Levees: Public Safety Infrastructure or Backyard Amenity?

Dealing with Encroachments Along a 40-mile-long Levee Rehabilitation Project

Jonathan Kors, PE, Wood Rodgers
Michael Bessette, PE, SBFCA

Presentation to the Floodplain Management Association
2015 Annual Conference
September 10, 2015
Questions:

1. Don’t People Know that it’s a LEVEE?
Questions:

1. Don’t People Know that it’s a LEVEE?

2. Can’t the Local Maintaining Agency just remove Items they see as problems?
Questions:

1. Don’t People Know that it’s a LEVEE?

   Yes, they know it’s a levee.

2. Can’t the Local Maintaining Agency just remove Items they see as problems?
Questions:

1. Don’t People Know that it’s a LEVEE?
   
   Yes, they know it’s a levee.

2. Can’t the Local Maintaining Agency just remove Items they see as problems?
   
   It’s complicated.
SBFCA FRWL Project

- 40 Miles of Levee Improvements
- 200-Year Protection for Urban Areas
- 100-Year Protection for Rural Areas
- Predominantly Cutoff Wall Construction
- Construction 2013-2016
What complications did SBFCA encounter in removing 2nd Street Encroachments?
1. The County wasn’t setting the best example
Permits? What Permits?

2. The State permitted the encroachments in 1998
To authorize a small building, a chain-link fence, four mature trees at the landward toe, and five clumps of oleanders on the landward slope of the right bank levee of the Feather River. The project is located in the City of Yuba City at 365 Second Street. Section 23, T15N, R3E, M.D.B.&M. (Levee District No. 1, Levee Mile 13.91), Feather River, Sutter County.

To authorize a building at the landward toe and 21 mature trees and a sprinkler system on the landward slope of the right bank levee of the Feather River. The project is located in the City of Yuba City at 379 Second Street. Section 23, T15N, R3E, M.D.B.&M. (Levee District No. 1, Levee Mile 13.94), Feather River, Sutter County.

To authorize concrete steps with a railing and a pomegranate bush on the landward slope, and a concrete retaining wall at the landward toe of the right bank levee of the Feather River. The project is located at 341 Second Street in the City of Yuba City. Section 23, T15N, R3E, M.D.B.&M. (Levee District No. 1, Levee Mile 13.87), Feather River, Sutter County.
3. There is interesting history behind the parcels in question
Map of Yuba City

“Situated at the head of Navigation on Feather River Opposite the mouth of Yuba River”

J. S. Ruth

July 8, 1856

Water Street

2nd Street
Responsibility for operating and maintaining the completed works of Unit No. 144 was officially accepted by the Reclamation Board of the State of California on December 18, 1951 and December 2, 1952.
City Hall

County Hall of Records

424 2nd Street
Benatar Property

Courthouse Storage Shed
McCarley Residence No. 2
Approach:

1. Conduct surveys to understand the levee prism and the location of all encroachments.

2. Make a distinction between “high hazard” and “low hazard” encroachments.

3. Address high hazard encroachments immediately.

4. Deal with low-hazard encroachments over time.

5. Be sure that the State/USACE/LMA has full access for inspection, operation and maintenance, and flood fighting.
1998 Cutoff Wall Installation

SEE NOTE 2

SLURRY WALL CAP
(IMPERVIOUS FILL)

EMBANKMENT FILL

SLURRY CUTOFF WALL CAP

EMBANKMENT FILL

WORKING SURFACE

WATERSIDE

EXCAVATION

EXISTING LEVEE

NOTE: RESTORE LEVEE HEIGHT AND LEVEE SLOPES TO ORIGINAL HEIGHT AND SLOPE. SLOPE SHOWN IS APPROXIMATE SLOPE. COMPACT CROWN HINGE POINTS WITH A SMOOTH DRUM ROLLER.

SLURRY WALL, SCB
SEE SPECIFICATION SECTION 2330

1.5' MINIMUM

SLURRY CUTOFF WALL SECTION

NTS
Theoretical Levee

Physical Levee

20’

Existing Cutoff Wall (must be contained within the theoretical levee prism)

Waterside

200-Year or 1957 WSE + 3’

Land side

3:1

2:1
**FEATHER RIVER WEST LEVEE PROJECT**

**SUTTER-BUTTE FLOOD CONTROL AGENCY**

**APRIL 10, 2015**

A NEW CVFPB PERMIT IS REQUIRED FOR THIS PROPERTY WITH THE FOLLOWING CONDITIONS:

1. VISIBILITY OF THE LEVEE LANDSIDE SLOPE AND TOE AREA TO A DISTANCE OF 20 FEET MUST BE MAINTAINED AT ALL TIMES. ANY OBJECTS, FENCES, OR VEGETATION THAT OBSTRUCTS VISIBILITY MUST BE REMOVED BY THE LANDOWNER.

2. TREES ON THE LANDSIDE SLOPE AND WITHIN FIFTEEN FEET OF THE LEVEE TOE WITH A DBH OF 4 INCHES OR LESS SHALL BE REMOVED.

3. TREES ON THE LEVEE LANDSIDE SLOPE AND WITHIN FIFTEEN FEET OF THE LEVEE TOE WITH A DBH OF 4 INCHES OR GREATER ARE SUBJECT TO REMOVAL BY THE LOCAL MAINTENANCE AGENCY (LMA) AT ANY TIME. THE LMA SHALL HAVE THE AUTHORITY TO REMOVE ALL SUCH OBSTRUCTIONS.

4. THE LMA SHALL HAVE THE ABILITY TO INSPECT THE STRUCTURE INTERIOR DURING ALL HIGH-WATER EVENTS.

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**WOOD RODGERS**

**DEVELOPING INNOVATIVE DESIGN SOLUTIONS**

3301 C St, Bldg. 100-8  Tel 916.341.7760  Fax 916.341.7767
2nd Street Encroachments Fall Into 5 Categories

1.  Encroachments that obstruct visibility and access
2.  Homes and other buildings
3.  Retaining walls
4.  Retaining walls with structures
5.  Swimming pools
**Conditions to Address Visibility and Access**

1. Visibility of the levee landside slope and toe area to a distance of 20 feet must be maintained at all times. Any objects, fences, or vegetation that obstructs visibility must be removed.

2. Trees on the landside slope or within 15 feet of the levee landside toe with a Diameter-at-Breast Height (DBH) of 4 inches or greater shall be removed by the LMA as part of the ULCD LCM approach.

3. Trees on the levee landside slope or within 15 feet of the levee toe that are dead, dying, or distressed will be subject to removal by the LMA.

4. All fences on the levee or within 20 feet of the levee landside toe shall be open chain-link type fencing and must have a pedestrian access gate. The LMA, the state of California and the USACE shall each have a key to any locked access gate.
HOMES AND OTHER BUILDINGS

Exhibit 1 of 4

Physical Levee

Theoretical Levee

Existing Cutoff Wall

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CASE 1
Levee Hazard: Yes
O&M Hindrance: Yes
Structure to be Removed: Yes

CASE 2
Levee Hazard: No
O&M Hindrance: Yes
Structure to be Removed: No

CASE 3
Levee Hazard: No
O&M Hindrance: No
Structure to be Removed: No

Notes:
1. All Cases require a new Central Valley Flood Protection Board (CVFPB) Encroachment Permit with a condition requiring that the levee landside slope and the area up to 20 feet from the PLT be clear of visual obstructions including brush, fences (other than chain link), or other objects limiting visibility. All fences must have a pedestrian gate. If the gate is to be locked, a key shall be provided to the LMA, State, and US Army Corps of Engineers (USACE).

2. Trees on the landside slope and within fifteen feet of the PLT with a diameter-at-breast-height (DBH) less than 4 inches shall be removed. All trees with a DBH greater than 4 inches shall be limbed to a height of six feet and are subject to removal if deemed dangerous by the Local Maintaining Agency (LMA) at any time. The LMA shall have the authority to remove all such obstructions.

3. All Case 2 structures require a new CVFPB Permit with a condition that allows for the inspection of the structure interior by the LMA during all high water events. Alternatively, at the Agency’s discretion, an offer may be made to the landowner for complete removal of the structure.

4. This exhibit applies to existing encroachments only. New encroachments require review and approval of the LMA.

References for Exhibits:
B. California Code of Regulations, Title 23 (CVFPB Standards)
C. USACE Sacramento District, Geotechnical Levee Practice, April 11, 2008
Sutter Butte Flood Control Agency
Feather River West Levee Project
Encroachments Policy – Developed Areas

RETAINING WALLS
Exhibit 2 of 4

<table>
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<tr>
<th>CASE ①</th>
<th>CASE ②</th>
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<tr>
<td>Retaining Wall in Physical Levee:</td>
<td>Yes</td>
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<tr>
<td>Retaining Wall in Theoretical Levee:</td>
<td>Yes</td>
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<tr>
<td>Wall Removal Required:</td>
<td>Yes</td>
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Notes:
1. As Determined by SBFCA’s Design Engineer.
2. The local maintaining agency shall have the authority to remove vegetation or other objects obstructing visibility of the levee slopes and areas within 20 feet of the landside toe.
3. This exhibit applies to existing encroachments only. New encroachments require review and approval of the levee maintaining agency.
RETAINING WALL WITH STRUCTURE
Exhibit 3 of 4

Notes:

1. All Cases require a new Central Valley Flood Protection Board (CVFPB) Encroachment Permit with a condition requiring that the levee landside slope and the area up to 20 feet from the PLT be clear of visual obstructions including brush, fences (other than chain link), or other objects limiting visibility. All fences must have a pedestrian gate. If the gate is to be locked, a key shall be provided to the LMA, State, and US Army Corps of Engineers (USACE).

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3. All Case 2 structures require a new CVFPB Permit with a condition that allows for the inspection of the structure interior by the LMA during all high water events. Alternatively, at the Agency's discretion, an offer may be made to the landowner for complete removal of the structure.

4. This exhibit applies to existing encroachments only. New encroachments require review and approval of the LMA.

* Case 1 is the same as Case 1 on Exhibit 2
**SWIMMING POOLS**

Exhibit 4 of 4

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<tr>
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<th>CASE ①</th>
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<tr>
<td>Pool Outside 10:1 Line From Theoretical Levee Toe:</td>
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<td>Yes</td>
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<td>Monitoring Well Installation Required¹:</td>
<td>Yes</td>
<td>No</td>
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<td>Levee Hazard/O&amp;M Hindrance:</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Timeframe for Removal:</td>
<td>Removal Not Required</td>
<td>Removal Not Required</td>
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</table>

**Notes:**

1. Case 1 pools require the installation of a monitoring well as shown. The near-term acceptability of Case 1 pools will be contingent upon satisfactory performance of the existing cutoff wall during high water events.
2. If the monitoring well indicates seepage pressures are not sufficiently addressed by the cutoff wall, the pool must be removed after the high water event.
3. Case 1 pools require a CVFPB Permit Condition requiring that the pool remain full of water during the flood season (Nov. 1 through April 15).
4. This exhibit applies to existing encroachments only. New encroachments require review and approval of the local maintaining agency.
Summary/Conclusions:

1. By making a distinction between “High-Hazard” and “Low Hazard” encroachments, the issue of what must be removed becomes clear.

2. Provides LMA/State/USACE full access for inspection, operation and maintenance, and flood fighting at the levee and landside toe area.


4. Conforms to USACE System-Wide Improvement Framework.

5. Reserves limited project resources for much needed structural improvements.
A new CVFPR permit is required for this property with the following conditions:

1. Visibility of the levee landside slope and toe area to a distance of 20 feet must be maintained at all times. Any objects, fences, or vegetation that obstructs visibility must be removed by the landowner.

2. Trees on the landside slope and within fifteen feet of the levee toe with a DBH of 4 inches or less shall be removed.

3. Trees on the levee landside slope and within fifteen feet of the levee toe with a DBH of 4 inches or greater are subject to removal by the local maintaining agency (LMA) at any time. The LMA shall have the authority to remove all such obstructions.

4. The in-ground pool on this property must be kept full of water during the flood season (November 1 to April 15).

Levee toe based on contour grade breaks, projections on landside slopes, and judgements made in the field.

Levee Cross Section 2

Scale: 1” = 20’
A NEW CVFPB PERMIT IS REQUIRED FOR THIS PROPERTY WITH THE FOLLOWING CONDITIONS:

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4. THE LMA SHALL HAVE THE ABILITY TO INSPECT THE STRUCTURE INTERIOR DURING ALL HIGH-WATER EVENTS.

* LEVEE TOE BASED ON CONTOUR GRADE BREAKS, PROJECTIONS ON LANDSIDE SLOPES, AND JUDGEMENTS MADE IN THE FIELD

LEVEE CROSS SECTION 1

SCALE: 1" = 20'

WOOD RODGERS
DEVELOPING INNOVATIVE DESIGN SOLUTIONS
3301 C St, Bldg. 100-8 Tel 916.341.7760
Sacramento, CA 95818 Fax 916.341.7767
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4. THE IN-GROUND POOL ON THIS PROPERTY MUST BE KEPT FULL OF WATER DURING THE FLOOD SEASON (NOVEMBER 1 TO APRIL 15).
<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Owner</th>
<th>APN</th>
<th>Address</th>
<th>Encroachment Permit</th>
<th>Permitted Items</th>
<th>Trees</th>
<th>Fence</th>
<th>Gate</th>
<th>Home/Other Building</th>
<th>Retaining Walls</th>
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<th>Swimming Pool</th>
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<td>52-535-003</td>
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So, Are Levees Critical Infrastructure or Backyard Amenities?