



TRLIA
3rd QUARTERLY
PROGRESS REPORT
FOR
UPPER YUBA RIVER LEVEE
IMPROVEMENT PROJECT

- 1. Quarterly Progress Report (QPR) for 3rd Quarter: April 1 – June 30, 2010**
- 2. Date of Report: September 1, 2010**
- 3. Purpose of Quarterly Report:** This report summarizes the work completed in the 3rd 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 Consultants prepared Levee System Certification documents during this Quarter. TRLIA anticipates submitting 100-year FEMA certification documentation to FEMA for Project Element 1 on May 5, 2010. On May 27, 2010 FEMA indicated that the TRLIA levee system will be accredited – see FEMA letter, attachment 1.
 - Project Element 2: The TRLIA Board adopted the Mitigated Negative Declaration at their April 20th meeting and the Notice of Determination was signed on April 20th and filed on April 23, 2010 – see NOD, attachment 2.
 - Project Element 2: Corps of Engineers as the lead Agency determined that EA with mitigated FONSI is the appropriate NEPA document. The Corps of Engineers issued the Draft EA for Public review on May 24, 2010. The EA public comment period ended on June 23, 2010. The only comments were a letter from the FRAQMD and an e-mail from Cal-TRANS. Both comments submissions can be easily responded to.
 - Project Element 3: 100% plans and specifications were ready for bid on June 21, 2010.

- Significant Events, media releases, and media coverage during the Quarter – see attachment 3:
 - May 10, 2010 Media/Press Release: TRLIA SUBMITS LEVEE CERTIFICATION AHEAD OF SCHEDULE
 - May 10, 2010: Appeal Democrat - TRLIA Submits Levees for Certification
 - June 1, 2010 Media/Press Release: FEMA WILL ACCREDIT 29 MILES OF URBAN LEVEES IMPROVED BY TRLIA
 - June 1, 2010: Appeal Democrat – FEMA approves Yuba County Levee work
 - June 3, 2010 Media/Press Release: TRLIA UPDATES WEBSITE PROVIDES ACCESS TO ALL PUBLIC DOCUMENTS
 - June 3, 2010: Sacramento Bee – Yuba County levees meet threshold
 - June 4, 2010: Sacramento Bee – Levees good for 100-year flood, FEMA tells Yuba County
 - June 21, 2010: Comcast Newsmakers – Interview with Paul Brunner (www.trlia.org).
 - Summer Quarter Yuba County e-note: 29 Miles of Yuba County Levees Accredited by FEMA
 - July 2010 Flood Safe focus article: Improved Levee System in Yuba County to Receive Federal Accreditation

- **Project Element Information:**

- At the request of DWR, restructuring of Project Elements and Features occurred during the preparation of the 4th Quarterly Work Plan (QWP) submitted on May 28, 2010. The following changes were made and a revised Overall Work Plan Budget was submitted with the 4th QWP that reflected the following changes.
 - A new Element 7: Right of Way Capital was added. This was previously Element 3: Feature 3.3. The purpose of this change was to separate Right of Way acquisition costs into a separate and distinct Element.
 - Features 2.3, 2.4 and 2.5 (Preliminary Design, Preliminary Permitting and Preliminary Right of Way Support) have been moved to Element 3. The purpose of this change was to remove all features that were able to be funded at the full 70% cost share from Element 2 so that as a whole, all costs in Element 2 are funded at 50% and all costs in Element 3 are funded at 70% by the State.

All subsequent discussion in this QWP is reflective of these modifications.

- **Engineering and Construction matters:**

- **Project Element 1: Flatten Waterside Levee Slope – Sta 3+00 to 33+50**

- Feature 1 Design: The HDR design was completed in a prior Quarter. The design was reviewed and approved by the Corps, DWR and CVFPB.
- Feature 2 Permitting: All permits were obtained. See updated Overall Work Plan Tab D (Attachment 4)
 - TRLIA Consultants prepared Levee System Certification documents during this Quarter. TRLIA submitted 100-year FEMA certification documentation to FEMA for Project Element 1 on May 5, 2010. On May 27, 2010 FEMA indicated that the TRLIA levee system will be accredited – see FEMA letter, attachment 1.
- Feature 3 Right of Way: All actions have been completed. No work performed this Quarter
- Feature 4 Construction Management: All actions have been completed. No work performed this Quarter

On March 26, 2010 the As-built drawing were submitted to DWR & CVFPB as part of the Construction Documentation Report

- Feature 5 Construction: All actions have been completed. No work performed this Quarter
- Feature 6: O&M Manual: All actions have been completed. No work performed this Quarter.

On March 26, 2010 the O&M Manual Addendum was submitted to DWR & CVFPB. The O&M Addendum is not a stand-alone document. It is an addendum to the existing Corps of Engineers' Operation and Maintenance manuals for the levee system (Standard Operation and Maintenance Manual for the Sacramento River Flood Control Project, dated May 1955, and Supplement to Standard Operation and Maintenance Manual, Sacramento River Flood Control Project, Unit No. 145-Part No. 1, dated August 1955). The addendum was prepared following the guidelines contained in the Corps' Engineering Regulation ER 1110-2-401, Operation, Maintenance, Repair, Replacement, and Rehabilitation Manual for Projects and Separable Elements.

➤ **Project Element 2: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Pre-CEQA Determination Support Efforts**

- Feature 1 Alternatives Analysis: Completed in the 1st Quarter.
- Feature 2 CEQA/NEPA: Work on both CEQA and NEPA documents were performed throughout the quarter.
 - Separated CEQA and NEPA documents – key reason was to allow real estate actions to proceed (acquisition of expanded levee O&M access corridor (10 ft to 50 ft))
 - TRLIA signed the Notice of Intent to complete an Initial Study/Mitigated Negative Declaration (IS/MND) on February 11, 2010 and issued the Draft IS/MND for public review on February 12th. Public review comment period ended on March 15th. A public information meeting to accept comments on the Draft IS/MND was held on March 8, 2010 and was well attended. The TRLIA Board adopted the Mitigated Negative Declaration at their April 20th meeting and Notice of Determination was signed and filed on April 23, 2010 – see attachment 2.
 - NEPA – Corps of Engineers is the lead Agency. During the 3rd quarter the Corps determined that an EA with mitigated FONSI is appropriate.
 - ✓ The Corps of Engineers issued the Draft EA for Public review on May 24, 2010
 - ✓ The EA public comment period ended on June 23, 2010. The only comments were a letter from the FRAQMD and an e-mail from Cal-TRANS. Both comment submissions can be easily responded to.
 - ✓ Finalization of the FONSI is dependent upon the F&WS and SHPO completing their respective consultations. As of June 30th both agencies had not yet completed their work. FWS did issue the Biological Opinion on August 16, 2010. The SHPO response is now anticipated to be received by September 10, 2010.
 - ✓ The Corps of Engineers did not finalize the FONSI in late June or early July 2010 as anticipated in the last report. The Corps of Engineers now projects finalization of the FONSI sometime in September 2010. **This slippage has impacted the TRLIA construction schedule.**
 - The MWH groundwater report was used for both the NEPA and CEQA documents and design. Overall, there is no regional impact and little impact to groundwater adjacent to the slurry wall from the proposed project. During this Quarter TRLIA worked with property

owners in close proximity to the project to monitor existing wells to assist identification of any impacts to their water wells caused by the building of the cut-off wall. Any impacts identified will be mitigated.

- Features 2.3, 2.4 and 2.5 (Preliminary Design, Preliminary Permitting and Preliminary Right of Way Support) have been moved to Element 3 at request of DWR. These changes were made in the 4th Quarterly Work Plan. The purpose of this change was to remove all features that were able to be funded at the full 70% cost share from Element 2 so that as a whole, all costs in Element 2 are funded at 50% and all costs in Element 3 are funded at 70% by the State.

➤ **Project Element 3: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Support Work**

- Feature 2.3 Preliminary Design: Completed in the 2nd Quarter
- Feature 2.4 Permit Preparation: Pre CEQA work on Federal, State, and local permits occurred this quarter. See attachment 5 for status.
- Feature 2.5 Right of Way: Pre CEQA work by TRLIA real estate and legal consultants was done this quarter. They performed preliminary right of way work for the project, including identification of all necessary property interests and the owners thereof, plus coordination between project design team and property owners to minimize project costs and mitigate its impacts. 47 parcels are impacted – see attachment 6 for DWR letter approving the Upper Yuba EIP Real Estate Plan, and attachment 7 for a parcel map and ownership listing.
- Feature 1 Design:
 - The 90% Design Documentation Package was issued on May 24. TRLIA had resolved most of the design issues that were discussed at the April CVFPB meeting during the 408 letter agenda item with CVFPB Staff. The one issue remaining concerns the proper assumption with respect to the condition of the Yuba Training Levee in developing design water surface elevations. See attachment 8 graphic showing location of training levee in relation to EIP Project. TRLIA worked with the CVFPB Staff to resolve this remaining issue during the 3rd quarter.
 - A third BOSC Meeting was held on June 24, 2010 to discuss the 90% design submittal. CVFPB Staff, DWR, and the Corps attended the meeting. The BOSC concurred with the approach, methods and findings of the engineering analysis and concurred with the size and extent of the repair features.

- 100% plans and specifications were ready for bid on June 21, 2010.
- Feature 2 Permitting: Worked on Federal, State, and local permits continued this quarter. See Attachment 5 for list of permits.
 - TRLIA submitted a CVFPB Encroachment Permit Application on February 3, 2010 for the UYLIP. TRLIA asked CVFPB staff to place this permit on the July CVFPB agenda for consideration and approval with the condition that the permit is good only once the Corps 408 approval is obtained. The CVFPB agreed with this request.
 - TRLIA submitted the Draft Section 408 Summary Report on March 2 for review by the CVFPB and Corps of Engineers staff. The CVFPB submitted a request letter to the Corps of Engineers for Section 408 Approval on May 18, 2010.
 - TRLIA continued to work with the Corps of Engineers to finalize the 408 Authorization and 104 Credit approvals. Initially during this quarter the Corps of Engineers indicated that 408 submission to HQs could possibly be completed by mid July, subject to the items below being completed. With a mid July submission to HQs the Corps projected a mid to late August 408 authorization, with the 104 Credit approval several weeks later. Current estimate of 408 submission to HQs is mid August with a consequent slip in approval dates.
 - ✓ The public review of the EA document was completed and no significant comments were received. The public comment period ended on June 23 and the only comments were a letter from the FRAQMD and an e-mail from Cal-TRANS. Both comment submissions can be easily responded to.
 - ✓ F&WS complete their consultation (biological opinion). The consultation focuses on Elderberry shrubs being transplanted from the Upper Yuba Levee to a mitigation site (Anderson Site) located along the Feather River just north of Star Bend. Near the end of the 3rd quarter the Corps indicated that F&WS were nearing completion of their consultation. No problems with consultation have been identified. FWS issued Biological Opinion on August 16, 2010.
 - ✓ In mid June the Corps indicated that they now also needed to obtain Section 106 SHPO consultation and they initiated the consultation. No problems were anticipated with SHPO review, except that the SHPO office was very understaffed. Below is the sequence of events that followed.

- ❖ Received comments from SHPO on the UYLIP cultural resources report on 6/28
 - ❖ The Corps responded to the SHPO comment letter on July 28, which restarted the SHPO 30 day review period.
 - ❖ In early August SHPO indicated that due to staff problems they could not respond until September 10th. TRLIA requested the Corps to obtain the SHPO response sooner, but the Corps opted to not request SHPO to respond sooner.
- ✓ Once the F&WS and SHPO consultations are complete the Corps will finalize the NEPA FONSI and submit the 408 package to HQs.
- Yuba County Water Agency (YCWA) submitted a Section 104 request to the CVFPB on February 23, 2010. The CVFPB approved a request letter to the Corps of Engineers for the Section 104 Credit at the April CVFPB Meeting.
 - A Memorandum of Understanding (MOU) between the USACE and the CVFPB was signed on June 30, 2010 providing for credit under Section 2003 of the Water Resources Development Act of 2007 for the Upper Yuba Levee Improvement Project. Currently the MOU is being revised to include recently developed standard language for Section 203 Credit Agreements.
 - On May 5, 2010 TRLIA submitted the 100-year FEMA certification documentation to FEMA for EIP Project Area 1. The May 2010 documentation included the completed work on Project Element 1. On May 27, 2010 FEMA indicated that the TRLIA levee system will be accredited – see FEMA letter, attachment 2.

The May 5th documentation identified Project Elements 2, 3, and 4 as part of a FEMA Provisionally Accredited Levee (PAL), which will be FEMA certified in 2011 once the construction work is done. The schedule of this Feature was extended due to construction work being moved into 2011. As part of the FEMA certification process, TRLIA is performing additional hydraulic analysis in the Goldfields area to ensure storm flows (100 year storm event) do not out flank the UYLIP levee.

The additional hydraulic analysis being performed for FEMA certification also provides another benefit to DWR and TRLIA. On March 26, 2010 the Corps of Engineers presented to the CVFPB a new hydraulic analysis of the flood risk in the Goldfields as part of its Yuba Basin Feasibility Study. According to the Corps, the Goldfields do not

present a risk of flooding to South Yuba County from a 100-year flood event. Therefore, FEMA certification of TRLIA's levee system, which is predicated on 100-year flood protection, is proceeding without delay (see permitting feature below). While the Corps did conclude that there is a risk of isolated, shallow flooding from the Goldfields into South Yuba County for events larger than the 100-year flood event, it could not identify an improvement (solution) that would justify the investment of federal funds in a project.

Yuba County, YCWA, TRLIA, and RD784 remain committed to achieving 200-year flood protection for South Yuba County, and are working together to accomplish that goal. Per state law, local agencies have until 2015 to develop a plan for 200-year flood protection. In the interim, TRLIA's Upper Yuba River Levee Improvement Project must be completed to achieve 100-year flood protection. Additionally, more detailed hydraulic analysis is needed to identify improvements in the Goldfields necessary to achieve 200-year flood protection.

During the 3rd quarter TRLIA worked on issues associated with the 200-year overflow and to verify that 100-year flow from the Goldfields area do not affect FEMA certification. Two key tasks include:

- ✓ TRLIA tasked MBK Engineers with conducting a detailed hydraulic evaluation. TRLIA's hydraulic analysis is scheduled to be completed in early 2011.
 - ✓ TRLIA worked with Yuba County and YCWA to build a cooperative forum that will include all stakeholders (Goldfields mining operators and local, state and federal agencies) to understand and participate in the steps needed to reduce the risk of flooding from the Goldfields area.
- Received State Mining and Geology Board exemption letter, dated May 18, 2010 for borrow site – see attachment 10
- Feature 3 Right of Way: This feature was moved to Project Element 7 as requested by DWR. See May 28, 2010 4th Quarterly Work Plan.
 - Feature 4 Construction Management:
 - TRLIA amended the HDR Upper Yuba design contract to include construction management
 - The schedule for this Feature was extended due to the construction work being moved into 2011

- Feature 5 Environmental Mitigation:
 - During this Quarter TRLIA continued to work with property owners in close proximity to the project to identify and mitigate any impacts to their water wells that may be caused by the building of the cut-off wall. See attachment 9 for well locations.
 - On February 22, 2010 TRLIA sent a letter to the CVFPB and DWR requesting approval to use the Anderson Elderberry Site. On April 13th DWR, CVFPB, F&WS, Corps of Engineers, and TRLIA staff visited the Anderson site. Later in the 3rd quarter CVFPB and DWR indicated their approval for TRLIA to use the Anderson Site, pending issuance of the F&WS Biological Opinion. The F&WS service Biological Opinion is anticipated by mid August 2010 (issued on August 16, 2010). The schedule for this Feature to transplant the Elderberries was adjusted to reflect when the B.O. would be issued.
 - Air Quality requirements from the FRAQMD were incorporated in the Upper Yuba Levee Improvement Project construction specifications.
- Feature 6 O&M Manual Addendum:
 - No work was performed this quarter.
 - The schedule for this Feature was extended due to the construction work being moved into 2011
- **Project Element 4: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Construction – Sta 102+50 to 303+59**
 - Feature 1 Construction:
 - No construction work was done in the 3rd quarter.
 - Received State Mining and Geology Board exemption letter, dated May 18, 2010 for borrow site – see attachment 10
 - Plans and specifications went for bid on June 21, 2010. The bid due date has been extended to August 26, 2010. Anticipate the bids to be opened, but the project not awarded until the Corps has approved the 408 Authorization, and 104 Credit Approval. The bid package requests the low bidder to keep their bid viable until March 31, 2011 in order for the Corps to complete their actions.
 - Levee construction in 2010 is dependent upon when the 408 Authorization, 104 Credit Approval, and CVFPB encroachment permit approval is obtained. The 408 Authorization and 104 Credit Approval

➤ **Project Element 5: Prior Completed Work**

- Feature 1 Prior Completed Work: On November 18, 2009 TRLIA submitted invoices for \$7,853,673 of credit. During the 3rd quarter TRLIA and DWR worked together to verify the appropriate credit to be approved. On July 19, 2010 DWR approved \$6,619,616 – see DWR letter, attachment 11. \$1,068,200 of the original request pertained to prior Bear River Real Estate actions that may still be eligible for credit. \$165,857 of the original request was deemed to be ineligible.

➤ **Project Element 6:** Project Management, legal support, community relations support, land management support, and overhead

- Activity occurred in all Features during this quarter
- The schedule for these Features was extended due to the construction work being moved into 2011

➤ **Element 7:** Right of Way Capital

- Feature 7-3.3 Right of Way:
 - DWR approved the Upper Yuba River Real Estate Plan on June 28, 2010 – see attachment 6
 - TRLIA real estate and legal consultants were very active this quarter obtaining right of way needs for the project. 47 parcels are impacted – See attachment 7 for parcels and ownership. The parcels are mostly agriculture in nature.
 - Note - Right of Way support expenses will be under Element 3 Feature 2.5.
 - The following Real Estate actions were accomplished in the 3rd quarter (April – June 2010):
 - ✓ TRLIA real estate and legal consultants continued working with multiple property owners and TRLIA's Project design team to identify and mitigate potential Project impacts on farm operations, a mobile home park adjacent to the levee, several residential properties, and one property owner's long-term plans to re-establish a private rail spur to export aggregate materials from the Goldfields area.
 - ✓ DWR staff assigned to the Project were briefed by TRLIA's legal and real estate consultants regarding real estate needs and the

proposed real estate plan, then taken on a tour of the Project area and shown each of the impacted properties.

- ✓ TRLIA real estate and legal consultants prepared and submitted the Upper Yuba River Real Estate Plan to DWR on TRLIA's behalf.
- ✓ TRLIA's real estate consultants completed, and TRLIA approved, appraisals for over half of the 47 properties from which property rights must be acquired for the Project.
- ✓ First written offers to purchase were made to, and negotiations initiated with, over half of the 47 property owners from whom property rights must be acquired for the Project.
- ✓ One property owner executed a Possession and Use Agreement granting TRLIA possession of the required portion of his property effective August 1, 2010.
- ✓ Appraisals were begun, but not completed, on additional properties.

- **Environmental matters**

- **Project Element 2 & 3:**

- Separated CEQA and NEPA documents – key reason was to allow real estate actions to proceed (acquisition of expanded levee O&M access corridor (10ft to 50ft))
- TRLIA signed the Notice of Intent to complete an Initial Study/Mitigated Negative Declaration (IS/MND) on February 11, 2010 and issued the Draft IS/MND for public review on February 12th. Public review comment period ended on March 15th. A public information meeting to accept comments on the Draft IS/MND was held on March 8, 2010 and was well attended. The TRLIA Board adopted the Mitigated Negative Declaration at their April 20th meeting and Notice of Determination was signed and filed on April 23, 2010 – see attachment 2.
- NEPA – Corps of Engineers is the lead Agency. During the 3rd quarter the Corps determined that an EA with mitigated FONSI is appropriate.
 - The Corps of Engineers issued the Draft EA for Public review on May 24, 2010
 - The EA public comment period ended on June 23, 2010. The only comments were a letter from the FRAQMD and an e-mail from CalTRANS. Both comment submissions can be easily responded to.
 - Finalization of the FONSI is dependent upon the F&WS and SHPO completing their respective consultations. As of June 30th both agencies had not yet completed their work.

- TRLIA continued to work with the Corps of Engineers to finalize the 408 Authorization and 104 Credit approvals. Initially during this quarter the Corps of Engineers indicated that 408 submission to HQs could possibly be completed by mid July, subject to the items below being completed. With a mid July submission to HQs the Corps projected a mid to late August 408 authorization, with the 104 Credit approval several weeks later. Current estimate of 408 submission to HQs is mid August with a consequent slip in approval dates.
 - The public review of the EA document was completed and no significant comments were received. The public comment period ended on June 23 and the only comments were a letter from the FRAQMD and an e-mail from Cal-TRANS. Both comment submissions can be easily responded to.
 - F&WS complete their consultation (biological opinion). The consultation focuses on Elderberry shrubs being transplanted from the Upper Yuba Levee to a mitigation site (Anderson Site) located along the Feather River just north of Star Bend. Near the end of the 3rd quarter the Corps indicated that F&WS were nearing completion of their consultation. No problems with consultation have been identified.
 - In mid June the Corps indicated that they now also needed to obtain Section 106 SHPO consultation and they initiated the consultation. No problems were anticipated with SHPO review, except that the SHPO office was very understaffed. Below is the sequence of events that followed.
 - ✓ Received comments from SHPO on the UYLIP cultural resources report on 6/28
 - ✓ The Corps responded to the SHPO comment letter on July 28, which restarted the SHPO 30 day review period.
 - Once the F&WS and SHPO consultations were completed the Corps would finalize the NEPA FONSI and submit the 408 package to HQs.
- Yuba County Water Agency (YCWA) submitted a Section 104 request to the CVFPB on February 23, 2010. The CVFPB approved a request letter to the Corps of Engineers for the Section 104 Credit at the April CVFPB Meeting.
- A Memorandum of Understanding between the USACE and the CVFPB was signed on June 30, 2010 providing for credit under Section 2003 of the Water Resources Development Act of 2007 for the Upper Yuba Levee Improvement Project.

- On May 5, 2010 TRLIA submitted the 100-year FEMA certification documentation to FEMA for EIP Project Area 1. The May 2010 documentation included the completed work on Project Element 1. On May 27, 2010 FEMA indicated that the TRLIA levee system will be accredited – see FEMA letter, attachment 1.

The May 5th documentation identified Project Elements 2, 3, and 4 as part of a FEMA Provisionally Accredited Levee (PAL), which will be FEMA certified in 2011 once the construction work is done. As part of the FEMA certification process, TRLIA is performing additional hydraulic analysis in the Goldfields area to ensure storm flows (100 year storm event) do not out flank the UYLIP levee.

- The additional hydraulic analysis being performed for FEMA certification also provides another benefit to DWR and TRLIA. On March 26, 2010 the Corps of Engineers presented to the CVFPB a new hydraulic analysis of the flood risk in the Goldfields as part of its Yuba Basin Feasibility Study. According to the Corps, the Goldfields do not present a risk of flooding to South Yuba County from a 100-year flood event. Therefore, FEMA certification of TRLIA's levee system, which is predicated on 100-year flood protection, is proceeding without delay (see permitting feature below). While the Corps did conclude that there is a risk of isolated, shallow flooding from the Goldfields into South Yuba County for events larger than the 100-year flood event, it could not identify an improvement (solution) that would justify the investment of federal funds in a project.

Yuba County, YCWA, TRLIA, and RD784 remain committed to achieving 200-year flood protection for South Yuba County, and are working together to accomplish that goal. Per state law, local agencies have until 2015 to develop a plan for 200-year flood protection. In the interim, TRLIA's Upper Yuba River Levee Improvement Project must be completed to achieve 100-year flood protection. Additionally, more detailed hydraulic analysis is needed to identify improvements in the Goldfields necessary to achieve 200-year flood protection.

During the 3rd quarter TRLIA worked on issues associated with the 200-year overflow and to verify that 100-year flow from the Goldfields area do not affect FEMA certification. Two key tasks include:

- TRLIA tasked MBK Engineers with conducting a detailed hydraulic evaluation. TRLIA's hydraulic analysis is scheduled to be completed in early 2011.
- TRLIA worked with Yuba County and YCWA to build a cooperative forum that will include all stakeholders (Goldfields mining operators and local, state and federal agencies) to understand and participate in

the steps needed to reduce the risk of flooding from the Goldfields area.

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

- **Issue 1** – pertains to Project Elements 2, 3, & 4: The Federal NEPA, 408 Authorization, and 104 Credit letter approval processes have been very time consuming and have caused significant levee improvement work to slip into 2011. Of special concern is the length of time for the Corps to approve the 104 credit letter. Apparently the Corps may have issues with approving more credits for the Yuba Basin Plan GRR, since more credits have already been approved than can be used. Potentially, the Corps may deny the credit request. If the 104 credit request approval goes on for an extended period of time, there may be the need for DWR and the CVFPB to waive the EIP agreement 104 credit requirement in order for the Upper Yuba Project to begin construction next year and be completed next year. There is also concern that resolution of the 104 credit issues could impact the Yuba Basin Plan GRR schedule, which could conceivably impact the City of Marysville levee improvements.

Recommended Solution: Once the Corps District office has finalized and forwarded the 408 package and EA with mitigated FONSI (now projected in August versus last report of June) to HQs; TRLIA, YCWA, DWR, and the Corps meet to determine a way forward on getting the 104 credit approved.

- **Issue 2:** With the majority (if not all) the construction work (Element 4) being moved to 2011; the work will go beyond the EIP funding agreement completion date (September 30, 2011).

Recommended Solution: DWR extend the EIP agreement final date to June 30, 2012.

- **Issue 3** – TRLIA needs to mitigate for elderberry impacts and has requested DWR and CVFPB approval to use the Anderson Elderberry Site. The use of the Anderson Site will be much less expensive than using an off-site mitigation bank.

Recommended Solution: DWR and CVFPB approve the Anderson Site for TRLIA's use.

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

- None

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

- Local funding for the remaining costs of the project is to come from three sources (listed in order of priority of use by TRLIA):
 - Credits accrued from State funding of prior completed work (Element 5 Work as well as other costs incurred prior to the funding agreement execution).
 - State Funding of Segment 1 of the Feather River EIP Project.
 - Local funding from the proceeds of bond sales completed by the Yuba Levee Finance Authority.

The Local Share of the Project based upon the current overall work plan is \$20,445,271. Within this budget, Element 5 work has already been completed and the local share of this work had been previously paid for by TRLIA, (\$2,304,649) therefore the local share of these costs can be deducted to determine the remaining local share of costs of the project (\$18,140,623). Project costs are expected to be less than the overall budgeted costs, however, at this time, TRLIA is still making provisions for local sources to cover the entire remaining local share budget for the project.

The local funding sources available to cover the remaining project costs are detailed as follows;

- On July 19, 2010, DWR informed TRLIA that it had approved the majority of TRLIA's credit request in the amount of \$6,619,616. Additional Real Estate expenses may generate additional credit and still being reviewed by DWR. Through the 3rd Quarter, DWR has funded \$2,440,998 of Credit for the Local Share of remaining expenses.
- DWR provided reimbursement for Segment 1 and Erosion Site 2 of TRLIA's Feather River project and a payment of \$8,089,379 was received on June 29, 2010. These funds will be used to fund a portion of the local share of Upper Yuba River Costs.
- The above two items total \$ 14,708,995 of local funding available. The remaining local costs, \$ 4,860,121 are within the share of local funds generated from Bond proceeds originally budgeted for the Upper Yuba project (~\$5.0 million). Additionally, significant cost savings are expected which will lower the local cost share of the project.

- **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.

- **A discussion on how the projected schedule compares to the original or last reported schedule:**
 - **Element 2 Feature 2:** Schedule extended to September 2010 for NEPA actions
 - **Element 3 Feature 2:** Schedule extended to December 2011 for FEMA Accreditation
 - **Element 3 Feature 4:** Schedule extended to November 2011 due to construction work being moved to 2011
 - **Element 3 Feature 5:** Adjusted schedule to reflect F&WS B.O. being received in September 2010
 - **Element 3 Feature 6:** Moved O&M Manual Addendum to 2011 to parallel construction work being moved to 2011
 - **Element 4 Feature 1:** Schedule further extended into 2011 to reflect late construction start in 2010 due to federal permitting process.
 - **Element 6 Features 1-8:** Schedule extended to December 2011

6. Attachments

1. FEMA Accreditation letter, May 27, 2010
2. Upper Yuba Levee Improvement Project Notice of Determination
3. Media Items:
 - May 10, 2010 Media/Press Release: **TRLIA SUBMITS LEVEE CERTIFICATION AHEAD OF SCHEDULE**
 - May 10, 2010: Appeal Democrat - **TRLIA Submits Levees for Certification**
 - June 1, 2010 Media/Press Release: **FEMA WILL ACCREDIT 29 MILES OF URBAN LEVEES IMPROVED BY TRLIA**
 - June 1, 2010: Appeal Democrat – **FEMA approves Yuba County Levee work**
 - June 3, 2010 Media/Press Release: **TRLIA UPDATES WEBSITE PROVIDES ACCESS TO ALL PUBLIC DOCUMENTS**
 - June 3, 2010: Sacramento Bee – **Yuba County levees meet threshold**
 - June 4, 2010: Sacramento Bee – **Levees good for 100-year flood, FEMA tells Yuba County**
 - June 21, 2010: Comcast Newsmakers – **Interview with Paul Brunner (www.trlia.org).**
 - Summer Quarter Yuba County e-note: **29 Miles of Yuba County Levees Accredited by FEMA**

- July 2010 Flood Safe focus article: Improved Levee System in Yuba County to Receive Federal Accreditation
4. Permit Status Update - Upper Yuba River Levee: Slope Flattening
 5. Permit Status Update – Upper Yuba Remaining Work
 6. DWR Real Estate Plan approval letter, June 28, 2010
 7. Map & List of UYLIP Parcels and Owners
 8. Training Levee Graphic
 9. Well locations
 10. SMGB exemption letter, May 18, 2010
 11. DWR Prior Work Credit Approval letter, July 19, 2010

7. Appendices

Appendix I: TRLIA Upper Yuba River Levee Improvement Project Third Quarterly Progress Report Budget Information, dated August 30, 2010

Attachment 1 – FEMA Accreditation letter, May 27, 2010

U.S. Department of Homeland Security
1111 Broadway, Suite 1200
Oakland, CA 94607-4052



FEMA

May 27, 2010

RECEIVED

JUN 01 2010

TRLIA

Paul G. Brunner, P.E.
Executive Director
Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 218
Marysville, California 95901

Dear Mr. Brunner:

This is in response to the letter and data submission to the Department of Homeland Security's Federal Emergency Management Agency (FEMA) dated May 5, 2010, regarding certification of Reclamation District 784 (RD 784) levee system within Yuba County. The pertinent information regarding this levee system is listed below.

Identifiers:	Yuba River South Levee (UPRR to Simpson Lake, WPRR to UPRR); Feather River East Levee Segments 1 – 3; Bear River North Setback Levee; and Upper Bear North Levee (Setback levee to WPIC) and WPIC West Levee, including Olivehurst Detention Basin Ring Levee
Flooding Sources:	The Yuba River, Feather River, Bear River, and Western Pacific Interceptor Canal
FIRM panels affected:	Yuba County, California, and Incorporated Areas preliminary FIRM panels 06115C340D, 0345D, 0375D, 0405D, 0415D, 0420D, 0480D, 0485D, dated September 30, 2008

In support of the RD784 levee system certification the following information was submitted:

1. A cover letter summarizing the levee certification submission for FEMA accreditation and acknowledging the team of engineering consultants that contributed to this submission under Three Rivers Levee Improvement Authority's management.
2. A Supporting Documents Index Certification Summary, dated April 30, 2010.
3. A Certification Summary Report prepared by Three Rivers Levee Improvement Authority titled, "FEMA Accreditation Project, RD 784 Levee System, Yuba County, California" and dated May 2010.
4. A two volume interior drainage study Report prepared by MHM Engineering, Incorporated titled, "Interior Drainage Study, RD784 Levee and Flood Control System," and dated March 12, 2010.
5. Eight boxes of supporting certification data as summarized by the document titled "Supporting Documents Index Certification Summary April 30, 2010."

The above documentation and data have been reviewed and based on receipt of this information the RD784 levee system as shown on the attached Yuba County Levee Status map and table, meet the minimum certification criteria outlined in Title 44, Code of Federal Regulations, Section 65.10 (44 CFR 65.10). Therefore, we plan to continue to accredit this levee system on the new Digital Flood Insurance Rate Map (DFIRM) scheduled to become effective in February 2011 as providing protection from the base flood.

The Yuba County Revised Unofficial Draft Map Panels distributed on April 30, 2010, depict the area protected from the base flood by this levee system. The base flood is also referred to as the flood that has a 1-percent-chance of being equaled or exceeded in any given year. The levee system's interior drainage area will be mapped based on the March 12, 2010, MHM report (aforementioned item 4 above) and notes will be placed on the new Digital Flood Insurance Rate Map panels providing notice of the flood risk that still exists.

Even though we plan to map the referenced levee system as providing protection from the 1-percent-annual-chance flood, it is important to note that levees are only designed to provide a specific level of protection. They can be overtopped or fail in larger flood events. Levee systems require regular maintenance and periodic upgrades to retain their level of protection. When levees do fail, they fail catastrophically, and damage may be more significant than if the levee was not there.

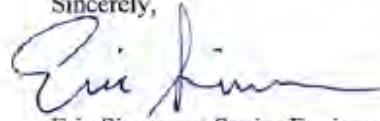
Future map updates may require the levee system to be certified again at the time of update. Also, design, construction, operation, and/or maintenance documents may be requested at any time. Deviations from the documentation and data submitted to FEMA could result in the levee system no longer being mapped as providing protection from the base flood on a future FIRM. If at any point additional information is provided to FEMA that shows the levee system no longer meets certification criteria as outlined in 44 CFR 65.10, we will contact the levee owner and community about the possibly de-accrediting the levee system.

Everyone should understand the risk to life and property that resides behind levees—risk that even the best flood-control system cannot completely eliminate. For these reasons, FEMA encourages people to understand their risk. The National Flood Insurance Program (NFIP) was created to reduce flood damages by identifying flood risks, encouraging sound community floodplain management practices, and providing flood insurance to lessen the financial impact of flood losses. Through the NFIP, property owners in participating communities are able to purchase flood insurance that will insure against flood losses. We hope that you will encourage property owners to purchase flood insurance.

Paul G. Brunner, P.E.
May 27, 2010
Page 3 of 3

If you have any questions regarding this matter or flood hazard mapping in general, please do not hesitate to contact me by telephone at (510) 627-7029 or by email at eric.simmons@dhs.gov.

Sincerely,



Eric Simmons, Senior Engineer
Mitigation Division

List of Enclosures:

- Yuba County Levee Status Table
- Yuba County Levee Status Map

cc: Mary Jane Griego, Chair, Yuba County Board of Supervisors
Robert Bendorf, County Administrator, Yuba County
Randy Margo, Assistant County Administrator, Yuba County
Steve Fordice, Reclamation District 784
Ric Reinhardt, MBK Engineers
Ricardo Pineda, CA DWR, NFIP State Coordinator
Jay Punia, Central Valley Flood Protection Board
Kimberly Carsell, USACE, Sacramento District

Yuba County Levee Status Table

May 27, 2010

Yuba County Protecting Levees							
Levee ID	Levee Name	Community Name	USACE Program Levee	Owner (Name & Organization)	Flooding Source	Levee Status	Comments
6019	Unnamed	Yuba County	Y	Reclamation District 784	Yuba River	B	PAL expires June 12, 2010
6067	Unnamed	Yuba County	N	Unknown	Yuba River	To be de-accredited	Segment does not meet 44 CFR 65.10 criteria
6069	Yuba River South Levee	Yuba County	Y	Reclamation District 784	Yuba River	Fully certified, full accreditation planned	Certified by TRLIA on May 5, 2010; previously certified by USACE on May 8, 2007
6070	Feather River East Levee	Yuba County	Y	Reclamation District 784	Feather River	Full accreditation planned	Certified by TRLIA on May 5, 2010
6071	Feather River East Levee	Yuba County	Y	Reclamation District 784	Feather River	Full accreditation planned	Certified by TRLIA on May 5, 2010
6072	WPIC West	Yuba County	Y	Reclamation District 784	Western Pacific Interceptor Canal	Fully certified, full accreditation planned	Certified by TRLIA on May 5, 2010; previously certified by USACE on May 8, 2007
6074	Unnamed	Yuba County	N	Unknown	Algodon Slough	To be de-accredited	No response to PAL offer
6084	WPIC West	Yuba County	Y	Reclamation District 784	Western Pacific Interceptor Canal	Fully certified, full accreditation planned	Certified by TRLIA on May 5, 2010; previously certified by USACE on May 8, 2007
6085	Upper Bear North Levee	Yuba County	Y	Reclamation District 784	Bear River	Fully certified, full accreditation planned	Certified by TRLIA on May 5, 2010; previously certified by USACE on May 8, 2007
6087	Bear River North Setback Levee	Yuba County	Y	Reclamation District 784	Bear River	Fully certified, full accreditation planned	Certified by TRLIA on May 5, 2010; previously certified by USACE on May 8, 2007
6096	Unnamed	Yuba County	N	Unknown	Unnamed	To be de-accredited	No response to PAL offer
6106	Unnamed	Yuba County	N	Unknown	Clark Lateral	To be de-accredited	No response to PAL offer
City of Marysville Protecting Levees							
Levee ID	Levee Name	Community Name	USACE Program Levee	Owner (Name & Organization)	Flooding Source	Levee Status	Comments
6046	Unnamed	City of Marysville	Y	Marysville Levee District	Feather River	B	PAL expires June 12, 2010
6060	Unnamed	City of Marysville	Y	Marysville Levee District	Feather River	B	PAL expires June 12, 2010
6064	Unnamed	City of Marysville	Y	Marysville Levee District	Feather River	B	PAL expires June 12, 2010
6065	Unnamed	City of Marysville	Y	Marysville Levee District	Feather River	B	PAL expires June 12, 2010
6066	Unnamed	City of Marysville	Y	Marysville Levee District	Feather River	B	PAL expires June 12, 2010

* Procedure Memorandum No. 41 (PM 41) describes seven Provisionally Accredited Levee (PAL) designation scenarios. This table only lists levees that are provisionally accredited, fully certified, or where full accreditation is planned.

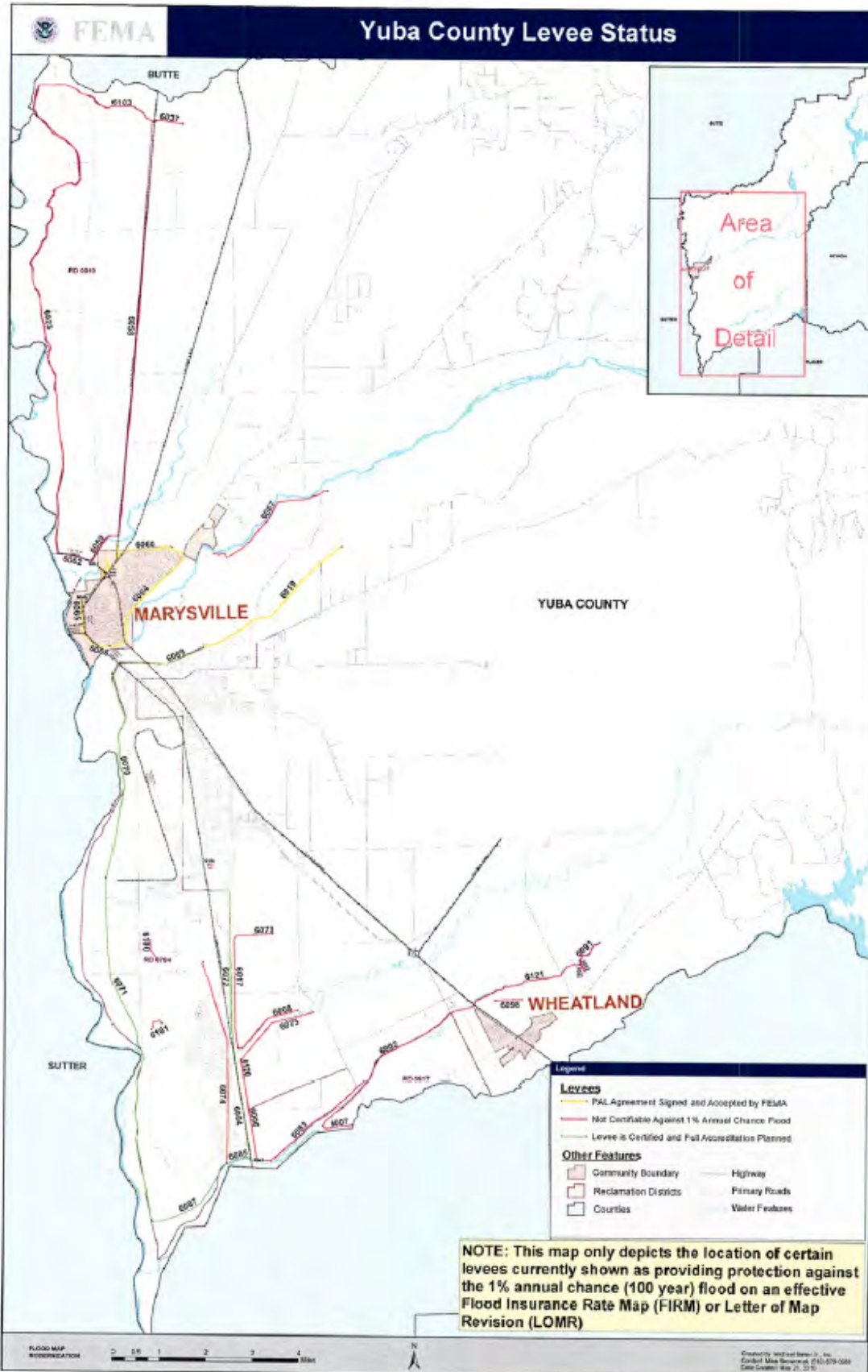
A:

Levees not in USACE program that are shown as protecting levee flood protection on an effective FIRM or LDMS, and the levee owner believes that the levee meets 44 CFR 65.10 requirements.

B:

Levees in USACE program that are shown as protecting levee flood protection on an effective FIRM or LDMS, and that are eligible for PAL.

Other PAL levee scenarios are not listed in this table.



Attachment 2

Upper Yuba Levee Improvement Project Notice of Determination

Notice of Determination

Appendix D

To:
 Office of Planning and Research
For U.S. Mail: Street Address:
 P.O. Box 3044 1400 Tenth St.
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
 County of: Yuba
 Address: 915 Eighth Street, Suite 107
 Marysville, CA 95901

From:
 Public Agency: Three Rivers Levee Improvement Authority
 Address: 1114 Yuba Street, Suite 218
 Marysville, CA 95901
 Contact: Paul Brunner, Executive Director
 Phone: (530) 749-5679

Lead Agency (if different from above):
 Address: _____
 Contact: _____
 Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2010022039

Project Title: Upper Yuba Levee Improvement Project

Project Location (include county): Between Simpson Lane and the Yuba Goldfields, near the community of Linda in Yuba County, CA

Project Description:
 The Upper Yuba Levee Improvement Project (UYLIP), is located in the southern portion of Yuba County along the Yuba River South Levee, near the community of Linda. The UYLIP proposes improvements along the Yuba River South Levee between Simpson Lane and the Yuba Goldfields (3.9 miles). The project would involve installing slurry walls, seepage berms, levee geometry corrections, and levee slope erosion protection in the project area.

This is to advise that the Three Rivers Levee Improvement Authority has approved the above described project on April 20, 2010 and has made the following determinations regarding the above described project:
(Date)

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was was not adopted for this project.
5. A statement of Overriding Considerations was was not adopted for this project.
6. Findings were were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: the Three Rivers Levee Improvement Authority offices at the address listed above.

Signature (Public Agency) Paul A. Brunner Title Executive Director

Date 4-20-10 Date Received for filing at OPR _____

ENDORSED FILED

APR 23 2010

TERRY A. HANSEN, County Clerk
 BY SEREITHA BETTENCOURT
 Deputy Clerk

Revised 2005

2010FLG-00014

3.0 ENVIRONMENTAL CHECKLIST

PROJECT INFORMATION		
1. Project Title:	Upper Yuba Levee Improvement Project	
2. Lead Agency Name and Address:	Three Rivers Levee Improvement Authority 1114 Yuba Street, Suite 218 Marysville, CA 95901	
3. Contact Person and Phone Number:	Paul Brunner, Executive Director, (530) 749-5679	
4. Project Location:	Simpson Lane to the Yuba Goldfields, along the south levee of the Yuba River, Yuba County, California	
5. Project Sponsor's Name and Address:	Three Rivers Levee Improvement Authority 1114 Yuba Street, Suite 218, Marysville, CA 95901	
6. General Plan Designation:	Valley Agriculture	
7. Zoning:	Exclusive Agricultural: Ag/Rural Residential	
<p>8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)</p> <p>The purpose of the proposed project is to correct levee deficiencies and improve flood protection on the Yuba River South Levee, located east of the City of Marysville and south of the Yuba River from approximately Simpson Lane to the Yuba Goldfields. The total length of the project is approximately 3.9 miles. The project would involve installing slurry walls, seepage berms, levee geometry corrections, and levee slope erosion protection in the project area. The proposed project would provide a minimum 200-year level of flood protection in the project area and ensure that the project area meets the minimum requirements of Federal and State laws.</p>		
9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)	Undeveloped land, sand and gravel business, agriculture (orchards) and open space on the waterside. Residential neighborhoods, roads, and agricultural land on the land side of the levee.	
10: Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement)	CDFG, USACE, RWQCB, USFWS, CARB, CVFPB, FRAQMD	
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:		
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:		
<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Geology/Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project COULD have a significant effect on the environment, there WILL NOT be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Paul G. Brunner

4/20/10

Signature

Date

Printed Name

Title

Agency



State of California—The Resources Agency
DEPARTMENT OF FISH AND GAME
2009 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#
1000014
STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY Three Rivers Levee Improvement Authority		DATE 04/23/2010
COUNTY/STATE AGENCY OF FILING Yuba County		DOCUMENT NUMBER 2010FG-00014
PROJECT TITLE Upper Yuba Levee Improvement Project		
PROJECT APPLICANT NAME Three Rivers Levee Improvement Authority		PHONE NUMBER () (530) 749-5679
PROJECT APPLICANT ADDRESS 1114 YUBA ST STE 218	CITY MARYSVILLE	STATE CA
PROJECT APPLICANT (Check appropriate box): <input checked="" type="checkbox"/> Local Public Agency <input type="checkbox"/> School District <input type="checkbox"/> Other Special District <input type="checkbox"/> State Agency <input type="checkbox"/> Private Entity		ZIP CODE 95901

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report	\$2,760.25	\$	\$0.00
<input checked="" type="checkbox"/> Negative Declaration	\$1,993.00	\$ 2010.25	\$0.00
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$	\$0.00
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs	\$341.25	\$	\$0.00
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$ 50.00	\$0.00
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption			
<input type="checkbox"/> DFG No Effect Determination (Form Attached)			
<input type="checkbox"/> Other _____		\$	

PAYMENT METHOD:

Cash Credit Check Other _____

TOTAL RECEIVED \$ 2060.25 \$0.00

SIGNATURE <i>X. Ballerina</i>	TITLE <i>Deputy</i>
----------------------------------	------------------------

04/23/2010 01:33PM
VITALS CUSTOMER

TRANSACTION # 87768
DOCUMENT # 2010FG-00014

NOTES: FG-THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

ENVIR ADMIN FEE: \$50.00
ENVIR FILING FEE: \$2010.25
TOTAL: \$2,060.25
CHECK: \$2060.25 431008

DEPUTY INITIALS: SB

THANK YOU

TERRY A. HANSEN
COUNTY RECORDER
COUNTY OF YUBA
MARYSVILLE, CA 95901

Attachment 3 - Media Items

- May 10, 2010 Media/Press Release: TRLIA SUBMITS LEVEE CERTIFICATION AHEAD OF SCHEDULE



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 118
Marysville, CA 95901
Office (530) 749-7841 Fax (530) 749-6990

FOR IMMEDIATE RELEASE
May 10, 2010

CONTACT: Paul Bunnell
(530) 749-5679

TRLIA SUBMITS LEVEE CERTIFICATION AHEAD OF SCHEDULE

MARYSVILLE, CA – A long pause to appreciate the moment. That was the reaction from some members of the Board of the Three Rivers Levee Improvement Authority (TRLIA) when informed that a major milestone – the submission of a levee system certification package to the Federal Emergency Management Agency (FEMA) – had been met several weeks ahead of schedule and nine months in advance of updates to FEMA's flood insurance rate maps for Yuba County.

"This is a perfect example of a government agency doing exactly what it promised to do and living up to its commitments," said Mary Jane Gueno, Chair of both TRLIA and the Yuba County Board of Supervisors. "Fast and foremost, this is about making sure we won't go through another disaster like 1966 and 1997," she said, speaking to the major flood events that devastated Yuba County and collective caused about \$600 million in damages and several deaths. "The Board of Supervisors and Reclamation District 784 took on that tremendous challenge. Through the Three Rivers Levee Improvement Authority, we accomplished what many thought was unachievable. We made good on our promise to improve public safety through strong leadership, dogged determination, sacrifices and good old fashioned sweat," she said.

The significance of the levee certification is not lost on Yuba County Supervisor and TRLIA Board Member John Nicoletti. "This is huge. It's a momentous contribution to our community, along the lines of Ballard's Bar and Oroville Dam," he said. "There are public safety improvements, but they are also critical to the economic sustainability of our County into the future."

TRLIA, a joint powers authority of Yuba County and Reclamation District 784 (RD 784), has been working diligently since 2004 to implement \$405 million in levee improvements and repairs on 29 miles of levees maintained by RD 784. The levees, including a Provisionally Accredited Levee on the Upper Yuba River, are now certified to protect against the 100-year flood and meet Federal standards for flood protection. The certification package submitted to FEMA is expected to result in levee system accreditation, which will take into account the anticipated completion of the Upper Yuba River levee work in early 2011.

Design and construction of the recent repairs were accomplished using the criteria developed by the U.S. Army Corps of Engineers (USACE) and the California Department of Water Resources (DWR). The certification means that the appropriate standard of care has been followed to certify that the RD 784 Levee System meets federal criteria, and is eligible for accreditation.

Levee accreditation by FEMA means that areas in Linda, Olivehurst, Arboga and Plumas Lake – except those affected by internal drainage issues – will avoid being remapped into a Special Flood Hazard Area when FEMA’s new Flood Insurance Rate Maps go into effect early next year. Property owners outside Special Flood Hazard Areas will not be required to purchase higher-cost, mandatory flood insurance.

“We’ll continue to work with our reclamation districts to improve public safety through flood protection improvements, and resolve any outstanding internal drainage issues that could otherwise impede our progress toward removal of properties from FEMA 100-year floodplains,” said Kevin Mallen, the County’s floodplain manager and director of Community

“The levee construction program has been a colossal effort,” said Paul Brunner, TRRIA’s executive director. “Many thanks go to the leadership and residents of Yuba County for believing in us and supporting our efforts,” he said. “We also had a lot of help and support from the Yuba County, RD 784, Yuba County Water Agency, local landowners, the Central Valley Flood Protection Board, DWR, the Department of Fish & Game, the USACE, and the U.S. Fish and Wildlife Service,” he said.

TRRIA, Yuba County, the Yuba County Water Agency and RD 784 are also partnering to address 200-year flood protection in the Goldfields and develop solutions to decrease any associated flood risk. The USACE studied flood risk in the Goldfields, located north of Marysville, as part of its Yuba Basin Feasibility Study. According to the USACE, the Goldfields does not present a risk of flooding to areas protected by RD 784 levees from a 100-year flood event.

“The success of TRRIA’s program puts us in an excellent position to achieve these milestones elsewhere in the County,” said Robert Bendorf, County CAO. “We have the knowledge, experience and commitment to make it happen.”

For more information, please contact Paul Brunner, TRRIA Executive Director, at (530) 749-5679.

###

The Three Rivers Levee Improvement Authority, a joint powers agency, was established in May 2004 by the county of Yuba and Reclamation District 784 to finance and construct levee improvements. Four work phases were identified with the goal of achieving 200-year flood protection for areas protected by Reclamation District 784 levees. www.trlia.org

- May 10, 2010: Appeal Democrat - TRLIA submits levees for certification

TRLIA submits levees for certification

May 10th, 2010, bvandermeer

Weeks ahead of schedule, the Three Rivers Levee Improvement Authority has submitted its levee plan to FEMA for certification.

“To me, it’s huge,” said TRLIA executive director Paul Brunner of the move, which TRLIA and Yuba County officials believe will help the county avoid being re-mapped by the Federal Emergency Management Agency into a flood zone.

The re-mapping process, which FEMA officials expect to conclude in Yuba County early next year, could potentially send flood insurance rates soaring for property owners, as well as create a moratorium on new building.

TRLIA, created six years ago to enhance flood protection in much of south Yuba County, is scheduled to start work this summer on the last large project, that of upgrading levees along the Yuba River.

The authority is also at work tearing down an older levee along the Feather River that failed in 1997, having finished work last year on a taller, more robust levee.

Total costs for TRLIA levee work have topped \$400 million

- June 1, 2010 Media/Press Release: FEMA WILL ACCREDIT 29 MILES OF URBAN LEVEES IMPROVED BY TRLIA



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218
Marysville, CA 95901

Office (530) 749-7841 Fax (530) 749-6990

FOR IMMEDIATE RELEASE
June 1, 2010

CONTACT: Paul Brunner
(530) 749-5679

FEMA WILL ACCREDIT 29 MILES OF URBAN LEVEES IMPROVED BY TRLIA

MARYSVILLE, CA – Some very good news arrived today for residents in Linda, Arboga, Olivehurst and Plumas Lake in the form of a letter from the Federal Emergency Management Agency (FEMA). Sent to officials from the Three Rivers Levee Improvement Authority (TRLIA) and the County, the letter confirms that 29 miles of levees improved by TRLIA meet FEMA’s certification criteria. As a result, FEMA will accredit the levee system as providing 100-year flood protection.

Levee accreditation by FEMA means that areas in Linda, Olivehurst, Arboga and Plumas Lake – except those affected by internal drainage issues – will not be “mapped” into a Special Flood Hazard Area when FEMA’s new Flood Insurance Rate Maps take effect in February 2011. It also means that Yuba County will maintain its ability to implement its General Plan for these areas, and property owners with mortgages will not be required to purchase flood insurance.

Since 2004, more than \$405 million has been invested to improve the levees, which failed catastrophically in 1986 and 1997. Of the total project cost, approximately \$265 million was funded by the State through Early Implementation Program (EIP) and Proposition 13 funds. Funding has also been provided by the State Department of Fish & Game, Yuba County, the Yuba County Water Agency, Reclamation District 784, and local development interests.

While FEMA only certifies levees for 100-year protection, the levees have been designed to withstand a 200-year flood event. Strong levees are the first line of defense against flooding. However, FEMA, the Department of Water Resources, Yuba County and TRLIA strongly encourage property owners to consider purchasing flood insurance as additional protection for their structures and contents. Lowest-cost flood insurance is available through FEMA’s National Flood Insurance Program (www.floodsmart.gov).

For more information about TRLIA’s levee certification and accreditation, please contact Paul Brunner, TRLIA Executive Director, at (530) 749-5679.

###

The Three Rivers Levee Improvement Authority, a joint powers agency, was established in May 2004 by the county of Yuba and Reclamation District 784 to finance and construct levee improvements. Four work phases were identified with the goal of achieving 200-year flood protection for areas protected by Reclamation District 784 levees. www.trlia.org

- o June 1, 2010: Appeal Democrat – FEMA approves Yuba County Levee work

FEMA approves Yuba County levee work

June 01, 2010 10:40:00 PM

[By Ben van der Meer](#)

FEMA has informed the Three Rivers Levee Improvement Authority it will accredit 29 miles of levees in south Yuba County for adequate 100-year flood protection, giving homeowners there a reprieve against higher flood insurance rates.

The letter, also sent to Yuba County, affirms the levees were built over the last half decade to the Federal Emergency Management Agency's specifications. The agency is wrapping up a remapping process for determining flood risk in the county, with the maps set to become official next February.

"It's been such a long road to see this thing finally through the process, there's almost no words for it," said authority board member and Yuba County Supervisor Mary Jane Griego, who lives in Olivehurst. "To hear it so soon, I'm happily surprised and shocked."

Some areas in Linda, Olivehurst, Arboga and Plumas Lake may still be mapped into an area with higher flood risk because of drainage issues.

Paul Brunner, executive director of Three Rivers Levee Improvement Authority, said certification is a big milestone for the authority, which was created in 2004.

But it's also a milestone, he said, in that having accomplished its primary goal of improving levees and getting FEMA certification, the authority may now enter a period of less activity.

Certification also indicates FEMA officials aren't concerned with flood risk from the Goldfields area on the Yuba River. Some flood-management watchdogs have said a 1950 flood in the Goldfields could happen again if local officials don't address flood protection.

Brunner said his understanding is FEMA officials are only concerned about 100-year protection, and the Goldfields wouldn't be an issue in that consideration. State law requiring 200-year protection may require more work in the Goldfields. Brunner said the authority and other local agencies are studying the issue and will have a report later this year.

Tom Eres, an attorney representing a Wheatland-area homeowner who's been critical of the authority, said he hopes there's more than good wishes to assure certainty about the Goldfields.

"We all hear it, people talk about it, and we say, 'Not a problem, just show us a letter from an engineer that states there's no concern, whatever agency it might be,'" Eres said.

If there's no determination of a problem in the Goldfields, he said, then there's no reason to map any part of south Yuba County in a flood zone.

Authority officials are working this summer on the last identified portion of necessary levee work, that of fortifying levees along the south side of the Yuba River in Linda. That work is scheduled to be done either this year or next.

Brunner said Yuba River work has provisional accreditation from FEMA, to be formalized after the work is finished.

Being mapped into a high-risk flood zone would bring skyrocketing flood insurance rates and a possible moratorium on new construction, as seen in the Natomas area of Sacramento.

In Sutter and south Butte counties, residents are voting on a measure to enact levee-repair assessments to avoid a similar situation on their side of the Feather River.

Griego said the certification is important because it gives business owners considering entry into Yuba County assurance their investment makes sense.

Even during an economic downturn, she said, businesses are plotting where to expand or establish next.

"As word gets out about our achievement, they'll be looking to come here," she said. "We need to go out and beat our drum."

- June 3, 2010 Media/Press Release: TRRIA UPDATES WEBSITE PROVIDES ACCESS TO ALL PUBLIC DOCUMENTS



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218

Marysville, CA 95901

Office (530) 749-7841 Fax (530) 749-6990

FOR IMMEDIATE RELEASE

June 3, 2010

CONTACT: Paul Brunner

(530) 749-5679

TRRIA UPDATES WEBSITE, PROVIDES ACCESS TO ALL PUBLIC DOCUMENTS

Goal is to increase transparency, provide information on \$405 million levee improvement project

MARYSVILLE, CA – The Three Rivers Levee Improvement Authority (TRRIA) launched an update to its website today, providing easy access to all public documents related to TRRIA's operations and levee improvement projects.

"Our original website was designed as an information repository," said Paul Brunner, TRRIA's executive director. "As TRRIA grew over the years, the sheer volume of documents and content outgrew the website's structure." According to Brunner, TRRIA's updated website includes much more information than before and with improved navigation and organization.

In addition to old standards such as news and events, background on the organization, and Board agendas and minutes, the new site also features improved links for budgets, audits, contracts, environmental documents, designs, permits, construction drawings, public notices, assessments and CFDs, and emergency resources.

"Our goal is to be completely transparent with our operations," said Brunner. "All public documents are now online, to include those that chronicle the history and expenses for our project."

For more information, please contact Paul Brunner, TRRIA Executive Director, at (530) 749-5679.

###

The Three Rivers Levee Improvement Authority, a joint powers agency, was established in May 2004 by the county of Yuba and Reclamation District 784 to finance and construct levee improvements. Four work phases were identified with the goal of achieving 200-year flood protection for areas protected by Reclamation District 784 levees. www.trria.org

- o June 3, 2010: Sacramento Bee – Yuba County levees meet threshold

Feds: Yuba County levees meet threshold

mweiser@sacbee.com

Published Thursday, Jun. 03, 2010

A massive levee project in Yuba County has received notice from the federal government that it meets at least a 100-year safety threshold.

The notice Tuesday from the Federal Emergency Management Agency is a key final milestone in the \$405 million project to protect Linda, Olivehurst, Arboga and Plumas Lakes. The work includes upgrades to 29 miles of levees, and not just bigger levees, but smarter ones. This includes the largest setback levee ever built in California, giving the Feather River a wider path and also creating more wildlife habitat.

"We have really now reached the point where we have some of the best, if not the best, levees in Northern California," said Paul Brunner, executive director of the Three Rivers Levee Improvement Authority.

The region has experienced two deadly floods in the past 25 years and was once known for having among the most vulnerable levees in the state.

The repairs were accomplished in six years, first relying on \$80 million in developer fees on new homes in Plumas Lakes, a practice considered risky because levees still weren't upgraded at the time. Then, when the economy soured, the county sold local bonds to raise more money and also tapped into \$265 million in state bonds approved by voters for flood control projects.

Brunner said a relatively small project remains to be completed on Yuba River levees. But FEMA on Tuesday notified the authority that the levee system meets criteria for a "Zone X" certification, which means the ability to withstand between a 100- and 500-year flood. The levees were designed for a 200-year flood, or one with a half-percent chance of occurring in any give year.

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Call The Bee's Matt Weiser, (916) 321-1264.

- June 4, 2010: Sacramento Bee – Levees good for 100-year flood, FEMA tells Yuba County

Levees good for 100-year flood, FEMA tells Yuba County

By Matt Weiser

mweiser@sacbee.com

Published: Friday, Jun. 4, 2010 - 12:00 am | Page 1B

A massive levee project in [Yuba County](#) has received notice from the federal government that it meets at least a 100-year safety threshold.

The notice Tuesday from the [Federal Emergency Management Agency](#) is a key final milestone in the \$405 million project to protect the flood prone communities of Linda, Olivehurst, Arboga and [Plumas Lake](#), where about 3,000 new houses were built in the real estate boom of the mid-2000s.

The work includes upgrades to 29 miles of levees, creating not just bigger levees, but smarter ones. This includes the largest setback levee ever built in [California](#), giving the [Feather River](#) a wider path and also creating more [wildlife habitat](#).

"We have really now reached the point where we have some of the best, if not the best, levees in [Northern California](#)," said [Paul Brunner](#), executive director of the [Three Rivers Levee Improvement Authority](#).

The determination by FEMA means homeowners in the Yuba County communities will no longer be required to purchase [flood insurance](#). This burden will likely be lifted in 2011, when FEMA issues final flood hazard maps for the area.

Yuba County experienced two deadly floods in the past 25 years and was once known for having among the most vulnerable levees in the state.

In 1997 a flood caused by a levee break on the Feather River killed three people and damaged at least 800 homes. The area also flooded in 1986.

"It left a distinct impact on those who were there to try to fix the levees so that never happens again," Brunner said.

The repairs were accomplished in six years, first relying on \$80 million in developer fees on new homes in [Plumas Lake](#), a strategy criticized by some experts as risky because levees still weren't upgraded at the time.

Then, when the economy soured and developer fees dried up, the county sold local bonds to raise more money and also tapped into \$265 million in state bonds approved by voters for flood control projects.

Brunner said a relatively small project remains to be completed on Yuba River levees. Construction on that will begin this summer.

But FEMA on Tuesday notified the authority that the [levee system](#) meets criteria for a "Zone X" certification, which means the ability to withstand between a 100- and 500-year flood.

The levees were designed for a 200-year flood, or one with a half-percent chance of occurring in any given year.

- o Summer Quarter Yuba County e-note: 29 Miles of Yuba County Levees Accredited by FEMA



E-Note Published Quarterly, available online at www.yuba.org

Summer Quarter 2010, Volume 3, Issue

Inside this issue:

- [29 Miles of Levees Accredited by FEMA](#) 1
- [New Business Spotlight: Placer WaterWorks](#) 2
- [Recreational Opportunities Abound for Tourists](#) 2
- [GROWYuba-Sutter Celebrates Entrepreneurs](#) 3
- [EDC Partners on Lending Programs for Businesses](#) 3
- [Consortium Tour: Business Resources in Marysville](#) 4

29 Miles of Yuba County Levees Accredited by FEMA



Yuba Highlights:

- FEMA accredits 29 miles of Yuba County levees to 100-year flood protection
- Placer WaterWorks Hosts Open House and Grand Opening Tour
- Recreational Activities Flourish in 2010 Summer for Visitors
- GROWYuba-Sutter Launches Entrepreneur Recognition Program
- Business Loan Program Provides Financing
- Business Resource Seminar Held in Marysville June 30

Some very good news arrived June 1, 2010 for residents in Linda, Arboga, Olivehurst and Phumas Lake in the form of a letter from the Federal Emergency Management Agency (FEMA). Sent to Three Rivers Levee Improvement Authority (TRLIA) and Yuba County officials, the letter confirms that 29 miles of levees improved by TRILIA meet FEMA's certification criteria. As a result, FEMA will accredit the levee system as providing 100-year flood protection.

Levee accreditation by FEMA means that areas in Linda, Olivehurst, Arboga and Phumas Lake – except those affected by internal drainage issues – will not be “mapped” into a Special Flood Hazard Area when FEMA's new Flood Insurance Rate Maps take effect in

February 2011. It also means Yuba County will maintain the ability to implement its General Plan for these areas, and property owners with mortgages will not be required to purchase flood insurance.

Since 2004, more than \$405 million has been invested to improve the levees, which failed catastrophically in 1986 and 1997. Of the total project cost, approximately \$265 million was funded by the State through Early Implementation Program (EIP) and Proposition 13 funds. Funding was also provided by the State Department of Fish & Game, Yuba County, the Yuba County Water Agency, Reclamation District 784, and local development interests.

While FEMA only certifies levees for 100-year protection, the levees

have been designed to withstand a 200-year flood event. Strong levees are the first line of defense against flooding. However, FEMA, the Department of Water Resources, Yuba County and TRILIA strongly encourage property owners to consider purchasing flood insurance as additional protection for their structures and contents. Low-cost flood insurance is available through FEMA's National Flood Insurance Program (www.floodsmart.gov).

For more information about TRILIA's levee certification and accreditation, please visit its new website at www.trlia.org or contact Paul Brunner, TRILIA Executive Director, at (530) 749-7841.

- o July 2010 FloodSAFE focus article: Improved Levee System in Yuba County to Receive Federal Accreditation

FloodSAFE *focus*

A publication of the Department of Water Resources *FloodSAFE California initiative*

Volume 1 Issue 2

July 2010

Improved Levee System in Yuba County to Receive Federal Accreditation

With the help of more than \$265 million in grants funded by California voters through Propositions 13 and 1E, the Three Rivers Levee Improvement Authority (TRLIA) has achieved a monumental flood protection accomplishment for south Yuba County residents. In June, the Federal Emergency Management Agency (FEMA) confirmed that levees improved by TRLIA since 2004 meet its certification standards for providing 100-year level of protection and that it will accredit the levee system. FEMA accreditation means properties protected by the levees, except those affected by internal drainage issues, will not be subject to building restrictions or mandatory flood insurance regulations.



The 29-mile levee system at TRLIA's focus surrounds the south Yuba County communities of Linda, Arboga, Olivehurst, and Plumas Lake and includes the Bear River, Feather River, Yuba River, and the Western Pacific Interceptor Canal (see map). Levee failures in 1986 and 1997 inundated these areas, causing approximately \$600 million in damages and several deaths. The improved levees are designed to withstand a 200-year flood event, thus exceeding FEMA's standards and affording residents some of the strongest flood protection in the state.

Yuba County and Reclamation District 784 established TRLIA in 2004 as a joint-powers agency with the goal to increase flood protection in the region. Since 2007, California has invested more than half of the \$405 million project costs through bond funds administered by DWR's Early Implementation Program (EIP), which funds existing or construction-ready federal and local projects to improve State Plan of Flood Control facilities before completion of the 2012 Central Valley Flood Protection Plan.

At the center of the project's final phase is perhaps the most notable EIP-funded achievement yet: a 6 mile-long setback levee that resulted in 1,600 acres of expanded floodway and habitat along the Feather River. The setback is expected to lower water levels in the Yuba and Feather rivers by more than 1.5 feet during large flood events, providing regional flood protection benefits to Marysville and Sutter County. The American Society of Civil Engineers, Sacramento section, selected this project as the best flood control facility of 2009, and the national chapter named TRLIA's Bear River setback levee California's top flood control facility of 2008.

More than \$47 million in FloodSAFE grants administered through the EIP will continue to fund TRLIA's remaining work: the installation of a slurry wall and seepage berm in the upper Yuba River levee, expected to be complete by early next year.

For more information, visit <http://www.trlia.org>.

In This Issue:

Topographic data and imagery of the Central Valley nearly complete, p.2

Topic-specific public workshops for flood protection plan begin July 19, p.3

Public review underway for land-use planning handbook, p.3

DWR to recommend flood management strategies statewide, p.4

Vision:



A sustainable integrated flood management and emergency response system throughout California that improves public safety, protects and enhances environmental and cultural resources, and supports economic growth by reducing the probability of destructive floods, promoting beneficial floodplain processes, and lowering the damages caused by flooding.

Attachment 4

Tab D: Project Element and Features Permits & Environmental Documents

Status as of January 14, 2010

Upper Yuba River Levee: Slope Flattening

PERMITTING AGENCY	PERMIT	PERMIT NEEDED (Y/N)	STATUS/COMMENTS
Central Valley Flood Protection Board	Encroachment Permits	Yes	Encroachment Permit 18095-R1 GM CVFPB was signed on Sept 25, 2009
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	No	Navigable waterways not affected
Corps	Section 404 Permit	No	No jurisdictional features affected. Pg 3-26 IS/MND
Corps	Wetlands Delineation	No	No jurisdictional features affected. Pg 3-26 IS/MND
Corps	408 approval of project levee alteration	No	Corps did not require Section 408 Approval and approved work proposed in their Aug 7, 2006 Letter to the Reclamation Board. Work approved under Section 208
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	No	No 404 permit triggering 401 compliance.
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	Notice of Intent (NOI) and Storm water Pollution prevention Plan (SWPPP) was submitted and acceptance letter received Sept 2009
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor submitted required documentation prior to construction.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance (Biological Opinion)	No	Project design and mitigation measures prevent take of threatened and endangered species.
National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	No	Project will have no affect on fishery resources and habitats.

California Department of Fish and Game (DFG)	California Endangered Species Act Compliance (2081)	No	Project design and mitigation measures prevent take of threatened and endangered species.
DFG	Streambed Alteration Agreement	Yes	TRLIA did obtain Streambed Alteration Agreement 2006-0311-R2 effective Aug 2006 and is valid until Nov. 1, 2011.
California State Lands Commission (SLC)	Encroachment Permit	No	All ground disturbances are above the Yuba River ordinary high water mark and outside SLC jurisdiction.
California Department of Forestry	Conversion of timberland to other uses.	No	No timberland conversion is required for the project.
The Resources Agency	Cancellation of Williamson Act Contract	No	No Williamson Act contract cancellations are required to implement the project.
California Department of Transportation (Caltrans)	Encroachment on or across a State highway	No	Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70).
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	No	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	No	No known sensitive historic or cultural resources would be affected by the project.
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.
Yuba County	Grading Permit	Yes	Issued Sept 25, 2009
State Mining and Geology Board (SMGB)	SMARA Permit	Yes	Will use current TRLIA SMARA permit (CA Mine #91-58-0026) that was issued Sept 22, 2009 for the Ella and Platter sites
CEQA	IS/EIR	Yes	IS/MND prepared and Record of Decision was filed on July 18, 2006.
NEPA	EA/EIS	No	No 404 permit triggering NEPA compliance
Section 104 Credit	Future federal projects cost sharing	Yes	Section 104 Credit for strengthening this reach of levee was approved by the Corps on July 5, 2005.

Attachment 5
Tab D: Project Element and Features Permits & Environmental Documents

Status as of August 31, 2010

Upper Yuba River Levee: Remaining Work

PERMITTING AGENCY	PERMIT	PERMIT NEEDED (Y/N)	PROJECTED START and COMPLETION DATES
Central Valley Flood Protection Board	Encroachment Permits	Yes	<ul style="list-style-type: none"> • Encroachment Permit Application Submitted February 3, 2010 • <i>CVFPB approved the permit July 22, 2010</i>
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	No	<ul style="list-style-type: none"> • Navigable waterways not affected
Corps	Section 404 Permit	No	<ul style="list-style-type: none"> • Project is above the OHWM • <i>No permit required letter received from Corps on June 7, 2010.</i>
Corps	Wetlands Delineation	Yes	<ul style="list-style-type: none"> • Wetland Delineation Report submitted to Corps February 2010
Corps	408 approval of project levee alteration	Yes	<ul style="list-style-type: none"> • Request to CVFCB to Initiate 408 Environmental Process June 2009 • <i>Project 408 Approval, Anticipated September 2010</i>
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	No	<ul style="list-style-type: none"> • Project is above the OHWM and no sediment will discharge to waters of California • <i>No 404 permit triggering 401 compliance.</i>
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	<ul style="list-style-type: none"> • Application <i>June 2010</i> • Permit Received <i>July 26, 2010</i>
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	<ul style="list-style-type: none"> • Carl Moyer Mitigation Letter received December 2009 • Submission of BMP's March/April 2010 • <i>Authority Anticipated April 2011</i>
U.S. Fish and Wildlife Service	Endangered Species Act Compliance (Biological Opinion)	Yes	<ul style="list-style-type: none"> • Draft Biological Assessment prepared and submitted to the Corps for review and initiation of Consultation April 2010 • <i>BO issued August 16, 2010</i>

National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	No	<ul style="list-style-type: none"> The project will avoid take of listed fish species
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance (2081)	No	<ul style="list-style-type: none"> Project design and mitigation measures prevent take of threatened and endangered species
DFG	Streambed Alteration Agreement	No	<ul style="list-style-type: none"> All ground disturbances are above the Yuba River ordinary high water mark and no alterations to the streambed will occur.
California State Lands Commission (SLC)	Encroachment Permit	No	<ul style="list-style-type: none"> All ground disturbances are above the Yuba River ordinary high water mark and outside SLC jurisdiction.
California Department of Forestry	Conversion of timberland to other uses.	No	<ul style="list-style-type: none"> No timberland conversion is required for the project.
The Resources Agency	Cancellation of Williamson Act Contract	No	<ul style="list-style-type: none"> No Williamson Act contract cancellations are required to implement the project.
California Department of Transportation (Caltrans)	Encroachment on or across a State highway	No	<ul style="list-style-type: none"> Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70).
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	<ul style="list-style-type: none"> HDR on behalf of TRLIA contacted NAHC on November 25, 2009 NAHC responded on December 3, 2009 with negative results for its search of the Sacred Lands File; no further action necessary
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	<ul style="list-style-type: none"> Implementation of the project is not anticipated to result in disturbance of known eligible/significant cultural resources. Under CEQA we do not have to seek concurrence from SHPO (As part of NEPA, the Corps will have to seek concurrence) <i>Corps' Consultation Request Date June 2010</i> <i>Projected Completion September 2010</i>

Reclamation District 784 (RD 784)	Encroachment Permit	Yes	<ul style="list-style-type: none"> • Encroachment Permit Application anticipated to be signed March/April 2010
Yuba County	Grading Permit	Yes	<ul style="list-style-type: none"> • Application Submission April 2010 • Permit anticipated April 2011
State Mining and Geology Board (SMGB)	SMARA Permit	No	<ul style="list-style-type: none"> • Received SMGB exemption letter on May 18, 2010 • Current approach is to use on site borrow site (exempt from SMARA) and also make the contractor provide additional soil from commercial site.
CEQA	IS/MND	Yes	<ul style="list-style-type: none"> • Initiation June 2009 • CEQA IS/MND Approved April 20, 2010
NEPA	EA/FONSI	Yes	<ul style="list-style-type: none"> • First Admin Draft EA submitted to Corps February 2010 • Projected completion September 2010
Section 104 Credit	Future federal projects cost sharing	Yes	<ul style="list-style-type: none"> • Application March/April 2010 • Anticipate Approval LATE 2010

Attachment 6

DWR Real Estate Plan approval letter, June 28, 2010

STATE OF CALIFORNIA - CALIFORNIA NATURAL RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94286-0081
(916) 653-5791



June 28, 2010

Mr. Paul Brunner
Executive Director
Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 218
Marysville, California 95901

RECEIVED

JUN 30 2010

TRLIA

Dear Mr. Brunner:

As part of the Three Rivers Levee Improvement Authority (TRLIA), Three Rivers Levee Repair Project, Phase 4 Segment 4, for Upper Yuba Levee Improvement Project funded under the State-Federal Flood Control System Modification Program, Early Implementation Project (EIP), Bender Rosenthal, Inc. has submitted and requested approval of the Real Estate Plan.

In accordance with all terms and conditions of Paragraph 21, Land Acquisition Process, of the Funding Agreement between the State of California (State), the Department of Water Resources (DWR), and TRLIA, for this project, DWR, Division of Engineering, Real Estate Branch, has completed review of the Real Estate Plan and have approved the plan with the following condition. Once the "Unknown Ownerships" have been identified by the Assessor office please ensure a copy of the amendment to the Real Estate Plan is forwarded to my attention.

In accordance with the EIP Funding Agreement, Funding Recipient shall continue to adhere to State's regulations, policies, and procedures outlined in Paragraph 21, Land Acquisition Process Requirements, of said Funding Agreement for all land acquisitions. As a Funding Recipient, TRLIA is at risk of not receiving Project Real Estate Funding or Credits for acquisitions secured without prior approval by DWR, and where applicable, the Department of General Services.

If you have any questions or concerns regarding this issue, you may contact me directly by telephone at (916) 653-5361, or your staff may contact Ms. Laurie Walker directly by telephone at (916) 654-7530.

Sincerely,

A handwritten signature in black ink, appearing to read "Wesley M. Dole".

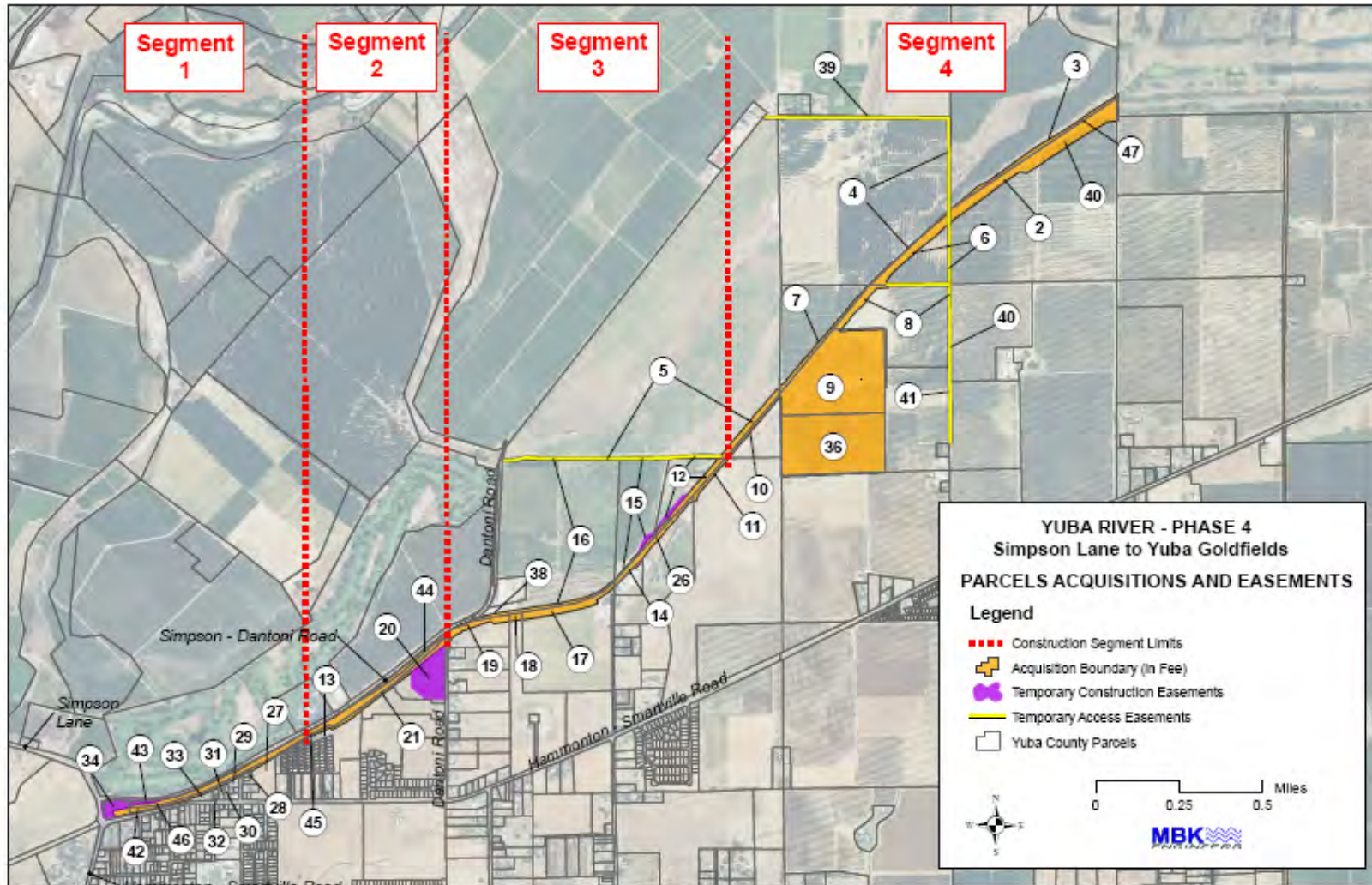
Wesley M. Dole
Senior Land Agent

Enclosure

cc: Mr. Bob Morrison
Bender Rosenthal, Inc.
4400 Auburn Blvd., Suite 102
Sacramento, CA 95841

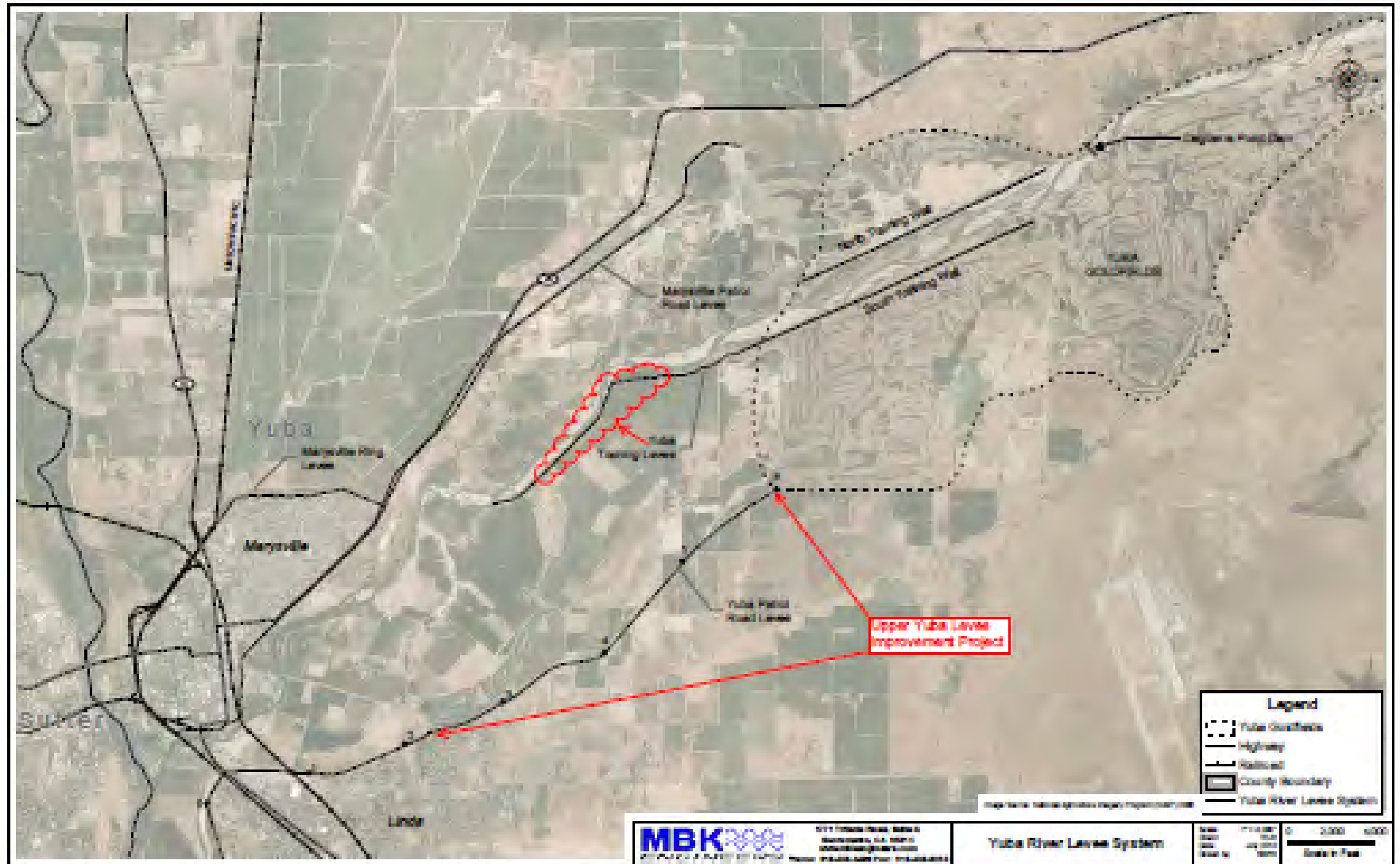
Attachment 7

Map & List of UYLIP Parcels and Owners



PROJECT PARCEL #	SEGMENT #	CVFPB PARCEL NO.	OWNER / SITE ADDRESS	APN	Total Fee Acreage	Temporary Construction Easement Acreage	Temporary Access Easement Acreage
2	4	14070	Michele R. Barker	018-150-035	10.101		0.280
3	4	14071	Shintaffer Fams, Inc.	018-150-032	3.831		
4	4	14067	Henry P. Smith	018-150-015	1.887		1.013
5	4	14066	Richard G. Wilbur Trust	018-140-040	1.964		1.841
6	4	14070	Michele R. Barker, et al	018-190-104	3.603		0.827
7	4	14067	Henry P. Smith	018-190-001	2.352		
8	4	14069	Awtar S. Sohal & Sukhvir K. Sohal, Co-Trustees of the Sohal Family Trust	018-190-107	2.006		0.780
9	4	14068	Walbinder S. Sohal LivingTrust	018-190-110	38.570		
10	4	14065	Richard G. Wilbur Trust	018-190-002	2.388		
11	3	14065	Richard G. Wilbur Trust	018-200-006	1.974		
12	3	14064	Daniel J. Luis	018-200-008	1.004	0.771	0.013
13	3	14063	Anthony J. & Zelma B. Luis	018-200-007	3.137		
14	3	14063	Anthony J. & Zelma B. Luis	018-200-005			
15	3	14062	Ajit S. Bains & Maria Del Carmen	018-200-001	0.782	0.499	0.221
16	3	14062	Ajit S. Bains & Maria Del Carmen	018-220-030	4.445		0.713
17	3	14063	Anthony J. & Zelma B. Luis	018-210-035	2.457		
18	3	14060	Robert Glenn Wood	018-210-029	0.383		
19	3	14059	Donald Wilkey	018-210-014	1.226		
20	2	14058	COF Quail Hollow Land 148T, LLC	018-220-049	1.354	7.758	
21	2	14058	COF Quail Hollow Land 148T, LLC	018-220-046	0.623		
26	2	14057	Orest and Irene Wesely	021-500-001	2.092		
27	1	14056	Humam El Sharif	021-042-027	1.044		
28	1	14055	Steve and Denise Gilbert	021-042-014	0.064		
29	1	14055	Steve and Denise Gilbert	021-041-012	0.352		
30	1	14054	Hust Bro. Inc. Pension Plan /Roy E. Lanza	021-041-009	0.191		
31	1	14053	Lothar S. & Brigitta M. Klug	021-041-010	0.175		
32	1	14052	Bernard J. Perez	021-041-007	0.152		
33	1	14051	Ronnie C. Willis	021-041-006	0.739		
34	1	14050	Westem Aggregates, LLC	020-080-009	0.765	1.728	
36	4	14072	Bhajan S. & Rajwant K. Sohal	018-190-109	38.570		
38	3	14061	Howard R Miller	018-220-007	0.045		0.012
39	4		Naumes, Inc.	018-140-041			1.997
40	4		Rahul, Surjit S. & Parmjit	018-190-085			0.154
41	4	14069	Awtar S. Sohal & Sukhvir K. Sohal, Co-Trustees of the Sohal Family Trust	018-190-106			0.848
42	1	14074	UNKNOWN OWNERSHIP	021-021-001	0.992		
43	1		UNKNOWN OWNERSHIP			0.224	
44	1		UNKNOWN OWNERSHIP			0.379	
45	1		UNKNOWN OWNERSHIP		2.195		
46	1		UNKNOWN OWNERSHIP		7.444		
47	4		UNKNOWN OWNERSHIP		2.648		
TOTAL					141.755	11.357	8.679

Attachment 8 – Training Levee Graphic



Attachment 10 – SMGB Exemption letter

STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, GOVERNOR



STATE MINING AND GEOLOGY BOARD

DEPARTMENT OF CONSERVATION

801 K Street • Suite 2015 • Sacramento, California 95814

PHONE: 916 / 322-1082 • FAX: 916 / 445-0738 • TDD: 916 / 324-2555 • INTERNET: conservation.ca.gov/smgb

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BRIAN BACA
JOHN LANE
BENJAMIN LICART

KATHY LUND
BARBARA LUNDBURG
ROBERT TEPEL

May 17, 2010

RECEIVED

MAY 20 2010

TRLIA

Paul Brunner, Executive Director
Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 218
Marysville, CA 95901

**Re: Request for Confirmation of Exemption from SMARA,
Upper Yuba River Levee Improvement Project Borrow Site
(Sohal Property, APNs 018-190-109 and 018-190-110), County of Yuba**

Dear Mr. Brunner:

As you are aware, the State Mining and Geology Board (SMGB) is the lead agency for all existing and proposed surface mining operations in the County of Yuba that are subject to the Surface Mining and Reclamation Act (SMARA, Public Resources Code (PRC) Section 2710 et seq.). On April 19, 2010, the SMGB received your letter, dated April 13, 2010, describing activities proposed by the Three Rivers Levee Improvement Authority (TRLIA) as part of the Upper Yuba River Levee Improvement Project (Project). Included with your letter was a request that the SMGB confirm that the proposed Project activities are exempt from SMARA under PRC Section 2714(b).

More specifically, TRLIA has requested that the SMGB confirm that the proposed extraction of up to approximately 167,400 cubic yards of earthen material from an approximate 20 acre borrow site located immediately adjacent to the landside (southeast side) of the existing Yuba River Levee is indeed exempt from SMARA. It is understood that the extracted material will be utilized for re-grading and berm installation along portions of the existing Yuba River Levee.

Project information provided indicates that unsuitable material removed from the existing levee will be placed (backfilled) into the proposed borrow site, and that upon completion, the extraction area will be returned to an agricultural end use. It is also our understanding that the entire Project will be permitted through both TRLIA and the Central Valley Flood Protection Agency, the proposed use of the borrow site is currently undergoing review as part

Mission of the State Mining and Geology Board is to Represent the State's Interests in the Development, Utilization and Conservation of Mineral Resources; Reclamation of Mined Lands; Development of Geologic and Seismic Hazard Information; and to Provide a Forum for Public Review

Mr. Paul Brunner
May 17, 2010
Page 2 of 2

of the Project as required by the California Environmental Quality Act (CEQA), and the proposed Project is consistent with the general plan and zoning of the site.

Based on review of the information provided and discussion of the Project with Office of Mine Reclamation staff, the use of the proposed borrow site is considered onsite excavation and onsite earth moving activities that are an integral and necessary part of the Project. Upon issuance of all required permits, and upon completion and certification of the required CEQA review for the Project, it is anticipated that all criteria will be met for exemption of the proposed borrow site activities pursuant to SMARA per PRC Section 2714(b).

Thank you for bringing this matter to our attention. Should you have any questions or require further clarification, please don't hesitate to contact the SMGB office.

Sincerely,



Stephen M. Testa
Executive Officer

cc: Dennis O'Bryant, Office of Mine Reclamation
Wendy Hartman, County of Yuba Planning Department

Attachment 11 - DWR Prior Work Credit Approval

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



July 19, 2010

Mr. Paul Brunner
Executive Director
Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 218
Marysville, California 95901

Subject: Early Implementation Program (EIP), Three Rivers Levee Improvement Authority (TRLIA), Agreement No. 4600008654
Pre-Funding Agreement Statement of Cost-Credit Approval

Dear Mr. Brunner:

On November 18, 2009, the Department of Water Resources (DWR), received a request for credit approval in the amount of \$7,853,673 from Three Rivers Levee Improvement Authority (TRLIA) for costs incurred prior to the execution of the Funding Agreement on the Bear River Setback Levee, 2006 Yuba Levee Improvement, and 2005 Yuba Levee Improvement Projects. TRLIA has requested to apply this credit toward the Funding Agreement with DWR for the Upper Yuba River Levee Improvement Project.

The Funding Agreement with TRLIA was executed on October 20, 2009. Review of TRLIA's original submittal and subsequent information provided, verifies that TRLIA incurred eligible costs from November 7, 2006 to October 20, 2009. Eligible activities include preparing land acquisition documentation, environmental permitting, hydraulic analysis, and other eligible expenses. DWR has approved \$6,619,616 of credit for this Project. Ineligible expenses for \$165,857 were deducted from the requested amount.

Additional real estate project costs of \$1,068,200 may be eligible for credit after DWR's Division of Engineering, Real Estate Branch herein referred to as the "State," has reviewed and approved the Project Real Estate Plan, and the Land Acquisition Final Accounting Packages for all land acquisitions completed for the Bear River Setback Levee Project. In order for real estate project costs to be eligible for credit, all acquisitions must have been completed in accordance with the State's established procedures for land acquisition.

The approved amount of credit will be paid as Local Credit applicable to future payments until the approved credit amount of \$6,619,616 is exhausted. With the exception of the eligible Real Estate project costs mentioned above, no additional credits will be considered for the Upper Yuba River Levee Improvement Project.

Mr. Paul Brunner
July 19, 2010
Page 2

If you have any questions or need additional information, please contact Charles Rabamad, Project Manager at (916) 574-2982.

Sincerely,

A handwritten signature in black ink, appearing to read "Kent Zenobia". The signature is written in a cursive style with a large, stylized "Z".

Kent Zenobia, Chief
Project Delivery Branch
Division of Flood Management

Appendix I

Appendix I: TRLIA Upper Yuba River Levee Improvement Project Third Quarterly Progress Report Budget Information, dated August 30, 2010



Capitol | PFG

Crafting Optimal Financial Solutions

MEMORANDUM

TO: PAUL BRUNNER, EXECUTIVE DIRECTOR, THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

FROM: SETH WURZEL

SUBJECT: TRLIA UPPER YUBA RIVER LEVEE IMPROVEMENT PROJECT, THIRD QUARTERLY PROGRESS REPORT BUDGET INFORMATION

DATE: AUGUST 30, 2010

This memorandum has been prepared by Capitol Public Finance Group (CPFG) at the request of Three Rivers Levee Improvement Authority (TRLIA) to supplement the Third Quarterly Progress Report (3rd QPR) submitted to the Department of Water Resources (DWR) September 1, 2010 for the Upper Yuba River Levee Improvement Project (Project). As indicated in TRLIA's 3rd QPR, the cost and budget information is being provided within this memorandum to DWR as an attachment to the 3rd QPR.

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

1. **Quarterly Work Plan Reconciliation** — A reconciliation of the Third Quarterly Work Plan's 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 DWR (Funding Agreement).
2. **Cost and Funding Status through the Third Quarter** — A summary of the cumulative costs incurred since November 6, 2006 through June 30, 2010¹ and a comparison of those costs incurred to the current Overall Work Plan Budget (based on the revisions by TRLIA submitted on May 28, 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 3rd Quarter (April 1, 2010 through June 30, 2010) and compare these amounts to the forecasted expenditures for the Quarter presented within the

¹ Inclusive of the expenses incurred through June 30, 2010 and paid by TRLIA through the month of July 2010. Reference the August 30, 2010 TRLIA Final Statement of Costs for the 3rd Quarter (subject to review and approval by DWR).

² On May 28, 2010 TRLIA submitted a Revised Exhibit A that adjusted the Overall Work Plan Budget as part of the 4th Quarterly Work Plan.

3rd 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 the 3rd Quarter (Advances and True-Ups).

(Note: Real Estate Capital Expenditures, as per the 4th Quarterly Work Plan have been separated into their own Element, Element 7. No funding has been received or advanced by the State for Real Estate. TRLIA has incurred Real Estate Capital Expenditures and will be seeking State funding through the Real Estate Funding process.)

The following presents a summary of the conclusions drawn from the tables:

3rd Quarter Reconciliation Summary (Elements 1 through 4 and 6)

	<u>Total</u>	<u>State Share</u>
Total Non-Real Estate Expenses Incurred During 3rd Quarter [1]	\$1,335,089	\$908,386
10% Required Retention		-\$90,839
State Share Net of Retention		\$817,547
less State Share of Funding Received for Quarter		\$2,142,000
State Share Overpaid		-\$1,324,453
Local Share to be Paid from Credit		\$426,703
Less Funding Received for Local Share		\$1,533,856
Local Credit Overpaid		-\$1,107,153
Total Excess funding Received for Quarter		-\$2,431,606

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

This information concludes that, for the 3rd Quarter, the State over-funded its share of the expenses net of the 10% hold-back provision in the Funding Agreement. This is directly as a result of the fact that construction has been delayed due Corps approval of Section 104 Credits and 408 Authorization. The State had previously processed payment for advance funding of construction that was assumed to commence during the 3rd quarter. Due to this Corps approval issues, construction did not commence and will not commence until the 2011 Construction Season. The excess State Share of funding has been placed in a separate fund with the Yuba County Treasury dedicated for the State Share of TRLIA expenses for this project and will remain in that fund solely to pay the State of expenses for this project. It is expected by TRLIA that the State will deduct this overpayment from any future advance requests that TRLIA makes for this project until TRLIA demonstrates State Share of expenses for this project. Additionally, any interest earned on funds placed in the fund will go toward the State Share of eligible expenses. TRLIA is in the process of creating a format and process for submitting interest earned statements to DWR and will be providing them in the near future.

TRLIA Quarterly Progress Report Budget Reconciliation

Upper Yuba (Real Estate)

For Period April/May/June 2010 (3rd Qtr)

ELEMENT 7

Elements and Features	State Share %	3rd QWP Forecast [1]	3rd Quarter Expenses [2]		DWR Direct Pay	3rd QWP Qtr Funding		
			Total	State Share		Local Share	Local Credit Invoiced	Total
Formula	a	b	c	d=c*a	e=c-d	f	g	h = f+g
Element 7: Right of Way Capital								
7-3.3 - Right of Way Capital [3]	70.0000%	\$920,625	\$1,489,708	\$1,042,796	\$446,913	\$0	\$0	\$0
Subtotal Element 7		\$920,625	\$1,489,708	\$1,042,796	\$446,913	\$0	\$0	\$0
			Difference Between QWP & Actuals	-\$569,083				

"Yub3QPRElem7"

[1] As reflected in the 3rd QWP dated March 15, 2010.

[2] Reflects costs from April 1, 2010 to June 30, 2010

[3] All Real Estate capital has been advanced by TRLIA and will be invoiced through the Real Estate acquisition process.

TRLIA Quarterly Progress Report Budget Reconciliation

Upper Yuba

For Period April/May/June 2010 (3rd Qtr)

ELEMENT 2

Elements and Features	State Share % [1]	3rd QWP Forecast [2]	3rd Quarter Expenses [2]		State Share To be Funded Net of 10% Holdback	
			Total	Local Share		
Formula	a	b	c	d=c*a	e=c-d	f = d*90%
Element 2: Levee Improvements (Slurry Wall & Waterside Slope Erosion Protection) Pre-CEQA Determination Support Efforts						
2.1: Alternatives Analysis	50.0000%	\$0	\$788	\$394	\$394	\$355
2.2: CEQA / NEPA	50.0000%	\$50,000	\$130,093	\$65,046	\$65,046	\$58,542
Subtotal Element 2		\$50,000	\$130,881	\$65,441	\$65,441	\$58,897
Difference Between QWP & Actuals			-\$80,881			

"Yub3QPRElem2"

[1] As reflected in the 3rd QWP dated March 15, 2010.

[2] Reflects costs from April 1, 2010 to June 30, 2010

TRLIA Quarterly Progress Report Budget Reconciliation

Upper Yuba

For Period April/May/June 2010 (3rd Qtr)

ELEMENT 3

Elements and Features	State Share %	3rd QWP Forecast [1]	3rd Quarter Expenses [2]		State Share To be Funded Net of 10% Holdback	
			Total	Local Share		
<i>Formula</i>	a	b	c	d=c*a	e=c-d	f = d*90%
Element 3: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Support Work						
3-2.3: Preliminary Design	70.0000%	\$0	\$42,558	\$29,791	\$12,768	\$26,812
3-2.4: Permitting Preparation	70.0000%	\$96,000	\$52	\$36	\$16	\$33
3-2.5: Right of Way Support	70.0000%	\$317,563	\$118,529	\$82,970	\$35,559	\$74,673
3.1: Final Design	70.0000%	\$900,000	\$786,177	\$550,324	\$235,853	\$495,291
3.2: Permitting	70.0000%	\$224,000	\$12,159	\$8,511	\$3,648	\$7,660
3.4: Construction Management	70.0000%	\$387,000	\$0	\$0	\$0	\$0
3.5: Environmental Mitigation	70.0000%	\$0	\$41,486	\$29,040	\$12,446	\$26,136
3.6: O&M Manual addendum	70.0000%	\$0	\$0	\$0	\$0	\$0
Subtotal Element 3		\$1,924,563	\$1,000,961	\$700,672	\$300,288	\$630,605
Difference Between QWP & Actuals			\$923,602			

"Yub3QPRElem3"

[1] As reflected in the 3rd QWP dated March 15, 2010.

[2] Reflects costs from April 1, 2010 to June 30, 2010

TRLIA Quarterly Progress Report Budget Reconciliation

Upper Yuba

For Period April/May/June 2010 (3rd Qtr)

ELEMENT 4

Elements and Features	State Share %	3rd QWP Forecast [1]	3rd Quarter Expenses [2]		State Share To be Funded Net of 10% Holdback	
			Total	Local Share		
<i>Formula</i>	a	b	c	d=c*a	e=c-d	f = d*90%
Element 4: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Construction - Sta 102+50 to 303+59						
4.1 - Construction	70.0000%	\$2,764,576	\$0	\$0	\$0	\$0
Subtotal Element 4		\$2,764,576	\$0	\$0	\$0	\$0
		Difference Between QWP & Actuals	\$2,764,576			

"Yub3QPRElem4"

[1] As reflected in the 3rd QWP dated March 15, 2010.

[2] Reflects costs from April 1, 2010 to June 30, 2010

TRLIA Quarterly Progress Report Budget Reconciliation

Upper Yuba

For Period April/May/June 2010 (3rd Qtr)

ELEMENT 5

Elements and Features	State Share %	3rd QWP Forecast [1]	3rd Quarter Expenses [2]		State Share To be Funded Net of 10% Holdback	
			Total	State Share		Local Share
Formula	a	b	c	d=c*a	e=c-d	f = d*90%
Element 5: Prior Completed Work						
5.1 - Prior Completed Work	70.0000%	\$0	\$0	\$0	\$0	\$0
Subtotal Element 5		\$0	\$0	\$0	\$0	\$0
Difference Between QWP & Actuals			\$0			

"Yub3QPRElem5"

[1] As reflected in the 3rd QWP dated March 15, 2010.

[2] Reflects costs from April 1, 2010 to June 30, 2010

TRLIA Quarterly Progress Report Budget Reconciliation

Upper Yuba

For Period April/May/June 2010 (3rd Qtr)

ELEMENT 6

Elements and Features	State Share %	3rd QWP Forecast [1]	3rd Quarter Expenses [2]			State Share To be Funded Net of 10% Holdback
			Total	State Share	Local Share	
Formula	a	b	c	d=c*a	e=c-d	f = d*90%
Element 6: Project Management, legal support, community relations support, land management support, and overhead						
6.1 - TRLIA Salaries/Benefits	70.0000%	\$41,312	\$41,648	\$29,154	\$12,494	\$26,238
6.2 - TRLIA Consultant Exp.	70.0000%	\$45,443	\$74,859	\$52,401	\$22,458	\$47,161
6.3 - TRLIA Legal Support	70.0000%	\$43,378	\$2,885	\$2,019	\$865	\$1,817
6.4 - TRLIA Travel Expenses	70.0000%	\$330	\$94	\$66	\$28	\$59
6.5 - TRLIA General Expenses	70.0000%	\$16,525	\$8,900	\$6,230	\$2,670	\$5,607
6.6 - TRLIA Insurance	70.0000%	\$0	\$0	\$0	\$0	\$0
6.7 - TRLIA Travel - Vehicle Lease	70.0000%	\$1,033	\$525	\$368	\$158	\$331
6.8 - TRLIA Memberships	70.0000%	\$0	\$0	\$0	\$0	\$0
Subtotal Element 6		\$148,021	\$128,910	\$90,237	\$38,673	\$81,214
Difference Between QWP & Actuals			\$19,111			

"Yub3QPRIem6"

[1] As reflected in the 3rd QWP dated March 15, 2010.

[2] Reflects costs from April 1, 2010 to June 30, 2010

2. Cost and Funding Status through the 3rd 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 with the 4th QWP on May 28, 2010).

In summary, through June 30, 2010, TRLIA has incurred expenses for the project which represent approximately 23.2% of the total amended budget for Elements 1 through 7. When excluding Element 5 (which represents only prior completed work eligible for Credit), only 9.3% of the total budget for remaining work has been expended. TRLIA has received a total of \$5,959,639 million of State Funding through the 3rd Quarter,³ approximately 13.1% of its share of current total State Budget of \$45.541 million. Ultimately, due to the delay in construction, TRLIA has received excess advance funding from the State. The summary below quantifies how much.

Cumulative Funding Reconciliation - State Share

Total Non-Real Estate Expenses Incurred from October 20 to Date	\$3,878,018
State Share of above Expenses	\$2,568,261
Retention on State Share (10%)	-\$256,826
State Share Net of Retention	\$2,311,435
State Advance Funding Received through 3rd Quarter	\$3,518,641
Excess Funding Received (True-Up Reduction from Future Payments)	-\$1,207,206

Cumulative Funding Reconciliation - Local Credit

Total Non-Real Estate Expenses Incurred from October 20 to Date	\$3,878,018
Local Share of above Expenses	\$1,309,757
Local Credit Received	\$2,440,998
Excess Funding Received (True-Up Reduction from Future Payments)	-\$1,131,241

In total, TRLIA has been over funded \$2,338,447 in combined State Share Advance funding and Local Credit.

One individual feature budget within the elements has exceeded the revised total Overall Work Plan Budgets by greater than 5%. That is Element 1 Feature 4 (Waterside Slope Flattening Construction Management). Element 5 has also exceeded the original forecasted budget for Credit, however, the State is aware of this fact and additional creditable expenses are currently being reviewed.

³ Note: Additional funding has been received for the 4th Quarter which is not reflected here.

Summary of TRLIA Progress Report Overall Funding Status

Upper Yuba

For Period April/May/June 2010 (3rd Qtr)

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	
Formula	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: Flatten Waterside Levee Slope	\$1,203,678	\$842,575	\$361,103	\$700,178	\$490,125	\$210,053	\$503,500	\$352,450	\$151,050	58.2%
Element 2: Pre-CEQA Determination Support	\$864,913	\$432,456	\$432,456	\$731,758	\$365,879	\$365,879	\$133,155	\$66,577	\$66,577	84.6%
Element 3: Support Work	\$11,976,378	\$8,393,465	\$3,582,914	\$3,522,478	\$2,465,735	\$1,056,743	\$8,453,900	\$5,927,730	\$2,526,170	29.4%
Element 4: Construction	\$39,016,072	\$27,375,251	\$11,640,822	\$17,678	\$12,375	\$5,303	\$38,998,394	\$27,362,876	\$11,635,518	0.0%
Element 5: Prior Completed Work	\$7,682,162	\$5,377,514	\$2,304,649	\$9,760,791	\$6,832,554	\$2,928,237	-\$2,078,629	-\$1,455,040	-\$623,589	127.1%
Element 6: Admin & Overhead	\$4,456,913	\$3,119,839	\$1,337,074	\$395,634	\$276,944	\$118,690	\$4,061,279	\$2,842,895	\$1,218,384	8.9%
Element 7: Real Estate Capital	\$2,620,845	\$1,834,592	\$786,254	\$1,489,708	\$1,042,796	\$446,913	\$1,131,137	\$791,796	\$339,341	56.8%
Subtotal	\$65,200,117	\$45,541,099	\$19,659,018	\$15,128,517	\$10,443,611	\$4,684,907	\$50,071,600	\$35,097,489	\$14,974,111	23.2%
Subtotal Excluding Element 5	\$57,517,955	\$40,163,586	\$17,354,369	\$5,367,726	\$3,611,057	\$1,756,669	\$52,150,229	\$36,552,529	\$15,597,700	9.3%
Subtotal Excluding Elements 5 and 7	\$54,897,110	\$38,328,994	\$16,568,116	\$3,878,018	\$2,568,261	\$1,309,757	\$51,019,092	\$35,760,734	\$15,258,359	7.1%
State Funding Received Through 3rd Quarter										
State Share of Real Estate Advances	\$0									
Construction Funding	\$3,518,641									
Credit Funding Received	\$2,440,998									
Total Funding Received	\$5,959,639									
Percentage of State Budget Funded	13.1%	(Through June 2010)								

Yub3QPRTotSumm

[1] As reflected in the 4th QWP dated May 28, 2010.

[2] Includes expenses incurred April 1, 2010 through June 30, 2010.

TRLIA Progress Report Overall Funding Status

Upper Yuba

For Period April/May/June 2010 (3rd Qtr)

ELEMENT 1

Elements and Features	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended
	Total	State Share %	Local	Total	State Share	Local Share	Total	State Share	Local Share	
Formula	a	b	d = b-c	e	f = e*a	g = e-f	h = b-e	i = c-f	j = d-g	k = e/b
Element 1: Flatten Waterside Levee Slope – Sta 3+00 to 33+50										
1.1: Design	70.0000%	\$204,279	\$61,284	\$198,494	\$138,946	\$59,548	\$5,784	\$4,049	\$1,735	97.2%
1.2: Permitting	70.0000%	\$167,134	\$50,140	\$869	\$608	\$261	\$166,265	\$116,386	\$49,880	0.5%
1.3: Right of Way	70.0000%	\$22,285	\$6,685	\$18,731	\$13,112	\$5,619	\$3,553	\$2,487	\$1,066	84.1%
1.4: Construction Management	70.0000%	\$146,492	\$43,948	\$156,833	\$109,783	\$47,050	-\$10,341	-\$7,239	-\$3,102	107.1%
1.5: Construction [1]	70.0000%	\$579,922	\$173,977	\$325,250	\$227,675	\$97,575	\$254,672	\$178,270	\$76,402	56.1%
1.6: O&M Manual addendum	70.0000%	\$83,567	\$25,070	\$0	\$0	\$0	\$83,567	\$58,497	\$25,070	0.0%
Subtotal Element 1		\$1,203,678	\$361,103	\$700,178	\$490,125	\$210,053	\$503,500	\$352,450	\$151,050	58.2%

*Yub3QPRToElem1"

[1] As reflected in the 4th QWP dated May 28, 2010.

[2] Includes expenses incurred April 1, 2010 through June 30, 2010.

TRLIA Progress Report Overall Funding Status

Upper Yuba

For Period April/May/June 2010 (3rd Qtr)

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				
<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>
Waterside Slope											
Erosion Protection) Pre-CEQA Determination											
2.1: Alternatives Analysis	50.0000%	\$414,771	\$207,385	\$207,385	\$414,699	\$207,350	\$207,350	\$71	\$36	\$36	100.0%
2.2: CEQA / NEPA	50.0000%	\$450,142	\$225,071	\$225,071	\$317,059	\$158,529	\$158,529	\$133,083	\$66,542	\$66,542	70.4%
Subtotal Element 2		\$864,913	\$432,456	\$432,456	\$731,758	\$365,879	\$365,879	\$133,155	\$66,577	\$66,577	84.6%

"Yub3QPRToElem2"

[1] As reflected in the 4th QWP dated May 28, 2010.

[2] Includes expenses incurred April 1, 2010 through June 30, 2010.

TRLIA Progress Report Overall Funding Status

Upper Yuba

For Period April/May/June 2010 (3rd Qtr)

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	
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 3: Levee Improvements (Slurry Wall and Waterside)											
3-2.3: Preliminary Design	70.0000%	\$1,328,778	\$930,145	\$398,633	\$1,368,300	\$957,810	\$410,490	-\$39,522	-\$27,665	-\$11,856	103.0%
3-2.4: Permitting Preparation	70.0000%	\$300,344	\$210,241	\$90,103	\$33,937	\$23,756	\$10,181	\$266,407	\$186,485	\$79,922	11.3%
3-2.5: Right of Way Support	70.0000%	\$2,000,000	\$1,400,000	\$600,000	\$490,801	\$343,561	\$147,240	\$1,509,199	\$1,056,439	\$452,760	24.5%
3.1: Final Design	70.0000%	\$2,029,307	\$1,430,515	\$598,792	\$1,573,022	\$1,101,115	\$471,907	\$456,285	\$329,400	\$126,886	77.5%
3.2: Permitting	70.0000%	\$702,461	\$491,723	\$210,738	\$14,559	\$10,191	\$4,368	\$687,902	\$481,532	\$206,371	2.1%
3.4: Construction Management	70.0000%	\$4,478,975	\$3,135,282	\$1,343,692	\$0	\$0	\$0	\$4,478,975	\$3,135,282	\$1,343,692	0.0%
3.5: Environmental Mitigation	70.0000%	\$947,094	\$662,966	\$284,128	\$41,486	\$29,040	\$12,446	\$905,608	\$633,926	\$271,682	4.4%
3.6: O&M Manual addendum	70.0000%	\$189,419	\$132,593	\$56,826	\$374	\$262	\$112	\$189,045	\$132,331	\$56,713	0.2%
Subtotal Element 3		\$11,976,378	\$8,393,465	\$3,582,914	\$3,522,478	\$2,465,735	\$1,056,743	\$8,453,900	\$5,927,730	\$2,526,170	29.4%

Yub3QPRTotElem3

[1] As reflected in the 4th QWP dated May 28, 2010.

[2] Includes expenses incurred April 1, 2010 through June 30, 2010.

TRLIA Progress Report Overall Funding Status

Upper Yuba

For Period April/May/June 2010 (3rd Qtr)

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>	<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 4: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Construction - Sta 102+50 to 4.1 - Construction	70.0000%	\$39,016,072	\$27,375,251	\$11,640,822	\$17,678	\$12,375	\$5,303	\$38,998,394	\$27,362,876	\$11,635,518	0.0%
Subtotal Element 4		\$39,016,072	\$27,375,251	\$11,640,822	\$17,678	\$12,375	\$5,303	\$38,998,394	\$27,362,876	\$11,635,518	0.0%

"Yub3QPRTotElem4"

[1] As reflected in the 4th QWP dated May 28, 2010.

[2] Includes expenses incurred April 1, 2010 through June 30, 2010.

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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	Local				
<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 5: Prior Completed Work											
5.1 - Prior Completed Work	70.0000%	\$7,682,162	\$5,377,514	\$2,304,649	\$9,760,791	\$6,832,554	\$2,928,237	-\$2,078,629	-\$1,455,040	-\$623,589	127.1%
Subtotal Element 6		\$7,682,162	\$5,377,514	\$2,304,649	\$9,760,791	\$6,832,554	\$2,928,237	-\$2,078,629	-\$1,455,040	-\$623,589	127.1%

"Yub3QPRTotElem5"

[1] As reflected in the 4th QWP dated May 28, 2010.

[2] Includes expenses incurred April 1, 2010 through June 30, 2010.

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ELEMENT 6

Elements and Features	Overall Budget [1]			Actual Expenses to Date [2]			Remaining Budget			Percentage of Total Budget Expended	
	Total	State	Local	Total	State	Local	Total	State	Local		
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 6: Project Management, legal support, community relations support, land management support, and overhead											
6.1 - TRLIA Salaries/Benefits	70.0000%	\$1,270,714	\$889,500	\$381,214	\$135,342	\$94,739	\$40,603	\$1,135,372	\$794,760	\$340,612	10.7%
6.2 - TRLIA Consultant Exp.	70.0000%	\$1,260,377	\$882,264	\$378,113	\$151,103	\$105,772	\$45,331	\$1,109,274	\$776,492	\$332,782	12.0%
6.3 - TRLIA Legal Support	70.0000%	\$1,044,235	\$730,964	\$313,270	\$75,518	\$52,862	\$22,655	\$988,717	\$678,102	\$290,615	7.2%
6.4 - TRLIA Travel Expenses	70.0000%	\$9,992	\$6,995	\$2,998	\$94	\$66	\$28	\$9,898	\$6,929	\$2,970	0.9%
6.5 - TRLIA General Expenses	70.0000%	\$356,643	\$249,650	\$106,993	\$23,889	\$16,722	\$7,167	\$332,754	\$232,928	\$99,826	6.7%
6.6 - TRLIA Insurance	70.0000%	\$469,119	\$328,383	\$140,736	\$7,062	\$4,943	\$2,119	\$462,058	\$323,440	\$138,617	1.5%
6.7 - TRLIA Travel - Vehicle Lease	70.0000%	\$26,714	\$18,700	\$8,014	\$2,627	\$1,839	\$788	\$24,087	\$16,861	\$7,226	9.8%
6.8 - TRLIA Memberships	70.0000%	\$19,119	\$13,383	\$5,736	\$0	\$0	\$0	\$19,119	\$13,383	\$5,736	0.0%
Subtotal Element 6		\$4,456,913	\$3,119,839	\$1,337,074	\$395,634	\$276,944	\$118,690	\$4,061,279	\$2,842,895	\$1,218,384	8.9%

"Yub3QPRTotElem6"

[1] As reflected in the 4th QWP dated May 28, 2010.

[2] Includes expenses incurred April 1, 2010 through June 30, 2010.

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ELEMENT 7

Elements and Features	State Share %	Overall Budget [1]		Actual Expenses to Date [2]		Remaining Budget		Percentage of Total Budget Expended			
		Total	State	Total	State Share	Total	State 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 7: Right of Way Capital											
7-3.3 - Right of Way Capital	70.00000%	\$2,620,845	\$1,834,592	\$786,254	\$1,489,708	\$1,042,796	\$446,913	\$1,131,137	\$791,796	\$339,341	56.8%
Subtotal Element 7		\$2,620,845	\$1,834,592	\$786,254	\$1,489,708	\$1,042,796	\$446,913	\$1,131,137	\$791,796	\$339,341	56.8%

"Yub3QPRTotElem6"

[1] As reflected in the 4th QWP dated May 28, 2010.

[2] Includes expenses incurred April 1, 2010 through June 30, 2010.