



TRLIA
7th QUARTERLY
PROGRESS REPORT
FOR
FEATHER RIVER LEVEE
IMPROVEMENT PROJECT

- 1. Quarterly Progress Report (QPR) for 7th Quarter: October 1 – December 31, 2009**
- 2. Date of Report: February 15, 2010**
- 3. Purpose of Quarterly Report:** This report summarizes the work completed in the 7th quarter.
- 4. Specific Project Element Information:**
 - **Major accomplishments this quarter (i.e. tasks completed, milestones met, meetings held or attended, press releases, etc.)**
 - Project Element 1: TRLIA reached settlement with Naumes. Naumes was by far the largest eminent domain case (settlement was for \$17,500,000 plus statutory interest and court costs.
 - Project Element 3: The construction work over the cultural site (south tie-in) was completed.
 - Project Element 2, & 3: The Feather River Setback levee was completed
 - Project Element 4: Degradation of the existing Feather Segment 2 levee commenced during this quarter
 - All Project Elements: A ribbon cutting ceremony to celebrate completion of the Feather River Setback Levee was held on Monday, October 26.
 - All Project Elements: DWR agreed to modify the existing funding to increase the State cost share by \$16.28million, comprised of 70 percent of \$16.6 million for Segment 1, 82.8246 percent of \$4.9 million for additional work in Segment 2, and 70 percent of \$0.855million for additional work in Segment 3. The total project cost would be revised from the current \$191.4 million to an

estimate of \$200.5 million with the State cost-share capped at \$154.8 million. DGS approval of the funding agreement modification is anticipated in February 2010.

- Significant Events, media releases, and media coverage during the Quarter: See Attachment 1.
 - October 12, 2009 Media/Press Release: Star Bend Boat Ramp & Parking Lot Closure Extended
 - October 21, 2009 Media/Press Release: October 26 Ribbon Cutting for Feather River Levee Improvements

- **Engineering and Construction matters:**

- **All Project Elements:** DWR agreed to modify the existing funding to increase the State cost share by \$16.28million, comprised of 70 percent of \$16.6 million for Segment1, 82.8246 percent of \$4.9 million for additional work in Segment 2, and 70 percent of \$0.855million for additional work in Segment 3. The total project cost would be revised from the current \$191.4 million to an estimate of \$200.5 million with the State cost-share capped at \$154.8 million. DGS approval of the funding agreement modification is anticipated in February 2010.

- **Project Element 1 - Land Acquisition:**

- **Feature 1 (Segment 2/Setback levee):** The Tables below reflect the Real Estate actions accomplished in this Quarter.
 - Listed below are the eminent domain settlements in the 7th Quarter.

<u>Eminent Domain Case</u>	<u>Deposit of Probable Compensation</u>	<u>Settlement</u>	<u>Relocation Expense</u>
APN 014-250-027 & 028 (Naumes)	\$15,580,000	\$17,500,000 plus statutory interest and court costs	\$0
APN 013-010-010, 34, & 35 (Danna)	\$1,455,000	Jury verdict of \$1,266,625 plus statutory interest and court costs	\$0
APN 013-010-014 (Davitt)		Appeal resolved via mediation	
APN 014-250-029 (Thomas Rice)	\$155,000	\$205,000 and three miscellaneous items	\$0

- ✓ Naumes: The final court documents are anticipated to be available early in February 2010. TRLIA agreed to pay the remaining balance in full to Naumes by February 15, 2010. TRLIA will seek reimbursement of State share once final court papers are received.
- ✓ Danna: The final court documents are anticipated to be available early in February 2010. The amount owed by Danna after statutory interest and court costs are deducted is \$161,899.83. TRLIA agreed to the following items in order to avoid further legal costs due to Danna appealing the court decision:
 - Reduce the amount owed by \$20,000
 - Danna pays the amount owed of \$141,899.83 in 3 equal installments over 18 months: 1/3 on June 15, 2010, 1/3 on December 15, 2010 and 1/3 on June 15, 2011
 - No payment of interest
- ✓ Davit: During mediation the Davits and TRLIA agreed to a settlement. The Davits agreed to return \$200,000 from the judgment amount of \$3,039,791.26, which they have withdrawn from the State escrow account. In addition, the court has ordered TRLIA to pay the Davit litigation costs of \$134,771.82, which will be deducted from the \$200,000 that is being returned. Davit has return \$65,228.18, which will be shared per funding agreement by the State and TRLIA
- ✓ Thomas Rice: TRLIA has agreed to settle with Thomas Rice for \$205,000 and three miscellaneous items. The three items are: 1) TRLIA to prepare and submit a lot line adjustment to the County, 2) TRLIA to prepare and submit paperwork to the County to limit the use of Plumas Ave from Rice house to Setback levee, 3) Fence the area containing peach trees within the TRLIA levee easement right of way. Settlement documents are anticipated to be executed and processed through the court early in 2010.
- ✓ Herold: TRLIA settled with the property owner during the 6th quarter and the property owner has been paid. Because additional property was sought, TRLIA had to re-serve the other parties who had an interest in the property and who had previously disclaimed or defaulted. Once the service is complete and the same parties have either disclaimed or been defaulted, a final judgment can be entered and final order of condemnation recorded. We anticipate this case being completed by April or May 2010.
- ✓ Heir Trust: The final order of condemnation will be recorded in February 2010.

- Below is a list of the remaining eminent domain cases and the projected trial date. The parties will exchange updated appraisal information 90 days before trial unless an agreement has been reached to vary that date. The scheduled trial and exchange dates for those cases, and the amount of probable compensation TRRIA deposited with the State based on its pre-condemnation appraisals.

1. APN 014-370-006 and 039 (Anderson) Trial 5/4/10 Exchange 2/26/10 Deposit \$321,000.
2. APN 014-290-004 (Heir Family) Trial 6/29/10 Exchange Completed Deposit \$267,000
3. APN 016-010-016 (S. Nieschulz) Trial 8/31/10 Exchange 5/28/10 Deposit \$1,335,000
4. APN 016-010-006 (L. Nieschulz) Trial 8/31/10 Exchange 5/28/10 Deposit \$17,200
5. APN 016-060-001 (Foster Bar) Trial 11/16/10 Exchange 8/16/10 Deposit \$100,000
6. APN 016-010-008 (Foster House) Trial 11/16/10 Exchange 8/16/10 Deposit \$23,000
7. APN 014-370-029 and 6 others (Foster Ranch) Trial 11/16/10 Exchange 8/16/10 Deposit \$4,830,000
8. Mann: Case Management Conference on March 29, 2010
9. Hadley: Case Management Conference on March 29, 2010

- **Feature 2 (Segment 3):** The Tables below reflect the Real Estate actions accomplished in this Quarter.

- Listed below are the eminent domain settlements in the 7th Quarter.

<u>Eminent Domain Case</u>	<u>Deposit of Probable Compensation</u>	<u>Settlement</u>
APN 020-360-002 (Khang)	\$32,500	\$67,500

- ✓ Khang: The property owners have executed the stipulation for entry of judgment. Payment will occur in February 2010 and a final order of condemnation will then be recorded.

- There are no remaining eminent domain cases on Segment 3.

➤ **Project Element 2:** Feather River Segment 2 setback levee without tie-ins and new levee construction requiring federal action (except as noted in features):

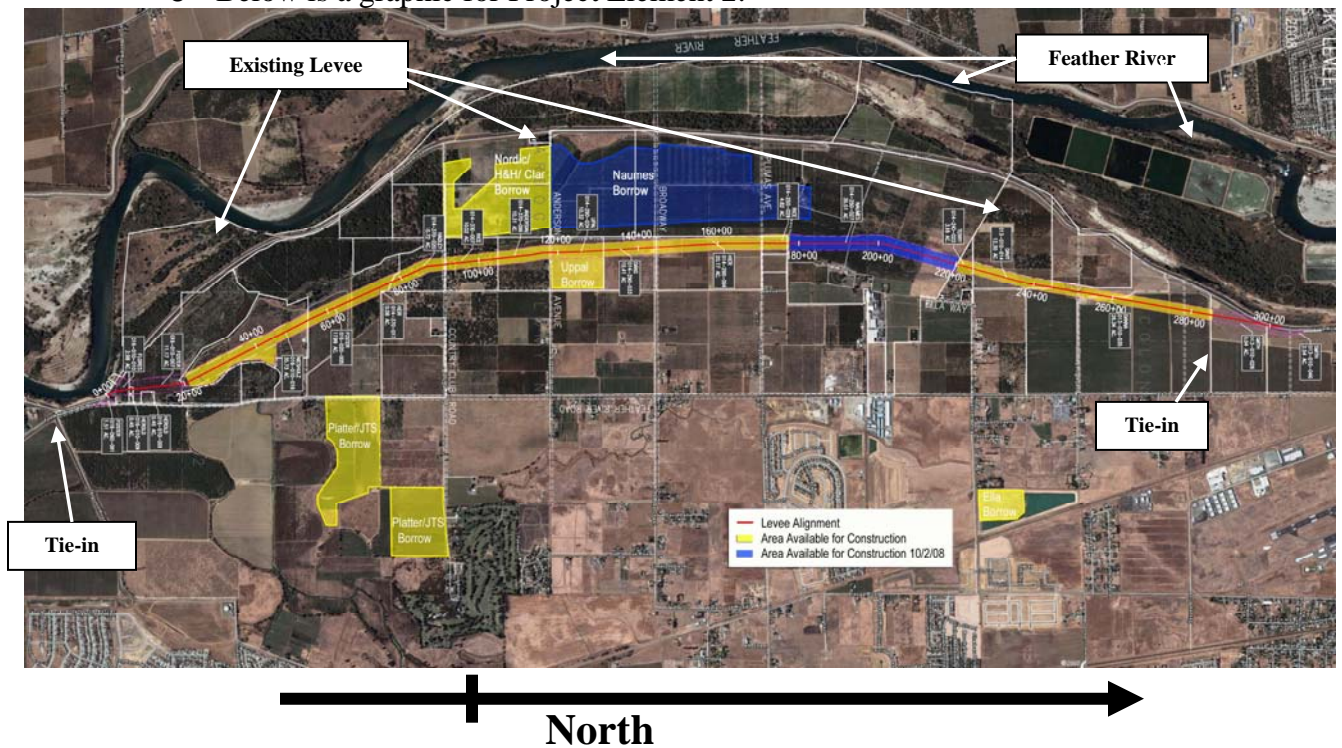
- Construction work continued during this quarter.

- All construction work pertaining to the levee foundation and embankment has been completed. Table 1 below presents a completed summary of foundation and embankment quantities.
- Pump station construction continued during this quarter.
- Work on ancillary setback levee features continued during the quarter, including relief wells, piezometers, drainage ditches, and patrol road, installation of settlement monuments, and miscellaneous fences and gates.

Table 1: Project Element 2 Work Summary

Completion Quantities			
Location	lineal feet of foundation	sf of cutoff wall	cubic yards embankment
Element 2	26,430	1,408,200	3,000,000

- Below is a graphic for Project Element 2.



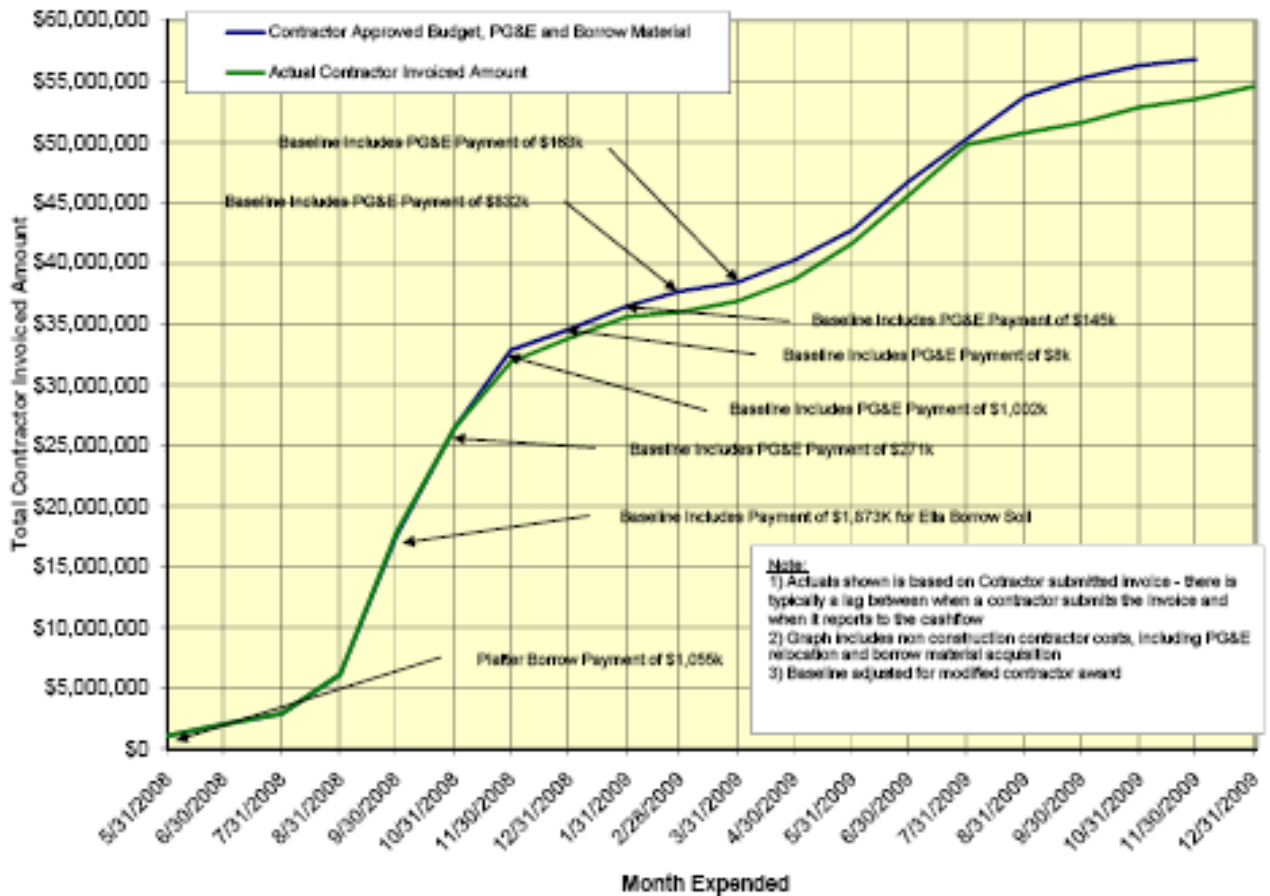
- A ribbon cutting ceremony to celebrate completion of the Feather River Setback Levee was held on Monday, October 26. TRLIA regrets the oversight of failing to significantly recognize the hard work of the CVFPB Board members and staff in the official ceremony proceedings. The CVFPB Board members and staff have played a prominent role in the successful execution of the setback levee project

- The following construction items remain to be completed for Element 2 in Spring 2010:
 - Relief wells
 - Pump station punch list and testing
 - Miscellaneous fencing
 - Drainage ditch
 - Final site grading and clean-up

- See Attachment 4 for Construction Photos

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

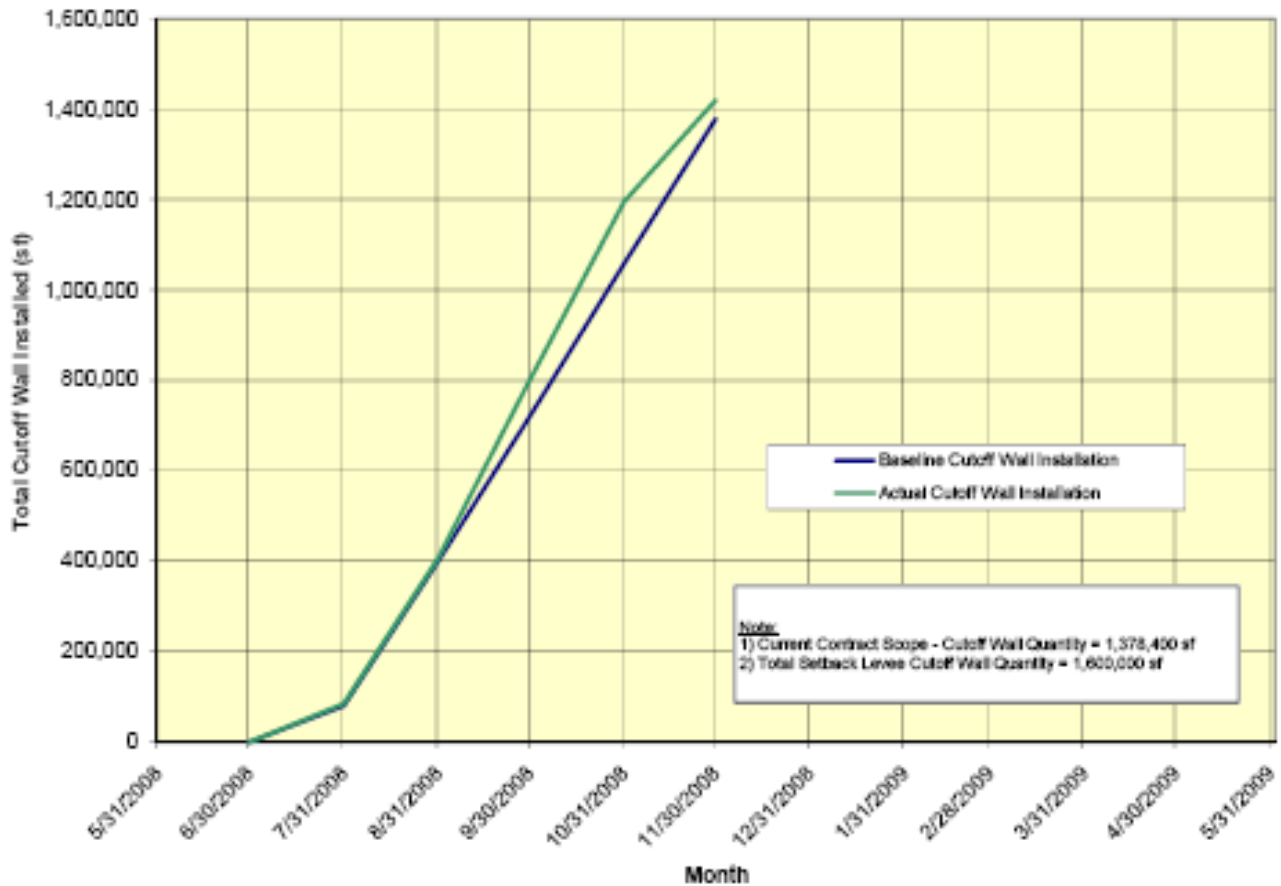
Figure 1
Feather River Setback Levee - Current Contractor Scope
Contractor Invoiced Amount



Metric – Cost

As shown on Figure 1, the actual expended costs are somewhat below the baseline projection. The difference is due primarily to weather delays in fall 2008 and 2009, PG&E transmission relocation being behind schedule, and delays in relief well installation.

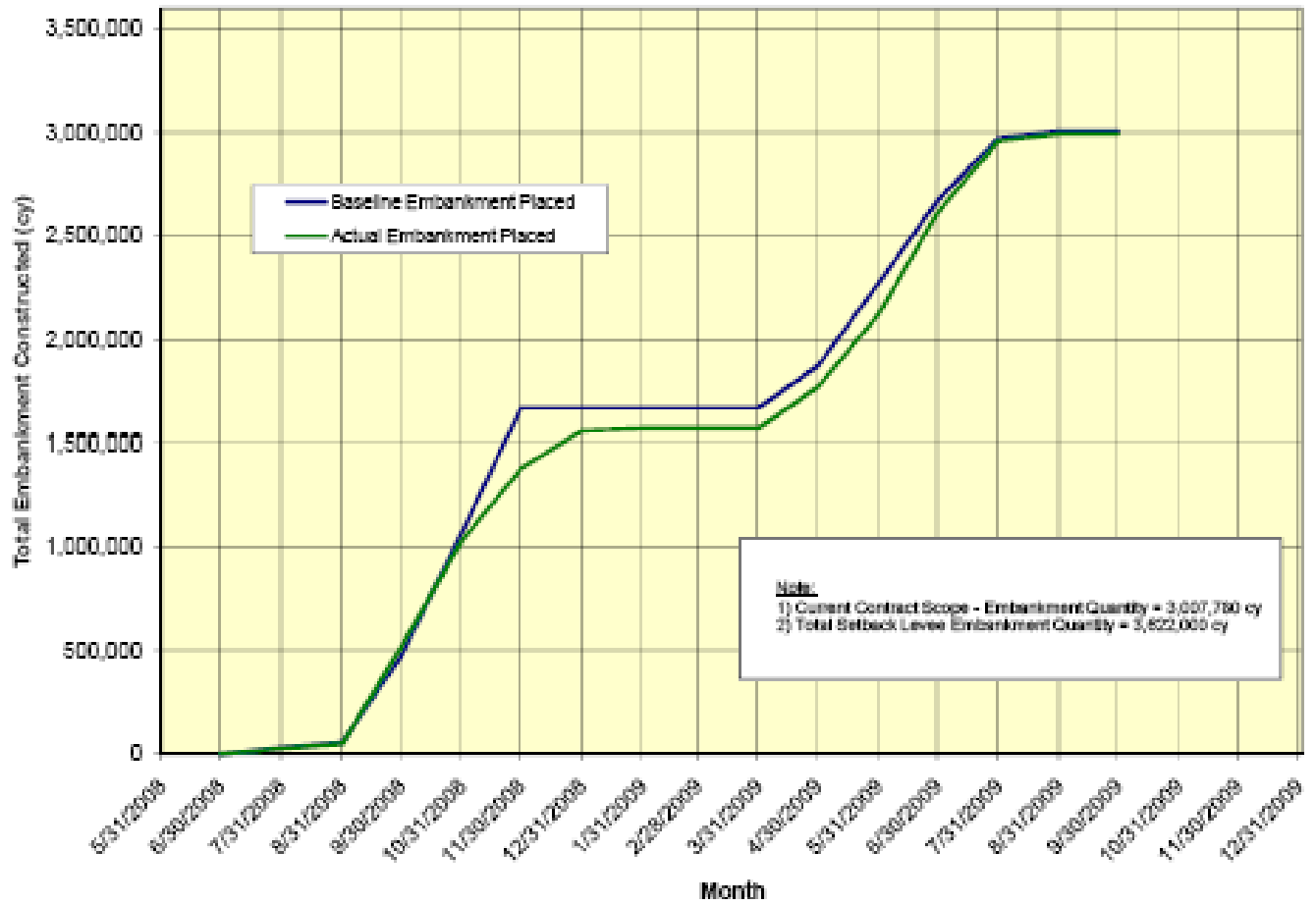
Figure 2
 Feather River Setback Levee - Current Contractor Scope
 Cutoff Wall Installation



Metric – Cutoff Wall

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

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



Metric – Embankment

As shown on Figure 3, the actual volume of embankment placed is very close to the baseline projection (within about 10,000 cy). **This metric is complete**

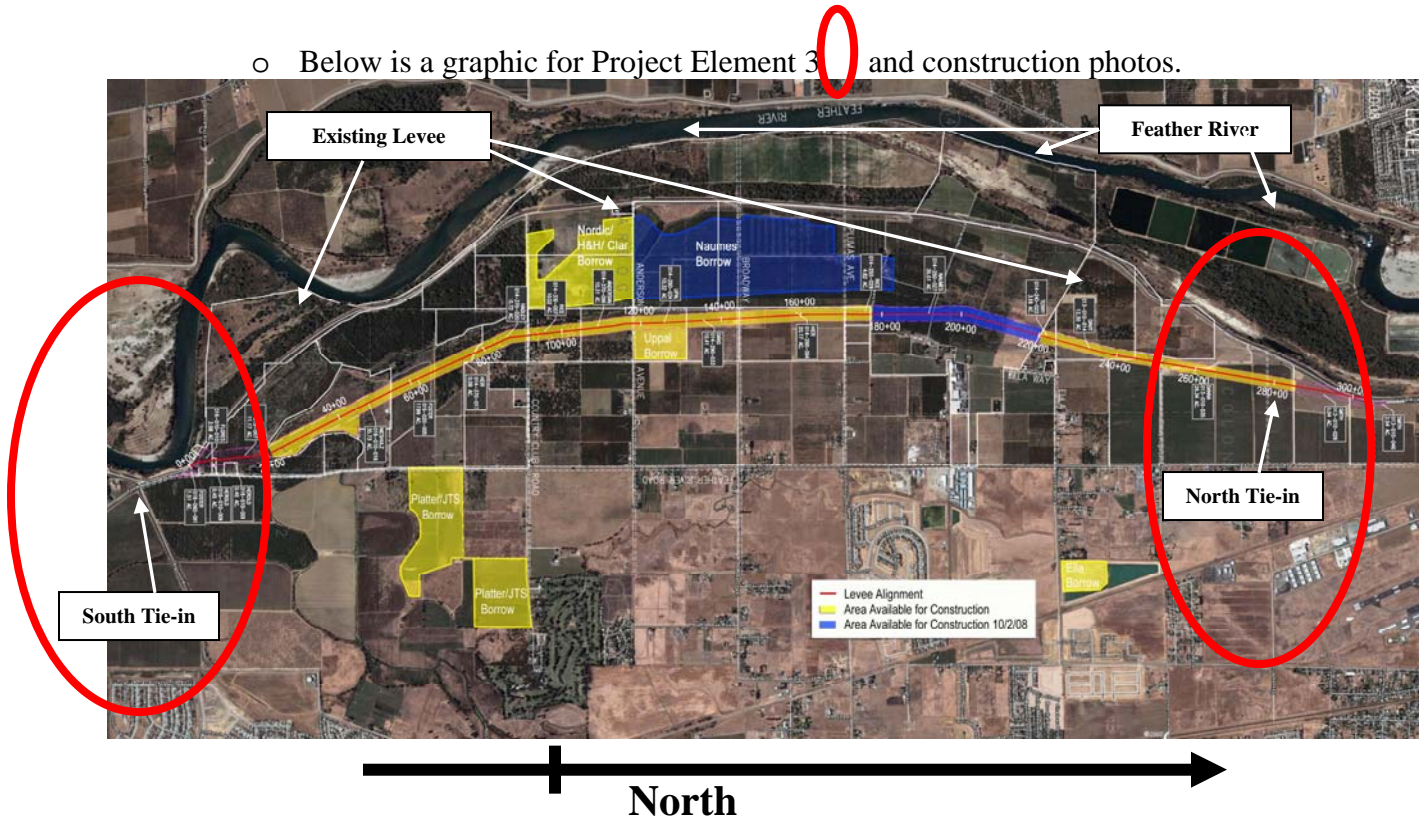
➤ **Project Element 3: Feather River Segment 2 tie-ins and new levee construction requiring federal action**

- Construction work continued throughout the Quarter on this Project Element.
- **All construction work pertaining to the levee foundation and embankment has been completed.** Table 2 below presents a completed summary of foundation and embankment quantities.

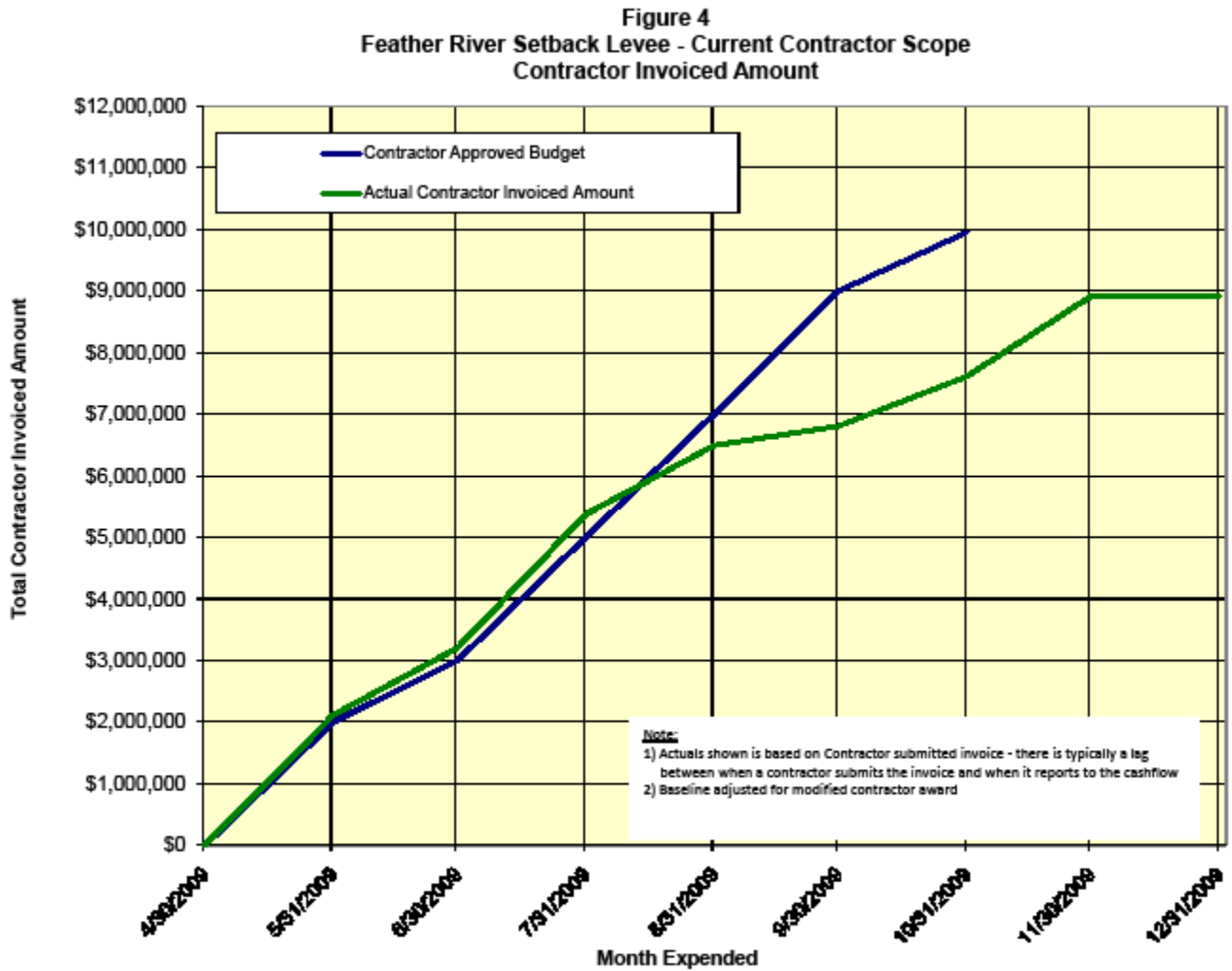
Table 2: Project Element 3 Project Work Summary

Completion Quantities			
Location	lineal feet of foundation	sf of cutoff wall	cubic yards embankment
Element 3	1,500	249,200	595,000

- TRLIA completed construction over the cultural site in October 2009.
- Remaining Element 3 work to be conducted in spring 2010 includes completion of, drainage ditches, patrol road and miscellaneous fences.
- See Attachment 4 for Construction Photos
- Below is a graphic for Project Element 3 and construction photos.



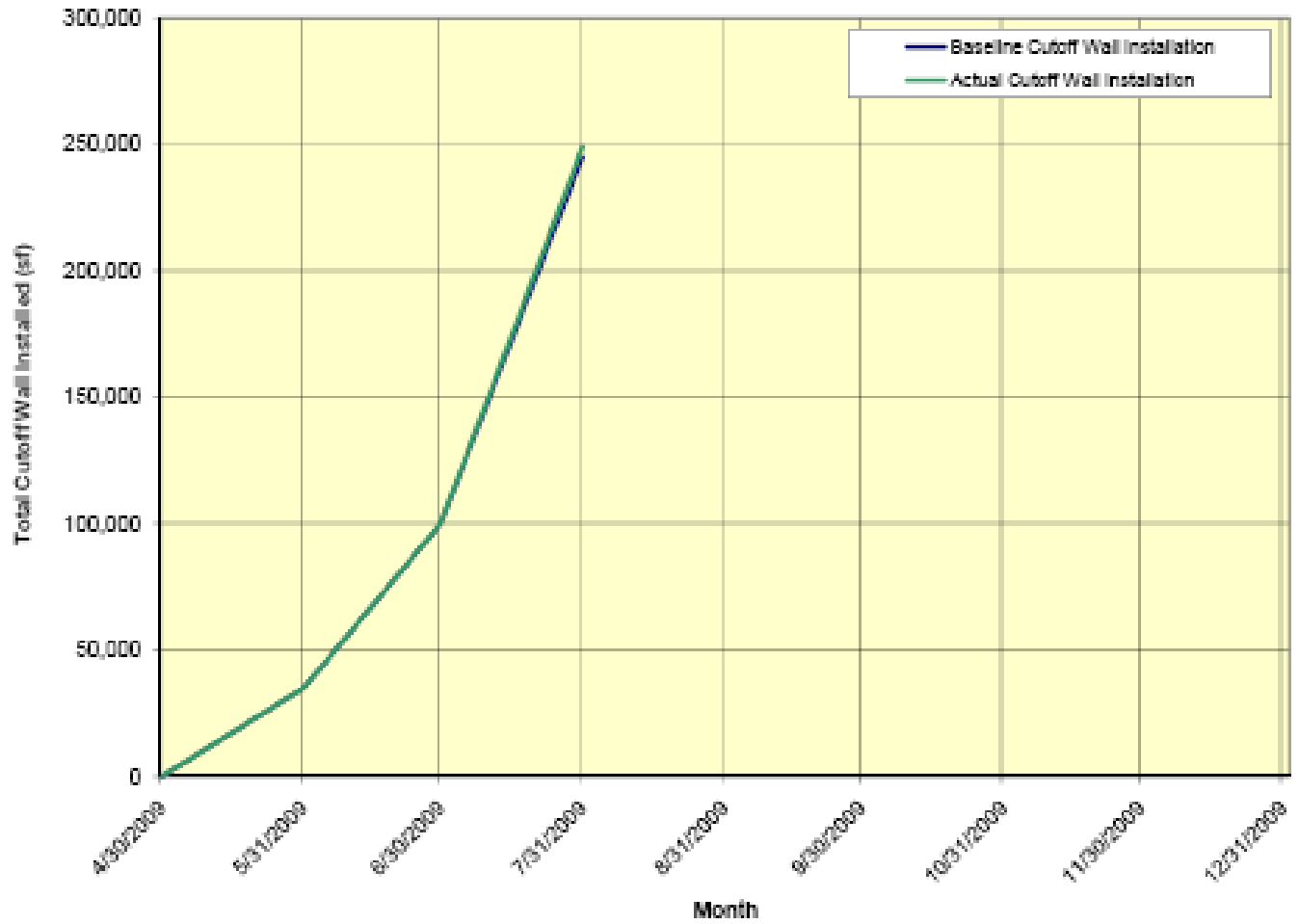
- Provided next are three TRLIA metrics that track Project Element 3 work progress. These metrics are adjusted as work is added to the contract.



Metric – Cost

As shown on Figure 4, expenditures for Element began trailing from baseline projections primarily due to delays in receiving approval for the south tie-in re-design at the cultural site, as well as weather impacts during fall 2009. Construction is expected to be completed spring 2010.

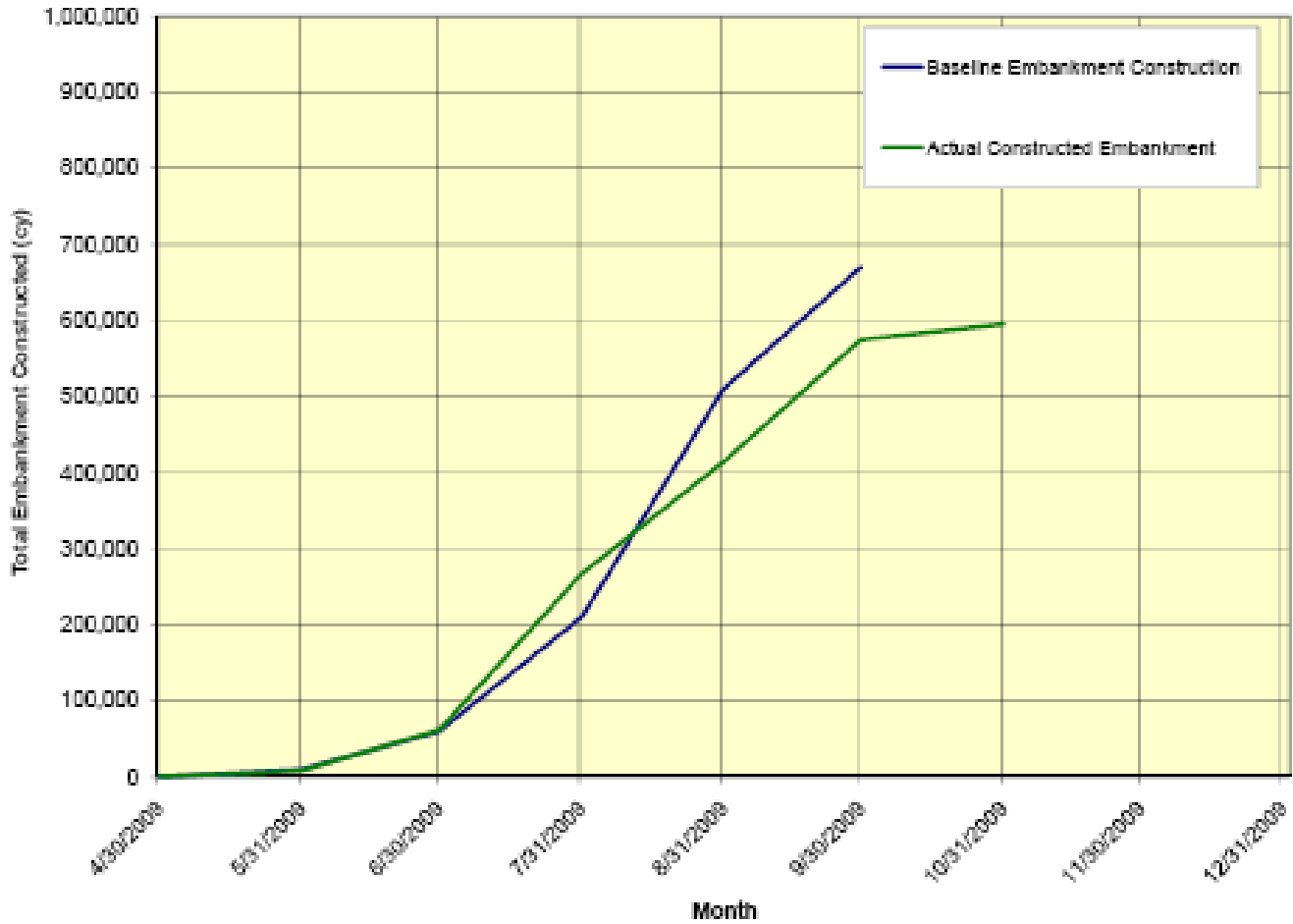
Figure 5
Feather River Setback Levee - Current Contractor Scope
Cutoff Wall Installation



Metric – Cutoff Wall

As shown on Figure 5, cutoff wall construction was completed in July 2009.
This metric is complete

Figure 6
Feather River Setback Levee - Current Contractor Scope
Embankment Construction



Metric – Embankment

As shown on Figure 6, embankment construction production began trailing off from baseline projections primarily due to delays in receiving approval for the south tie-in re-design at the cultural site. Embankment construction is expected to be completed spring 2010. **This metric is complete**

➤ **Project Element 4: Feather River Segment 2 Existing Levee Degrade**

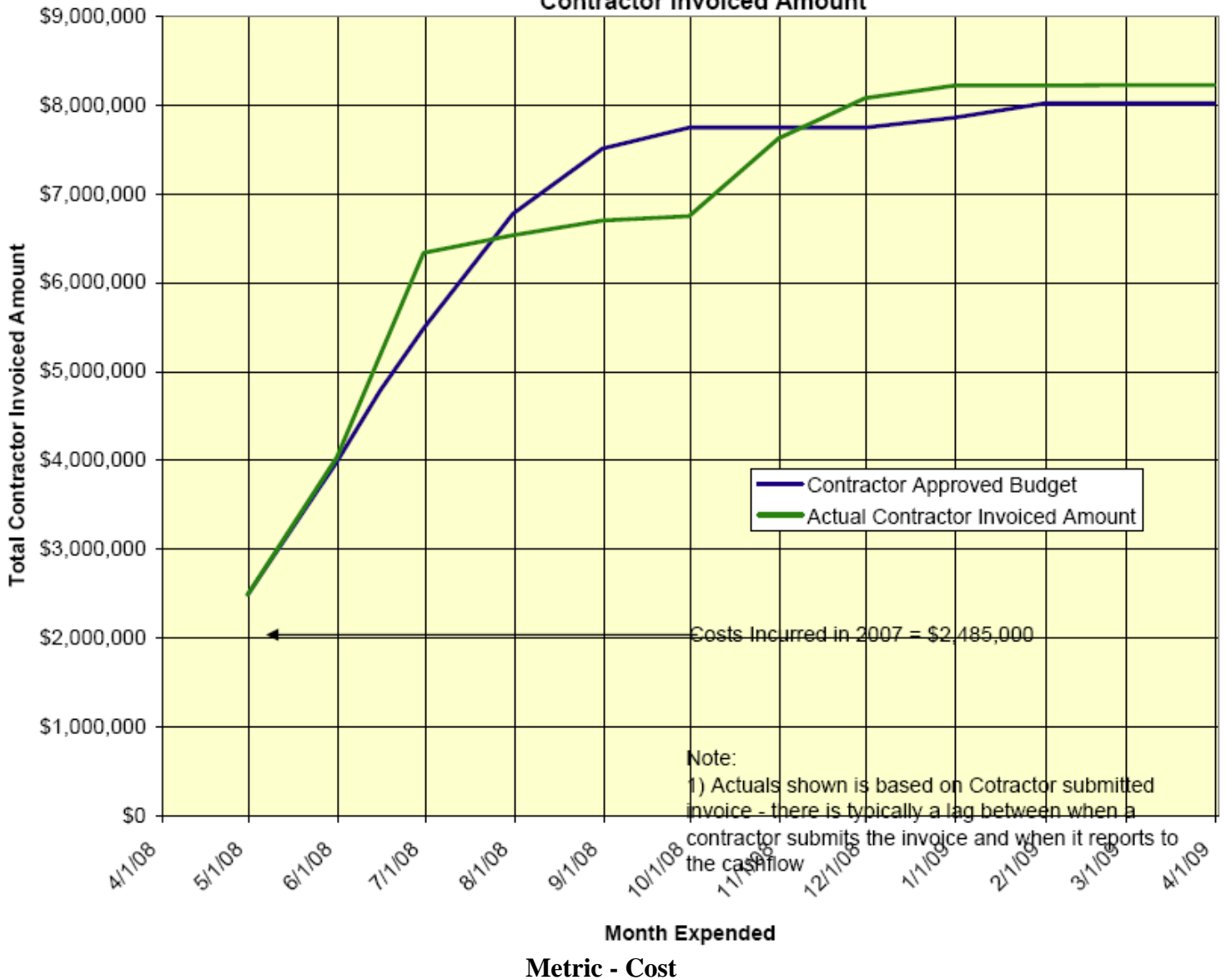
- TRLIA submitted an encroachment permit application to the CVFPB for the Vegetated Wave Buffer on September 3, 2009. Encroachment permit is still pending.
- The encroachment permit application for the Elderberry Mitigation Area will be submitted once TRLIA, DWR, CVFPB, and F&WS have worked out a safe harbor agreement for elderberry maintenance in the Feather River floodway.
- Degradation of the existing levee began August 24.
- Approximately 60% of the existing levee was degraded before weather caused stoppage of work. Levee degrade will continue spring 2010. The new floodway is open and graded to avoid fish stranding. The Uppal borrow site was filled.
- The construction of the onsite wetland mitigation area is pending the completion of the levee degrade. Wetland mitigation construction is anticipated to occur summer 2010.

➤ **Project Element 5: Feather River Segment 3 levee improvement:**

- Construction efforts for this Project Element have been completed. TRLIA has submitted the documentation to close out this element.
- TRLIA requested DWR to include erosion protection at the confluence of the Feather and Yuba Levees in Segment 3 work. This erosion protection was identified as necessary by the Corps of Engineers and required before this reach of levee could be certified. DWR has approved this work as part of the Feather River EIP Agreement. This work is being reported on as Project Element 5A.
- Below are two TRLIA metrics that reflect major components of the Project Element 5 (Segment 3) work:

Figure 7

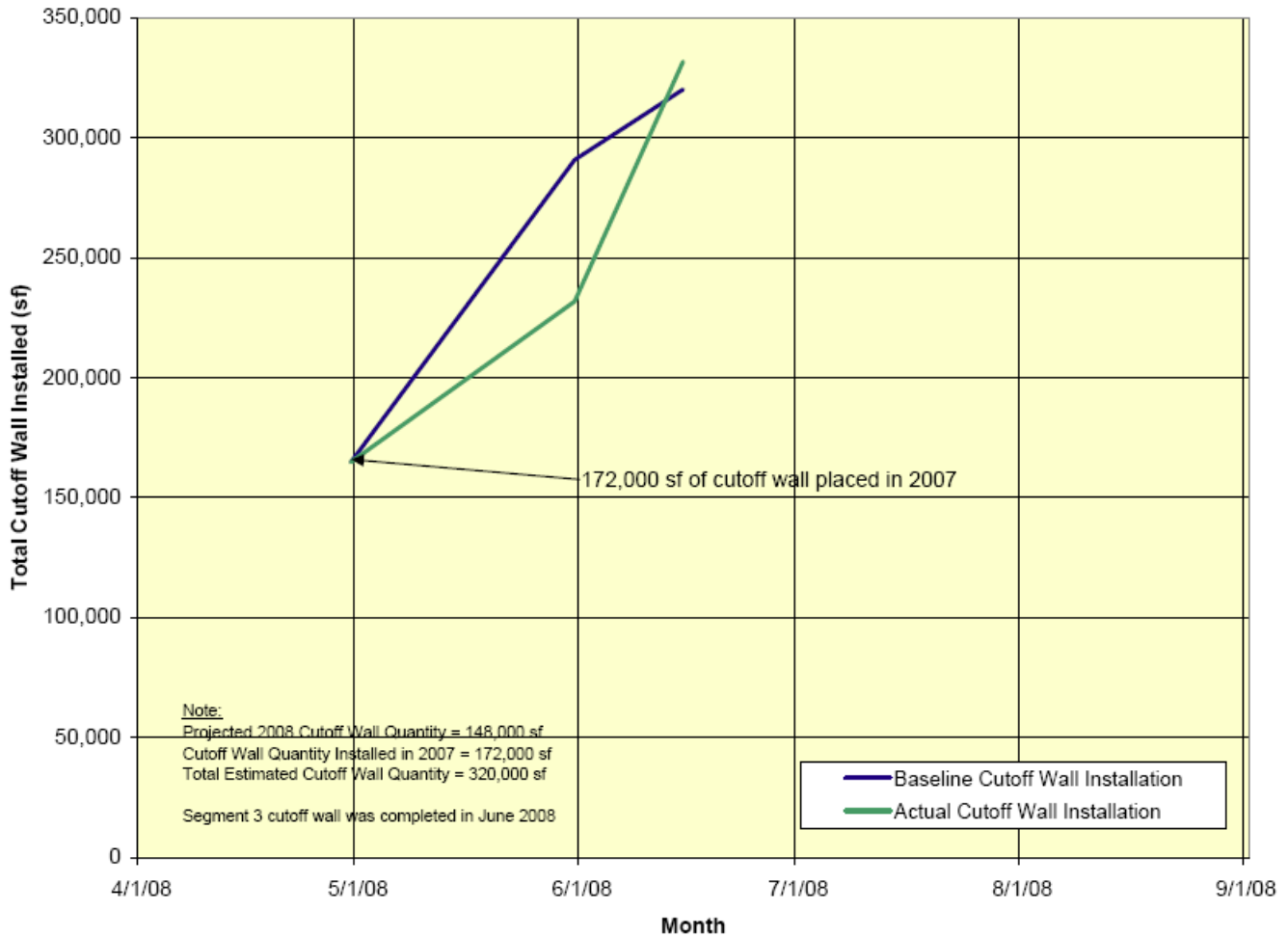
**Feather River Levee Repair Project - Segment 3
Contractor Invoiced Amount**



- As shown on Figure 7, the actual invoiced amount is slightly greater than the baseline projection, primarily due to a slightly increased cutoff wall length (see discussion with next Figure). **This metric is complete**

Figure 8

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



Metric – Cut off Wall

- As shown on figure 8: Cutoff wall work was completed during the 2nd quarter. A 331,600 square foot (s.f.) soil cement bentonite (SCB) cutoff wall was installed compared to the bid quantity of 320,000 s.f. This increase is primarily due to: 1) overlap with the 2007 work; and 2) the increased cutoff wall depth in the 2008 work to address Corps concerns about SCB wall performance experienced on other projects. **This metric is complete**

- 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: Final O&M manual addendum was issued in December 2009.
 - As-built drawings: Submitted June 2009. Supplemental as-builts for the Segment 1 crack and Segment 3 erosion site repairs were submitted in December 2009.

➤ **Element 5A: Feather River Segment 3 Erosion Site 2:**

- The CVFPB issued the revised encroachment permit for this work on September 10, 2009.
- Construction began and was completed in the 7th Quarter.

Table 3: Project Element 5A Work Summary

Completed Quantity
cubic yards rock
3,500

- See Attachment 4 for Construction Photos

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

- TRLIA has 5 farming leases and 1 pending farming leases in the Feather Setback area. They are listed below:
 - Foster(016-020-005, 014-370-030, 014-370-029, 016-010-002, 016-010-007)
 - Miller (014-370-033)
 - Maxey (014-370-024)
 - Hadley (014-370-020)
 - Davit (013-010-014)

- Nieschulz (Pending)
 - TRLIA collected less than \$5,000 from the farm leases during this quarter. Additional payments are expected in the next quarter. The lease rate for the first year of construction was 0%. The leases then increase to 10% of the net profit for years 2 through 5. TRLIA should see additional revenues from year 2 of the leases in spring 2010.
 - TRLIA completed draft final interim land operations and maintenance plan for the Feather Setback area and provided a copy to DWR. The plan includes 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. TRLIA's land use responsibilities, which are part of the Feather EIP work, will extend beyond the current agreement completion date. To cover this time gap, TRLIA has recommended that DWR and TRLIA jointly create an escrow account and then jointly place the needed funding based on the current agreement cost sharing ratios into this escrow to pay for the TRLIA land maintenance costs until the land is transferred to the State. Procedures can be established for both DWR and TRLIA to sign off on any expenditure from the escrow account. The establishment of the escrow account would allow DWR and TRLIA to close out the current agreement during this interim period.
- **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:**
 - The construction of the onsite Wetland mitigation area is pending the completion of the levee degrade (Project Element 4). Wetland mitigation construction is anticipated to occur summer 2010.
 - Work over the Cultural site was completed
 - **Project Elements 1, 2, and 4 through 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, and 5A:**

- See Attachment 3 for the Permit status update..

➤ **Project Element 3 & 4:**

- The Corps 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.
 - The construction of the onsite Wetland mitigation area is pending the completion of the levee degrade (Project Element 4). Wetland mitigation construction is anticipated to occur summer 2010.
 - 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.
- The CVFPB approved permit No. 18430 which allows levee degradation at the July 2009 Meeting. TRLIA is to submit separate encroachment permit applications to the CVFPB for the Vegetated Wave Buffer and for the Elderberry Mitigation Area.
- TRLIA submitted an encroachment permit application to the CVFPB for the Vegetated Wave Buffer on September 3, 2009.
- The encroachment permit application for the Elderberry Mitigation Area will be submitted once TRLIA, DWR, CVFPB, and F&WS have worked out a safe harbor agreement for elderberry maintenance in the Feather River floodway.
- TRLIA received the final 2081 Department of Fish and Game

➤ **Project Element 5A:**

- The CVFPB issued the revised encroachment permit for this work on September 10, 2009.

➤ **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: Timely State funding advances continue to be a problem, which forces local funds to be used to pay the State share of expenses. This places a hardship on the local community and also could force construction delays due to the local funds not being sufficient to cover the State share.

Recommended Resolution: DWR needs to improve the State funding process to provide funds in a timely manner.

- **Describe differences between the work to be performed and the work outlined in the Overall Work Plan, including anticipated change orders:**
 - **Project Element 2 & 3:** Due to weather impacts, the contractor was not able to complete all ancillary setback levee activities in 2009. Work remaining includes completion of pump station punch list and testing, relief wells, miscellaneous gates, and final grading and clean-up. TRLIA is working with the contractor to perform a final materials quantity review, which will result in a change order to reconcile the actual quantities. Anticipate this change order to be issued in the spring 2010.
 - **Project Element 4:** Due to weather delays, the contractor was not able to complete degradation of the old levee and setback area final grading. This work will commence again in spring 2010 when weather conditions allow.

- **Demonstrate financial ability to pay local cost share of Eligible Project Costs required to complete 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 the 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 for draw by TRLIA \$41,656,000 of the \$46,600,000 in local funding for the project. As of the end of January 2009, TRLIA had drawn down \$33,359,520.

- **Legal Matters:** No issues for all Project Elements

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

➤ Appendix I includes two sets of tables that present the following analyses:

1. **Quarterly Work Plan Reconciliation** - A reconciliation of the Seventh Quarterly Work Plan forecasted expenditures 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 TRLIA funding agreement with DRW (Funding Agreement).

2. **Cost and Funding Status through the Seventh Quarter** - A summary of the cumulative costs incurred since November 6, 2006 through December 31, 2009 which are inclusive of the expenses incurred through December 31, 2009 and paid by TRLIA through the month of January 2010. Reference the February 10, 2009 TRLIA DRAFT Final Statement of Costs for the 7th Quarter (preliminary not approved by DWR).

There is also a comparison of those costs incurred to the current Overall Work Plan Budget (based on the revisions by TRLIA submitted on February 3, 2010) included as Exhibit A to the Funding Agreement. On February 3, 2010 TRLIA submitted a Revised Exhibit A that adjusted the Overall Work Plan Budget based upon a revised Real Estate Budget.

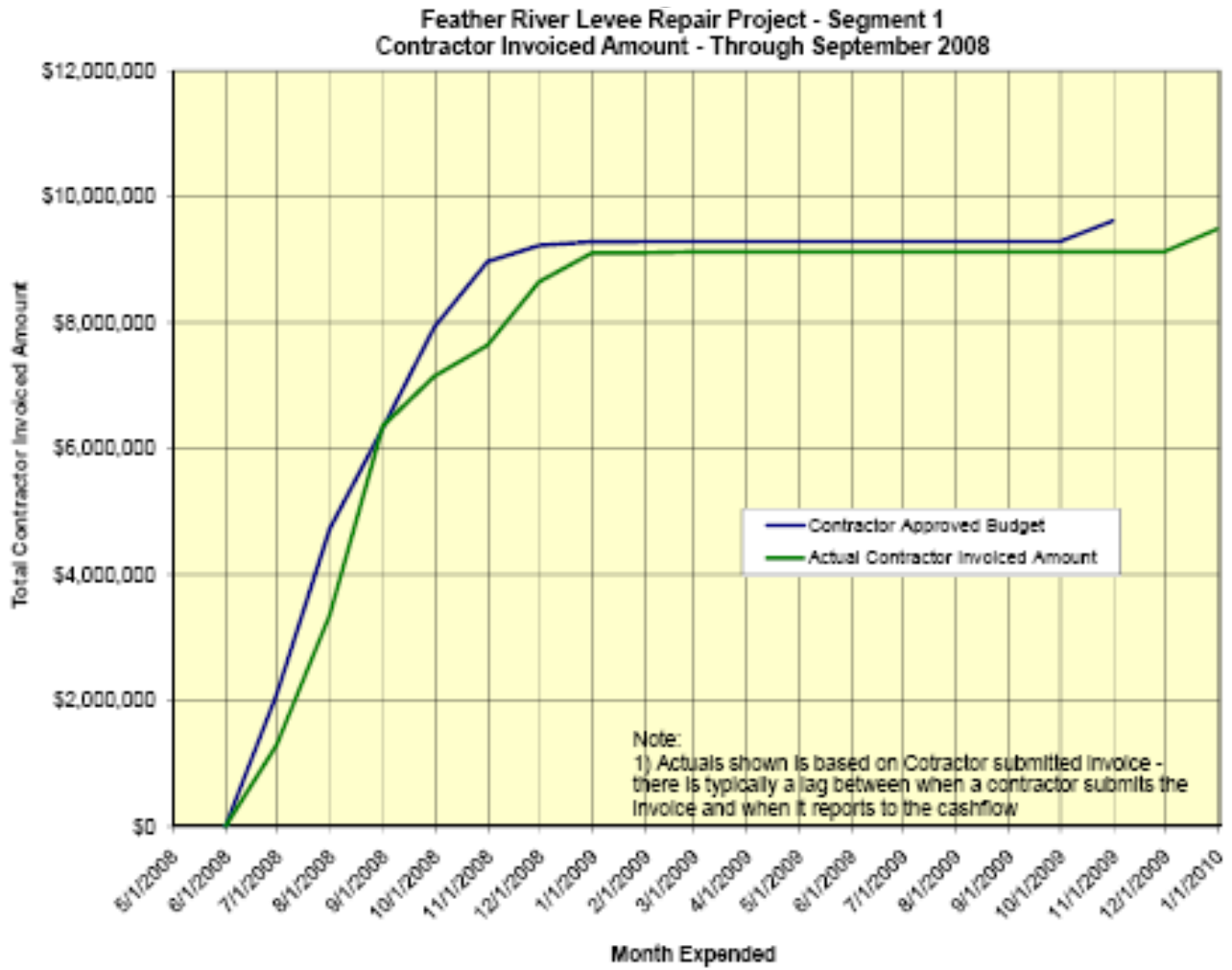
- **A discussion on how the projected schedule compares to the original or last reported schedule:**
 - Schedule has been extended into 2010 to show additional work for Project Elements 1, 2, 4, 6, & 7 of all elements.

Associated Project Element Improvements

1. Specific Associated Project Element Information:

- **Major accomplishments planned for the quarter (i.e. tasks completed, milestones met, meetings held or attended, press releases, etc.);**
 - The repair work on the crack began and was completed
 - DWR agreed to modify the existing funding to cost share on Segment 1. The cost share is 70 percent of \$16.6 million for Segment 1.
- **Engineering and construction matters:**
 - Associated Project Element 1: This work will become Project Element 8 under the modified funding agreement
 - Associated Project Element 2 (Segment 1):
 - Agreement was reached with Corps, DWR, and CVFPB on how to repair the levee crack near Star Bend. The repair work began and was completed
 - This work will become Project Element 9 under the modified funding agreement
 - The Segment 1 crack work will become Project Element 9A under the modified funding agreement.
 - Associated Project Element 2: Following are two TRLIA metrics that reflect major components of the Segment 1 work

Figure 9

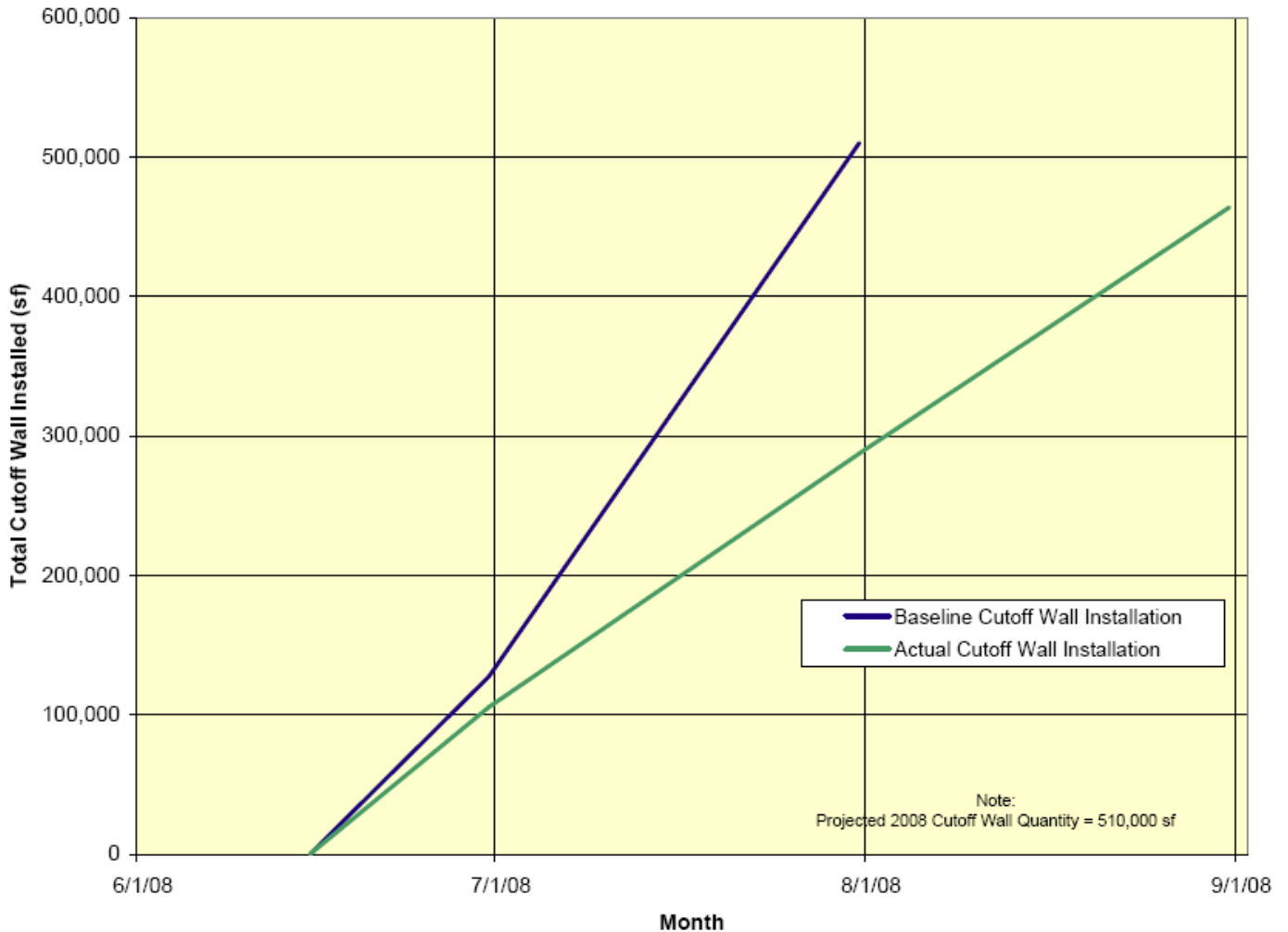


Metric - Cost

- The metric shows the project expensing has incorporated repairs to the Segment 1 crack. **This metric is complete**

Figure 10

**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 s.f. of cutoff wall was installed, compared to the bid quantity of 220,000 s.f. (reduction of 43,965 s.f.). This reduction is due primarily to removal of the cutoff wall between Station 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. **This metric was complete**

- 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
 - CEQA and NEPA documents: previously submitted see permit table (Attachment 5)
 - O&M manual addendum: Final O&M manual addendum was issued in December 2009.
 - As-built drawings: Submitted June 2009. Supplemental as-builts for the Segment 1 crack and Segment 3 erosion site repairs were submitted in December 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 6 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:**

- None at this time

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

- Associated Project Element 1: This work will become Project Element 8 under the modified funding agreement

- Associated Project Element 2 (Segment 1):

- Agreement was reached with Corps, DWR, and CVFPB on how to repair the levee crack near Star Bend. The repair work was a change order to the contract. The work began and was completed in the 7th quarter.
 - This work will become Project Element 9 under the modified funding agreement
 - The Segment 1 crack work will become Project Element 9A under the modified funding agreement.
- **Demonstrate financial ability to pay local cost share of Associated Project Costs required to complete 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 the 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 for draw by TRLIA \$41,656,000 of the \$46,600,000 in local funding for the project. As of the end of January 2009, TRLIA had drawn down \$33,359,520.
2. **Cost Information by Associated Project Element:** This information is provided in Appendix I at end of the Quarterly Progress Report.

Attachments

1. Media Items:
 - October 12, 2009 Media/Press Release: Star Bend Boat Ramp & Parking Lot Closure Extended
 - October 21, 2009 Media/Press Release: October 26 Ribbon Cutting for Feather River Levee Improvements
2. Permit Status Update for Project Element 2, 3, 4, 5, and 5A
3. Permit Status Update for Associated Project Element
4. Construction Photos

Appendices

Appendix I: TRLIA Feather River Levee Improvement Project Seventh Quarterly Progress Report Budget Information; EPS #16497-6; February 10, 2010

Attachment 1- Media Items

- October 12, 2009 Media/Press Release: Star Bend Boat Ramp & Parking Lot Closure Extended
- October 21, 2009 Media/Press Release: October 26 Ribbon Cutting for Feather River Levee Improvements

October 12, 2009 Media/Press Release: Star Bend Boat Ramp & Parking Lot Closure
Extended



**THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY**

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

FOR IMMEDIATE RELEASE
October 12, 2009

CONTACT: Kim Floyd
(916) 409-0426

STAR BEND BOAT RAMP & PARKING LOT CLOSURE EXTENDED

WHAT: Temporary closures of the Star Bend boat ramp and parking lot on Feather River Boulevard to allow for timely completion of the Feather River Levee Improvements

WHEN: 24-hour closure of the Star Bend boat ramp and parking lot through November 14

Closures are subject to change depending upon construction schedules. Boaters and recreational users are asked to check the project Web site for updates (www.trlia.org, click on the Feather River Levee Improvements link at the top of the page) prior to visiting Star Bend. Signs are posted near the boat ramp with updated closures dates.

WHY: Construction on the Feather River Setback Levee continues (www.trlia.org), with completion slated for mid-October. Construction wrap-up activities, to include the repaving of the Boat Ramp landing, will be occurring through mid-November.

CONTACT: Questions and concerns can be addressed by calling the project hotline at (530) 301-2733. To view weekly construction updates and find more information, visit the project Web site at www.trlia.org.

###

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 have been identified with the goal of achieving 200-year flood protection. www.trlia.org

October 21, 2009 Media/Press Release: October 26 Ribbon Cutting for Feather River
Levee Improvements



**THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY**

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

MEDIA ADVISORY

FOR IMMEDIATE RELEASE
October 21, 2009

Contact: **Kim Floyd**
(916) 838-2666

October 26 Ribbon Cutting for Feather River Levee Improvements

- What:** Ribbon Cutting ceremony for the Feather River Setback Levee Improvement Project, a \$192 million public-private partnership to provide 200-year flood protection to 40,000 residents in Linda, Olivehurst and Plumas Lake.
- Included in the project is the state's largest-ever setback levee at six miles in length. The entire program is believed to be the biggest active levee improvement effort west of New Orleans.
- The state has provided the bulk of the project funding (\$138.5 million) through Prop 1E Early Implementation Project (EIP) funds. Yuba County, Yuba County Water Agency, Reclamation District 784, and local landowner Axel Karlshoej partnered to provide the local cost share.
- Who:** State Department of Natural Resources
State Department of Water Resources
U.S. Army Corps of Engineers
Three Rivers Levee Improvement Authority
Reclamation District 784
Yuba County
Yuba County Water Agency
- When:** 10:30 a.m., Monday, October 26
- Where:** Feather River Setback Levee at Star Bend (Star Bend Boat Ramp)
Feather River Boulevard, Marysville
From Sacramento: Hwy 99 to CA-70 N, exit Feather River Boulevard (left turn off CA-70). Travel 4.5 miles to Star Bend Boat Launch parking lot, on left.
- Why:** The Three Rivers Levee Improvement Authority is managing a \$405 million program to improve 29 miles of levees in South Yuba County. The final phase of work will focus on \$68 million in improvements to the Upper Yuba River Levee. Today, Governor Schwarzenegger announced the award of \$47.5 million in Prop 1E EIP funds toward completion of that project.

###

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 have been identified with the goal of achieving 200-year flood protection.

**Attachment 2 – Updated Permit Tables for Project Elements 2, 3, 4, 5,
& 5A (Updates are bold and italics)**

<u>Project Element 2</u> Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)			
PERMITTING AGENCY	PERMIT	ACTION DONE	STATUS/COMMENTS
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	Yes	<i>The Reclamation Plan was approved and SMGB mining permit (No. 91-</i>

			<i>58-0026) issued for Ella and Platter/JTS Borrow sites on Sept 22, 2009.</i>
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

Project Element 3 Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)			
PERMITTING AGENCY	PERMIT	Action Done	STATUS/COMMENTS
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	Yes	Section 2081 Permit received in August 2009
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	Yes	Coordination with the NAHC was completed and MOA signed by all

	burials or artifacts		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	Yes	<i>The Reclamation Plan was approved and SMGB mining permit (No. 91-58-0026) issued for Ella and Platter/JTS Borrow sites on Sept 22, 2009.</i>
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

Project Element 4 Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)			
PERMITTING AGENCY	PERMIT	Action Done	STATUS/COMMENTS
California Central Valley Flood Protection Board	Encroachment Permit	Yes	<i>CVFPB issued permit No 18430 at the July 2009 Board meeting</i>
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 Compliance	Yes	Section 2081 Permit received in August 2009
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	Yes	<i>The Reclamation Plan was approved and SMGB mining permit (No. 91-58-0026) issued for Ella and Platter/JTS Borrow sites on Sept 22, 2009.</i>
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

Project Element 5 Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)

PERMITTING AGENCY	PERMIT	ACTION DONE	STATUS/COMMENT
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

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

Project Element 5A: Feather River Erosion Site 2

PERMITTING AGENCY	PERMIT	ACTION DONE	STATUS/COMMENT
Central Valley Flood Protection Board	Encroachment Permits	<i>Yes</i>	<i>Encroachment permit No. 18479 issued on September 10, 2009</i>
Corps	Section 404 Permit	Yes	Obtained Nationwide Permit, application submitted to Corps on June 25, 2009
Corps	Wetlands Delineation	Yes	Delineation submitted to Corps on May 27, 2009
Corps	408 approval of project levee alteration	Yes	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	Yes	Obtained on July 9, 2009
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	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	<i>Yes</i>	<i>Used Documentation provided for Project Element 5</i>
U.S. Fish and Wildlife Service	Endangered Species Act Compliance (Biological Opinion)	Yes	Biological opinion prepared, take avoided, no Incidental Take authorization needed.
National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	Yes	Biological opinion prepared, take avoided, no Incidental Take authorization needed.
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance (2081)	Yes	No potential take of State listed species.
DFG	Streambed Alteration Agreement	Yes	Obtained on July 9, 2009
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	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	Yes	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	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 minor conditions.
Yuba County	Grading Permit	<i>Yes</i>	<i>Used Documentation provided for Project Element 5</i>
State Mining and Geology Board (SMGB)	SMARA Permit	<i>Yes</i>	<i>The Reclamation Plan was approved and SMGB mining permit (No. 91-58-0026) issued for Ella and Platter/JTS Borrow sites on Sept 22, 2009. Used Ella Site.</i>
CEQA	EIR	Yes	ISIMND certified by TRLIA Board on 10/17/06

NEPA	EIS	Yes	No federal action constituting a NEPA trigger
Section 104 Credit	Future federal projects cost sharing	Yes	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 3 – Associated Project Element 2 & 9A Updated Permit Table (Updates are bold and italics)

Associated Project Element 1 Permit and Environmental Documentation			
PERMITTING AGENCY	PERMIT	ACTION DONE	STATUS/COMMENT
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

Attachment 4 – Construction Photos



Feather River Ribbon Cutting



Board at Ribbon Cutting



Ribbon Cutting Setting at Feather River
Setback levee south tie-in



Feather Setback area drainage swale



Star Bend Parking lot



Bridge over landside drainage channel



Completed Feather Setback Levee



Existing Levee Degrade



Completed Feather Setback Levee



Existing Levee Degrade



Erosion Site 2 – Feather Segment 3



Crack Repair – Feather Segment 1

Appendix I

Appendix I: TRLIA Feather River Levee Improvement Project Seventh Quarterly
Progress Report Budget Information; EPS #16497-6; February 10, 2010

MEMORANDUM

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

From: Seth Wurzel

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

Date: February 10, 2010

The Economics of Land Use



This memorandum has been prepared by Economic & Planning Systems (EPS) at the request of Three Rivers Levee Improvement Authority (TRLIA) to supplement the Seventh Quarterly Progress Report (7th QPR) submitted to the Department of Water Resources (DWR) February 15, 2010 for the Feather River Levee Improvement Project (Project). As indicated in TRLIA's 7th QPR, the cost and budget information is being provided within this memorandum to DWR as an attachment to the 7th QPR.

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

1. **Quarterly Work Plan Reconciliation**—A reconciliation of the Seventh Quarterly Work Plan forecasted expenditures 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 TRLIA funding agreement with DRW (Funding Agreement).
2. **Cost and Funding Status through the Seventh Quarter**—A summary of the cumulative costs incurred since November 6, 2006 through December 31, 2009¹ and a comparison of those costs incurred to the current Overall Work Plan Budget (based on the

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¹ Inclusive of the expenses incurred through December 31, 2009 and paid by TRLIA through the month of January 2010. Reference the February 10, 2009 TRLIA DRAFT Final Statement of Costs for the 7th Quarter (preliminary not approved by DWR).

revisions by TRLIA submitted on February 3, 2010²) included as Exhibit A to the Funding Agreement.

1. Quarterly Work Plan Reconciliation

The following tables provide detailed information regarding the costs incurred for each Element and Feature during the 7th Quarter (October 1, 2009 through December 31, 2009) and compare these amounts to the forecasted expenditures for the Quarter presented within the 7th Quarterly Work Plan. 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 through the 7th 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 drawn from the tables:

6th Quarter Reconciliation Summary (Elements 2 through 7)

	<u>Total</u>	<u>State Share</u>
Total Expenses Incurred During 7th Quarter [1]	\$17,725,837	\$14,596,931
10% Required Retention		-\$1,459,693
State Share Net of Retention		\$13,137,238
Less Funding Received for State Share		-\$11,701,505
Additional State Funding Received for 6th Quarter [2]		\$0
Required True-Up Adjustment to Future Quarterly Advances		\$1,435,733

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

[2] Funding received for 7th Quarter is determined by trueing up the 5th and 6th Quarter advances with the funding received from the last advanced of \$13,168,644. The remaining funding from that advance is determined to be \$11,701,505.

This information concludes that, for the Seventh Quarter, the State has under-funded its share of the expenses net of the 10% hold-back provision in the Funding Agreement. In November of 2009, the State funded \$13,167,238. Based upon true-ups of the 5th and 6th Quarter by applying a portion of this prior advance toward these true-ups, the remaining funding available for the 7th Quarter is \$11,701,505 (based upon a draft final statement of costs for the 7th Quarter.) When applying this advance amount to a true-up for the 7th quarter, TRLIA has determined that the State should fund approximately \$1,435,733 toward this true-up. As of the writing of this

² On February 3, 2010 TRLIA submitted a Revised Exhibit A that adjusted the Overall Work Plan Budget based upon a revised Real Estate Budget.

memorandum, the State is currently processing an approximately \$4,000,000 payment which includes this true-up amount as well as additional advance funding for the 8th Quarter. A final true-up of the 7th Quarter expenses after review by DWR will determine the exact amount of funding for the 7th Quarter.

It is important to note that DWR has still not incorporated Element 5A, Segment 3 Erosion Site 2 expenses into its true-up calculations. TRLIA understands that this portion of the project was approved for funding by DWR at a 70% cost share and the expenses that TRLIA has incurred should be included in the State's true-up calculations. The above calculations by TRLIA include these expenses, the State should include these expenses as they review and approve expenses moving forward.

TRLIA Quarterly Progress Report Real Estate Budget Reconciliation

For Period October/November/December 2009 (7th Qtr)

ELEMENT 1

Elements and Features	State Share Percentage	7th QWP Forecast Total [1]	7th Qtr Expenses [2]			7th QWP Qtr Funding		
			Total	State Share	Local Share	DWR Direct Pay	Local Credit Invoiced	Total
Formula	a	b	c	d = a*c	e = c - d	f	g	h = f+g
Element 1: Feather River EIP Land Acquisition (see real estate Acquisition Plan)								
Feature 1 - Feather Segment 2 [3]	82.8246%	\$477,725	\$0	\$0	\$0	\$0	\$0	\$0
Feature 1 - Feather Segment 2 [4]	82.8246%	N/A	\$0	\$0	\$0	\$0	\$0	\$0
Feature 2 - Feather Segment 3	70.0000%	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal Element 1		\$477,725	\$0	\$0	\$0	\$0	\$0	\$0
		Difference Between QWP & Actuals	\$477,725					

"7QPRElem1"

[1] From the August 15, 2009 7th QWP.

[2] From October 1, 2009 through December 31, 2009

[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 October/November/December 2009 (7th Qtr)

SUMMARY ALL NON-REAL ESTATE ELEMENTS

Elements and Features	Total 7th QWP Quarter Work Plan	Total Expenses for 7th QWP Quarter	State Share			Local Share		
			To be Funded Net of 10% Holdback	State Funding Rec'd for 7th QWP 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
ALL OTHER ELEMENTS								
Element 2: Segment 2 New Levee	\$8,243,457	\$7,162,237	\$5,338,884	\$4,707,889	\$630,995	\$1,230,144	\$0	\$1,230,144
Element 3: Segment 2 Levee Tie Ins	\$3,080,367	\$689,660	\$514,087	\$1,759,217	-\$1,245,129	\$118,452	\$0	\$118,452
Element 4: Segment 2 Levee Degradation	\$8,500,000	\$9,106,997	\$6,788,549	\$4,854,402	\$1,934,147	\$1,564,165	\$0	\$1,564,165
Element 5: Segment 3 Levee Improvement	\$142,369	\$47,536	\$29,948	\$81,308	-\$51,360	\$14,261	\$0	\$14,261
Element 5A: Feather River Segment 3 Erosion Site 2	\$391,025	\$512,856	\$323,099	\$223,317	\$99,782	\$153,857	\$0	\$153,857
Element 6: Land Management	\$3,881	\$13,593	\$10,132	\$2,217	\$7,916	\$2,335	\$0	\$2,335
Element 7: Project Management, Legal, Community Relations Support, Land Management, and Overhead	\$128,095	\$192,957	\$132,538	\$73,156	\$59,382	\$45,693	\$0	\$45,693
Subtotal Elements 2 through 7	\$20,489,194	\$17,725,837	\$13,137,238	\$11,701,505	<u>\$1,435,733</u>	\$3,128,906	\$0	<u>\$3,128,906</u>
Difference Between QWP & Actuals		<u>\$2,763,357</u>						

"7QPRSumm"

[1] Funding received for 7th QWP Quarter has been received.

[2] Amount represents funding received from the State based on actual expenses for the 7th QWP Quarter. This amount will be offset based on True-Ups adjustments in future quarters.

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

TRLIA Quarterly Progress Report Budget Reconciliation

For Period October/November/December 2009 (7th Qtr)

ELEMENT 2

Elements and Features	State Share %	7th QWP Forecast [1]	7th Qtr Expenses [2]			State Share
			Total	State Share	Local Share	To be Funded Net of 10% Holdback
Formula	a	b	c	d=c*a	e=c-d	f = d*90%
Element 2: Feather River Segment 2 new levee (Excludes Levee Tie Ins and Existing Levee Degradation)						
2.1.1: Design	82.8246%	\$90,000	\$70,546	\$58,430	\$12,117	\$52,587
2.1.2: Permitting	82.8246%	\$45,000	\$7,745	\$6,415	\$1,330	\$5,773
2.1.3: Right of Way Support	82.8246%	\$2,352,726	\$802,359	\$664,550	\$137,808	\$598,095
2.2: Construction Management	82.8246%	\$1,062,000	\$822,997	\$681,644	\$141,353	\$613,480
2.3 Construction of Setback						
2.3.1: Foundation	82.8246%	\$0	\$92,316	\$76,460	\$15,856	\$68,814
2.3.2: Embankment	82.8246%	\$4,019,805	\$4,877,821	\$4,040,035	\$837,786	\$3,636,032
2.3.3: Reloc. of PG&E Facilities	82.8246%	\$0	\$448,914	\$371,811	\$77,103	\$334,630
2.4: Environmental & Cultural Mitigation						
2.4.1: Mitigation & Restoration	82.8246%	\$643,926	\$38,791	\$32,128	\$6,663	\$28,916
2.4.2: Cultural Mit./Section 106	82.8246%	\$0	\$0	\$0	\$0	\$0
2.5: O&M Manual	82.8246%	\$30,000	\$748	\$620	\$128	\$558
Subtotal Element 2		\$8,243,457	\$7,162,237	\$5,932,093	\$1,230,144	\$5,338,884
			Difference Between QWP & Actuals	\$1,081,219		

"7QPRElem2"

[1] From the August 15, 2009 7th QWP.

[2] From October 1, 2009 through December 31, 2009

TRLIA Quarterly Progress Report Budget Reconciliation

For Period October/November/December 2009 (7th Qtr)

ELEMENT 3

Elements and Features	State Share %	7th QWP Forecast [1]	7th Qtr Expenses [2]			State Share
			Total	State Share	Local Share	To be Funded Net of 10% Holdback
<i>Formula</i>	a	b	c	d=c*a	e=c-d	f = d*90%
Element 3: Feather River Segment 2 Levee Tie Ins						
3.1.1: Foundation	82.8246%	\$500,000	\$489,660	\$405,559	\$84,101	\$365,003
3.1.2: Embankment	82.8246%	\$2,580,367	\$200,000	\$165,649	\$34,351	\$149,084
Subtotal Element 3		\$3,080,367	\$689,660	\$571,208	\$118,452	\$514,087
Difference Between QWP & Actuals			\$2,390,707			

"7QPRElem3"

[1] From the August 15, 2009 7th QWP.

[2] From October 1, 2009 through December 31, 2009

TRLIA Quarterly Progress Report Budget Reconciliation

For Period October/November/December 2009 (7th Qtr)

ELEMENT 4

Elements and Features	State Share %	7th QWP Forecast [1]	7th Qtr Expenses [2]			State Share
			Total	State Share	Local Share	To be Funded Net of 10% Holdback
<i>Formula</i>	a	b	c	d=c*a	e=c-d	f = d*90%
Element 4: Feather River Segment 2 Levee Degradation						
4.1: Construction	82.8246%	\$8,500,000	\$9,106,997	\$7,542,832	\$1,564,165	\$6,788,549
Subtotal Element 4		\$8,500,000	\$9,106,997	\$7,542,832	\$1,564,165	\$6,788,549
Difference Between QWP & Actuals			-\$606,997			

"7QPRElem4"

[1] From the August 15, 2009 7th QWP.

[2] From October 1, 2009 through December 31, 2009

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TRLIA Quarterly Progress Report Budget Reconciliation

For Period October/November/December 2009 (7th Qtr)

ELEMENT 5

Elements and Features	State Share %	7th QWP Forecast [1]	7th Qtr Expenses [2]			State Share
			Total	State Share	Local Share	To be Funded Net of 10% Holdback
<i>Formula</i>	a	b	c	d=c*a	e=c-d	f = d*90%
Element 5: Feather River Segment 3 levee improvement						
5.1.1: Design	70.0000%	\$0	\$16,982	\$11,887	\$5,095	\$10,699
5.1.2: Permitting	70.0000%	\$60,000	\$7,023	\$4,916	\$2,107	\$4,425
5.1.3: Right of Way Support [4]	70.0000%	\$5,000	\$11,713	\$8,199	\$3,514	\$7,379
5.2: Construction Management	70.0000%	\$0	\$11,818	\$8,272	\$3,545	\$7,445
5.3 Construction	70.0000%	\$0	\$0	\$0	\$0	\$0
5.4: O&M Manual	70.0000%	\$77,369	\$0	\$0	\$0	\$0
Subtotal Element 5		\$142,369	\$47,536	\$33,275	\$14,261	\$29,948
Difference Between QWP & Actuals			\$94,833			

"7QPRElem5"

[1] From the August 15, 2009 7th QWP.

[2] From October 1, 2009 through December 31, 2009

TRLIA Quarterly Progress Report Budget Reconciliation

For Period October/November/December 2009 (7th Qtr)

ELEMENT 5A

Elements and Features	State Share %	7th QWP Forecast [1]	7th Qtr Expenses [2]			State Share
			Total	State Share	Local Share	To be Funded Net of 10% Holdback
<i>Formula</i>	a	b	c	d=c*a	e=c-d	f = d*90%
Element 5A: Feather River Segment 3 Erosion Site 2						
5A.1.1 - Design	70.0000%	\$387	\$1,977	\$1,384	\$593	\$1,246
5A.1.2 - Permitting	70.0000%	\$969	\$0	\$0	\$0	\$0
5A.1.3 - ROW Support	70.0000%	\$12,000	\$0	\$0	\$0	\$0
5A.2 - Construction Management.	70.0000%	\$45,000	\$29,128	\$20,390	\$8,738	\$18,351
5A.3 - Construction	70.0000%	\$327,670	\$481,751	\$337,226	\$144,525	\$303,503
5A.4 - O&M manual addendum	70.0000%	\$5,000	\$0	\$0	\$0	\$0
Subtotal Element 5A		\$391,025	\$512,856	\$358,999	\$153,857	\$323,099
		Difference Between QWP & Actuals	-\$121,831			

"7QPRElem5A"

[1] From the August 15, 2009 7th QWP.

[2] From October 1, 2009 through December 31, 2009

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TRLIA Quarterly Progress Report Budget Reconciliation

For Period October/November/December 2009 (7th Qtr)

ELEMENT 6

Elements and Features	State Share %	7th QWP Forecast [1]	7th Qtr Expenses [2]			State Share
			Total	State Share	Local Share	To be Funded Net of 10% Holdback
<i>Formula</i>	a	b	c	d=c*a	e=c-d	f = d*90%
Element 6: Feather River Land Management						
Feature 6.1: Env. Maintenance	82.8246%	\$3,881	\$12,813	\$10,612	\$2,201	\$9,551
Feature 6.2: Lease Back	82.8246%	\$0	\$780	\$646	\$134	\$582
Feature 6.3: Land Maintenance	82.8246%	\$0	\$0	\$0	\$0	\$0
Subtotal Element 6		\$3,881	\$13,593	\$11,258	\$2,335	\$10,132
Difference Between QWP & Actuals			-\$9,712			

"7QPRElem6"

[1] From the August 15, 2009 7th QWP.

[2] From October 1, 2009 through December 31, 2009

TRLIA Quarterly Progress Report Budget Reconciliation

For Period October/November/December 2009 (7th Qtr)

ELEMENT 7

Elements and Features	State Share %	7th QWP Forecast [1]	7th Qtr Expenses [2]			State Share
			Total	State Share	Local Share	To be Funded Net of 10% Holdback
<i>Formula</i>	a	b	c	d=c*a	e=c-d	f = d*90%
Element 7: Project Management, Legal, Community Relations support, Land Management, and Overhead						
Feature 7.1: Salaries	76.3198%	\$49,500	\$50,543	\$38,574	\$11,969	\$34,717
Feature 7.2: Consulting	76.3198%	\$27,500	\$86,241	\$65,819	\$20,422	\$59,237
Feature 7.3: Legal	76.3198%	\$27,500	\$28,890	\$22,049	\$6,841	\$19,844
Feature 7.4: Travel	76.3198%	\$330	\$378	\$288	\$89	\$259
Feature 7.5: General	76.3198%	\$22,000	\$26,160	\$19,965	\$6,195	\$17,968
Feature 7.6: Insurance	76.3198%	\$0	\$0	\$0	\$0	\$0
Feature 7.7: Travel/Vehicle	76.3198%	\$1,265	\$746	\$570	\$177	\$513
Feature 7.8: Memberships	76.3198%	\$0	\$0	\$0	\$0	\$0
Subtotal Element 7		\$128,095	\$192,957	\$147,264	\$45,693	\$132,538
Difference Between QWP & Actuals			-\$64,862			

"7QPRElem7"

[1] From the August 15, 2009 7th QWP.

[2] From October 1, 2009 through December 31, 2009

2. Cost and Funding Status through the 7th Quarter

The following set of tables present the status of the project on cumulative expenditure basis as it relates to the current Overall Work Plan Budget (based on the revisions made by TRLIA submitted on February 3, 2010).

In summary, through December 31, 2009, TRLIA has incurred expenses for the project which represent 89.9% of the total amended budget for Elements 1 through 7 (\$158.3 million of the now \$176.2 million dollar total budget currently eligible for State Sharing³). TRLIA has received a total of \$114,858,024 of State Funding, approximately 82.9% of its share of current total State Budget of \$138.51 million. The State has agreed to additional funding as stated in the 7th QPR, however, the amendment to the funding agreement is still being processed. Once the actual funding agreement amendment authorizing additional funds is processed, TRLIA will update the actual funding calculations with these additional authorizations.

With respect to the individual feature budgets within elements, several features have exceeded the revised total Overall Work Plan Budgets. However, only three features have exceeded their budgets by more than 5%. These features are:

- Element 2 – Feature 2.3.2 Levee Embankment Construction (it has been highlighted in the following table set for clarity);
- Element 3 – Feature 3.1.1 Levee Tie-in Foundation Construction (it has been highlighted in the following table set for clarity);
- Element 6 – Feature 6.1 Environmental Maintenance (it has been highlighted in the following table set for clarity);

The following discussion outlines an explanation of these budget overruns.

Foundation Construction (Feature 2.3.1 - Element 2)

The total budget for Embankment construction is approximately 5.2% over (by \$1,673,828 million) as of December 31, 2009. TRLIA has determined that the current expenses have exceeded the overall budget based upon the additional expenses associated with complying with the regulatory comments. TRLIA has requested approximately \$4.9 million of additional funding for Segment 2 construction (a State Share of approximately \$4 million) which would increase the Embankment Budget and sufficiently cover these additional expenses incurred.

Foundation Construction Tie-Ins (Feature 3.1.1 - Element 3)

The total budget for Tie-In Foundation construction is approximately 8.21% over (by \$481,682 million) as of December 31, 2009. TRLIA has determined that the current expenses have exceeded the overall budget based upon the additional expenses associated with complying with the regulatory comments. TRLIA has requested approximately \$4.9 million of additional funding

³ The Overall Work Plan Budget was revised to reflect a lower total Real Estate Cost. State funding is now allocated across a lower sum of total eligible costs.)

for Segment 2 construction (a State Share of approximately \$4 million) which would increase the Foundation Budget and sufficiently cover these additional expenses incurred.

Environmental Maintenance (Feature 6.1 - Element 6)

The total budget for insurance is \$105,000. The expenses through the 7th Quarter Total \$112,914. TRLIA is currently reviewing the Element 6 scope of work and budget and will be making adjustments in the future to cover additional expenses.

Summary of TRLIA Progress Report Overall Funding Status

Cumulative Through December 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
Quarterly Progress Report Reconciliation										
Element 1: Feather River EIP Land Acquisition	\$43,469,422	\$35,943,166	\$7,526,256	\$37,409,991	\$30,984,669	\$6,425,322	\$6,059,431	\$4,958,497	\$1,100,934	86.1%
Element 2: Segment 2 New Levee	\$85,533,946	\$68,876,226	\$16,657,720	\$82,722,209	\$68,514,324	\$14,207,885	\$2,811,737	\$361,902	\$2,449,835	96.7%
Element 3: Segment 2 Levee Tie Ins	\$10,465,252	\$8,661,752	\$1,803,500	\$10,888,166	\$9,018,078	\$1,870,088	-\$422,914	-\$356,326	-\$66,588	104.0%
Element 4: Segment 2 Levee Degradation	\$17,361,013	\$11,512,043	\$5,848,970	\$11,265,731	\$9,330,795	\$1,934,936	\$6,095,282	\$2,181,248	\$3,914,034	64.9%
Element 5: Segment 3 Levee Improvement	\$11,375,917	\$7,851,905	\$3,524,012	\$11,009,125	\$7,706,388	\$3,302,738	\$366,791	\$145,517	\$221,274	96.8%
Element 5A: Feather River Segment 3 Erosion Site 2	\$855,000	\$598,500	\$256,500	\$682,012	\$477,409	\$204,604	\$172,988	\$121,091	\$51,896	79.8%
Element 6: Land Management	\$2,305,000	\$1,409,286	\$895,714	\$113,694	\$94,167	\$19,527	\$2,191,306	\$1,315,119	\$876,187	4.9%
Element 7: Project Management, Legal, Community Relations Support, Land Management, and Overhead	\$4,791,840	\$3,657,123	\$1,134,718	\$4,225,113	\$3,224,597	\$1,000,516	\$566,728	\$432,525	\$134,202	88.2%
Subtotal Elements 1 through 7	\$176,157,390	\$138,510,000	\$37,647,390	\$158,316,043	\$129,350,427	\$28,965,616	\$17,841,347	\$9,159,573	\$8,681,774	89.9%
State Funding Received Through 7th Quarter [3]										
State Share of Real Estate Advances	\$25,739,927									
Construction Funding	\$74,699,277									
Credit Funding Received	\$14,418,819									
Total Funding Received	\$114,858,024									
Percentage of State Budget Funded	82.9% (Through December 2009)									

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"7QPRTotSumm"

[1] Revised per the new OAWP Budget Submitted Feb. 3, 2010

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

[3] Based upon State Payment Worksheet prepared on 1-26-10.

TRLIA Progress Report Overall Funding Status

Cumulative Through December 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>	<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>
Element 1: Feather River EIP Land Acquisition (see real estate Acquisition Plan)											
1.1 - Feather Segment 2	82.8246%	\$43,000,000	\$35,614,571	\$7,385,429	\$37,329,897	\$30,918,331	\$6,411,566	\$5,670,103	\$4,696,239	\$973,864	86.8%
1.2 - Feather Segment 3	70.0000%	\$469,422	\$328,595	\$140,827	\$80,095	\$66,338	\$13,757	\$389,327	\$262,257	\$127,070	17.1%
Subtotal Element 1		\$43,469,422	\$35,943,166	\$7,526,256	\$37,409,991	\$30,984,669	\$6,425,322	\$6,059,431	\$4,958,497	\$1,100,934	86.1%

"7QPRTotElem1"

[1] Revised per the new OAWP Budget Submitted Feb. 3, 2010

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

TRLIA Progress Report Overall Funding Status

Cumulative Through December 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
Element 2: Feather River Segment 2 new levee											
(Excludes Levee Tie Ins and Existing Levee Degradation)											
2.1.1: Design	82.8246%	\$6,492,466	\$5,361,919	\$1,130,547	\$6,422,559	\$5,319,458	\$1,103,101	\$69,907	\$42,461	\$27,445	98.9%
2.1.2: Permitting	82.8246%	\$2,614,659	\$2,165,581	\$449,079	\$2,559,867	\$2,120,199	\$439,668	\$54,793	\$45,382	\$9,411	97.9%
2.1.3: Right of Way Support	82.8246%	\$5,648,380	\$4,563,633	\$1,084,746	\$3,834,118	\$3,175,592	\$658,526	\$1,814,262	\$1,388,041	\$426,221	67.9%
2.2: Construction Management	82.8246%	\$6,619,051	\$5,296,963	\$1,322,088	\$5,623,284	\$4,657,461	\$965,822	\$995,767	\$639,502	\$356,265	85.0%
2.3 Construction of Setback											
2.3.1: Foundation	82.8246%	\$23,435,085	\$19,349,394	\$4,085,692	\$23,449,675	\$19,422,095	\$4,027,580	-\$14,589	-\$72,702	\$58,112	100.1%
2.3.2: Embankment	82.8246%	\$32,154,307	\$25,166,249	\$6,988,058	\$33,828,135	\$28,018,012	\$5,810,123	-\$1,673,828	-\$2,851,763	\$1,177,934	105.2%
2.3.3: Reloc. of PG&E Facilities	82.8246%	\$3,051,894	\$2,401,913	\$649,981	\$2,605,433	\$2,157,939	\$447,494	\$446,461	\$243,974	\$202,487	85.4%
2.4: Environmental & Cultural Mitigation											
2.4.1: Mitigation & Restoration	82.8246%	\$5,000,000	\$4,141,457	\$858,543	\$4,389,955	\$3,635,962	\$753,993	\$610,045	\$505,495	\$104,550	87.8%
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	\$9,183	\$7,606	\$1,577	\$158,920	\$131,625	\$27,295	5.5%
Subtotal Element 2		\$85,533,946	\$68,876,226	\$16,657,720	\$82,722,209	\$68,514,324	\$14,207,885	\$2,811,737	\$361,902	\$2,449,835	96.7%

"7QPRTotElem2"

[1] Revised per the new OAWP Budget Submitted Feb. 3, 2010

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

TRLIA Progress Report Overall Funding Status

Cumulative Through December 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
Element 3: Feather River Segment 2 Levee Tie Ins											
3.1.1: Foundation	82.8246%	\$5,868,462	\$4,857,871	\$1,010,591	\$6,350,144	\$5,259,481	\$1,090,664	-\$481,682	-\$401,609	-\$80,073	108.2%
3.1.2: Embankment	82.8246%	\$4,596,790	\$3,803,881	\$792,909	\$4,538,022	\$3,758,598	\$779,424	\$58,768	\$45,283	\$13,485	98.7%
Subtotal Element 3		\$10,465,252	\$8,661,752	\$1,803,500	\$10,888,166	\$9,018,078	\$1,870,088	-\$422,914	-\$356,326	-\$66,588	104.0%

"7QPRTotElem3"

[1] Revised per the new OAWP Budget Submitted Feb. 3, 2010

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

TRLIA Progress Report Overall Funding Status

Cumulative Through December 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
Element 4: Feather River Segment 2 Levee Degradation											
4.1: Construction	82.8246%	\$17,361,013	\$11,512,043	\$5,848,970	\$11,265,731	\$9,330,795	\$1,934,936	\$6,095,282	\$2,181,248	\$3,914,034	64.9%
Subtotal Element 4		\$17,361,013	\$11,512,043	\$5,848,970	\$11,265,731	\$9,330,795	\$1,934,936	\$6,095,282	\$2,181,248	\$3,914,034	64.9%

"7QPRTotElem4"

[1] Revised per the new OAWP Budget Submitted Feb. 3, 2010

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

TRLIA Progress Report Overall Funding Status

Cumulative Through December 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
Element 5: Feather River Segment 3 levee improvement											
5.1.1: Design	70.0000%	\$955,083	\$635,031	\$320,052	\$913,013	\$639,109	\$273,904	\$42,070	-\$4,078	\$46,148	95.6%
5.1.2: Permitting	70.0000%	\$313,096	\$219,167	\$93,929	\$193,889	\$135,722	\$58,167	\$119,207	\$83,445	\$35,762	61.9%
5.1.3: Right of Way Support [4]	70.0000%	\$343,821	\$199,695	\$144,126	\$287,610	\$201,327	\$86,283	\$56,210	-\$1,632	\$57,843	83.7%
5.2: Construction Management	70.0000%	\$1,125,663	\$775,809	\$349,854	\$1,113,710	\$779,597	\$334,113	\$11,953	-\$3,788	\$15,741	98.9%
5.3 Construction	70.0000%	\$8,559,203	\$5,966,867	\$2,592,336	\$8,499,220	\$5,949,454	\$2,549,766	\$59,983	\$17,413	\$42,570	99.3%
5.4: O&M Manual	70.0000%	\$79,052	\$55,336	\$23,716	\$1,683	\$1,178	\$505	\$77,369	\$54,158	\$23,211	2.1%
Subtotal Element 5		\$11,375,917	\$7,851,905	\$3,524,012	\$11,009,125	\$7,706,388	\$3,302,738	\$366,791	\$145,517	\$221,274	96.8%

"7QPRTotElem5"

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[1] Revised per the new OAWP Budget Submitted Feb. 3, 2010

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

TRLIA Progress Report Overall Funding Status

Cumulative Through December 2009

ELEMENT 5A

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
Element 5A: Feather River Segment 3 Erosion Site 2											
5A.1.1 - Design	70.0000%	\$67,247	\$47,073	\$20,174	\$53,962	\$37,773	\$16,189	\$13,285	\$9,300	\$3,986	80.2%
5A.1.2 - Permitting	70.0000%	\$135,302	\$94,711	\$40,591	\$111,341	\$77,939	\$33,402	\$23,961	\$16,772	\$7,188	82.3%
5A.1.3 - ROW Support	70.0000%	\$20,000	\$14,000	\$6,000	\$5,830	\$4,081	\$1,749	\$14,170	\$9,919	\$4,251	29.2%
5A.2 - Construction Management.	70.0000%	\$55,239	\$38,667	\$16,572	\$29,128	\$20,390	\$8,738	\$26,111	\$18,278	\$7,833	52.7%
5A.3 - Construction	70.0000%	\$572,212	\$400,548	\$171,664	\$481,751	\$337,226	\$144,525	\$90,461	\$63,323	\$27,138	84.2%
5A.4 - O&M manual addendum	70.0000%	\$5,000	\$3,500	\$1,500	\$0	\$0	\$0	\$5,000	\$3,500	\$1,500	0.0%
Subtotal Element 5A		\$855,000	\$598,500	\$256,500	\$682,012	\$477,409	\$204,604	\$172,988	\$121,091	\$51,896	79.8%

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"7QPRTotElem5A"

[1] Revised per the new OAWP Budget Submitted Feb. 3, 2010

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

TRLIA Progress Report Overall Funding Status

Cumulative Through December 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
Element 6: Feather River Land Management											
6.1: Env. Maintenance	82.8246%	\$105,000	\$86,966	\$18,034	\$112,914	\$93,520	\$19,393	-\$7,914	-\$6,555	-\$1,359	107.5%
6.2: Lease Back	82.8246%	\$50,000	\$41,412	\$8,588	\$780	\$646	\$134	\$49,220	\$40,766	\$8,454	1.6%
6.3: Land Maintenance	82.8246%	\$2,150,000	\$1,280,908	\$869,092	\$0	\$0	\$0	\$2,150,000	\$1,280,908	\$869,092	0.0%
Subtotal Element 6		\$2,305,000	\$1,409,286	\$895,714	\$113,694	\$94,167	\$19,527	\$2,191,306	\$1,315,119	\$876,187	4.9%

"7QPRTotElem6"

[1] Revised per the new OAWP Budget Submitted Feb. 3, 2010

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

TRLIA Progress Report Overall Funding Status

Cumulative Through December 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
Element 7: Project Management, Legal, Community Relations support, Land Management, and Overhead											
7.1: Salaries	76.3198%	\$1,249,737	\$953,797	\$295,940	\$1,053,436	\$803,980	\$249,456	\$196,301	\$149,817	\$46,485	84.3%
7.2: Consulting	76.3198%	\$1,239,571	\$946,038	\$293,533	\$1,103,299	\$842,035	\$261,263	\$136,272	\$104,003	\$32,270	89.0%
7.3: Legal	76.3198%	\$1,195,497	\$912,401	\$283,096	\$1,074,442	\$820,012	\$254,430	\$121,055	\$92,389	\$28,666	89.9%
7.4: Travel	76.3198%	\$9,827	\$7,500	\$2,327	\$8,382	\$6,398	\$1,985	\$1,445	\$1,103	\$342	85.3%
7.5: General	76.3198%	\$350,756	\$267,696	\$83,060	\$262,191	\$200,103	\$62,087	\$88,565	\$67,593	\$20,972	74.8%
7.6: Insurance	76.3198%	\$701,375	\$535,288	\$166,087	\$700,733	\$534,798	\$165,935	\$642	\$490	\$152	99.9%
7.7: Travel/Vehicle	76.3198%	\$26,273	\$20,051	\$6,221	\$15,939	\$12,165	\$3,774	\$10,334	\$7,887	\$2,447	60.7%
7.8: Memberships	76.3198%	\$18,804	\$14,351	\$4,453	\$6,691	\$5,106	\$1,584	\$12,113	\$9,245	\$2,868	35.6%
Subtotal Element 7		\$4,791,840	\$3,657,123	\$1,134,718	\$4,225,113	\$3,224,597	\$1,000,516	\$566,728	\$432,525	\$134,202	88.2%

"7QPRTotElem7"

[1] Revised per the new OAWP Budget Submitted Feb. 3, 2010

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

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Associated Project Elements

TRLIA has reviewed the Associated Element Budgets (Segment 1 work) and expenses incurred through December 31, 2009 and provided the following table to show the funding and budget status of this work. At this time, TRLIA's expenses are within the revised Overall Work Plan Budget and the construction efforts associated with the original scope of work are complete. Additional work on Segment 1 is related to the Crack Repair work for which TRLIA has created a new element to track expenses (Element 9A).

With respect to the original scope of work covered by Associated Element 1, TRLIA has completed all construction and paid the remaining retention expenses.

Additional work related to the repair of the crack is also complete.

TRLIA has made requests to the State to reconsider funding 70% of Segment 1 costs and this funding request has been approved and an amendment to the funding agreement is currently being processed. TRLIA continues to monitor the individual feature budgets and providing the State with invoices. Once the funding is approved, the budgets will be incorporated into a new Overall Work Plan Budget and the Associated Elements will become Elements 8 (Segment 1 Real estate), 9 (Segment 1 Levee Improvements) and 9A (Segment 1 Crack Repair).

Summary of TRLIA Quarterly Progress Report Budget Reconciliation

Cumulative Through December 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
Associated Element 1: Feather River EIP Land Acquisition								
Feature 1 - Feather Segment 1	0.0000%	\$572,106	\$96,453	\$475,653	83%	\$0	\$0	\$0
Subtotal Associated Element 1		\$572,106	\$96,453	\$475,653	83%	\$0	\$0	\$0
Associated Element 2: Feather River Segment 1 levee improvement								
Feature 1.1 - Design	0.0000%	\$1,266,552	\$1,169,991	\$96,561	8%	\$10,000	\$17,037	-\$7,037
Feature 1.2 - Permitting	0.0000%	\$323,086	\$194,263	\$128,823	40%	\$93,549	\$7,023	\$86,525
Feature 1.3 - ROW Support	0.0000%	\$223,098	\$218,062	\$5,036	2%	\$0	\$417	-\$417
Feature 2 - Construction Mgt.	0.0000%	\$1,417,557	\$1,369,282	\$48,275	3%	\$15,000	\$10,168	\$4,833
Feature 3 - Construction	0.0000%	\$9,366,159	\$9,144,331	\$221,827	2%	\$0	\$1,482	-\$1,482
Feature 4 - O&M Segment 1	0.0000%	\$84,052	\$1,029	\$83,023	99%	\$4,971	\$0	\$4,971
Subtotal Associated Element 2		\$12,680,504	\$12,096,958	\$583,546	5%	\$123,520	\$36,127	\$87,393
(Associated Element 9A: Feather River Segment 1 Crack Repair)								
Feature 1.1 - Engineering, Design, Permitting & CM		\$675,000	\$71,852	\$603,148	89%	\$0	\$12,699	-\$12,699
Feature 1.2 - Right of Way Support		\$15,000	\$0	\$15,000	100%	\$0	\$0	\$0
Feature 2 - Construction		\$1,300,000	\$364,483	\$935,517	72%	\$0	\$364,483	-\$364,483
Feature 3 - Operations & Maintenance Manual		\$10,000	\$0	\$10,000	100%	\$0	\$0	\$0
Subtotal Associated Element 9A		\$2,000,000	\$436,335	\$1,563,665		\$0	\$377,181	-\$377,181
Subtotal Associated Elements		\$15,252,610	\$12,629,746	\$2,622,864	17%	\$123,520	\$413,308	-\$289,788

"7QPRAssocElem"

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