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ORDINANCE NO. 6

County of Yuba
County Administrator

AN ORDINANCE REPEALING AND REENACTING ORDINANCE NO. 5 OF THE BOARD OF DIRECTORS OF THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY (TRLIA) IN ORDER TO UPDATE PUBLIC ACCESS AND RULES OF CONDUCT ON TRLIA LANDS IN THE FEATHER RIVER LEVEE SETBACK AREA

Pursuant to the powers contained in and referenced by the Joint Exercise of Powers Agreement by and between the County of Yuba and Reclamation District No. 784, the Board of Directors of the Three Rivers Levee Improvement Authority ("TRLIA") hereby repeals in its entirety Ordinance No. 5 that was passed and adopted on September 27, 2016 and ordains the following to replace and update the rules of conduct and public access on TRLIA owned lands in the Feather River Levee Setback Area:

SECTION 1

Public Access to Feather River Setback Area. TRLIA owns in fee title certain portions of the Feather River Levee Setback Area described more specifically and attached hereto and incorporated by reference as Exhibit A of this Ordinance, and hereby allows the public limited access as designated in Exhibit A consistent with the limitations set forth in this Ordinance and Chapter 8.110 of the Yuba County Ordinance Code - Feather River Levee Setback Area. Such access can be restricted or repealed at any time in the future for any reason through a future action of the TRLIA Board of Directors.

TRLIA Designated Public Access Areas. Public access across on TRLIA owned lands in the Feather River Setback Area are depicted in Exhibit A and described in more detail below:

1. Country Club Route: Beginning at the end of the County maintained Country Club Road, crossing over the Feather River Levee operated and maintained by Reclamation District 784 and continuing to the west to the western boundary of TRLIA owned land. Public utilizing this access route may do so at a speed not to exceed 15 miles per hour and utilizing motorized vehicles that are licensed and street legal, non-motorized conveyance, electric bicycles, or as pedestrians. No parking allowed along this route, except in the TRLIA designated parking locations as depicted in Exhibit A. No camping allowed at TRLIA designated parking locations.
2. TRLIA Western Boundary Route: This route is generally the footprint of the former location of the Feather River levee. Beginning at the TRLIA designated parking area at the western terminus of the Country Club Route, continue north or south along the

designated route; northerly to a TRLIA designated parking location that is approximately 14,000 feet (2.7 miles) north of the parking area at the end of the Country Club Route and southerly to a TRLIA designated parking location that is approximately 6,000 feet (1.1 miles) south of the parking area at the end of the Country Club Route. Public utilizing this access route may do so at a speed not to exceed 15 miles per hour and utilizing motorized vehicles that are licensed and street legal, non-motorized conveyance, electric bicycles, or as pedestrians. No parking allowed along this route, except in the TRLIA designated parking locations as depicted in Exhibit A. No camping allowed at the TRLIA designated parking locations.

3. TRLIA Public Open Space Area: To the west of the parking area located at the northern terminus of the TRLIA Western Boundary Route is TRLIA owned land approximately 185 acres in size and identified as Yuba County APN 014-250-028, and Sutter County APN 023-180-07 and 023-180-09. The parcel is generally bounded by the Feather River on the west and the TRLIA Western Boundary Route on the east, City of Yuba City sewer ponds on the north and State lands on the south. A complete legal description of the public open space area is referenced in Exhibit B. This TRLIA owned land is available for public uses consistent with Chapter 8.110 of the Yuba County Ordinance Code and conveyance via non-motorized conveyance, electric bicycles, and pedestrians at a speed not to exceed 15 miles per hour. No camping allowed in this area.

Rules of Conduct Associated with Access. In addition to the rules governing the public's use of the Feather River Levee Setback Area contained in Chapter 8.110 of the Yuba County Ordinance Code and incorporated herein by reference, TRLIA has developed the following additional rules associated with the public's use of TRLIA owned lands:

1. The public enters TRLIA owned land, including designated routes and parking areas, at their own risk.
2. The public must avoid damage to levees and abide by Chapter 9.35 of the Yuba County Ordinance Code, Regulation of Travel on Levees.
3. The public is only allowed on TRLIA lands on the designated routes, parking areas, and locations identified in this Ordinance and use must be consistent with Chapter 8.110 of the Yuba County Ordinance Code. All other TRLIA lands are for non-public access purposes including but not limited to farming, environmental conservation banks, other environmentally sensitive areas, and flood control purposes.

SECTION 2

This Ordinance shall take effect and be in force as of thirty (30) days after the date of its passage. Before the expiration of fifteen (15) days after the passage of this Ordinance, it or a summary of it shall be published once, with the names of the members of the Board of Directors voting for and against the Ordinance in a newspaper of general circulation in the County of Yuba.

SECTION 3

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Directors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

PASSED, APPROVED and ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority, State of California, this 1 day of October, 2024, by the following vote:

AYES: Directors Atwal, Bradford, Hastey, Vasquez

NOES: None

ABSENT: None

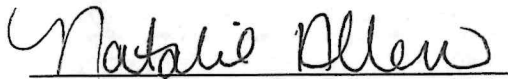
ABSTAIN: Director Lofton



CHAIRPERSON, Brent Hastey

ATTEST: MARY PASILLAS, SECRETARY

APPROVED AS TO FORM:
ANDREA P. CLARK, COUNSEL



Natalie Allen, Board Clerk



EXHIBIT 'A'

YUBA COUNTY FEATHER RIVER LEVEE SETBACK AREA MAP

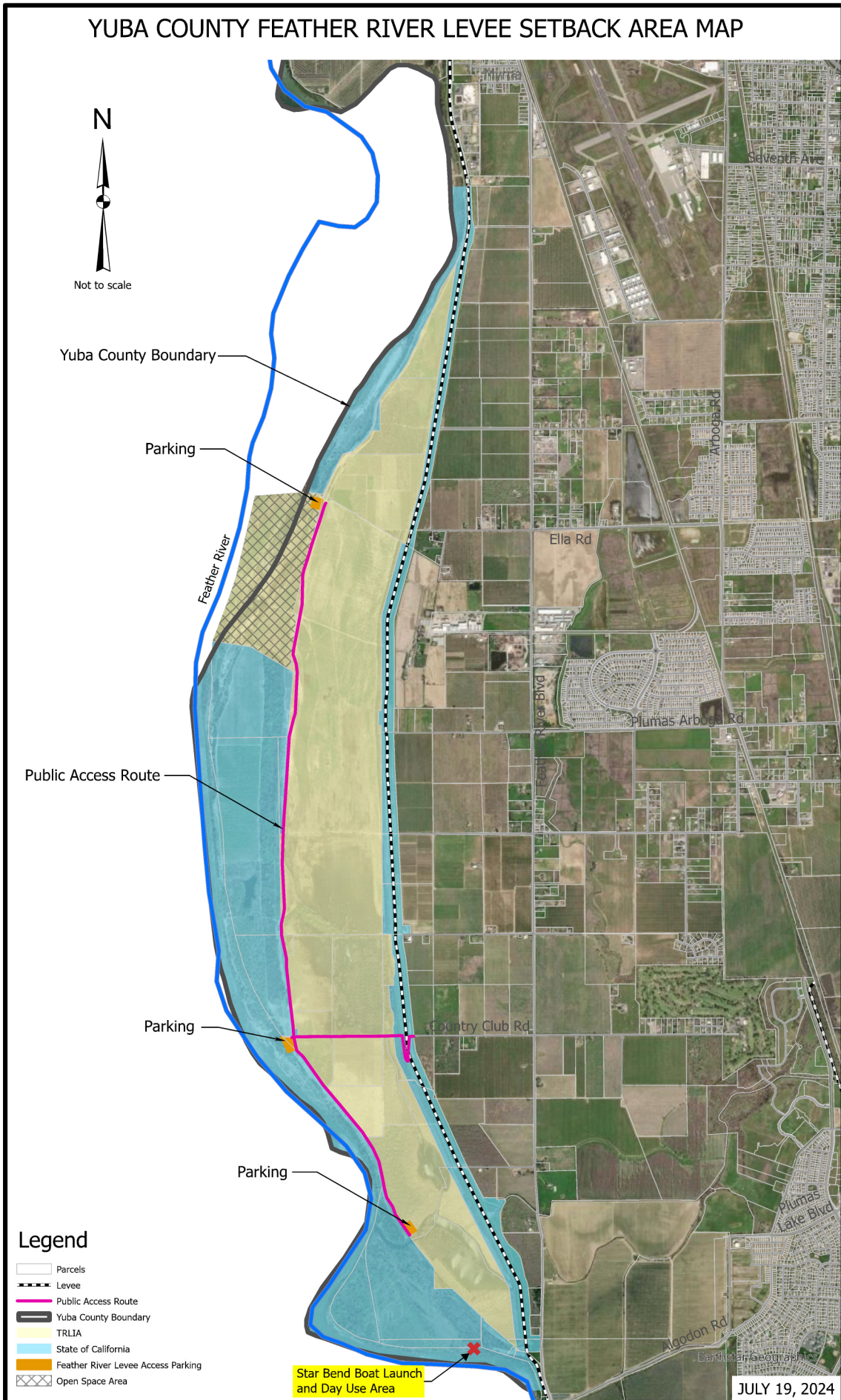


EXHIBIT 'B'
PROPERTY DESCRIPTION

YUBA COUNTY ASSESSOR'S PARCEL 014-250-028

All that real property situate in the County of Yuba, State of California, being a portion of Parcel 4, as described in the grant deed from Di Giorgio Fruit Company to Naumes of Oregon, Inc. dated June 14, 1978 and recorded in Book 671, Page 302, Official Records of said County and being more particularly described as follows:

All that portion of said Parcel 4 lying West of the following described line:

Commencing at the Northwest corner of that certain parcel described in decree quieting title in the matter of Earl Fruit Company vs. The Wolf Hop Company, recorded July 20, 1938 in Book 44, Page 469, Official Records of said County Northerly line of said parcel, South 59°09'11" East, 244.51 feet more or less to the toes of an existing levee and the Point of Beginning; thence along the toe of levee the following nine (9) courses:

1. South 20°10'14" West, 418.11 feet; thence
2. South 14°10'14" West, 483.28 feet; thence
3. South 14°06'14" West, 505.75 feet; thence
4. South 10°28'14" West, 1666.75 feet; thence
5. South 11°21'14" West, 112.79 feet to a point on the Southerly line of that certain parcel of land described in the quit claim deed to Di Giorgio Fruit Company, recorded in Book 270, Page 366, Official Records of said County; thence
6. along said Southerly line, South 69°03'22" East, 1.73 feet; thence
7. South 10°13'34" West, 877.66 feet; thence
8. South 04°56'32" West, 424.72 feet; thence
9. South 05°01'33" West, 3.33 feet to a point on the South line of that certain parcel described in the deed to Di Giorgio Fruit Company, recorded in Book 270, Page 363, Official Records of said County, being the Southerly line of said Parcel 4 and the Southerly terminus of the one described herein.

EXCEPTING THEREFROM all that portion of the above lying West of the Yuba-Sutter County line.

The above described parcel contains 105.33 acres more or less.

SUTTER COUNTY ASSESSOR'S PARCEL 023-180-07

All that real property situate in the County of Sutter, State of California, being a portion of Parcel 4, as described in the grant deed from Di Giorgio Fruit Company to Naumes of Oregon, Inc. dated June 14, 1978 and recorded in Book 671, Page 302, Official Records of said County and being more particularly described as follows:

All that portion of said Parcel 4 lying West of the Yuba-Sutter County line and lying North of a line which extends North 86°06'44" West, from the Western most corner of that certain parcel described in the quit claim deed to Di Giorgio Fruit Company, recorded in Book 270, Page 366, Official Records of said County, to the top left bank of the Feather River, being the West line of said Parcel 4.

The above described parcel contains 69.96 acres more or less.

SUTTER COUNTY ASSESSOR'S PARCEL 023-180-09

All that real property situate in the County of Sutter, State of California, being a portion of Parcel 4, as described in the grant deed from Di Giorgio Fruit Company to Naumes of Oregon, Inc. dated June 14, 1978 and recorded in Book 671, Page 302, Official Records of said County and being more particularly described as follows:

All that portion of said Parcel 4 lying West of the Yuba-Sutter County line and lying South of a line which extends North 86°06'44" West, from the Western most corner of that certain parcel described in the quit claim deed to Di Giorgio Fruit Company, recorded in Book 270, Page 366, Official Records of said County, to the top left bank of the Feather River, being the West line of said Parcel 4.

The above described parcel contains 9.57 acres more or less.

The following is a true and correct copy of the document on file in this office.

ATTEST: MARY PASILLAS

Clerk of the Board of Supervisors of
The County of Yuba, State of California

By: Natalie Allen

Date: October 1, 2024