
MARTIS CREEK LAKE
OPERATION AND MAINTENANCE MANUAL

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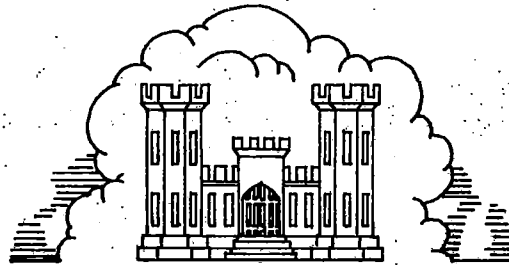
TRUCKEE RIVER

NEVADA - CALIFORNIA STATE LINE

DOWNSTREAM THROUGH

RENO, WASHOE COUNTY, NEVADA

CHANNEL IMPROVEMENTS



DEPARTMENT OF THE ARMY
SACRAMENTO DISTRICT, CORPS OF ENGINEERS
SACRAMENTO, CALIFORNIA

JULY 1973

CORPS OF ENGINEERS

U. S. ARMY

MARTIS CREEK LAKE

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DOWNSTREAM THRU RENO
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U. S. ARMY ENGINEER DISTRICT
Corps of Engineers
SACRAMENTO, CALIFORNIA

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TRUCKEE RIVER

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SECTION I

INTRODUCTION

1-01. Authorization. - Channel improvements on the Truckee River from the Nevada-California State line downstream through the City of Reno were authorized as a part of the Martis Creek Reservoir Project. The Martis Creek Reservoir was authorized by the Flood Control Act approved 23 October 1962 (Public Law 874, 87th Congress, 2d Session) substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 435, 87th Congress, 2d Session.

1-02. Location. The Truckee River Channel Improvement Project extends along the Truckee River from the Nevada-California State line downstream to the Glendale Avenue Bridge at the east edge of Reno. The entire reach lies within the boundaries of the State of Nevada. The project location is indicated on the vicinity map of Exhibit B.

1-03. Description of project works. - The project works covered by this manual are as follows:

a. Intermittent channel clearing and snagging downstream from the Nevada-California State line to the City of Reno.

b. Channel improvements at various locations within the City of Reno.

1-04. Protection provided. - The channel improvement project provides protection to the lands, streets, highways, railroads, businesses, and residences adjacent to the Truckee River in the project reach for floodflows up to about 14,000 c.f.s.

1-05. Construction data and contractor. - Construction by the Corps to improve the channel was accomplished by an equipment rental contract DA-04-167-CIVENG-63-55 by Burchett and Good during the period from April 1963 to September 1963. (Construction by the City of Reno to improve the channel through the City of Reno has been accomplished by various contracts awarded by the City of Reno and by City work forces during the period from 1970 to 1973. This work accomplished by the City is substantially as shown on Exhibit C, Plates I, II, and III.)

1-06. Floodflows. - For purposes of this manual, the term "flood" or "highwater period" for the Truckee River shall refer to flows when the water surface in the river reaches or exceeds the reading of 8.0 feet on the U.S.G.S. gage located on the left bank of the Truckee River 400 feet downstream from the Kietzke Lane Bridge ($\frac{1}{2}$ mile east of Reno). Datum of the gage is 4,431.97 feet above mean sea level.

SECTION II

LOCAL COOPERATION REQUIREMENTS

2-01. Requirements of local cooperation. Pursuant to the provisions of Section 205 of the 1948 Flood Control Act, as amended, local interests are required to furnish all lands, easements, rights-of-way, and relocations necessary for construction and subsequent maintenance and operation of the project works; to hold and save the United States free from damages; to operate and maintain the completed works at their own expense in accordance with prescribed rules and regulations; and to prevent future encroachment which might interfere with proper functioning of the project for flood control. Thus, the responsibilities to be fulfilled by local interests include the "a-b-c" requirements normally specified for local protection projects of the type described herein. The project reservoir and related channel improvements do not provide protection against floodflows in excess of 14,000 c.f.s. Therefore, local interest are required to make a reasonable effort through the news media to inform the community at least annually that the project will not provide protection against maximum floods.

2-02. Assurances provided by local interest. The City of Reno Resolution No. 1665 passed and adopted 4 December 1956 provided the required assurances for a channel clearing, snagging, and debris removal project on the Truckee River for a part of its course through the city of Reno. This resolution stated in part ". . . the City of Reno will provide without cost to the United States, all lands, easements, and rights-of-way necessary for the accomplishment of the authorized work in the Truckee River; and hold and save the United States free from damages due to construction works; and maintain the channel of the Truckee River upon the completion of the said work by the United States in a manner satisfactory to the Chief of Engineers, Department of the Army."

Washoe County Board of County Commissioners Resolution executed by its Chairman 20 September 1957 stated in part as follows:

"WHEREAS, said work is authorized to be accomplished under the supervision of the Chief of Engineers, Department of the Army and

"WHEREAS, the laws of the United States require that local interest furnish satisfactory assurances that they will: (a) provide, without cost to the United States, all lands, easements, rights-of-way, and rights-of-entry necessary for the accomplishment of the authorized work; (b) hold and save the United States free from damages due to the construction and removal of said debris; (c) maintain and operate, after completion, the works described below, in a manner satisfactory to the Chief of Engineers, Department of the Army. The specific project to be accomplished, for which this assurance is given by the Board of County Commissioners of Washoe County, is as follows:

"Snagging, clearing and removal of debris by the United States Government, along the channel of the Truckee River in Washoe County, Nevada, from the western limits of the City of Reno, thence westerly up the stream of the said Truckee River. . . ."

An Agreement by and between the Carson-Truckee Water Conservancy District and the City of Reno was made on 9 November 1967. This agreement states in part as follows:

". . . WHEREAS, the City and the District desire by this agreement to fix the responsibilities of each in connection with such flood control project; now, therefore,

"The DISTRICT AND THE CITY, in consideration of the mutual promises contained herein, do agree as follows:

"1. The City agrees:

"(a) To construct and install, at its expense, solid guard rails or other structures or devices satisfactory to the Corps of Engineers, Department of the Army, along the banks of the Truckee River between Lake Street and Booth Street in the City, to provide a channel capacity of 14,000 cubic feet per second through the City during flood periods.

"(b) To establish, by ordinance or otherwise, effective regulations to prevent the placement of fills, building and other encroachments within the channel of the Truckee River lying within the boundaries of the City, and to insure that all future bridges or other structures to be built or rebuilt across such channel in the City afford an adequate and unrestricted waterway.

"2. The District agrees:

"(a) To furnish formal assurances of local cooperation satisfactory to the Secretary of the Army in connection with the flood control project.

"(b) After completion of the flood control project, to maintain and operate all works at the expense of the District in accordance with rules and regulations prescribed by the Secretary of the Army, including without limitation:

"(1) The removal of accumulated bedload material and other debris from the river channel in the City following all floods and otherwise as required to preserve a nondamaging capacity of 14,000 cubic feet per second during flood periods.

"(2) To clear the channel of the Truckee River of debris, when required, westerly from the boundaries of the City to the California-Nevada state line."

2-03. Acceptance of operation and maintenance responsibility.
The Carson-Truckee Water Conservancy District by letter dated 26 February 1973 reaffirmed its acceptance of responsibility for the operation and maintenance of the project. Minutes of the meeting dated 11 December 1972 are inclosed as Exhibit F.

SECTION III

MAINTENANCE AND OPERATION - GENERAL PROCEDURE

3-01. Reference to Approved Regulations. This manual is submitted in accordance with provisions of Title 33 - Navigation and Navigable Waters, Chapter II, Corps of Engineers, Department of the Army, Part 208 - Flood Control Regulations, Maintenance and Operation of Flood Control Works, approved by the Secretary of the Army, 9 August 1944, and published in Federal Register, 17 August 1944, a copy of which is included as Exhibit A, Sheets 1 and 2.

3-02. Intent of Regulations. The general intent of the regulations approved by the Secretary of the Army is stated in paragraph 208.10(a)(1) in part as follows: "The structures and facilities constructed for local flood protection shall be continuously maintained in such a manner and operated at such times and for such periods as may be necessary to obtain the maximum benefits."

3-03. Purpose of this Manual. In view of the large number of local flood protection projects authorized by Congress and the repetitious nature of regulations to govern maintenance and operation of each individual project, and in order that local interests may be fully aware of the extent of the obligations assumed by them in furnishing assurances of local cooperation for projects to be constructed in the future, the general regulations described above were established by the Secretary of the Army. The general regulations approved by the Secretary of the Army, August 1944, were intended to be sufficiently broad in scope and general in nature as to be applicable to all flood protection projects for which such regulations are required by law.

Section 208.10(a)(10) of the regulations read as follows: "The Department of the Army will furnish local interests with an Operation and Maintenance Manual for each completed project, or separate useful part thereof, to assist them in carrying out their obligations under these regulations." This manual has, therefore, been prepared to furnish local interests with information on the project works and advice as to the details of the operation and maintenance requirements applicable to this particular project, and to state procedure required by the Department of the Army. The project works are to be maintained and operated in accordance with the Flood Control Regulations referred to above and interpretations thereof contained herein.

3-04. Definitions. As used hereinafter, the term "Superintendent" shall be defined to mean the person appointed by the local agency to be directly in charge of an organization which will be fully responsible for the continuous operation and inspection of the works located within the reach of the project accepted by that agency for operation and maintenance; the term "District Engineer" shall be defined to mean the District Engineer,

U. S. Army Engineer District, Sacramento, Corps of Engineers, or his authorized representative. The term "right bank" or "left bank" shall be defined to mean the right or left bank or side, respectively, of a stream or channel when facing downstream.

3-05. General Provisions of Regulations. In addition to that quoted in paragraph 3-02 above, the general provisions of the Flood Control Regulations, contained in paragraphs 208.10(a)(2) to 208.10(a)(8) are quoted in part as follows:

"(2) The State, political subdivision, thereof, or other responsible local agency, which furnished assurances that it will maintain and operate flood control works in accordance with regulations prescribed by the Secretary of the Army, as required by law, shall appoint a permanent committee consisting of, or headed by an official hereinafter called the "Superintendent", who shall be responsible for the development and maintenance of, and directly in charge of an organization responsible for the efficient operation and maintenance of all structures and facilities during flood periods and for continuous inspection and maintenance of the project works during periods of low water, all without cost to the United States.

-
- (4) No encroachment or trespass which will adversely affect the efficient operation or maintenance of the project works shall be permitted upon the right-of-way of the protective facilities.
- (5) No improvement shall be passed over, under or through the walls, levees, improved channels or floodways, nor shall any excavation or construction be permitted within the limits of the project right-of-way, nor shall any change be made in any features of the works without prior determination by the District Engineer of the Department of the Army or his authorized representative that such improvements, excavation, construction, or alteration will not adversely affect the functioning of the protective facilities. Such improvements or alterations as may be found to be desirable shall be constructed in accordance with standard

engineering practice. Advice regarding the effect of proposed improvements or alterations on the functioning of the project and information concerning methods of construction acceptable under standard engineering practice shall be obtained from the District Engineer, or, if otherwise obtained, shall be submitted for his approval. Drawings or prints showing such improvements or alterations as finally constructed shall be furnished the District Engineer after completion of the works.

- (6) It shall be the duty of the Superintendent to submit a semi-annual report to the District Engineer covering inspection, maintenance, and operations of the protective works.
- (7) The District Engineer or his authorized representative shall have access at all times to all portions of the protective works.
- (8) Maintenance measures or repairs which the District Engineer deems necessary, shall be promptly taken or made.

3-06. Assistance to be Furnished by the District Engineer. The District Engineer will:

a. Make periodic inspections of the project works and notify local interests of any repairs or maintenance measures which the District Engineer deems necessary in addition to measures taken by the Superintendent.

b. Submit to the Office, Chief of Engineers, all cases of non-compliance with full details thereof for determination of corrective measures to be taken.

c. Make prior determination that any proposed encroachment, improvement, excavation, or construction within the right-of-way or alteration of the project works, will not adversely affect the functioning of the channel, and to furnish the Superintendent with an approval thereof in writing.

3-07. Responsibilities of the Superintendent. In line with the provisions of the Flood Control Regulations, the general duties of the Superintendent include the following:

a. Files and Records. The Superintendent shall maintain a file of reports, records, and drawings concerning the project works, readily available at all times to the District Engineer.

b. Encroachment or Trespass on Right-of-Way. In accordance with the provisions of Flood Control Regulations 208.10(a)(4), no encroachment or to trespass which will adversely affect the efficient operation or maintenance of the project works shall be permitted on the rights-of-way for the protective facilities. The Superintendent will, therefore, cause notices to be posted at conspicuous places along the project right-of-way directing public attention to this regulation. The Superintendent shall arrange for the prosecution of offenders under local ordinances and report action taken.

c. Permits for Right-of-Entry or Use of Portion of Right-of-Way. Permits for temporary right-of-entry or use of portion of the right-of-way shall not be issued without prior determination by the local agency responsible for maintenance sufficiently in advance of issuance to permit adequate study and consideration and determination of conditions to be embodied in the permit document. See Exhibit G for sample permit of right-of-entry.

d. Permits for Improvements or Construction within the Project Right-of-Way. All requests for permits for construction of any nature within the limits of the project right-of-way shall be referred to the District Engineer for determination that such construction will not adversely affect the stability, safety, and functioning of the protective facilities, and for definition of conditions under which permit should be granted. These conditions will include, among others, the following items:

(1) That all work shall be performed:

(a) In accordance with standard engineering practice and in accordance with plans and specifications approved by the District Engineer or his authorized representative; drawings or prints of proposed improvements or alterations to the existing flood control works must be submitted for approval to the local agency responsible for maintenance sufficiently in advance of the proposed construction to permit adequate study and consideration of the work.

(b) To the satisfaction of the District Engineer.

(2) After completion of the work, "As Constructed" drawings or prints, in duplicate showing such improvements as finally constructed shall be furnished the District Engineer.

e. Maintenance.

(1) Flood Control Regulations, paragraph 208.10(b)(1) are quoted in part as follows:

"(b)(1) Maintenance. The Superintendent shall provide at all times such maintenance as may be required to insure serviceability of the structures in time of flood. Measures shall be taken to . . . provide for . . . removal of wild growth and drift deposits, and repair of damage caused by erosion or other forces Immediate steps will be taken to correct dangerous conditions disclosed by such inspections. Regular maintenance repair measures shall be accomplished during the appropriate season as scheduled by the Superintendent."

- (2) Full responsibility for making the repairs and the methods used is placed on the Superintendent, but the experience and facilities of the District Engineer will be available to him for advice and consultation.
- (3) All repairs shall be made in accordance with standard engineering practice, to line and grade and in accordance with details shown on the drawings which are included in Exhibit C. No change or alteration shall be made in any feature of the project works without prior determination by the District Engineer that such alteration will not adversely affect the stability and functioning of the protective facilities. Plans and specifications of all changes or alterations that may be proposed by the Superintendent shall be submitted to the District Engineer for investigation and approval before prosecution of the work.

f. Reports.

- (1) Semi-Annual Report. In accordance with the provisions of the Flood Control Regulations, paragraph 208.10 (a) (6), the Superintendent shall submit within a 10-day period following 1 December and 1 June of each year, a semi-annual report to the District Engineer covering inspection, maintenance, and operation of the protective works. This report will present a statement of:
 - (a) The physical conditions of the protective works as summarized from the logs of inspection.
 - (b) Flood behavior of the protective works, and flood-fighting activities during the period.
 - (c) Prosecutions for encroachment or trespass.

- (d) Permits issued for right-of-way or use of right-of-way.
- (e) Permits issued for improvements or construction within the project right-of-way.
- (f) Maintenance measures taken; nature, date of construction, and date of removal of temporary repairs; date of permanent repairs.
- (g) Fiscal statement of cost and maintenance and operation for the period.

A suggested form for submission of the semiannual report is included as Exhibit D, Sheets 1 and 2.

SECTION IV

FEATURES OF THE PROJECT SUBJECT TO REGULATIONS

4-01. Project works. The flood-control works covered by this manual consist of the intermittent channel improvement along the Truckee River from the Nevada-California State line downstream through the City of Reno.

4-02. Channels and Floodways. Channel improvement consists of clearing, snagging, and debris removal on the reach of the Truckee River from the Nevada-California State line downstream through the City of Reno and intermittent improvements and floodwall construction in the City of Reno from Booth Street downstream to Center Street to provide a capacity of 14,000 cubic feet per second. Regulations regarding inspection, maintenance, and operation of channels and floodways will be found in paragraphs 4-02b, c, and d of this manual.

b. Inspection.

(1) Pertinent Requirements of the Code of Federal Regulations. Flood Control Regulations, paragraph 208.10(g)(1), are quoted in part as follows:

- "(g) Channels and floodways (1) Maintenance
Periodic inspections of improved channels and floodways shall be made by the Superintendent to be certain that:
- (i) The channel or floodway is clear of debris, weeds, and wild growth;
 - (ii) The channel or floodway is not being restricted by the depositing of waste materials, building of unauthorized structures or other encroachments;
 - (iii) The capacity of the channel or floodway is not being reduced by the formation of shoals;
 - (iv) Banks are not being damaged by rain or wave wash, and that no sloughing of banks has occurred;
 - (v) Riprap sections and deflection dikes and walls are in good condition;
 - (vi) Approach and egress channels adjacent to the improved channel or floodway are sufficiently clear of obstructions and debris to permit proper functioning of the project works.

Such inspection shall be made prior to the beginning of the flood season after each flood or high water and otherwise at intervals not to exceed 90 days. Immediate steps will be taken to remedy any adverse conditions disclosed by such inspections"

- (2) The purpose of the flood-flow channels inspection is to insure that conditions which affect the channel capacity will remain the same, as far as possible, as those considered in the design assumptions and that no new conditions develop that may affect the stability of the project structures. At each inspection required by Para. 208.10(g)(1) of the Flood Control Regulations, particular attention will, therefore, be given the following:
 - (a) Location, extent and size of vegetal growth.
 - (b) Unauthorized operations within the flood-flow channel right-of-way, such as excavations, buildings and other structures, levees, bank protection, or training dikes.
 - (c) Rubbish and industrial waste disposal.
 - (d) Changes in the channel bed such as aggradation or degradation, which would interfere with free-flow from side drainage structures or induce local meanders that would scour the banks.
 - (e) Operations of any nature upstream from the project that would affect flow conditions within the limits of the flood control projects.
- (3) No excavation within the limits of this unit of the Truckee River Project will be permitted unless an excavation permit has been approved by the responsible local agency.
- (4) If any work is done to improve flow conditions in the Truckee River, it should be coordinated with the District Engineer to insure that proper provisions are made for channel alignment and capacity to conform to the existing project.
- (5) The intent of these inspections is to disclose all conditions which in any way affect the stability of the structures and their functioning for the control of floods. Each inspection report should note and comment on any repair measures that have been taken since the last inspection.

In making these inspections, the check sheets included as Exhibit E shall be explicitly followed.

c. Maintenance.

- (1) Pertinent Requirements of the Code of Federal Regulations, Flood Control Regulations, Para. 208.10(g)(1) are quoted in part as follows:

" Immediate steps will be taken to remedy any adverse conditions disclosed by such inspection "

- (2) Shoaling or aggradation at the inlets or outlets of side drainage structures may render them inoperative. It is, therefore, imperative that all drains be kept open and unobstructed at all times.
- (3) Dumped rock or other suitable types of protection should be placed at locations found by experience to be critical trouble points, with a view to stabilizing the channel alignment and preserving the general conformity of the bank lines.
- (4) Sediment and debris plugs or other obstructions should be removed from the channel to prevent any tendency for the flows to be deflected within the channel. The heavy material likely to accumulate in the new channel at the mouths of tributaries should be removed to keep the channel clear.
- (5) The channel and right-of-way shall be kept reasonably clear of debris, refuse matter, or industrial wastes.
- (6) Weeds and other vegetal growth in the channel shall be cut in advance of flood season and together with all debris, removed from the channel.
- (7) Damage to dikes and floodwalls shall be repaired.

d. Operation.

- (1) Pertinent Requirements of the Code of Federal Regulations, Para. 208.10(g)(2) are quoted in part as follows:

"(g) Channels and floodways (2) Operation. Both banks of the channel shall be patrolled during periods of high water Appropriate measures shall be taken to prevent the formation of jams . . . of debris. Large objects which become lodged against the bank shall be removed.

The improved channel or floodway shall be thoroughly inspected immediately following each major high water period. As soon as practicable thereafter all snags and other debris shall be removed and all damage to . . . walls, drainage outlets or other flood control structures repaired."

4-03. Special Instructions.

a. Due to the fact that some of the banks have been constructed with stone protection and floodwalls, the provisions of paragraph 4-02 b (vi) are expanded to include the following:

(1) Where scour, wash, settlement or failure of a portion of the originally provided stone protection or floodwalls has been noted, or where inspection indicates that such damage may result during the next flood or high water period, the scour or wash shall be filled with earth free from brush, roots, sod or other unsuitable material and stone shall be placed upon the earth fill to bring the bank protection to its original section. In case of emergency and when stone is not available, sandbags or bags filled with gravel may be used for temporary repair measures.

(2) When permanent repair of the stone protection is made, the stone used shall, as far as possible, be similar to the kind and gradation as originally used. When permanent repair of floodwalls is made, the material used shall, as far as possible, be similar to the kind originally used and shall be placed as shown in the sections on Plate III, Exhibit C.

(3) In the event an inspection reveals that due to scour, settlement, or other causes, stone protection or floodwall on the bank is required beyond the limits of the original construction or in reaches of bank not originally provided with such protection, local interests will provide additional sloping of the bank and placement of stone protection or floodwalls as needed to protect completed work. The work shall be done in a manner acceptable under a standard engineering practice.

(4) Trees and brush should not be allowed to grow through the stone blanket. Trees and brush in the stone blanket should be cut or sprayed with proper herbicides when necessary.

b. In two reaches, channel improvements involving the installation of plywood closures on existing guardrails, as a part of the work to have been done by the City of Reno, were not accomplished (see Plate II for location of these reaches). Alternative methods of providing the required channel capacity are being considered by the City of Reno. In the interim, sufficient materials to provide the initial proposed installation of the plywood covering are to be stockpiled and installation begun when the river stage reaches 10,000 c.f.s.

SECTION V

SUGGESTED METHODS OF COMBATING FLOOD CONDITIONS

5-01. Methods suggested. Most of the methods described herein have been developed during years of experience with the various problems that often come up during periods of high water, and they are not intended to restrict the Superintendent, or others concerned, to a rigid set of rules for every condition that may arise. If problems not covered by these suggestions arise, where the Superintendent is in doubt as to the procedure to be taken, he will be expected to consult the State Division of Water Resources, and follow standard engineering practices in meeting the situation. It should be noted that it is much better to be over-prepared for a "flood-fight" than to find at the last moment that preparations were incomplete or unsatisfactory. Confidence of the protected persons and firms is a valuable asset that should not be carelessly lost through inefficient operation of the protection system in time of emergency.

5-02. Security. Personnel of the Corps of Engineers, whether military or civilian, are not vested with any civil police authority in the performance of their engineering duties, and they will not attempt to exercise any such authority. The responsibility for protecting flood control works against sabotage, acts of depredation or other unlawful acts rests with the local interests through local and State Governmental agencies.

5-03. Inspection of flood control works. Immediately upon receipt of information that high water is imminent, local interests responsible for maintenance should form a skeleton organization, capable of quick expansion, and assign individuals (Sector Foremen) to have charge of definite reaches of channel. As his initial activity, each Sector Foreman should go over his entire sector and parts of adjacent sectors, making a detailed inspection, particularly with reference to the following matters:

- a. Sector limits; ascertain that the dividing line between sectors is plainly determined and, if necessary, marked.
- b. Condition of recent bank repairs.
- c. Condition of culverts, flap gates, and sluice gates.
- d. Transportation facilities; roads, rail and water communications.
- e. Material supply; quantity, location, and condition.
- f. Communications; locate and check all necessary telephones in the sector.

5-04. Preliminary repair work. After the initial inspection has been made, each Sector Foreman should recruit a labor crew and provide it with tools such as shovels, axes, wheelbarrows, etc. In addition,

bulldozers, scrapers, trucks, etc., should be located and made ready for use in case of emergency. Then immediate action should be taken to perform the following work:

a. Fill up holes or washes in the channel slopes. Where new construction has been completed during the year, rain washes and deep gullies may have developed.

b. Repair gaps where road crossings have been worn down to below grade of the natural channel bank. In filling the road crossings, it may be necessary to obtain material from landside borrow pits, in which case excavation for material should be kept at least 50 feet from the top of the channel. Any filling done in this connection should be tamped in place and, if in an exposed reach, subject to erosion, the new section should be faced with bags of sand or rock riprap.

c. Repair and close all flap gates on culverts and see that they are seated properly before they are covered with flood waters.

d. Ascertain that all roads to and along the channel are in a good state of repair. The Superintendent should obtain assistance from the county road forces to have all roads put in first-class condition.

e. Locate necessary tools and materials (sacks, sandbags, brush, lumber, lights, etc.), and distribute and store the same at points where active maintenance is anticipated.

f. Check and obtain repair of all telephone lines necessary for operation, obtain lists of all team forces, motorboats, motor cars, and truck transportation that can be made available.

g. Make thorough arrangements with reliable citizens of the community for the supply of transportation, subsistence, and shelter for the necessary labor.

h. Cut all fences crossing the maintenance roads that do not have gates provided.

5-05. Disaster relief. It is the responsibility of local, state, municipal authorities, supported by and/or working in connection with the American Red Cross to adopt measures for the relief of flood disaster victims. Relief measures can be undertaken by the Department of the Army through its Army Area Commander under existing Army Regulations, but such measures will be undertaken only as a last resort, in extreme cases and under compelling circumstances where local resources are clearly inadequate to cope with the situation.

5-06. Transportation. In instances where it is necessary to send equipment over roads that are impassable due to mud or sand, their passage may be provided by the use of a plank road or by means of steel or wire mats. Telephone communication should be provided along dangerous stretches of the channel when travel or other satisfactory means of communication cannot be maintained.

5-07. Use of Government plant. The District Engineer is authorized to use or loan Government property and plant in cases of emergency where life is in danger and there is no opportunity to secure prior authority for such use. The authority also extends to saving of property where no suitable private equipment is available, provided such use is without detriment to the Government.

EXHIBIT A

FEDERAL FLOOD CONTROL REGULATIONS

EXHIBIT A

**TITLE 33—NAVIGATION AND
NAVIGABLE WATERS**

**Chapter II—Corps of Engineers,
Department of the Army**

PART 208—FLOOD CONTROL REGULATIONS

AUTHORITY: § 208.10 issued under Sec. 7, 58 Stat. 890; 33 U.S.C. 709.

§ 208.10 *Local flood protection works; maintenance and operation of structures and facilities—(a) General.* (1) The structures and facilities constructed by the United States for local flood protection shall be continuously maintained in such a manner and operated at such times and for such periods as may be necessary to obtain the maximum benefits.

(2) The State, political subdivision thereof, or other responsible local agency, which furnished assurance that it will maintain and operate flood control works in accordance with regulations prescribed by the Secretary of the Army, as required by law, shall appoint a permanent committee consisting of or headed by an official hereinafter called the "Superintendent," who shall be responsible for the development and maintenance of, and directly in charge of, an organization responsible for the efficient operation and maintenance of all of the structures and facilities during flood periods and for continuous inspection and maintenance of the project works during periods of low water, all without cost to the United States.

(3) A reserve supply of materials needed during a flood emergency shall be kept on hand at all times.

(4) No encroachment or trespass which will adversely affect the efficient operation or maintenance of the project works shall be permitted upon the rights-of-way for the protective facilities.

(5) No improvement shall be passed over, under, or through the walls, levees, improved channels or floodways, nor shall any excavation or construction be permitted within the limits of the project right-of-way, nor shall any change be made in any feature of the works without prior determination by the District Engineer of the Department of the Army or his authorized representative that such improvement, excavation, construction, or alteration will not adversely affect the functioning of the protective facilities. Such improvements or alterations as may be found to be desirable and permissible under the above determination shall be constructed in accordance with standard engineering practice. Advice regarding the effect of proposed improvements or alterations on the functioning of the project and information concerning methods of construction acceptable under standard engineering practice shall be obtained from the District Engineer or, if otherwise obtained, shall be submitted for his approval. Drawings or prints showing such improvements or alterations as finally constructed shall be furnished the District Engineer after completion of the work.

(6) It shall be the duty of the Superintendent to submit a semiannual report to the District Engineer covering inspection, maintenance, and operation of the protective works.

(7) The District Engineer or his authorized representatives shall have ac-

cess at all times to all portions of the protective works.

(8) Maintenance measures or repairs which the District Engineer deems necessary shall be promptly taken or made.

(9) Appropriate measures shall be taken by local authorities to insure that the activities of all local organizations operating public or private facilities connected with the protective works are coordinated with those of the Superintendent's organization during flood periods.

(10) The Department of the Army will furnish local interests with an Operation and Maintenance Manual for each completed project, or separate useful part thereof, to assist them in carrying out their obligations under this part.

(b) *Levees—(1) Maintenance.* The Superintendent shall provide at all times such maintenance as may be required to insure serviceability of the structures in time of flood. Measures shall be taken to promote the growth of sod, exterminate burrowing animals, and to provide for routine mowing of the grass and weeds, removal of wild growth and drift deposits, and repair of damage caused by erosion or other forces. Where practicable, measures shall be taken to retard bank erosion by planting of willows or other suitable growth on areas riverward of the levees. Periodic inspections shall be made by the Superintendent to insure that the above maintenance measures are being effectively carried out and, further, to be certain that:

(i) No unusual settlement, sloughing, or material loss of grade or levee cross section has taken place;

(ii) No caving has occurred on either the land side or the river side of the levee which might affect the stability of the levee section;

(iii) No seepage, saturated areas, or sand boils are occurring;

(iv) Toe drainage systems and pressure relief wells are in good working condition, and that such facilities are not becoming clogged;

(v) Drains through the levees and gates on said drains are in good working condition;

(vi) No revetment work or riprap has been displaced, washed out, or removed;

(vii) No action is being taken, such as burning grass and weeds during inappropriate seasons, which will retard or destroy the growth of sod;

(viii) Access roads to and on the levee are being properly maintained;

(ix) Cattle guards and gates are in good condition;

(x) Crown of levee is shaped so as to drain readily, and roadway thereon, if any, is well shaped and maintained;

(xi) There is no unauthorized grazing or vehicular traffic on the levees;

(xii) Encroachments are not being made on the levee right-of-way which might endanger the structure or hinder its proper and efficient functioning during times of emergency.

Such inspections shall be made immediately prior to the beginning of the flood season; immediately following each major high water period, and otherwise at intervals not exceeding 90 days; and such intermediate times as may be necessary to insure the best possible care of the levee. Immediate steps will be taken to correct dangerous conditions disclosed by such inspections. Regular maintenance repair measures shall be accom-

plished during the appropriate season as scheduled by the Superintendent.

(2) *Operation.* During flood periods the levee shall be patrolled continuously to locate possible sand boils or unusual wetness of the landward slope and to be certain that:

(i) There are no indications of slides or sloughs developing;

(ii) Wave wash or scouring action is not occurring;

(iii) No low reaches of levee exist which may be overtopped;

(iv) No other conditions exist which might endanger the structure.

Appropriate advance measures will be taken to insure the availability of adequate labor and materials to meet all contingencies. Immediate steps will be taken to control any condition which endangers the levee and to repair the damaged section.

(c) *Flood walls.—(1) Maintenance.* Periodic inspections shall be made by the Superintendent to be certain that:

(i) No seepage, saturated areas, or sand boils are occurring;

(ii) No undue settlement has occurred which affects the stability of the wall or its water tightness;

(iii) No trees exist, the roots of which might extend under the wall and offer accelerated seepage paths;

(iv) The concrete has not undergone cracking, chipping, or breaking to an extent which might affect the stability of the wall or its water tightness;

(v) There are no encroachments upon the right-of-way which might endanger the structure or hinder its functioning in time of flood;

(vi) Care is being exercised to prevent accumulation of trash and debris adjacent to walls, and to insure that no fires are being built near them;

(vii) No bank caving conditions exist riverward of the wall which might endanger its stability;

(viii) Toe drainage systems and pressure relief wells are in good working condition, and that such facilities are not becoming clogged.

Such inspections shall be made immediately prior to the beginning of the flood season, immediately following each major high water period, and otherwise at intervals not exceeding 90 days. Measures to eliminate encroachments and effect repairs found necessary by such inspections shall be undertaken immediately. All repairs shall be accomplished by methods acceptable in standard engineering practice.

(2) *Operation.* Continuous patrol of the wall shall be maintained during flood periods to locate possible leakage at monolith joints or seepage underneath the wall. Floating plant or boats will not be allowed to lie against or tie up to the wall. Should it become necessary during a flood emergency to pass anchor cables over the wall, adequate measures shall be taken to protect the concrete and construction joints. Immediate steps shall be taken to correct any condition which endangers the stability of the wall.

(d) *Drainage structures.—(1) Maintenance.* Adequate measures shall be taken to insure that inlet and outlet channels are kept open and that trash, drift, or debris is not allowed to accumulate near drainage structures. Flap gates and manually operated gates and valves on drainage structures shall be examined, oiled, and trial operated at least once

CODE OF FEDERAL REGULATIONS (EXTRACT)

every 90 days. Where drainage structures are provided with stop log or other emergency closures, the condition of the equipment and its housing shall be inspected regularly and a trial installation of the emergency closure shall be made at least once each year. Periodic inspections shall be made by the Superintendent to be certain that:

(i) Pipes, gates, operating mechanism, riprap, and headwalls are in good condition;

(ii) Inlet and outlet channels are open;

(iii) Care is being exercised to prevent the accumulation of trash and debris near the structures and that no fires are being built near bituminous coated pipes;

(iv) Erosion is not occurring adjacent to the structure which might endanger its water tightness or stability.

Immediate steps will be taken to repair damage, replace missing or broken parts, or remedy adverse conditions disclosed by such inspections.

(2) *Operation.* Whenever high water conditions impend, all gates will be inspected a short time before water reaches the invert of the pipe and any object which might prevent closure of the gate shall be removed. Automatic gates shall be closely observed until it has been ascertained that they are securely closed. Manually operated gates and valves shall be closed as necessary to prevent inflow of flood water. All drainage structures in levees shall be inspected frequently during floods to ascertain whether seepage is taking place along the lines of their contact with the embankment. Immediate steps shall be taken to correct any adverse condition.

(e) *Closure structures—(1) Maintenance.* Closure structures for traffic openings shall be inspected by the Superintendent every 90 days to be certain that:

(i) No parts are missing;

(ii) Metal parts are adequately covered with paint;

(iii) All movable parts are in satisfactory working order;

(iv) Proper closure can be made promptly when necessary;

(v) Sufficient materials are on hand for the erection of sand bag closures and that the location of such materials will be readily accessible in times of emergency.

Tools and parts shall not be removed for other use. Trial erections of one or more closure structures shall be made once each year, alternating the structures chosen so that each gate will be erected at least once in each 3-year period. Trial erection of all closure structures shall be made whenever a change is made in key operating personnel. Where railroad operation makes trial erection of a closure structure infeasible, rigorous inspection and drill of operating personnel may be substituted therefor. Trial erection of sand bag closures is not required. Closure materials will be carefully checked prior to and following flood periods, and damaged or missing parts shall be repaired or replaced immediately.

(2) *Operation.* Erection of each movable closure shall be started in sufficient time to permit completion before flood waters reach the top of the structure sill. Information regarding the proper method of erecting each individual closure structure, together with an estimate

of the time required by an experienced crew to complete its erection will be given in the Operation and Maintenance Manual which will be furnished local interests upon completion of the project. Closure structures will be inspected frequently during flood periods to ascertain that no undue leakage is occurring and that drains provided to care for ordinary leakage are functioning properly. Boats or floating plant shall not be allowed to tie up to closure structures or to discharge passengers or cargo over them.

(f) *Pumping plants—(1) Maintenance.* Pumping plants shall be inspected by the Superintendent at intervals not to exceed 30 days during flood seasons and 90 days during off-flood seasons to insure that all equipment is in order for instant use. At regular intervals, proper measures shall be taken to provide for cleaning plant, buildings, and equipment, repainting as necessary, and lubricating all machinery. Adequate supplies of lubricants for all types of machines, fuel for gasoline or diesel powered equipment, and flash lights or lanterns for emergency lighting shall be kept on hand at all times. Telephone service shall be maintained at pumping plants. All equipment, including switch gear, transformers, motors, pumps, valves, and gates shall be trial operated and checked at least once every 90 days. Megger tests of all insulation shall be made whenever wiring has been subjected to undue dampness and otherwise at intervals not to exceed one year. A record shall be kept showing the results of such tests. Wiring disclosed to be in an unsatisfactory condition by such tests shall be brought to a satisfactory condition or shall be promptly replaced. Diesel and gasoline engines shall be started at such intervals and allowed to run for such length of time as may be necessary to insure their serviceability in times of emergency. Only skilled electricians and mechanics shall be employed on tests and repairs. Operating personnel for the plant shall be present during tests. Any equipment removed from the station for repair or replacement shall be returned or replaced as soon as practicable and shall be trial operated after reinstallation. Repairs requiring removal of equipment from the plant shall be made during off-flood seasons insofar as practicable.

(2) *Operation.* Competent operators shall be on duty at pumping plants whenever it appears that necessity for pump operation is imminent. The operator shall thoroughly inspect, trial operate, and place in readiness all plant equipment. The operator shall be familiar with the equipment manufacturers' instructions and drawings and with the "Operating Instructions" for each station. The equipment shall be operated in accordance with the above-mentioned "Operating Instructions" and care shall be exercised that proper lubrication is being supplied all equipment, and that no overheating, undue vibration or noise is occurring. Immediately upon final recession of flood waters, the pumping station shall be thoroughly cleaned, pump house sumps flushed, and equipment thoroughly inspected, oiled and greased. A record or log of pumping plant operation shall be kept for each station, a copy of which shall be furnished the District Engineer following each flood.

(g) *Channels and floodways—(1) Maintenance.* Periodic inspections of improved channels and floodways shall be made by the Superintendent to be certain that:

(i) The channel or floodway is clear of debris, weeds, and wild growth;

(ii) The channel or floodway is not being restricted by the depositing of waste materials, building of unauthorized structures or other encroachments;

(iii) The capacity of the channel or floodway is not being reduced by the formation of shoals;

(iv) Banks are not being damaged by rain or wave wash, and that no sloughing of banks has occurred;

(v) Riprap sections and deflection dikes and walls are in good condition;

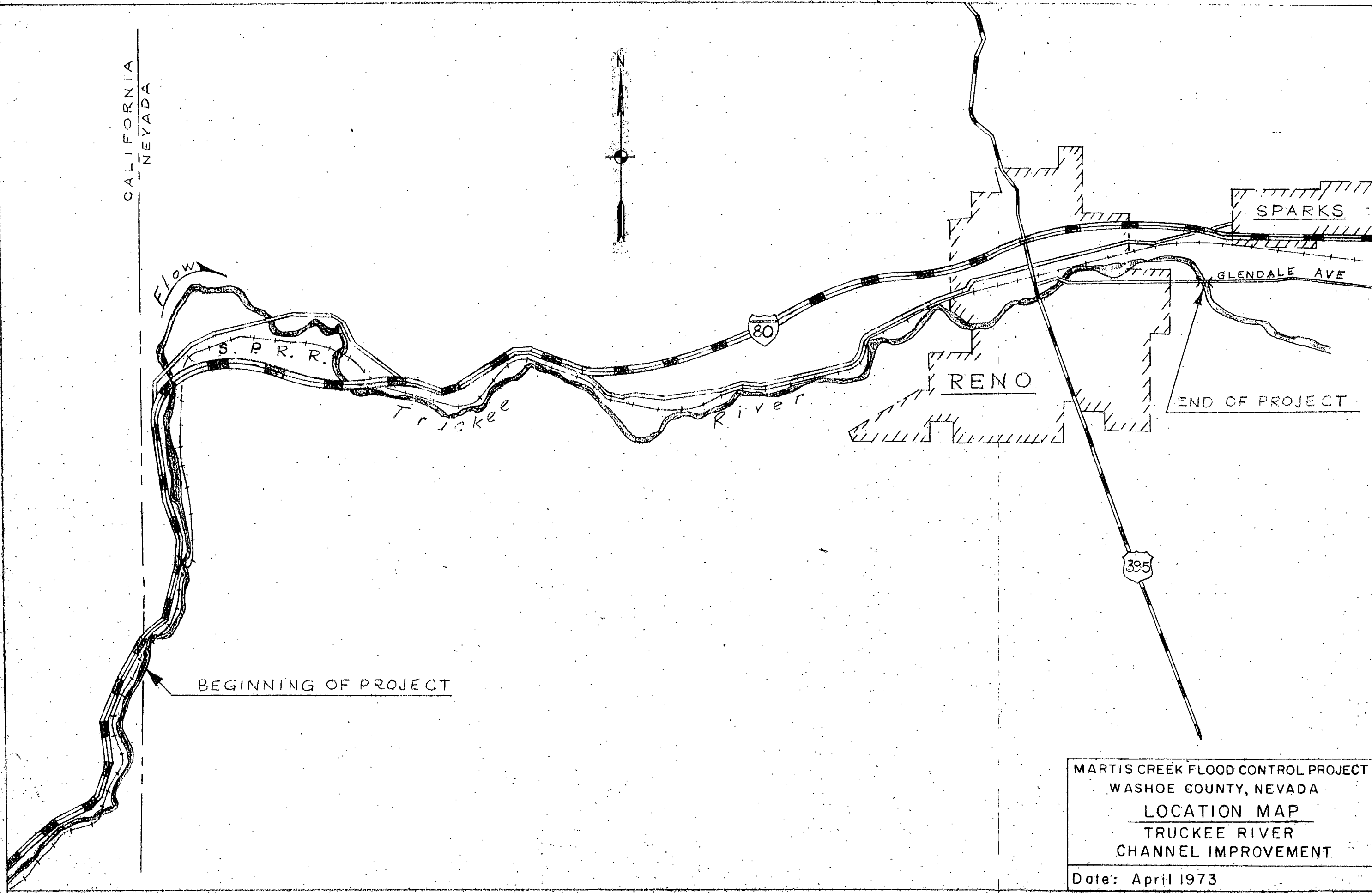
(vi) Approach and egress channels adjacent to the improved channel or floodway are sufficiently clear of obstructions and debris to permit proper functioning of the project works.

Such inspections shall be made prior to the beginning of the flood season and otherwise at intervals not to exceed 90 days. Immediate steps will be taken to remedy any adverse conditions disclosed by such inspections. Measures will be taken by the Superintendent to promote the growth of grass on bank slopes and earth deflection dikes. The Superintendent shall provide for periodic repair and cleaning of debris basins, check dams, and related structures as may be necessary.

(2) *Operation.* Both banks of the channel shall be patrolled during periods of high water, and measures shall be taken to protect those reaches being attacked by the current or by wave wash. Appropriate measures shall be taken to prevent the formation of jams of ice or debris. Large objects which become lodged against the bank shall be removed. The improved channel or floodway shall be thoroughly inspected immediately following each major high water period. As soon as practicable thereafter, all snags and other debris shall be removed and all damage to banks, riprap, deflection dikes and walls, drainage outlets, or other flood control structures repaired.

(h) *Miscellaneous facilities—(1) Maintenance.* Miscellaneous structures and facilities constructed as a part of the protective works and other structures and facilities which function as a part of, or affect the efficient functioning of the protective works, shall be periodically inspected by the Superintendent and appropriate maintenance measures taken. Damaged or unserviceable parts shall be repaired or replaced without delay. Areas used for ponding in connection with pumping plants or for temporary storage of interior run-off during flood periods shall not be allowed to become filled with silt, debris, or dumped material. The Superintendent shall take proper steps to prevent restriction of bridge openings and, where practicable, shall provide for temporary raising during floods of bridges which restrict channel capacities during high flows.

(2) *Operation.* Miscellaneous facilities shall be operated to prevent or reduce flooding during periods of high water. Those facilities constructed as a part of the protective works shall not be used for purposes other than flood protection without approval of the District Engineer unless designed therefor. (Sec. 3, 49 Stat. 1571, as amended; 33 U.S.C. 701C) [9 F.R. 9999, Aug. 17, 1944; 9 F.R. 10203, Aug. 22, 1944]



CALIFORNIA
-
NEVADA



Flow

S. P. R. R.

Truckee

River

80

RENO

SPARKS

GLENDALE AVE

END OF PROJECT

BEGINNING OF PROJECT

395

MARTIS CREEK FLOOD CONTROL PROJECT
WASHOE COUNTY, NEVADA
LOCATION MAP
TRUCKEE RIVER
CHANNEL IMPROVEMENT

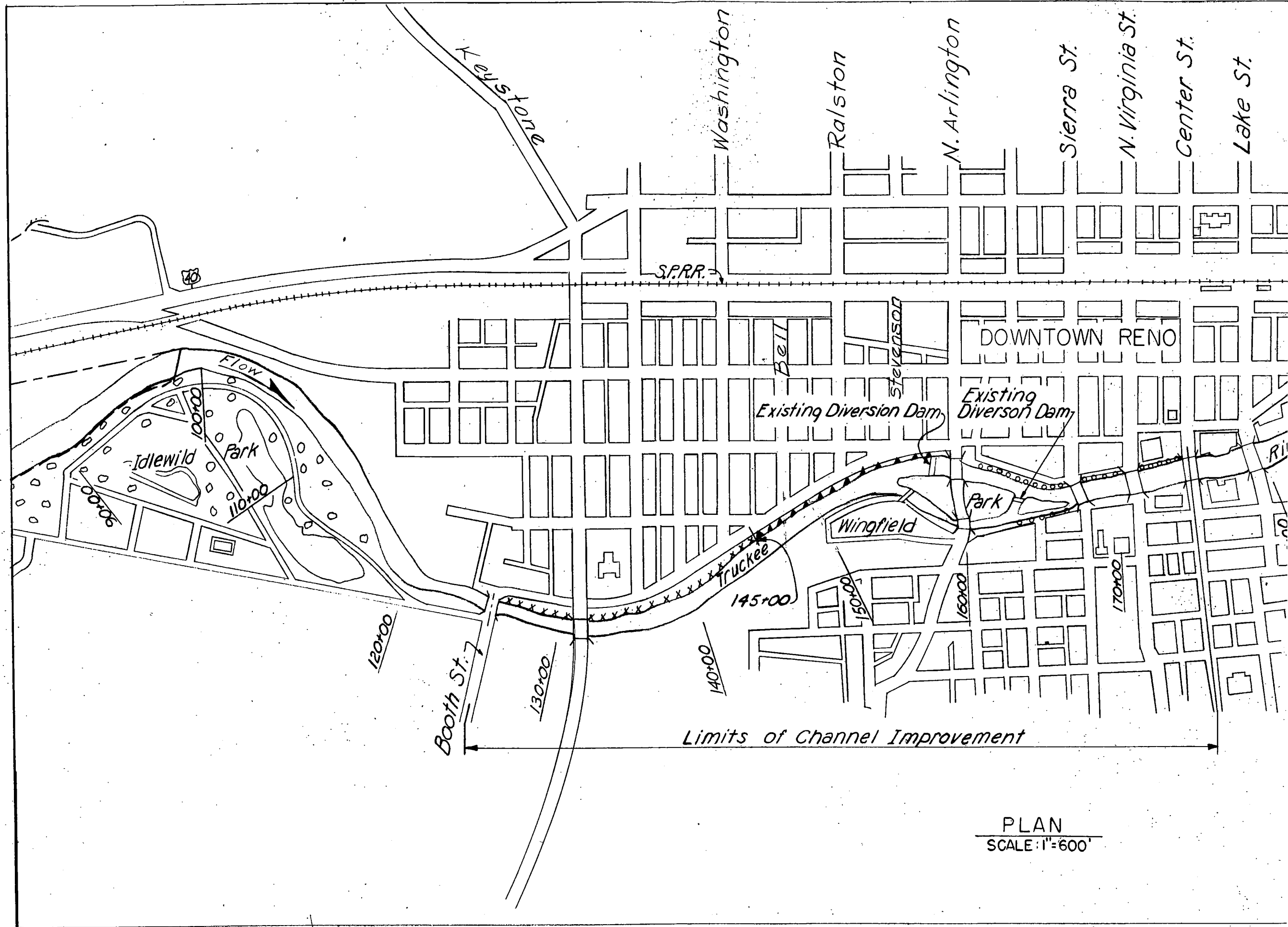
Date: April 1973

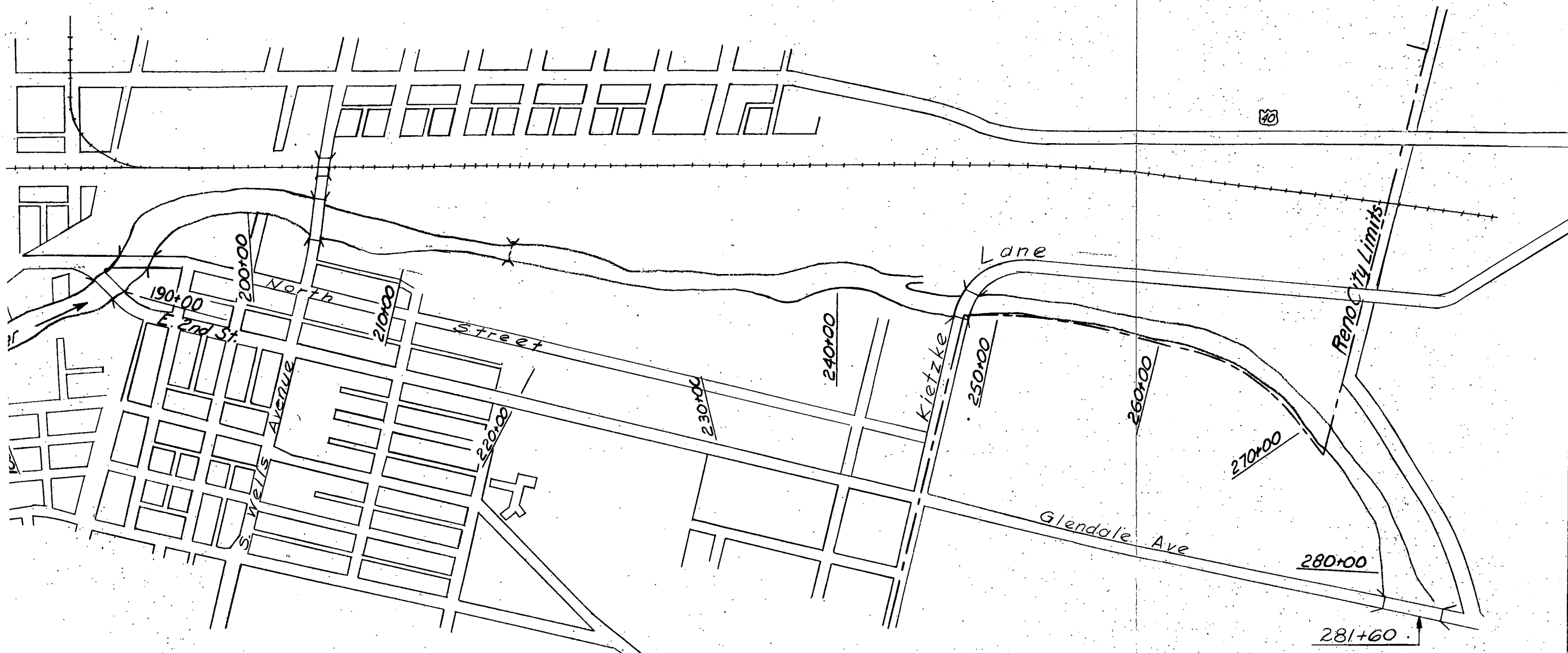
EXHIBIT B

EXHIBIT C

PLATES SHOWING INTERMITTENT IMPROVEMENT

EXHIBIT C

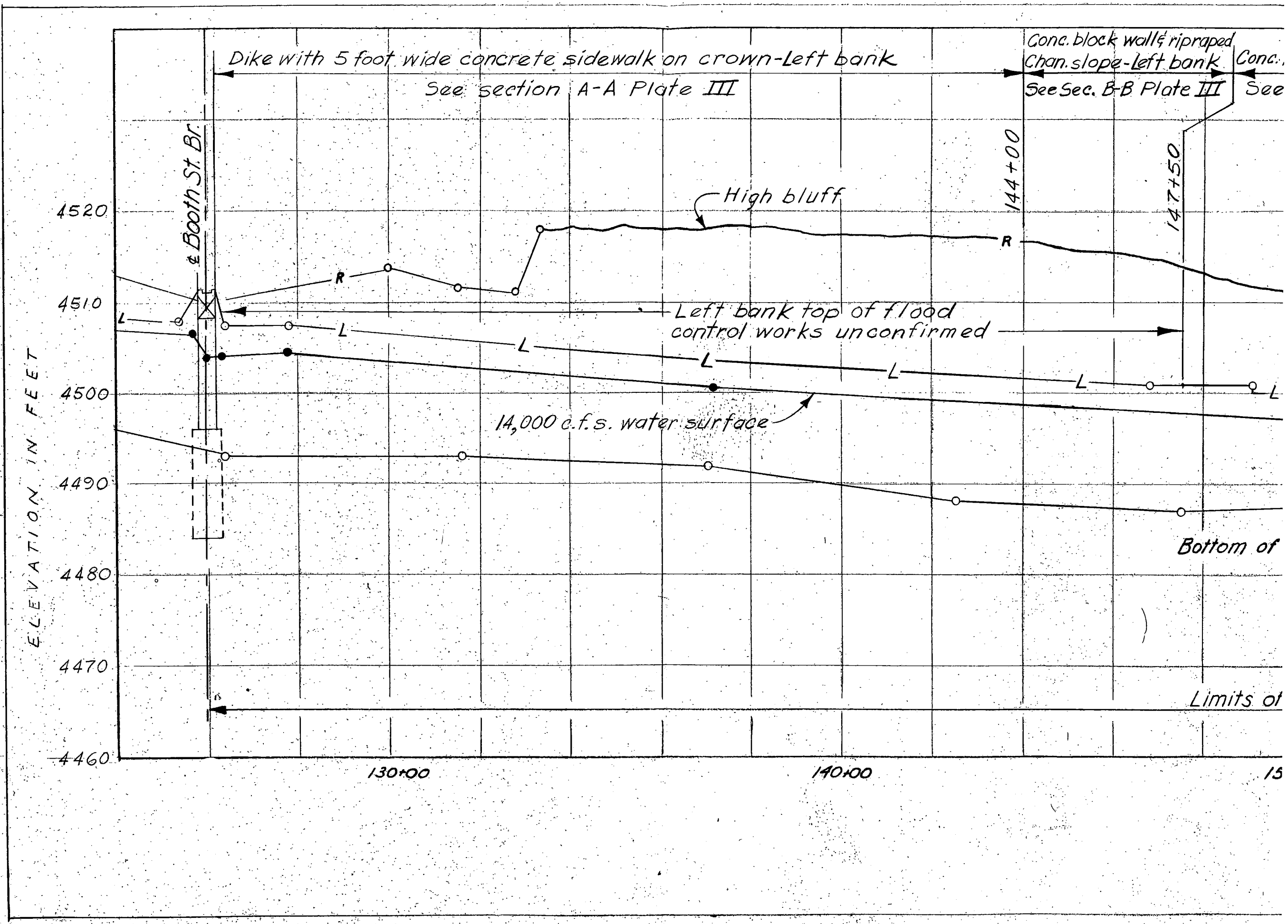


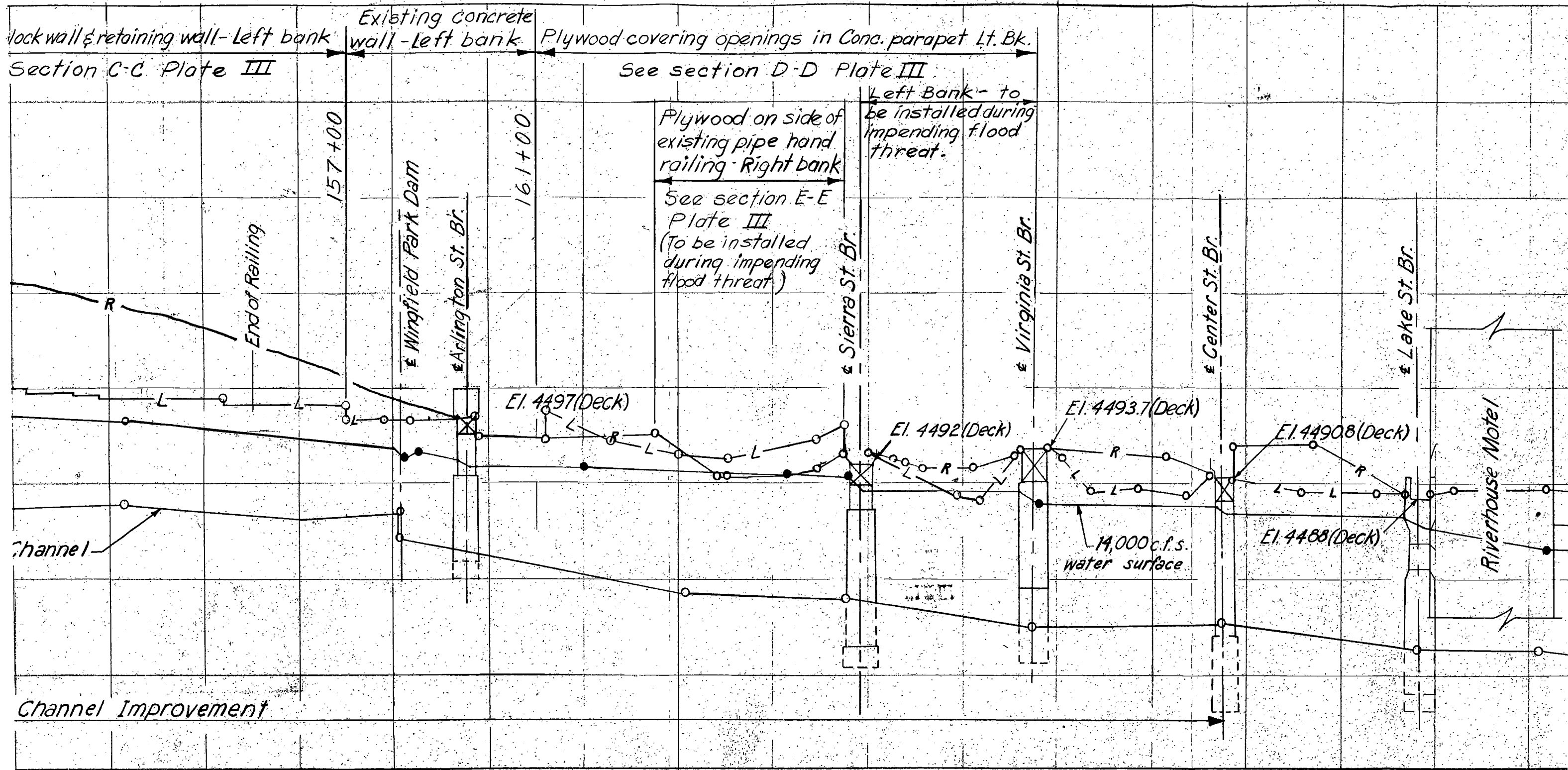


LEGEND

- xxx = Earth dike
- ▲▲▲ = Rock & concrete block wall
- ooo = Parapet wall closure (plywood)

MARTIS CREEK FLOOD CONTROL PROJECT
 WASHOE COUNTY, NEVADA
 CHANNEL IMPROVEMENT
 THROUGH RENO NEVADA
 PLAN
 Date: April 1973



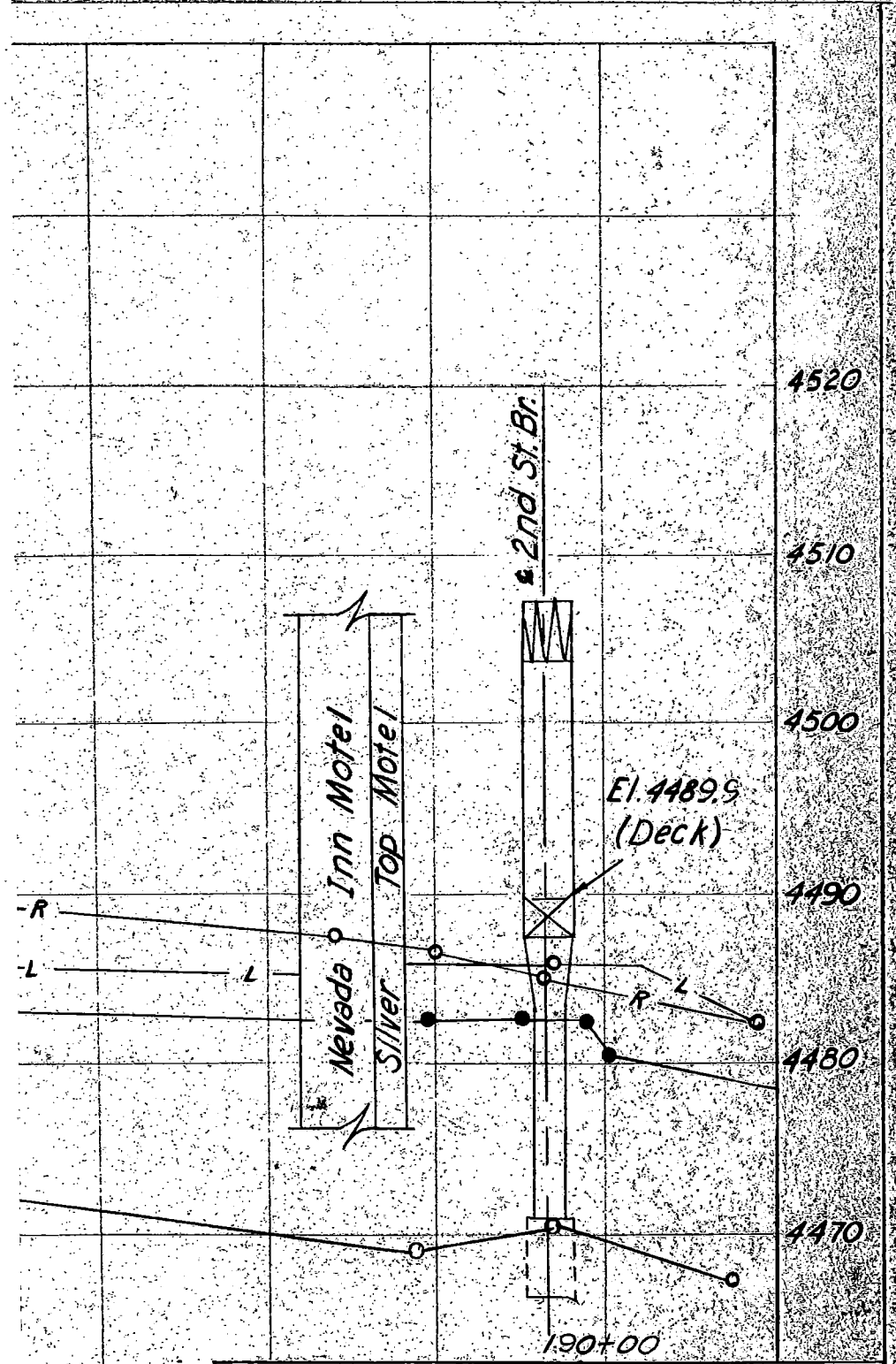


LEGEND

- L- = Top of left bank or wall.
- R- = Top of right bank or wall.

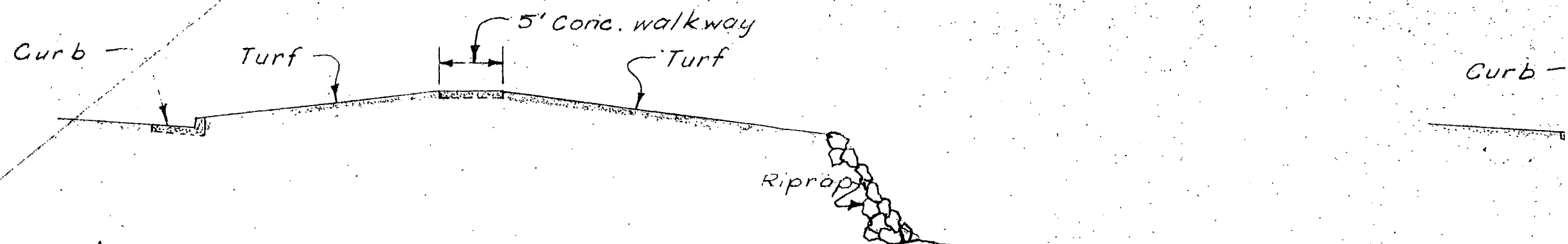
NOTE:

All elevations are referred to Mean Sea Level datum, 1929 adjustment

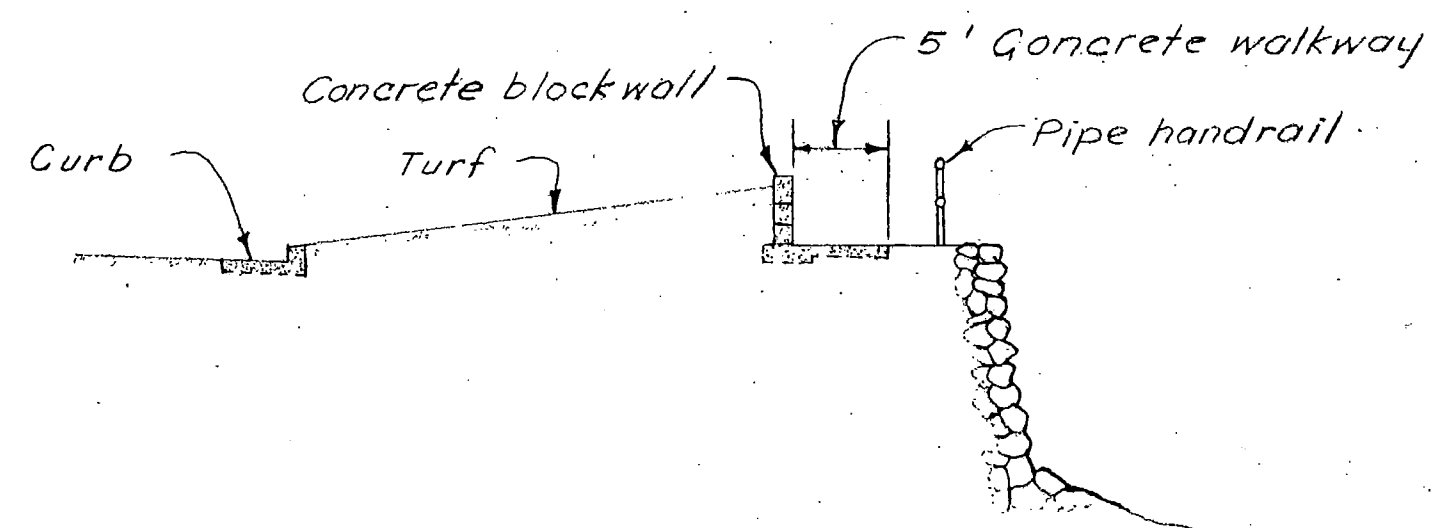


MARTIS CREEK FLOOD CONTROL PROJECT
 WASHOE COUNTY, NEVADA
 CHANNEL IMPROVEMENT
 THROUGH RENO NEVADA
 PROFILE

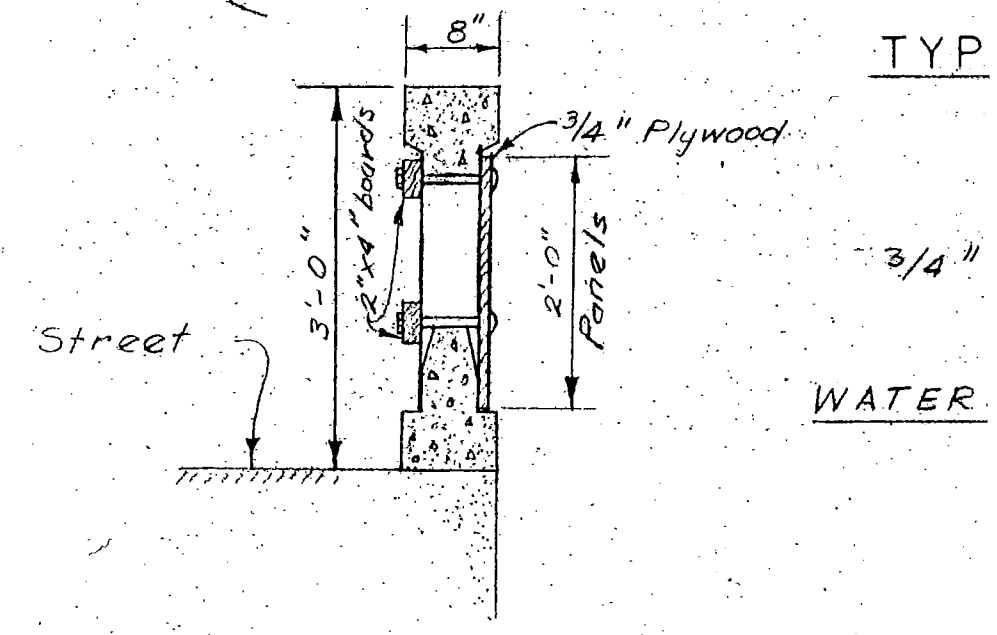
Date: April 1973



TYPICAL SECTION A-A



TYPICAL SECTION B-B



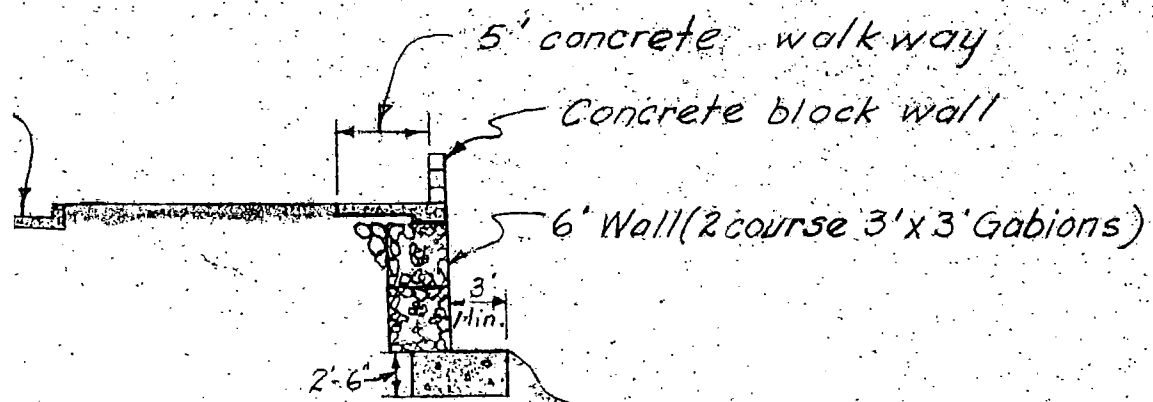
TYPICAL PARAPET WALL SECTION D-D

TYP

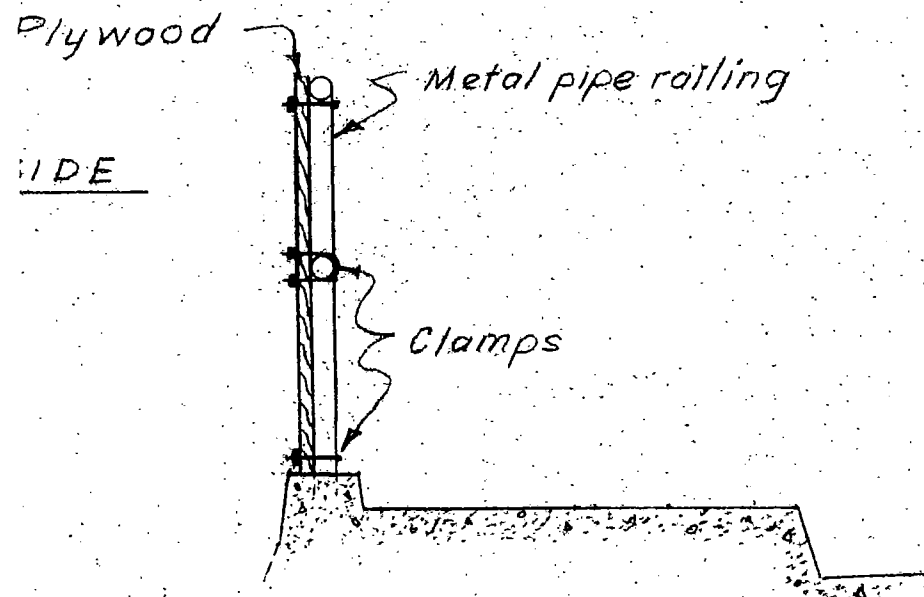
3/4"

WATER

TYP



CAL SECTION C-C



CAL SECTION E-E

MARTIS CREEK FLOOD CONTROL PROJECT
 WASHOE COUNTY, NEVADA
 CHANNEL IMPROVEMENT
 THROUGH RENO NEVADA
 SECTIONS

Date: April 1973

EXHIBIT C PLATE III

EXHIBIT D

SUGGESTED SEMI-ANNUAL REPORT FORM

EXHIBIT D

TO: The District Engineer
U.S. Army Engineer District, Sacramento
Corps of Engineers
650 Capitol Mall
Sacramento, California 95814

(1 May 19__)
(1 Nov 19__)

Dear Sir:

The semi-annual report for the period (1 May 19__ to 31 October 19__) (1 November 19__ to 30 April 19__) Truckee River Project channel improvement, Washoe County, Nevada, is as follows:

a. The physical condition of the protective works is indicated by the inspector's report, copies of which are inclosed, and may be summarized as follows:

(Superintendent's summary of conditions)

It is our intention to perform the following maintenance work in order to repair or correct the conditions indicated:

(Outline the anticipated maintenance operations for the following 6 months.)

b. During this report period major high water periods (water surface in the Truckee River reached or exceeded a reading of 8.0 on the U.S.G.S. gage downstream from Reno) occurred on the following dates:

<u>Dates</u>	<u>Maximum Elevation</u>
_____	_____
_____	_____
_____	_____

Comments on the behavior of the protective works during such high water periods are as follows:

(Superintendent's log of flood observations)

During the high water stages when the water level reached a height of _____, on the gage or excess thereof (dates) _____, it was necessary to organize and carry out flood operations as follows:

c. The inspections have indicated (no) or (the following) encroachments or trespasses upon the project right-of-way.

d. (No) (_____) permits have been issued for (the following) improvements or construction within the project right-of-way.

Executed copies of the permit documents issued are transmitted for your files.

e. The status of maintenance measures, indicated in the previous semi-annual report as being required or as suggested by the representatives of the District Engineer, is as follows:

(Statement of maintenance operations, item by item with percent completion.)

f. The fiscal statement of the Superintendent's operations for the current report period is as follows:

	<u>Labor</u>	<u>Material</u>	<u>Equipment</u>	<u>Overhead</u>	<u>Total</u>
1. Inspection					
2. Maintenance					
3. Flood fighting Operations					

TOTAL

Respectfully submitted,

Superintendent of Works

EXHIBIT D
Sheet 2 of 2

EXHIBIT E

SUGGESTED CHECK LISTS FOR CHANNELS

EXHIBIT E

CHECKLIST

CHANNEL AND RIGHT-OF-WAY
TRUCKEE RIVER

Inspector's Report Sheet No. _____

Inspector _____

Date _____

Superintendent _____

Item	Remarks
(a) Name of channel and Location by stations	
(b) Vegetal growth in channel	
(c) Debris and refuse in channel	
(d) New construction within right-of-way	
(e) Extent of aggradation or degradation	
(f) Condition of riprapped section	
(g) Condition of bridges	
(h) Measures taken since last inspection	
(i) Comments	

INSTRUCTIONS FOR COMPLETING SHEET 1, EXHIBIT E

- Item (a) Indicate station of observation obtained by pacing from nearest reference point.
- Item (b) Note nature, extent, and size of vegetal growth within the limits of floodflow channel.
- Item (c) Note nature and extent of debris and refuse that might cause clogging of the conduits of the irrigation intake works, fouling of the tainter gates, or the bridges over the channel.
- Item (d) Report any construction along the improved channel or above the project works that has come to the attention of the inspector and that might affect the functioning of the project.
- Item (e) Indicate any change in grade or alignment of the channels, either by deposition of sediment or scour, that is noticeable by visual inspection. Estimate amount and extent.
- Item (f) Indicate any change that has taken place in the riprap such as disintegration of the rock, erosion, or movement of the rock. Note the presence of vegetal growth through the riprap.
- Item (g) Note any damage or settlement of the footings of the bridges. Indicate condition of wooden structures and if repainting is required. Indicate condition of bridge approaches, headwalls, and other appurtenances.
- Item (h) Indicate maintenance measures that have been performed since the last inspection and their condition at time of this inspection.
- Item (i) Record opinion, if any, of contributory causes for conditions observed, also any observations not covered under other columns.

NOTE: One copy of the Inspector's Report is to be mailed to the District Engineer immediately on completion, and one copy is to be attached to and submitted with the Superintendent's semi-annual report.

EXHIBIT F
LETTERS OF ACCEPTANCE BY LOCAL INTERESTS

EXHIBIT F

C
O
P
Y

CARSON-TRUCKEE
WATER CONSERVANCY DISTRICT

C
O
P
Y

February 26, 1973

District Engineer
Corps of Engineers
Sacramento District
650 Capitol Mall
Sacramento, California 95814

Dear Sir:

Enclosed is a copy of the minutes of the Board of Directors meeting of December 11, 1972 wherein the District policy regarding assurances pertaining to the Martis Creek project are reaffirmed.

Very truly yours,

/s/ R. S. Leighton
R. S. Leighton
Secretary

EXHIBIT F
Sheet 1 of 3

C
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C
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Meeting No. 161

MEETING OF THE BOARD OF DIRECTORS

CARSON-TRUCKEE WATER CONSERVANCY DISTRICT

Held at District Offices
460 Marsh Avenue
Reno, Nevada
10:00 A.M.
December 11, 1972

PRESENT

DIRECTORS

OTHERS PRESENT

Edward M. Peckham
George Pomeroy, Jr.
Edward L. Pine
R. S. Leighton
Frank P. Ghiglia, Jr.

"
"
"
"
"

Claude E. Hunter, Civil Engineer
Nathan Geering, U.S.B.R.
James W. Johnson, Jr., Attorney

ABSENT

Charles P. Frey
Graham Sanford

"
"

The meeting was called to order by the President.

The minutes of the meeting of November 9, 1972 were approved as previously distributed.

The Treasurer's report was submitted. It was moved by Mr. Pine, seconded by Mr. Pomeroy and carried that the Treasurer's report be adopted and that voucher checks number 301 to number 305 inclusive on the First National Bank and voucher checks number 3774 to number 3795 on the Security National Bank be approved for payment of current bills.

Mr. Hunter reviewed the meeting with representatives of the Corps of Army Engineers and representatives of the City of Reno, City of Sparks and Washoe County regarding the Truckee River Channel maintenance that is scheduled under the Martis Creek Flood control project.

EXHIBIT F
Sheet 2 of 3

It was brought out that the City of Reno and Washoe County had verbally agreed to do the work within their respective boundaries, however, the District would be primarily responsible under the original agreement.

It was moved by Mr. Pomeroy, seconded by Mr. Pine and carried that the District accept the responsibility and proceed to do what was necessary under the Federal regulations.

Mr. Johnson reviewed the status of the cases, Paiute Tribe vs the Secretary of the Interior and the United States vs Nevada and California. There was nothing that had developed which required any District action.

There being no further business, the meeting was adjourned at 11:20 A.M.

/s/ Edward M. Peckham
Edward M. Peckham
President

/s/ R. S. Leighton
R. S. Leighton
Secretary-Treasurer

EXHIBIT G

SAMPLE PERMIT

for use of

RIGHT-OF-ENTRY

EXHIBIT G

EXHIBIT G

PERMIT

(Name of Levee Commission or City)

(Location)

Permission is hereby granted to:

(Name of Firm or Individual)

(Address)

TO: (Describe in these spaces the proposal, including kind and type of construction, purpose intended, and location by stations. Indicate passageway provided by means of gates, etc. Use separate sheets if necessary, identifying each by reference herein.)

PROVIDED THAT:

Upon termination or expiration of this permit (whether by voluntary relinquishment by the grantee, by revocation by the grantor or otherwise) the grantee shall remove all structures, improvements, or appurtenances which may have been erected or constructed under this permit, and shall repair or replace any portion of the flood protection structure or right-of-way which may have been damaged by his operations (including grading and seeding, or sodding, if necessary), to the satisfaction of the grantor.

The structure or operation for which this permit is issued shall be maintained by the grantee in such manner as shall not injure or damage the flood protection structure, or interfere with its operation and maintenance in accordance with regulations of the Secretary of the Army.

The structure or operation covered by this permit may be damaged, removed or destroyed by the grantor in time of flood emergency if such action is determined by the grantor to be necessary in order to preserve life or

property or prevent damage or impairment to the use of safety of the flood protection structure, and the grantor shall not be liable to the grantee for such damage or destruction.

Unless otherwise specifically provided herein, this permit may be cancelled at anytime by the grantor upon 10 days written notice mailed to the address shown above. During such 10 day period, (or such other period as may be provided herein), the grantee will be permitted to remove any property or improvements installed under this permit, and to repair or replace any damage to the flood protection right-of-way or structures resulting from his use or operations. At the end of such period, the grantor shall have the right to possess and dispose of any such property or improvements remaining upon its right-of-way, and may proceed to repair or replace any such damage, and the grantee herein shall be liable to the grantor for the full cost of such repairs or replacements.

The construction, installation and maintenance of the structure or structures covered by this permit shall be subject to inspection by representatives of the grantor and the United States at all reasonable times.

In the event the work covered by this permit consists of or includes major construction, the cost of inspection thereof by the grantor and/or the United States shall be paid by the applicant.

Grantee agrees that it will not use the area or facilities covered by this permit, or permit such area to be used, for any purpose other than is specifically covered by this permit.

(Use these spaces for special conditions applicable to this permit.)

THIS PERMIT SHALL NOT BE VALID UNTIL APPROVED BY THE DISTRICT ENGINEER OF THE U. S. ARMY ENGINEER DISTRICT, SACRAMENTO, OR HIS AUTHORIZED REPRESENTATIVE.

Terms of this permit
are hereby accepted

(Signature (Grantor) (Title) (Date))

Approved:

(Signature (Grantee) (Date) _____ (Date))

District Engineer

REGULATIONS GOVERNING ISSUANCE OF PERMITS FOR USE OF
RIGHTS-OF-WAY FOR FLOOD PROTECTION PROJECTS

The flood protection works and rights-of-way are owned by the local interests and will be operated and maintained by them in accordance with the Regulations of the Secretary of the Army, and issuance of any permits to use any part of the rights-of-way will be handled by the local interests, with the restriction that no such permit may be issued without the approval of the District Engineer, as stated in Paragraph No. 208.10, (a) General, (5) of the Regulations, a copy of which is attached hereto.

Applications for use of the rights-of-way should be addressed to the City or Levee Commission having jurisdiction over the local flood protection project. The City or Levee Commission will then forward the application to the District Engineer, of the U. S. Army Engineer District, Sacramento, California, with its recommendation, with reasons for such recommendation. It is suggested that the application and recommendations be forwarded with a draft copy of the permit, in order that all objectionable features may be eliminated prior to its proffer to the applicant as this may prevent misunderstandings and arguments. If for any reason it is desired to forward the permit itself without this intervening step, five copies of the proposed permit should be included on which is stated the exact use of the rights-of-way, for which permission is being requested, together with any condition or restriction of the permit. The permit should be signed by the applicant and an official of the local interests. A drawing, sketch or detail plans as may be required to show the exact location, nature of work and proposed method of construction should be attached to each copy of the permit. If the permit is approved by the District Engineer, three copies will be returned. This will enable each party concerned to have a copy of the approved permit.

In any case where a permit is requested for any purpose which might cause disfigurement or damage to the flood protection rights-of-way or structure in its erection, use, or removal, it is suggested that the applicant be required to post a bond of sufficient amount to protect the local interests from any cost of repair or removal, and to guarantee faithful performance of the permit conditions. In such cases the permit should state the amount and conditions of the bond.

In cases involving major construction or other work which may directly affect the flood protection structure, it will be necessary that the United States inspect the work and the local interests may also desire to inspect it. As stated in the permit form, such inspection will be at the expense of the grantee, and this should be called to his attention. Except in cases of known financial security, arrangements should be made with the grantee for an advance deposit or bond to cover such costs.

There is attached hereto a copy of a permit form which has been successfully used by a number of cities and levee committees.