No other business shall be conducted at this meeting. The public shall have an opportunity to address the Authority only with respect to items set forth in this agenda. Each individual or group will be limited to no more than five minutes. Prior to this time, speakers must fill out a “Request to Speak” card and submit it to the Clerk of the Board of Supervisors.

I ROLL CALL – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti

II ACTION ITEMS

A. Approve minutes of the regular meeting of April 30 and May 1, 2012.

B. Adopt resolution of public necessity for the taking of certain property and identified as Assessor Parcel No. 021-042-027 (Humam El Sharif) for Three Rivers Upper Yuba River Levee Improvement Project.

C. Adopt resolution of public necessity for the taking of certain “gap” property bordered by Assessor Parcel No. 018-150-032 to the North and Assessor Parcel No. 018-150-035 to the South, for Three Rivers Upper Yuba River Levee Improvement Project.

D. Adopt resolution accepting funding for the Goldfields High Ground Feasibility project through the Yuba Feather Flood Protection Program under the Safe Drinking, Clean Water, Watershed Protection, and Flood Protection Act (Proposition 13).

E. Approve additional construction costs in the amount of $180,000 for Feather River Segment 3 landside levee access corridor.

III BOARD AND STAFF MEMBERS REPORTS

A. Yuba Goldfield’s High Ground Evaluation status

B. Flood Management Association Conference September 4 – 7, 2012

C. Other Reports

IV ADJOURN

The complete agenda, including backup material, is available at the Yuba County Government Center, 915 8th Street, Suite 109, the County Library at 303 Second Street, Marysville, and www.trlia.org. Any disclosable public record related to an open session item on the agenda and distributed to all or a majority of the Board of Directors less than 72 hours prior to the meeting are available for public inspection at Suite 109 during normal business hours.

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made one full business day before the start of the meeting.
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MAY 1, 2012

MINUTES

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority (TRLIA) was held on the above date, commencing at 3:32 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Jerry Crippen, Don L. Graham, Mary Jane Griego, and John Nicoletti. Also present were Executive Director Paul Brunner, Counsel Scott Shapiro, and Clerk of the Board of Supervisors/Secretary Donna Stottlemyer. Chair Griego presided.

I ROLL CALL – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti – All Present

II PUBLIC COMMUNICATIONS: No one came forward.

III CONSENT AGENDA: All matters listed under the consent agenda are considered to be routine and can be enacted by one motion.

MOTION: Move to approve MOVED: Jerry Crippen SECOND: Rick Brown
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

A. Approve minutes of the meetings of April 17, 2012. Approved as written.

IV ACTION ITEMS

A. Adopt resolution of necessity declaring necessity for taking of certain property identified as APN 021-410-001 (Allen, Jason G.) along the Yuba River south bank levee for repair, construction, installation and maintenance of improvements. Special Counsel Kelly Pope and Design Manager Larry Dacus recappeled the location along North Beale Road, necessity for acquisition, and responded to Board inquiries. Chair Griego opened the public hearing. No one came forward.

MOTION: Move to close public hearing adopt resolution
MOVED: John Nicoletti SECOND: Jerry Crippen
AYES: Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
NOES: None ABSTAIN: None ABSENT: None

V BOARD AND STAFF MEMBERS' REPORTS

Executive Director Paul Brunner:
◦ Funding reimbursements from the State
◦ Met with Western Aggregates regarding mining reclamation in conjunction with flood control within Goldfields
◦ Central Valley Flood Protection Plan and Regional Flood Management Planning

VI CLOSED SESSION: Chair Griego announced closed session items.

The following individual spoke:
Mr. Brant Forsthorn, representing the Bains

The Board retired into closed session at 4:00 p.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a):

1. TRLIA vs. Bains, et al/YCSCCVED 10-0000977/APN 017-200-001 and 018-220-030
2. TRLIA vs. Luis, et al/ YCSCCVED 10-0000903/APN 018-200-005, 018-200-007, 018-210-035, and 018-200-008 recently changed to 018-200-010

B. Conference with Labor Negotiators pursuant to Government Code §54957.6 – Provide instruction to representatives Scott Shapiro/Robert Bendorf/Martha Wilson/Iva Seaburg on salary/compensation of Executive Director

Director Crippen left closed session at 5:28 p.m. during discussion of pending litigation regarding Luis.

The Board returned at 5:46 p.m. with all present as indicated above, except Director Crippen.

Counsel Scott Shapiro advised direction was given regarding "A1" and the Board gave additional authority to negotiate compensation of the Executive Director.

VII ADJOURN: 5:47 p.m. by Chair Griego.

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS
AND SECRETARY OF THE PUBLIC AUTHORITY

Approved: ____________________________
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

APRIL 30, 2012

MINUTES

A special meeting of the Board of Directors of the Three Rivers Levee Improvement Authority (TRLIA) was held on the above date, commencing at 4:01 p.m., at the levee intersection of Dantoni Road and Simpson-Dantoni Road, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Jerry Crippen, Don L. Graham, Mary Jane Griego, and John Nicoletti. Also present were Executive Director Paul Brunner, Special Counsel Kelly Pope, Design Manager Larry Dacus, Construction Manager Doug Handen, and Clerk of the Board of Supervisors/Secretary Donna Stottlemyer. Chair Griego presided.

I ROLL CALL – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti – Director Crippen joined the meeting at 4:15 p.m. and Director Nicoletti joined the meeting at 4:17 p.m.

II ACTION ITEMS

View and discuss power pole locations, underground utility location, proposed easement, and impacts. (No background material) Executive Director Paul Brunner and Design Manager Larry Dacus recapped and provided four maps depicting acquisition and P.G.& E. easements for the Upper Yuba River Phase 4. Mr. Brunner and Mr. Dacus responded to Board inquiries. All staff and Board present as indicated above, Mr. Ajit Bains, and RD 784 Manager Steve Fordice caravanned to the existing parcel line depicted on Map 1.

Following discussion regarding the Miller and Bains site, easement and licenses, all parties continued to the P.G.& E. easement line located on Map 2. Mr. Brunner and Mr. Dacus recapped the issue of a truck turn around on the Bains property, easements, and license, and responded to inquiries.

All parties then traveled to the relocated P.G.& E. pole location depicted on Map 4. Mr. Brunner and Mr. Dacus recapped issues surrounding the underground easement and possible tree removal on the Luis parcel.

Following discussion, parties traveled along the levee viewing the berm, borrow site, and rip-rap.

III ADJOURN: 5:27 p.m. by Chair Griego.

Chair

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS
AND SECRETARY OF THE PUBLIC AUTHORITY

Approved:

04/30/12 – TRLIA
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218
Marysville, CA 95901
Office (530) 749-7841 Fax (530) 749-6990

May 22, 2012

TO: THREE RIVERS LEVEE IMPROVEMENT BOARD OF DIRECTORS
FROM: PAUL BRUNNER, EXECUTIVE DIRECTOR
       KELLY L. POPE, ESQ., SPECIAL COUNSEL
       LARRY DACUS, DESIGN MANAGER

SUBJECT: CONSIDER ADOPTING A RESOLUTION OF NECESSITY FOR ACQUISITION OF PROPERTY INTERESTS OWNED BY HUMAM EL SHARIF, ALONG THE YUBA RIVER SOUTH BANK LEVEE FOR THE UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT

__________________________________________________________

RECOMMENDATION:

That the Board of Directors adopt the attached proposed Resolution of Necessity for the acquisition of certain property interests in property bearing Assessor’s Parcel Number 021-042-027 for the Three Rivers Upper Yuba River Levee Improvement Project (the “Project”). The current property owner is identified as Humam El Sharif. As described and depicted in Exhibits A-1 and A-2 to the attached proposed Resolution, the property interest proposed for acquisition is 0.522 acres in fee (the “Property”).

BACKGROUND:

The Three Rivers Levee Improvement Authority (TRLIA) is in the process of carrying out improvement and repair work along an approximately 3.9-mile section of the South Bank Yuba River flood protection levee from Simpson Lane to the Yuba Goldfields in Yuba County. The levee improvements include geometry corrections, a seepage berm, and several miles of seepage cutoff wall varying in depth from approximately 45 to 70 feet below existing ground level. The Board approved the Project and adopted a Mitigated Negative Declaration pursuant to the California Environmental Quality Act for it on April 20, 2010.

The Upper Yuba River Levee Improvement Project is one of the final pieces of TRLIA’s larger flood protection program that includes 29.3 miles of levee improvements in Yuba County. The entire 29.3 mile improvement program is necessary to restore 100-year flood protection to the portion of the county within Reclamation District 784, but TRLIA’s goal for the upgrades is to meet a higher 200-year flood protection standard. The State is providing the majority of the funding for the Project as part of its Proposition 1E Early Implementation Program (“EIP”). As an EIP project, the Project must comply with State Department of Water Resources’ standards for project design and real estate acquisition. Those standards require the acquisition of operation and maintenance (“O&M”) corridors along the levee toe. The O&M line for the levee
along the Humam El Sharif Property is fifteen feet from the levee toe. The O&M corridors are necessary for the Project in order to provide adequate room for levee maintenance, inspection, patrolling during high water, and flood fighting.

TRLIA has now completed the reconstruction and resurfacing portion of the levee improvement work over the Humam El Sharif Property, including flattening the waterside of the levee along the property, and resurfacing the crown. In order to complete the Project, it is now necessary for TRLIA to acquire the O&M corridor.

DISCUSSION:

The Humam El Sharif parcel is located at 1977 Hammonton Smartville Road in Yuba County and currently totals 4.86 acres in size. Roughly 0.419 acres of the proposed 0.522 acre fee acquisition is encumbered by the existing levee. The proposed Resolution of Necessity includes maps depicting the property and the proposed acquisition.

Based on an appraised value of $15,400 per acre for the fee ownership interest, TRLIA offered to purchase the necessary property interests for $2,100.00 on March 14, 2012. The March 14, 2012 offer letter was addressed to Humam El Sharif, and sent to his last known address. A copy of TRLIA’s offer letter (without exhibits) is attached.

Humam El Sharif is the fee owner as shown in the preliminary report of title. TRLIA’s special counsel however, has not had any return communication from the owner of the Property.

The design of the Project is based on three technical documents prepared by TRLIA’s consultant team. The first is Kleinfelder, Inc.’s Problem Identification Report, Upper Yuba Levee Improvement Project, Yuba River South Levee Evaluation, Simpson Lane to Yuba Gold Fields, Reclamation District No. 784, Yuba County, California, dated September 29, 2009. This report contains the results of geotechnical investigations and provides preliminary repair recommendations. Kleinfelder subsequently prepared its Revised Geotechnical Basis of Design, Upper Yuba Levee Improvement Project, Yuba River South Levee Evaluation, Reclamation District 784, Yuba County, California, dated June 11, 2010. This report contains additional analysis on the final repair recommendations.

The third technical document on which the Project design is based is HDR’s Upper Yuba Levee Improvement Project, 100% Design Submittal Final Design Documentation Report, Upper Yuba Levee Improvement Project, Yuba River Basin, California (Sta. 102+00 to Sta. 303+59), dated June 21, 2010. This report identifies the standards used in the design of the Project, describes the design assumptions and design criteria, summarizes the methods and results of the hydraulic and geotechnical analyses of the Project, and describes the key features of the improved levee.

The condemnation action will name as defendants Humam El Sharif and all unknown persons claiming an interest of any kind in the Property. The action will be served on all such persons by publication in appropriate newspapers of record and by posting copies of the Summons and Complaint on the Property. All such persons will have the right to appear and seek compensation for their interests. If no defendant appears and seeks compensation, the matter will be concluded in a few months by entry of a default judgment.
FISCAL IMPACT:

The approved appraised value for the property is within the TRLIA Board approved land acquisition plan for the Upper Yuba River Levee Improvement Project. The funding to acquire this property is in the TRLIA cash flow and is available to be deposited to the State Treasurer’s Condemnation Fund. The State will pay 70% of this expense as part of the Upper Yuba River Levee Improvement EIP funding agreement.
RESOLUTION NO. 2012-

A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE RIVERS UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT (CODE CIV. PROC. § 1245.230)

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") proposes to repair, construct, install, and maintain the Upper Yuba River Levee Improvement Project (the "Project"); and

WHEREAS, TRLIA has determined that it needs to acquire certain property interests from the parcel currently bearing Assessor's Parcel No. 021-042-027 (the "Property") in order to complete the Project; and

WHEREAS, TRLIA has advised the owners of the Property of the need for the Project and offered the owners an opportunity for a hearing before the TRLIA Board on May 22, 2012, pursuant to Section 1245.235 of the California Code of Civil Procedure; and

WHEREAS, the Board of Directors of TRLIA adopts this resolution in compliance with Section 1245.230 of the Code of Civil Procedure.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Property is to be acquired for the Project.

TRLIA is authorized to acquire property for the Project pursuant to, among others, the following statutes: Government Code section 25350.5 and Water Code section 50930.

SECTION 2. The general location and extent of the Property to be acquired is set forth in the legal description attached hereto as Exhibit A-1, and the accompanying parcel map attached hereto as Exhibit A-2, which are incorporated herein by this reference.

SECTION 3. The Board of Directors declares that it has found and determined as follows:

a. The public interest and necessity require the Project.

b. The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

c. The Property described in Exhibit A-1 and depicted in Exhibit A-2 is necessary for the proposed Project.

d. The offer of just compensation required by Government Code Section 7267.2 has been made to the owners of record of the Property.

e. All conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the Property described herein have been complied with by TRLIA.

f. TRLIA possesses the statutory authority to acquire the Property by eminent domain.
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 22nd day of May, 2012, by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________
CHAIRPERSON

ATTEST:

_________________________
Donna Stottlemeyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By: _______________________

1288323.1  2
March 14, 2012

VIA FED-EX AND US MAIL

Humam El Sharif
13389 Folsom Blvd. #300-263
Folsom, CA 95630

Re: Upper Yuba Levee Improvement Project
Assessors Parcel Number 021-042-027

Offer to Purchase – Government Code §7267.2

Dear Humam El Sharif:

The Three Rivers Levee Improvement Authority ("TRLIA") is a joint powers authority consisting of Reclamation District 784 and the County of Yuba. TRLIA is in the final planning stages of the Upper Yuba Levee Improvement Project. The Project will increase the Linda area’s protection against flooding by upgrading several miles of the Yuba River South Bank Levee to meet current standards for resistance to under seepage. In order to complete the Project however, TRLIA will need to acquire a portion of your property located near the Yuba River in Yuba County. The area TRLIA needs to acquire in fee ownership is approximately 0.522 acres in size on Assessor’s Parcel Number 021-042-027.

Bender Rosenthal, Inc. and Downey Brand LLP have been retained by TRLIA to acquire the various property rights required for this Project. I have been asked to contact you to discuss the Project, the terms of the proposed acquisition, and the documents and procedures necessary to complete the transaction. As required by California law, TRLIA has obtained a valuation of the required property interest, which is summarized in the enclosed document titled Statement and Summary of the Basis of Non-Complex Valuation.

This letter, along with the enclosed Statement and Summary of the Basis of Non-Complex Valuation and Information Brochure, constitutes TRLIA’s offer to purchase the required real property interests for $2,100.00.

If the amount and terms of the offer are satisfactory, please inform me and my office will prepare the necessary purchase documents. Of course, this offer is conditioned on TRLIA’s ratification of the offer as approved by the TRLIA Board of Directors.
Please note that you are eligible to receive reimbursement of up to $5,000.00 for the reasonable costs associated with retaining the services of a qualified real estate appraiser, licensed by the State Office of Real Estate Appraisers, to prepare an appraisal report for the same property rights for which this offer is being made.

You are welcome to contact me at (916) 520-5282 or at the address above to discuss this proposed transaction, or the Project, further.

Thank you for your kind and careful consideration to this matter.

Very truly yours,

DOWNEY BRAND LLP

Luke P. Steidlmayer

LPS

Enclosures

cc: Bob Morrison (w/enclosures)
RESOLUTION NO. 2012–__

A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE RIVERS UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT (CODE CIV. PROC. § 1245.230)

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") proposes to repair, construct, install, and maintain the Upper Yuba River Levee Improvement Project (the “Project”); and

WHEREAS, TRLIA has determined that it needs to acquire certain property interests from the parcel currently bearing Assessor’s Parcel No. 021-042-027 (the “Property”) in order to complete the Project; and

WHEREAS, TRLIA has advised the owner of the Property of the need for the Project and offered the owner an opportunity for a hearing before the TRLIA Board on May 22, 2012, pursuant to Section 1245.235 of the California Code of Civil Procedure; and

WHEREAS, the Board of Directors of TRLIA adopts this resolution in compliance with Section 1245.230 of the Code of Civil Procedure.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Property is to be acquired for the Project.

TRLIA is authorized to acquire property for the Project pursuant to, among others, the following statutes: Government Code section 25350.5 and Water Code section 50930.

SECTION 2. The general location and extent of the Property to be acquired is set forth in the legal description attached hereto as Exhibit A-1, and the accompanying parcel map attached hereto as Exhibit A-2, which are incorporated herein by this reference.

SECTION 3. The Board of Directors declares that it has found and determined as follows:

a. The public interest and necessity require the Project.

b. The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

c. The Property described in Exhibit A-1 and depicted in Exhibit A-2 is necessary for the proposed Project.

d. The offer of just compensation required by Government Code Section 7267.2 has been made to the owners of record of the Property.

e. All conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the Property described herein have been complied with by TRLIA.

f. TRLIA possesses the statutory authority to acquire the Property by eminent domain.
PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this 22nd day of May, 2012, by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

______________________________
CHAIRPERSON

ATTEST:

______________________________
Donna Stottlemyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By:__________________________
Exhibit ‘A-1’

All that real property situate in the County of Yuba, State of California, being portion of Lot 6, as shown on the plat of “Yuba County Tract No. 80-291”, filed in the office of the County Recorder of Yuba County in Book 35 of Maps, Page 45, and being more particularly described as follows:

Beginning at the Northeast corner of said Lot 6, from which a brass cap in a monument well at the intersection of Dantoni Road and Hammonton-Smartville Road bears South 74°31’13” East, 2782.97 feet and from which a brass cap in a monument well at the intersection of Dunning Avenue and Hammonton-Smartville Road bears South 35°05’27” West, 942.63 feet; thence along the North line of said Lot 6, South 60°16’57” West, 596.47 feet; thence along the West line of said Lot 6, South 00°37’03” East, 34.89 feet; thence North 61°50’37” East, 157.89 feet; thence South 00°37’03” East, 15.39 feet; thence leaving said West line, North 59°01’41” East, 20.64 feet; thence North 53°37’08” East, 68.89 feet; thence North 60°04’04” East, 84.48 feet; thence North 60°07’55” East, 80.45 feet; thence North 59°52’11” East, 188.00 feet more or less to a point on the East line of said Lot 6; thence along said East line, North 00°36’52” West, 43.38 feet to the Point of Beginning, containing 0.522 acres, more or less.

See Exhibit ‘A-2’ attached hereto and made a part of this description.

The basis of bearings for this description is the California Coordinate System, Zone II, NAD 83. Distances contained herein are ground distances. To obtain grid distances, multiply the distance by 0.9999115.

End of Description

Prepared by CTA Engineering & Surveying under the supervision of the undersigned

[Signature]

Kevin A. Heerey, PLS 5914
Portion of: APN 021-042-027

07/10/2010 Date
THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY
1114 Yuba Street, Suite 218
Marysville, CA 95901
Office (530) 749-7841 Fax (530) 749-6990

May 22, 2012

TO: THREE RIVERS LEVEE IMPROVEMENT BOARD OF DIRECTORS
FROM: PAUL BRUNNER, EXECUTIVE DIRECTOR
KELLY L. POPE, ESQ., SPECIAL COUNSEL
LARRY DACUS, DESIGN MANAGER

SUBJECT: CONSIDER ADOPTING A RESOLUTION OF NECESSITY FOR
ACQUISITION OF PROPERTY INTERESTS BETWEEN THE BARKER AND
SHINTAFFER PROPERTIES OWNED BY UNKNOWN OWNERS ALONG
THE YUBA RIVER SOUTH BANK LEVEE FOR THE UPPER YUBA RIVER
LEVEE IMPROVEMENT PROJECT

RECOMMENDATION:

That the Board of Directors adopt the attached proposed Resolution of Necessity for the
acquisition of certain property interests consisting of a “gap” property bordered to its South by
Assessors Parcel Number 018-150-035 (owned by Barker) and to its North by Assessor’s Parcel
Number 018-150-032 (owned by Shintaffer) (the “B-S Gap”) for the Three Rivers Upper Yuba
River Levee Improvement Project (the “Project”). Following a reasonably diligent search, the
current property owners could not be located or identified, and are considered unknown. As
described and depicted in Exhibits A-1 and A-2 to the attached proposed Resolution, the
property interest proposed for acquisition is 2.648 acres in fee.

BACKGROUND:

The Three Rivers Levee Improvement Authority (TRLIA) is in the process of carrying out
improvement and repair work along an approximately 3.9-mile section of the South Bank Yuba
River flood protection levee from Simpson Lane to the Yuba Goldfields in Yuba County. The
levee improvements include geometry corrections, a seepage berm, and several miles of seepage
cutoff wall varying in depth from approximately 45 to 70 feet below existing ground level. The
Board approved the Project and adopted a Mitigated Negative Declaration pursuant to the
California Environmental Quality Act for it on April 20, 2010.

The Upper Yuba River Levee Improvement Project is one of the final pieces of TRLIA’s larger
flood protection program that includes 29.3 miles of levee improvements in Yuba County. The
entire 29.3 mile improvement program is necessary to restore 100-year flood protection to the
portion of the county within Reclamation District 784, but TRLIA’s goal for the upgrades is to
meet a higher 200-year flood protection standard. The State is providing the majority of the
funding for the Project as part of its Proposition 1E Early Implementation Program (“EIP”). As
an EIP project, the Project must comply with State Department of Water Resources’ standards for project design and real estate acquisition. Those standards require the acquisition of operation and maintenance (“O&M”) corridors along the levee toe. The O&M corridors are necessary for the Project in order to provide adequate room for levee maintenance, inspection, patrolling during high water, and flood fighting. The B-S Gap consists of the Yuba River South Levee and patrol road. TRLIA has now completed the reconstruction and resurfacing portion of the levee improvement work over the B-S Gap. It is necessary for TRLIA to acquire the B-S Gap in order to operate and maintain the levee.

**DISCUSSION:**

The B-S Gap does not have an Assessor’s Parcel Number. It is a strip of land that has a total area of 2.648 acres and is bordered to its North by Assessor’s Parcel Number 018-150-032 and to its South by Assessor’s Parcel Number 018-150-035. The proposed Resolution of Necessity includes maps depicting the property subject to the proposed acquisition.

TRLIA’s special counsel has been unable to locate or determine the property owners, if any, of the B-S Gap. TRLIA’s special counsel performed a reasonably diligent search in an attempt to uncover the identity of potential property owners. As part of its search to determine any potential owners of the B-S Gap, TRLIA’s special counsel ran title searches and obtained Litigation Guarantees from two separate title companies. The initial title report showed title to be vested in the Heirs and Devisees of Julia Curry. Subsequently the title report was revised to show title vesting in a company, Federal Fruit Distributors. Federal Fruit Distributors no longer exists as a California entity, and TRLIA was unsuccessful in its attempt to locate an individual or entity related to Federal Fruit Distributors. Meanwhile, TRLIA sought a third title report from a different company in an effort to resolve the ownership issue. The third title report showed ownership of the Property vested in a third party, not the Heirs and Devisees of Julia Curry nor Federal Fruit Distributors. Due to the inconsistent reports and TRLIA’s inability to confirm what individual or entity owns the B-S Gap, the only way TRLIA can acquire the B-S Gap is by exercising its power of eminent domain.

TRLIA is exempt from making the offer of just compensation required by Government Code section 7267.2 because the owner cannot be located with reasonable diligence. Since the current owners, if any, are unknown, TRLIA is not required to give special notice of the Board Hearing to any party.

The design of the Project is based on three technical documents prepared by TRLIA’s consultant team. The first is Kleinfelder, Inc.’s *Problem Identification Report*, Upper Yuba Levee Improvement Project, Yuba River South Levee Evaluation, Simpson Lane to Yuba Gold Fields, Reclamation District No. 784, Yuba County, California, dated September 29, 2009. This report contains the results of geotechnical investigations and provides preliminary repair recommendations. Kleinfelder subsequently prepared its *Revised Geotechnical Basis of Design*, Upper Yuba Levee Improvement Project, Yuba River South Levee Evaluation, Reclamation District 784, Yuba County, California, dated June 11, 2010. This report contains additional analysis on the final repair recommendations.

The third technical document on which the Project design is based is HDR’s *Upper Yuba Levee Improvement Project, 100% Design Submittal Final Design Documentation Report*, Upper Yuba Levee Improvement Project, Yuba River Basin, California (Sta. 102+00 to Sta. 303+59), dated June 21, 2010. This report identifies the standards used in the design of the Project, describes the
design assumptions and design criteria, summarizes the methods and results of the hydraulic and geotechnical analyses of the Project, and describes the key features of the improved levee.

The property interests to be acquired have been appraised at a value of $800.00. No offer to purchase the property interests has been made because the current owners, if any, are unknown and cannot be located.

With the current owners of the property interests, if any, being unknown, the condemnation action will name as defendants all unknown persons claiming an interest of any kind in the B-S Gap. The action will be served on all such persons by publication in appropriate newspapers of record and by posting copies of the Summons and Complaint on the Property. All such persons will have the right to appear and seek compensation for their interests. If no defendant appears and seeks compensation, the matter will be concluded in a few months by entry of a default judgment.

**FISCAL IMPACT:**

The approved appraised value for the property is within the TRLIA Board approved land acquisition plan for the Upper Yuba River Levee Improvement Project. The funding to acquire this property is in the TRLIA cash flow and is available to be deposited to the State Treasurer’s Condemnation Fund. The State will pay 70% of this expense as part of the Upper Yuba River Levee Improvement EIP funding agreement.
RESOLUTION NO. 2012—

A RESOLUTION OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF CERTAIN PROPERTY
FOR REPAIR, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF THE THREE
RIVERS UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT
(CODE CIV. PROC. § 1245.230)

WHEREAS, Three Rivers Levee Improvement Authority ("TRLIA") proposes to repair, construct, install, and maintain the Upper Yuba River Levee Improvement Project (the "Project"); and

WHEREAS, TRLIA has determined that it needs to acquire certain property interests from a "gap" property bordered to its North by Assessor's Parcel Number 018-150-032 and to its South by Assessor's Parcel Number 018-150-035 (the "Property") in order to complete the Project; and

WHEREAS, following a diligent search by TRLIA, it is unable to identify or locate the property owners, if any, of the Property; and

WHEREAS, because the persons whose property interests are to be acquired by eminent domain cannot be located in the exercise of reasonable diligence, TRLIA is not required to give any party notice and a reasonable opportunity to appear and be heard this date on the matters referred to in California Code of Civil Procedure section 1240.030 in accordance with California Code of Civil Procedure section 1245.235; and

WHEREAS, the Board of Directors of TRLIA adopts this resolution in compliance with Section 1245.230 of the Code of Civil Procedure.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Property is to be acquired for the Project.

TRLIA is authorized to acquire property for the Project pursuant to, among others, the following statutes: Government Code section 25350.5 and Water Code section 50930.

SECTION 2. The general location and extent of the Property to be acquired is set forth in the legal description attached hereto as Exhibit A-1, and the accompanying parcel map attached hereto as Exhibit A-2.

SECTION 3. The Board of Directors declares that it has found and determined as follows:

a. The public interest and necessity require the Project.

b. The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

c. The Property described in Exhibit A-1 and depicted in Exhibit A-2 is necessary for the proposed Project.

d. TRLIA is exempt from making the offer of just compensation required by Government Code Section 7267.2 because the owner cannot be located with reasonable diligence.
e. All conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the Property described herein have been complied with by TRLIA.

f. TRLIA possesses the statutory authority to acquire the Property by eminent domain.

PASSED AND ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority this _________________, by a two-thirds (2/3) or greater vote as follows:

AYES:
NOES:
ABSTAIN:
ABSENT:

__________________________________________
CHAIRPERSON

ATTEST:

__________________________________________
Donna Stottlemyer, Secretary

APPROVED AS TO FORM
SCOTT L. SHAPIRO
GENERAL COUNSEL

By:________________________
Exhibit 'A-1'

All that real property situate in the County of Yuba, State of California, being a portion of the “Linda Levee”, lying within the West One-half of Section 11, Township 15 North, Range 4 East, and being more particularly described as follows:

Beginning at a point at the intersection of the West line of Section 11 and the South line of the “Remainder Parcel”, as shown on Parcel Map No. 5-34, filed in the office of the County Recorder of Yuba County in Book 19 of Maps, Page 22, being a point on the riverside toe of the Linda Levee and from which a 1/2" rebar with plastic cap stamped LS 3341, marking the Southwest corner of Section 11, bears South 00°13'40" East, 1131.94 feet, and from which a 1-1/2" iron pipe tagged LS 3341, marking the center of Section 10, Township 15 North, Range 4 East, bears North 60°38'23" West, 3037.13 feet; thence from said Point of Beginning, along the South line of said “Remainder Parcel” and the riverside toe of the Linda Levee, North 54°08'40" East, 693.60 feet; thence North 54°18'13" East, 789.86 feet; thence North 57°06'32" East, 700.97 feet; thence North 54°44'29" East, 694.73 feet; thence North 59°23'26" East, 322.40 feet to the East line of said “Remainder Parcel” and the East line of the West One-half of said Section 11; thence along said East line, South 00°17'38" West, 78.61 feet more or less to a point on the centerline of said Linda Levee; thence leaving said East line and along the centerline of said Linda Levee, South 63°06'36" West, 282.28 feet; thence South 55°49'07" West, 691.64 feet; thence South 57°36'14" West, 700.56 feet; thence South 54°23'06" West, 788.71 feet; thence South 53°49'26" West, 718.27 feet to a point on the West line of said Section 11; thence along said West line, North 00°13'40" West, 40.45 feet to the Point of Beginning, containing 2.648 acres, more or less.

See Exhibit ‘A-2’ attached hereto and made a part of this description.

The basis of bearings for this description is the California Coordinate System, Zone II, NAD 83. Distances contained herein are ground distances. To obtain grid distances, multiply the distance by 0.9999115.

End of Description

Prepared by CTA Engineering & Surveying under the supervision of the undersigned

[Signature]

Kevin A. Heeney, PLS 5914

06/13/2010

Date
THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY
1114 Yuba Street, Suite 218
Marysville, CA 95901
Office (530) 749-7841 Fax (530) 749-6990

May 22, 2012

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul Brunner, Executive Director
SUBJECT: Proposition 13 Funding for the Goldfields High Ground Feasibility Project

**Recommended Action**

Approve attached Resolution by the Board of Directors of Three Rivers Levee Improvement Authority authorizing acceptance of funding for the Goldfields High Ground Feasibility project, and authorizing Executive Director Paul Brunner to enter into a funding agreement with the Department of Water Resources and to sign requests for disbursement of State funds.

**Background**

TRLIA has performed a hydraulic analysis of the Goldfields which has identified a greater flood risk than historically recognized. To reduce this risk for the coming flood season, the Board approved contracts with Western Aggregates and Cal Sierra Development to construct embankments at critical locations in the Goldfields. There remains a need to do additional geotechnical evaluations to verify that these constructed embankments are adequate to withstand the expected hydraulic loads and to evaluate the Yuba South Training Wall and existing tailing mounds within the Goldfields to determine their ability to withstand hydraulic loads from the 100 and 200-year flood events. This evaluation is necessary to provide certification of flood protection from the Goldfields to FEMA for the 100-year flood and eventually 200-year flood protection determination to the State.

TRLIA submitted an application for funding of this project under Proposition 84. In discussions with DWR, however, it became clear that funds left over from Proposition 13 (Yuba Feather Flood Protection Project) may make more sense for funding of this project.

TRLIA submitted an application for Proposition 13 funding in February 2012. As part of the funding agreement requirements, TRLIA must provide the State with a copy of a resolution accepting the funds and authorizing a representative to enter into the funding agreement and sign requests for disbursement of State funds.

**Attachment:**

- Proposed Resolution
RESOLUTION NO. 2012—

A RESOLUTION BY THE BOARD OF DIRECTORS OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY ACCEPTING FUNDING
THROUGH THE YUBA FEATHER FLOOD PROTECTION PROGRAM UNDER THE SAFE
DRINKING WATER, CLEAN WATER, WATERSHED PROTECTION, AND FLOOD
PROTECTION ACT (PROPOSITION 13)

WHEREAS, the Three Rivers Levee Improvement Authority (TRLIA or the Applicant), a joint
exercise of powers authority of which the County of Yuba (the “County”) and Reclamation District 784
(“RD 784”) are members, is conducting geotechnical studies (the “Goldfields High Ground Evaluation
project”) in order to evaluate protection of the Yuba Goldfields area from a 100-year flow and to identify
actions necessary to meet State requirements for providing 200-year flood protection to the RD 784 area; and

WHEREAS, TRLIA applied for funding for its Goldfields High Ground Evaluation project
through the Department of Water Resources’ (DWR) Yuba Feather Flood Protection Program
(Proposition 13); and

WHEREAS, TRLIA was selected for funding by DWR and is entering into a funding agreement
with the State of California for an amount of $2,000,000.00 to carry out its Goldfields High Ground
Evaluation project; and

WHEREAS, under the funding agreement, prior to receipt of funds TRLIA must provide a copy
of a resolution accepting the grant and designating a representative to execute the agreement and to sign
requests for disbursement of State funds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Three Rivers
Levee Improvement Authority that pursuant to and subject to all of the terms and provisions of the
California Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act, that the
funds awarded to TRLIA by the California Department of Water Resources are hereby accepted. The
Executive Director is hereby authorized to sign a funding agreement with the Department of Water
Resources and to sign requests for disbursement of State funds.

*** *** ***

PASSED AND ADOPTED this 22nd day of May, 2012, by the Board of Three Rivers Levee
Improvement Authority by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
ATTEST: DONNA STOTTLEMEYER, CLERK OF THE BOARD

Chairperson

APPROVED AS TO FORM: GENERAL COUNSEL

[Signature]
May 22, 2012

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul G. Brunner, Executive Director
Larry Dacus, Design Manager
SUBJECT: Consider Approval of additional cost for creation of levee landside access corridor along Segment 3 of the Feather East Levee

Recommended Action:
Approve additional Feather River Segment 3 landside levee access corridor construction costs. The additional local share is estimated to be $180,000.

Background:
Last September 27, 2011 the TRLIA Board approved the establishment of an adequate landside access corridor along the Feather Segment 3 levee from Island Ave to HWY 70. TRLIA staff has been working with DWR, CVFPB, and the community to establish this corridor. On March 12, 2012 the CVFPB issued Encroachment Permit No. 18690 BD, which allowed construction work to be done within Feather Segment 3 landside access corridor. The recently issued Encroachment Permit has several additional construction requirements, which were not considered in the original cost estimate for the proposed corridor work.

Discussion:
Originally, the estimated corridor construction work cost was estimated to be approximately $400,000. The new CVFPB Encroachment Permit requires many additional items to be done, which impacts the proposed project scope of work. Two key items are listed below:

Condition No. 19: “Permittee acknowledges the presence of elderberry shrubs which could serve as Valley Elderberry Longhorn Beetle habitat in the vicinity of this project. Permittee has structured the project so as not to include any work within 100 feet of existing elderberry plants in compliance with the U.S. Fish and Wildlife Service Conservation Guidelines dated 9 July 1999 (attached to this permit as Exhibit C) until such time as the Permittee consults with U.S. Fish and Wildlife Service to establish acceptable protocols to be used in protecting possible habitat during this project. Permittee shall provide copies of the protocols to be implemented by Permittee within the 100-foot buffer zone to Board staff as part of an application to amend this permit. Until such time and associated approved permit amendment, Permittee may not disturb the area within the 100-foot buffer zone. Prior to construction, Permittee shall submit for CVFPB Executive Officer approval construction plans and related documents showing the 100-foot buffer zone (protected during and after construction, and demonstrating compliance with the other items on page 3 of the Guidelines (Ex. C)).”
Condition No. 28: “Permittee shall ensure that the project has adequate stormwater management so that the maintenance road is passable during wet weather, and that the project does not worsen existing drainage problems in the area. Central Valley Flood Protection Board staff has determined that such stormwater conveyance standard can be achieved through minor grading surface drainage features with slopes of less than 10 percent and/or pipes and culverts adjacent to or under the existing maintenance road. More significant grading and pipes/culverts are not authorized by this permit, and would require Permittee to amend the permit and to comply with State regulations, including the California Environmental Quality Act. Final plans shall be subject to Central Valley Flood Protection Board staff review and satisfaction of this condition before project construction may begin.”

TRLIA staff is currently working with the CVFPB to obtain the Elderberry requirements for this work from the Fish and Wildlife Service (via the Corps). It is anticipated that the elderberries shrubs within the corridor will be dealt with later this year during the dormant season (Nov to Feb).

TRLIA staff has prepared the proposed stormwater plan that is required by Condition No. 28. This plan consists of narrative document and 11 design sheets. The narrative document is attached to this report and design sheets are available at the TRLIA Clerk and TRLIA Office for review. TRLIA will be submitting this plan to the CVFPB for review and approval.

The additional cost of the corridor construction work (not including elderberry shrub work – still being quantified) is $600,000. Fifty to Sixty percent of this additional cost is associated with incorporating stormwater management and drainage features into the corridor project. Other additional items are: raising the fence to 10-ft from 6-ft; amount of aggregate rock for road base; mobilization, and contingency costs. This brings the total construction cost to approximately $1,000,000.

The corridor construction work is anticipated to occur next year after flood season ends (April 15th).

**Fiscal Impact:**
The cost of the corridor work is cover under the existing TRLIA/DWR Feather River EIP funding agreement. The State contributes 70% of the cost and the locals (TRLIA) contribute 30%. The increased local cost would be 30% of the additional $600,000, which is $180,000. TRLIA has this amount available within the current cash flow. As discussed at the September 27, 2011 TRLIA Board meeting a contract will have to be issued to accomplish this work. A separate action will be brought before the Board to approve the future construction contract.

**Attachment:**
Stormwater Narrative Document
 Feather River East Levee  
Segment 3 North of Island Avenue  
Encroached Parcels Drainage Plan  
May 9, 2012  

Three Rivers Levee Improvement Authority (TRLIA) has received a Central Valley Flood Protection Board (CVFPB) encroachment permit (Permit No. 18690 BD) to reestablish an existing fence closer to the actual property line owned by the Sacramento San Joaquin Drainage District (SSJDD). The exact location of the new fence is still under discussion between TRLIA and CVFPB staff. Moving of the fence is needed to establish the 20 foot corridor recommended by current Department of Water Resources (DWR) Urban levee Design Criteria, DWR November 15, 2011. During hearings for the permit, public comments were made as to concern that reestablishing the fence and providing a maintenance road at the toe of the levee would impact already poor drainage conditions at the landside toe of the levee. The Board was concerned that with the existing drainage conditions, the proposed maintenance road could not be used during wet conditions. The permit contains a special condition which addresses the maintenance road design and potential drainage impacts.

Special Condition TWENTY-EIGHT: Permittee shall ensure that the project has adequate stormwater management so that the maintenance road is passable during wet weather, and that the project does not worsen existing drainage problems in the area. Central Valley Flood Protection Board staff has determined that such stormwater conveyance standard can be achieved through minor grading surface drainage features with slopes of less than 10 percent and/or pipes and culverts adjacent to or under the existing maintenance road. More significant grading and pipes/culverts are not authorized by this permit, and would require permittee to amend the permit and to comply with State regulations, including the California Environmental Quality Act. Final plans shall be subject to Central Valley Flood Protection Board staff review and satisfaction of this condition before project construction may begin.

This document presents the details of the drainage plan for establishing the maintenance road along the levee toe.

Research has determined that the railroad embankment and levee embankment were constructed prior to development in the West Linda area, see attached timeline. West Linda for this discussion is the area bounded by Island Avenue on the south, the Feather levee on the west, the Yuba Levee on the north, and the WPRR on the east. Historic maps indicate that borrow was excavated along the landside (east) of the embankments. While some filling may have occurred during residential development, most of the parcels along Feather River Boulevard and Riverside Avenue drain away from the roadways centerline to lower areas at the back (west end) of the parcels. Water at the back of these parcels has no way to drain until elevations exceed Feather River Boulevard elevations at the south end of this reach. Drainage then would be to either Lateral 15 on the south side of Island Avenue or an even lower retention area in the east side of West Linda.
Figure 9A of the MHM Interior Drainage Study (April 2010) identifies a sub-watershed C3-5 which has Feather River Boulevard and Riverside Avenue as a watershed divide. Topography shown on the Flood Area Work Map of the MHM Study and other topography obtained from DWR as part of their Urban Levee Evaluation Program (ULEP) validates that rainfall on this sub-watershed is stored at the back (west end) of the parcels along the levee toe. Topography obtained by TRLIA as part of this drainage analysis shows the minimum roadway divide elevation is approximately 59.9 Feet NGVD29 (All elevations are given in NGVD29 Vertical Datum) at the south end. The west side of the parcels is essentially flat running south to north but does slightly slope to the south with several ponding areas indicated. This is verified by the recent TRLIA topography obtained. Ponded elevations along the levee toe above 58 should drain south and pond at Island Avenue until they reach an elevation of 59.9 and would then drain south to Lateral 15.

MHM developed interior run-off models for the MHM Interior Drainage Study for this area. These models indicated that run-off for sub-watershed C 3-5 for the 100-year 10-day storm event would have a volume of 32,431 acre-feet. Using LiDAR data supplied by DWR from the ULIP, a storage-elevation relationship was developed for sub-watershed C 3-5. This relationship determined that the 100-year ponded elevation would be 58.5 Feet. Other storm frequency existing pond elevations are given below.

<table>
<thead>
<tr>
<th>Storm Frequency</th>
<th>Existing Pond Elevation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-Yr</td>
<td>57.3</td>
</tr>
<tr>
<td>5-Yr</td>
<td>57.7</td>
</tr>
<tr>
<td>10-Yr</td>
<td>57.9</td>
</tr>
<tr>
<td>25-Yr</td>
<td>58.2</td>
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<tr>
<td>50-Yr</td>
<td>58.4</td>
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<tr>
<td>100-Yr</td>
<td>58.5</td>
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<tr>
<td>200-Yr</td>
<td>58.7</td>
</tr>
<tr>
<td>500-Yr</td>
<td>58.8</td>
</tr>
</tbody>
</table>

All Elevations are in NGVD29

It would appear that a levee toe maintenance roadway above elevation 59 would be above the 100-year existing pond elevation in this sub-watershed which would allow this maintenance road to be travelled during a major storm event. This will require fill along the levee toe. The fill required for the maintenance road would decrease the ponding volume at certain elevations. This decrease in pond volume from the maintenance road fill would cause a 0.12 foot (1.5 inch) increase in the 100 year ponded elevation. Impacts to more frequent rainfall events would be less than this.

Based on the special condition in the permit, this worsening of the drainage condition should be mitigated. TRLIA proposes to mitigate for this impact by installing a 36 inch drainage pipe through Island Avenue, grading a 400 foot stretch of the levee toe north of Island Avenue to drain south, and placing a concrete V-ditch in this graded 400 foot reach. The ditch would have an invert elevation of 56 feet at its north end and would terminate at the drainage pipe under
Island Avenue at invert elevation 55. This means that most ponding elevations above 56 feet at the west end of the parcels north of Island Avenue would drain after a rainfall event. The proposed drainage pipe would discharge into the detention basin for Pump Station 9 which pumps interior runoff over the levee to the Feather River. With the drainage pipe and ditch installed as described, the ponding elevations at the west end of most of the parcels would be reduced to the elevations shown in the table below. There may still exist some depressions, especially at the north end of this reach, which would be isolated from the drainage features and thus would not drain.

<table>
<thead>
<tr>
<th>Storm Frequency</th>
<th>Existing Pond Elevation</th>
<th>Pond Elevation with Proposed Drainage Features</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-Yr</td>
<td>57.3</td>
<td>57.0</td>
</tr>
<tr>
<td>5-Yr</td>
<td>57.7</td>
<td>57.1</td>
</tr>
<tr>
<td>10-Yr</td>
<td>57.9</td>
<td>57.2</td>
</tr>
<tr>
<td>25-Yr</td>
<td>58.2</td>
<td>57.3</td>
</tr>
<tr>
<td>50-Yr</td>
<td>58.4</td>
<td>57.5</td>
</tr>
<tr>
<td>100-Yr</td>
<td>58.5</td>
<td>57.7</td>
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<td>57.8</td>
</tr>
<tr>
<td>500-Yr</td>
<td>58.8</td>
<td>57.9</td>
</tr>
</tbody>
</table>

All Elevations are in NGVD29

With the drainage features in place, the minimum elevation of 59 for the maintenance road provides even more freeboard above the maximum flood elevation. Plan sheets for the maintenance road and drainage features are shown on Figures 1 to 4. Typical sections along the maintenance road are shown on Figures 5 to 11.

ATTACHMENTS

Plan Sheets Figures 1 to 4
Typical Section Sheets Figures 5 to 11
# Feather River Levee Repair Project
## Segment 3 Levee North of Island Avenue
### Timeline

<table>
<thead>
<tr>
<th>Year</th>
<th>Activity / Condition</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>1906</td>
<td>• No levee apparent in map</td>
<td>1906 California Debris Commission Map</td>
</tr>
<tr>
<td></td>
<td>• Partial railroad embankment shown on map</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• West Linda area depicted as floodplain</td>
<td></td>
</tr>
<tr>
<td>1912</td>
<td>• Levee in place along current alignment</td>
<td>1912 California Debris Commission Map</td>
</tr>
<tr>
<td></td>
<td>• Railroad embankment appears complete</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Map shows “borrow pit” noted just east of railroad embankment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• West Linda area shown as mostly wooded with some small cleared areas for cultivation</td>
<td></td>
</tr>
<tr>
<td>1920</td>
<td>• Levee and railroad same as 1912 map</td>
<td>1920 California Debris Commission Map</td>
</tr>
<tr>
<td></td>
<td>• Borrow pit not noted but topography indicates low area 2 to 4 feet lower than surrounding area just east of RR embankment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Vegetation cover not shown.</td>
<td></td>
</tr>
<tr>
<td>1929</td>
<td>• Conditions on map similar to 1920 map above</td>
<td>1929 California Debris Commission Map</td>
</tr>
<tr>
<td>1940</td>
<td>• Corps project raised levee</td>
<td>1940 Corps Project Plans</td>
</tr>
<tr>
<td></td>
<td>• Drawing show “Old Borrow Area” on east side of levee / railroad embankment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Drawing shows West Linda undeveloped with area just east of levee shown as “orchard”, “cultivated” or “pasture”</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Concrete structure shown in railroad embankment but noted as blocked by waterside leve</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Drainage structure under Island Avenue noted</td>
<td></td>
</tr>
<tr>
<td>1940 thru 1954</td>
<td>• Houses constructed along Riverside east of the levee</td>
<td>BRI email 1/31/12</td>
</tr>
<tr>
<td>1996</td>
<td>• Corps Site 6 and 7 levee repairs – installation of through-levee cutoff wall</td>
<td>Corps As-built Drawings</td>
</tr>
<tr>
<td>2008</td>
<td>• TRLIA levee repairs included waterside slope flattening and installation of piezometers at levee toe</td>
<td>TRLIA As-Built Drawings</td>
</tr>
</tbody>
</table>
May 22, 2011

TO: Three Rivers Levee Improvement Authority
Board of Directors

FROM: Paul Brunner, Executive Director

SUBJECT: Goldfields High Ground Evaluation Status, April 2012

A progress report of the various phases of the Three Rivers Levee Improvement Authority (TRLIA) work in the Goldfields is provided in the following sections of this document. Updates to this report are indicated with italics and underline.

STATUS OF ANALYSIS EFFORTS:

Geotechnical
ENGEIO as TRLIA’s consultant has been collecting and examining historical information on dredging operations in the Goldfields. ENGEIO has coordinated with the aggregate companies to obtain as much existing geotechnical exploration information as possible. ENGEIO has evaluated the existing geotechnical exploration information and determined that the initial additional exploration plan of 9 test pits is adequate for now. More explorations may be proposed in the future closer to potential projects. The Goldfields Board of Senior Consultants (BOSC), which met on February 23, concurred with this approach. USACE finally provided a right of entry for the final 4 test pits which were dug in April.

An initial high ground (as opposed to a levee) definition for the dredge tailing mounds in the Goldfields has been proposed. Final details of the definition are still being developed. The BOSC is in agreement with the approach proposed in the high ground definition and is waiting for more detail on specific parameters proposed in the definition.

ENGEIO has completed developing breach geometry for the breach sites in the South Training Wall to be used in the final determination of flood elevations in the Goldfields.

ENGEIO is working with topography in the Goldfields and initial 100-year flood elevations to begin identification of potential weak points in the Goldfields. ENGEIO has formulated an initial array of alignments through the Goldfields which could serve as high ground. These alignments are being evaluated to determine which would best serve providing 100-year protection quickly and ultimately 200-year protection. Evaluation criteria includes amount of material required to implement, impacts to mining plans, right of way requirements, and environmental impacts. TRLIA met with Western Aggregates on April 30 to discuss alternatives. Western Aggregates provided new information on expanding their operations and feedback on which alternatives for 100-year protection they could best assist TRLIA. Focus has been shifted to identifying the 100-year solution that has the best chance of being implemented in 2012. This solution may not
completely rely on high ground but will be capable of providing protection from the 100-year flood for the next 10 years while the final 200-year solution is implemented.

Hydraulic
MBK as TRLIA’s consultant has developed hydraulic models of the Goldfields to be used in determining water surface elevations in the Goldfields for identifying potential weak points. These models have just completed an independent technical review and no significant comments were received. MBK is revising documentation regarding the hydraulic models to address review comments. MBK has supplied ENGEO preliminary 100-year water surface elevations in the Goldfields for the initial screening for weak locations. MBK will perform additional hydraulic analyses to provide hydraulic parameters for use in the geomorphic and geotechnical evaluations. Geotechnical weak point identification may require the expansion of hydraulic models if new conveyance corridors are identified due to breaks in the conveying mound banks.

Repair alternatives will be hydraulically evaluated to ensure that they are effective in providing flood protection. MBK is evaluating the hydraulic impacts of blocking certain flow channels as required by the alternatives.

MBK performed an analysis at Site J and determined that even with a breach during the 100-year flood, only a small volume of flood waters would flow over the secondary mound behind Site J if the mound did not erode. ENGEO is verifying the erosion resistance of this secondary mound. If the secondary mound is found to be resistant to erosion during a 100-year event, then Site J has a very small risk from flooding during a 100-year event and no corrective action is necessary for the 100-year solution. This will most likely not be true for the 200-year flood.

Geomorphic
CBEC as TRLIA’s consultant is conducting an historic literature review to summarize previous relevant report and papers for geomorphic research on the Lower Yuba River. CBEC will provide comment on the relevance of the collected information with respect to the erodibility of the South Training Wall. CBEC is collecting, inspecting, and cataloging historic aerial photographs in order to map meander patterns to assist in identifying locations where the river is likely to continue to erode or begin erosion of the training wall.

CBEC has installed staff gages along the Yuba River and within the Goldfields to gather information this winter that can be used to determine the Goldfields interior water elevation response to high stages in the Yuba River. An additional interior gage was installed at the west end of the Goldfields and closer to the Training Wall as suggested by the BOSC. One high water event did occur in March which provided data to be used in evaluating the Goldfields interior response to high stages in the Yuba River. An additional high water event in April will add to this information.

Information on the material composition of the training wall at eroding sites will be gathered and used to estimate a rate of erosion. CBEC is also using historic erosion at these eroding sites along with an estimate of work expended by the river during the time the erosion occurred to develop a relationship between river work and erosion rate. This relationship will enable CBEC to make some estimate as to how long an eroding site will remain stable before a breach is likely to occur.

CBEC performed an evaluation of erosion history at Site J at the upstream end of the Goldfields which is being used in determining breach risk at this location. While the risk of a breach for a 100-year event at Site J is low, the risk of flooding from a breach could be greatly reduced by
placing a small amount of fill on BLM land. *Additional hydraulic analysis, see above.*
determined little risk from 100-year flooding at Site J. As noted a 200-year flood might require
placement of fill. TRLIA has applied to the BLM for real estate rights to fill a low spot in the
secondary mound that could block any water that attempted to enter the goldfields from a breach
at Site J.

**Historic Research**

*Review of identified historical reports and records continues* to determine past Federal and State
actions and responsibilities in the Goldfields related to construction and maintenance of the
debris control facilities. *These reports and records are under examination for pertinent
information with respect to the river control features constructed in the past.* The intent of the
research is to define and clarify the purpose of these facilities, identify responsibilities that the
State and Federal government may have to maintain these facilities and the relationship of these
facilities to the Sacramento River Flood Control Project, also known as the State Plan of Flood
Control. TRLIA recently obtained electronic copies of many historic documents from Western
Aggregates which may provide background on agreements between the Reclamation Board and
mining interests for the removal of the Linda Levee in the Goldfields. *Research of these
documents continues to determine if the mining interests assumed certain responsibilities in
return for approval to remove the Linda Levee.*

**Right of Way (ROW)**

USACE owns large parts of the Goldfields even though the aggregate and dredging companies
have the mineral rights on those lands. Four of the test pits are located on USACE owned lands
and TRLIA must obtain a right of entry to do these test pits. Obtaining approval for the right of
entry is an involved process. TRLIA met with USACE on January 31 to investigate the test pit
locations and obtain geotechnical clearance. ENGEIO coordinated with the mining companies
and excavated the test pits that are not on USACE lands in early February 2012. *USACE
provided a right of entry for the test pits on USACE land on April 17, 2012.* As repair
alternatives are identified, ROW efforts will be necessary to obtain adequate rights to implement
these alternatives. *USACE has an easement over a large portion of the western Goldfields.
TRLIA is determining the details of this easement. TRLIA is also investigating requirements for
using land owned by others in the Goldfields.*

**Environmental**

Environmental consultation *continues to be* minimal at the beginning of the analysis. AECOM
has accomplished a field survey for one of the 100-year alternatives. This survey will help in
determining environmental impacts of the alternative as well as identifying what actions are
necessary to obtain any necessary permits and to mitigate for any impacts.

*AECOM also performed a environmental survey at the secondary mound behind Site J to
determine environmental constraints at that location.*

**FINANCIAL IMPLICATIONS:**

TRLIA has incurred costs associated with this work (including both design and construction
expenses) in advance of a new or modified funding agreement covering the costs of this work by
the State. Currently TRLIA EIP funding agreements do not provide funding for this work and
TRLIA is paying for this work with local prior levee funding resources. The Department of
Water Resources has identified some remaining Proposition 13 Funds that can only be used in
the Yuba and Feather River Watersheds. TRLIA has made application for a grant from this program. DWR announced on April 2, 2012 that the Decision Memorandum to use Proposition 13 funds for the Goldfields work was approved. This is very good news in that the State will now be cost sharing in this effort. TRLIA is working out the final details of the funding agreement with the State for the Goldfields analysis. The State will provide as much as $2,000,000 towards the Feasibility Study of the Goldfields alternatives.
May 22, 2012

TO: Three Rivers Levee Improvement Authority Board
FROM: Paul G. Brunner, Executive Director
SUBJECT: Floodplain Management Association (FMA) Conference, September 4 – 7th
Sacramento, CA

Discussion:

The Annual 2012 FMA Conference will be held at the Hyatt Regency in Sacramento at 1209 L Street on September 4 – 7th. It will bring together over 500 experts and stakeholders to discuss this year’s Conference that will address the two following questions: What would you do if you knew? And, where is your high water mark?

The conference provides an excellent forum to learn from fellow flood control professionals and share the outstanding work that has been accomplished by TRLIA and its partners (Yuba County, RD784, YCWA, and DWR) to a wide spectrum of professionals.

FMA has asked TRLIA to host a field tour on September 4th to show and discuss the Bear River and Feather River Setback levees. I will be the tour guide for this visit.

Fiscal Impact:

The cost of the conference is included in the TRLIA 11/12 Budget. The conference cost for the early bird rate is $345 per person for the entire conference if registering before June 1. Late registration (after August 1) is billed at $495 per attendee.