



May 19, 2009

**To: YLFA Financial Committee**  
**From: Paul Brunner, TRLIA Executive Director**

**RE: TRLIA Project Summary Report**

➤ **Funding:**

- State EIP funding for Feather River Project is day to day – Project is on State exempt list and is included in the recent State Bond sales - \$11.2 million due now!
- Contingency
  - \$6.16 million for Yuba.
  - \$7.46 million for Feather / Remainder of Project
- Segment 1 cost sharing request with State is still pending – additional information provided to State
- Davit Appeal has gone to mediation. Date is May 27, 2009
- Landowner levee local share payment is still pending – Nordic Segment 1 retention is still on **hold**.
- DWR reviewing request to DWR to include Regulatory Setback design changes into Feather EIP Agreement (\$4.9 million)
- DWR reviewing Request to DWR to include Erosion Site 2 cost into Feather River EIP Agreement (\$855,000)
- YLFA funding is needed this quarter, see funding scenario paper

➤ **Feather River Work Overview & Schedule Update:**

- Feather River Segment 3 – Erosion site 2:
  - Design being completed
  - Construction Award projected for July 2009 – Most likely Contract Mod to Nordic
  - Cost is currently in cash flow as a local expense (\$855,000)
  - Request made to incorporate cost into Feather River EIP Agreement with 70% State cost share.
- Feather River Segment 1 – crack:
  - Technical Agreement on Segment 1 crack is still pending.
    - Submitted consolidated technical report to DWR
    - Third party review (Les Harder from HDR) of problem accomplished - found no contractor or consultant fault
  - \$500,000 is in cash flow construction estimate (May 09) now to fix crack.

- Feather Segments 2 construction work is gearing back up for construction – Setback (contractor is Teichert)
  - Awarded tie-in construction contract to Teichert at April 21<sup>st</sup> TRLIA Board meeting
    - Teichert started north tie-in work – levee being degraded
    - 104 credit letter from Corps received
    - 408 Requirement: Safety Assurance Plan (SAR) – Corps approval received
    - 404 Requirement: Wetlands mitigation escrows for construction and performance bonding (\$220,285.96); and endowment (\$430,289) have been set up with assistance by Yuba County/TRLIA Treasurer. Funding (\$650,574.96 total) deposited.
    - 2081 DFG permit to be issued by end of April 09 – needed prior to start of south tie-in construction – still pending.
  - On April 15<sup>th</sup> the SMGB issued TRLIA an Order to Comply for surface mining operations at the Platter/JTS and Ella borrow sites.
    - The SMGB Order transmittal letter and Order require TRLIA to accomplish the following items:
      1. Letter: Provide proposed interim financial assurance amount to SMGB by April 30<sup>th</sup>. Status: Submitted on April 17, 2009. SMGB approved at May 14 Board meeting.
      2. Order: Obtain an approved SMGB State Reclamation Plan by July 9<sup>th</sup> for the Platter/JTS and Ella Borrow sites. Status: The Plan has been submitted
      3. Order: Obtain approved SMGB financial assurance by July 9<sup>th</sup> for the Platter/JTS and Ella Borrow sites. Status: The financial assurance is being prepared
      4. Order: Obtain an approved County surface mining permit. Status: TRLIA has coordinated the SMGB action with Yuba County. The County has determined that the Ella site does not require any further permits, and that the Platter/JTS does require a mining permit. Per discussion with the County, TRLIA has applied for an Ordinance amendment that provides a process for the County to allow for excavation/earthwork (mining) for flood protection purposes at the Platter/JTS site in a residential zone (not currently allowed). The CUP is for the actual mining activity for that portion of the project that is not exempt from SMARA.
    - This matter will be heard at the July 9, 2009 SMGB meeting

- New Cultural Site status:
  - On 4-10-09 TRLIA was able to reach agreement with Enterprise Rancheria on what is needed to be done to modify the Feather River Setback levee design for the recently found cultural site just north of Star Bend.
  - The alternative selected was to “Widen levee/maintain alignment”.
  - The estimated cost of the selected alternative is approximately \$1 million, which will come from project contingencies. Cost is in current cost flow.
  - GEI will immediately begin the redesign of this portion of the levee and then seek DWR and Corps approval.
  - Anticipate the redesign and agency approval to take several months with levee construction beginning on the south tie-in by late June or early July.
- Existing Feather River Levee degradation – encroachment permit application submitted to CVFPB
  - Working with Corps and CVFPB on levee degrade requirements
  - CVFPB to consider encroachment permit at either June or July meeting
  - Anticipate levee degrade to begin in Fall once Setback levee is significantly completed
- Levee Certification Status:
  - GEI preparing certification documents for Segment 1 and 3 work now.
    - Will include erosion site 2 and crack info when work is done this summer.
  - GEI will prepare certification documents for Segment 2 once work is done this summer.
  - Anticipate certification to be complete for Feather River late 2009.

➤ **Yuba River Work Overview & Schedule Update:**

- EIP Application approved by review panel - anticipate agreement in -June 2009
  - Credit from prior work will help local share
  - Need Assessment District to be approved for final Decision by Snow and then DGS review and sign off.
  - Additional items needed for Agreement
    - Agreement to seek 104 credit resolution (YCWA and TRLIA)
    - Flood Risk Resolution (County)
    - Acceptance of funding (TRLIA)
    - OMRR&R Resolution (RD784, TRLIA, and CVFPB)
    - Overall Work Plan (TRLIA)
- Slope flattening work under design by HDR - anticipated to be awarded in late July 09
- Work between Simpson Lane and Goldfields is scheduled for 2010

- HDR design contract approved by TRLIA Board (\$2.4 million) On May 12<sup>th</sup> – design environmental documents, and permit applications underway.

➤ **Future Potential Cost Elements:**

- 200 year certification threshold – potentially new criteria from DWR, being assessed
- Levee Certification (s) by private consultant cost (contingency item)
  - Meeting with GEI - \$75,000 for Segments 1 & 3
  - Downey Brand checking out TRLIA and MBK professional liability insurance coverage and potential need
- Additional GEI costs due to engineering and potential permitting cost for Cultural site (contingency item)
- Additional HDR costs for Yuba River levee engineering and permitting cost (EIP application)
- Addition BRI and Downey Brand Right of Way and Legal costs for Yuba River levee work (EIP Application)

➤ **TRLIA Assessment District Status:**

- Ballots mailed
- Voting ends May 12, 2009
- Results announced June 2, 2009