**RECLAMATION DISTRICT 799**

Policies and Procedures

September, 2004

1. It is the policy of Reclamation District 799 (RD 799) to maintain its 8.9 miles of non-project levees at an elevation of 10.2 feet per National Geodetic Vertical Datum, 1929.
2. **Subventions Participation:** RD 799 will strive to be part of the State of California’s annual Subventions Program and Special Flood Control Projects Program, which endeavor to keep levees in an ongoing maintenance program from year to year, and to meet requirements of levee profiles establishing a 2 to 1 slope on the waterside and 4 to 1 slope on the landside, and a twenty (20) foot wide crown at a minimum elevation of 10.2.
3. **Damages to Grass/Ruts:** All levees will have a 12 foot-wide all-weather road of gravel four inches thick on the levee crown. Property owners may obtain a permit to plant grass on top of the gravel road. When permitted, this grass becomes a levee encroachment which is the responsibility of the property owners to maintain. RD 799 is not responsible for damage to the grass or ruts caused by levee patrols or levee maintenance traffic. RD 799 permitted pipes/conduits in the levee, are also encroachments which must be installed one foot above the 100 year flood elevation of 7.0 feet.
4. **Vegetation:** All levee slopes must be readily seen by levee inspectors. Any vegetation on a levee must be approved and have a RD 799 permit before planting. Permitted ground cover must be of a type on the approved vegetation list. Trees near the levee crown are to be kept trimmed to maintain a twelve (12) foot vertical feet clearance and a thirteen (13) horizontal foot clearance over the levee crown. Trees with trunks over four (4) inches in diameter on the levee slopes are to be kept trimmed of branches five (5) feet above the ground for inspection visibility. A RD 799 permit is required before planting any trees on the levee. No new trees will be allowed within the design levee section. Large shrubs, hedges or other screening plants that inhibit levee inspection are not allowed.
5. **Fences:** Any fences installed at the levee crown, but not across the levee crown, must be of materials that allow levee inspections. New and replacement fences parallel to the levee crown must be of a “see-through” type in order for levee inspectors to be able to see and inspect the levee quickly from a patrol vehicle. Chain-link, lattice, picket, wrought-iron, and hog wire are examples of “see-through” fences. Solid board fences with boards up to 3 1/2 inches wide must be spaced apart at least the width of the board. Solid fences of nominal 4”, 5”, 6” width must be spaced at least 3 1/2 inches. Boards wider than six (6) inches are not permitted. Vegetation that screens the view through the fence, such as vines, ivy, grapes, etc. will not be permitted.
6. **Decks/Retaining Walls/Structures:** Any structures, except gangways and walkways, permitted by RD 799 on filled areas or decks installed between the design levee profile and retaining walls, must be elevated at least 12 inches to allow for inspections of the levee under the structures. No structures will be allowed on or over the levee’s design slope.
7. **Levee Super’s Responsibilities:** RD 799 will employ a levee superintendent, whose duties will include, but not limited to: maintaining the District’s pumps, inspecting levees, investigating any and all complaints or urgencies, and enforce RD 799 policies, as part of the job description for the superintendent position.
8. **District Secretary:** RD 799 will employ a District secretary to keep minutes of all District Board meetings, a file of all District correspondence, a tile of all District permits issued, and to maintain a continuity of District business, as part of the job description for the secretary position.
9. **Insurance:** RD 799 will have insurance policies covering: errors and omissions, general liability, inland marine, personal property, real property, fire, workman’s compensation, and automobile liability at all times.
10. **Assessments:** RD 799 will call for at least one annual assessment from all property owners in RD 799. The basis of the assessment will be the assessment authorized by the assessment procedure approved by the landowners on February 27, 2003. This assessment is to be collected by Contra Costa County on its annual real estate tax bill. The purpose of the annual assessment is to raise funds for the maintenance, repair and operation of RD 799’s reclamation works, the payment of incidental expenses thereto, and for the construction of reclamation works supplemental to, or in replacement of, those already possessed.
11. **Pump Stations:** RD 799 will maintain the necessary number of pump stations to remove all drain water collected in the official drainage ditches. The maintenance, replacement, and operation costs of these pumps will be paid through the annual budget. RD 799 will accept all surface drainage water meeting water quality standards brought to an official drainage ditch.
12. **Access Roads:** It will be the policy of RD 799 to require all new waterfront subdivisions to provide the District with access roads from the public road to the levee top in the subdivision so that emergency vehicles (levee maintenance, fire and ambulance) will have access to the levee crown. These up-ramp roads will be a minimum of 20 feet wide, with a turning radius at the levee top of at least 20 feet. Waterfront subdivisions also will meet RD 799’s specifications for levees as delineated in #2 of this policy.
13. **Fishing/Camping:** It will be the policy of RD 799 to forbid fishing and camping on levee crowns/tops or slopes, or sides, and to discourage the use of levee top roads by anyone but RD 799 maintenance and emergency personnel and vehicles.
14. **Permits/Date allowed for Work on Levees:** RD 799 will require a permit from any owner, developer, or builder, who is planning any construction and/or land filling. within the boundaries of RD 799 that affects the levee or drainage systems. No work will be allowed on the levees from October 15 to March 15. RD 799 permit will be required before starting work on any property.
15. **Ramps/Walkways:** All ramps/walkways from the levee top to either a water or landside facility shall be no more than four feet wide, and will be considered a levee encroachment.
16. A RD 799 permit does not give the permittee the right to use the levee-top road to cross neighbors’ property.
17. **Levee Setback:** Permitted buildings must be set back at least 15 feet from the toe of the design levee, and at least 60 feet from the waterside edge of the design levee crown. Along Dutch Slough Road and Sandmound Boulevard the setback will be determined on a case by case basis by the District Engineer, considering the setback established by existing conforming houses in the immediate vicinity.
18. **Drainage for Remodeling Projects:** All permits for new or remodeling projects within RD 799 boundaries must provide a drainage plan. If the project is behind a levee, the plan must include a “french drain”, (which is an underground perforated pipe surrounded by gravel), installed between the landside levee toe and any building, new or existing, on the lot. This french drain will have pipes running along the edge of the lot to convey drainage from the french drain to the RD 799 drainage ditch that exists on the lot. If this drain ditch has been replaced with a culvert pipe, then the drainage plan for the project must show how the drainage gets into the culvert pipe.
19. **Permit Posting:** All permits are to be posted on the job site in plain view. All permits will have a life of one year. The date when the project will start must show on the permit form.
20. **Permit and indemnification forms** will be available at the office of the District’s secretary during regular business hours. Permit applications and a copy of the plans for the project must be submitted at least one week before a regular RD 799 Board of Trustees meeting on the fourth Thursday of each month. All permits will be recorded by the County Recorder. Recording fees will be charged to the permittee as a cost of processing the permit.
21. **Meetings:** The RD 799 Board of Trustees will meet at least once a month, and usually on the last Thursday of the month at 2:00 p.m. The meeting place will be the District’s office at 6325 Bethel Island Road, located in Bethel Island. The chairman of the Board of Trustees will preside at the meetings. The meeting place and date of the meeting may be changed at the discretion of the Board of Trustees. Notices for all regular meetings will be posted in at least three locations within RD 799 boundaries at least 72 hours before the meeting. Notices for special meetings will be posted in at least three locations within RD 799 boundaries at least 24 hours before the meeting.
22. **Five Member Board:** The Board of Trustees will consist of five members elected according to election procedures of the California Water Code. Vacancies on the board of trustees will be filled according to the Government Code. Trustees serve without compensation and must own land or the legal representative of a landowner within RD 799 boundaries. Trustees may be reimbursed for any expenses while doing official RD 799 business other than meetings.
23. **Levee Breaching:** The District’s policy on levee breaching as part of a development is to consider each request on a case by case basis.
24. **Levee Crown/Roads:** When RD 799 raises the crown of the levee, it is implied and required that any up-ramp road will be raised and slopes flattened so as to continue to serve as a levee access road.
25. **Up-ramp levee access roads** should not be encumbered by posts, fences, etc. at the levee top to allow for the safe and convenient use by emergency vehicles and/or RD 799 maintenance or inspection vehicles.
26. **Gates:** RD 799 may permit gates to be installed at the off-levee end of a levee access road, where it joins the public road. RD 799 forbids the use of gates/fences/barricades that cross a levee-top road. If special circumstances require gates/fences/barricades, a RD 799 permit is required. If locked, all permitted gates/barricades must have official RD 799 locks, which have keys with the local fire department.
27. **Levee Inspections:** All RD 799 levees will be inspected by RD 799 personnel and/or state or federal inspectors at various times of the day/week/year, and these inspectors will have access to all roads on levee crowns and or slopes.
28. **Levee crown access roads on private property** must not be directly on the levee landside slope, but must be created by a filled area that must be engineered if the filled area at the toe of the levee is over three feet thick. A RD 799 permit is required before an access road may be built on a private lot.
29. **The adoption of these Policies and Procedures** is not intended to and shall not be construed or given effect in a manner that imposes upon RD 799 or any officer, agent, or employee thereof a mandatory duty of care toward persons and property within or without RD 799 so as to provide a basis of civil liability for damages, except as otherwise imposed by law.
30. It is the Developers responsibility to call into RD799 to have a final inspection completed.

# RECLAMATION DISTRICT 799

(Hotchkiss Tract)