the gabion baskets, headwalls, and placement of rip rap at the bridge abutments. Board staff has reviewed the hydraulic analysis, agrees with the methodology and findings, and has determined that impacts to flood risk will be less than significant if the project design is built according to the design refinements as described in the Final Hydrology and Hydraulics Study (March 2023).

As a responsible agency, the Board may condition an encroachment permit to avoid or mitigate impacts to the environment under its authority. The Final Hydrology and Hydraulics Study evaluated flood impacts as a result of project development and identified actions that will reduce those impacts that were not identified in the Final EIR. As such, to ensure that approval of the encroachment permit is consistent with the recommendations/actions identified to reduce flood impacts as outlined in the Final Hydrology and Hydraulics Study, Board staff recommends including the following permit condition, substantially as written, in accordance with CCR, Title 14, Sections 15091(a)(1) and 15096(g)(2):

- *To reduce flood impacts, Permittee shall include the erosion control measures as identified in the Final Hydrology and Hydraulics Study prepared by WRECO (March 2023) in the final project design plans. Permittee shall provide documentation that the project was constructed in accordance with this condition, such as photographs, design plans, etc.*

When considering the record as a whole, including the Final Hydrology and Hydraulics Study, and in accordance with CEQA CCR, Title 14, Section 15096(f) and (g), staff recommends that the Board make responsible agency findings that approval of Encroachment Permit 19728, as conditioned, will not result in any significant adverse impacts related to flood risk. The proposed project, as conditioned, will not adversely impact the State's flood control system.

These documents, including project design, are available for review in hard copy at the Board and the City's offices. These documents, which constitute the administrative record of the Board in this matter, are in the custody of the Executive Officer, Central Valley Flood Protection Board, 3310 El Camino Ave., Suite 170, Sacramento, California 95821.

9.0 – CA WATER CODE SECTION 8610.5 AND OTHER CONSIDERATIONS

California Water Code, Section 8610.5 (c) provides that the Board shall consider all the following matters, if applicable:

1. Evidence that the Board admits into its record from any party, state or local public agency, or nongovernmental organization with expertise in flood or flood plain management:
2. The best available science that relates to the scientific issues presented by the executive officer, legal counsel, the Department of Water Resources, or other parties that raise credible scientific issues.
3. Effects of the decision on facilities of the SPFC.
4. Effects of reasonably projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

Staff requests that the Board consider this staff report and its attachments or references, and any evidence submitted to it prior to and during the hearing, if any.

The results of the hydraulic study report discussed in Section 6.1, Hydraulic Analysis indicates that the proposed bridge and trail project will have negligible effects on the conveyance of flood flows. The proposed bridge, trailhead facility, and new trail are not expected to result in adverse impacts to facilities of the SPFC because there are no SPFC facilities in the project area. No other scientific issues were raised or are known to staff.

Because there are no SPFC facilities in the area, this project will not cause any impacts to the SPFC under reasonably projected future events, including, but not limited to, changes in hydrology, sea level rise, and climate change.

10.0 – STAFF RECOMMENDATION

Adopt:

- The CEQA findings that the proposed work under Permit No. 19728, as conditioned, will not result in any significant adverse impacts related to flood risk (CEQA CCR, Title 14, Section 15096).

Approve:

- Encroachment Permit No. 19728 in substantially the form provided in Attachment A; and,

Direct:

- The Executive Officer to take the necessary actions to execute the permit and file a Notice of Determination with the State Clearinghouse (CEQA CCR, Title 14, Section 15096(i)).

11.0 – LIST OF ATTACHMENTS

- A. Draft Permit No. 19728
- B. Location Maps
- C. Plans (Please refer to 19727)
- D. Hydrology and Hydraulic Study Report (Please refer to 19727)

12.0 – REVIEWERS

Prepared By: Humberto Negrete, Engineer, Permitting Section
Jennifer Calles, Senior Environmental Scientist

Staff Report Review: Steve Lamb, P.E., Permitting Section Chief
Yiguo Liang, P.E., Operations Branch Chief
Andrea Buckley, Environmental Services and Land
Management Division Chief
Michael C. Wright, P.E., Chief Engineer

Legal Review: Jit Dua, Board Counsel

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

PERMIT NO. 19728 BD

This Permit is issued to:

City of Roseville Public Works Dept
311 Vernon Street
Roseville, California 95678

To authorize features associated with Phase 1 of the Dry Creek Greenway East Trail (DCGET) Project, including: constructing a new 110-foot-long pedestrian steel bridge (Bridge No. 2) crossing Dry Creek with rock slope protection at the new bridge abutments; and constructing a new paved multi-use off-street trail with a trailhead facility, access ramps, erosion control, and storm drains with outfalls along approximately 300-feet of the right (west) bank of Dry Creek. A temporary water diversion will be needed for construction.

The project is located along the right bank of Dry Creek from the junction with Cirby Creek to approximately 450 feet upstream, within the City of Roseville, at 38.73422°N 121.28934°W, Dry Creek, Placer County.

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

(SEAL)

Dated: _____

Executive Officer

GENERAL CONDITIONS:

ONE: This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

TWO: Only work described in the subject application is authorized hereby.

THREE: This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

FOUR: The approved work shall be accomplished under the direction and supervision of the Central Valley Flood Protection Board (Board) or the California Department of Water Resources (DWR), and the permittee shall conform to all requirements of the Board or DWR.

FIVE: Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of the Board.

SIX: This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 days' notice.

SEVEN: It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

EIGHT: This permit does not establish any precedent with respect to any other application received by the Board.

NINE: The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

TEN: The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents, or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

ELEVEN: The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interference with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

TWELVE: Should any of the work not conform to the conditions of this permit, the permittee, upon order of the Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

SPECIAL CONDITIONS:

LIABILITY AND INDEMNIFICATION

THIRTEEN: The permittee shall defend, indemnify, and hold harmless the Board and the State of California, including its agencies or departments thereof, including but not limited to, any and all boards, commissions, officers, agents, employees, and representatives (Indemnitees), against any and all claims, liabilities, charges, losses, expenses, and costs including the State's attorneys' fees (Liabilities), that may arise from, or by reason of: (1) any action or inaction by the Indemnitees in connection with the issuance or denial of any permit, lease, or other entitlement; (2) as a result of approvals or authorizations given by the Board to the permittee pursuant to, or as a result of, permittee's permit application; (3) provisions of the issued permit or lease, provisions of CEQA, an environmental document certified or adopted by the Board related to the permit application, or any other regulations, requirements, or programs by the State, except for any such Liabilities caused solely by the gross negligence or intentional acts of the State or its officers, agents, and employees.

FOURTEEN: Permittee shall reimburse the Board in full for all reasonable costs and attorneys' fees, including, but not limited to, those charged to it by the California Office of Attorney General, that the Board incurs in connection with the defense of any action brought against the Board challenging this permit or any other matter related to this permit, or the work performed by the State in its issuance of this permit. In addition, the permittee shall reimburse the Board for any court costs and reasonable attorneys' fees that the Board/Indemnitees may be required by a court to pay as a result of such action. The permittee may participate in the defense of the action, but its participation shall not relieve it of its obligations under the conditions of this permit.

FIFTEEN: Neither the Board nor DWR shall be held liable for any damages to the permitted encroachment(s) resulting from releases of water from reservoirs, flood fight, operation, maintenance, inspection, or emergency repair.

AGENCY CONDITIONS

SIXTEEN: All work approved by this permit shall be in accordance with the submitted drawings and specifications dated October 2022, except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Board.

SEVENTEEN: The Board will conduct routine inspections of the permitted encroachment(s) periodically, in accordance with the Routine Inspection Frequency of California Code of Regulations, Title 23, Waters, Division 1, Article 10, Appendix B, or at the Board's discretion. The Board will notify the permittee in advance of the planned routine inspection and will impose an inspection fee prior to each inspection.

EIGHTEEN: Permittee shall pay an inspection fee(s) to the Board to cover inspection cost(s), including staff and consultant time and expenses, for any inspections during construction and regularly thereafter. The frequency of routine inspections and fees shall be in accordance with the Construction Inspection of California Code of Regulations, Title 23, Waters, Division 1, Article 10, Appendix B.

NINETEEN: In the event that bank erosion injurious to the Adopted Plan of Flood Control occurs at or adjacent to the permitted encroachment(s), the permittee shall repair the eroded area and propose measures, to be approved by the Board, to prevent further erosion.

TWENTY: The permittee shall be responsible for the repair of any damages to the channel, banks, floodway, or other flood control facilities due to construction, operation, or maintenance of the proposed project.

TWENTY-ONE: Correspondence dated May 31, 2023, was sent to the Department of the Army (U.S. Army Corps of Engineers, Sacramento District), signifying that the proposed work does not affect a federally constructed project.

TWENTY-TWO: The permittee agrees to notify any new property/encroachment owner(s) that they are required to submit a permit Name Change request form to the Board upon completion of the sale. The new owner(s) will be required to comply with all permit conditions. Name Change forms are available at <http://cvfpb.ca.gov/>, or by contacting the Board by telephone at (916) 574-0609.

TWENTY-THREE: The Board reserves the right to add additional, or modify existing, conditions when there is a change in ownership and/or maintenance responsibility of the work authorized under this permit.

TWENTY-FOUR: The proposed structure shall not be used for human habitation.

TWENTY-FIVE: To reduce flood impacts, permittee shall include the erosion control measures

identified in the Final Hydrology and Hydraulics Study prepared by WRECO (March 2023) in their final project design plans. Permittee shall provide documentation that the project was constructed in accordance with this condition, such as photographs, design plans, etc.

PRE-CONSTRUCTION

TWENTY-SIX: Upon receipt of a signed copy of the issued permit the permittee shall contact the Board by telephone at (916) 574-0609 or by email at inspections@cvflood.ca.gov to schedule a preconstruction conference with the inspector who is assigned to the project. Failure to do so at least 10 working days prior to start of work may result in a delay of the project.

CONSTRUCTION

TWENTY-SEVEN: No construction work of any kind shall be done during the flood season from November 1 to April 15 without prior approval of the Board. Failure to submit a Time Variance Request to the Board at least 10 working days prior to the start of work may result in a delay of the project.

TWENTY-EIGHT: The soffit of the bridge shall be a minimum of 2 feet above the Flood Plane elevation of 132.2 feet, NAVD 88 Datum.

TWENTY-NINE: Fill material shall be placed only within the area indicated on the approved plans.

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

THIRTY-ONE: Revetment shall be quarry stone and shall meet the following grading:

| Stone Size | Percent Passing |
|------------|-----------------|
| 15 inches | 100 |
| 8 inches | 80-95 |
| 6 inches | 45-80 |
| 4 inches | 15-45 |
| 2 inches | 0-15 |

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

THIRTY-THREE: The recommended minimum thickness of revetment, measured perpendicular to the bank or levee slope, is 18 inches below the usual water surface and 12 inches above the usual water surface.

POST-CONSTRUCTION

THIRTY-FOUR: All debris generated by this project shall be properly disposed of outside the Dry Creek Floodway and off all Project Works.

THIRTY-FIVE: The project areas shall be restored to at least the condition that existed prior to commencement of work.

THIRTY-SIX: Upon completion of the project, the permittee shall submit as-constructed drawings to the Board, Attention: Inspection, 3310 El Camino Avenue, Suite 170, Sacramento, California 95821.

OPERATIONS AND MAINTENANCE

THIRTY-SEVEN: After each period of high water, debris that accumulates at the site shall be completely removed from the Dry Creek Floodway and off all Project Works.

THIRTY-EIGHT: If the bridge is damaged to the extent that it may impair the channel or floodway capacity, it shall be repaired or removed prior to the next flood season.

THIRTY-NINE: The permittee shall maintain the permitted encroachment(s) and the Project Works within the utilized area in the manner required and as requested by the authorized representative of the Board, DWR, or any other agency responsible for maintenance and flood control and shall, at all times, allow officials from these agencies to access any adjacent areas as necessary for maintenance and flood control.

FORTY: The permitted encroachment(s) shall not interfere with the operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for operation or maintenance of the flood control project to interfere, the permittee shall be required, at permittee's cost and expense, to modify or remove the permitted encroachment(s) within 30 days of being notified in writing by the Board. In the event of an emergency a shorter timeframe may be required. If the permittee does not comply, the Board, or a designated agency or company authorized by the Board, may modify, or remove the encroachment(s) at the permittee's expense.

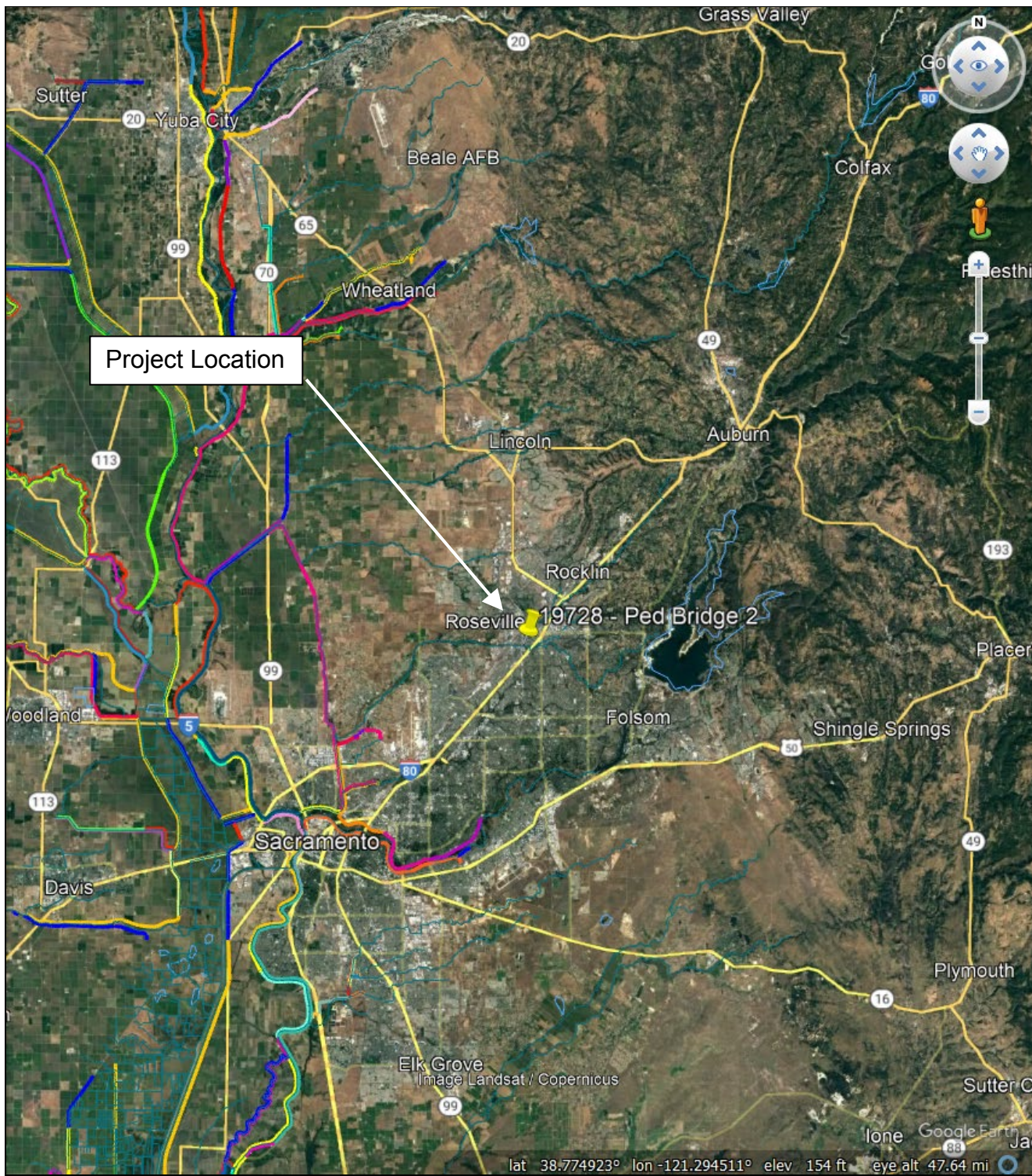
PROJECT ABANDONMENT / CHANGE IN PLAN OF FLOOD CONTROL

FORTY-ONE: If the project, or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of the Board at the permittee's or successor's cost and expense.

FORTY-TWO: The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if in the discretion of the Board the 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 project is not maintained or is damaged by any cause. The permittee shall remove the encroachment(s) within 30 days of being notified in writing by the Board. In the event of an emergency a shorter timeframe may be required. If the permittee does not comply the Board will remove the encroachment(s) at the permittee's expense.

END OF CONDITIONS

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CENTRAL VALLEY FLOOD PROTECTION BOARD

Source: Google Earth

Permit 19728



Project Vicinity Map



CENTRAL VALLEY FLOOD PROTECTION BOARD

Source: Google Earth

Permit 19728



Project Location Map



CENTRAL VALLEY FLOOD PROTECTION BOARD

Source: Google Earth

Application 19728



Project Footprint Map

Please reference Attachment C from 19727 Staff Report.

Relevant Sheets: PP-2, PP-3, GP-2, SS-2, EC-2, WPC-2

Please reference Attachment D from 19727 Staff Report.