



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

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Project Status Report dated July 6, 2009

(Submitted to The Central Valley Flood Protection Board for the July 17, 2009 meeting)

A progress report of the various phases of the Three Rivers Levee Improvement Authority (TRLIA) project is provided in the followings sections of this document. Updates are indicated with italics and underline.

1. Administrative and Other Items:

- a. State Prop 1E funding has begun to flow again for the Feather Prop 1E payment EIP. TRLIA has received two payments (total \$21.8 million) in the last month for the Feather Setback Levee.

2. Levee Design and Construction Work:

a. **Phase 4 – Yuba River Levee between Hwy 70 and the Goldfields:**

- 1) TRLIA has submitted a \$67 million application to DWR for this fiscal year EIP program. The DWR decision document and funding agreement are still under review and are expected to be executed this month (July 09). Once the EIP agreement is executed TRLIA plans to do the slope flattening work between Hwy 79 and the UPRR railroad this summer. All environmental documentation and permits for the slope flattening work have been obtained. The work from Simpson Lane up to the Goldfields area is planned to begin in 2010. TRLIA has asked the CVFPB to consider initiating the federal 408 environmental process now in order to allow the various necessary environmental actions to begin immediately, so that they can be completed in time to allow the design to be accomplished and construction start in 2010.

b. **Phase 4 – Feather River Levee between Bear and Yuba Rivers:**

1) **Segment 1:**

- a) Segment 1 Crack: CVFPB Staff has given conditional approval to a repair for the crack subject to the receipt of additional details on the repair. TRLIA supplied these additional details on June 29, 2009. The repair is anticipated to begin in July. In addition to the repair the CVFPB requires TRLIA to continue the monitoring at the crack site for five more years. The monitoring

requirement is being incorporated into the Draft O&M Addendum for Segments 1&3 that is currently under review.

2) **Segment 2:**

a) Part A of encroachment permit:

- Earth moving operations began in late April and are continuing. Placement has averaged 26,000 cubic yards a day over the last two weeks with several days reaching a volume of 30,000 cubic yards a day depending on the weather. Only 32% of the embankment remains to be constructed.
- On April 9, 2009, the State Mining and Geology Board (“SMGB”) heard TRLIA’s request for an exemption from the California Surface Mining and Reclamation Act (“SMARA”). TRLIA sought a determination that the Platter/JTS Borrow and the Ella Borrow sites were each exempt from SMARA as either onsite construction or as a one-time exemption (Public Resources Code § 2714(b), (f).). At the SMGB meeting the Board voted unanimously to require TRLIA to submit a reclamation plan and financial assurances for the two borrow sites. However, the Board also made it clear at the meeting that they wanted the project to continue given public safety concerns if the project was delayed. On April 15th 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 30th. Status: Submitted on April 17, 2009. SMGB approved at meeting on May 14. TRLIA provided the interim financial assurance to the SMGB.
 2. Order: Obtain an approved SMGB State Reclamation Plan by July 9th for the Platter/JTS and Ella Borrow sites. Status: The plan was submitted on May 1. SMGB comments on the plan were received on June 2. TRLIA has revised the plan and provided an updated plan to SMGB on July 1. The SMGB will consider approving the plan at their July 9, 2009 meeting.
 3. Order: Obtain approved SMGB financial assurance by July 9th for the Platter/JTS and Ella Borrow sites. Status: TRLIA has provided the necessary financial assurance to the SMGB. SMGB will consider approving the proposed financial assurance at their July 9th meeting.
 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 site 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. The County continues to work this item.

b) Part B: of encroachment permit:

- An intact archaeological feature and prehistoric cultural midden deposit including skeletal elements of an infant and an adult have been discovered in the vicinity of the south tie-in of the setback levee. The subsurface material is within the footprint of the proposed levee and stabilization berm. Efforts to more precisely determine the lateral extent of the site have been completed. TRLIA continues coordination with the Corps and the Enterprise Rancheria according to the protocols established in the adopted Historic Properties Treatment Plan to determine mitigation measures to offset impacts at this cultural site. The Rancheria has agreed on an alternative design (widen levee and cover the cultural site) at the cultural site. TRLIA has received comments on the proposed redesign. TRLIA is revising the design and preparing responses to comments. TRLIA is working towards approval of the modification by the end of July for implementation in early August.
- Department of Fish and Game (DFG) has not finalized the 2081 permit. TRLIA has coordinated construction efforts with DFG and is proceeding in a manner that will not result in injury to any species of concern.
- The tie-in foundation and continuing embankment work was awarded on April 22 to Teichert. The foundation slurry wall at the North Tie-In has been completed. Embankment construction at the north tie-in has started. The South Tie-In work at Star Bend began in late June. Foundation slurry wall construction at the South Tie-in is scheduled to begin on July 8. The foundation slurry wall can be constructed without impacting the cultural site in this area.

- c) **Existing Levee Degrade:** TRLIA submitted an encroachment permit application on November 17, 2008 for degradation of the existing Feather East levee being replaced by the Feather Setback levee. Degradation is proposed to begin when the Setback Levee is substantially complete around mid summer 2009. Discussion at the June Board meeting identified some concerns by the Board regarding mitigation plantings and conservation easement in the setback area. TRLIA has met with CVFPB and DWR Staff to explain the need for and describe the mitigation areas and also discuss wording of the conservation easement. TRLIA has also clarified that the hydraulic analysis used for design of the setback levee used the conservative assumption that the entire setback area could someday be entirely in riparian vegetation. Therefore mitigation plantings will not impair the hydraulic functioning of the setback levee. TRLIA is working with the CVFPB and DWR Staff to bring additional information on the hydraulic analysis, mitigation areas, and conservation easement to the Board at the July meeting. Levee degrade is proposed to begin in Mid August 2009 in order to achieve the following benefits:

1. Reduction in construction time period
2. Provides for flood flow expansion in the Feather River
3. Allows for an early fill of setback area borrow sites beneficial for surface drainage requirements and prevention of fish entrapment
4. Removes potential hazard of unfilled borrow sites for public safety
5. Allows for wetland mitigation required by the Section 404 permit
6. Allows for early restoration of the Platter borrow site returning the property to agricultural uses
7. Significant cost savings

3) **Segment 3:** TRLIA plans to construct erosion protection this summer at the confluence of the Feather and Yuba Levees in Segment 3. This erosion protection was identified as necessary by the Corps of Engineers and required before this reach of levee could be certified. TRLIA has applied for an encroachment permit and has asked that this permit be considered at the July Board Meeting.

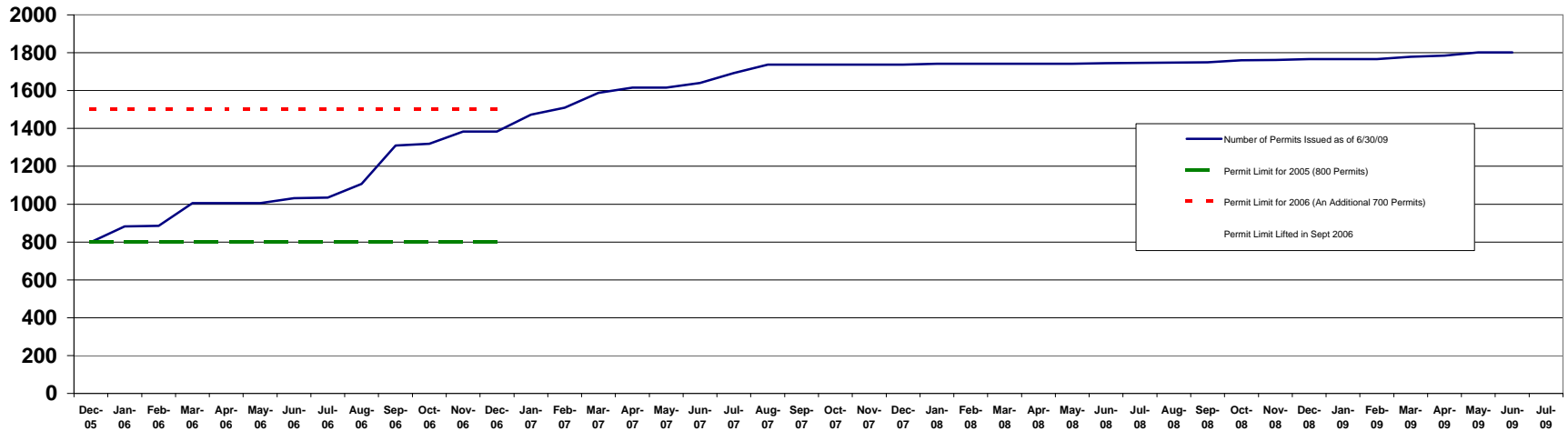
3. Building Permits Issued in Plumas Lake Specific Plan Area and North Arboga Study Area in 2009:

- a. The attached table and graph provides information related to residential building permits issued for the Plumas Lake Plan Area (PLSPA) and the North Arboga Study Area (NASA) within Yuba County in 2009.
- b. As shown in the table, a total of 34 building permits have been issued in 2009. No permits were issued in June of 2009.

Attachments:

1. Building permit graphic
2. Building permit table

Building Permits Issued in TRLIA Project Area



Plumas Lake Specific Plan Area and North Arboga Study Area - Building Permits Issued in 2009

| Developer/Builder | Monthly Building Permits Issued for Plumas Lake and North Arboga Study Area | | | | | | | | | | | | Total (By Builder) | |
|--------------------------------|---|------|----------|------|-----------|------|----------|------|-----------|------|----------|------|-----------------------|----|
| | Jan-09 | | Feb-09 | | Mar-09 | | Apr-09 | | May-09 | | Jun-09 | | | |
| | Plumas | NASA | Plumas | NASA | Plumas | NASA | Plumas | NASA | Plumas | NASA | Plumas | NASA | | |
| KB Homes North Bay | | | | | | 11 | | 7 | 16 | | | | | 34 |
| Cresleigh Homes | | | | | | | | | | | | | | 0 |
| Forecast Homes/K Hovnanian | | | | | | | | | | | | | | 0 |
| Homes by Towne/HBT Constr. | | | | | | | | | | | | | | 0 |
| Beazer Homes | | | | | | | | | | | | | | 0 |
| California Homes/Home Builders | | | | | | | | | | | | | | 0 |
| Cassano Kamilos Homes | | | | | | | | | | | | | | 0 |
| D.R. Horton/Western Pacific | | | | | | | | | | | | | | 0 |
| Other | | | | | | | | | | | | | | 0 |
| Monthly Totals | 0 | | 0 | | 11 | | 7 | | 16 | | 0 | | 34 | |

Total Permits for 2009 34
As of June 30, 2009