



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
Yuba County Government Center, Board Chambers
915 Eighth Street, Suite 109A
Marysville, California

FEBRUARY 6, 2024 – TIME 2:30 P.M.

AGENDA

HYBRID MEETING IN PERSON AND VIA ZOOM

In person meeting: The board meeting will be open to in-person attendance. To remain in compliance with the state’s public health guidance and CalOSHA COVID-19 Regulations [8 CCR §3205], masks will be encouraged to be worn by individuals who choose to wear them.

Zoom meeting: The Board proceedings are available via Zoom and you may participate in Public Comment by using the “raise hand” function.

The meeting information for the public is as follows:

Join Zoom Meeting

<https://us02web.zoom.us/j/85681190164>

Meeting ID: 856 8119 0164

To participate via the audio only teleconference, dial in to the meeting using the below information:

1-669-900-9128 (San Jose)

1-346-248-7799 (Houston)

Meeting ID: 856 8119 0164

Any member of the public on the telephone may speak during Public Communications.

I **ROLL CALL** – Directors Atwal, Bradford, Haste, Ledbetter, Vasquez

II **ELECTION OF OFFICERS** – Conducted by the Clerk of the Board/Secretary

III **CONSENT ITEM**

A. Approve meeting minutes of December 5, 2023.

IV **PUBLIC COMMUNICATIONS:** Any person may speak about any subject of concern within the jurisdiction of TRLIA which is not on today’s agenda. The total amount of time allotted shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes. If you are participating via Zoom and wish to comment, please use the “raise hand” function, or *9 if participating on a phone.

V **ACTION ITEM**

A. Approve ratification of Executive Director’s signature on four (4) encroachment permit applications with Central Valley Flood Protection Board (CVFPB) for the Climate Resiliency Project.

B. Approve contract amendment No. 8 with Sacramento Valley Conservancy (SVC) increasing the base contract fee by \$8,000.00 for the preserve portion of the Feather River Preserve Project, and authorize Executive Director to execute.

VI **BOARD /STAFF REPORTS**

A. Miscellaneous Reports

VII **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

DECEMBER 5, 2023

MINUTES

Call to order 2:30 p.m. with a quorum being present as follows: Directors Andy Vasquez, Brent Hastey Gary Bradford, and Sarbdeep Atwal. Director Gary Ledbetter was absent. Also present were Executive Director Kevin Mallen, General Counsel Andrea Clark, and Clerk of the Board Mary Pasillas. Chair Atwal presided.

I ROLL CALL – Directors Atwal, Bradford, Hastey, Vasquez – Director Ledbetter were absent

II CONSENT ITEM

A. Approve meeting minutes of September 5, 2023. Approved as written

MOTION: Move to approve Consent Agenda

MOVED: Andy Vasquez SECOND: Brent Hastey

AYES: Sarbdeep Atwal, Gary Bradford, Brent Hastey, Andy Vasquez

NOES: None

ABSENT: Gary Ledbetter

ABSTAIN: None

Approved via unanimous Vote

III PUBLIC COMMUNICATIONS: None

IV ACTION ITEM

A. Adopt resolution authorizing a one (1) year extension to the contract with State of California Department of Water Resources (DWR) for establishment of the Feather River Setback Conservation Bank to December 31, 2024, and further authorize Executive Director to submit any and all necessary documents which may be necessary for the project.

MOTION: Move to approve

MOVED: Brent Hastey SECOND: Gary Bradford

AYES: Sarbdeep Atwal, Gary Bradford, Brent Hastey, Andy Vasquez

NOES: None

ABSENT: Gary Ledbetter

ABSTAIN: None

Adopted Resolution No. 2023-06 via unanimous Vote

B. Approve contract amendment No. 9 with MBK Engineers for the Yuba River North Training Wall Phase 2 Permitting, and Environmental Compliance; TRLIA Climate Resiliency Project-Final Plans and Specifications; Goldfields Multi-benefit Feasibility Study, and authorize Executive Director to execute

MOTION: Move to approve
MOVED: Brent Hastey SECOND: Andy Vasquez
AYES: Sarbdeep Atwal, Gary Bradford, Brent Hastey, Andy Vasquez
NOES: None
ABSENT: Gary Ledbetter
ABSTAIN: None

Approved via unanimous Vote

V BOARD /STAFF REPORTS

Executive Director Kevin Mallen reported the following:
Advised the Board Yuba County Board of Supervisors had removed the option of Zoom for their Board Meetings, that their meetings were now available through live Audio Streaming, wanted consensus from the Board to continue with Zoom or not.

The Board advised they would like to continue with the option of Zoom.

VI ADJOURNED at 2:33 p.m.

Chair

ATTEST: MARY PASILLAS
CLERK OF THE BOARD OF SUPERVISORS
AND SECRETARY OF THE PUBLIC AUTHORITY

Approved: _____



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

915 8th Street, Suite 115

Marysville, CA 95901

Office (530) 749-7841 Fax (530) 749-6990

February 6, 2024

TO: Three Rivers Levee Improvement Authority Board

FROM: Kevin Mallen, Executive Director

SUBJECT: Climate Resiliency Project – Drilling Program Plan: Central Valley Flood Protection Board Permit Application (Form 3615) Endorsement Ratification

Recommended Actions in Support of the Climate Resiliency Project

Ratification of Executive Director signature(s) of the Central Valley Flood Protection Board (CVFPB) Encroachment Permit Applications (Form 3615) for the Three Rivers Levee Improvement Authority (TRLIA) Climate Resiliency Project.

Background

Three Rivers Levee Improvement Authority (TRLIA) completed various improvements to the Reclamation District 784 (RD 784) levee system with the goal of meeting State of California, Department of Water Resources, Urban Levee Design Criteria (ULDC) and Federal Emergency Management Agency (FEMA) requirements. Analysis, design, and construction were completed over multiple phases for the Feather River East Levee Segments 1, 2, and 3, Bear River Setback Levee, Bear River North Levee, Western Pacific Interceptor Canal (WPIC) West Levee, Olivehurst Detention Basin Levee, Yuba River South Levee, and Yuba Goldfields. Work associated with meeting ULDC and FEMA requirements has now been completed. The levees were certified in 2022 to support FEMA accreditation and compliance with ULDC requirements.

TRLIA is proposing the Climate Resiliency Project to improve RD 784's urban levee system to further reduce flood risk, ensure the system is adaptable to climate change, and address differing flood protection levels (levee superiority issues) resulting from incremental construction and improvement of the levee system over time. The RD 784 levee system protects the communities of Linda, Olivehurst and Plumas Lake in southern Yuba County. The project proposes to implement actions to increase the existing (200yr) level of protection of the Yuba River South Levee, Goldfields 200yr Levee, Feather River East Levee (including Setback), WPIC West Levee, and Olivehurst Detention Basin. These actions include construction of seepage mitigation on portions of the Bear River North Levee Setback, Yuba River South Levee, Feather River East Levee and the Bear River North Levee (from the Feather River Tie In to Feather River Setback and

continuing to the WPIC); freeboard raises along portions of the WPIC, Yuba River South Levee, and Bear River North Levee; and construction of a wind wave buffer adjacent to CA HWY 70.

To achieve these goals, the Climate Resiliency Project is using an estimated 500-year Design Water Surface Elevation (DWSE) profile and 500-year design criteria developed by the project consultant team for assessment and design. Several reaches along the RD 784 levee system were identified for inclusion in the Climate Resiliency Project. The project consultant team is conducting additional engineering analyses and investigations to determine the improvements that are necessary for these reaches to meet the project goals.

Discussion

Per Adoption of TRLIA Board Resolution No. 2023-05, TRLIA authorized Executive Director Kevin Mallen to execute associated CVFPB Encroachment Permit applications for the Climate Resiliency Project. In coordination with RD 784 as the Local Maintaining Agency, Executive Director Mallen executed the applications in January 2024. Prior to submittal to the Central Valley Flood Protection Board, ratification of the Executive Director approval and signature is requested from the TRLIA Board of Directors.

Fiscal Impact

There is no fiscal impact to TRLIA associated with the ratification of the Executive Director signatures of the CVFPB Encroachment Permit Applications for the Climate Resiliency Project.

Attachment

1. TRLIA Climate Resiliency Project CVFPB Encroachment Permit Applications (Form 3615 – 4 forms, one for each project element)

APPLICATION FOR A CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMIT

Application No. _____ (For Office Use Only)

1. Description of proposed work being specific to include all items that will be covered under the issued permit.

The RD 784 levee system protects the communities of Linda, Olivehurst and Plumas Lake in southern Yuba County. The project proposes construct a 4000 linear foot seepage cutoff wall (conventional method) to a maximum depth of 90ft including a 6ft levee degrade. The project is located just upstream of the Feather and Bear River Confluence. (RD 784 Unit 02B Levee Mile 11.90 to 12.67)

2. Project

Location: Yuba County, in Section 19
Township: 13N (N) (S), Range: 4E (E) (W), M. D. B. & M.
Latitude: 38.96196389 Longitude: 121.57662222
Stream: Feather River, Levee: East Levee Designated Floodway: Yes
APN: Varies See Mapping

3. Three Rivers Levee Improvement Authority of 915 8th Street Ste. 115
Name of Applicant / Land Owner Address

Marysville CA 95901 530-749-7841
City State Zip Code Telephone Number
E-mail: kmallen@co.yuba.ca.us

4. Kyle Morgado of Three Rivers Levee Improvement Authority
Name of Applicant's Representative Company

Marysville CA 95901 530-749-7874
City State Zip Code Telephone Number
E-mail: kmorgado@yubawater.org

5. Endorsement of the proposed project from the Local Maintaining Agency (LMA):

We, the Trustees of Reclamation District 784 approve this plan, subject to the following conditions:
Name of LMA

Conditions listed on back of this form Conditions Attached No Conditions

Trustee [Signature] 11/20/2023 Date
Trustee [Signature] 11/20/2023 Date
Trustee [Signature] 11/20/2023 Date

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

6. Names and addresses of adjacent property owners sharing a common boundary with the land upon which the contents of this application apply. If additional space is required, list names and addresses on back of the application form or an attached sheet.

Name	Address	Zip Code
<u>Varies; see project documentation</u>		

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

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

Three Rivers Levee Improvement Authority
915 8th Street Ste. 115 Marysville, CA 95901

SCH No. 2021070157

8. When is the project scheduled for construction? 2025-2027

9. Please check exhibits accompanying this application.

- A. Regional and vicinity maps showing the location of the proposed work.
- B. Drawings showing plan view(s) of the proposed work to include map scale.
- C. Drawings showing the cross section dimensions and elevations (vertical datum?) of levees, berms, stream banks, flood plain,
- D. Drawings showing the profile elevations (vertical datum?) of levees, berms, flood plain, low flow, etc.
- E. A minimum of four photographs depicting the project site.



 Signature of Applicant

1-10-24

 Date

Date

Include any additional information:

**RECLAMATION DISTRICT NO. 784 – ENDORSEMENT CONDITIONS
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
CLIMATE RESILIENCY PROJECT – FEATHER RIVER EAST LEVEE**

Reclamation District No. 784 has the following conditions to be included on the Central Valley Flood Protection Board Encroachment Permit for Feather River East Levee Climate Resiliency Project for the installation of approximately 4,000 feet a seepage cutoff wall along the Feather River East Levee within RD 784. The Feather River East Levee Unit 2B is a section of levee from Starr Bend (LM 8.95) to the confluence with Bear River Levee (LM 12.58). The limits of work are from approximately Levee Mile 11.9 to Levee Mile 12.7. The project reach is just north of RD 784's Pump Station No. 2 and slightly upstream from the tie-in with the Bear River Setback Levee at Levee Mile 12.58. The conditions are as follows:

1. All improvements shall meet or exceed Central Valley Flood Protection Board Title 23, Department of Water Resources, DWR Urban Levee Design Criteria, FEMA, and U.S Army Corps of Engineers Standards and requirements.
2. This conditional endorsement is limited to the work within the Levee ROW (i.e. embankment, slurry walls, relief wells, aggregate base, rock slope protection, seepage berms, penetrations, encroachments, signage, gates, concrete barriers, stability berms, etc.). All utilities such as irrigation lines, electrical, gas, roadways, ramps, cable, telephone, communication, fiber, fuel, etc. to be located within levee shall obtain a separate encroachment permit unless determined to be part of the flood control project.
3. All levee rehabilitation work shall comply with current design criteria for the TRLIA Levee Project including but not limited to stability and seepage criteria.
4. All work endorsed by this permit shall be in accordance with the submitted plans titled "CLIMATE RESILIENCY PROJECT, GFWL, BRNL, FREL, AND WPIC WEEST LEVEE, VOLUME 3 OF 4, FEATHER RIVER EAST LEVEE IMPROVEMENT PLANS" dated March, 2023, except as modified by endorsement conditions herein. No further work, other than approved by this permit, shall be done in the area without prior endorsement of **Reclamation District No. 784**. *(The plans submitted are not signed and listed as preliminary 90 percent design. **Reclamation District No. 784** shall review and provide final endorsement at time "For Construction" plans are submitted. No work should commence until final endorsement provided. The draft plans do not address security features. Security features shall be installed or replaced at all access points.*
5. The project shall not increase the 1-in-100, the 1-in-200, and/or 1-in-500 design water surface elevation or velocities of the Feather River.
6. The permittee shall be responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the **Reclamation District No. 784**, Central Valley Flood Protection Board, and the State of California; including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.
7. A copy of the as-built drawings shall be provided to **Reclamation District No. 784**.

8. The levee patrol road on the crown of the levee shall meet or exceed CVFPB Title 23 standard. The minimum structural section for the levee patrol road shall be designed using a traffic index of 4.0 and an R-value of 10 or the actual R-value of the road subgrade material. The width of levee top shall be a minimum of twenty (20) feet in accordance with CVFPB Title 23. The road subgrade shall be compacted to 90 percent relative compaction per ASTM 1557 and the DWR Class 2 Aggregate Base shall be compacted to 95 percent relative compaction per ASTM 1557. DWR Class 2 Aggregate Base is the Caltrans Class 2 Aggregate with a durability modification. The aggregate base material shall have less than 10 percent loss after 100 revolutions and less than 25 percent loss after 500 revolution and the ratio of loss after 100 resolutions to the loss after 500 revolutions shall not exceed 5.0 in accordance with ASTM C131/C131M. Class 2 Aggregate Base shall be 3/4 Inch. 1-1/2 Inch shall not be allowed.
9. All access ramps shall have **Reclamation District No. 784** gates installed near landside toe with one hundred (100) feet of concrete barriers (i.e. K-Rail, ecology blocks, 4x4x6 concrete blocks) either side of the gates. All gates shall be constructed in accordance with the California Fire Code and shall have a minimum opening of twenty (20) feet. **Reclamation District No. 784** shall approval all shop drawings and installation plans prior to installing gates.
10. A copy of operation and maintenance manual for the facilities shall be provided to **Reclamation District No. 784** upon completion of the work. The O&M manual shall include provisions for annual inspection (i.e., pressure test, video of pipe, etc.) which meet or exceed the CVFPB, DWR, USACE, TRLIA, and **Reclamation District No. 784** standards. The results of the annual inspection shall be provided to **Reclamation District No. 784** prior to November 1 each year.
11. The permittee shall defend, indemnify, and hold the Central Valley Flood Protection Board, **Reclamation District No. 784**, and the State of California, including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages related to the Central Valley Flood Protection Board's approval of this permit, including but not limited to claims filed pursuant to the California Environmental Quality Act. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.
12. The Central Valley Flood Protection Board, Department of Water Resources, and **Reclamation District No. 784** shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.
13. The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.
14. The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for operation and maintenance of the flood control project to interfere, the permittee shall be required, at permittee's sole cost and expense, to modify or remove the permitted encroachment(s).

15. If the project or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project, at the permittees or successor's sole cost and expense.
16. A copy of the final Central Valley Flood Protection Board Permit shall be provided to **Reclamation District No. 784** upon approval of the permit by the CVFPB Board.
17. **Reclamation District No. 784** shall be notified five (5) working days prior to any construction activities.
18. Permittee agrees to reimbursement **Reclamation District No. 784** all costs associated with endorsement of the encroachment permit, plan check of improvements, attendance of construction meetings, inspections, punch list, and all other cost associated with this project.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

This environmental assessment questionnaire must be completed for all Central Valley Flood Protection Board applications. Please provide an explanation where requested. Incomplete answers may result in delays in processing permit applications. Failure to complete the questionnaire may result in rejection of the application.

1. Has an environmental assessment or initial study been made or is one being made by a local or State permitting agency in accordance with the California Environmental Quality Act? Yes No
If yes, identify the Lead Agency, type of document prepared or which will be prepared, and the State Clearinghouse Number:
Lead Agency: Three Rivers Levee Improvement Authority
Document: Environmental Impact Report (EIR; certified by TRLIA May 3, 2022)
SCH Number: 2021070157
Supplemental documentation will be completed as needed to address design refinements; based on the current design, an Addendum to the EIR is anticipated to be adequate for this purpose.
2. Will the project require certification, authorization or issuance of a permit by any local, State or federal environmental control agency? Yes No
List all other governmental permits or approvals necessary for this project or use, including U.S. Army Corps of Engineers' 404 and Section 10 permits, State Water Quality Certification, Department of Fish and Game 1600 agreement, etc. Attach copies of all applicable permits.
National Historic Preservation Act Section 106; Federal Endangered Species Act Section 7; RWQCB Clean Water Act Section 402 NPDES; CDFW Section 1600 Streambed Alteration Agreement.
3. Give the name and address of the owner of the property on which the project or use is located. Please submit a copy of your current Title Report (Grant Deed), if your proposed project includes a private residence.
TRLIA and the project team have begun the process to evaluate and acquire necessary Lands, Easements, and Rights of Way upon for the project. Proposed project activities are anticipated to occur within currently held Sacramento San Joaquin Drainage District easements or existing RD 784 flood control easements.
4. Will the project or use require issuance of a variance or conditional use permit by a city or county?
 Yes No
Explain:
5. Is the project or use currently operating under an existing use permit issued by a local agency?
 Yes No
Explain:

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

6. Describe all types of vegetation growing on the project site, including trees, brush, grass, etc.

The project site is limited to the existing levee, landside maintenance zones, and adjacent landside areas. Vegetation growing in these areas is limited to nonnative annual grassland.

7. Describe what type of wildlife or fish may use the project site or adjoining areas for habitat, food source, nesting sites, source of water, etc.

The project site is along the Feather River East Levee. The Feather River supports nonnative and native fish and the habitat corridor supports common reptiles, amphibians, birds, and mammals likely to use woodland and aquatic habitat adjacent to the project site for food, water, and breeding; some sensitive fish and wildlife species may also occur.

8. Has the Department of Fish and Game, U.S. Fish and Wildlife Service, or National Marine Fisheries Service been consulted relative to the existence of, or impacts to, threatened or endangered species on or near the project site?

Yes No

Explain:

Preliminary discussions have occurred with USFWS staff and will continue when Section 7 consultation is initiated. NMFS consultation is not anticipated to be required because there would be no effect on federally listed fish. CDFW was provided and reviewed the Draft EIR. Mitigation measures will be implemented to minimize impacts on and avoid take of listed species.

9. Will the project or use significantly change present uses of the project area?

Yes No

Explain:

The proposed project would not change land use of the project area; the project footprint is within a flood control easement or the Sacramento San Joaquin Drainage District held lands.

10. Will the project result in changes to scenic views or existing recreational opportunities?

Yes No

Explain:

The cutoff wall will not change the levee appearance. There would be no long-term change to recreational opportunities; a portion of the levee would temporarily be inaccessible during construction.

11. Will the project result in the discharge of silt or other materials into a body of water?

Yes No

Explain:

Standard erosion control measures would be implemented to ensure the project does not result in erosion or sedimentation of adjacent water bodies.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

12. Will the project involve the application, use, or disposal of hazardous materials? Yes No

If yes, list the types of materials, proposed use, and disposal plan. Provide copies of all applicable hazardous material handling plans.

There are no known hazardous materials in the project footprint and none are expected to be found. Hazardous materials use would be limited to typical fuels, lubricants, oils, etc. necessary for equipment and construction activities. Construction contractors will be required to use, store, and transport hazardous materials in compliance with all Federal, State, and local regulations. In addition, spill prevention and control measures will be implemented to reduce the risk of accidental spills and protect the environment.

13. Will construction activities or the completed project generate significant amounts of noise?

Yes No

Explain:

While heavy equipment and haul trucks used during project construction would generate significant noise, measures would be implemented during construction activities to reduce noise impacts. In addition, several of the project sites are in relatively remote areas with no nearby sensitive receptors.

14. Will construction activities or the completed project generate significant amounts of dust, ash, smoke, fumes, or odors?

Yes No

Explain:

Vehicle and equipment travel on dirt roads and material excavation and placement could generate dust. However, BMPs such as watering construction areas and unpaved haul routes and suspending construction during very high winds would be implemented as needed. The project site is not near enough to sensitive receptors to result in significant impacts related to construction equipment fumes or odors.

15. Will the project activities or uses involve the burning of brush, trees, or construction materials, etc?

Yes No

Explain, and identify safety and air pollution control measures:

No burning would occur as part of project activities.

16. Will the project affect existing agricultural uses or result in the loss of existing agricultural lands?

Yes No

Explain:

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

17. Have any other projects similar to the proposed project been planned or completed in the same general area as the proposed project?

Yes No

Explain and identify any other similar projects:

TRLIA completed modifications to the Feather River East Levee in 2008.

18. Will the project have the potential to encourage, facilitate, or allow additional or new growth or development?

Yes No

Explain:

The proposed project will not change FEMA FIRM mapping within the project area.

19. Will materials be excavated from the floodplain? Yes No If yes, please answer the remaining questions.

**THE REMAINING QUESTIONS MUST ONLY BE ANSWERED IF THE ANSWER TO QUESTION
NO. 19 WAS "YES". IF THE ANSWER TO QUESTION NO. 19 WAS "NO", YOU DO NOT
NEED TO COMPLETE THE REMAINING QUESTIONS.**

A. What is the volume of material to be excavated?

Annually TBD Total TBD

B. What types of materials will be excavated?

Aggregate base will be removed and levee embankment fill will be excavated to create a working platform for cutoff wall construction.

C. Will the project site include processing and stockpiling of material on site?

Yes No

Explain:

Excavated material will be sidecast and temporarily stockpiled on the levee slopes for reuse during levee reconstruction.

D. What method and equipment will be used to excavate material?

Standard heavy construction equipment (e.g., excavator, backhoe, bulldozer).

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

E. What is the water source for the project?

It is anticipated that commercial or private water sources will be used.

F. How will waste materials wash water, debris, and sediment be disposed of?

Waste materials, wash water, debris, and sediment will be handed and disposed per state and/or local regulation and taken to appropriate off-site disposal locations/facilities.

G. What is the proposed end land use for the project site?

The end land use is flood control. There will be no change in land use for the project area, which are existing levees.

H. Has a reclamation plan been prepared for this site in accordance with the Surface Mining and Reclamation Act of 1975?

Yes No If yes, please attach a copy.

APPLICATION FOR A CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMIT

Application No. _____ (For Office Use Only)

1. Description of proposed work being specific to include all items that will be covered under the issued permit.

RD 784 levee system protects Linda, Olivehurst and Plumas Lake. The proposed project will construct a wind-wave buffer at RD784 U4 LM 5.83. The project may minimally impact the 200yr levee prism as work will occur on the crest and landside of the levee. Existing 2H:1V landside slope geometry will be maintained. Construction will create various habitat complexes as a multibenefit along with reducing wind-wave driven erosion.

2. Project

Location: Yuba County, in Section 21
Township: 14N (N) (S), Range: 4e (E) (W), M. D. B. & M.
Latitude: 39.050797 Longitude: 121.54245
Stream: WPIC, Levee: West Levee Designated Floodway: Yes
APN: Varies See Mapping

3. Three Rivers Levee Improvement Authority of 915 8th Street Ste. 115
Name of Applicant / Land Owner Address

Marysville CA 95901 530-749-7841
City State Zip Code Telephone Number
E-mail: kmallen@co.yuba.ca.us

4. Kyle Morgado of Three Rivers Levee Improvement Authority
Name of Applicant's Representative Company

Marysville CA 95901 530-749-7874
City State Zip Code Telephone Number
E-mail: kmorgado@yubawater.org

5. Endorsement of the proposed project from the Local Maintaining Agency (LMA):

We, the Trustees of Reclamation District 784 approve this plan, subject to the following conditions:
Name of LMA

Conditions listed on back of this form [X] Conditions Attached [] No Conditions

Sandys Ahe 11/20/2023
Trustee Date

[Signature] 11/20/2023
Trustee Date

Trustee Date

[Signature] 11/20/2023
Trustee Date

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

6. Names and addresses of adjacent property owners sharing a common boundary with the land upon which the contents of this application apply. If additional space is required, list names and addresses on back of the application form or an attached sheet.

Name	Address	Zip Code
Varies; see project documentation		

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

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


Three Rivers Levee Improvement Authority
915 8th Street Ste. 115 Marysville, CA 95901

SCH No. 2021070157

8. When is the project scheduled for construction? 2025-2027

9. Please check exhibits accompanying this application.

- A. Regional and vicinity maps showing the location of the proposed work.
- B. Drawings showing plan view(s) of the proposed work to include map scale.
- C. Drawings showing the cross section dimensions and elevations (vertical datum?) of levees, berms, stream banks, flood plain,
- D. Drawings showing the profile elevations (vertical datum?) of levees, berms, flood plain, low flow, etc.
- E. A minimum of four photographs depicting the project site.



 Signature of Applicant

1-10-24

 Date

Include any additional information:

The project may minimally impact the 200yr levee prism as work will occur on the crest and landside of the levee. The existing 2H:1V landside slope geometry will be maintained. Construction of the wind wave buffer will provide borrow material for the levee raise and create various habitat complexes as a multibenefit along with reducing wind-wave driven erosion.

RECLAMATION DISTRICT NO. 784 – ENDORSEMENT CONDITIONS
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
CLIMATE RESILIENCY PROJECT –WESTERN PACIFIC INTERCEPTOR CANAL (WPIC)
FREEBOARD IMPROVEMENT PROJECT AND WIND-WAVE BUFFER

Reclamation District No. 784 has the following conditions to be included on the Central Valley Flood Protection Board Encroachment Permit for Western Pacific Interceptor Canal (WPIC) Freeboard Improvement Project for the raising portions of the levee to have a consistent level of freeboard along the WPIC and a Wind-Wave Buffer within RD 784. The conditions are as follows:

1. All improvements shall meet or exceed Central Valley Flood Protection Board Title 23, Department of Water Resources, DWR Urban Levee Design Criteria, FEMA, and U.S Army Corps of Engineers Standards and requirements.
2. This conditional endorsement is limited to the work within the Levee ROW (i.e. embankment, slurry walls, relief wells, aggregate base, rock slope protection, seepage berms, penetrations, encroachments, signage, gates, concrete barriers, stability berms, O&M roads, tree plantings, etc). All utilities such as irrigation lines, electrical, gas, roadways, ramps, cable, telephone, communication, fiber, fuel, etc. to be located within levee shall obtain a separate encroachment permit unless determined to be part of the flood control project.
3. All levee rehabilitation and wind-wave buffer work shall comply with current design criteria for the TRLIA Levee Project including but not limited to stability and seepage criteria.
4. All work endorsed by this permit shall be in accordance with the submitted plans titled “CLIMATE RESILIENCY PROJECT, WPIC WINDWEST LEVEE, VOLUME 1” dated March, 2023, except as modified by endorsement conditions herein. No further work, other than approved by this permit, shall be done in the area without prior endorsement of **Reclamation District No. 784**. *(The plans submitted are not signed and listed as preliminary 65 percent design. **Reclamation District No. 784** shall review and provide final endorsement at time “For Construction” plans are submitted. No work should commence until final endorsement provided. The draft plans do not address security features. Security features shall be installed or replaced at all access points.*
5. The project shall not increase the 1-in-100, the 1-in-200, and/or 1-in-500 design water surface elevation or velocities of the WPIC.
6. The permittee shall be responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the **Reclamation District No. 784**, Central Valley Flood Protection Board, and the State of California; including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.
7. A copy of the as-built drawings shall be provided to **Reclamation District No. 784**.
8. The levee patrol road on the crown of the levee or any other all-weather access roads shall meet or exceed CVFPB Title 23 standard. The minimum structural section for the levee patrol road shall be designed using a traffic index of 4.0 and an R-value of 10 or the actual R-value of the road subgrade

material. The width of levee top shall be a minimum of twenty (20) feet in accordance with CVFPB Title 23. The road subgrade shall be compacted to 90 percent relative compaction per ASTM 1557 and the DWR Class 2 Aggregate Base shall be compacted to 95 percent relative compaction per ASTM 1557. DWR Class 2 Aggregate Base is the Caltrans Class 2 Aggregate with a durability modification. The aggregate base material shall have less than 10 percent loss after 100 revolutions and less than 25 percent loss after 500 revolution and the ratio of loss after 100 resolutions to the loss after 500 revolutions shall not exceed 5.0 in accordance with ASTM C131/C131M. Class 2 Aggregate Base shall be 3/4 Inch. 1-1/2 Inch shall not be allowed.

9. All access ramps shall have **Reclamation District No. 784** gates installed near landside toe with one hundred (100) feet of concrete barriers (i.e. K-Rail, ecology blocks, 4x4x6 concrete blocks) either side of the gates. All gates shall be constructed in accordance with the California Fire Code and shall have a minimum opening of twenty (20) feet. **Reclamation District No. 784** shall approval all shop drawings and installation plans prior to installing gates.
10. The wind-wave buffer area shall have security features such as gates, fencing, and concrete barriers around the facility.
11. Seepage Control features shall be included to prevent seepage from adjacent rice fields.
12. Legal access with all-weather access road shall be provided.
13. A copy of operation and maintenance manual for the facilities shall be provided to **Reclamation District No. 784** upon completion of the work. The O&M manual shall include provisions for annual inspection (i.e., pressure test, video of pipe, etc.) which meet or exceed the CVFPB, DWR, USACE, TRLIA, and **Reclamation District No. 784** standards. The results of the annual inspection shall be provided to **Reclamation District No. 784** prior to November 1 each year.
14. The permittee shall defend, indemnify, and hold the Central Valley Flood Protection Board, **Reclamation District No. 784**, and the State of California, including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages related to the Central Valley Flood Protection Board's approval of this permit, including but not limited to claims filed pursuant to the California Environmental Quality Act. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.
15. The Central Valley Flood Protection Board, Department of Water Resources, and **Reclamation District No. 784** shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.
16. The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.
17. The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for

operation and maintenance of the flood control project to interfere, the permittee shall be required, at permittee's sole cost and expense, to modify or remove the permitted encroachment(s).

18. If the project or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project, at the permittees or successor's sole cost and expense.
19. A copy of the final Central Valley Flood Protection Board Permit shall be provided to **Reclamation District No. 784** upon approval of the permit by the CVFPB Board.
20. **Reclamation District No. 784** shall be notified five (5) working days prior to any construction activities.
21. Permittee agrees to reimbursement **Reclamation District No. 784** all costs associated with endorsement of the encroachment permit, plan check of improvements, attendance of construction meetings, inspections, punch list, and all other cost associated with this project.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

This environmental assessment questionnaire must be completed for all Central Valley Flood Protection Board applications. Please provide an explanation where requested. Incomplete answers may result in delays in processing permit applications. Failure to complete the questionnaire may result in rejection of the application.

1. Has an environmental assessment or initial study been made or is one being made by a local or State permitting agency in accordance with the California Environmental Quality Act? Yes No
If yes, identify the Lead Agency, type of document prepared or which will be prepared, and the State Clearinghouse Number:
Lead Agency: Three Rivers Levee Improvement Authority
Document: Environmental Impact Report (EIR; certified by TRLIA May 3, 2022)
SCH Number: 2021070157
Supplemental documentation will be completed as needed to address design refinements; based on the current design, an Addendum to the EIR is anticipated to be adequate for this purpose.
2. Will the project require certification, authorization or issuance of a permit by any local, State or federal environmental control agency? Yes No
List all other governmental permits or approvals necessary for this project or use, including U.S. Army Corps of Engineers' 404 and Section 10 permits, State Water Quality Certification, Department of Fish and Game 1600 agreement, etc. Attach copies of all applicable permits.
USACE CWA Section 404 Nationwide Permit; National Historic Preservation Act Section 106 consultation; Federal Endangered Species Act Section 7 consultation; RWQCB Clean Water Act Section 401; SWRCB Clean Water Act Section 402 NPDES Construction General Permit; CDFW Section 1600 Streambed Alteration Agreement; local grading permit.
3. Give the name and address of the owner of the property on which the project or use is located. Please submit a copy of your current Title Report (Grant Deed), if your proposed project includes a private residence.
TRLIA and the project team have begun the process to evaluate and acquire necessary Lands, Easements, and Rights of Way upon for the project. Proposed project activities are anticipated to occur within currently held Sacramento San Joaquin Drainage District easements or existing RD 784 flood control easements.
4. Will the project or use require issuance of a variance or conditional use permit by a city or county?
 Yes No
Explain:
5. Is the project or use currently operating under an existing use permit issued by a local agency?
 Yes No
Explain:

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

6. Describe all types of vegetation growing on the project site, including trees, brush, grass, etc.

The project site is primarily limited to the existing levee and adjacent maintenance zones, which are comprised of regularly maintained nonnative annual grassland and gravel and dirt roads. Small patches of mixed riparian scrub and woodland vegetation occur landside and waterside of the Western Pacific Interceptor Canal (WPIC) West Levee. The wind wave buffer are is currently in rice production.

7. Describe what type of wildlife or fish may use the project site or adjoining areas for habitat, food source, nesting sites, source of water, etc.

The project site is along and north of the WPIC West Levee. The WPIC supports nonnative and native fish and the habitat corridor supports common reptiles, amphibians, birds, and mammals likely to use woodland and aquatic habitat adjacent to the project site for food, water, and breeding; some sensitive fish and wildlife species may also occur.

8. Has the Department of Fish and Game, U.S. Fish and Wildlife Service, or National Marine Fisheries Service been consulted relative to the existence of, or impacts to, threatened or endangered species on or near the project site?

Yes No

Explain:

Preliminary discussions have occurred with USFWS staff and will continue when Section 7 consultation is initiated. NMFS consultation is not anticipated to be required because there would be no effect on federally listed fish. CDFW was provided and reviewed the Draft EIR. Mitigation measures will be implemented to minimize impacts on and avoid take of listed species.

9. Will the project or use significantly change present uses of the project area?

Yes No

Explain:

The proposed project would not change land use of the project area; the project footprint is within a flood control easement or the Sacramento San Joaquin Drainage District held lands.

10. Will the project result in changes to scenic views or existing recreational opportunities?

Yes No

Explain:

Modifications to the existing levee will not change its appearance. Planting the wind wave buffer near State Route 70 would have a minor change in views but would not have a substantial effect. There would be no long-term change to recreational opportunities; a portion of the levee would temporarily be inaccessible during construction.

11. Will the project result in the discharge of silt or other materials into a body of water?

Yes No

Explain:

Standard erosion control measures would be implemented to ensure the project does not result in erosion or sedimentation of adjacent water bodies.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

12. Will the project involve the application, use, or disposal of hazardous materials? Yes No

If yes, list the types of materials, proposed use, and disposal plan. Provide copies of all applicable hazardous material handling plans.

There are no known hazardous materials in the project footprint and none are expected to be found. Hazardous materials use would be limited to typical fuels, lubricants, oils, etc. necessary for equipment and construction activities. Construction contractors will be required to use, store, and transport hazardous materials in compliance with all Federal, State, and local regulations. In addition, spill prevention and control measures will be implemented to reduce the risk of accidental spills and protect the environment.

13. Will construction activities or the completed project generate significant amounts of noise?

Yes No

Explain:

While heavy equipment and haul trucks used during project construction would generate significant noise, measures would be implemented during construction activities to reduce noise impacts. In addition, several of the project sites are in relatively remote areas with no nearby sensitive receptors.

14. Will construction activities or the completed project generate significant amounts of dust, ash, smoke, fumes, or odors?

Yes No

Explain:

Vehicle and equipment travel on dirt roads and material excavation and placement could generate dust. However, BMPs such as watering construction areas and unpaved haul routes and suspending construction during very high winds would be implemented as needed. The project site is not near enough to sensitive receptors to result in significant impacts related to construction equipment fumes or odors.

15. Will the project activities or uses involve the burning of brush, trees, or construction materials, etc?

Yes No

Explain, and identify safety and air pollution control measures:

No burning would occur as part of project activities.

16. Will the project affect existing agricultural uses or result in the loss of existing agricultural lands?

Yes No

Explain:

The project will convert approximately 7 acres of rice to implement the wind wave buffer project component.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

17. Have any other projects similar to the proposed project been planned or completed in the same general area as the proposed project?

Yes No

Explain and identify any other similar projects:

TRLIA completed modifications to the WPIC West Levee in 2006 and 2017.

18. Will the project have the potential to encourage, facilitate, or allow additional or new growth or development?

Yes No

Explain:

The proposed project will not change FEMA FIRM mapping within the project area.

19. Will materials be excavated from the floodplain? Yes No If yes, please answer the remaining questions.

**THE REMAINING QUESTIONS MUST ONLY BE ANSWERED IF THE ANSWER TO QUESTION
NO. 19 WAS "YES". IF THE ANSWER TO QUESTION NO. 19 WAS "NO", YOU DO NOT
NEED TO COMPLETE THE REMAINING QUESTIONS.**

A. What is the volume of material to be excavated?

Annually TBD Total TBD

B. What types of materials will be excavated?

Aggregate base and levee slope topsoil will be removed and stockpiled for reuse.

C. Will the project site include processing and stockpiling of material on site?

Yes No

Explain:

Excavated material will be temporarily stockpiled for reuse in levee reconstruction.

D. What method and equipment will be used to excavate material?

Standard heavy construction equipment (e.g., excavator, backhoe, bulldozer).

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

E. What is the water source for the project?

It is anticipated that commercial or private water sources will be used.

F. How will waste materials wash water, debris, and sediment be disposed of?

Waste materials, wash water, debris, and sediment will be handed and disposed per state and/or local regulation and taken to appropriate off-site disposal locations/facilities.

G. What is the proposed end land use for the project site?

The end land use is flood control. There will be no change in land use for most of the project site, which is existing levee. Constructing the wind wave buffer will convert a small amount of agricultural land use (approximately 7 acres) to woodland habitat for flood control.

H. Has a reclamation plan been prepared for this site in accordance with the Surface Mining and Reclamation Act of 1975?

Yes No If yes, please attach a copy.

APPLICATION FOR A CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMIT

Application No. _____ (For Office Use Only)

1. Description of proposed work being specific to include all items that will be covered under the issued permit.

RD 784 levee system protects Linda, Olivehurst and Plumas Lake. The project will provide bring segments of the Feather River East Levee (RD784 U2B LM 9.97), Bear River North Levee (RD784 U3A LM3.0), and WPIC West Levee (RD784 U4 LM 3.37) within the NLD system to a consistent level of freeboard to increase system resiliency. Actions include levee crest freeboard raises. Additional below regarding a 600ft segment of fill at the Bear River North Levee toe.

2. Project

Location: Yuba County, in Section Varies
Township: Varies (N) (E) (S), Range: Varies (W), M. D. B. & M.
Latitude: Varies Longitude: Varies
Stream: Bear/Feather/WPIC, Levee: Varies See Mapping Designated Floodway: Yes
APN: Varies See Mapping

3. Three Rivers Levee Improvement Authority of 915 8th Street Ste. 115
Name of Applicant / Land Owner Address

Marysville CA 95901 530-749-7841
City State Zip Code Telephone Number
kmallen@co.yuba.ca.us
E-mail

4. Kyle Morgado of Three Rivers Levee Improvement Authority
Name of Applicant's Representative Company

Marysville CA 95901 530-749-7874
City State Zip Code Telephone Number
kmorgado@yubawater.org
E-mail

5. Endorsement of the proposed project from the Local Maintaining Agency (LMA):

We, the Trustees of Reclamation District 784 approve this plan, subject to the following conditions:
Name of LMA

Conditions listed on back of this form Conditions Attached No Conditions

Trustee [Signature] 11/20/2023 Date
Trustee [Signature] 11/20/2023 Date
Trustee [Signature] 11/20/2023 Date

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

6. Names and addresses of adjacent property owners sharing a common boundary with the land upon which the contents of this application apply. If additional space is required, list names and addresses on back of the application form or an attached sheet.

Name	Address	Zip Code
Varies; see project documentation		

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

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

Three Rivers Levee Improvement Authority
915 8th Street Ste. 115 Marysville, CA 95901

SCH No. 2021070157

8. When is the project scheduled for construction? 2025-2027

9. Please check exhibits accompanying this application.

- A. Regional and vicinity maps showing the location of the proposed work.
- B. Drawings showing plan view(s) of the proposed work to include map scale.
- C. Drawings showing the cross section dimensions and elevations (vertical datum?) of levees, berms, stream banks, flood plain,
- D. Drawings showing the profile elevations (vertical datum?) of levees, berms, flood plain, low flow, etc.
- E. A minimum of four photographs depicting the project site.



 Signature of Applicant

1-10-24

 Date

Date

Include any additional information:

Along the Bear River North Levee (RD 784 Unit 03a LM 2.56) land side levee toe, a 600ft long segment requires placement of fill to re-establish the landside slope due to grading activities in the area to meet adjacent grades upstream and downstream of the specific location.

RECLAMATION DISTRICT NO. 784 – ENDORSEMENT CONDITIONS
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
CLIMATE RESILIENCY PROJECT – BEAR RIVER NORTH LEVEE (BRNL) AND WESTERN
PACIFIC INTERCEPTOR CANAL (WPIC) FREEBOARD IMPROVEMENT PROJECT

Reclamation District No. 784 has the following conditions to be included on the Central Valley Flood Protection Board Encroachment Permit for Bear River North Levee (BRNL) and Western Pacific Interceptor Canal (WPIC) Freeboard Improvement Project for the raising portions of the levee to have a consistent level of freeboard along the BRNL and WPIC within RD 784. The conditions are as follows:

1. All improvements shall meet or exceed Central Valley Flood Protection Board (CVFPB) Title 23, Department of Water Resources (DWR), DWR Urban Levee Design Criteria, Federal Emergency Management Agency (FEMA), and U.S Army Corps of Engineers (USACE) Standards and requirements.
2. This conditional endorsement is limited to the work within the Levee ROW (i.e. embankment, slurry walls, relief wells, aggregate base, rock slope protection, seepage berms, penetrations, encroachments, signage, gates, concrete barriers, stability berms, etc.). All utilities such as irrigation lines, electrical, gas, roadways, ramps, cable, telephone, communication, fiber, fuel, etc. to be located within levee shall obtain a separate encroachment permit unless determined to be part of the flood control project.
3. All levee rehabilitation work shall comply with current design criteria for the TRLIA Levee Project including but not limited to stability and seepage criteria.
4. All work endorsed by this permit shall be in accordance with the submitted plans titled “CLIMATE RESILIENCY PROJECT, GFWL, BRNL, FREL, AND WPIC WEEST LEVEE, VOLUME 2 OF 4, FEATHER RIVER EAST LEVEE IMPROVEMENT PLANS” dated March, 2023, except as modified by endorsement conditions herein. No further work, other than approved by this permit, shall be done in the area without prior endorsement of **Reclamation District No. 784**. *(The plans submitted are not signed and listed as preliminary 90 percent design. **Reclamation District No. 784** shall review and provide final endorsement at time “For Construction” plans are submitted. No work should commence until final endorsement provided. The draft plans do not address security features. Security features shall be installed or replaced at all access points.*
5. The project shall not increase the 1-in-100, the 1-in-200, and/or 1-in-500 design water surface elevation or velocities of the Bear River and WPIC.
6. The permittee shall be responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the **Reclamation District No. 784**, Central Valley Flood Protection Board, and the State of California; including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.
7. A copy of the as-built drawings shall be provided to **Reclamation District No. 784**.

8. The levee patrol road on the crown of the levee shall meet or exceed CVFPB Title 23 standard. The minimum structural section for the levee patrol road shall be designed using a traffic index of 4.0 and an R-value of 10 or the actual R-value of the road subgrade material. The width of levee top shall be a minimum of twenty (20) feet in accordance with CVFPB Title 23. The road subgrade shall be compacted to 90 percent relative compaction per ASTM 1557 and the DWR Class 2 Aggregate Base shall be compacted to 95 percent relative compaction per ASTM 1557. DWR Class 2 Aggregate Base is the Caltrans Class 2 Aggregate with a durability modification. The aggregate base material shall have less than 10 percent loss after 100 revolutions and less than 25 percent loss after 500 revolution and the ratio of loss after 100 resolutions to the loss after 500 revolutions shall not exceed 5.0 in accordance with ASTM C131/C131M. Class 2 Aggregate Base shall be 3/4 Inch. 1-1/2 Inch shall not be allowed.
9. All access ramps shall have **Reclamation District No. 784** gates installed near landside toe with one hundred (100) feet of concrete barriers (i.e. K-Rail, ecology blocks, 4x4x6 concrete blocks) either side of the gates. All gates shall be constructed in accordance with the California Fire Code and shall have a minimum opening of twenty (20) feet. **Reclamation District No. 784** shall approval all shop drawings and installation plans prior to installing gates.
10. A copy of operation and maintenance manual for the facilities shall be provided to **Reclamation District No. 784** upon completion of the work. The O&M manual shall include provisions for annual inspection (i.e., pressure test, video of pipe, etc.) which meet or exceed the CVFPB, DWR, USACE, TRLIA, and **Reclamation District No. 784** standards. The results of the annual inspection shall be provided to **Reclamation District No. 784** prior to November 1 each year.
11. The permittee shall defend, indemnify, and hold the Central Valley Flood Protection Board, **Reclamation District No. 784**, and the State of California, including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages related to the Central Valley Flood Protection Board's approval of this permit, including but not limited to claims filed pursuant to the California Environmental Quality Act. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.
12. The Central Valley Flood Protection Board, Department of Water Resources, and **Reclamation District No. 784** shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.
13. The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.
14. The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for operation and maintenance of the flood control project to interfere, the permittee shall be required, at permittee's sole cost and expense, to modify or remove the permitted encroachment(s).

15. If the project or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project, at the permittees or successor's sole cost and expense.
16. A copy of the final Central Valley Flood Protection Board Permit shall be provided to **Reclamation District No. 784** upon approval of the permit by the CVFPB Board.
17. **Reclamation District No. 784** shall be notified five (5) working days prior to any construction activities.
18. Permittee agrees to reimbursement **Reclamation District No. 784** all costs associated with endorsement of the encroachment permit, plan check of improvements, attendance of construction meetings, inspections, punch list, and all other cost associated with this project.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

This environmental assessment questionnaire must be completed for all Central Valley Flood Protection Board applications. Please provide an explanation where requested. Incomplete answers may result in delays in processing permit applications. Failure to complete the questionnaire may result in rejection of the application.

1. Has an environmental assessment or initial study been made or is one being made by a local or State permitting agency in accordance with the California Environmental Quality Act? Yes No

If yes, identify the Lead Agency, type of document prepared or which will be prepared, and the State Clearinghouse Number:

Lead Agency: Three Rivers Levee Improvement Authority

Document: Environmental Impact Report (EIR; certified by TRLIA May 3, 2022)

SCH Number: 2021070157

Supplemental documentation will be completed as needed to address design refinements; based on the current design, an Addendum to the EIR is anticipated to be adequate for this purpose.

2. Will the project require certification, authorization or issuance of a permit by any local, State or federal environmental control agency? Yes No

List all other governmental permits or approvals necessary for this project or use, including U.S. Army Corps of Engineers' 404 and Section 10 permits, State Water Quality Certification, Department of Fish and Game 1600 agreement, etc. Attach copies of all applicable permits.

National Historic Preservation Act Section 106 consultation; Federal Endangered Species Act Section 7 consultation; SWRCB Clean Water Act Section 402 NPDES Construction General Permit.

3. Give the name and address of the owner of the property on which the project or use is located. Please submit a copy of your current Title Report (Grant Deed), if your proposed project includes a private residence.

TRLIA and the project team have begun the process to evaluate and acquire necessary Lands, Easements, and Rights of Way for the project. Proposed project activities are anticipated to occur within currently held Sacramento San Joaquin Drainage District easements or existing RD 784 flood control easements.

4. Will the project or use require issuance of a variance or conditional use permit by a city or county?

Yes No

Explain:

5. Is the project or use currently operating under an existing use permit issued by a local agency?

Yes No

Explain:

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

6. Describe all types of vegetation growing on the project site, including trees, brush, grass, etc.

The project site is limited to the existing levees, landside maintenance zones, and adjacent landside areas. Vegetation growing in these areas is limited to nonnative annual grassland.

7. Describe what type of wildlife or fish may use the project site or adjoining areas for habitat, food source, nesting sites, source of water, etc.

The project site is along the Feather River East Levee, Bear River Setback and North Levees, and Western Pacific Interceptor Canal (WPIC) West Levee. Adjacent waterways support nonnative and native fish and the habitat corridors support common reptiles, amphibians, birds, and mammals likely to use woodland and aquatic habitat adjacent to the project site for food, water, and breeding; some sensitive fish and wildlife species may also occur.

8. Has the Department of Fish and Game, U.S. Fish and Wildlife Service, or National Marine Fisheries Service been consulted relative to the existence of, or impacts to, threatened or endangered species on or near the project site?

Yes No

Explain:

Preliminary discussions have occurred with USFWS and will continue when Section 7 consultation is initiated. NMFS consultation is not anticipated to be required because there would be no effect on federally listed fish. CDFW was provided and reviewed the Draft EIR. Mitigation measures will be implemented to minimize impacts on and avoid take of listed species.

9. Will the project or use significantly change present uses of the project area?

Yes No

Explain:

The proposed project would not change land use of the project area; the project footprint is within a flood control easement or the Sacramento San Joaquin Drainage District held lands.

10. Will the project result in changes to scenic views or existing recreational opportunities?

Yes No

Explain:

Modifications to the existing levees will not change their appearance. There would be no long-term change to recreational opportunities; portions of the levees would temporarily be inaccessible during construction.

11. Will the project result in the discharge of silt or other materials into a body of water?

Yes No

Explain:

Standard erosion control measures would be implemented to ensure the project does not result in erosion or sedimentation of adjacent water bodies.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

12. Will the project involve the application, use, or disposal of hazardous materials? Yes No

If yes, list the types of materials, proposed use, and disposal plan. Provide copies of all applicable hazardous material handling plans.

There are no known hazardous materials in the project footprint and none are expected to be found. Hazardous materials use would be limited to typical fuels, lubricants, oils, etc. necessary for equipment and construction activities. Construction contractors will be required to use, store, and transport hazardous materials in compliance with all Federal, State, and local regulations. In addition, spill prevention and control measures will be implemented to reduce the risk of accidental spills and protect the environment.

13. Will construction activities or the completed project generate significant amounts of noise?

Yes No

Explain:

While heavy equipment and haul trucks used during project construction would generate significant noise, measures would be implemented during construction activities to reduce noise impacts. In addition, construction activities would primarily occur in areas with no nearby sensitive receptors.

14. Will construction activities or the completed project generate significant amounts of dust, ash, smoke, fumes, or odors?

Yes No

Explain:

Vehicle and equipment travel on dirt roads and construction activities could generate dust. However, BMPs such as watering construction areas and unpaved haul routes and suspending construction during very high winds would be implemented as needed. Construction areas are not near enough to sensitive receptors to result in significant impacts related to construction equipment fumes or odors.

15. Will the project activities or uses involve the burning of brush, trees, or construction materials, etc?

Yes No

Explain, and identify safety and air pollution control measures:

No burning would occur as part of project activities.

16. Will the project affect existing agricultural uses or result in the loss of existing agricultural lands?

Yes No

Explain:

No agricultural land would be removed, and construction activities would not interfere with agricultural practices in adjacent areas.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

17. Have any other projects similar to the proposed project been planned or completed in the same general area as the proposed project?

Yes No

Explain and identify any other similar projects:

TRLIA completed construction of the Bear River Setback Levee in 2006 and modifications to the Feather River East Levee in 2008, Bear River North Levee in 2005, and WPIC West Levee in 2006 and 2017.

18. Will the project have the potential to encourage, facilitate, or allow additional or new growth or development?

Yes No

Explain:

The proposed project will not change FEMA FIRM mapping within the project area.

19. Will materials be excavated from the floodplain? Yes No If yes, please answer the remaining questions.

**THE REMAINING QUESTIONS MUST ONLY BE ANSWERED IF THE ANSWER TO QUESTION
NO. 19 WAS "YES". IF THE ANSWER TO QUESTION NO. 19 WAS "NO", YOU DO NOT
NEED TO COMPLETE THE REMAINING QUESTIONS.**

A. What is the volume of material to be excavated?

Annually _____ Total _____

B. What types of materials will be excavated?

C. Will the project site include processing and stockpiling of material on site?

Yes No

Explain:

D. What method and equipment will be used to excavate material?

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

E. What is the water source for the project?

F. How will waste materials wash water, debris, and sediment be disposed of?

G. What is the proposed end land use for the project site?

H. Has a reclamation plan been prepared for this site in accordance with the Surface Mining and Reclamation Act of 1975?

Yes No If yes, please attach a copy.

APPLICATION FOR A CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMIT

Application No. (For Office Use Only)

1. Description of proposed work being specific to include all items that will be covered under the issued permit.

RD 784 protects Linda, Olivehurst and Plumas Lake. The project proposes to implement actions to increase the existing (200yr) level of protection of the Yuba river South Levee. This will be accomplished by raising the existing Goldfields tailings mounds to contain the design water surface elevation on the west side and construct a new embankment with 5H:1V slopes and a 20ft crest width. Located upstream of RD784 U7 LM 3.82.

2. Project Location: Yuba County, in Section 11 Township: 15N (N) (S), Range: 4E (E) (W), M. D. B. & M. Latitude: 39.167244 Longitude: -121.494686 Stream: Yuba River, Levee: N/A Designated Floodway: Yes APN: Varies See Mapping

3. Three Rivers Levee Improvement Authority of 915 8th Street Ste. 115 Name of Applicant / Land Owner Address City State Zip Code Telephone Number E-mail Marysville CA 95901 530-749-7841 kmallen@co.yuba.ca.us

4. Kyle Morgado of Three Rivers Levee Improvement Authority Name of Applicant's Representative Company City State Zip Code Telephone Number E-mail Marysville CA 95901 530-749-7874 kmorgado@yubawater.org

5. Endorsement of the proposed project from the Local Maintaining Agency (LMA):

We, the Trustees of Reclamation District 784 approve this plan, subject to the following conditions: Name of LMA

Conditions listed on back of this form Conditions Attached No Conditions

Trustee Date Trustee Date Trustee Date

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

6. Names and addresses of adjacent property owners sharing a common boundary with the land upon which the contents of this application apply. If additional space is required, list names and addresses on back of the application form or an attached sheet.

Name	Address	Zip Code
Varies; see project documentation		

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

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

Three Rivers Levee Improvement Authority
915 8th Street Ste. 115 Marysville, CA 95901

SCH No. 2021070157

8. When is the project scheduled for construction? 2025-2027

9. Please check exhibits accompanying this application.

- A. Regional and vicinity maps showing the location of the proposed work.
- B. Drawings showing plan view(s) of the proposed work to include map scale.
- C. Drawings showing the cross section dimensions and elevations (vertical datum?) of levees, berms, stream banks, flood plain,
- D. Drawings showing the profile elevations (vertical datum?) of levees, berms, flood plain, low flow, etc.
- E. A minimum of four photographs depicting the project site.



 Signature of Applicant

1-10-24

 Date

Date

Include any additional information:

There are no impacts to the existing federal project levees at this location and the project does not tie into the federal project and is located upstream of the project levee in the Goldfields.

RECLAMATION DISTRICT NO. 784 – ENDORSEMENT CONDITIONS
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
CLIMATE RESILIENCY PROJECT –YUBA RIVER SOUTH LEVEE – GOLDFIELD TAILINGS

Reclamation District No. 784 has the following conditions to be included on the Central Valley Flood Protection Board Encroachment Permit for Climate Resiliency Project – Yuba River South Levee – Goldfield Tailings Project for the raising the existing Goldfield tailings mounds. This project is located outside of RD 784 jurisdictional boundary within the Yuba River floodway. The conditions are as follows:

1. All improvements shall meet or exceed Central Valley Flood Protection Board Title 23, Department of Water Resources, DWR Urban Levee Design Criteria, FEMA, **Reclamation District No. 784**, and U.S Army Corps of Engineers Standards and requirements.
2. This conditional endorsement is limited to the Goldfield tailing work only (i.e. embankment, aggregate base, rock slope protection, encroachments, signage, gates, concrete barriers, stability berms, etc.). All utilities such as irrigation lines, electrical, gas, roadways, ramps, cable, telephone, communication, fiber, fuel, etc. shall obtain a separate encroachment permit unless determined to be part of the flood control project.
3. All work shall comply with current design criteria for the TRLIA Levee Project including but not limited to stability and seepage criteria.
4. 4. All work endorsed by this permit shall be in accordance with the submitted plans titled “CLIMATE RESILIENCY PROJECT, GFWL, BRNL, FREL, AND WPIC WEEST LEVEE, VOLUME 2 OF 4, FEATHER RIVER EAST LEVEE IMPROVEMENT PLANS” dated March, 2023, except as modified by endorsement conditions herein. No further work, other than approved by this permit, shall be done in the area without prior endorsement of **Reclamation District No. 784**. *(The plans submitted are not signed and listed as preliminary 65 percent design. Reclamation District No. 784 shall review and provide final endorsement at time “For Construction” plans are submitted. No work should commence until final endorsement provided. The draft plans do not address security features. Security features shall be installed or replaced at all access points.*
5. The project shall not increase the 1-in-100, the 1-in-200, and/or 1-in-500 design water surface elevation or velocities of the Yuba River.
6. The permittee shall be responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the **Reclamation District No. 784**, Central Valley Flood Protection Board, and the State of California; including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.
7. A copy of the as-built drawings shall be provided to **Reclamation District No. 784**.
8. The levee patrol road on the crown of the levee or any other all-weather access roads shall meet or exceed CVFPB Title 23 standard. The minimum structural section for the levee patrol road shall be designed using a traffic index of 4.0 and an R-value of 10 or the actual R-value of the road subgrade

material. The width of levee top shall be a minimum of twenty (20) feet in accordance with CVFPB Title 23. The road subgrade shall be compacted to 90 percent relative compaction per ASTM 1557 and the DWR Class 2 Aggregate Base shall be compacted to 95 percent relative compaction per ASTM 1557. DWR Class 2 Aggregate Base is the Caltrans Class 2 Aggregate with a durability modification. The aggregate base material shall have less than 10 percent loss after 100 revolutions and less than 25 percent loss after 500 revolution and the ratio of loss after 100 resolutions to the loss after 500 revolutions shall not exceed 5.0 in accordance with ASTM C131/C131M. Class 2 Aggregate Base shall be 3/4 Inch. 1-1/2 Inch shall not be allowed.

9. All access ramps shall have **Reclamation District No. 784** gates installed near landside toe with one hundred (100) feet of concrete barriers (i.e. K-Rail, ecology blocks, 4x4x6 concrete blocks) either side of the gates. All gates shall be constructed in accordance with the California Fire Code and shall have a minimum opening of twenty (20) feet. **Reclamation District No. 784** shall approval all shop drawings and installation plans prior to installing gates.
10. The wind-wave buffer area shall have security features such as gates, fencing, and concrete barriers around the facility.
11. Seepage Control features shall be included to prevent seepage from adjacent rice fields.
12. Legal access with all-weather access road shall be provided.
13. A copy of operation and maintenance manual for the facilities shall be provided to **Reclamation District No. 784** upon completion of the work. The O&M manual shall include provisions for annual inspection (i.e., pressure test, video of pipe, etc.) which meet or exceed the CVFPB, DWR, USACE, TRLIA, and **Reclamation District No. 784** standards. The results of the annual inspection shall be provided to **Reclamation District No. 784** prior to November 1 each year.
14. The permittee shall defend, indemnify, and hold the Central Valley Flood Protection Board, **Reclamation District No. 784**, and the State of California, including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages related to the Central Valley Flood Protection Board's approval of this permit, including but not limited to claims filed pursuant to the California Environmental Quality Act. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.
15. The Central Valley Flood Protection Board, Department of Water Resources, and **Reclamation District No. 784** shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.
16. The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.
17. The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for

operation and maintenance of the flood control project to interfere, the permittee shall be required, at permittee's sole cost and expense, to modify or remove the permitted encroachment(s).

18. If the project or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project, at the permittees or successor's sole cost and expense.
19. A copy of the final Central Valley Flood Protection Board Permit shall be provided to **Reclamation District No. 784** upon approval of the permit by the CVFPB Board.
20. **Reclamation District No. 784** shall be notified five (5) working days prior to any construction activities.
21. Permittee agrees to reimbursement **Reclamation District No. 784** all costs associated with endorsement of the encroachment permit, plan check of improvements, attendance of construction meetings, inspections, punch list, and all other cost associated with this project.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

This environmental assessment questionnaire must be completed for all Central Valley Flood Protection Board applications. Please provide an explanation where requested. Incomplete answers may result in delays in processing permit applications. Failure to complete the questionnaire may result in rejection of the application.

- 1. Has an environmental assessment or initial study been made or is one being made by a local or State permitting agency in accordance with the California Environmental Quality Act? Yes No
If yes, identify the Lead Agency, type of document prepared or which will be prepared, and the State Clearinghouse Number:

Lead Agency: Three Rivers Levee Improvement Authority

Document: Environmental Impact Report (EIR; certified by TRLIA May 3, 2022)

SCH Number: 2021070157

Supplemental documentation will be completed as needed to address design refinements; based on the current design, an Addendum to the EIR is anticipated to be adequate for this purpose.

- 2. Will the project require certification, authorization or issuance of a permit by any local, State or federal environmental control agency? Yes No

List all other governmental permits or approvals necessary for this project or use, including U.S. Army Corps of Engineers' 404 and Section 10 permits, State Water Quality Certification, Department of Fish and Game 1600 agreement, etc. Attach copies of all applicable permits.

National Historic Preservation Act Section 106 consultation; Federal Endangered Species Act Section 7 consultation; SWRCB Clean Water Act Section 402 NPDES Construction General Permit.

- 3. Give the name and address of the owner of the property on which the project or use is located. Please submit a copy of your current Title Report (Grant Deed), if your proposed project includes a private residence.

TRLIA and the project team have begun the process to evaluate and acquire necessary Lands, Easements, and Rights of Way upon for the project.

- 4. Will the project or use require issuance of a variance or conditional use permit by a city or county?

Yes No

Explain:

- 5. Is the project or use currently operating under an existing use permit issued by a local agency?

Yes No

Explain:

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

6. Describe all types of vegetation growing on the project site, including trees, brush, grass, etc.

The project site is primarily cobble mining tailings that are barren or support non-native herbaceous species. Some aquatic and riparian areas occur, primarily in and adjacent to tailing ponds. Orchards occur in and adjacent to the west side of the site.

7. Describe what type of wildlife or fish may use the project site or adjoining areas for habitat, food source, nesting sites, source of water, etc.

The project site is in the Yuba Goldfields, approximately 0.5 mile south of the lower Yuba River. The on-site Goldfields tailing ponds do not support native fish but ponds and associated vegetation support common reptiles, amphibians, birds, and mammals likely use these areas for food, water, and breeding; some sensitive wildlife species may also occur.

8. Has the Department of Fish and Game, U.S. Fish and Wildlife Service, or National Marine Fisheries Service been consulted relative to the existence of, or impacts to, threatened or endangered species on or near the project site?

Yes No

Explain:

Preliminary discussions have occurred with USFWS staff and will continue when Section 7 consultation is initiated. NMFS consultation is not anticipated to be required because there would be no effect on federally listed fish. CDFW was provided and reviewed the Draft EIR. Mitigation measures will be implemented to minimize impacts on federally listed species; there would be no take of state-listed species.

9. Will the project or use significantly change present uses of the project area?

Yes No

Explain:

The Goldfields West Levee would overlap land zoned as Extractive and Agricultural. Materials in a very small portion of the Goldfields would no longer be accessible for mining, but the northern portion has already been mined and reclaimed. A small portion of agricultural land currently in orchard would be unavailable for future production. However, the small areas affected would not result in a significant change to the larger area.

10. Will the project result in changes to scenic views or existing recreational opportunities?

Yes No

Explain:

Construction of the Goldfields West Levee will occur on private land not accessible to the public and not visible from publicly accessible areas.

11. Will the project result in the discharge of silt or other materials into a body of water?

Yes No

Explain:

Standard erosion control measures would be implemented to minimize erosion and sedimentation of adjacent tailing ponds.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

12. Will the project involve the application, use, or disposal of hazardous materials? Yes No

If yes, list the types of materials, proposed use, and disposal plan. Provide copies of all applicable hazardous material handling plans.

There are no known hazardous materials in the project footprint and none are expected to be found. Hazardous materials use would be limited to typical fuels, lubricants, oils, etc. necessary for equipment and construction activities. Construction contractors will be required to use, store, and transport hazardous materials in compliance with all Federal, State, and local regulations. In addition, spill prevention and control measures will be implemented to reduce the risk of accidental spills and protect the environment.

13. Will construction activities or the completed project generate significant amounts of noise?

Yes No

Explain:

While heavy equipment and haul trucks used during project construction would generate significant noise, measures would be implemented during construction, the project site is in a remote area with no nearby sensitive receptors.

14. Will construction activities or the completed project generate significant amounts of dust, ash, smoke, fumes, or odors?

Yes No

Explain:

Vehicle and equipment travel on dirt roads and material movement could generate dust. However, BMPs such as suspending construction during very high winds would be implemented as needed. The project sites are not near enough to sensitive receptors to result in significant impacts related to construction equipment fumes or odors.

15. Will the project activities or uses involve the burning of brush, trees, or construction materials, etc?

Yes No

Explain, and identify safety and air pollution control measures:

No burning would occur as part of project activities.

16. Will the project affect existing agricultural uses or result in the loss of existing agricultural lands?

Yes No

Explain:

A small amount of orchard (less than 10 acres) may require removal to accommodate Goldfields West Levee construction.

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

17. Have any other projects similar to the proposed project been planned or completed in the same general area as the proposed project?

Yes No

Explain and identify any other similar projects:

TRLIA completed construction of the Goldfields 100-year embankment in 2016 and the 200-year levee in 2020.

18. Will the project have the potential to encourage, facilitate, or allow additional or new growth or development?

Yes No

Explain:

The proposed project will not change FEMA FIRM mapping within the project area.

19. Will materials be excavated from the floodplain? Yes No If yes, please answer the remaining questions.

**THE REMAINING QUESTIONS MUST ONLY BE ANSWERED IF THE ANSWER TO QUESTION
NO. 19 WAS "YES". IF THE ANSWER TO QUESTION NO. 19 WAS "NO", YOU DO NOT
NEED TO COMPLETE THE REMAINING QUESTIONS.**

A. What is the volume of material to be excavated?

Annually TBD Total TBD

B. What types of materials will be excavated?

Cobble material in the Goldfields West Levee footprint will be excavated and redistributed to create the design geometry.

C. Will the project site include processing and stockpiling of material on site?

Yes No

Explain:

Excavated material will be temporarily stockpiled for reuse by the project.

D. What method and equipment will be used to excavate material?

Standard heavy construction equipment (e.g., excavator, backhoe, bulldozer).

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

E. What is the water source for the project?

It is anticipated that commercial or private water sources will be used.

F. How will waste materials wash water, debris, and sediment be disposed of?

Waste materials, wash water, debris, and sediment will be handed and disposed per state and/or local regulation and taken to appropriate off-site disposal locations/facilities.

G. What is the proposed end land use for the project site?

The end land use is flood control. There will be no change in land use for most of the project sites, which are existing levees. Constructing the Goldfields West Levee will convert approximately 15 acres of extractive (mining) and agricultural land uses to flood control.

H. Has a reclamation plan been prepared for this site in accordance with the Surface Mining and Reclamation Act of 1975?

Yes No If yes, please attach a copy.



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

915 8th Street, Suite 115

Marysville, CA 95901

Office (530) 749-7841 Fax (530) 749-6990

February 6, 2024

TO: Three Rivers Levee Improvement Authority Board

FROM: Kevin Mallen, Executive Director

SUBJECT: Approve Contract Amendment No. 8 for Feather River Preserve Project

Recommended Actions in Support of the Climate Resiliency Project

Approve Amendment 8 in the amount of \$8,000 to existing contract with Sacramento Valley Conservancy (SVC) and authorize the Executive Director to sign and execute the amendment.

Background

Since 2014, SVC has supported TRLIA on its restoration efforts in the Feather and Bear River setback areas. Their support has been primarily focused on the establishment of the Feather River Setback Conservation Bank, and secondarily on the development of long-term management and instruments for other portions of the Feather River setback area and the Bear River setback area.

Discussion

This amendment focuses specifically on closing out the long-term management instruments for the preserve portion of the Feather River setback area. The amendment will cover the scope needed to complete the work due to the schedule being extended. The schedule was extended largely due to the timing of DWR's review and approval. Currently, DWR is still in the review process. TRLIA is actively working with DWR and is responding to their additional questions.

Fiscal Impact

Amendment 8 will increase the base contract fee by \$8,000 for a revised contract amount of \$484,998. Costs associated with this increase are entirely funded by TRLIA.

Attachment

1. Contract Amendment 8 & SVC Budget Increase Letter dated 2/1/2024.

AMENDMENT NO. 8

AGREEMENT FOR PROFESSIONAL SERVICES
FOR
ENGINEERING SERVICES
BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND
SACRAMENTO VALLEY CONSERVANCY

THIS EIGHTH AMENDATORY AGREEMENT is made effective _____, 2024, by and between Three Rivers Levee Improvement Authority (“TRLIA”) and Sacramento Valley Conservancy (“Consultant”), who agree as follows:

1. **Recitals.** This Amendment is made with reference to the following background recitals:
 - 1.1. Effective June 4, 2014 the parties entered into an Agreement for Professional Services relating to Consulting Services for TRLIA’s Levee Improvement Program.
 - 1.2. Effective October 25, 2016, the parties entered into a First Amendatory Agreement which changed the termination date from December 31, 2016 to December 31, 2018.
 - 1.3. Effective December 18, 2018, the parties entered into a Second Amendatory Agreement which changed the termination date from December 31, 2018 to December 31, 2020.
 - 1.4. Effective February 19, 2019, the parties entered into a Third Amendatory Agreement which changed the base contract fee from \$227,725 to \$312,725.
 - 1.5. Effective October 20, 2020, the parties entered into a Fourth Amendatory Agreement which changed the termination date from December 31, 2020 to December 31, 2031 and which changed the base contract fee from \$312,725 to \$377,225.
 - 1.6. Effective December 7, 2021, the parties entered into a Fifth Amendatory Agreement which changed the base contract fee from \$377,225 to \$427,225.
 - 1.7. Effective June 7, 2022, the parties entered into a Sixth Amendatory Agreement which changed the base contract fee from \$427,225 to \$437,963.
 - 1.8. Effective September 6, 2022, the parties entered into a Seventh Amendatory Agreement which changed the base contract fee from \$437,963 to \$476,998.
 - 1.9. Article C.24 of the AGREEMENT, states that modifications or amendments to the terms of the AGREEMENT shall be in writing and executed by both parties;
 - 1.10. TRLIA and the CONSULTANT desire to amend the AGREEMENT;

NOW, THEREFORE, TRLIA and the CONSULTANT agree as follows.

2. **Eighth Amendment to Agreement.** The Professional Services Agreement is hereby amended as follows:
 - 2.1. Article B.1. of the AGREEMENT shall be revised to change the base contract fee from \$476,998 to \$484,998, an increase of \$8,000.
3. **No Effect on Other Provisions.** Except for the amendment in Section 2, the remaining provisions of the Professional Services Agreement shall be unaffected and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on _____, 2024.

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY

SACRAMENTO VALLEY
CONSERVANCY

Kevin Mallen
Executive Director



Kelly Hopkins
Executive Director

APPROVED AS TO FORM:
ANDREA P. CLARK
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
GENERAL COUNSEL



ATTEST:

Mary Pasillas
Clerk of the Board



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EXECUTIVE DIRECTOR

Kelly Hopkins

February 1, 2024

Three Rivers Levee Improvement Authority
Attn: Kevin Mallen, Executive Director
1114 Yuba Street, Suite 218
Marysville, CA 95901

RE: Contract Amendment #8 for Feather River Preserve

Dear TRLIA Board:

On behalf of Sacramento Valley Conservancy, I respectfully submit this request for an increase in our budget related to our contract with TRLIA for services to form preserves in the Feather River setback area.

SVC started work on this project in June 2014. The timeline for the project has been further extended, largely due to the timing of DWR's review and approval.

We estimate \$8,000 in additional funds will be needed to close and record the Feather River Preserve Project, with the allocation of \$6,500 for legal services, and \$1,500 for acquisition staff and administrative costs.

The 9th amendment of the agreement would change the total budget from \$476,998 to \$484,998.

Please let me know if you have any questions. We are excited to have received final approval to dedicate these preserves and look forward to recording in escrow.

Sincerely,

Kelly Hopkins
Executive Director



Sacramento Valley Conservancy Due Diligence
DWR Contract #4600010672

	Actual	Budget	Difference	Estimate to Close	Budget Extension / Adjust	Total Contract
SVC Exec & Stewardship	\$ 125,848.03	\$ 126,116.00	\$ 267.97	\$ 1,500.00	\$ 1,232.03	\$ 127,348.03
SVC Legal Counsel	\$ 313,693.18	\$ 291,887.00	\$ (21,806.18)	\$ 6,500.00	\$ 28,306.18	\$ 320,193.18
Contract Admin	\$ 35,846.06	\$ 34,745.00	\$ (1,101.06)	\$ -	\$ 1,101.06	\$ 35,846.06
SVC Legal Counsel Contingency		\$ 14,250.00	\$ 14,250.00	\$ -	\$ (14,250.00)	\$ -
SVC Exec & Stewardship Contingency		\$ 10,000.00	\$ 10,000.00	\$ 1,610.73	\$ (8,389.27)	\$ 1,610.73
TOTAL	\$ 475,387.27	\$ 476,998.00	\$ 1,610.73	\$ 9,610.73	\$ 8,000.00	\$ 484,998.00

	Invoice 42	To Date
3146-3630 Task 3A: Advanced Mitigation Credit (BEI)	\$ -	\$231,400.69
3146-3631 Task 3B: Advanced Mitigation Credit (PAR)	\$ -	\$10,549.74
3146-3632 Task 3C: Advanced Mitigation Credit (MMP)	\$ -	\$32,318.17
3106-3262 Task: Feather River Setback	\$1,446.28	\$96,697.01
3003-3032 Task: Bear River Setback	\$ -	\$104,421.66
TOTAL	\$1,446.28	\$475,387.27