



**TRLIA**  
**6<sup>th</sup> QUARTERLY WORK PLAN**  
**FOR**  
**UPPER YUBA RIVER LEVEE**  
**IMPROVEMENT PROJECT**

1. 6<sup>th</sup> Quarterly Work plan for quarter: January 1 to March 31, 2010
2. Date of Report: December 6, 2010
3. 6<sup>th</sup> Quarter Work Plan:

<b>Quarterly Work Plan Summary</b>				
<b>Description</b>	<b>State Share</b>	<b>Local Share</b>	<b>Total</b>	<b>Local Credit Applied</b>
Element 7 - Land Acquisition	\$98,000	\$42,000	\$140,000	\$42,000
Elements 1 through 6	\$703,704	\$315,873	\$1,019,577	\$315,873
<b>Total</b>	<b>\$801,704</b>	<b>\$357,873</b>	<b>\$1,159,577</b>	<b>\$357,873</b>

<b>Quarterly Summary for Real Estate Activity</b>	
State Share Element 7	\$98,000
Local Credit Applied Elements 1	\$42,000
<b>Estimated Total Quarterly State Real Estate Funding</b>	<b>\$140,000</b>

<b>Quarterly State Share Advance Summary for Non-Real Estate Activity</b>	
75% of State Share Elements 1 through 6	\$527,778
plus/minus State Share true-up for Prior Quarters [1]	-\$5,667,193
<b>Total Advance for State Share at Start of 6<sup>th</sup> Quarter</b>	<b>-\$5,139,415</b>

[1] Estimated, see reconciliation of Prior State Funding.

<b>Quarterly Local Credit Summary for Non-Real Estate Activity</b>	
<b>Local Credit Elements 1 through 6</b>	\$315,873
<b>plus/minus Local Credit true-up for Prior Quarters [1]</b>	-\$1,662,901
<b>Total Advance for State Share at Start of 6<sup>th</sup> Quarter</b>	<b>-\$1,347,028</b>

[1] See Reconciliation of Prior State Funding.

### **Reconciliation of State Advance Funding for Construction**

#### **As of 5th Quarter - State Share**

Total Non-Real Estate Expenses (Elements 1 - 6) Through 4th Quarter [1]	\$4,722,209
5th Quarter Total Forecasted Expenses [2]	\$685,081
State Share True-Up Calculations	
Total State Share of Above Expenses	\$3,667,707
Total State Funding Due (net of 10% Retention on Prior Expenses)	<b>\$3,300,936</b>
Funding To Date	
1st Quarter Advance	\$451,818
1st Quarter True-Up	\$70,578
2nd Quarter Advance	\$801,157
3rd Quarter Advance	\$1,981,246
2nd Quarter True-Up	\$53,088
4th Quarter Advance	\$3,468,242
3rd Quarter True-Up	\$160,754
4th Quarter Advance	\$1,981,246
Total State Share Funding Received and in Process	<b>\$8,968,129</b>
<b>Estimated State Share Construction Funding Due as of 4th Quarter</b>	<b>-\$5,667,193</b>

#### **As of 4th Quarter - Local Share**

Local Share True-Up Calculations	
Local Share of Non RE Expenses to through 4th Quarter	\$3,190,567
Local Share of 5th Quarter Forecasted Expenses	\$210,524
Total Local Funding Credit Due	<b>\$3,401,091</b>
Funding To Date	
Local Credit Advanced (from 1st Quarter)	\$410,772
Local Credit Advanced (from 2nd Quarter)	\$343,623
Local Credit Advanced (from 3rd Quarter)	\$1,533,856
Local Credit True-Up (from 2nd Quarter)	\$152,747
Local Credit Advanced (from 4th Quarter)	\$2,622,994
Total Credit Funding Received	<b>\$5,063,992</b>
<b>Local Credit Due as of 4th Quarter</b>	<b>-\$1,662,901</b>

[1] 4th Quarter QPR Costs Subject to review by DWR.

[2] 5th Quarter Expenses taking into consideration construction has been delayed.

#### 4. Project Element Information:

At the request of DWR, restructuring of Project Elements and Features occurred during the preparation of the 4<sup>th</sup> 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 4<sup>th</sup> QWP that reflected the following changes.

- a. 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.
- b. Element 2 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:**

- **Element 1: Flatten Waterside Levee Slope – Sta 3+00 to 33+50**
  - Feature 1 Design: All actions have been completed.
  - Feature 2 Permitting: All actions have been completed. All permits were obtained. See updated Overall Work Plan Tab D (Attachment 1)
  - Feature 3 Right of Way: All actions have been completed.
  - Feature 4 Construction Management: All actions have been completed.
  - Feature 5 Construction: All actions have been completed.
  - Feature 6: O&M Manual: All actions have been completed.
- **Element 2: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Pre-CEQA Determination Support Efforts**
  - Feature 1 Alternatives Analysis: All actions have been completed.
  - Feature 2 CEQA/NEPA:
    - CEQA - The CEQA documentation was completed (IS/MND) on April 20, 2010.

- NEPA – Corps of Engineers is the lead Agency.
  - ✓ The Corps of Engineers District Office is prepared to sign the FONSI once the HQs have approved 408 Authorization – anticipated to occur January 2011.
  - ✓ 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)
  - ✓ 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. The Corps prepared responses to both comments.
  - ✓ Finalization of the FONSI was dependent upon the F&WS and SHPO completing their respective consultations. F&WS issued the Biological Opinion on August 16, 2010. The SHPO issued a letter of adverse impact on September 2, 2010.

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

- Feature 2.3 Preliminary Design: Completed in the 2<sup>nd</sup> Quarter
- Feature 2.4 Permit Preparation: No work is anticipated this Quarter for this Feature. The CEQA documentation was completed (IS/MND) on April 20, 2010.
- Feature 2.5 Right of Way Support: TRLIA real estate and legal consultants will be active this quarter obtaining right of way needs for the project. Note - Right of Way Support expenses are captured under this Element & Feature.
- Feature 1 Design: Work is completed on this feature.
  - 100% plans and specifications were ready for bid on June 21, 2010.
- Feature 2 Permitting: Work on Federal, State, and local permits are anticipated this quarter. See Attachment 2 for list of permits. Key items are listed below.
  - The CVFPB approved the Encroachment Permit for the UYLIP at the July 2010 Board meeting. CVFPB staff will finalize the Encroachment permit once the Corps 408 approval is obtained – anticipated to occur in February 2011.
  - 408 Authorization, and 104 Credit Approval:
    - ✓ The Corps District Office submitted the 408 Authorization, and 104 Credit documentation to HQs on September 22, 2010. Anticipate 408

Authorization approval in January 2011 and 104 Credit Approval in February/March 2011. **The 408 and 104 slippage impacted the TRLIA construction schedule and all construction was moved to 2011 during this quarter.**

- ✓ A fourth BOSC Meeting will be held in January 2011 to specifically provide comments on the UYLIP project design pertaining to redundancy, robustness, and resiliency. The BOSC comments will be provided to the Corps as part of their 408 authorization review process.
- During the 6<sup>th</sup> quarter TRLIA will continue to do additional hydraulic analysis in the Goldfields area to ensure storm flows (100 year storm event) do not out flank the UYLIP levee, which would impact FEMA accreditation. TRLIA's hydraulic analysis is scheduled to be completed in the spring of 2011.

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.

- Feature 3 Right of Way: This feature was moved to Project Element 7 as requested by DWR. See May 28, 2010 4<sup>th</sup> Quarterly Work Plan.
- Feature 4 Construction Management: Due to construction being delayed until 2011, direct Construction Management work will not occur during the 6<sup>th</sup> Quarter. TRLIA will be working to finalize awarding a construction contract during the 6<sup>th</sup> Quarter so that construction can proceed during the 7<sup>th</sup> Quarter. Construction Management work will take place coordinating and finalizing the award of a contract. Additionally, Construction Management efforts will take place to assist

in the coordination of the 34 Elderberry Transplants during the dormant season which ends February 15<sup>th</sup> (see further description below).

- Feature 5 Environmental Mitigation:
  - During this Quarter TRLIA will continue working 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
  - A pump and storage tank is planned for installation in the 6<sup>th</sup> Quarter for one property owner that was provided a new well in the 4<sup>th</sup> quarter because of the high probability of damage during construction to his existing well. The property owner was Casa Mia Mobile Home Park. The existing well for this Mobile Home Park serves several hundred residents and is at the levee toe. It is highly probable that construction of the cutoff wall will impact this well.
  - During this quarter TRLIA will work with the F&WS via the Corps to amend the Biological Opinion to allow transplant of the 34 Elderberries during the Dormant Season. Dormant Season ends February 15<sup>th</sup>. As part of the amended Biological Opinion F&WS and the Corps are placing a no construction (blackout period) requirement within 100 feet of an elderberry shrub from March 15 to June 15 in order to avoid interference with elderberry beetle movement. This blackout period includes elderberry shrub transplanting. This blackout period will significantly impact construction and increase costs.
  - Hopefully at the CVFPB January 2011 meeting they will approve and issue the proposed encroachment permit that allows TRLIA use of the Anderson Elderberry Mitigation site. On February 22, 2010 TRLIA sent a letter to the CVFPB and DWR requesting approval to use the Anderson Elderberry Site. On April 13<sup>th</sup> DWR, CVFPB, F&WS, Corps of Engineers, and TRLIA staff visited the Anderson site. Later in the 3<sup>rd</sup> quarter CVFPB and DWR indicated their approval for TRLIA to use the Anderson Site. The F&WS Biological Opinion issued a Biological Opinion allowing the Anderson Mitigation Site to be used on August 16, 2010. **On September 16, 2010 the CVFPB staff sent TRLIA a letter stating TRLIA needed to obtain a CVFPB encroachment permit to use the Anderson Site.** The CVFPB September letter also required TRLIA to enter into an agreement with the Sacramento and San Joaquin Drainage to use the site and pay for any incurred maintenance expenses. TRLIA has submitted the requested documentation and anticipates the encroachment permit to be issued at the January 2011 CVFPB meeting, which allows time to transplant the 34 elderberries during the dormant season.

The use of the Anderson Site during the dormant season will be much less expensive than using an off-site mitigation bank. On site mitigation at the Anderson site is approximately \$200,000. Off site mitigation costs at an

approved mitigation bank is approximately: Dormant season - \$680,000; Non Dormant season - \$1,600,000.

- Feature 6 O&M Manual Addendum: No work is scheduled for this quarter.

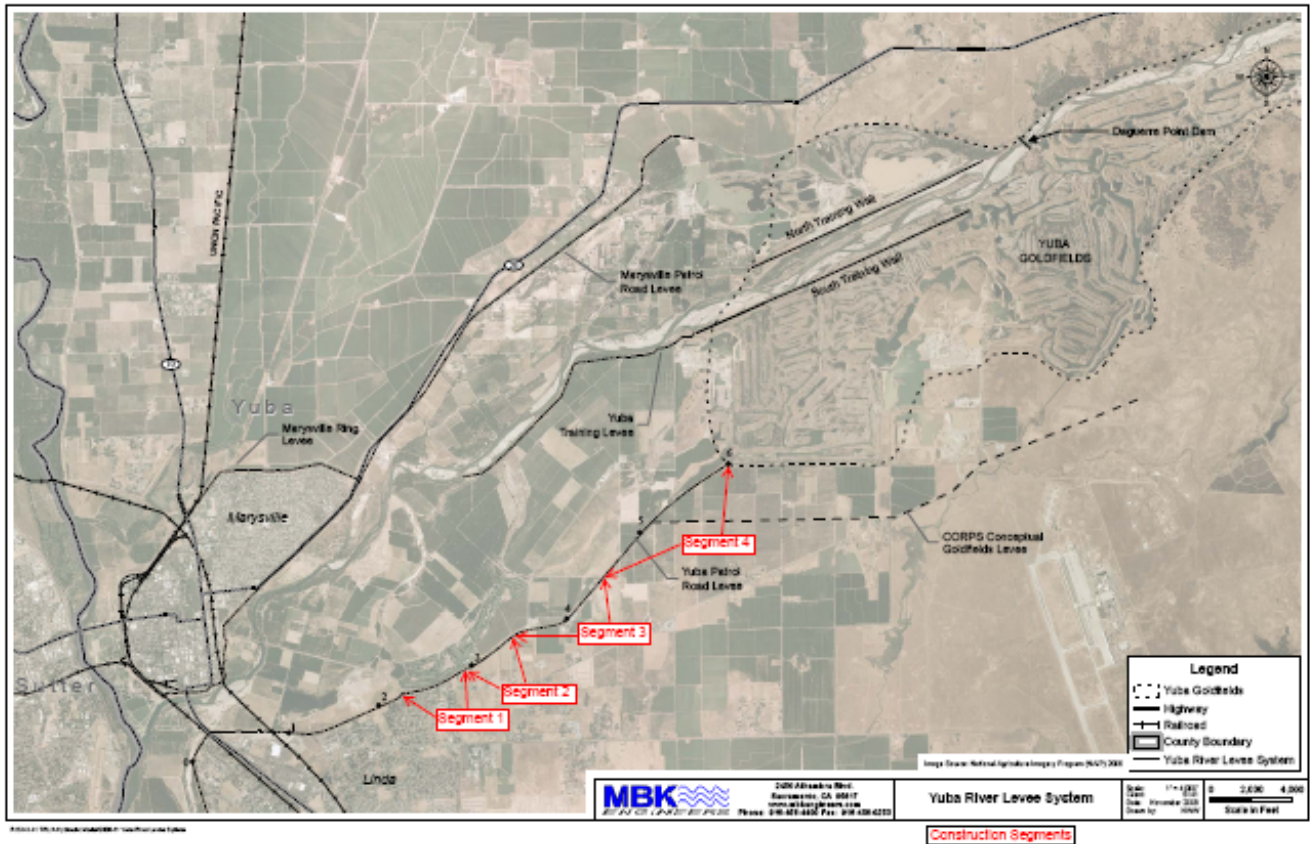
➤ **Element 4: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Construction – Sta 102+50 to 303+59**

- Feature 1 Construction:
  - No Levee construction work is anticipated to occur this quarter.
  - TRLIA anticipates awarding the construct contract late in the 6<sup>th</sup> quarter, once the Corps 408 Authorization and 104 credit approval is received. Plans and specifications went for bid on June 21, 2010. The bids were opened on August 26, 2010. The bid results are shown in attachment 5. The low bid was Magnus Pacific Construction (Teichert sub contractor) at \$7,541,469.80. The Engineers estimate was \$13,944,125.84. Three bids were received and all were below the Engineers Estimate. The bids reflect the hard economic times that our Country is under. 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.
  - The construction work being moved to 2011 will cause the project completion to go beyond the EIP funding agreement completion date (June 30, 2011).The Agreement date needs to be extended.
  - To help define work that is under construction the levee construction has been broken into 4 segments. The Segments are described and shown below:

❖ **Construction Segments**

Segment 1	Station 104+00 to 136+50	Levee Geometry Correction and No Work Sections
Segment 2	Station 136+50 to 163+50	Cutoff Wall to Dantoni Road
Segment 3	Station 163+50 to 220+00	Cutoff Wall Dantoni to Past Dan Luis Parcel
Segment 4	Station 220+00 to 303+59	Cutoff Wall, Seepage Berm, & Erosion Protection Dan Luis Parcel to End of Project

❖ **Map**



➤ **Element 5: Prior Completed Work**

- Feature 1 Prior Completed Work: TRLIA will continue to work on providing documentation to support the approval of Bear River Real Estate action costs for credit. On November 18, 2009 TRLIA submitted invoices for \$7,853,673 of credit. During the 3<sup>rd</sup> quarter TRLIA and DWR worked together to verify the appropriate credit to be approved. On July 19, 2010 DWR approved \$6,619,616. \$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.

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

- Activity is anticipated in all Features during this quarter

➤ **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.
- TRLIA real estate and legal consultants will continue to be active this quarter obtaining right of way needs for the project. 47 parcels are impacted – See attachment 6 for parcels and ownership. The parcels are mostly agriculture in nature.
- Note - Right of Way Support expenses are tracked under Element 3 Feature 2.5.
- The following Real Estate actions will be pursued in the 6<sup>th</sup> Quarter (January 1 to March 31, 2011):
  - ✓ TRLIA’s real estate consultants will complete additional appraisals for the remaining property not yet appraised.
  - ✓ First written offers to purchase will be made to, and negotiations will be initiated with, remaining property owners from whom property rights must be acquired for the Project.
  - ✓ On September 28, 2010 the TRLIA Board approved eminent domain Resolutions of Necessity on the following properties:

<u>Eminent Domain Case</u>	<u>Deposit of Probable Compensation</u>	<u>Settlement</u>	<u>Relocation Expense</u>
YCSCCVED 10-0000951 (Wilbur)	\$23,000		
YCSCCVED 10-0000903 (Luis, D. & Luis, A.J. Trust)	\$24,100		
YCSCCVED 10-0000977 (Bains)	\$21,500		
YCSCCVED 10-0000934 (Wood)	\$3,200	\$3,200.00	
YCSCCVED 10-0000935 (COF Quail)	\$23,000		
YCSCCVED 10-0001029 (Walbinder S. Sohal Living Trust)	\$560,000		
YCSCCVED 10-0001029 (Bhajan S. & Rajwant K. Sohal)	\$560,000		

- ✓ TRLIA real estate and legal consultants will continue to negotiate with those property owners whose property is now in eminent domain proceedings (see table above). If possible, settlement agreements will be

entered into to avoid further eminent domain proceedings on these properties.

- ✓ In the event negotiations are unsuccessful, TRLIA's legal consultants have scheduled hearings on motions for possession for the properties needed for construction. The hearings are set on February 22 and March 15, 2011.
- ✓ Possession and Use Agreements - Four property owners have executed Possession and Use Agreements granting TRLIA possession of the required portions of their property for construction on the following properties:

<u>Owner</u>	<u>Deposit of Probable Compensation – Escrow</u>	<u>Escrow No. &amp; Date Opened</u>	<u>Escrow Close Date</u>
Barker, et al	\$185,000	5008324-PA (7/20/10)	
H. Smith	\$64,000	5008326-PA (8/2/10)	
Awtar Sohal Trust	\$21,500	5008311-PA (9/28/10)	
Miller	\$1,400	5008567-PA (9/20/10)	

- ✓ TRLIA real estate and legal consultants will work with owners of the above properties to close escrows and have required property available for the start of construction.
- ✓ Grant Deed or Temporary Access Easements (TAE's) – Five property owners have executed Grant Deeds for acquisition of property and/or TAE's giving TRLIA possession of the required portions of their property for construction on the following properties:

<u>Owner</u>	<u>Deposit into Escrow</u>	<u>Escrow No. &amp; Date Opened</u>	<u>Escrow Close Date</u>
Shintaffer Farms	\$5,500	5008325-PA (10/11/10)	
Naumes	\$3,000	Paid Direct (11/8/10) Temporary Easement not recorded	
Rahul	\$500	Paid Direct (8/15/10) Temporary Easement not recorded	
Wilkey	\$6,600	5008315-PA (9/20/10)	
Wesely	\$33,000	5008319-PA (8/25/10)	11/10/10

- ✓ TRLIA real estate and legal consultants will work with owners of the above properties to close escrows and have required property available for the start of construction.

- **Environmental matters:**

- **Project Element 2 & 3:**

- During this Quarter TRLIA will continue 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.
- One property owner was provided a new well during this quarter because of the high probability of damage during construction to his existing well. The property owner was Casa Mia Mobile Home Park. The existing well for this Mobile Home Park serves several hundred residents and is at the levee toe. It is highly probable that construction of the cutoff wall will impact this well. A pump and storage tank is planned for installation in the 6<sup>th</sup> Quarter.
- A pump and storage tank is planned for installation in the 6<sup>th</sup> Quarter for one property owner that was provided a new well in the 4<sup>th</sup> quarter because of the high probability of damage during construction to his existing well. The property owner was Casa Mia Mobile Home Park. The existing well for this Mobile Home Park serves several hundred residents and is at the levee toe. It is highly probable that construction of the cutoff wall will impact this well.
- During the 6<sup>th</sup> quarter, TRLIA plans to transplant the 34 Elderberry shrubs. TRLIA intends to complete this work .by mid February (end of dormant season). To take this action the items below need to occur in January 2011:
  - F&WS via the Corps amend the Biological Opinion to allow transplant of the 34 Elderberries during the Dormant Season. Dormant Season ends February 15<sup>th</sup>. FW&S amended Biological Opinion is anticipated in January 2011. As part of the amended Biological Opinion F&WS and the Corps are placing a no construction (blackout period) requirement within 100 feet of an elderberry shrub from March 15 to June 15 in order to avoid interference with elderberry beetle movement. This blackout period includes elderberry shrub transplanting. This will significantly impact construction and increase costs.
  - CVFPB approve TRLIA's use of the Anderson Mitigation Site. On February 22, 2010 TRLIA sent a letter to the CVFPB and DWR requesting approval to use the Anderson Elderberry Site. On April 13<sup>th</sup> DWR, CVFPB, F&WS, Corps of Engineers, and TRLIA staff visited the Anderson site. Later in the 3<sup>rd</sup> quarter CVFPB and DWR indicated their approval for TRLIA to use the Anderson Site. The F&WS Biological Opinion issued a Biological Opinion allowing the Anderson Mitigation Site to be used on August 16, 2010. **On September 16, 2010 the CVFPB staff sent TRLIA a letter stating TRLIA**

**needed to obtain a CVFPB encroachment permit to use the Anderson Site.** The CVFPB September letter also required TRLIA to enter into an agreement with the San Juan Maintenance District to use the site and pay for any incurred maintenance expenses. TRLIA has submitted the requested documentation and anticipates the encroachment permit to be issued at the January 2011 CVFPB meeting. The schedule for this Feature to transplant the Elderberries was to reflect the 34 Elderberries being transplanted in February prior to the close of the Elderberry dormant season.

- It is anticipated that the levee improvement construction contractor will begin preparing the needed Air Quality permit data once the contract is awarded in March 2011. Requirements from the FRAQMD were incorporated in the Upper Yuba Levee Improvement Project construction specifications.
- **Status of permits, easements, rights-of-way, and approvals as may be required by other State, federal, and/or local agencies:**

- **Element 1:** All Permits and approvals have been acquired – see Attachment 1
- **Element 2 & 3:** Key items are listed below.
  - The CVFPB will finalize and issue the UYLIP encroachment permit during this quarter. The CVFPB approved the Encroachment Permit for the UYLIP at the July 2010 Board meeting. CVFPB staff will finalize the Encroachment permit once the Corps 408 approval is obtained (anticipated in January 2011).
  - The Corps issue 408 Authorization, and 104 Credit Approval during this quarter.
    - ✓ 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.
    - ✓ 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.

The Corps District Office submitted the 408 Authorization, and 104 Credit documentation to HQs on September 22, 2010. Anticipate 408 Authorization approval in January 2011 and 104 Credit Approval in February/March 2011. **The 408 and 104 slippage impacted the TRLIA construction schedule and all construction was moved to 2011 during this quarter.**

- During the 6<sup>th</sup> quarter TRLIA will continue to work on issues associated with the 200-year overflow from the Goldfields area and to verify that 100-year flow from the Goldfields area do not affect FEMA certification.

- ✓ TRLIA tasked MBK Engineers with conducting a detailed hydraulic evaluation of the Goldfields area. TRLIA's hydraulic analysis is scheduled to be completed in the spring of 2011. TRLIA is working with DWR to ensure there is no duplication of effort between this effort and the ongoing state CVFED modeling effort.
  - ✓ 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.
- **Major accomplishments planned for the quarter (i.e. tasks to be completed, milestones to be met, meetings to be held or attended, etc.);**
  - Corps signing the UYLIP Finding of no Significant Impact (FONSI): Project Element 2
  - Receive 408 Authorization and 104 Credit approval from the Corps of Engineers: Project Element 3
  - F&WS via the Corps complete the amendment to the UYLIP Biological Opinion to allow the 34 elderberries to be transplanted and complete the transplant during the dormant season: Project Element 3
  - Receive CVFPB UYLIP encroachment permit: Project Element
  - CVFPB approve and issue the Anderson Mitigation Site encroachment permit: Project Element 3
  - Award of the UYLIP construction project: Project Element 4
  - Acquisition of needed Right of Way to allow construction to begin: Project Element 7
  - Completion of the TRLIA Goldfields hydraulic analysis: Project Element 3
- **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: The Corps is now processing the 408 and 104 packages. In January 2011 TRLIA will meet with DWR management and determine course of action, which is dependent upon the status of the Corps progress to approve the 408 and 104 credit.

- **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 during the dormant season will be much less expensive than using an off-site mitigation bank. On site mitigation at the Anderson site is approximately \$200,000. Off site mitigation costs at an approved mitigation bank is approximately: Dormant season - \$680,000; Non Dormant season - \$1,600,000.

As part of the amended Biological Opinion F&WS and the Corps have placed a no construction requirement within 100 feet of an elderberry shrub from March 15 to June 15 in order to avoid interference with elderberry beetle movement. This blackout period includes elderberry shrub transplanting. This will significantly impact construction and increase costs.

Recommended Solution: DWR encourage CVFPB to approve the Anderson Site for TRLIA's use at the January 2011 CVFPB meeting, so that the transplants can be moved during the dormant season. If the CVFPB does not approve the use of the Anderson Mitigation site at the January 2011 meeting than opt to transplant the 34 elderberry shrubs at an offsite mitigation bank at the higher cost during dormant season in order avoid construction delays and increased costs.

- **Issue 4** – The question has come up as to whether or not the hydraulic modeling that TRLIA is accomplishing to resolve issues associated with the 200-year overflow from the Goldfields area and to verify that 100-year flow from the Goldfields area do not affect FEMA certification duplicates the effort that CVFED is doing. TRLIA does not believe there is a duplication of effort.

Recommended Solution: DWR set up a meeting TRLIA and the appropriate state offices to discuss this issue to ensure there is no duplication of effort.

- **Describe differences between the work to be performed and the work outlined in the Overall Work Plan, including anticipated change orders:** None
- **Any litigation, proceedings or claims relating to the Project:** None

## 5. Cost Information by Project Element:

With the 5<sup>th</sup> QWP, TRLIA evaluated the Overall Work Plan Budget and prepared a comprehensive updated the budget from the UYRLIP project. This updated reflected construction on the completed work within Element 1 as well as the recently bid work for Elements 3&4. The updated budgets took into consideration the savings in construction costs as well other minor adjustments in the Overall Work Plan individual feature budgets. As a result the Overall Work Plan Budget was reduced by approximately \$32.3 million to a total budget of \$35.5 million.

- **List of changes planned to Overall Work Plan Budget and revised Overall Work Plan Budget (if needed):**

Since the update of Overall Work Plan Budget TRLIA prepared in the 5<sup>th</sup> Quarter, TRLIA discovered an error as it relates to the Overall Work Plan Budget for Element 2. As discussed in the 4<sup>th</sup> Quarter Progress Report Financial memorandum, Element 2's expenditures exceeded Overall Budget. The reason this feature has exceeded the budget is described below.

### ➤ **Element 2: Pre-CEQA Determination Support Efforts**

As part of the 5th QWP, TRLIA amended many of the Feature and Element budgets of the project downward to deal with costs savings achieved with project as compared to the original estimates for the project. In doing so, TRLIA reviewed the expenditures to date as of the 5th QWP and made estimates of the remaining expenditures to take place in each feature and element to determine the overall budget. As a result of a spreadsheet modeling error, TRLIA did not account for approximately \$150,000 of previously incurred CEQA/NEPA expenses when determining the costs incurred to date. Therefore, when the budget for this element was reset, it was set too low by the amount of previously incurred expenses not accounted for. TRLIA is amending this budget upward as part of this 6th QWP to take into consideration this error. Additionally, due to the extended time duration of the Federal NEPA, 408 Authorization process and delayed FONSI determination additional budget is required to complete the element. Therefore, TRLIA is adjusted the budget upward by \$180,000.

## TRLIA Overall Work Plan Budget Upper Yuba River Project

Project Elements and Features	Current Budget [1]			Proposed Budget Modification			Revised Overall Budget			
	State Budget (\$)	Local Budget (\$)	Total Budget (\$)	State Budget (\$)	Local Budget (\$)	Total Budget (\$)	State Budget (\$)	Local Budget (\$)	Total Budget (\$)	
	[1]	[2]								
<b>Element 1: Flatten Waterside Levee Slope – Sta 3+00 to 33+50</b>										
3120-3500	Feature 1: Design	\$142,995	\$61,284	\$204,279	\$0	\$0	\$0	\$142,995	\$61,284	\$204,279
3120-3501	Feature 2: Permitting	\$116,994	\$50,140	\$167,134	\$0	\$0	\$0	\$116,994	\$50,140	\$167,134
3120-3502	Feature 3: Right of Way	\$15,599	\$6,685	\$22,285	\$0	\$0	\$0	\$15,599	\$6,685	\$22,285
3120-3503	Feature 4: Construction Management	\$123,545	\$52,948	\$176,492	\$0	\$0	\$0	\$123,545	\$52,948	\$176,492
3120-3504	Feature 5: Construction	\$245,175	\$105,075	\$350,250	\$0	\$0	\$0	\$245,175	\$105,075	\$350,250
3120-3505	Feature 6: O&M Manual addendum	\$58,497	\$25,070	\$83,567	\$0	\$0	\$0	\$58,497	\$25,070	\$83,567
<b>Subtotal Element 1</b>		<b>\$702,805</b>	<b>\$301,202</b>	<b>\$1,004,007</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$702,805</b>	<b>\$301,202</b>	<b>\$1,004,007</b>
<b>Element 2: Pre-CEQA &amp; CEQA Determination Support Efforts</b>										
3121-3510	Feature 1: Alternatives Analysis [4]	\$207,385	\$207,385	\$414,771	\$3,500	\$1,500	\$5,000	\$210,885	\$208,885	\$419,771
3121-3511	Feature 2: CEQA / NEPA [4]	\$225,071	\$225,071	\$450,142	\$122,500	\$52,500	\$175,000	\$347,571	\$277,571	\$625,142
<b>Subtotal Element 2</b>		<b>\$432,456</b>	<b>\$432,456</b>	<b>\$864,913</b>	<b>\$126,000</b>	<b>\$54,000</b>	<b>\$180,000</b>	<b>\$558,456</b>	<b>\$486,456</b>	<b>\$1,044,913</b>
<b>Element 3: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Support Work</b>										
3121-3512	Feature 1: Preliminary Design	\$965,145	\$413,633	\$1,378,778	\$0	\$0	\$0	\$965,145	\$413,633	\$1,378,778
3121-3513	Feature 2: Permitting Preparation	\$157,741	\$67,603	\$225,344	\$0	\$0	\$0	\$157,741	\$67,603	\$225,344
3121-3514	Feature 3: Right of Way Support	\$1,505,537	\$645,230	\$2,150,767	\$0	\$0	\$0	\$1,505,537	\$645,230	\$2,150,767
3122-3520	Feature 4: Final Design	\$1,605,515	\$673,792	\$2,279,307	\$0	\$0	\$0	\$1,605,515	\$673,792	\$2,279,307
3122-3521	Feature 5: Permitting	\$491,723	\$210,738	\$702,461	\$0	\$0	\$0	\$491,723	\$210,738	\$702,461
3122-3523	Feature 6: Construction Management	\$1,522,500	\$652,500	\$2,175,000	\$0	\$0	\$0	\$1,522,500	\$652,500	\$2,175,000
3122-3524	Feature 7: Environmental Mitigation	\$290,564	\$124,527	\$415,091	\$0	\$0	\$0	\$290,564	\$124,527	\$415,091
3122-3525	Feature 8: O&M Manual addendum	\$132,593	\$56,826	\$189,419	\$0	\$0	\$0	\$132,593	\$56,826	\$189,419
<b>Subtotal Element 3</b>		<b>\$6,671,317</b>	<b>\$2,844,850</b>	<b>\$9,516,168</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,671,317</b>	<b>\$2,844,850</b>	<b>\$9,516,168</b>
<b>Element 4: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Construction - Sta 102+50 to 303+59</b>										
3123-3530 & 3531	Feature 1 - Construction	\$6,924,000	\$2,876,000	\$9,800,000	\$0	\$0	\$0	\$6,924,000	\$2,876,000	\$9,800,000
<b>Subtotal Element 4</b>		<b>\$6,924,000</b>	<b>\$2,876,000</b>	<b>\$9,800,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,924,000</b>	<b>\$2,876,000</b>	<b>\$9,800,000</b>
<b>Element 5: Prior Completed Work</b>										
3124 - ????	Feature 1 - Prior Completed Work	\$5,377,514	\$2,304,649	\$7,682,162	\$0	\$0	\$0	\$5,377,514	\$2,304,649	\$7,682,162
<b>Subtotal Element 5</b>		<b>\$5,377,514</b>	<b>\$2,304,649</b>	<b>\$7,682,162</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,377,514</b>	<b>\$2,304,649</b>	<b>\$7,682,162</b>
<b>Element 6: Project Management, legal support, community relations support, land management support, and overhead</b>										
3125-3270	Feature 1 - TRLIA Salaries/Benefits	\$889,500	\$381,214	\$1,270,714	\$0	\$0	\$0	\$889,500	\$381,214	\$1,270,714
3125-3271	Feature 2 - TRLIA Consultant Exp.	\$882,264	\$378,113	\$1,260,377	\$0	\$0	\$0	\$882,264	\$378,113	\$1,260,377
3125-3272	Feature 3 - TRLIA Legal Support	\$730,964	\$313,270	\$1,044,235	\$0	\$0	\$0	\$730,964	\$313,270	\$1,044,235
3125-3273	Feature 4 - TRLIA Travel Expenses	\$6,995	\$2,998	\$9,992	\$0	\$0	\$0	\$6,995	\$2,998	\$9,992
3125-3274	Feature 5 - TRLIA General Expenses	\$249,650	\$106,993	\$356,643	\$0	\$0	\$0	\$249,650	\$106,993	\$356,643
3125-3275	Feature 6 - TRLIA Insurance	\$328,383	\$140,736	\$469,119	\$0	\$0	\$0	\$328,383	\$140,736	\$469,119
3125-3276	Feature 7 - TRLIA Travel - Vehicle Lease	\$18,700	\$8,014	\$26,714	\$0	\$0	\$0	\$18,700	\$8,014	\$26,714
3125-3277	Feature 8 - TRLIA Memberships	\$13,383	\$5,736	\$19,119	\$0	\$0	\$0	\$13,383	\$5,736	\$19,119
<b>Subtotal Element 6</b>		<b>\$3,119,839</b>	<b>\$1,337,074</b>	<b>\$4,456,913</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,119,839</b>	<b>\$1,337,074</b>	<b>\$4,456,913</b>
<b>Element 7: Right of Way Capital</b>										
3122-3522	Feature 3: Right of Way (Capital)	\$1,834,592	\$786,254	\$2,620,846	\$0	\$0	\$0	\$1,834,592	\$786,254	\$2,620,846
<b>Subtotal Element 7</b>		<b>\$1,834,592</b>	<b>\$786,254</b>	<b>\$2,620,846</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,834,592</b>	<b>\$786,254</b>	<b>\$2,620,846</b>
<b>TOTAL ALL ELEMENTS</b>		<b>\$25,062,522</b>	<b>\$10,882,485</b>	<b>\$35,945,007</b>	<b>\$126,000</b>	<b>\$54,000</b>	<b>\$180,000</b>	<b>\$25,188,522</b>	<b>\$10,936,485</b>	<b>\$36,125,007</b>

[1] Reflective of the Overall Work Plan Budget included in the 5th QWP for the Upper Yuba River Levee Improvement Project funding agreement dated May 28, 2010.

- **Projected costs compared to Overall Work Plan Budget**

- **Element 1: Flatten Waterside Levee Slope – Sta 3+00 to 33+50**  
No additional construction costs are forecasted to be incurred during the 6<sup>th</sup> quarter as the Element is complete. Construction was completed in November, 2009. Upon completion of the 6<sup>th</sup> Quarter, approximately (71%) \$711,000 of the \$1.0 Million budget will have been expended.
- **Element 2: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Pre-CEQA Determination Support Efforts**  
This element only includes the preliminary alternatives analysis and CEQA/NEPA document preparation (that work only eligible for 50% cost share by the State). The major costs to be incurred in the 6<sup>th</sup> quarter are related to the completion of the NEPA document preparation and final FONSI determination. The budget forecasted to be expended this quarter is \$50,000. The forecasted amount of expenses in conjunction with prior expenses will result in having expended 96% (\$1,002,000) of the Element's revised budget of \$1,044,000.
- **Element 3: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection Support)**  
This element was revised in the 5<sup>th</sup> Quarter to include the preliminary design, permitting preparation and Right of Way Support work that was previously included in Element 2.  
  
The major costs to be incurred in the 6<sup>th</sup> quarter will be related to Right of Way Support, Permitting, and completing Environmental Mitigation of Elderberry Bush relocation and transplant. There is also expected to be associated Construction Management expenses with letting a contract for construction and the Elderberry transplanting.  
  
The overall budget for Element 3 is \$9.5 million and the amount forecasted to be expended this quarter is \$785,000. This amount, in conjunction with estimated prior expenses furthering Element 3 efforts, will result in having expended roughly 57% (\$5.4 million) of the Element's revised budget of \$9.5 million.
- **Element 4: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Construction – Sta 102+50 to 303+59**  
Construction is not expected to commence until the 7<sup>th</sup> Quarter therefore no expenses are forecasted for the 6<sup>th</sup> Quarter. As construction bids have been received and it is clear that the costs of construction will be significantly below the original estimates, TRLIA revised the OAWP Budget for this element in the 5<sup>th</sup> QWP. The overall budget is now approximately \$9.8 million.
- **Element 5: Prior Completed Work**  
This Element solely represents prior completed work submitted for crediting purposes. No additional costs in the element will be incurred during the funding agreement contract period.

➤ **Element 6 - Project Management, Legal, Community Relations support, Land Management, and Overhead:**

At the start of the 6<sup>th</sup> Quarter, TRLIA proposes to shift the allocation of overhead expenses between its two EIP projects based upon the remaining budget for all TRLIA Projects through the term of the funding agreements. Preliminary discussions regarding this action have taken place with DWR staff and TRLIA will formalize this action through specific correspondence in the coming weeks. The current allocation of EIP eligible overhead expenses between TRLIA’s two EIP projects is 58.7% FRLIP / 41.3% UYRLIP. TRLIA proposes to shift the allocation to approximately 23.6% FRLIP / 76.4% UYRLIP based upon the completion of a significant portion of the FRLIP project and the increasing activity associated with the UYRLIP project. The forecasted expenditures in this work plan reflect the increased overhead allocation to the UYRLIP project.

TRLIA has estimated the amount of overhead expenses to be incurred in the quarter and allocated the Yuba share of those forecasted expenses to Element 6. TRLIA expects to allocate approximately \$185,000 of Overhead and Admin expenses in the quarter. After the quarter is complete, TRLIA will have expended roughly 23% of the Element 6 budget.

➤ **Element 7 – Right of Way Capital:**

Right of Way acquisition activity will continue this Quarter. The budget is approximately \$140,000. After the quarter is complete, TRLIA will have expended roughly 73% of the Element 7 budget.

**4. The amount of funds sought from the State and the Amount of Local Funds intended to be expended:** As presented in Item 3 of this 6<sup>th</sup> Quarter Work Plan:

<b>Quarterly Work Plan Summary</b>				
<b>Description</b>	<b>State Share</b>	<b>Local Share</b>	<b>Total</b>	<b>Local Credit Applied</b>
Element 7 - Land Acquisition	\$98,000	\$42,000	\$140,000	\$42,000
Elements 1 through 6	\$703,704	\$315,873	\$1,019,577	\$315,873
<b>Total</b>	<b>\$801,704</b>	<b>\$357,873</b>	<b>\$1,159,577</b>	<b>\$357,873</b>

<b>Quarterly Summary for Real Estate Activity</b>	
<b>State Share Element 7</b>	\$98,000
<b>Local Credit Applied Elements 1</b>	\$42,000
<b>Estimated Total Quarterly State Real Estate Funding</b>	<b>\$140,000</b>

<b>Quarterly State Share Advance Summary for Non-Real Estate Activity</b>	
<b>75% of State Share Elements 1 through 6</b>	\$527,778
<b>plus/minus State Share true-up for Prior Quarters [1]</b>	-\$5,667,193
<b>Total Advance for State Share at Start of 6<sup>th</sup> Quarter</b>	<b>-\$5,139,415</b>

[1] Estimated, see reconciliation of Prior State Funding.

<b>Quarterly Local Credit Summary for Non-Real Estate Activity</b>	
<b>Local Credit Elements 1 through 6</b>	\$315,873
<b>plus/minus Local Credit true-up for Prior Quarters [1]</b>	-\$1,662,901
<b>Total Advance for State Share at Start of 6<sup>th</sup> Quarter</b>	<b>-\$1,347,028</b>

[1] See Reconciliation of Prior State Funding.

### **Reconciliation of State Advance Funding for Construction**

#### **As of 5th Quarter - State Share**

Total Non-Real Estate Expenses (Elements 1 - 6) Through 4th Quarter [1]	\$4,722,209
5th Quarter Total Forecasted Expenses [2]	\$685,081
State Share True-Up Calculations	
Total State Share of Above Expenses	\$3,667,707
Total State Funding Due (net of 10% Retention on Prior Expenses)	<b>\$3,300,936</b>
Funding To Date	
1st Quarter Advance	\$451,818
1st Quarter True-Up	\$70,578
2nd Quarter Advance	\$801,157
3rd Quarter Advance	\$1,981,246
2nd Quarter True-Up	\$53,088
4th Quarter Advance	\$3,468,242
3rd Quarter True-Up	\$160,754
4th Quarter Advance	\$1,981,246
Total State Share Funding Received and in Process	<b>\$8,968,129</b>
<b>Estimated State Share Construction Funding Due as of 4th Quarter</b>	<b>-\$5,667,193</b>

**As of 4th Quarter - Local Share**

<b>Local Share True-Up Calculations</b>	
Local Share of Non RE Expenses to through 4th Quarter	\$3,190,567
Local Share of 5th Quarter Forecasted Expenses	\$210,524
<b>Total Local Funding Credit Due</b>	<b>\$3,401,091</b>
<b>Funding To Date</b>	
Local Credit Advanced (from 1st Quarter)	\$410,772
Local Credit Advanced (from 2nd Quarter)	\$343,623
Local Credit Advanced (from 3rd Quarter)	\$1,533,856
Local Credit True-Up (from 2nd Quarter)	\$152,747
Local Credit Advanced (from 4th Quarter)	\$2,622,994
<b>Total Credit Funding Received</b>	<b>\$5,063,992</b>
<b>Local Credit Due as of 4th Quarter</b>	<b>-\$1,662,901</b>

[1] 4th Quarter QPR Costs Subject to review by DWR.

[2] 5th Quarter Expenses taking into consideration construction has been delayed.

- The following tables present Element and Feature level details for the 6th Quarterly Work Plan.

## Summary of TRLIA Quarterly Work Plan Budget Upper Yuba

For Period January/February/March 2011

### SUMMARY ALL ELEMENTS

Elements and Features	Overall Budget [1]			Estimated Cumulative Expenses [2]			Forecasted Remaining Budget			Quarterly Forecast			Advance
	Total	State	Local	Total	State Share	Local Share (after credit)	Total	State Share	Local Share	Total	State	Local	State Share
Formula	a	b	c = a-b	d	e	f = d-e	g = a-d	h = b-e	i = c-f	j	k	l=j-k	l=k*75%
<b>Quarterly Advance Request Elements (Not Including Real Estate)</b>													
Element 1: Flatten Waterside Levee Slope	\$1,004,007	\$702,805	\$301,202	\$711,542	\$498,079	\$213,463	\$292,465	\$204,725	\$87,739	\$0	\$0	\$0	\$0
Element 2: Pre-CEQA Determination Support	\$1,044,913	\$558,456	\$486,456	\$952,758	\$476,379	\$476,379	\$92,155	\$82,077	\$10,077	\$50,000	\$25,000	\$25,000	\$18,750
Element 3: Levee Improvements Support Work	\$9,516,168	\$6,671,317	\$2,844,850	\$4,624,699	\$3,237,290	\$1,387,410	\$4,891,468	\$3,434,028	\$1,457,440	\$785,000	\$549,500	\$235,500	\$412,125
Element 4: Levee Improvements Construction	\$9,800,000	\$6,924,000	\$2,876,000	\$17,678	\$12,375	\$5,303	\$9,782,322	\$6,911,625	\$2,870,697	\$0	\$0	\$0	\$0
Element 6: Admin & Overhead	\$4,456,913	\$3,119,839	\$1,337,074	\$825,863	\$578,104	\$247,759	\$3,631,050	\$2,541,735	\$1,089,315	\$184,577	\$129,204	\$55,373	\$96,903
Sub-Total Elements 1 through 4 & 6	\$25,822,000	\$17,976,417	\$7,845,583	\$7,132,540	\$4,802,226	\$2,330,314	\$18,689,460	\$13,174,191	\$5,515,269	\$1,019,577	\$703,704	\$315,873	\$527,778
<i>Element 5 Credit [Additional Credit to Come from other Element Expenses Incurred Prior to October 20, 2009 not Shown Here]</i>													
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				
<b>Real Estate Forecast for Quarter</b>													
Element 7: Land Acquisition	\$2,620,845	\$1,834,592	\$786,254	\$1,761,508	\$1,233,056	\$528,453	\$859,337	\$601,536	\$257,801	\$140,000	\$98,000	\$42,000	
Subtotal Real Estate Forecast	\$2,620,845	\$1,834,592	\$786,254	\$1,761,508	\$1,233,056	\$528,453	\$859,337	\$601,536	\$257,801	\$140,000	\$98,000	\$42,000	
<b>Local Credit Reconciliation</b>													
<b>Quarterly Advance Calculation</b>													
75% of State Share of Eligible Elements	\$527,778			Total Local Share of Eligible Expenses this Quarter			\$315,873 (From Above)						
plus Local Share Subject to Credit	\$315,873			Estimated Total Local Credit			\$6,619,616 (Approved Local Credit Amount)						
<b>Total</b>	<b>\$843,651</b>			Local Credit Advanced (from 1st Quarter)			\$410,772						
				Local Credit Advanced (from 2nd Quarter)			\$343,623						
				Local Credit Advanced (from 3rd Quarter)			\$1,533,856						
				Local Credit True-Up (from 2nd Quarter)			\$152,747						
				Local Credit Advanced (from 4th Quarter)			\$2,622,994						
				Total Local Credit Received			\$5,063,992						
				Remaining Local Credit Approved			\$1,555,624						
				Requested Local Credit to be Paid with Advance			\$315,873						
				Credit Remaining After Advance			\$1,239,751						

\*6QYubaSumm\*

[1] As reflected in this 3rd Quarterly Work Plan for the Upper Yuba Project.

[2] Reflects estimated expenses through the 5th Quarter based on prior actual expenses through September 30, 2010 and estimated of expenses from October to December based on the 5th Quarterly Work Plan with necessary adjustments based on actuals expenses.

## TRLIA Quarterly Work Plan Budget Upper Yuba

For Period January/February/March 2011

### ELEMENT 1

Elements and Features	State Share Percentage	Revised Overall Budget [1]			Estimated Cumulative Expenses (December 2010) [2]			Forecasted Remaining Budget			% of Total Budget Remaining	6th Quarterly Forecast			% of Remaining Budget
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share		Total	State	Local	
Formula	a	b	c=axb	d = b-c	e	f=axe	g = e-f	h=b-e	i=c-f	j=d-g		k	l=axk	m=k-l	
<b>Element 1: Flatten Waterside Levee Slope – Sta 3+00 to 33+50</b>															
1.1: Design	70%	\$204,279	\$142,995	\$61,284	\$198,549	\$138,985	\$59,565	\$5,729	\$4,010	\$1,719	3%	\$0	\$0	\$0	0%
1.2: Permitting	70%	\$167,134	\$116,994	\$50,140	\$869	\$608	\$261	\$166,265	\$116,386	\$49,880	99%	\$0	\$0	\$0	0%
1.3: Right of Way	70%	\$22,285	\$15,599	\$6,685	\$18,731	\$13,112	\$5,619	\$3,553	\$2,487	\$1,066	16%	\$0	\$0	\$0	0%
1.4: Construction Management	70%	\$176,492	\$123,545	\$52,948	\$168,142	\$117,699	\$50,443	\$8,350	\$5,845	\$2,505	5%	\$0	\$0	\$0	0%
1.5: Construction	70%	\$350,250	\$245,175	\$105,075	\$325,250	\$227,675	\$97,575	\$25,000	\$17,500	\$7,500	7%	\$0	\$0	\$0	0%
1.6: O&M Manual addendum	70%	\$83,567	\$58,497	\$25,070	\$0	\$0	\$0	\$83,567	\$58,497	\$25,070	100%	\$0	\$0	\$0	0%
<b>Subtotal Element 1</b>		<b>\$1,004,007</b>	<b>\$702,805</b>	<b>\$301,202</b>	<b>\$711,542</b>	<b>\$498,079</b>	<b>\$213,463</b>	<b>\$292,465</b>	<b>\$204,725</b>	<b>\$87,739</b>	<b>29%</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0%</b>

\*6QYubaElem1\*

[1] Revised per this Upper Yuba 5th Quarterly Work Plan.

[2] Reflects estimated expenses through the 5th Quarter based on prior actual expenses through September 30, 2010 and estimated of expenses from October to December based on the 5th Quarterly Work Plan with necessary adjustments based on actuals expenses.

## TRLIA Quarterly Work Plan Budget Upper Yuba

For Period January/February/March 2011

### ELEMENT 2

Elements and Features	State Share Percentage	Revised Overall Budget [1]			Estimated Cumulative Expenses (December 2010) [2]			Forecasted Remaining Budget			% of Total Budget Remaining	6th Quarterly Forecast			% of Remaining Budget
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share		Total	State	Local	
Formula	a	b	c=axb	d = b-c	e	f=axe	g = e-f	h=b-e	i=c-f	j=d-g		k	l=axk	m=k-l	
	(Increased)														
<b>Element 2: Levee Improvements (Slurry Wall &amp; Waterside Slope Erosion Protection) Pre-CEQA Determination Support Efforts</b>															
2.1: Alternatives Analysis	50%	\$419,771	\$210,885	\$208,885	\$415,488	\$207,744	\$207,744	\$4,283	\$3,141	\$1,141	1%	\$0	\$0	\$0	0%
2.2: CEQA / NEPA	50%	\$625,142	\$347,571	\$277,571	\$537,271	\$268,635	\$268,635	\$87,872	\$78,936	\$8,936	14%	\$50,000	\$25,000	\$25,000	57%
<b>Subtotal Element 2</b>		<b>\$1,044,913</b>	<b>\$558,456</b>	<b>\$486,456</b>	<b>\$952,758</b>	<b>\$476,379</b>	<b>\$476,379</b>	<b>\$92,155</b>	<b>\$82,077</b>	<b>\$10,077</b>	<b>9%</b>	<b>\$50,000</b>	<b>\$25,000</b>	<b>\$25,000</b>	<b>54%</b>

\*6QYubaElem2\*

[1] Revised per this Upper Yuba 6th Quarterly Work Plan.

[2] Reflects estimated expenses through the 5th Quarter based on prior actual expenses through September 30, 2010 and estimated of expenses from October to December based on the 5th Quarterly Work Plan with necessary adjustments based on actuals expenses.

## TRLIA Quarterly Work Plan Budget Upper Yuba

For Period January/February/March 2011

### ELEMENT 3

Elements and Features	State Share Percentage	Revised Overall Budget [1]			Estimated Cumulative Expenses (December 2010) [2]			Forecasted Remaining Budget			% of Total Budget Remaining	6th Quarterly Forecast			% of Remaining Budget
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share		Total	State	Local	
Formula	a	b	c=axb <small>*Based on Overall Workplan</small>	d = b-c	e	f=axe	g = e-f	h=b-e	i=c-f	j=d-g		k	l=axk	m=k-l	
<b>Element 3: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Support Work</b>															
3-2.3: Preliminary Design	70%	\$1,378,778	\$965,145	\$413,633	\$1,368,300	\$957,810	\$410,490	\$10,478	\$7,335	\$3,144	1%	\$0	\$0	\$0	0%
3-2.4: Permitting Preparation	70%	\$225,344	\$157,741	\$67,603	\$33,937	\$23,756	\$10,181	\$191,407	\$133,985	\$57,422	85%	\$0	\$0	\$0	0%
3-2.5: Right of Way Support	70%	\$2,150,767	\$1,505,537	\$645,230	\$1,021,568	\$715,097	\$306,470	\$1,129,199	\$790,439	\$338,760	53%	\$280,000	\$196,000	\$84,000	25%
3.1: Final Design	70%	\$2,279,307	\$1,605,515	\$673,792	\$1,814,909	\$1,270,436	\$544,473	\$464,398	\$335,079	\$129,319	20%	\$0	\$0	\$0	0%
3.2: Permitting	70%	\$702,461	\$491,723	\$210,738	\$193,132	\$135,193	\$57,940	\$509,329	\$356,530	\$152,799	73%	\$180,000	\$126,000	\$54,000	35%
3.4: Construction Management	70%	\$2,175,000	\$1,522,500	\$652,500	\$5,000	\$3,500	\$1,500	\$2,170,000	\$1,519,000	\$651,000	100%	\$125,000	\$87,500	\$37,500	6%
3.5: Environmental Mitigation	70%	\$415,091	\$290,564	\$124,527	\$187,480	\$131,236	\$56,244	\$227,611	\$159,328	\$68,283	55%	\$200,000	\$140,000	\$60,000	88%
3.6: O&M Manual addendum	70%	\$189,419	\$132,593	\$56,826	\$374	\$262	\$112	\$189,045	\$132,331	\$56,713	100%	\$0	\$0	\$0	0%
<b>Subtotal Element 3</b>		<b>\$9,516,168</b>	<b>\$6,671,317</b>	<b>\$2,844,850</b>	<b>\$4,624,699</b>	<b>\$3,237,290</b>	<b>\$1,387,410</b>	<b>\$4,891,468</b>	<b>\$3,434,028</b>	<b>\$1,457,440</b>	<b>51%</b>	<b>\$785,000</b>	<b>\$549,500</b>	<b>\$235,500</b>	<b>16%</b>

\*6QYubaElem3\*

[1] Revised per this Upper Yuba 5th Quarterly Work Plan.

[2] Reflects estimated expenses through the 5th Quarter based on prior actual expenses through September 30, 2010 and estimated of expenses from October to December based on the 5th Quarterly Work Plan with necessary adjustments based on actuals expenses.

## TRLIA Quarterly Work Plan Budget Upper Yuba

For Period January/February/March 2011

### ELEMENT 4

Elements and Features	State Share Percentage	Revised Overall Budget [1]			Estimated Cumulative Expenses (December 2010) [2]			Forecasted Remaining Budget			% of Total Budget Remaining	6th Quarterly Forecast			% of Remaining Budget
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share		Total	State	Local	
Formula	a	b	c=axb <small>*Based on Overall Workplan</small>	d = b-c	e	f=axe	g = e-f	h=b-e	i=c-f	j=d-g		k	l=axk	m=k-l	
Element 4: Levee Improvements (Slurry Wall and Waterside Slope Erosion Protection) Construction - Sta 102+50 to 303+59															
4.1 - Construction	70%	\$9,800,000	\$6,924,000	\$2,876,000	\$17,678	\$12,375	\$5,303	\$9,782,322	\$6,911,625	\$2,870,697	100%	\$0	\$0	\$0	0%
<b>Subtotal Element 4</b>		<b>\$9,800,000</b>	<b>\$6,924,000</b>	<b>\$2,876,000</b>	<b>\$17,678</b>	<b>\$12,375</b>	<b>\$5,303</b>	<b>\$9,782,322</b>	<b>\$6,911,625</b>	<b>\$2,870,697</b>	<b>100%</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0%</b>

\*6QYubaElem4\*

[1] Revised per this Upper Yuba 5th Quarterly Work Plan.

[2] Reflects estimated expenses through the 5th Quarter based on prior actual expenses through September 30, 2010 and estimated of expenses from October to December based on the 5th Quarterly Work Plan with necessary adjustments based on actuals expenses.

## TRLIA Quarterly Work Plan Budget Upper Yuba

For Period January/February/March 2011

ELEMENT 5

Elements and Features	State Share Percentage	Revised Overall Budget [1]			Estimated Cumulative Expenses (December 2010) [2]			Forecasted Remaining Budget			% of Total Budget Remaining	6th Quarterly Forecast			% of Remaining Budget
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share		Total	State	Local	
Formula	a	b	c=axb <small>*Based on Overall Workplan</small>	d = b-c	e	f=axe	g = e-f	h=b-e	i=c-f	j=d-g		k	l=axk	m=k-l	
<b>Element 5: Prior Completed Work</b>															
5.1 - Prior Completed Work	70%	\$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	-27%	\$0	\$0	\$0	0%
<b>Subtotal Element 5</b>		<b>\$7,682,162</b>	<b>\$5,377,514</b>	<b>\$2,304,649</b>	<b>\$9,760,791</b>	<b>\$6,832,554</b>	<b>\$2,928,237</b>	<b>-\$2,078,629</b>	<b>-\$1,455,040</b>	<b>-\$623,589</b>	<b>-27%</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0%</b>

\*6QYubaElem5\*

[1] Revised per this Upper Yuba 5th Quarterly Work Plan.

[2] Reflects estimated expenses through the 5th Quarter based on prior actual expenses through September 30, 2010 and estimated of expenses from October to December based on the 5th Quarterly Work Plan with necessary adjustments based on actuals expenses.

## TRLIA Quarterly Work Plan Budget Upper Yuba

For Period January/February/March 2011

ELEMENT 6

Elements and Features	State Share Percentage	Revised Overall Budget [1]			Estimated Cumulative Expenses (December 2010) [2]			Forecasted Remaining Budget			% of Total Budget Remaining	6th Quarterly Forecast			% of Remaining Budget
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share		Total	State	Local	
Formula	a	b	c=axb <small>*Based on Overall Workplan</small>	d = b-c	e	f=axe	g = e-f	h=b-e	i=c-f	j=d-g		k	l=axk	m=k-l	
<b>community relations support, land management support,</b>															
6.1 - TRLIA Salaries/Benefits	70%	\$1,270,714	\$889,500	\$381,214	\$222,338	\$155,636	\$66,701	\$1,048,376	\$733,863	\$314,513	83%	\$68,731	\$48,112	\$20,619	7%
6.2 - TRLIA Consultant Exp.	70%	\$1,260,377	\$882,264	\$378,113	\$289,545	\$202,682	\$86,864	\$970,832	\$679,582	\$291,249	77%	\$76,367	\$53,457	\$22,910	8%
6.3 - TRLIA Legal Support	70%	\$1,044,235	\$730,964	\$313,270	\$135,524	\$94,867	\$40,657	\$908,711	\$636,098	\$272,613	87%	\$22,910	\$16,037	\$6,873	3%
6.4 - TRLIA Travel Expenses	70%	\$9,992	\$6,995	\$2,998	\$424	\$297	\$127	\$9,568	\$6,698	\$2,870	96%	\$382	\$267	\$115	4%
6.5 - TRLIA General Expenses	70%	\$356,643	\$249,650	\$106,993	\$51,902	\$36,331	\$15,571	\$304,741	\$213,319	\$91,422	85%	\$15,273	\$10,691	\$4,582	5%
6.6 - TRLIA Insurance	70%	\$469,119	\$328,383	\$140,736	\$121,213	\$84,849	\$36,364	\$347,906	\$243,534	\$104,372	74%	\$0	\$0	\$0	0%
6.7 - TRLIA Travel - Vehicle Leas	70%	\$26,714	\$18,700	\$8,014	\$4,917	\$3,442	\$1,475	\$21,797	\$15,258	\$6,539	82%	\$913	\$639	\$274	4%
6.8 - TRLIA Memberships	70%	\$19,119	\$13,383	\$5,736	\$0	\$0	\$0	\$19,119	\$13,383	\$5,736	100%	\$0	\$0	\$0	0%
<b>Subtotal Element 6</b>		<b>\$4,456,913</b>	<b>\$3,119,839</b>	<b>\$1,337,074</b>	<b>\$825,863</b>	<b>\$578,104</b>	<b>\$247,759</b>	<b>\$3,631,050</b>	<b>\$2,541,735</b>	<b>\$1,089,315</b>	<b>81%</b>	<b>\$184,577</b>	<b>\$129,204</b>	<b>\$55,373</b>	<b>5%</b>

\*6QYubaElem6\*

[1] Revised per this Upper Yuba 5th Quarterly Work Plan.

[2] Reflects estimated expenses through the 5th Quarter based on prior actual expenses through September 30, 2010 and estimated of expenses from October to December based on the 5th Quarterly Work Plan with necessary adjustments based on actuals expenses.

## TRLIA Quarterly Work Plan Budget Upper Yuba

For Period January/February/March 2011

### ELEMENT 7

Elements and Features	State Share Percentage	Revised Overall Budget [1]			Estimated Cumulative Expenses (December 2010) [2]			Forecasted Remaining Budget			% of Total Budget Remaining	6th Quarterly Forecast			% of Remaining Budget
		Total	State	Local	Total	State Share	Local Share	Total	State Share	Local Share		Total	State	Local	
Formula	a	b	c=axb <small>*Based on Overall Workplan</small>	d = b-c	e	f=axe	g = e-f	h=b-e	i=c-f	j=d-g		k	l=axk	m=k-l	
<b>Element 7: Right of Way Capital</b>															
7-3.3 - Right of Way Capital	70%	\$2,620,845	\$1,834,592	\$786,254	\$1,761,508	\$1,233,056	\$528,453	\$859,337	\$601,536	\$257,801	33%	\$140,000	\$98,000	\$42,000	16%
<b>Subtotal Element 7</b>		<b>\$2,620,845</b>	<b>\$1,834,592</b>	<b>\$786,254</b>	<b>\$1,761,508</b>	<b>\$1,233,056</b>	<b>\$528,453</b>	<b>\$859,337</b>	<b>\$601,536</b>	<b>\$257,801</b>	<b>33%</b>	<b>\$140,000</b>	<b>\$98,000</b>	<b>\$42,000</b>	<b>16%</b>

\*6QYubaElem7\*

[1] Revised per this Upper Yuba 5th Quarterly Work Plan.

[2] Reflects estimated expenses through the 5th Quarter based on prior actual expenses through September 30, 2010 and estimated of expenses from October to December based on the 5th Quarterly Work Plan with necessary adjustments based on actuals expenses.



- **A discussion on how the projected schedule compares to original or last reported schedule:**
  - **Element 2 Feature 2:** Schedule extended to January 2011 for NEPA actions
  - **Element 3 Feature 5:** Adjusted schedule to reflect F&WS B.O. Amendment being received in January 2011 and CVFPB encroachment permit for Anderson Mitigation site in January 2011
  
- **A list of any changes anticipated during the time period covered by the Quarterly Work Plan as compared to the latest reported schedule:** Cost of the construction project is decreasing due to shallower cut-off walls that originally anticipated.

## **7. Attachments:**

1. Overall Work plan Tab D Project Element 1: Waterside slope flattening permit list
2. Updated Overall Work plan Tab D Project Element 2 & 3: Remaining Work permit list

## Attachment 1

### 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 2

### Tab D: Project Element and Features Permits & Environmental Documents

#### 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 3**  
**Tab D: Project Element and Features Permits & Environmental Documents**

**Upper Yuba River Levee: Remaining Work**

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

			<ul style="list-style-type: none"> <li>• BO issued August 16, 2010</li> </ul>
U.S. Fish and Wildlife Service	Endangered Species Act Compliance (Biological Opinion)	Pending	<ul style="list-style-type: none"> <li>• F&amp;WS is amending B.O. to include dormant season elderberry shrub transplant</li> <li>• Amendment anticipated in January 2011</li> </ul>
National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	No	<ul style="list-style-type: none"> <li>• The project will avoid take of listed fish species</li> </ul>
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance (2081)	No	<ul style="list-style-type: none"> <li>• Project design and mitigation measures prevent take of threatened and endangered species</li> </ul>
DFG	Streambed Alteration Agreement	No	<ul style="list-style-type: none"> <li>• All ground disturbances are above the Yuba River ordinary high water mark and no alterations to the streambed will occur.</li> </ul>
California State Lands Commission (SLC)	Encroachment Permit	No	<ul style="list-style-type: none"> <li>• All ground disturbances are above the Yuba River ordinary high water mark and outside SLC jurisdiction.</li> </ul>
California Department of Forestry	Conversion of timberland to other uses.	No	<ul style="list-style-type: none"> <li>• No timberland conversion is required for the project.</li> </ul>
The Resources Agency	Cancellation of Williamson Act Contract	No	<ul style="list-style-type: none"> <li>• No Williamson Act contract cancellations are required to implement the project.</li> </ul>
California Department of Transportation (Caltrans)	Encroachment on or across a State highway	No	<ul style="list-style-type: none"> <li>• Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70).</li> </ul>
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	<ul style="list-style-type: none"> <li>• HDR on behalf of TRLIA contacted NAHC on November 25, 2009</li> <li>• NAHC responded on December 3, 2009 with negative results for its search of the Sacred Lands File; no further action necessary</li> </ul>
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	<ul style="list-style-type: none"> <li>• SHPO issued no adverse impact determination on Sep 10, 2010</li> </ul>
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	<ul style="list-style-type: none"> <li>• Encroachment Permit Application anticipated to be signed March/April 2010</li> </ul>
Yuba County	Grading Permit	Yes	<ul style="list-style-type: none"> <li>• Permit issued November 2010</li> </ul>

State Mining and Geology Board (SMGB)	SMARA Permit	No	<ul style="list-style-type: none"> <li>• Received SMGB exemption letter on May 18, 2010</li> <li>• Current approach is to use on site borrow site (exempt from SMARA) and also make the contractor provide additional soil from commercial site.</li> </ul>
CEQA	IS/MND	Yes	<ul style="list-style-type: none"> <li>• Initiation June 2009</li> <li>• CEQA IS/MND Approved April 20, 2010</li> </ul>
NEPA	EA/FONSI	Pending	<ul style="list-style-type: none"> <li>• First Admin Draft EA submitted to Corps February 2010</li> <li>• <b><i>EA/FONSI is completed – Corp District office is waiting for 408 approval to sign FONSI. Anticipate signing in January 2011</i></b></li> </ul>
Section 104 Credit	Future federal projects cost sharing	Pending	<ul style="list-style-type: none"> <li>• Application March/April 2010</li> <li>• Anticipate Approval <b><i>Feb/Mar 2011</i></b></li> </ul>

