



CITY OF WHEATLAND

CITY COUNCIL MEETING STAFF REPORT

September 13, 2022

SUBJECT: Bear River Setback Levee (BRSL) Project Encroachment Permit for Material Hauling

PREPARED BY: Dane H. Schilling, City Engineer

Recommendation

Receive updates from the City Engineer and Reclamation District 817 District Engineer Tom Engler on the status of material hauling operations associated with the Bear River Setback Levee Project (BRSLP, Project). Provide direction to the City Engineer as to whether to amend the current encroachment permit to allow for more hauling through the City.

Background

In July 2013 California Department of Water Resources (CA DWR), completed a Pre-Feasibility Study for the levees protecting Wheatland. This pre-feasibility study identified a critical erosion site along the north bank of the Bear River in Reclamation District No. 817 (RD 817). Subsequently, in February 2020, the City of Wheatland in coordination with RD 817 and RD 2103, completed a flood risk study through the CA DWR Small Communities Flood Risk Reduction (SCFRR) Program. The completed study detailed project recommendations which provide a flood risk reduction benefit to the City of Wheatland. Included in these recommendations is the RD 817 Bear River Setback Levee Project (BRSL, Project) which reduces flood risk due to erosion and seepage through the levee embankment by constructing a setback levee adjacent to the previously identified erosion site. Once completed, the project will reduce the risk of levee breach along a 2,700 linear foot segment of the Bear River North Levee providing a benefit to of the City of Wheatland and helps to increase the level of protection by improving levee performance. This project is an important step to eventual FEMA certification of the levees protecting the Wheatland area basin.

The Project site is located along the north bank of the Bear River, approximately two miles southwest of the City of Wheatland. The Project extends between Brewer Road and Pleasant Grove Road and improves approximately 2.1 miles of levee. The Bear River through this reach is a part of the Sacramento River Flood Control Project (SRFCP).

The Project includes approximately 2,700 LF of new levee embankment to replace the existing Bear River North Levee from River Mile (RM) 8.6 to RM 9.0 to reduce the risk of levee breach due to erosion. This segment of the Bear River North Levee is operated and maintained by RD 817. The Project also includes degrading the existing Bear River North Levee between the tie-in

locations. Degraded levee material will be used to construct a buttress along the landside of the existing Bear River North Levee, starting near the western BRSL tie-in location and extending westerly to Pleasant Grove Road (also referred to as Forty Mile Road). The levee buttress will provide a benefit to overall levee stability by adding weight and flattening the landside levee slope.

A borrow site for the levee project is located just north of the end of C Street. District 817 has submitted an application to Union Pacific Railroad (UPRR) to utilize a private crossing which can access the borrow site from HWY 65. The review of the crossing application took longer than anticipated. RD 817 has not yet received a permit from UPRR. If RD 817 were to wait to receive UPRR approval, project completion will be delayed. The project is currently scheduled to be complete in late-October 2022, prior to the flood season. In addition, RD 817 will likely incur additional construction costs associated with the delay. The project costs are shared between CA DWR (85%) and RD 817 (15%) and funding to construct the project will expire in late 2022. Extended construction delays related to waiting for UPRR approval may impact funding availability.

On July 12, 2022, the City Council considered a request from RD 817 for an encroachment permit for the first phase of hauling excavated materials over C Street and Main Street to access the borrow site. Due to the importance of completing the flood mitigation project and the potential risk of District 817 losing funding for the Project, by majority vote the City Council directed staff to issue an encroachment permit with special conditions to help mitigate impacts. Hauling over city streets was completed on August 13th (ahead of schedule) and the permit expired on August 16th.

On July 28, 2022, City staff met with representatives from RD 817 and their contractor to walk C Street and Main Street to review the impacts after the first week of hauling and make adjustments. The following additional requirements were added at that time:

- Remove and replace the rock rip-rap BMP at the exit to the borrow site.
- Add a second full-time street sweeper (one on each side of the highway).
- Add sediment traps/filters on storm drain inlets.
- Wash down traffic lanes end of each week of operation and vacuum up wash water.
- Broom clean sidewalks weekly at the corner of C Street and Main Street.

On August 9, 2022, Reclamation District 817 District Engineer Tom Engler provided an update to the City Council on the status of material hauling operations for the Project. No action was requested for that meeting.

On August 13, 2022, hauling for the first phase was completed and the contractor began clean-up efforts including street sweeping, hand sweeping sidewalks and around cars, and washing down streets.

Discussion

As reported previously, a second phase of hauling is needed to complete the Project. It was originally expected to occur in late September or early October and involve approximately 14-days of hauling. Better than expected progress in the first phase has reduced the remaining time needed to haul material to 7-days.

RD 817 is requesting that the City amend the current permit to perform hauling over C Street and Main Street (same route as before) for 7-days beginning as soon as possible. At the request of the City Council on August 9th, no hauling would be allowed on Fridays, Saturdays or Sundays due to increased traffic from the pumpkin farm event. The earliest that hauling could commence is September 12th. One benefit of this option would be that all hauling would likely be complete before the peak traffic days of the Bishop Pumpkin Season (typically all Saturdays and Sundays in October).

In addition to the existing performance bond for the Project, the City would also require a bond specifically to cover the repairs of the city's streets and utilities that may have occurred due to the hauling operations. City staff will inspect street pavements, curbs, gutters, sidewalks and utilities that may have been damaged and compile a summary of all damage to be mitigated by Project impacts. The City would require that all damage identified be repaired or mitigated to the City's satisfaction.

In addition, the City has learned that UPRR has recently responded to the RD 817 encroachment application with a draft application for payment of fees and signatures. In order to complete the process and receive a permit from UPRR, RD 817 would need sign the application, pay the fee, the RD 817 contractor would apply for a subordinate permit, and wait for UPRR to issue the permit. After issuance of the permit, the contractor would schedule for railroad flagmen which is estimated to be an 8-week lead time. It is estimated that RD 817's ability to use the UPRR track crossing north of Wheatland would occur sometime in mid-November after the start of the rainy season. RD 817 is concerned that relying on the UPRR permit may lead to weather related delays that will not allow for completion of the work in time for a potential flood event or to meet the deadlines of the funding agreement.

Some concerns have been raised regarding damage that the hauling operations may cause to city-owned utilities. Utility damage is possible when street pavements are over-burdened or jarred by vibrations caused by activities like road construction. Typically, damage is more likely to occur to utilities installed at shallower depths of cover such as water service laterals and shallow storm drain pipes and unlikely to damage water and sewer mains. While no noticeable damage has been reported to date, the City will inspect its utilities for damage after all hauling operations have concluded.

RD 817 District Engineer Tom Engler will be available at the Council meeting to present the most up to date information and answer questions you may have.

Alternatives

The following alternative actions may be considered by the City Council:

1. Direct the City Engineer to modify the conditions and duration of the current encroachment permit as indicated on Attachment 1 to allow for additional hauling over C Street and Main Street for 7-days, or as modified at the direction of the City Council.
2. Direct the City Engineer not to modify the permit which will require that RD2103 use the UPRR crossing north of Wheatland once permission from UPRR is obtained. This option will further delay the project which may jeopardize funding.

Fiscal Impact

The City issued encroachment permit requires that any expenses incurred by the City be reimbursed and any damage to city streets be fixed or reimbursement by RD 817. The value of damage caused by the hauling operation can be determined after hauling operations have ceased.

Attachments

1. Proposed encroachment permit conditions



CITY OF WHEATLAND

ENCROACHMENT PERMIT SPECIAL CONDITIONS

September 14, 2022

SUBJECT: Encroachment Permit Conditions for Reclamation District 817
Bear River Setback Levee Project Haul Route

PREPARED BY: Dane H. Schilling, City Engineer

BACKGROUND:

Reclamation District 817 (RD 817) was issued a permit by the City of Wheatland to access the borrow site for the Bear River Setback Levee Project (Project). The haul route includes the use of C Street and Main Street to access the borrow site. RD 817 has requested to extend the permit for seven more days beginning on or about September 19, 2022.

Valid Dates: Original Period: July 13, 2022 through August 16, 2022
Extension: 7-days on or about September 19, 2022

Permitted Times: Semi-truck traffic allowed
6:00am and 4pm
Monday through Thursday excluding holidays

Special Conditions: (all conditions shall be met to the satisfaction of the City Engineer)

1. The approved route includes Highway 65, Main Street and C Street only. Construction traffic shall not be allowed on any other city streets.
2. Permittee shall submit a traffic control plan (TCP) for city review and approval.
3. All construction traffic controls including signage will be provided, placed and maintained at all times by the Permittee.
4. Maximum number of truck trips per day is 200 and no more than 22 per hour.
5. Trucks will be held and released by flaggers at the borrow and construction sites to prevent and/or reduce congestion on city streets and Highway 65.
6. No queueing of trucks is allowed within the city.
7. No parking of trucks is allowed on within the city.

8. Permittee shall post on type 2 barricades construction speed limit of 15MPH max for trucks (W13-1P 15MPH) plus additional placards and FINES DOUBLE (R2-6aP) similar to the following as approved by the City Engineer:

TRUCKS
15 MPH MAX
FINES DOUBLE

9. City will strictly enforce maximum construction speed limits, queuing and parking restrictions for construction trucks.
10. Trucking operators will be individually advised of the trucking restrictions contained in this permit.
11. Parking will be restricted along the frontage of Nichols Park on C Street.
12. Parking may be restricted on the corners of city streets, only as needed and in consultation with the City Engineer, to accommodate safe truck turn movements.
13. Permittee will notify city and affected residents along the route at least 72-hrs in advance of the impending truck traffic and any street parking restrictions needed for safe truck turning movements.
14. Permittee will be responsible for any damage to City streets or facilities.
15. Permittee and City will coordinate on pre- and post-construction pavement condition photos and videos of city streets.
16. Permittee will coordinate with City on public information content disseminated by the City (notices, flyers, social media, web content).
17. Permittee will also provide written notice of potential traffic impacts/disruptions to Yuba-Sutter Transit, and Recology (municipal waste hauler).
18. City will review Permittee's Storm Water Pollution Prevention Plan (SWPPP) for the project as it pertains to encroachments on City streets. Modifications to satisfy the City, if any, will be made prior to issuance of the EP.
19. Permittee will monitor for and remediate nuisance dust and dirt track-out on City streets. Permittee will respond to dust or track-out complaints within 2-hrs of notification by the City.
20. Permittee will monitor for and immediately remove all dirt, dust or any debris generated by Permittee's operations along the route within the city.
21. Permittee will reimburse any costs incurred by the City as a result of Permittee's operations (in addition to the EP application fee) including city staff time and Police services.

Additional Conditions:

22. Extend the rock rip-rap BMP at the exit to the borrow site by 50-feet.
23. Add steel trench plates at the northerly end of C Street with asphalt concrete under and around plates to make a safe surface for vehicles and pedestrians.
24. Add a second full-time street sweeper (one on each side of the highway).
25. Add sediment traps/filters on storm drain inlets.

26. Wash down traffic lanes at the conclusion of trucking on Thursday of each week of operation and vacuum up wash water.
27. Broom clean sidewalks weekly at the corner of C Street and Main Street.
28. Perform an extensive cleaning of streets, gutters, sidewalks, drainage inlets, private driveways, private sidewalks and other areas at the direction of the City.
29. Perform cleaning of Highway 65 travel lanes, shoulders, gutters and sidewalks.
30. Clean open ditch at the northerly terminus of C Street.
31. Add no parking signs at Main Street and C Street per the City Engineer to allow for truck turns.
32. Provide performance bond to the City of Wheatland in the amount of \$_____ for the restoration and repair of city owned facilities including but not limited to streets, gutters, sidewalks, drainage inlets and underground utilities.

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