



**TRLIA**  
**4th QUARTERLY**  
**PROGRESS REPORT**  
**FOR**  
**FEATHER RIVER LEVEE**  
**IMPROVEMENT PROJECT**

**Quarterly Progress Report (QPR) for 4th Quarter: January 1 – March 30, 2009**

**Date of Report: May 15, 2009**

**Purpose of Quarterly Report:** This report summarizes the work completed in the 4th quarter and compares the work to the work that was forecasted by the 4th Quarterly Work Plan, dated December 16, 2008.

**Specific Project Element Information:**

- **Major accomplishments accomplished this quarter (i.e. tasks completed, milestones met, meetings held or attended, press releases etc.)**
  - The State has found a solution to overcome the State financial crisis that suspended State funding for entire quarter. DWR has approved TRLIA's 4<sup>th</sup> and 5<sup>th</sup> quarter advance funding requests; however, funding has not yet been received.
  - Conceptual agreement has been reached between TRLIA, Enterprise Rancheria, DWR, CVFPB, and Corps on how to proceed with recently found Native American cultural site.
  - The Section 104 credit for Project Elements 3 and 4 was issued by the Corps on April 3, 2009
  - On April 6<sup>th</sup> TRLIA requested Regulatory design changes to be added to Project Elements 2 and 3. Total Cost is \$4,900,000.
  - On April 7<sup>th</sup> TRLIA requested that Erosion Site 2 be added to Project Element 5. Total Cost is \$855,000.

- At the April 9, 2009 SMGB meeting the Board voted unanimously to require TRLIA to submit a reclamation plan and financial assurances. However, the Board also made it clear that they wanted the project to continue given public safety concerns if the project was delayed.
- A new Corps requirement in 408 authorizations is a condition that prior to starting work TRLIA must complete a Safety Assurance Review (SAR) Plan. The Corp approved the TRLIA SAR on April 24, 2009.
- Significant Events and Press Releases during the Quarter:
  - TRLIA moved forward on creating a Benefit Assessment District for Operations and Maintenance revenues needed to maintain the Improvements being made on RD 784 levees.
    - **February 10, 2009:** Press Release - TRLIA TO UNVEIL PROPOSED PLAN FOR LEVEE ASSESSMENT DISTRICT (see attachment 1)
    - **February 26, 2009:** Press Release - TRLIA BOARD TO VOTE ON PROPOSED ASSESSMENT DISTRICT (see attachment 1)
    - **March 4, 2009:** Press Release – TRLIA BOARD SEEKS MORE INPUT ON PROPOSED ASSESSMENT DISTRICT (see attachment 1)
    - **March 26, 2009:** Press Release - TRLIA ISSUES BALLOTS FOR PROPOSED BENEFIT ASSESSMENT DISTRICT (see attachment 1)
  - **February 17, 2009:** TRLIA Board Benefit Assessment District Workshop
  - **March 18, 2009:** Public Tour of Levees
  - **March 21, 2009:** Public tour of Levees
  - **March 27, 2009:** Public Tour of Levees
- **Engineering and Construction matters:**
  - **Project Element 1 - Land Acquisition:**
    - **Feature 1 (Segment 2/Setback levee): Feature 1 (Segment 2/Setback levee):** The Tables below reflect the Real Estate actions accomplished in this Quarter.

- Listed below in are the eminent domain settlements in the 4<sup>th</sup> Quarter.

<u>Eminent Domain Case</u>	<u>Appraised Value</u>	<u>Settlement</u>
APN 014-370-036 (Nordic)	\$1,480,000	\$1,250,000

- Listed is a recent change to one of the eminent domain acquisitions: The cultural site design modification in Project Element 3 has changed the right of way requirements on the Herold's property. TRILIA will be acquiring the whole parcel and relocating the owner occupant in the summer of 2009.

<u>Eminent Domain Case</u>	<u>Appraised Value</u>	<u>Settlement</u>
APN 016-010-009 (Herold)	\$58,500	\$490,000

○ **Feature 2 (Segment 3):**

- No real estate actions were completed for Segment 3 in the 4<sup>th</sup> Quarter.

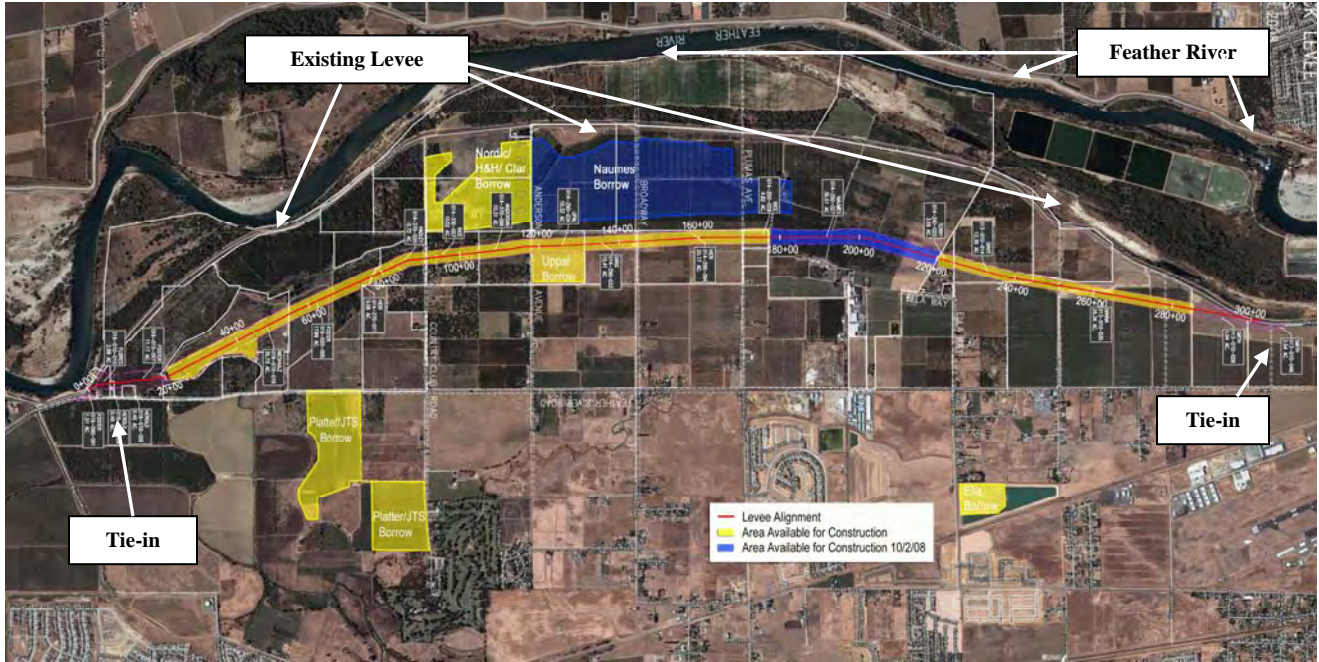
➤ **Project Element 2: Feather River Segment 2 setback levee w/o tie-ins and new levee construction requiring federal action (except as noted in features):**

- Due to the State financial crisis and weather, the only work performed this quarter was Pump Station 3 construction and the PG&E Bogue Loop Power Line relocation. Thru the end of December approximately 55% of Project Element 2 has been completed based on contractor submitted invoices. Table 1 below reflects the progress on Project Element 2 thru December 2009.

**Table 1: Project Element 2 Work Schedule**

Location	<b>Completed as of 12/30/08</b>			<b>Work to be performed 2009</b>		
	lineal feet of foundation	sf of cutoff wall	cubic yards embankment	lineal feet of foundation	sf of cutoff wall	cubic yards embankment
21+00 to 75+00	5,400	374,000	900,000	0	0	0
75+00 to 177+30	10,230	501,200	200,000	0	0	1,050,000
177+30 to 220+70 (Naumes)	4,340	239,000	20,000	0	0	510,000
220+70 to 285+30	6460	294,000	380,000	0	0	190,000
<b>Total</b>	<b>26,430</b>	<b>1,408,200</b>	<b>1,500,000</b>	<b>0</b>	<b>0</b>	<b>1,750,000</b>

- Below is a graphic for Project Element 2 and construction photos.



**January New Pump Station # 3**



**February New Pump Station # 3**

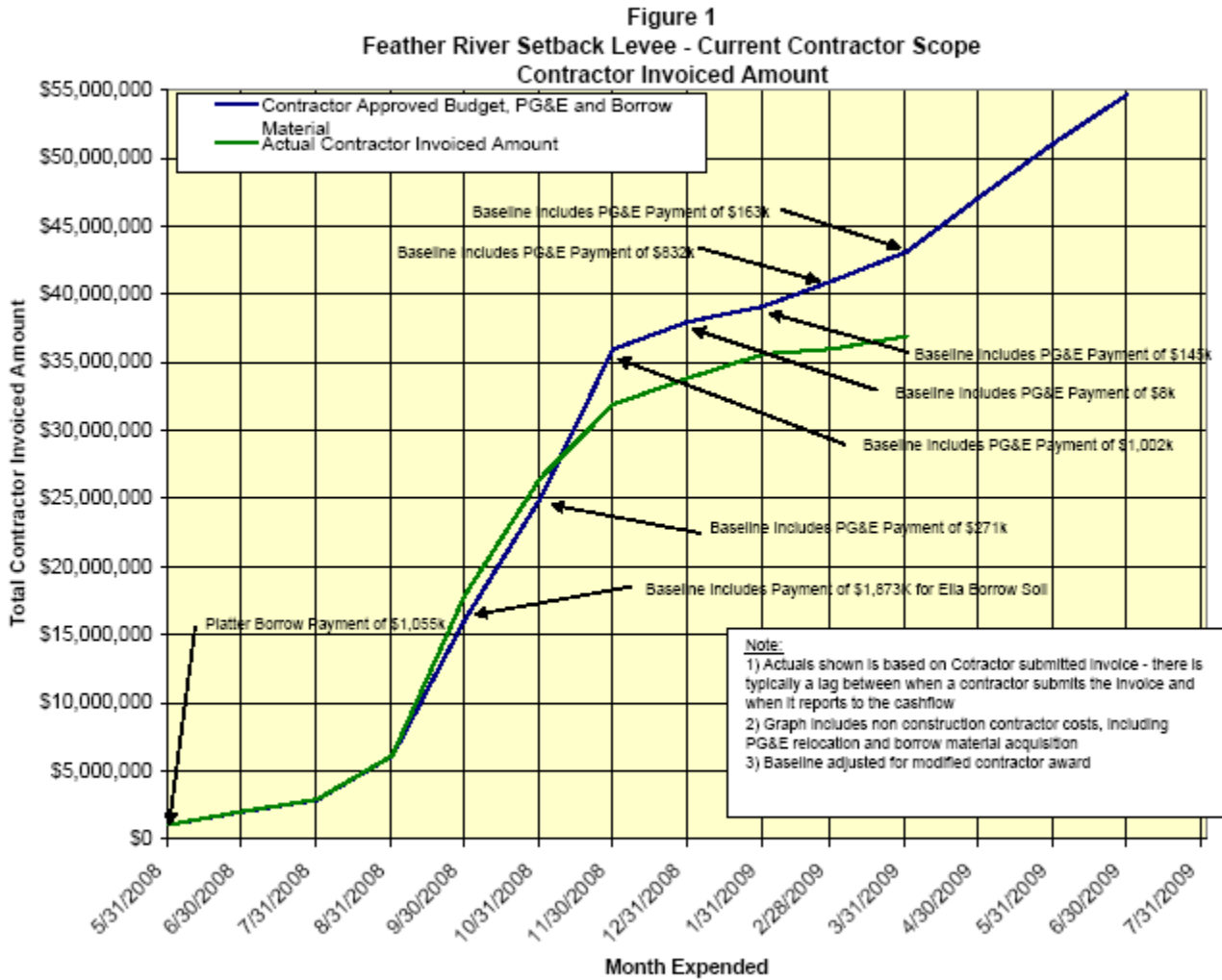


**March New Pump Station # 3**



**Feb -PG&E Bogue Power Line Work**

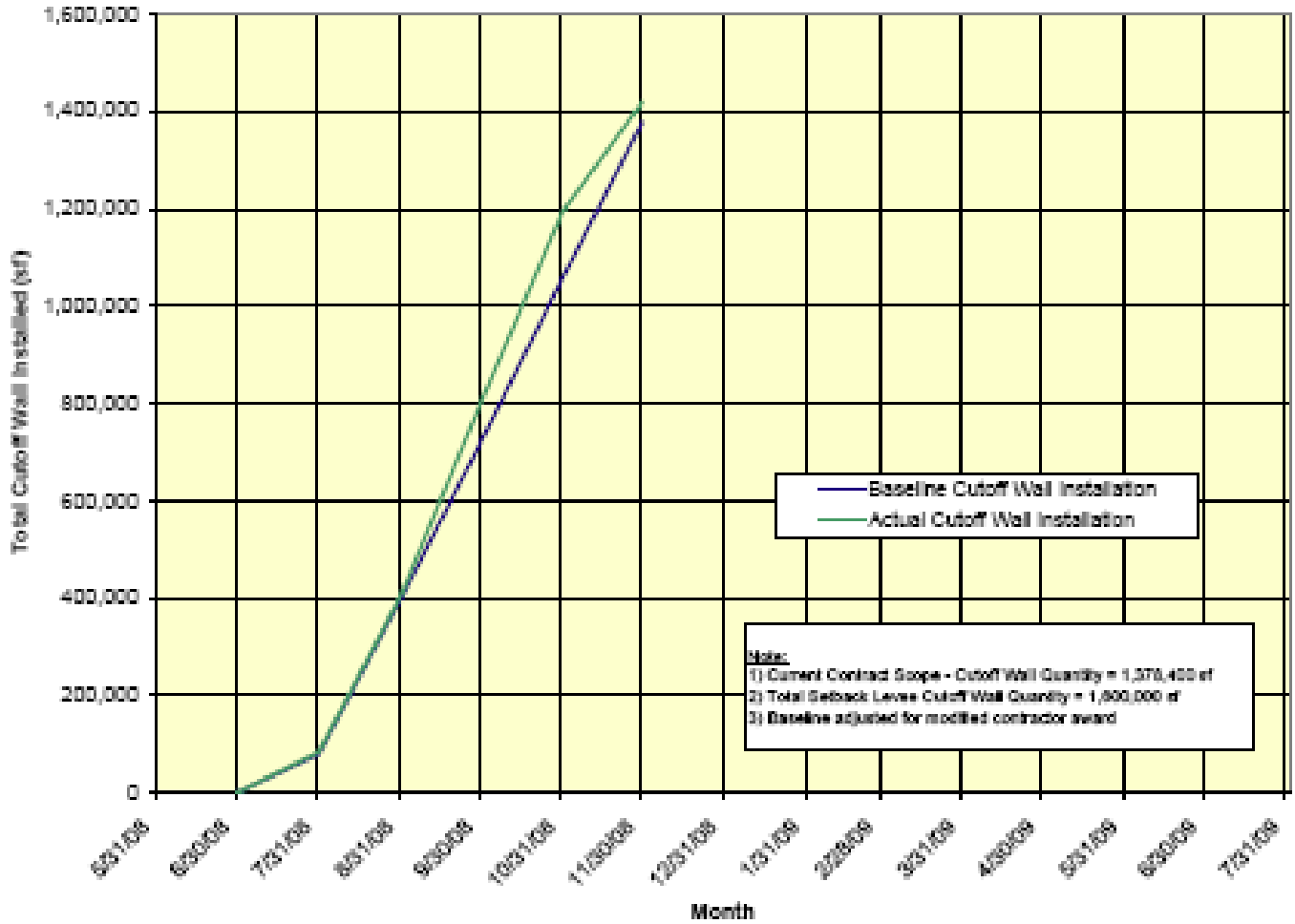
- Provided next are three TRLIA metrics that track Modified Schedule B work progress. These metrics are adjusted as work is added to the contract.



**Metric – Cost**

- As shown on Figure 1, the actual expended costs are somewhat below the baseline projection. The difference is due primarily to a 2-week construction shutdown in November due to a significant storm event, and PG&E transmission relocation being behind schedule.

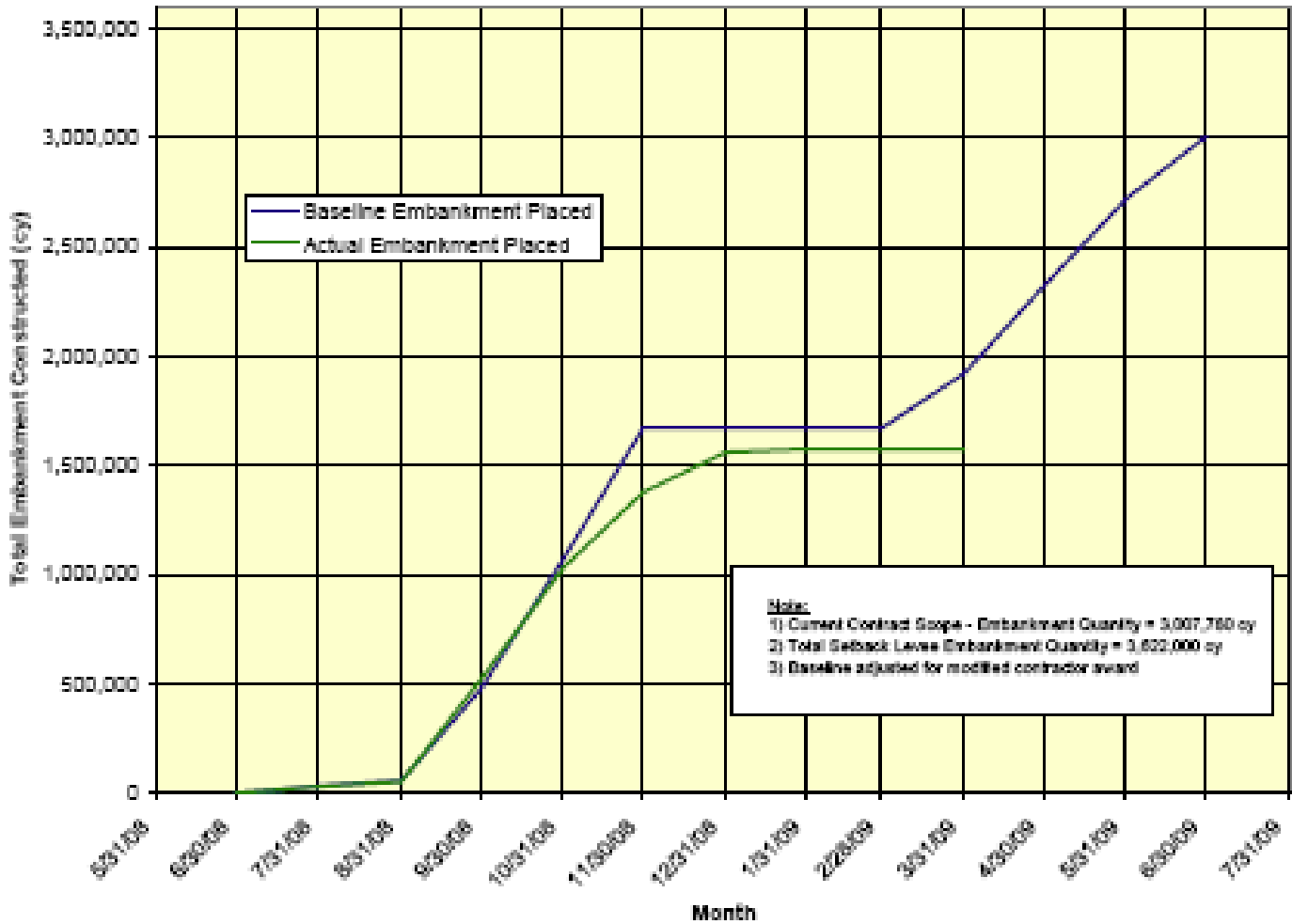
**Figure 2**  
**Feather River Setback Levee - Current Contractor Scope**  
**Cutoff Wall Installation**



**Metric – Cutoff Wall**

- As shown on Figure 2, the actual installed cutoff wall is very close to the baseline projection (within 3% of projection).

**Figure 3**  
**Feather River Setback Levee - Current Contractor Scope**  
**Embankment Construction**



**Metric – Embankment**

- As shown on Figure 3, the actual volume of embankment placed was somewhat below the baseline projection. The difference, approximately 200,000 cubic yards, was due primarily to a 2-week construction shutdown in November due to a significant storm event.

- On April 6<sup>th</sup> TRLIA requested Regulatory design changes to be added to this Project Element. The Total Cost of the request was \$4,900,000, Appendix I provides detailed information regarding the proposed affect of this increase to the Overall Work plan Budget.

➤ **Project Element 3: Feather River Segment 2 tie-ins and new levee construction requiring federal action**

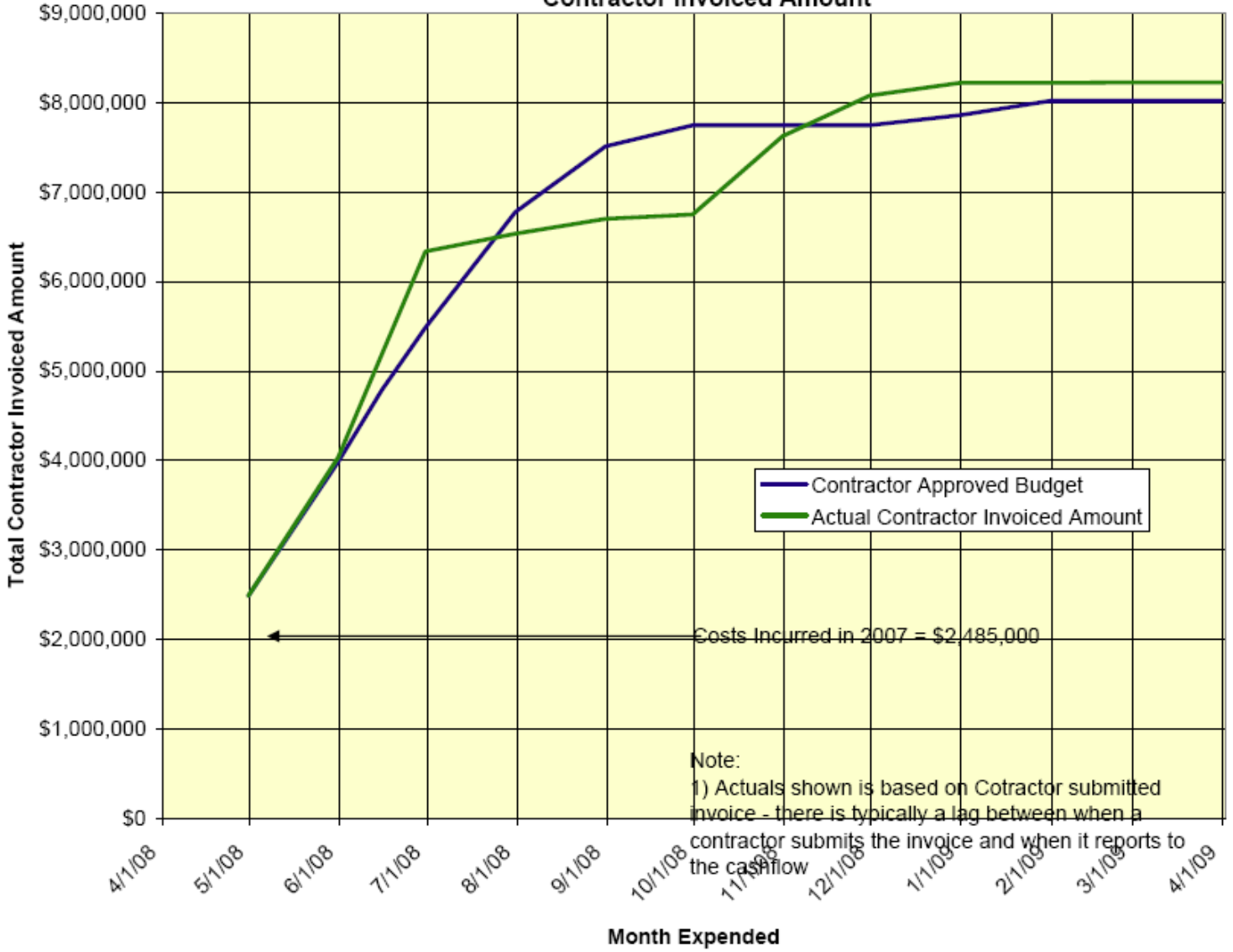
- No levee construction work was performed during this quarter within areas covered by Element 3 due to the State financial crisis and weather.
- As reported in the last QPR the Corps completed the federal permitting process (FEIS, 408 Authorization and 404 permit) for this Project Element – See Permit Section of this report (Attachment 3).
- The Section 104 credit for this Project Element was issued by the Corps on April 3, 2009 – See Permit Table (Attachment 3) and Corps letter (Attachment 4)
- TRLIA completed transplanting elderberry shrubs that were within the setback levee footprint of Project Element 3 to the elderberry mitigation area in the northern setback area
- A Native American cultural site was discovered near Star Bend in late 2008, which is located under the footprint of the planned Project Element 3 levee. Investigative work at the new site was performed during this quarter – See Environmental Section of this report. This discovery will cause additional design work and regulatory coordination to mitigate for the project impacts on the cultural site.
- TRLIA is awaiting the final Department of Fish and Game Permit, CESA 2081, to allow for the filling of Plumas Lakes Canal and completion of the tie-ins. TRIA can complete the north tie in and most of the south tie, but will need this permit to complete the entire southern tie-in. This is a State action.
- It is anticipated that this portion of work will be awarded to Teichert in the 5<sup>th</sup> quarter.

➤ **Project Element 4: Feather River Segment 2 existing levee degrade**

- As reported in the last QPR the Corps completed the federal permitting process (FEIS, 408 Authorization and 404 permit) for this Project Element – See Permit Section of this report (Attachment 3).
- The Section 104 credit for this Project Element was issued by the Corps on April 3, 2009 – See Permit Table in Attachment 3 and Corps letter (Attachment 4)

- TRLIA submitted an encroachment permit application to CVFPB on November 17, 2008 for degradation of the existing Feather East levee being replaced by the Feather Setback levee. Degradation is proposed to begin when a substantial portion of the Setback Levee has been completed in late summer 2009.
- No construction activity this quarter.
- **Project Element 5: Feather River Segment 3 levee improvement:**  
See Attachment 2 for graphic of Project Element 5 work.
- Construction efforts for this Project Element were completed in the 3<sup>rd</sup> quarter. Only minor punch list items were conducted this quarter, including:
  - Installation of fencing and k-rail barriers
  - Signage at the UPRR crossing
- Below are two TRLIA metrics that reflect major components of the Project Element 5 (Segment 3) work:

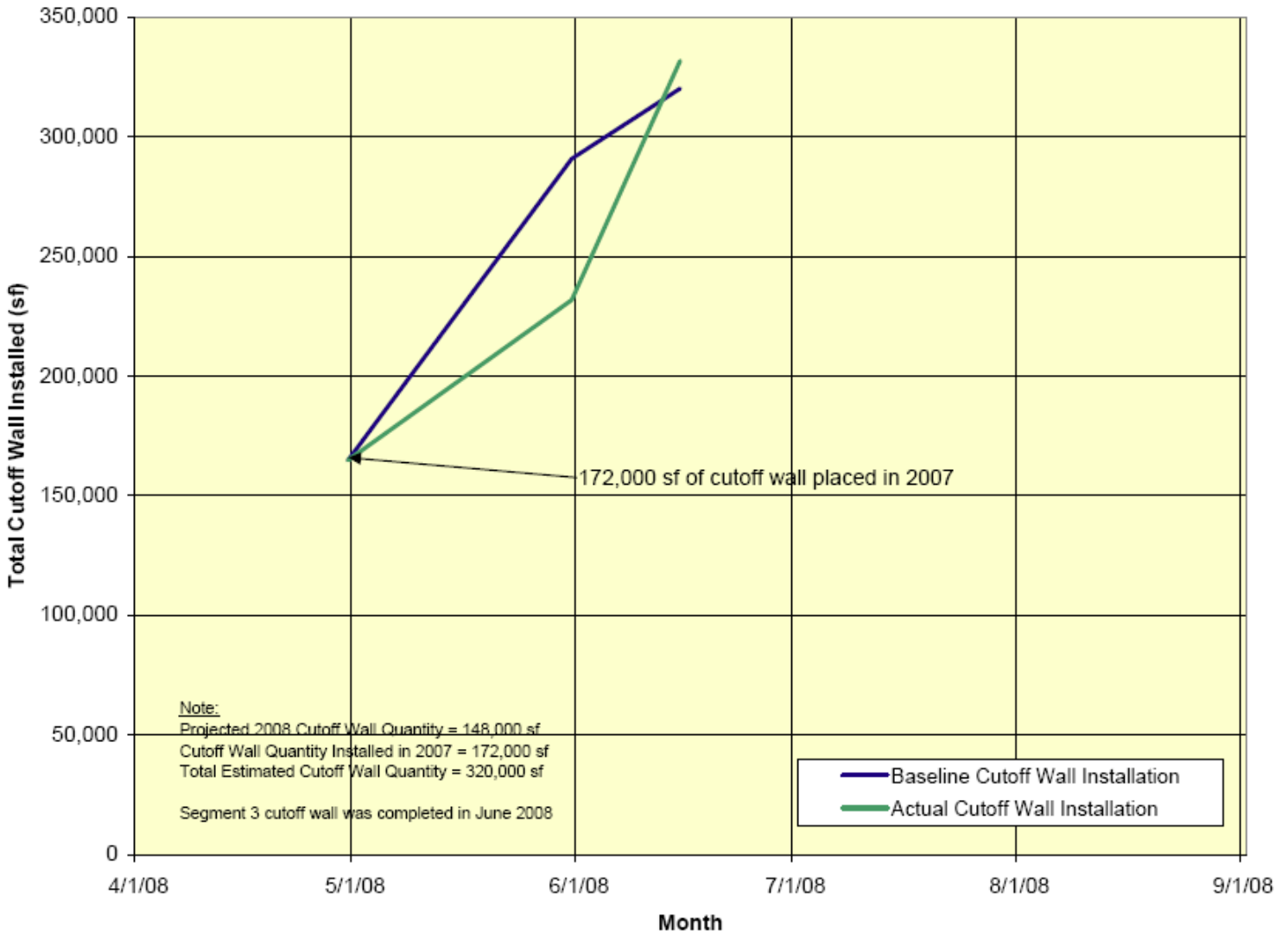
**Figure 4**  
**Feather River Levee Repair Project - Segment 3**  
**Contractor Invoiced Amount**



**Metric - Cost**

- As shown on Figure 4, the actual invoiced amount is greater than the baseline projection. The construction team is currently reconciling final quantities, and the baseline projection will be adjusted to account for the final quantity adjustments.

**Figure 5  
Feather River Levee Repair Project - Segment 3  
Cutoff Wall Installation**



**Metric – Cut off Wall**

- Cut off wall work was completed during the 2<sup>nd</sup> quarter. 331,600 square feet (sf) of soil cement bentonite (SCB) cutoff wall was installed compared to the bid quantity of 320,000 sf. This increase is primarily due to overlap with the 2007 work, and also the increased cutoff wall depth in the 2008 work to address concerns expressed by Corps reviewers on SCB wall performance experienced on other projects.

- Below is the status of the Project Element Deliverables:
  - Design Report: submitted March 28, 2007
  - Design Drawings and Specifications used for construction: submitted August 22, 2007
  - Permits: previously submitted – see permit table for list (Attachment 3)
  - CEQA and NEPA documents: previously submitted see permit table (Attachment 3)
  - O&M manual addendum: Draft submitted for review on April 29, 2009; final anticipated May or June 2009, pending receipt of review comments from Corps, DWR and CVFPB
  - As-built drawings: Being prepared; anticipated to be submitted late May 2009
- On April 7<sup>th</sup> TRLIA requested that Erosion Site 2 be added to this Project Element. Total Cost is \$855,000. See Attachment 5 for diagram of the location of Erosion Site 2.

➤ **Project Element 6: Feather River Land Management:**

- TRLIA attempted to lease over 400 acres of pears in the setback area through 2 separate requests for proposal. Unfortunately, only one bidder submitted a qualifying bid for each RFP. In both situations, the bidders backed out prior to signing a contract. In order to maintain the area, TRLIA was forced to knock down all the pear trees, and is in the process of grinding and hauling them out of the setback area.
- TRLIA is the process of developing a land management plan in cooperation with River Partners. The details of the plan include short term and long term operations and maintenance of the borrow sites, onsite mitigation areas, and project elements that include habitat value, such as the floodplain drainage swale and the wind wave reduction buffer waterside of the levee.

➤ **Project Element 7: Project Management, legal support, community relations support, land management support, and overhead**

- Activity occurred this quarter in all Features.

- **Environmental matters**

- Project Element 3:

- A Native American cultural site was discovered near Star Bend in late 2008, which is located under the footprint of the planned Project Element 3 levee. Investigative work at the new site was performed during this and the prior quarter in cooperation with the Corps and Enterprise Rancheria, the designated Most Likely Descendant (MLD). TRLIA prepared a memo that described eight alternatives and met with technical representatives from the Corps, DWR, and CVFPB staff on March 19, 2009. The consensus of those attending the technical meeting was that Alternative 3 (widen the levee to cover the cultural site) was the best solution to minimize cultural site disturbance while maintaining the design integrity— See Attachment 6. TRLIA subsequently met with Enterprise Rancheria and was able to reach agreement on the selected alternative. TRLIA is now preparing the modified design for the impacted portion of the levee (station 0+00 to 6+50) and also preparing the Finding of Effect (FOE) and Historic Property Treatment Plan (HPTP) addendum for Corps and SHPO approval. TRLIA anticipates starting this portion of the work over the cultural site in late June or early July 2009.
- In December 2008 the Corps completed the federal permitting process (FEIS, 408 Authorization and 404 permit) for this Project Element – See Permit Section of this report (Attachment 3).
- The Section 104 credit for this Project Element was issued by the Corps on April 3, 2009 – See Permit Table (Attachment 3) and Corps letter (Attachment 4)
- Department of Fish and Game (DFG) did not finalize the 2081 permit this quarter. This impacted work in the South Tie-In area.

- Elements 1, 2, and 4 thru 7: None at this time

- **Status of permits, easements, rights-of-way, and approvals as may be required by other State, federal, and/or local agencies:**

- Project Elements 2, 3, 4,& 5:

- See Attachment 3 for the Permit status update.

- Project Elements 2 & 3:

- On December 16, 2008 the California State Mining and Geology Board (SMGB) sent TRLIA a Notice of Violation letter requesting certain

documents and notifying TRLIA that they believe TRLIA is conducting levee improvement work without an approved Surface Mining and Reclamation Act ("SMARA") Reclamation plan and financial assurances bond. TRLIA believed the project was exempt from SMARA under Public Resources Code 5 27 14(b). The requested information was provided to SMGB and the SMGB's Executive Officer determined that two of the four TRLIA borrow sites (Setback Area and Uppal) were exempt but the Platter/JTS Borrow and Ella Borrow sites were subject to SMARA. On April 9, 2009, the State Mining and Geology Board ("SMGB") heard TRLIA's request for an exemption from the California Surface Mining and Reclamation Act ("SMARA"). TRLIA sought a determination that the Platter/JTS Borrow and the Ella Borrow sites were each exempt from SMARA as either onsite construction or as a one-time exemption (Public Resources Code § 2714(b), (f)). At the SMGB meeting the Board voted unanimously to require TRLIA to submit a reclamation plan and financial assurances for the two borrow sites. However, the Board also made it clear at the meeting that they wanted the project to continue given public safety concerns if the project was delayed. On April 15<sup>th</sup> the SMGB issued TRLIA an Order to Comply for surface mining operations at the Platter/JTS and Ella borrow sites. The SMGB Order transmittal letter and Order require TRLIA to accomplish the following items:

1. Letter: Provide proposed interim financial assurance amount to SMGB by April 30<sup>th</sup>. Status: Submitted on April 17, 2009. SMGB to hear on May 14.
2. Order: Obtain an approved SMGB State Reclamation Plan by July 9<sup>th</sup> for the Platter/JTS and Ella Borrow sites. Status: The Plan is being prepared and will be submitted by mid May.
3. Order: Obtain approved SMGB financial assurance by July 9<sup>th</sup> for the Platter/JTS and Ella Borrow sites. Status: The financial assurance is being prepared and will be submitted by mid May.
4. Order: Obtain an approved County surface mining permit. Status: TRLIA has coordinated the SMGB action with Yuba County. The County has determined that the Ella site does not require any further permits, and that the Platter/JTS does require a mining permit. Per discussion with the County, TRLIA has applied for an Ordinance amendment that provides a process for the County to allow for excavation/earthwork (mining) for flood protection purposes at the Platter/JTS site in a residential zone (not currently allowed). The CUP is for the actual mining activity for that portion of the project that is not exempt from SMARA.

This matter will be heard at the July 9, 2009 SMGB meeting.

- Project Element 3 & 4:
  - Corps of Engineers Finalized the Feather River Setback Levee Environmental Impact Statement and signed the Record of Decision on December 8, 2008.
  - Corps of Engineers signed the Feather River Setback Levee Environmental Impact Statement 404 permit Record of Decision on December 8, 2008 and issued the final Feather River Setback 404 permit on December 15, 2008.
    - Incorporated into the 404 permit is the approval of the on site Wetlands Mitigation Plan.
    - A permit condition is that prior to construction TRLIA needs to provide a construction and performance bond or escrow for the on site Wetlands project. This was completed In April 2009.
    - A permit condition is that prior to construction TRLIA needs to provide a fully funded endowment for the on site Wetlands project. This was completed in April 2009.
  - Corps of Engineers signed the Feather River Setback Levee Environmental Impact Statement 408 Authorization Record of Decision on December 8, 2008 and issued The Feather River Setback 408 Authorization on December 8, 2008.
    - A new Corps requirement in 408 authorizations is a condition that prior to starting work TRLIA must complete a Safety Assurance Review (SAR) Plan. The Corp approved the TRLIA SAR on April 24, 2009.
  - The Regional Water Quality Control Board signed the Section 401 Water Quality permit on November 24, 2008.
  - TRLIA, Yuba County, RD784, and the CVFPB have all signed the Co-operative Agreement required by the current CVFPB encroachment permit (Part B). This agreement provides local agencies indemnification for the State.
  - The Section 104 credit for this Project Element was issued by the Corps on April 3, 2009 – See Permit Table (Attachment 3) and Corps letter (Attachment 4)
  - Department of Fish and Game (DFG) did not finalize the 2081 permit this quarter. This impacts work in the South Tie-In area (Project Element 3).

- Project Element 4:
  - TRLIA submitted an encroachment permit application to CVFPB on November 17, 2008 for degradation of the existing Feather East levee being replaced by the Feather Setback levee.
    - Degradation is proposed to begin in the July/August 2009 timeframe when a substantial portion of the Setback Levee is complete.
    - Approval of the encroachment permit application by the CVFPB is anticipated expected at the June CVFPB meeting.
- Project Element 5: On April 7<sup>th</sup> TRLIA requested that Erosion Site 2 be added to this Project Element. Total Cost is \$855,000. See Attachment 3 for permit list and current status.
- Elements 6 and 7: Not applicable

- **Issues/concerns that have, will, or could affect the schedule or budget, with a recommendation on how to correct the matter:**

- Issue 1: **Impacts all Project Elements.** During the 4<sup>th</sup> quarter the State of California experienced a severe fiscal crisis and temporarily suspended providing any additional funding for all State Prop 1E projects until the crisis was resolved by the State Legislature. The crisis is now resolved; DWR has received the 4<sup>th</sup> and 5<sup>th</sup> quarter work plans and calculated the associated advance and true-up payments. However, funding has not yet been provided by the State.

Recommended Resolution: DWR senior management needs to weigh in on the funding process and get the funding to flow.

- Issue 2: **Impacts Project Element 1:** The Davit Eminent Domain Court decision was made on December 16, 2008. The acquisition was 99.65 acres. The final verdict was for \$2,883,962 + interest. The total compensation with interest, as of February 23, 2009 was \$3,039,791.26. TRLIA appealed the decision in January 2009. TRLIA was required to deposit the additional funds into the State Condemnation Fund and incur the expense of the original judgment or risk the property reverting back to Davit's. Due to the State's fiscal crisis, TRLIA took the necessary steps to immediately fund 100% of the additional deposit requirement and ask the State to reimburse TRLIA the State share once the State fiscal crisis is over. Covering the State share significantly impacted TRLIA's project cash flow.

Recommended Resolution: Now that the State fiscal crisis is over, DWR needs to quickly reimburse TRLIA for covering the State share.

- Issue 3: **Impacts Project Element 3:** Department of Fish and Game (DFG) 2081 permit is still in process. This delay is impacting TRLIA's ability to accomplish construction work in the South Tie-In area. TRLIA understands that there are no issues with the permit. The delay is the DFG processing time for signature.

Recommended Resolution: Request DWR intercede with DFG and assist TRLIA to get permit issued.

- **Describe differences between the work to be performed and the work outlined in the Overall Work Plan, including anticipated change orders:**

- Project Element 3: A Native American cultural site was discovered near Star Bend, which is located under the levee footprint of the planned Project Element 3 levee – See Environmental Section of this report. This discovery has caused additional design work, regulatory coordination, and construction costs to mitigate for the project impacts on the cultural site.
- Project Element 5:
  - Final punch list items and quantity reconciliation is in progress and expected to be completed next quarter.

- **Demonstrate financial ability to pay local cost share of Eligible Project Costs required to compete the Project:**

- All local funding agreements have been executed. Local funding was provided in a timely manner during the Quarter to support all applicable Project Elements.
- On July 22, 2008, YCWA and Yuba County formed the Yuba Levee Finance Authority (YLFA) as an entity to effectuate the borrowing contemplated in the local funding agreement. On September 23, 2008, the YLFA closed on bonds sales to yield \$46.6 million in proceeds. To date, the YLFA Board has authorized \$20,456,000 in local funding for the project.
- **Legal Matters:** No issues for all Project Elements

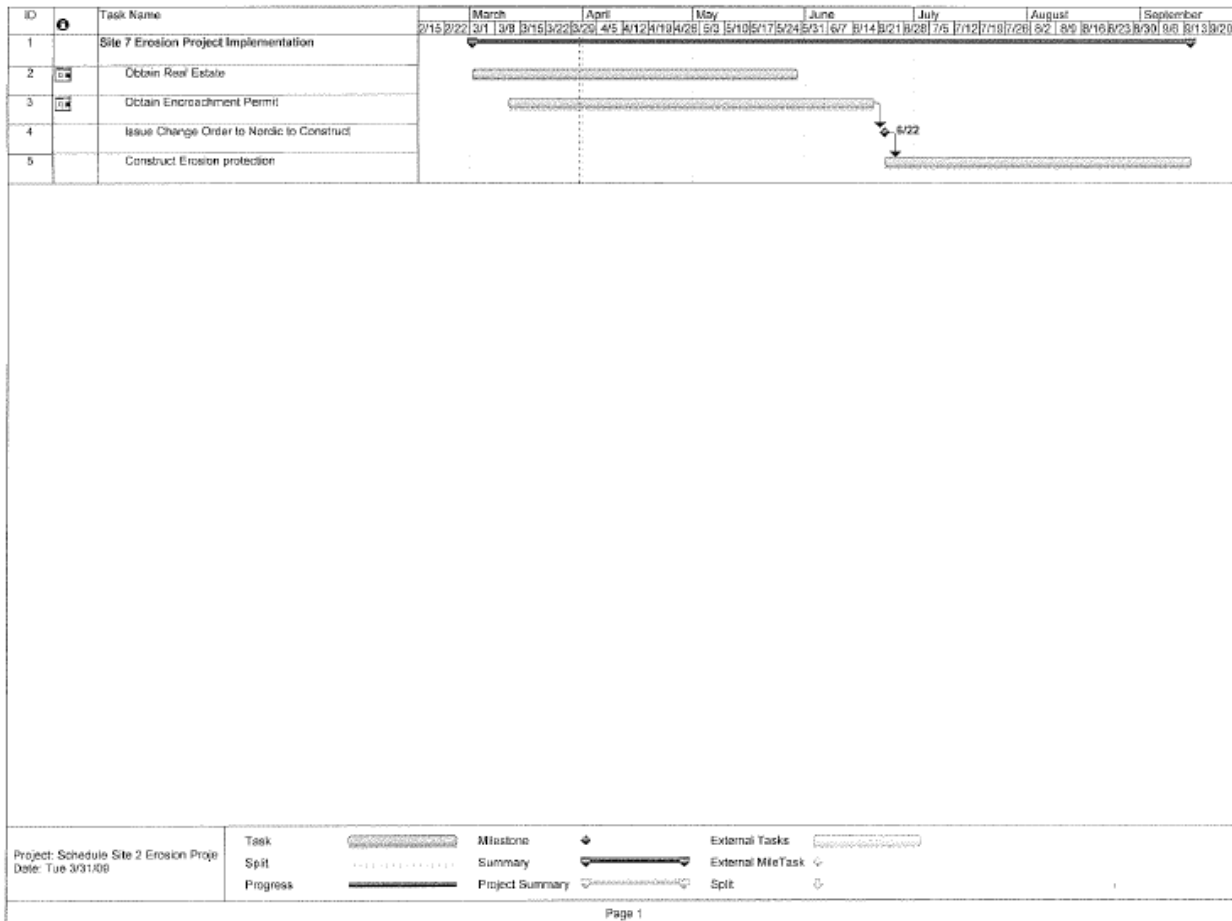
**1. Cost Information by Project Element:** This information is provided in Appendix I at end of this Quarterly Progress Report.



- **A discussion on how the projected schedule compares to the original or last reported schedule:**

- Project Element 2: Feature 2.1.1 and 2.1.2: Additional months in 2009 were added to reflect work needed to deal with new burial ground
- Project Element 2: Feature 5: Additional time was added for completion of the O&M manual
- Project Element 3: Feature 3.1: Additional time was added for completion by October 2009 for tie-ins and adjustments needed for new burial site.
- Project Element 5: Feature 4: Additional time was added to complete O&M manual

- **Outlined below is the schedule for the addition to Project Element 5 – Erosion Site 2**

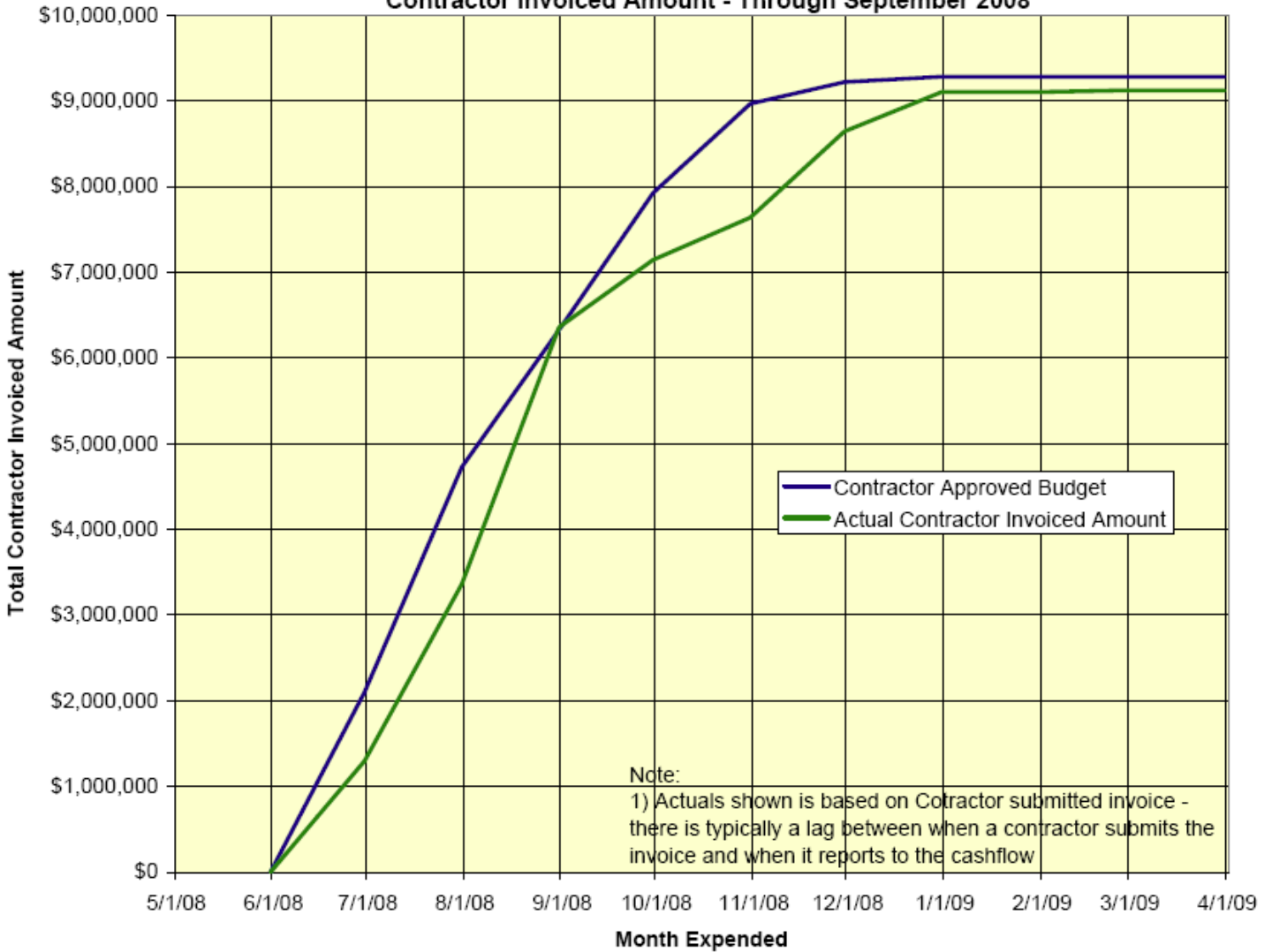


## Associated Project Element Improvements

**1. Specific Associate Project Element Information:** See Attachment 7 for graphic of Associated Project Element 2.

- **Major accomplishments planned for the quarter (i.e. tasks completed, milestones met, meetings held or attended, press releases, etc.);**
  - Associated Project Element 2 (Segment 1) was substantially completed the last quarter, except for a few punch list items and the work that is needed to fix the levee crack that developed during the 2<sup>nd</sup> quarter.
  
- **Engineering and construction matters:**
  - Associated Project Element 1: No items to report.
  - Associated Project Element 2 (Segment 1) was substantially completed last quarter, except for a few punch list items and the work that is needed to fix the levee crack that developed during the 2<sup>nd</sup> quarter
    - Crack Status: In the afternoon of September 10, 2008, a longitudinal crack was observed on the landside slope of the Feather River Segment 1 levee, extending from approximate Station 220+76 to 226+30. The trace of the crack is located about 1/4 to 1/3 of the levee height down from the levee crown. This section of levee is within the southern reach of the soil-bentonite cutoff wall. TRLIA installed additional levee instrumentation, prepared an emergency flood fighting plan for this reach, monitored the levee thru out the quarter, provided bi-weekly reports to keep all agencies up to date, conducted additional stability analyses, and re-evaluated the condition of the levee in the spring to assess if additional repair measures are needed. Agreement on what needs to be done is still pending.
  - Associated Project Element 1 and 2: On August 18, 2008 TRLIA requested DWR to reconsider the decision to not provide State funding for this Associated Project Element. DWR is still considering this request.
  - Associated Project Element 2: Following are two TRLIA metrics that reflect major components of the Segment 1 work:

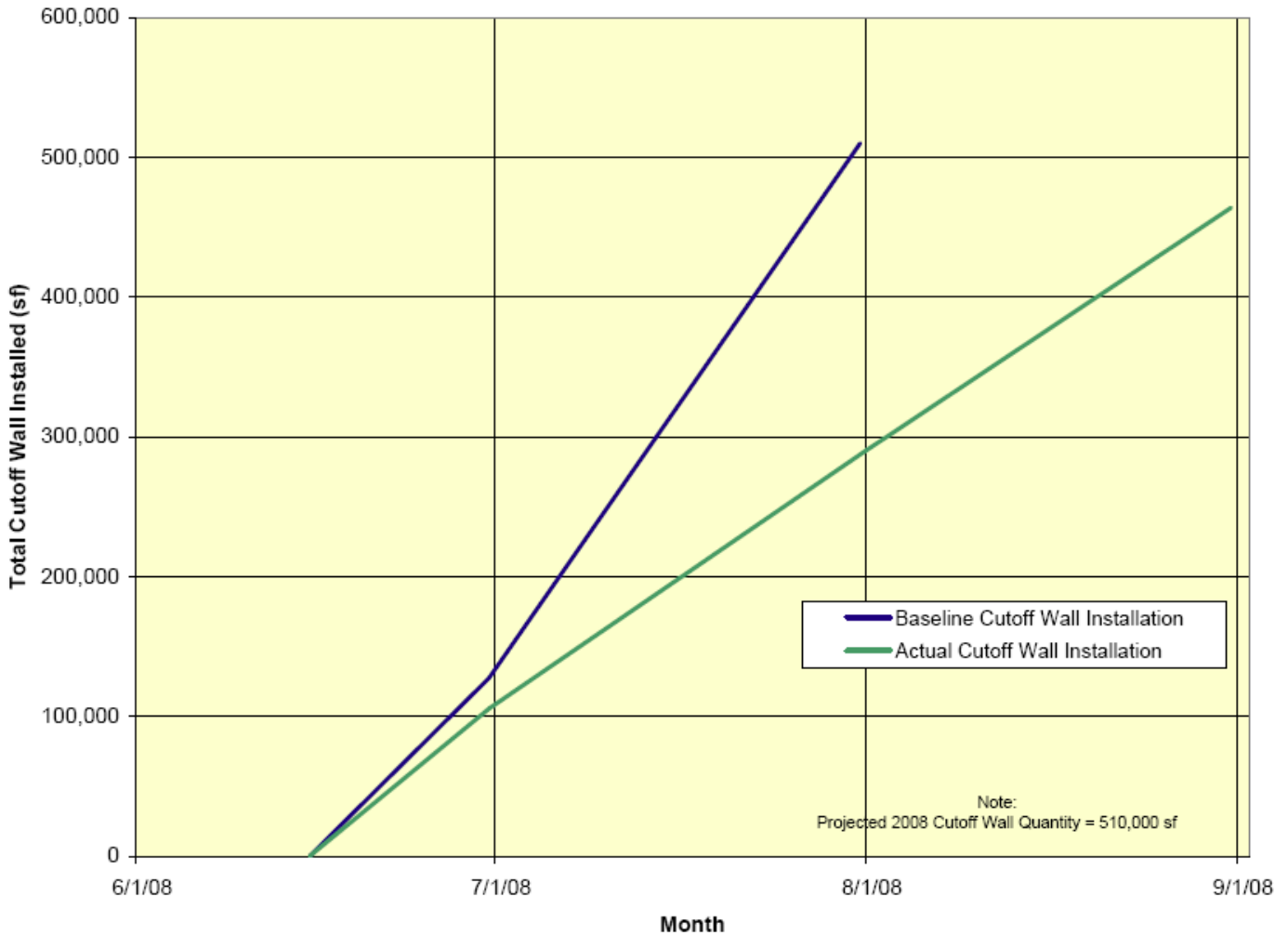
**Figure 6**  
**Feather River Levee Repair Project - Segment 1**  
**Contractor Invoiced Amount - Through September 2008**



**Metric - Cost**

- The metric shows the project expensing is on schedule. It takes approximately 30 to 45 days for contractor invoices to be processed and paid. The baseline budget will likely be updated to address final quantity reconciliation.

**Figure 7**  
**Feather River Levee Repair Project - Segment 1**  
**Cutoff Wall Installation**



**Metric**

- The soil-bentonite cutoff wall work was completed by September 1 at a reduced quantity. 176,035 sf of cutoff wall was installed, compared to the bid quantity of 220,000 sf (reduction of 43,965 sf). This reduction is due primarily to removal of the cutoff wall between Sta 246 and 249 from the contract. Work on this section of cutoff wall will be included with project Element 3 in 2009. Also, the bid quantity included accounted for the possible need to go deeper in some areas to get an adequate key - during construction it was found that the depth shown on the drawings was adequate.

- Below is the status of the Associated Project Element Deliverables:
  - Design Report: submitted March 28, 2007
  - Design Drawings and Specifications used for construction: submitted August 22, 2007
  - Permits: previously submitted – see permit table for list (Attachment 8)
  - CEQA and NEPA documents: previously submitted see permit table (Attachment 8)
  - O&M manual addendum: Draft submitted for review on April 29, 2009; final anticipated May or June 2009, pending receipt of Corps, DWR and CVFPB review comments
  - As-built drawings: Being prepared; anticipated to be submitted late May 2009

- **Environmental matters**

- None

- **Status of permits, easements, rights-of-way, and approvals as may be required by other State, federal, and/or local agencies**

- See Attachment 8 for Permit Update

- **Legal Matters:**

- None at this time

- **Issues/concerns that have, will, or could affect the schedule or budget, with a recommendation on how to correct the matter:**

- **Issue 1: Impacts Associated Project Element 2.** As noted above under Engineering and Construction section of this Associated Element, a longitudinal crack was observed on the landside slope of the Feather River Segment 1 levee, extending from approximate Station 220+76 to 226+30. The trace of the crack is located about 1/4 to 1/3 of the levee height down from the levee crown. This section of levee is within the southern reach of the soil-bentonite cutoff wall.

Recommended Resolution: The technical teams from DWR, CVFPB, Corps, and TRLIA need to continue to meet and agree on the final solution. The solution needs to be identified in the 5<sup>th</sup> quarter so that the fix can be accomplished before the next flood season.

- **Describe differences between the work to be performed and the work outlined in the Overall Work Plan, including anticipated change orders:**
  - The following design changes were incorporated into the construction activities since the last quarterly Progress Report:
    - Final quantity reconciliation is pending.
    - The cost to repair the crack is pending.
- **Demonstrate financial ability to pay local cost share of Associated Project Costs required to compete the Project:**
  - All local financial agreements have been executed and local funding was provided to support this Associated Project Element.
  - On July 22, 2008, YCWA and Yuba County formed the Yuba Levee Finance Authority (YLFA) as an entity to effectuate the borrowing contemplated in the local funding agreement. On September 23, 2008, the YLFA closed on bonds sales to yield \$46.6 million in proceeds. To date, the YLFA Board has authorized \$20,456,000 in local funding for the project.

2. **Cost Information by Associated Project Element:** This information is provided in Appendix I at end of the Quarterly Progress Report.



## Attachments

### 1. Press Releases

- Press Releases: **February 10, 2009:** Press Release - TRLIA TO UNVEIL PROPOSED PLAN FOR LEVEE ASSESSMENT DISTRICT
- **February 26, 2009:** Press Release - TRLIA BOARD TO VOTE ON PROPOSED ASSESSMENT DISTRICT
- **March 4, 2009:** Press Release – TRLIA BOARD SEEKS MORE INPUT ON PROPOSED ASSESSMENT DISTRICT
- **March 26, 2009:** Press Release - TRLIA ISSUES BALLOTS FOR PROPOSED BENEFIT ASSESSMENT DISTRICT

### 2. Project Element 5 Graphic

### 3. Permit Status Update for Project Element 2, 3, 4, and 5

### 4. Section 104 Corps letter, April 3, 2009

### 5. Erosion Site 2 location map – proposed to be part of Project Element 5

### 6. Cultural Site Redesign Plan & Profile Views

### 7. Associated Project Element 2 Graphic

### 8. Permit Status Update for Associated Project Element

## Appendices

Appendix I: TRLIA Feather River Levee Improvement Project Fourth Quarterly Progress Report Budget Information; EPS #16497-6; May 15, 2009

## Press Releases – Attachment 1

- Press Releases: **February 10, 2009:** Press Release - TRLIA TO UNVEIL PROPOSED PLAN FOR LEVEE ASSESSMENT DISTRICT



### THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218  
Marysville, CA 95901  
Office (530) 749-7841 Fax (530) 749-6990

FOR IMMEDIATE RELEASE  
February 10, 2009

CONTACT: Paul Brunner  
(530) 749-5679

#### TRLIA TO UNVEIL PROPOSED PLAN FOR LEVEE ASSESSMENT DISTRICT

*Details to be discussed at Board Workshop on February 17*

SOUTH YUBA COUNTY, CA - A \$386 million project to improve 29 miles of levees in South Yuba County is nearly complete. When finished, the area will become the first in the Central Valley to provide 200-year flood protection. Better protection comes at a higher cost – approximately \$800,000 each year to maintain the levees to urban standards.

A plan to pay for annual maintenance costs will be the focus of a Three Rivers Levee Improvement Authority (TRLIA) Board Workshop at 2 p.m., Tuesday, February 17, at the Yuba County Government Center. That will be the Board's first opportunity to fully consider details of a proposed benefit assessment district for approximately 13,800 parcels in the communities of Olivehurst, Linda, Arboga and Plumas Lake. The proposed assessment district has been under development by TRLIA staff for more than a year.

Increased costs for levee maintenance reflects a change in status of the area's levees from rural to urban – requiring more manpower and more technical skills, improved levee maintenance equipment, more aggressive vegetation and rodent control, more frequent inspections, and financial resources to immediately correct levee problems and acquire and maintain levee easements.

Adding to the pressure is a recent dictate by FEMA that levee improvements will not be accredited unless levee owners demonstrate provisions to pay for long-term operations and maintenance. In South Yuba, levee accreditation is critical to avoiding being remapped into a high-hazard flood zone. High hazard flood zone ratings trigger severe restrictions on development and mandatory and costly flood insurance for most property owners.

The February 17 TRLIA Board Workshop is open to the public; interested community members are encouraged to attend. For more information, please visit [www.trlia.org](http://www.trlia.org), or contact Paul Brunner, TRLIA Executive Director, at (530) 749-5679.

###

*The Three Rivers Levee Improvement Authority, a joint powers agency, was established in May 2004 by the county of Yuba and Reclamation District 784 to finance and construct levee improvements in south Yuba County. Four work phases were identified with the goal of achieving 200-year flood protection. [www.trlia.org](http://www.trlia.org)*

- o **February 26, 2009:** Press Release - TRLIA BOARD TO VOTE ON PROPOSED ASSESSMENT DISTRICT



## THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218  
Marysville, CA 95901  
Office (530) 749-7841 Fax (530) 749-6990

FOR IMMEDIATE RELEASE  
February 26, 2009

CONTACT: Paul Brunner  
(530) 749-5679

### TRLIA BOARD TO VOTE ON PROPOSED ASSESSMENT DISTRICT

*(If approved, vote-based election would be launched March 24)*

**SOUTH YUBA COUNTY, CA** – A resolution to form an assessment district for levee maintenance will be the subject of a vote of the Three Rivers Levee Improvement Authority (TRLIA) Board during its regular meeting at 3:30 p.m., Tuesday, March 3, at the Yuba County Government Center. If approved, ballots would be sent March 24 to approximately 10,000 property owners in Plumas Lake, Olivehurst and Linda. Proposed assessments range between \$11 and \$148, depending upon the benefit to the property from recent and ongoing flood protection improvements.

Approximately \$400 million is being invested to improve 29 miles of levees in South Yuba County. When finished, the area will become the first in the Central Valley to provide 200-year flood protection. Better protection comes at a higher cost – approximately \$800,000 each year to maintain the levees to urban requirements. Increased maintenance means more manpower and higher technical skills, improved levee maintenance equipment, more aggressive vegetation and rodent control, more frequent inspections, and financial resources to immediately correct levee problems and acquire and maintain levee easements.

Adding to the pressure is a recent dictate by FEMA that recent levee improvements will not be accredited unless those who maintain levees demonstrate provisions to pay for long-term operations and maintenance. In South Yuba, levee accreditation is critical to avoiding being remapped into a high-hazard flood zone. High hazard flood zone ratings trigger severe restrictions on development and mandatory and costly flood insurance for most property owners.

For more information, please visit [www.trlia.org](http://www.trlia.org), or contact Paul Brunner, TRLIA Executive Director, at (530) 749-5679.

###

*The Three Rivers Levee Improvement Authority is a non-profit agency, was established in 2004 in the county of Yuba and Plumas Counties. TRLIA is a non-profit agency with various other organizations in South Yuba County. From word phase was identified with the goal of achieving 200-year flood protection from TRLIA.*

- o **March 4, 2009:** Press Release – TRRIA BOARD SEEKS MORE INPUT ON PROPOSED ASSESSMENT DISTRICT



## THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218

Marysville, CA 95901

Office (530) 749-7641 Fax (530) 749-6990

FOR IMMEDIATE RELEASE

March 4, 2009

CONTACT: Paul Brunner

(530) 749-1679

### TRRIA BOARD SEEKS MORE INPUT ON PROPOSED ASSESSMENT DISTRICT

*Board proposes vote by owners to allow more time for public discussion and comment*

SOUTH YUBA COUNTY, CA – Citing a desire to allow additional opportunities for public input, the Three Rivers Levee Improvement Authority (TRRIA) Board voted yesterday to continue the opportunity for public comment on a proposed benefit assessment district for levee maintenance. Interested parties are invited to speak before the Board at 6:30 p.m., Tuesday, March 10, at the Yuba County Government Center. The Board also deferred to the March 10 meeting a decision on whether or not to vote on a resolution to start the formation process of the benefit assessment district.

If approved on March 10, ballots would be sent on or about March 24 to approximately 10,000 property owners in Plumas Lake, Cleveland and Linda. Proposed assessments for single family residential properties range between \$11 and \$148, depending upon the benefit to the property from approximately \$400 million in recent and ongoing levee improvements.

For more information, please visit [www.trria.org](http://www.trria.org) (Assessment District link), or contact Paul Brunner, TRRIA Executive Director, at (530) 749-1679.

###

*The Three Rivers Levee Improvement Authority is a non-profit organization established in 1994 by the county of Yuba and California Counties, CA to plan, and construct, levee improvements to South Yuba County. For more please visit [www.trria.org](http://www.trria.org) including 2009 year book, press releases, and [trria.org](http://trria.org)*

- o **March 26, 2009:** Press Release - TRLIA ISSUES BALLOTS FOR PROPOSED BENEFIT ASSESSMENT DISTRICT



## THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218  
Marysville, CA 95901  
Office (530) 749-7841 Fax (530) 749-6990

FOR IMMEDIATE RELEASE  
March 16, 2009

CONTACT: Paul Brunner  
(530) 749-1679

### TRLIA ISSUES BALLOTS FOR PROPOSED BENEFIT ASSESSMENT DISTRICT

*Property owners have until May 12 to return ballots*

**SOUTH YUBA COUNTY, CA** – Approximately 10,000 property owners in France Lake, Olinhurst and Linda will receive ballots as early as tomorrow for a proposed benefit assessment district to support levee maintenance and operations.

Ballots sent via mail late today should arrive in mailboxes within the next several days. Property owners will have until May 12 to return their ballots by mail, or in person at a public hearing at 6 p.m., Tuesday, May 12, at the Yuba County Government Center.

Proposed assessments for single family residential properties range between \$11 and \$148, depending upon the benefit to the property from approximately \$400 million in recent and ongoing levee improvements. Better protection comes at a higher cost – approximately \$800,000 each year to maintain the levees to urban standards.

Increased costs for levee maintenance reflects a change in status of the area's levees from rural to urban – requiring more manpower and more technical skills, improved levee maintenance equipment, more aggressive vegetation and rodent control, more frequent inspections, and financial resources to immediately correct levee problems and acquire and maintain levee easements.

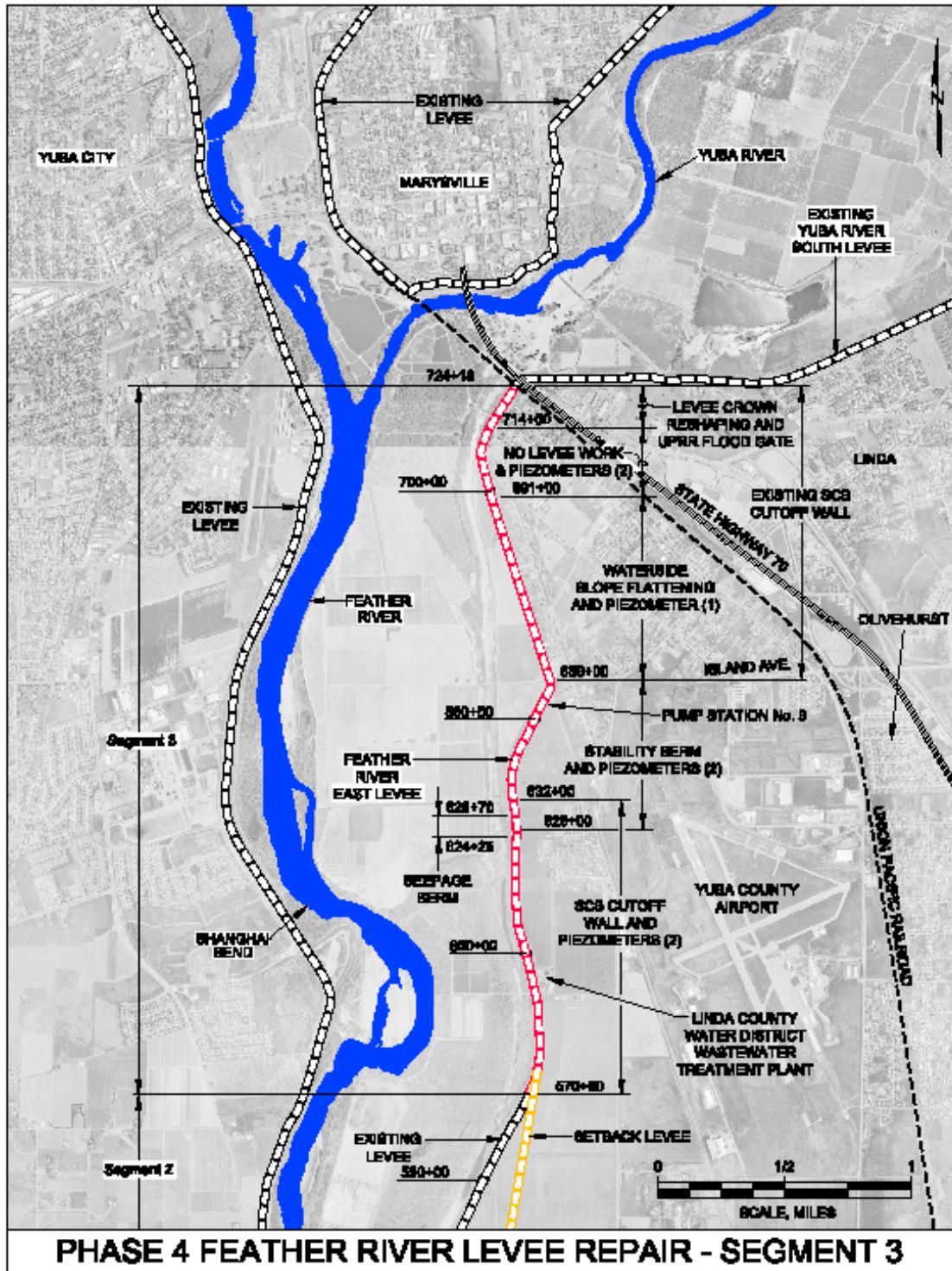
Adding to the pressure is the fact that levee improvements will not be accredited by FEMA unless levee owners demonstrate provisions for long-term operations and maintenance. In South Yuba, levee accreditation is critical to avoiding being remapped into a high-hazard flood zone. High hazard flood zone ratings trigger severe restrictions on development and mandatory and costly flood insurance for most property owners.

For more information, please visit [www.trlia.org](http://www.trlia.org) (Assessment District link) or contact Paul Brunner, TRLIA Executive Director, at (530) 749-1679.

###

*The Three Rivers Levee Improvement Authority, a joint powers agency, was established in late 2003 by the county of Yuba and Butte/Plumas Counties. It is financing and managing levee improvements in South Yuba County. Levee work plans were developed with the goal of achieving 100% of the 30-year protection level. [trlia.org](http://trlia.org)*

## Attachment 2 - Project Element 5



### Attachment 3 – Updated Permit Tables for Project Elements 2, 3, 4 & 5

<b><u>Project Element 2</u> Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)</b>			
<b>PERMITTING AGENCY</b>	<b>PERMIT</b>	<b>ACTION DONE</b>	<b>STATUS/COMMENTS</b>
The Central Valley Flood Protection Board	Encroachment Permits	Yes	The CVFPB General Manager issued a phased permit (#18227) on April 7, 2008 that allows construction in non-federal jurisdictional areas
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Biological Opinion was approved on August 28, 2008
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC was completed and MOA signed by all parties, on August 13, 2008
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	A NPDES permit (WDID # 5S5BC348901) was issued on 9/18/07 for Segments 1, 2, and 3.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor submitted Fugitive Dust Plan to FRAQMD
DFG	Streambed Alteration Agreement	Yes	The final Streambed Alteration Agreement was approved by DFG on January 2, 2008
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors and coordination with RD 784 regarding levee encroachments is ongoing. RD 784 signed the application for the Central Valley Flood Protection Board encroachment permit with no objections.
Yuba County	Grading Permit	Yes	Grading permit was received in May 2008
State Mining and Geology Board (SMGB)	Reclamation Plan	Pending – Allowed to Proceed	At the April 9, 2009 SMGB meeting the Board voted unanimously to require TRLIA to submit a reclamation plan and financial assurances. However, the Board also

			made it clear that they wanted the project to continue given public safety concerns if the project was delayed. July 9 2009 is the scheduled date for the SMGB to approve the TRLIA Reclamation for the Ella and Platter/JTS Borrow sites.
CEQA	EIR	Yes	EIR certified by the TRLIA board on February 6, 2007 and a Notice of Determination filed with the State Clearinghouse (Number 2006062071) on February 8, 2007
CEQA	EIR Addendum #1	Yes	EIR addendum for offsite Platter Borrow site
CEQA	EIR Addendum #2	Yes	EIR addendum for Ella offsite borrow site
Section 104 Credit Application	Future federal projects cost Sharing	Yes	CVFPB submitted a request on June 15, 2007 for \$154.3M Section 104 credit to the Sacramento District.
Section 104 Credit Approval (N/A)	Future federal projects cost sharing	Yes	At the March 21 CVFPB meeting DWR stated it would waive the need for 104 credits – DWR waiver letter issued on May 2, 2008

<b>Project Element 3 Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)</b>			
<b>PERMITTING AGENCY</b>	<b>PERMIT</b>	<b>Action Done</b>	<b>STATUS/COMMENTS</b>
The Central Valley Flood Protection Board	Encroachment Permits	Yes	The CVFPB General Manager issued a phased permit (#18227) on April 7, 2008. The permit has two parts: Part A – Project Element 2 work to be done outside of jurisdictional waters of the U.S., and Part B – Project Element 3 work to be within jurisdictional waters of the U.S.
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	Yes	Navigable waterways not affected
Corps	Section 404 Permit	Yes	Corps of Engineers signed the Feather River Setback Levee Environmental Impact Statement 404 permit Record of Decision on December 8, 2008 and the issued the final Feather River Setback 404 permit on December 15, 2008.

Corps	408 approval of project levee alteration	Yes	Corps of Engineers signed the Feather River Setback Levee Environmental Impact Statement 408 Authorization Record of Decision on December 8, 2008 and issued The Feather River Setback 408 Authorization on December 8, 2008.
Corps	Wetlands Delineation	Yes	Completed March 11, 2008
Corps	Wetlands Delineation	Yes	Amended September 30, 2008
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	Yes	The Regional Water Quality Control Board signed the Section 401 Water Quality permit on November 24, 2008. Copy available on the
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	A NPDES permit (WDID # 5S5BC348901) was issued on 9/18/07 for Segments 1, 2, and 3.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor submitted a Fugitive Dust Plan to the FRAQMD prior to initiating construction on Segment 2.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Biological Opinion was approved on August 28, 2008
National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	Yes	NMFS sent letter on December 13, 2007 concurring that setback levee is not likely to adversely affect any fish species under NMFS jurisdiction.
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance	Pending	Application for Section 2081 incidental take authorization submitted in August 2007. Permit scheduled for completion in 5 <sup>th</sup> quarter – impacts work in the South Tie-In work area
DFG	Streambed Alteration Agreement	Yes	The final Streambed Alteration Agreement was approved by DFG on January 2, 2008.
California State Lands Commission (SLC)	Encroachment Permit	Yes	All project facilities are outside SLC jurisdiction.
California Department of Forestry	Conversion of timberland to other uses.	Yes	No timberland conversion is required for the project.
The Resources Agency	Cancellation of Williamson Act Contract	Yes	No Williamson Act contract cancellations are required to implement the project.

California Department of Transportation (Caltrans)	Encroachment on or across a State highway	Yes	Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70). Development and implementation of a traffic control plan is being coordinated with Caltrans.
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC was completed and MOA signed by all parties, on August 13, 2008.
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	Coordination with the SHPO was completed and MOA signed by all parties, on August 13, 2008.
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors and coordination with RD 784 regarding levee encroachments is ongoing. RD 784 signed the application for the Reclamation Board encroachment permit with no objections.
Yuba County	Grading Permit	Yes	Grading permit was received in May 2008
State Mining and Geology Board (SMGB)	Reclamation Plan	Pending – Allowed to Proceed	At the April 9, 2009 SMGB meeting the Board voted unanimously to require TRLIA to submit a reclamation plan and financial assurances. However, the Board also made it clear that they wanted the project to continue given public safety concerns if the project was delayed. July 9, 2009 is the scheduled date for the SMGB to approve the TRLIA Reclamation for the Ella and Platter/JTS Borrow sites.
CEQA	EIR	Yes	EIR certified by the TRLIA board on February 6, 2007 and a Notice of Determination filed with the State Clearinghouse (Number 2006062071) on February 8, 2007.
NEPA	EIS	Yes	Corps of Engineers Finalized the Environmental Impact Statement and signed the Record of Decision on December 8, 2008.
Section 104 Credit	Future federal projects cost Sharing	Yes	The Section 104 credit for this Project Element was issued by the Corps on April 3, 2009

<b>Project Element 4 Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)</b>			
<b>PERMITTING AGENCY</b>	<b>PERMIT</b>	<b>Action Done</b>	<b>STATUS/COMMENTS</b>
California Central Valley Flood Protection Board	Encroachment Permit	Pending	Application Submitted November 17, 2008; to be heard at the June CVFPB meeting
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	Yes	Navigable waterways not affected
Corps	Section 404 Permit	Yes	Corps of Engineers signed the Feather River Setback Levee Environmental Impact Statement 404 permit Record of Decision on December 8, 2008 and the issued the final Feather River Setback 404 permit on December 15, 2008.
Corps	408 approval of project levee alteration	Yes	Corps of Engineers signed the Feather River Setback Levee Environmental Impact Statement 408 Authorization Record of Decision on December 8, 2008 and issued The Feather River Setback 408 Authorization on December 8, 2008.
Corps	Wetlands Delineation	Yes	Completed March 11, 2008
Corps	Wetlands Delineation	Yes	Amended September 30, 2008
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	Yes	The Regional Water Quality Control Board signed the Section 401 Water Quality permit on November 24, 2008.
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	A NPDES permit (WDID # 5S5BC348901) was issued on 9/18/07 for Segments 1, 2, and 3.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor submitted a Fugitive Dust Plan to the FRAQMD prior to initiating construction on Segment 2.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Biological Opinion was approved on August 28, 2008
National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	Yes	NMFS sent letter on December 13, 2007 concurring that setback levee is not likely to adversely affect any fish species under NMFS jurisdiction.
California Department of Fish and Game (DFG)	California Endangered Species Act	Pending	Application for Section 2081 incidental take authorization

	Compliance		submitted in August 2007. Permit scheduled for completion in 5 <sup>th</sup> quarter – impacts work in the South Tie-In work area
DFG	Streambed Alteration Agreement	Yes	The final Streambed Alteration Agreement was approved by DFG on January 2, 2008.
California State Lands Commission (SLC)	Encroachment Permit	Yes	All project facilities are outside SLC jurisdiction.
California Department of Forestry	Conversion of timberland to other uses.	Yes	No timberland conversion is required for the project.
The Resources Agency	Cancellation of Williamson Act Contract	Yes	No Williamson Act contract cancellations are required to implement the project.
California Department of Transportation (Caltrans)	Encroachment on or across a State highway	Yes	Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70). Development and implementation of a traffic control plan is being coordinated with Caltrans.
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC was completed and MOA signed by all parties, on August 13, 2008.
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	Coordination with the SHPO was completed and MOA signed by all parties, on August 13, 2008.
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors and coordination with RD 784 regarding levee encroachments is ongoing. RD 784 signed the application for the Reclamation Board encroachment permit with no objections.
Yuba County	Grading Permit	Yes	Grading permit was received in May 2008
State Mining and Geology Board (SMGB)	Reclamation Plan	Pending – Allowed to Proceed	At the April 9, 2009 SMGB meeting the Board voted unanimously to require TRLIA to submit a reclamation plan and financial assurances. However, the Board also made it clear that they wanted the project to continue given public safety concerns if the project was delayed.

			July 9 2009 is the scheduled date for the SMGB to approve the TRLIA Reclamation for the Ella and Platter/JTS Borrow sites.
CEQA	EIR	Yes	EIR certified by the TRLIA board on February 6, 2007 and a Notice of Determination filed with the State Clearinghouse (Number 2006062071) on February 8, 2007.
NEPA	EIS	Yes	Corps of Engineers Finalized the Feather River Setback Levee Environmental Impact Statement and signed the Record of Decision on December 8, 2008.
Section 104 Credit	Future federal projects cost Sharing	Yes	The Section 104 credit for this Project Element was issued by the Corps on April 3, 2009

<b>Project Element 5 Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)</b>			
<b>PERMITTING AGENCY</b>	<b>PERMIT</b>	<b>ACTION DONE</b>	<b>STATUS/COMMENT</b>
Central Valley Flood Protection Board (CVFPB)	Encroachment Permit	Yes	Permit No. 18170 BD issued on August 7, 2007.
Central Valley Flood Protection Board (CVFPB)	Encroachment Permit	Yes	Permit No. 18170 BD permit modified for seepage berm to provide final fix for cutoff wall trench cave-in, issued on 7/17/08
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	Yes	Navigable waterways not affected
Corps	Section 404 Permit	Yes	No jurisdictional features affected. Corps issued "Letter of No Permit Required" on July 23, 2007
Corps	408 Approval of project levee alteration	Yes	Finding of No Significant Impact (FONSI) issued by Corps of Engineers on July 11, 2007. Corps approved Section 408 alteration on August 2, 2007.
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	Yes	No 404 permit triggering 401 compliance. RWQCB sent email on August 15, 2007 verifying that 401 certification was not necessary

RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	A NPDES permit (WDID # 5S5BC348901) was issued on 9/18/07. A Storm water Pollution Prevention Plan (SWPPP) has been developed and is being followed.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor's Fugitive Dust Plan has been developed and submitted to the FRAQMD.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Project design and mitigation measures prevent take of threatened and endangered species. FWS sent a letter on May 7, 2007 agreeing that there were no impacts to any endangered species.
National Marine Fisheries Service	Endangered Species Act Compliance	Yes	Project will have no affect on fishery resources and habitats.
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance	Yes	Project design and mitigation measures prevent take of threatened and endangered species.
DFG	Streambed Alteration Agreement	Yes	All ground disturbances is above the Feather River ordinary high water mark. Neither the bed nor bank of the river will be disturbed. DFG sent letter on May 2, 2007 verifying that a Streambed Alteration Agreement was not required.
California State Lands Commission (SLC)	Encroachment Permit	Yes	All ground disturbance is above the Feather River ordinary high water mark and outside SLC jurisdiction.
California Department of Forestry	Conversion of timberland to other uses.	Yes	No timberland conversion is required for the project.
The Resources Agency	Cancellation of Williamson Act Contract	Yes	No Williamson Act contract cancellations are required to implement the project.
California Department of Transportation (Caltrans)	Encroachment on or across a State highway	Yes	Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70). Development and implementation of a traffic control plan is being coordinated with Caltrans.
Caltrans	Encroachment on Caltrans property	Yes	A portion of a stability berm encroaches a short distance onto property owned by Caltrans used for habitat mitigation. A real estate

			easement for this berm was obtained from Caltrans. No adverse effects to protected habitats occur.
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC has occurred and no known Native American sites or sensitive areas would be affected by the project
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	No known sensitive historic or cultural resources would be affected by the project. SHPO sent letter on July 16, 2007 agreeing that no impacts to historic or cultural resources were occurring.
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors and coordination with RD 784 regarding levee encroachments is ongoing. RD 784 signed the application for a CVFPB encroachment permit with no objections.
Yuba County	Grading Permit	Yes	Yuba County is one of the project sponsors and coordination with the County regarding construction of this project continues.
CEQA	EIR Processed for Various Permits	Yes	EIR certified by the TRLIA board on February 6, 2007 and a Notice of Determination filed with the State Clearinghouse (Number 2006062071) on February 8, 2007
CEQA	EIR Addendum # 2	Yes	EIR addendum for the Seepage berm addition needed to provide the final solution to the cutoff wall trench failure.
Section 104 Credit	Future federal projects cost sharing	Yes	\$32.7 M Section 104 credit approved by Corps HQ on August 7, 2007

**Proposed Addition to Project Element 5: Feather River Erosion Site 2**

<b>PERMITTING AGENCY</b>	<b>PERMIT</b>	<b>ACTION DONE</b>	<b>STATUS/COMMENT</b>
Central Valley Flood Protection Board	Encroachment Permits	Pending	Application submitted in February 2009, to be heard at June CVFPB meeting
Corps	Section 404 Permit	Pending	Obtaining Nationwide Permit, application submitted to Corps on

			February 24, 2009
Corps	Wetlands Delineation	Pending	Delineation submitted to Corps on January 12, 2009
Corps	408 approval of project levee alteration	Y	Corps does not consider this as eligible under the Section 408 approval given for Segments 1 & 3. Per discussion with the Corps, they will approve work under Section 208 authority when they comment on the CVFPB Encroachment Permit Application.
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	Pending	Application submitted to RWQCB on March 3, 2009
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Y	TRLIA has a current WDID # 5S5BC348901 that was issued by the Regional Water Quality Control Board. The permit covers Feather River Segments 1, 2, and 3 and encompasses the Erosion Site. This permit is current.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Pending	Application/construction vehicle fleet report to be provided by construction contractor
U.S. Fish and Wildlife Service	Endangered Species Act Compliance (Biological Opinion)	Y	Biological opinion prepared, take avoided, no Incidental Take authorization needed.
National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	Y	Biological opinion prepared, take avoided, no Incidental Take authorization needed.
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance (2081)	Y	No potential take of State listed species.
DFG	Streambed Alteration Agreement	Pending	Application submitted to DFG on February 26, 2009
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Y	Cultural resources surveys and consultation with Native American groups have found no evidence of burials or artifacts
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Y	Cultural resources surveys and consultation with Native American groups have found no evidence of

			significant historic or cultural resources
Reclamation District 784 (RD 784)	Encroachment Permit	Y	RD 784 is one of the project sponsors and coordination with RD 784 regarding levee encroachments is ongoing. RD 784 signed the application for the Reclamation Board encroachment permit with minor conditions.
Yuba County	Grading Permit	Pending	TRLIA to pursue with County to determine if a road impact fee for grading and hauling of materials on County Roads is required. Import of rip-rap may trigger the need for a grading permit.
State Mining and Geology Board (SMGB)	SMARA Permit	Pending	Fill material is imported from existing commercial sites or TRLIA already permitted sites
CEQA	EIR	Y	ISIMND certified by TRLIA Board on 10/17/06
NEPA	EIS	Y	No federal action constituting a NEPA trigger
Section 104 Credit	Future federal projects cost sharing	Y	Work is not eligible for Section 104 Credit because it being accomplished under Section 208 authority and was not approved under Section 408 authority.

## Attachment 4 – Section 104 Corps letter, April 3, 2009



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
CIVIL WORKS  
108 ARMY PENTAGON  
WASHINGTON DC 20310-0108

APR 03 2009

### MEMORANDUM FOR DEPUTY COMMANDING GENERAL FOR CIVIL AND EMERGENCY OPERATIONS

SUBJECT: Yuba River Basin, California, Feather River Levee Segment 2 Tie-in and  
Removal, Section 104 Credit Eligibility Request

This responds to the South Pacific Division Regional Integration Team's (CEMP-SPD's) March 9, 2009 request to approve a sixth application from Yuba County Water Agency (YCWA) for credit eligibility for levee modifications pursuant to Section 104 of the Water Resources Development Act (WRDA) of 1986. The YCWA application dated December 15, 2008 was endorsed by the State of California Central Valley Flood Protection Board on December 17, 2008, and the Sacramento District and South Pacific Division on February 23, 2009.

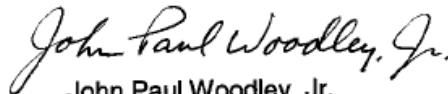
The CEMP-SPD request addresses construction to tie-in the north and south ends of a recently constructed 6.1-mile setback levee between river miles 17.2 and 23.4 (Segment 2) along the Feather River south of Yuba City, California, and remove portions of the original levee, all at an estimated cost of \$85,130,000. The setback levee eliminates seepage problems in the original levee, but is ineffective without connecting to high ground. The new setback levee is ineligible for credit since it is not separately useful and was constructed without a prior determination of credit eligibility.

The Corps indicates that the proposed work is within the scope of the General Reevaluation Report (GRR) and that the work is separately useful for flood damage reduction, integral to the Federal plan, environmentally acceptable, economically justified, and urgently needed to mitigate flood damages. The South Pacific Division approved, as delegated, a permit on December 8, 2008 for this proposed work under Section 408 of the River and Harbors Appropriation Act of 1899, which allows the Secretary to grant permission for altering or permanently occupying public works.

In accordance with paragraph 6a(2) of ER 1162-2-29, General Credit for Flood Control, no credit is available under Section 104 for non-Federal work started after project authorization. In order for a non-Federal interest to receive credit under Section 104, the GRR will have to clearly demonstrate that new authority is necessary to implement the proposed work on Segment 2. A need for additional authorization to raise the project cost limit established by Section 902 of the WRDA of 1986 or to modify other features of the Yuba River Basin project would not make the proposed work on Segment 2 creditable under Section 104.

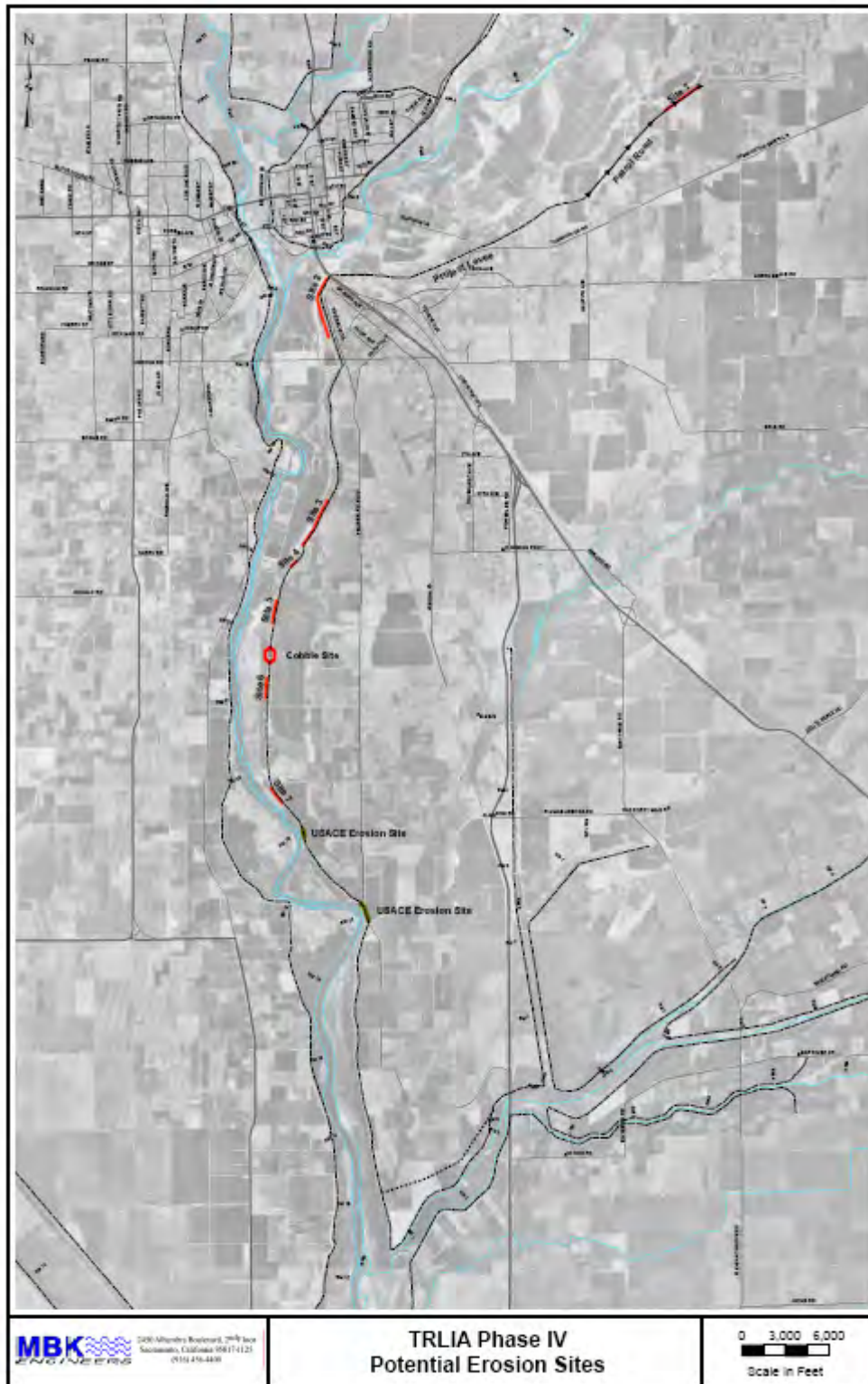
Based on the information provided by the Corps at this time that the GRR may recommend additional authorization for Segment 2, the subject request for credit eligibility under Section 104 of the WRDA of 1986 is approved. The Sacramento District Engineer should notify the sponsor of the conditions upon which this approval is being made, particularly those regarding the need for additional project authority. The sponsor should be informed that this approval should not be interpreted as a commitment to recommend the project for authorization, approve a specific credit against the non-Federal share of project costs, request construction funding, or approve reimbursement if a Federal project is not undertaken. Final approval of the credit will be subject to the results of the final GRR, Administration review and approval, Congressional authorization, and the other requirements of Section 104.

Note that Section 104 specifies that it does not affect the Section 103(a)(1)(A) of WRDA 1986 requirement for a five percent cash contribution. In anticipation of a newly authorized Yuba River Basin project, it appears that the required cash for the elements constructed by the sponsor may significantly affect the credit to be afforded to the sponsor, and result in a non-reimbursable excess contribution by the sponsor. Please provide a preliminary cost apportionment for the separable elements and the full project, including estimates of the credits that might be afforded under Section 104 or other authorities as soon as possible. This information is needed to understand the potential impacts, and may affect the Federal and non-Federal financial plans necessary for the project partnership agreements governing construction.

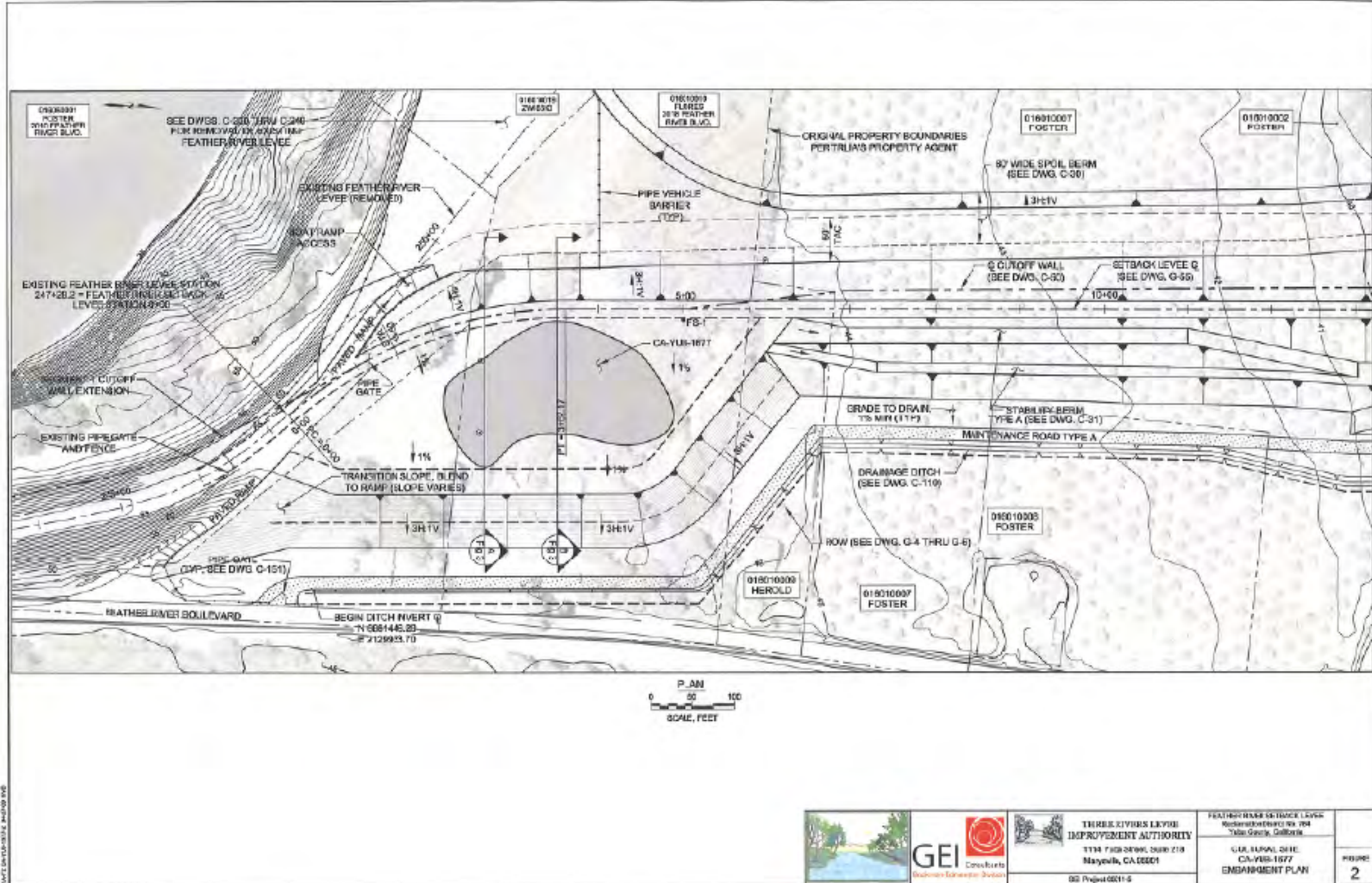


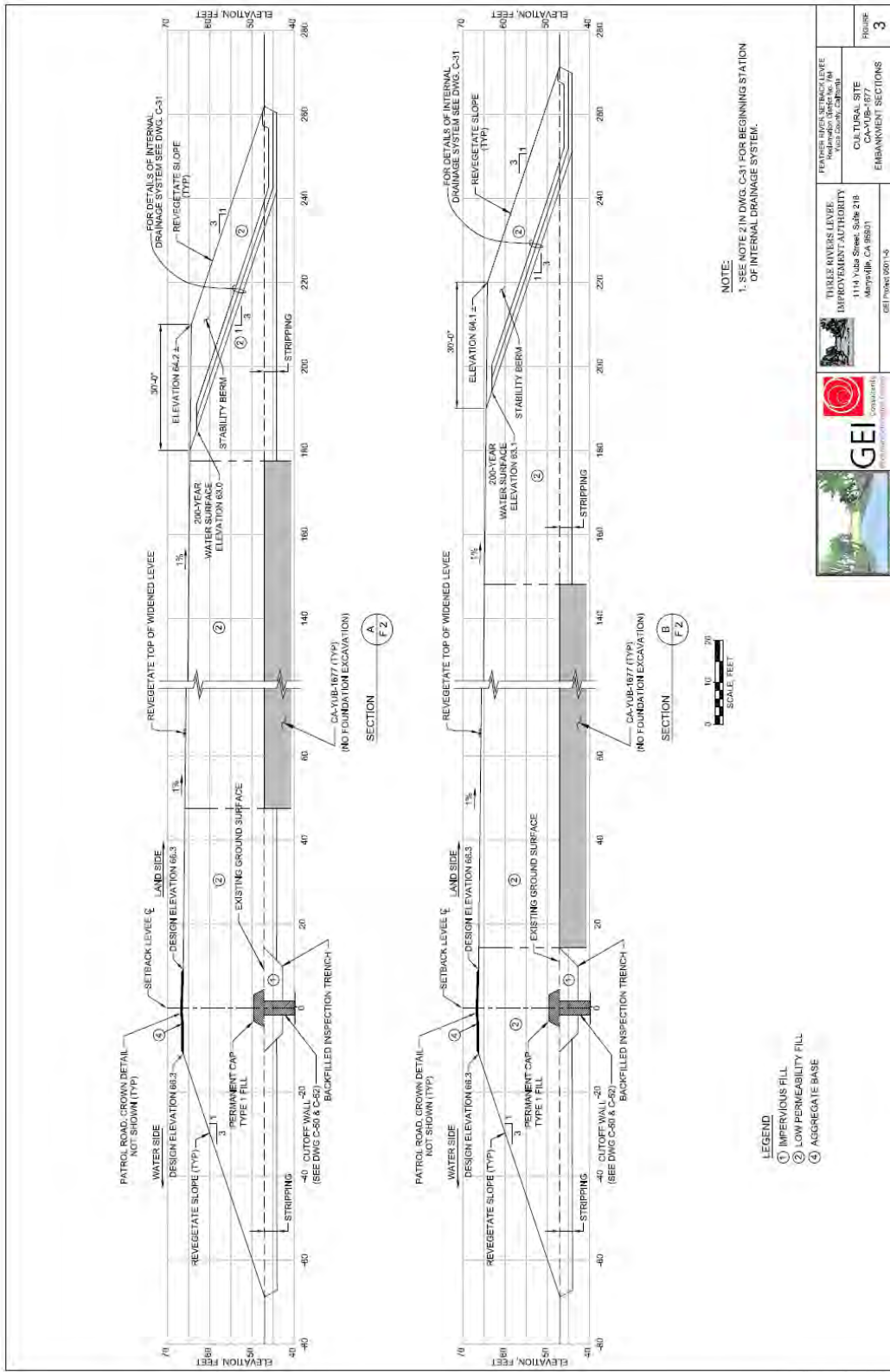
John Paul Woodley, Jr.  
Assistant Secretary of the Army  
(Civil Works)

# Attachment 5 – Proposed Element 5 Erosion Site 2 Location Map



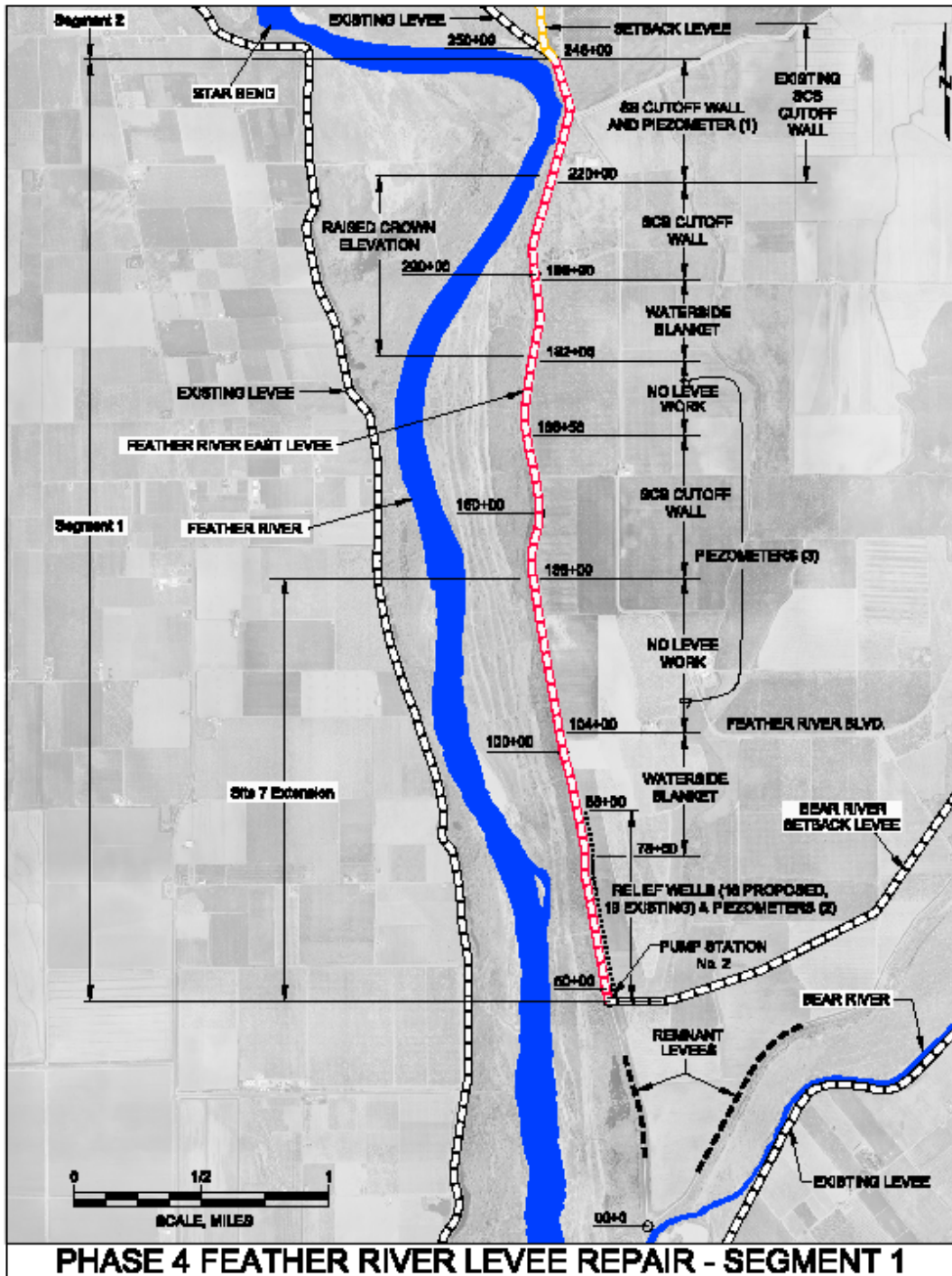
## Attachment 6 – Cultural Site Redesign Plan & Profile Views





	<b>THREE RIVERS LEVEL IMPROVEMENT AUTHORITY</b> 1114 Yale Street, Suite 218 Merced, CA 95351 cell: (520) 261-1432	<b>PLANNING DIVISION CONTRACTOR</b> Registration District No. 164 1152 Locust, California	<b>PROJECT</b> CULTURAL SITE CA-002-0277 EMBANKMENT SECTIONS
	<b>FIGURE</b> 3		

# Attachment 7 – Associated Project Element 2 Graphic



## Attachment 8 – Associated Project Element 1 Updated Permit Table

<b>Associated Project Element 1 Permit and Environmental Documentation</b>			
<b>PERMITTING AGENCY</b>	<b>PERMIT</b>	<b>ACTION DONE</b>	<b>STATUS/COMMENT</b>
The Central Valley Flood Protection Board	Encroachment Permit	Yes	Permit No. 18170 BD issued on August 7, 2007.
The Central Valley Flood Protection Board	Encroachment Permit	Yes	Permit No. 18170 BD modified for design changes, issued on 7/17/08
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	Yes	Navigable waterways not affected
Corps	Section 404 Permit	Yes	No jurisdictional features affected. Corps issued “Letter of No Permit Required” on July 23, 2007. Subsequently, a Nationwide permit was received in July 2008 allowing repairs to sinkholes observed on the waterside toe of the existing levee in a reach of the Site 7 Extension segment of levee.
Corps	408 Approval of project levee alteration	Yes	Finding of No Significant Impact (FONSI) issued by Corps of Engineers on July 11, 2007. Corps approved Section 408 alteration on August 2, 2007. Subsequently, water quality certification was received in July 2008 allowing repairs to sinkholes observed on the waterside toe of the existing levee in a reach of the Site 7 Extension segment of levee.
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	Yes	No 404 permit triggering 401 compliance. RWQCB sent email on August 15, 2007 verifying that 401 certification was not necessary
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	A NPDES permit (WDID # 5S5BC348901) was issued on 9/18/07. A Storm water Pollution Prevention Plan (SWPPP) has been developed and is being followed.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor’s Fugitive Dust Plan has been developed and submitted to the FRAQMD.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Project design and mitigation measures prevent take of threatened and endangered species. FWS sent a letter on May 7, 2007 agreeing that

			there were no impacts to any endangered species.
National Marine Fisheries Service	Endangered Species Act Compliance	Yes	Project will have no affect on fishery resources and habitats.
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance	Yes	Project design and mitigation measures prevent take of threatened and endangered species.
DFG	Streambed Alteration Agreement	Yes	All ground disturbance is above the Feather River ordinary high water mark. Neither the bed nor bank of the river will be disturbed. DFG sent letter on May 2, 2007 verifying that a Streambed Alteration Agreement was not required. Subsequently, a streambed authorization permit was received in June 2008 allowing repairs to sinkholes observed on the waterside toe of the existing levee in a reach of the Site 7 Extension segment of levee.
California State Lands Commission (SLC)	Encroachment Permit	Yes	All ground disturbance is above the Feather River ordinary high water mark and outside SLC jurisdiction.
California Department of Forestry	Conversion of timberland to other uses.	Yes	No timberland conversion is required for the project.
The Resources Agency	Cancellation of Williamson Act Contract	Yes	No Williamson Act contract cancellations are required to implement the project.
California Department of Transportation (Caltrans)	Encroachment on or across a State highway	Yes	Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70). Development and implementation of a traffic control plan is being coordinated with Caltrans.
Caltrans	Encroachment on Caltrans property	Yes	A portion of a stability berm encroaches a short distance onto property owned by Caltrans used for habitat mitigation. A real estate easement for this berm was obtained from Caltrans. No adverse effects to protected habitats occur.

Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC has occurred and no known Native American sites or sensitive areas would be affected by the project
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	No known sensitive historic or cultural resources would be affected by the project. SHPO sent letter on July 16, 2007 agreeing that no impacts to historic or cultural resources were occurring.
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors and coordination with RD 784 regarding levee encroachments is ongoing. RD 784 signed the application for a CVFPB encroachment permit with no objections.
Yuba County	Grading Permit	Yes	Yuba County is one of the project sponsors and coordination with the County regarding construction of this project continues.
CEQA	EIR Processed for Various Permits	Yes	EIR certified by the TRLIA board on February 6, 2007 and a Notice of Determination filed with the State Clearinghouse (Number 2006062071) on February 8, 2007
CEQA	CEQA Addendum #2	Yes	EIR addendum for the Water Blanket modifications.
Section 104 Credit	Future federal projects cost sharing	Yes	\$32.7 M Section 104 credit approved by Corps HQ on August 7, 2007

## **Appendix I**

TRLIA Feather River Levee Improvement Project Fourth Quarterly Progress Report  
Budget Information; EPS #16497-6; dated May 15, 2009

## MEMORANDUM

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To: Paul Brunner, *Executive Director, Three Rivers Levee Improvement Authority*

From: Seth Wurzel

Subject: TRLIA Feather River Levee Improvement Project Fourth Quarterly Progress Report Budget Information; EPS #16497-6

Date: May 15, 2009

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This memorandum has been prepared by Economic & Planning Systems (EPS) at the request of Three Rivers Levee Improvement Authority to supplement their Fourth Quarterly Progress Report (QPR) submitted to the State of California 2008 for the Feather River Levee Improvement Project. Per Section 5 of TRLIA's Fourth QPR, the required cost and budget information is being provided within this memorandum to the Department of Water Resources (DWR) as an attachment to the 4<sup>th</sup> QPR.

This memorandum includes three sets of tables that present the following analyses:

1. **Quarterly Work Plan Reconciliation** - A reconciliation of the Fourth Quarterly Work Plan forecasted Budget to the actual expenses incurred for the quarter's work and the associated funding of the State Share received pursuant to Section 14.C of the Funding Agreement.
2. **Cost and Funding Status Through the Fourth Quarter** - A summary of the cumulative costs incurred since November 6, 2006 through March 31, 2009<sup>1</sup> and a comparison of those costs incurred to the current Overall Work Plan Budget (based on the revisions by TRLIA through the 3<sup>rd</sup> Quarterly Progress Report) included as Exhibit A to the Funding Agreement between TRLIA and DWR.

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<sup>1</sup> Inclusive of the expenses incurred through March 31, 2009 and paid by TRLIA through the month of April 2009. Reference the May 7, 2009 TRLIA Progress Summary - Final Statement of Costs for the 4th Quarter.



3. **Overall Work Plan Budget Proposed Amendments** - A summary of the proposed changes to the Overall Work Plan based upon the April 6, and April 7, 2009 letters from TRLIA to DWR. A discussion of the proposed changes relative to current status of expenses has also been provided.

## #1 - QUARTERLY WORK PLAN RECONCILIATION

The following tables provide detailed information regarding the costs incurred for each Element and Feature during the 4<sup>th</sup> Quarter (January 1, 2009 through March 31, 2009). The tables show the State Share of eligible expenses net of the required 10% withholding of the State Share and compares this amount to the funding received by TRLIA from the State for the 4<sup>th</sup> Quarter. Real Estate costs (Element 1) and funding are shown separately from the costs and funding for Elements 2 through 7.

The following presents a summary of the conclusions of these following tables:

### 4th Quarter Reconciliation Summary (Elements 2 through 7)

	Total	State Share
Total Expenses Incurred During 4th Quarter [1]	<b>\$6,215,575</b>	<b>\$5,034,246</b>
10% Required Retention		-\$503,425
State Share Net of Retention		\$4,530,822
Less Funding Received for State Share		\$0
Additional State Funding Due [2]		\$4,530,822
Required Addition to Future Quarterly Advances		\$4,530,822

[1] Estimated amount, subject to review and approval by DWR.

[2] No funding has been advanced specifically for the 4th Quarter to Date.

This information concludes that, for the Fourth Quarter, the State has under-funded its share of the expenses net of the 10% hold-back provision in the Funding Agreement. This is due directly to the fact that the State stop funding the entire EIP program during the State budget crunch in late 2008. TRLIA understands that DWR staff are working to reinstate the process of funding construction projects at that State funding is to be received during the month of May.

# TRLIA Quarterly Progress Report Real Estate Budget Reconciliation

For Period January / February / March 2009

## ELEMENT 1

Elements and Features	State Share Percentage	4th QWP Forecast Total [1]	4th Qtr Expenses [2]			4th Qtr Funding		Total
			Total	State Share	Local Share	DWR Direct Pay	Local Credit Invoiced	
Formula	a	b	c	d = a*c	e = c - d	f	g	h = f+g
<b>Element 1: Feather River EIP Land Acquisition (see real estate Acquisition Plan)</b>								
Feature 1 - Feather Segment 2	[3]	\$4,950,000	\$0	\$0	\$0	\$0	\$0	\$0
Feature 1 - Feather Segment 2	[4]	N/A	\$1,190,191	\$985,771	\$204,420	\$0	\$0	\$0
Feature 2 - Feather Segment 3		\$52,000	\$0	\$0	\$0	\$0	\$0	\$0
<b>Subtotal Element 1</b>		<b>\$5,002,000</b>	<b>\$1,190,191</b>	<b>\$985,771</b>	<b>\$204,420</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
		<b>Difference Between QWP &amp; Actuals</b>	<b>\$3,811,809</b>					

"4QPRElem1"

[1] From the December 16, 2008 4th QWP.

[2] From January 1, 2009 through March 31, 2008

[3] This line represents Real Estate expenses paid through direct payment process from the State for the quarter

[4] This line represents Real Estate expenses directly funded by TRLIA but eligible for funding through the final accounting package process.

# Summary of TRLIA Quarterly Progress Report Budget Reconciliation

For Period January / February / March 2009

## SUMMARY ALL NON-REAL ESTATE ELEMENTS

Elements and Features	Total Expenses for 4th Quarter	State Share			Local Share		
		To be Funded Net of 10% Holdback	State Funding Rec'd for 4th Quarter	State Funding Remaining to be Received for Quarter	Local Share of Actual Costs for Quarter	Balance of Local Credit Funding Remaining	Remaining Local Share Funded by TRLIA
<i>Formula</i>		a	[1] b	[2] c = a - b	d	[3] e	f = d - e
<b>ALL OTHER ELEMENTS</b>							
Element 2: Segment 2 New Levee	\$5,149,282	\$3,838,384	\$0	\$3,838,384	\$884,411	\$0	\$884,411
Element 3: Segment 2 Levee Tie Ins	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Element 4: Segment 2 Levee Degradation	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Element 5: Segment 3 Levee Improvement	\$747,154	\$470,707	\$0	\$470,707	\$224,146	\$0	\$224,146
Element 6: Land Management	\$43,065	\$32,102	\$0	\$32,102	\$7,397	\$0	\$7,397
Element 7: Project Management, Legal, Community Relations Support, Land Management, and Overhead	\$276,074	\$189,629	\$0	\$189,629	\$65,375	\$0	\$65,375
<b>Subtotal Elements 2 through 7</b>	<b>\$6,215,575</b>	<b>\$4,530,822</b>	<b>\$0</b>	<b><u>\$4,530,822</u></b>	<b>\$1,181,328</b>	<b>\$0</b>	<b><u>\$1,181,328</u></b>

"4QPRSumm"

[1] No funding has been received based upon the 4th QWP or any true-ups for 4th Quarter actual expenses.

[2] Amount represents funding to be received from the State based on actual expenses for the 4th Quarter. This amount can possibly be offset based on True-Ups from prior quarters.

[3] All remaining local credit has been funded. No additional Local expenses can be offset by Local Credit from the State.

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 2

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
Formula	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 2: Feather River Segment 2 new levee (Excludes Levee Tie Ins and Existing Levee Degradation)</b>											
2.1.1: Design	82.8246%	\$6,396,466	\$5,212,407	\$1,184,058	\$6,006,973	\$4,975,251	\$1,031,723	\$389,492	\$237,157	\$152,336	93.9%
2.1.2: Permitting	82.8246%	\$2,469,659	\$2,045,485	\$424,174	\$2,404,180	\$1,991,252	\$412,928	\$65,479	\$54,233	\$11,246	97.3%
2.1.3: Right of Way Support	82.8246%	\$3,488,380	\$2,774,622	\$713,757	\$2,476,950	\$2,051,523	\$425,426	\$1,011,430	\$723,099	\$288,331	71.0%
2.2: Construction Management	82.8246%	\$4,496,651	\$3,539,094	\$957,557	\$2,721,651	\$2,254,196	\$467,455	\$1,775,001	\$1,284,898	\$490,102	60.5%
2.3 Construction of Setback											
2.3.1: Foundation	82.8246%	\$22,654,085	\$18,068,183	\$4,585,903	\$21,034,186	\$17,421,477	\$3,612,709	\$1,619,900	\$646,706	\$973,193	92.8%
2.3.2: Embankment	82.8246%	\$29,754,307	\$23,178,459	\$6,575,848	\$15,903,073	\$13,171,654	\$2,731,419	\$13,851,234	\$10,006,806	\$3,844,429	53.4%
2.3.3: Reloc. of PG&E Facilities	82.8246%	\$3,051,894	\$2,401,913	\$649,981	\$1,072,018	\$887,895	\$184,124	\$1,979,876	\$1,514,018	\$465,858	35.1%
2.4: Environmental & Cultural Mitigation											
2.4.1: Mitigation & Restoration	82.8246%	\$4,300,000	\$3,561,457	\$738,543	\$3,339,250	\$2,765,720	\$573,530	\$960,750	\$795,737	\$165,013	77.7%
2.4.2: Cultural Mit./Section 106	82.8246%	\$350,000	\$289,886	\$60,114	\$0	\$0	\$0	\$350,000	\$289,886	\$60,114	0.0%
2.5: O&M Manual	82.8246%	\$168,103	\$139,231	\$28,872	\$7,500	\$6,212	\$1,288	\$160,603	\$133,019	\$27,584	4.5%
<b>Subtotal Element 2</b>		<b>\$77,129,546</b>	<b>\$61,210,738</b>	<b>\$15,918,808</b>	<b>\$54,965,780</b>	<b>\$45,525,178</b>	<b>\$9,440,602</b>	<b>\$22,163,766</b>	<b>\$15,685,560</b>	<b>\$6,478,206</b>	<b>71.3%</b>

"4QPRElemElem2"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 3

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 3: Feather River Segment 2 Levee Tie Ins</b>											
3.1.1: Foundation	82.8246%	\$4,188,462	\$3,296,418	\$892,044	\$0	\$0	\$0	\$4,188,462	\$3,296,418	\$892,044	0.0%
3.1.2: Embankment	82.8246%	\$5,661,790	\$4,455,963	\$1,205,828	\$0	\$0	\$0	\$5,661,790	\$4,455,963	\$1,205,828	0.0%
<b>Subtotal Element 3</b>		<b>\$9,850,252</b>	<b>\$7,752,381</b>	<b>\$2,097,871</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,850,252</b>	<b>\$7,752,381</b>	<b>\$2,097,871</b>	<b>0.0%</b>

"4QPRElemElem3"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 4

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 4: Feather River Segment 2 Levee Degradation</b>											
4.1: Construction	82.8246%	\$15,996,136	\$11,512,043	\$4,484,093	\$0	\$0	\$0	\$15,996,136	\$11,512,043	\$4,484,093	0.0%
<b>Subtotal Element 4</b>		<b>\$15,996,136</b>	<b>\$11,512,043</b>	<b>\$4,484,093</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$15,996,136</b>	<b>\$11,512,043</b>	<b>\$4,484,093</b>	<b>0.0%</b>

"4QPRElemElem4"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 5

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 5: Feather River Segment 3 levee improvement</b>											
5.1.1: Design	70.0000%	\$962,330	\$640,104	\$322,226	\$904,714	\$633,300	\$271,414	\$57,616	\$6,804	\$50,812	94.0%
5.1.2: Permitting	70.0000%	\$251,398	\$175,978	\$75,419	\$279,439	\$195,607	\$83,832	-\$28,041	-\$19,629	-\$8,412	111.2%
5.1.3: Right of Way Support [4]	70.0000%	\$363,821	\$200,695	\$163,126	\$237,549	\$166,284	\$71,265	\$126,272	\$34,411	\$91,861	65.3%
5.2: Construction Management	70.0000%	\$1,155,902	\$787,976	\$367,926	\$1,083,673	\$758,571	\$325,102	\$72,228	\$29,405	\$42,824	93.8%
5.3 Construction	70.0000%	\$8,496,415	\$5,944,915	\$2,551,500	\$8,442,432	\$5,909,702	\$2,532,730	\$53,983	\$35,213	\$18,770	99.4%
5.4: O&M Manual	70.0000%	\$84,052	\$58,836	\$25,216	\$0	\$0	\$0	\$84,052	\$58,836	\$25,216	0.0%
<b>Subtotal Element 5</b>		<b>\$11,313,917</b>	<b>\$7,808,505</b>	<b>\$3,505,412</b>	<b>\$10,947,806</b>	<b>\$7,663,464</b>	<b>\$3,284,342</b>	<b>\$366,110</b>	<b>\$145,040</b>	<b>\$221,070</b>	<b>96.8%</b>

"4QPRElemElem5"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 6

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 6: Feather River Land Management</b>											
Feature 6.1: Env. Maintenance	82.8246%	\$100,000	\$82,825	\$17,175	\$50,565	\$41,880	\$8,685	\$49,435	\$40,944	\$8,491	50.6%
Feature 6.2: Lease Back	82.8246%	\$50,000	\$41,412	\$8,588	\$0	\$0	\$0	\$50,000	\$41,412	\$8,588	0.0%
Feature 6.3: Land Maintenance	82.8246%	\$150,000	\$124,237	\$25,763	\$0	\$0	\$0	\$150,000	\$124,237	\$25,763	0.0%
<b>Subtotal Element 6</b>		<b>\$300,000</b>	<b>\$248,474</b>	<b>\$51,526</b>	<b>\$50,565</b>	<b>\$41,880</b>	<b>\$8,685</b>	<b>\$249,435</b>	<b>\$206,593</b>	<b>\$42,842</b>	16.9%

"4QPRElemElem6"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 7

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 7: Project Management, Legal, Community Relations support, Land Management, and Overhead</b>											
Feature 7.1: Salaries	76.3198%	\$979,737	\$747,734	\$232,004	\$844,345	\$644,402	\$199,943	\$135,393	\$103,332	\$32,061	86.2%
Feature 7.2: Consulting	76.3198%	\$1,042,571	\$795,688	\$246,883	\$1,014,253	\$774,076	\$240,177	\$28,318	\$21,612	\$6,706	97.3%
Feature 7.3: Legal	76.3198%	\$806,997	\$615,898	\$191,099	\$802,897	\$612,770	\$190,128	\$4,100	\$3,129	\$971	99.5%
Feature 7.4: Travel	76.3198%	\$9,827	\$7,500	\$2,327	\$6,269	\$4,785	\$1,485	\$3,558	\$2,716	\$843	63.8%
Feature 7.5: General	76.3198%	\$235,756	\$179,928	\$55,828	\$170,970	\$130,484	\$40,486	\$64,786	\$49,445	\$15,341	72.5%
Feature 7.6: Insurance	76.3198%	\$461,375	\$352,121	\$109,255	\$461,091	\$351,904	\$109,187	\$284	\$217	\$67	99.9%
Feature 7.7: Travel/Vehicle	76.3198%	\$26,273	\$20,051	\$6,221	\$11,678	\$8,913	\$2,765	\$14,595	\$11,139	\$3,456	44.4%
Feature 7.8: Memberships	76.3198%	\$18,804	\$14,351	\$4,453	\$5,191	\$3,962	\$1,229	\$13,613	\$10,389	\$3,223	27.6%
<b>Subtotal Element 7</b>		<b>\$3,581,340</b>	<b>\$2,733,271</b>	<b>\$848,069</b>	<b>\$3,316,695</b>	<b>\$2,531,295</b>	<b>\$785,400</b>	<b>\$264,646</b>	<b>\$201,977</b>	<b>\$62,669</b>	<b>92.6%</b>

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"4QPRElemElem7"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

## #2 – COST AND FUNDING STATUS THROUGH THE 4<sup>TH</sup> QUARTER

The following set of tables present the status of the project as it relates to the current Overall Work Plan (revised as per TRLIA's 3<sup>rd</sup> Quarter Progress Report dated February 12, 2009).

In summary, through March 31, 2009, TRLIA has incurred expenses for the project which represent 59.5% of the total budget for Elements 1 through 7 (\$106 million of the \$178.2 million dollar total budget eligible for State Sharing). The State has funded 57.2% of its share of the Overall Budget through the 3<sup>rd</sup> Quarter (\$79.25 million of \$138.51 million).

With respect to the individual feature budgets within elements, only feature has exceeded the amended Overall Work Plan Budgets. This features is:

- Element 5 – Feature 5.1.2 Permitting (it has been highlighted in the following table set for clarity);

The following discussion outlines an explanation of this budget overrun. A proposed amended Overall Workplan Budget has also been included in the following section along with a discussion of the budget changes.

### **Permitting Segment 3 (Feature 5.1.2 -Element 5)**

The budget for Segment 3 Permitting is currently approximately 11.2% over (by \$28,041) as of March 31, 2009. The current expenses have exceeded the overall budget for Feature due to efforts to continue the permitting process for Erosion Site 2.

# Summary of TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## SUMMARY ALL ELEMENTS

Elements and Features	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
	Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c = a - b	d	e	f = d - e	g = a - d	h = b - e	i = c - f	j = d/a
<b>Quarterly Progress Report Reconciliation</b>										
Element 1: Feather River EIP Land Acquisition	\$59,986,199	\$47,244,588	\$12,741,611	\$36,748,879	\$30,437,105	\$6,311,773	\$23,237,320	\$16,807,483	\$6,429,838	61.3%
Element 2: Segment 2 New Levee	\$77,129,546	\$61,210,738	\$15,918,808	\$54,965,780	\$45,525,178	\$9,440,602	\$22,163,766	\$15,685,560	\$6,478,206	71.3%
Element 3: Segment 2 Levee Tie Ins	\$9,850,252	\$7,752,381	\$2,097,871	\$0	\$0	\$0	\$9,850,252	\$7,752,381	\$2,097,871	0.0%
Element 4: Segment 2 Levee Degradation	\$15,996,136	\$11,512,043	\$4,484,093	\$0	\$0	\$0	\$15,996,136	\$11,512,043	\$4,484,093	0.0%
Element 5: Segment 3 Levee Improvement	\$11,313,917	\$7,808,505	\$3,505,412	\$10,947,806	\$7,663,464	\$3,284,342	\$366,110	\$145,040	\$221,070	96.8%
Element 6: Land Management	\$300,000	\$248,474	\$51,526	\$50,565	\$41,880	\$8,685	\$249,435	\$206,593	\$42,842	16.9%
Element 7: Project Management, Legal, Community Relations Support, Land Management, and Overhead	\$3,581,340	\$2,733,271	\$848,069	\$3,316,695	\$2,531,295	\$785,400	\$264,646	\$201,977	\$62,669	92.6%
<b>Subtotal Elements 1 through 7</b>	<b>\$178,157,390</b>	<b>\$138,510,000</b>	<b>\$39,647,390</b>	<b>\$106,029,725</b>	<b>\$86,198,923</b>	<b>\$19,830,802</b>	<b>\$72,127,665</b>	<b>\$52,311,077</b>	<b>\$19,816,588</b>	<b>59.5%</b>
<b>State Funding Received Through 4th Quarter [3]</b>										
Real Estate Advances	\$29,975,312									
Construction Funding	\$49,271,495									
Total Funding Received	\$79,246,807									
Percentage of State Budget Funded		57.2% (Through Fourth Quarter)								

\*4QPRTotalSumm\*

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

[3] Based upon total state funding for the 4th Quarter Including Real Estate Funding

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 1

Elements and Features	State Share Percentage	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 1: Feather River EIP Land Acquisition (see real estate Acquisition Plan)</b>											
Feature 1 - Feather Segment 2	82.8246%	\$59,516,777	\$46,915,993	\$12,600,784	\$36,673,407	\$30,374,596	\$6,298,811	\$22,843,370	\$16,541,396	\$6,301,974	61.6%
Feature 2 - Feather Segment 3	70.0000%	\$469,422	\$328,595	\$140,827	\$75,472	\$62,509	\$12,963	\$393,950	\$266,086	\$127,864	16.1%
<b>Subtotal Element 1</b>		<b>\$59,986,199</b>	<b>\$47,244,588</b>	<b>\$12,741,611</b>	<b>\$36,748,879</b>	<b>\$30,437,105</b>	<b>\$6,311,773</b>	<b>\$23,237,320</b>	<b>\$16,807,483</b>	<b>\$6,429,838</b>	<b>61.3%</b>

\*4QPRElemElem1"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 2

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	<i>a</i>	<i>b</i>	<i>c</i>	<i>d = b-c</i>	<i>e</i>	<i>f = e*a</i>	<i>g = e-f</i>	<i>h=b-e</i>	<i>i=c-f</i>	<i>j=d-g</i>	<i>k = e/b</i>
<b>Element 2: Feather River Segment 2 new levee (Excludes Levee Tie Ins and Existing Levee Degradation)</b>											
2.1.1: Design	82.8246%	\$6,396,466	\$5,212,407	\$1,184,058	\$6,006,973	\$4,975,251	\$1,031,723	\$389,492	\$237,157	\$152,336	93.9%
2.1.2: Permitting	82.8246%	\$2,469,659	\$2,045,485	\$424,174	\$2,404,180	\$1,991,252	\$412,928	\$65,479	\$54,233	\$11,246	97.3%
2.1.3: Right of Way Support	82.8246%	\$3,488,380	\$2,774,622	\$713,757	\$2,476,950	\$2,051,523	\$425,426	\$1,011,430	\$723,099	\$288,331	71.0%
2.2: Construction Management	82.8246%	\$4,496,651	\$3,539,094	\$957,557	\$2,721,651	\$2,254,196	\$467,455	\$1,775,001	\$1,284,898	\$490,102	60.5%
2.3 Construction of Setback											
2.3.1: Foundation	82.8246%	\$22,654,085	\$18,068,183	\$4,585,903	\$21,034,186	\$17,421,477	\$3,612,709	\$1,619,900	\$646,706	\$973,193	92.8%
2.3.2: Embankment	82.8246%	\$29,754,307	\$23,178,459	\$6,575,848	\$15,903,073	\$13,171,654	\$2,731,419	\$13,851,234	\$10,006,806	\$3,844,429	53.4%
2.3.3: Reloc. of PG&E Facilities	82.8246%	\$3,051,894	\$2,401,913	\$649,981	\$1,072,018	\$887,895	\$184,124	\$1,979,876	\$1,514,018	\$465,858	35.1%
2.4: Environmental & Cultural Mitigation											
2.4.1: Mitigation & Restoration	82.8246%	\$4,300,000	\$3,561,457	\$738,543	\$3,339,250	\$2,765,720	\$573,530	\$960,750	\$795,737	\$165,013	77.7%
2.4.2: Cultural Mit./Section 106	82.8246%	\$350,000	\$289,886	\$60,114	\$0	\$0	\$0	\$350,000	\$289,886	\$60,114	0.0%
2.5: O&M Manual	82.8246%	\$168,103	\$139,231	\$28,872	\$7,500	\$6,212	\$1,288	\$160,603	\$133,019	\$27,584	4.5%
<b>Subtotal Element 2</b>		<b>\$77,129,546</b>	<b>\$61,210,738</b>	<b>\$15,918,808</b>	<b>\$54,965,780</b>	<b>\$45,525,178</b>	<b>\$9,440,602</b>	<b>\$22,163,766</b>	<b>\$15,685,560</b>	<b>\$6,478,206</b>	<b>71.3%</b>

"4QPRElemElem2"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 3

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 3: Feather River Segment 2 Levee Tie Ins</b>											
3.1.1: Foundation	82.8246%	\$4,188,462	\$3,296,418	\$892,044	\$0	\$0	\$0	\$4,188,462	\$3,296,418	\$892,044	0.0%
3.1.2: Embankment	82.8246%	\$5,661,790	\$4,455,963	\$1,205,828	\$0	\$0	\$0	\$5,661,790	\$4,455,963	\$1,205,828	0.0%
<b>Subtotal Element 3</b>		<b>\$9,850,252</b>	<b>\$7,752,381</b>	<b>\$2,097,871</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,850,252</b>	<b>\$7,752,381</b>	<b>\$2,097,871</b>	<b>0.0%</b>

"4QPRElemElem3"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 4

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 4: Feather River Segment 2 Levee Degradation</b>											
4.1: Construction	82.8246%	\$15,996,136	\$11,512,043	\$4,484,093	\$0	\$0	\$0	\$15,996,136	\$11,512,043	\$4,484,093	0.0%
<b>Subtotal Element 4</b>		<b>\$15,996,136</b>	<b>\$11,512,043</b>	<b>\$4,484,093</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$15,996,136</b>	<b>\$11,512,043</b>	<b>\$4,484,093</b>	<b>0.0%</b>

"4QPRElemElem4"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 5

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 5: Feather River Segment 3 levee improvement</b>											
5.1.1: Design	70.0000%	\$962,330	\$640,104	\$322,226	\$904,714	\$633,300	\$271,414	\$57,616	\$6,804	\$50,812	94.0%
5.1.2: Permitting	70.0000%	\$251,398	\$175,978	\$75,419	\$279,439	\$195,607	\$83,832	-\$28,041	-\$19,629	-\$8,412	111.2%
5.1.3: Right of Way Support [4]	70.0000%	\$363,821	\$200,695	\$163,126	\$237,549	\$166,284	\$71,265	\$126,272	\$34,411	\$91,861	65.3%
5.2: Construction Management	70.0000%	\$1,155,902	\$787,976	\$367,926	\$1,083,673	\$758,571	\$325,102	\$72,228	\$29,405	\$42,824	93.8%
5.3 Construction	70.0000%	\$8,496,415	\$5,944,915	\$2,551,500	\$8,442,432	\$5,909,702	\$2,532,730	\$53,983	\$35,213	\$18,770	99.4%
5.4: O&M Manual	70.0000%	\$84,052	\$58,836	\$25,216	\$0	\$0	\$0	\$84,052	\$58,836	\$25,216	0.0%
<b>Subtotal Element 5</b>		<b>\$11,313,917</b>	<b>\$7,808,505</b>	<b>\$3,505,412</b>	<b>\$10,947,806</b>	<b>\$7,663,464</b>	<b>\$3,284,342</b>	<b>\$366,110</b>	<b>\$145,040</b>	<b>\$221,070</b>	<b>96.8%</b>

"4QPRElemElem5"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 6

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	a	b	c	d = b-c	e	f = e*a	g = e-f	h=b-e	i=c-f	j=d-g	k = e/b
<b>Element 6: Feather River Land Management</b>											
Feature 6.1: Env. Maintenance	82.8246%	\$100,000	\$82,825	\$17,175	\$50,565	\$41,880	\$8,685	\$49,435	\$40,944	\$8,491	50.6%
Feature 6.2: Lease Back	82.8246%	\$50,000	\$41,412	\$8,588	\$0	\$0	\$0	\$50,000	\$41,412	\$8,588	0.0%
Feature 6.3: Land Maintenance	82.8246%	\$150,000	\$124,237	\$25,763	\$0	\$0	\$0	\$150,000	\$124,237	\$25,763	0.0%
<b>Subtotal Element 6</b>		<b>\$300,000</b>	<b>\$248,474</b>	<b>\$51,526</b>	<b>\$50,565</b>	<b>\$41,880</b>	<b>\$8,685</b>	<b>\$249,435</b>	<b>\$206,593</b>	<b>\$42,842</b>	16.9%

"4QPRElemElem6"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

# TRLIA Progress Report Overall Funding Status

Cumulative Through March 2009

## ELEMENT 7

Elements and Features	State Share %	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share	
<i>Formula</i>	<i>a</i>	<i>b</i>	<i>c</i>	<i>d = b-c</i>	<i>e</i>	<i>f = e*a</i>	<i>g = e-f</i>	<i>h=b-e</i>	<i>i=c-f</i>	<i>j=d-g</i>	<i>k = e/b</i>
<b>Element 7: Project Management, Legal, Community Relations support, Land Management, and Overhead</b>											
Feature 7.1: Salaries	76.3198%	\$979,737	\$747,734	\$232,004	\$844,345	\$644,402	\$199,943	\$135,393	\$103,332	\$32,061	86.2%
Feature 7.2: Consulting	76.3198%	\$1,042,571	\$795,688	\$246,883	\$1,014,253	\$774,076	\$240,177	\$28,318	\$21,612	\$6,706	97.3%
Feature 7.3: Legal	76.3198%	\$806,997	\$615,898	\$191,099	\$802,897	\$612,770	\$190,128	\$4,100	\$3,129	\$971	99.5%
Feature 7.4: Travel	76.3198%	\$9,827	\$7,500	\$2,327	\$6,269	\$4,785	\$1,485	\$3,558	\$2,716	\$843	63.8%
Feature 7.5: General	76.3198%	\$235,756	\$179,928	\$55,828	\$170,970	\$130,484	\$40,486	\$64,786	\$49,445	\$15,341	72.5%
Feature 7.6: Insurance	76.3198%	\$461,375	\$352,121	\$109,255	\$461,091	\$351,904	\$109,187	\$284	\$217	\$67	99.9%
Feature 7.7: Travel/Vehicle	76.3198%	\$26,273	\$20,051	\$6,221	\$11,678	\$8,913	\$2,765	\$14,595	\$11,139	\$3,456	44.4%
Feature 7.8: Memberships	76.3198%	\$18,804	\$14,351	\$4,453	\$5,191	\$3,962	\$1,229	\$13,613	\$10,389	\$3,223	27.6%
<b>Subtotal Element 7</b>		<b>\$3,581,340</b>	<b>\$2,733,271</b>	<b>\$848,069</b>	<b>\$3,316,695</b>	<b>\$2,531,295</b>	<b>\$785,400</b>	<b>\$264,646</b>	<b>\$201,977</b>	<b>\$62,669</b>	<b>92.6%</b>

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"4QPRElemElem7"

[1] From Overall Work Plan Exhibit A revised per the 3rd QPR Budget Memo prepared by EPS dated 2/12/09.

[2] Total expenses for project through March 31, 2009 including expenses prior to effective date of agreement

## **ASSOCIATED PROJECT ELEMENTS**

TRLIA has reviewed the Associated Element Budgets and expenses incurred through March 31<sup>st</sup> and provided the following table to show the funding and budget status of this work. At this time, TRLIA's expenses are within the amended Overall Work Plan Budget. TRLIA is currently continuing to incur expenses and move forward with finalizing Segment 1 improvements.

TRLIA has made a request to the State to reconsider funding 70% of Segment 1 costs. In conjunction with TRLIA's application for funding on the Yuba River, the State is reviewing this request. TRLIA is continuing to monitor the individual future budgets and providing the State with invoices.

# Summary of TRLIA Quarterly Progress Report Budget Reconciliation

Cumulative Through March 2009

## ASSOCIATED ELEMENTS

Elements and Features	State Share Percentage	Overall Budget	Actual Expenses to Date	Remaining Budget	% of Total Budget Remaining	Quarterly Forecast	Actual Quarterly Expenses	Difference
<i>Formula</i>	a	b	c	d = b - c	e = d / b	f	g	h = f - g
<b>Associated Element 1: Feather River EIP Land Acquisition</b>								
Feature 1 - Feather Segment 1	0.0000%	\$572,106	\$87,403	\$484,703	85%	\$484,703	\$0	\$484,703
<b>Subtotal Associated Element 1</b>		<b>\$572,106</b>	<b>\$87,403</b>	<b>\$484,703</b>	<b>85%</b>	<b>\$484,703</b>	<b>\$0</b>	<b>\$484,703</b>
<b>Associated Element 2: Feather River Segment 1 levee improvement</b>								
Feature 1.1 - Design	0.0000%	\$1,266,552	\$1,127,767	\$138,785	11%	\$24,000	\$16,148	\$7,852
Feature 1.2 - Permitting	0.0000%	\$323,086	\$178,863	\$144,223	45%	\$0	\$8,696	-\$8,696
Feature 1.3 - ROW Support	0.0000%	\$223,098	\$213,916	\$9,182	4%	\$0	\$0	\$0
Feature 2 - Construction Mgt.	0.0000%	\$1,417,557	\$1,266,206	\$151,351	11%	\$150,538	\$192,057	-\$41,519
Feature 3 - Construction	0.0000%	\$9,366,159	\$7,033,575	\$2,332,583	25%	\$1,000,000	\$5,850	\$994,150
Feature 4 - O&M Segment 1	0.0000%	\$84,052	\$0	\$84,052	100%	\$0	\$0	\$0
<b>Subtotal Associated Element 2</b>		<b>\$12,680,504</b>	<b>\$9,820,328</b>	<b>\$2,860,176</b>	<b>23%</b>	<b>\$1,174,538</b>	<b>\$222,750</b>	<b>\$951,788</b>
<b>Subtotal Associated Elements</b>		<b>\$13,252,610</b>	<b>\$9,907,731</b>	<b>\$3,344,879</b>	<b>25%</b>	<b>\$1,659,241</b>	<b>\$222,750</b>	<b>\$1,436,491</b>

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### #3 – PROPOSED ADJUSTMENT TO THE OVERALL WORKPLAN

TRLIA has provided a request for an extension of the Overall Workplan Budget in two letters it submitted to DWR on April 6 and April 7, 2009. The purpose of these these requests are as follows;

- April 6, 2009 Letter – Request additional funding for construction of various items of Feather Segment 2 work due to various regulatory comments received by TRLIA.
- April 7, 2009 Letter – Request additional funding for Erosion Site 2 as part of Segment 3 work (Design, Contruction, Construction Management and Permitting).

As part of this Progress Report, TRLIA desired to present a proposed modified Overall Work Plan budget that incorporates the changes that would occur should the formal requests made by the April 6 and April 7, 2009 letters be approved by DWR. In addition, TRLIA desired to demonstrate that, if these request are approved, these adjustments would cure the currently overrun situation of the one Feature (Feature 5.1.2 Permitting) over budget.

TRLIA proposes making the following adjustments to the Overall Work Plan Budget based on the April 6 & 7, 2009 letters should DWR approve the requests.

#### **April 6, 2008 – Segment 2 Adjustments**

Table 1 below, details these adjustments to Elements 2, 3 & 4. In total, this request would increase the overall project cost for Segment 2 work by \$4,899,600. The State share of this work would be \$4,058,073 (at a cost share of 82.8246%).

#### **April 7, 2008 – Segment 3 Adjustments**

Attachment 3 to the April 7, 2009 letter provided a detailed cost estimate for the Erosion Site 2 work. The proposed Amended Overall Work Plan provides TRLIA's allocation of the budget provided in April 7, 2009 letter to the Overall Workplan Element 5 Features. The total additional costs allocated are \$855,000. The State share of this work would be \$598,500 (at a cost share of 70%).

The total impact to the State's Cost if both of the requests are approved would be to increase the State Cost Share by **\$4,656,573** from \$138,510,000 to **\$143,166,573**.

Based on the proposed adjustments above, the current over run in Element 5 Feature 1.2 (Permitting) of \$28,041, would be cured by proposed increase shown in the tables below.

**Table 1**  
**April 6, 2009 TRLIA Additional Budget Request for Segment 2 Based Regulatory Comments**  
**Additional Cost by Item Type**

Item on List	Element 2		Element 3		Element 4	SubTotal by Item	Contingency 20%	Total by Item
	Feature 3.1 Foundation Construction	Feature 3.2 Embankment Construction	Feature 1.1 Foundation Construction	Feature 1.2 Embankment Construction	Feature 1 Existing Levee Degradation			
Cutoff Wall	\$1,138,000		\$450,000			\$1,588,000	\$317,600	\$1,905,600
Tie-in Redesign			\$242,404	\$307,596		\$550,000	\$110,000	\$660,000
Stability Berms w/ Drain		\$454,000		\$454,000		\$908,000	\$181,600	\$1,089,600
Relief Wells		\$319,000				\$319,000	\$63,800	\$382,800
Deepen Inspection Trench	\$104,000					\$104,000	\$20,800	\$124,800
Double Wide Bridge		\$285,000				\$285,000	\$57,000	\$342,000
PS 3 Foundation Excavation		\$33,000				\$33,000	\$6,600	\$39,600
Geomembrane Disposal					\$296,000	\$296,000	\$59,200	\$355,200
<b>Sub-Total by Feature</b>	\$1,242,000	\$1,091,000	\$692,404	\$761,596	\$296,000	<b>\$4,083,000</b>	<b>\$816,600</b>	<b>\$4,899,600</b>
<b>Contingency</b>	\$248,400	\$218,200	\$138,481	\$152,319	\$59,200			
<b>Total by Feature</b>	\$1,490,400	\$1,309,200	\$830,885	\$913,915	\$355,200			
<b>Total by Element</b>	<b>\$2,799,600</b>		<b>\$1,744,800</b>		<b>\$355,200</b>			
<b>Grand Total April 6, 2009 Request</b>			<b>\$4,899,600</b>					

## TRLIA Proposed Overall Work Plan Budget Modifications

Project Elements and Features	Previously Revised Budget [1]			Proposed Budget Modification			Proposed Revised Budget		
	State Budget (\$)	Local Budget (\$)	Total Budget (\$)	State Budget (\$)	Local Budget (\$)	Total Budget (\$)	State Budget (\$)	Local Budget (\$)	Total Budget (\$)
<b>Element 1: Feather River EIP Land Acquisition</b> (see real estate Acquisition Plan)									
Feature 2 - Feather Segment 2	\$46,915,993	\$12,600,784	\$59,516,777	\$0	\$0	\$0	\$46,915,993	\$12,600,784	\$59,516,777
Feature 3 - Feather Segment 3	\$328,595	\$140,827	\$469,422	\$0	\$0	\$0	\$328,595	\$140,827	\$469,422
<b>Subtotal Element 1</b>	<b>\$47,244,588</b>	<b>\$12,741,611</b>	<b>\$59,986,199</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$47,244,588</b>	<b>\$12,741,611</b>	<b>\$59,986,199</b>
<b>Element 2: Feather River Segment 2 new levee</b> (Excludes Levee Tie Ins and Existing Levee Degradation)									
Feature 1.1 - Design	\$5,212,407	\$1,184,058	\$6,396,466	\$0	\$0	\$0	\$5,212,407	\$1,184,058	\$6,396,466
Feature 1.2 - Permitting	\$2,045,485	\$424,174	\$2,469,659	\$0	\$0	\$0	\$2,045,485	\$424,174	\$2,469,659
Feature 1.3 - ROW Support	\$2,774,622	\$713,757	\$3,488,380	\$0	\$0	\$0	\$2,774,622	\$713,757	\$3,488,380
Feature 2 - Construction Management	\$3,539,094	\$957,557	\$4,496,651	\$0	\$0	\$0	\$3,539,094	\$957,557	\$4,496,651
Feature 3.1 - Foundation Construction	\$18,068,183	\$4,585,903	\$22,654,085	\$1,234,418	\$255,982	\$1,490,400	\$19,302,600	\$4,841,885	\$24,144,485
Feature 3.2 - Embankment Construction	\$23,178,459	\$6,575,848	\$29,754,307	\$1,084,339	\$224,861	\$1,309,200	\$24,262,799	\$6,800,708	\$31,063,507
Feature 3.3 - PG&E Relocation	\$2,401,913	\$649,981	\$3,051,894	\$0	\$0	\$0	\$2,401,913	\$649,981	\$3,051,894
Feature 4.1 - Environmental Mitigation	\$3,561,457	\$738,543	\$4,300,000	\$0	\$0	\$0	\$3,561,457	\$738,543	\$4,300,000
Feature 4.2 - Cultural Mitigation	\$289,886	\$60,114	\$350,000	\$0	\$0	\$0	\$289,886	\$60,114	\$350,000
Feature 5 - O&M Segment 2	\$139,231	\$28,872	\$168,103	\$0	\$0	\$0	\$139,231	\$28,872	\$168,103
<b>Subtotal Element 2</b>	<b>\$61,210,738</b>	<b>\$15,918,808</b>	<b>\$77,129,546</b>	<b>\$2,318,757</b>	<b>\$480,843</b>	<b>\$2,799,600</b>	<b>\$63,529,495</b>	<b>\$16,399,651</b>	<b>\$79,929,146</b>
<b>Element 3: Feather River Segment 2 Levee Tie Ins</b>									
Feature 1.1 - Foundation Construction	\$3,296,418	\$892,044	\$4,188,462	\$688,177	\$142,708	\$830,885	\$3,984,595	\$1,034,751	\$5,019,347
Feature 1.2 - Embankment Construction	\$4,455,963	\$1,205,828	\$5,661,790	\$756,946	\$156,969	\$913,915	\$5,212,909	\$1,362,796	\$6,575,705
<b>Subtotal Element 3</b>	<b>\$7,752,381</b>	<b>\$2,097,871</b>	<b>\$9,850,252</b>	<b>\$1,445,123</b>	<b>\$299,677</b>	<b>\$1,744,800</b>	<b>\$9,197,504</b>	<b>\$2,397,548</b>	<b>\$11,595,052</b>
<b>Element 4: Feather River Segment 2 Levee Degradation</b>									
Feature 1 - Existing Levee Degradation	\$11,512,043	\$4,484,093	\$15,996,136	\$294,193	\$61,007	\$355,200	\$11,806,236	\$4,545,100	\$16,351,336
<b>Subtotal Element 4</b>	<b>\$11,512,043</b>	<b>\$4,484,093</b>	<b>\$15,996,136</b>	<b>\$294,193</b>	<b>\$61,007</b>	<b>\$355,200</b>	<b>\$11,806,236</b>	<b>\$4,545,100</b>	<b>\$16,351,336</b>

## TRLIA Proposed Overall Work Plan Budget Modifications

Project Elements and Features	Previously Revised Budget [1]			Proposed Budget Modification			Proposed Revised Budget		
	State Budget (\$)	Local Budget (\$)	Total Budget (\$)	State Budget (\$)	Local Budget (\$)	Total Budget (\$)	State Budget (\$)	Local Budget (\$)	Total Budget (\$)
<b>Element 5: Feather River Segment 3 levee improvement</b>									
Feature 1.1 - Design	\$640,104	\$322,226	\$962,330	\$47,073	\$20,174	\$67,247	\$687,177	\$342,400	\$1,029,577
Feature 1.2 - Permitting	\$175,978	\$75,419	\$251,398	\$101,711	\$43,591	\$145,302	\$277,690	\$119,010	\$396,700
Feature 1.3 - ROW Support	\$200,695	\$163,126	\$363,821	\$0	\$0	\$0	\$200,695	\$163,126	\$363,821
Feature 2 - Construction Management.	\$787,976	\$367,926	\$1,155,902	\$38,667	\$16,572	\$55,239	\$826,643	\$384,497	\$1,211,140
Feature 3 - Construction	\$5,944,915	\$2,551,500	\$8,496,415	\$411,048	\$176,164	\$587,212	\$6,355,963	\$2,727,663	\$9,083,627
Feature 4 - O&M manual	\$58,836	\$25,216	\$84,052	\$0	\$0	\$0	\$58,836	\$25,216	\$84,052
<b>Subtotal Element 5</b>	<b>\$7,808,505</b>	<b>\$3,505,412</b>	<b>\$11,313,917</b>	<b>\$598,500</b>	<b>\$256,500</b>	<b>\$855,000</b>	<b>\$8,407,005</b>	<b>\$3,761,912</b>	<b>\$12,168,917</b>
<b>Element 6: Feather River Land Management</b>									
Feature 1 - Environmental Restoration Activities	\$82,825	\$17,175	\$100,000	\$0	\$0	\$0	\$82,825	\$17,175	\$100,000
Feature 2 - Lease Back activities	\$41,412	\$8,588	\$50,000	\$0	\$0	\$0	\$41,412	\$8,588	\$50,000
Feature 3 - Operation And Maintenance	\$124,237	\$25,763	\$150,000	\$0	\$0	\$0	\$124,237	\$25,763	\$150,000
<b>Subtotal Element 6</b>	<b>\$248,474</b>	<b>\$51,526</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$248,474</b>	<b>\$51,526</b>	<b>\$300,000</b>
<b>Element 7: Project Management, legal support, community relations support, land management support, and overhead</b>									
Feature 1 - TRLIA Salaries/Benefits	\$747,734	\$232,004	\$979,737	\$0	\$0	\$0	\$747,734	\$232,004	\$979,737
Feature 2 - TRLIA Consultant Exp.	\$795,688	\$246,883	\$1,042,571	\$0	\$0	\$0	\$795,688	\$246,883	\$1,042,571
Feature 3 - TRLIA Legal Support	\$615,898	\$191,099	\$806,997	\$0	\$0	\$0	\$615,898	\$191,099	\$806,997
Feature 4 - TRLIA Travel Expenses	\$7,500	\$2,327	\$9,827	\$0	\$0	\$0	\$7,500	\$2,327	\$9,827
Feature 5 - TRLIA General Expenses	\$179,928	\$55,828	\$235,756	\$0	\$0	\$0	\$179,928	\$55,828	\$235,756
Feature 6 - TRLIA Insurance	\$352,121	\$109,255	\$461,375	\$0	\$0	\$0	\$352,121	\$109,255	\$461,375
Feature 7 - TRLIA Travel	\$20,051	\$6,221	\$26,273	\$0	\$0	\$0	\$20,051	\$6,221	\$26,273
Feature 8 - TRLIA Memberships	\$14,351	\$4,453	\$18,804	\$0	\$0	\$0	\$14,351	\$4,453	\$18,804
<b>Subtotal Element 7</b>	<b>\$2,733,271</b>	<b>\$848,069</b>	<b>\$3,581,340</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,733,271</b>	<b>\$848,069</b>	<b>\$3,581,340</b>
<b>TOTAL ALL ELEMENTS</b>	<b>\$138,510,000</b>	<b>\$39,647,390</b>	<b>\$178,157,390</b>	<b>\$4,656,573</b>	<b>\$1,098,027</b>	<b>\$5,754,600</b>	<b>\$143,166,573</b>	<b>\$40,745,417</b>	<b>\$183,911,990</b>

[1] Reflects Revisions Made in 3rd Quarterly Progress Report, February 12, 2009

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