



TRLIA
32th QUARTERLY WORK PLAN
FOR
FEATHER RIVER LEVEE
IMPROVEMENT PROJECT

1. **32nd Quarterly Work Plan for quarter: January 1 – March 31, 2015**
2. **Date of Report: January 12, 2016 (Updated 4-14-2016 by DWR comments on FAP status)**
3. **32nd Quarter Work Plan Summary:**

Per DWR's direction provided on December 23, 2015, because there are no outstanding construction elements and DWR is no longer releasing advances for the FRLIP, analysis of projected costs have been excluded from this Report. In addition, Section 5 of this report has been reduced to reflect fact that there is no longer a need to provide a request for advances.

4. Project Element Information:

- **Project Element Information:**

- All Project Elements and Features: The 3rd Funding Agreement Amendment was approved on May 28, 2014, which extended the Funding Agreement date to June 30, 2016.
- *Effective the 29th quarter the narrative text for completed Elements and Features have been deleted from the report. The deleted items will continue to be shown in the schedule and financial update portions of the report.*

- **Engineering and construction matters:**

- **Element 1 - Land Acquisition**

- **Feature 1 (Segment 2/Setback Levee)**

- **Land Transfer:** During the 32nd quarter TRLIA will continue to work on transferring property to the state. The actual land transfer to the state by the current as Feather EIP funding agreement termination date (June 30, 2016) became problematic during the 30th quarter. TRLIA and the state have made good progress on resolving FAP and cadastral issues, but the

implementation of the cadastral solutions is taking a long time due to the extra work needed with the former property owners. Also, the state review of TRLIA's request to allow TRLIA to continue to own the Orchards in the Setback area (at a nominal price) in order to provide revenue for the O&M of future state and TRLIA actions in the Setback Area has taken much longer than anticipated. These issues and other related land transfer issues will most likely cause the funding agreement to be extended again. It is anticipated that TRLIA will be requesting a funding agreement extension during the 32nd quarter.

This item is listed in the Issues/Concerns portion of this report.

- **Final Accounting Packages (FAPs) and Cadastral Requirements:** During the 32nd quarter TRLIA will continue to work on FAPs and resolving cadastral issues as they come up. DWR and TRLIA have agreed to a solution that will resolve the cadastral requirements for Segment 2. Cadastral has given conditional approval for the Foster, Nieschulz, and Souza properties, with requirement that the deeds be re-recorded or that corrective deeds be recorded to correct cadastral errors in the TRLIA recorded real estate description. Both Foster and Nieschulz are agreeable and hopefully will execute the Quit claim or corrective deeds in the 31st quarter or 32nd quarter. As of the date of this report, Souza has not opted to agree to the Quit claim approach; however, it is anticipated that by the 32nd quarter the Souza Quit claim will be finalized.

TRLIA will continue to work with the state to finalize FAPS as indicated in Table 1.

Table 1 – List of FAPs and Cadastral Approval Status

Number	CVFPB #	Owner	Number of Parcels	DWR RE Approval Status	DWR Cadastral Approval Status
1	14001	J.M. Smith	2	Approved 8-20-2015	Pending
2	14002	Danna	3	Approved 11-5-2015	Approved 4-8-14
3	14003	Mann	1	Approved 1-7-2015	Approved 3-27-14
4	14004	Mann	1	Approved 11-14-2014	Approved 4-8-14
5	14005	Davit	1	Approved 8-28-2015	Approved 4-8-14 8-28-2015

Number	CVFPB #	Owner	Number of Parcels	DWR RE Approval Status	DWR Cadastral Approval Status
6	14006	Terry	1	Approved 9/22/15	Approved 2-2-2015
7	14007	Naumes	4 (2 in Sutter County)	Approved 4-14-2010	Approved 4-10-14
8	14008	T. Rice	1	Approved 6-25-2014	Approved 4-10-14
9	14009	B. Heir	1	Approved 3-6-2012	Approved 4-8-14
10	14010	Dang	1	Approved 2-22-2013	Approved 4-8-14
11	14011	Uppal	1	Approved 6-25-2014	Approved 3-27-14
12	14012	Anderson	2	Approved 6-25-2014	Approved 3-27-14
13	14013	Nordic	1	Approved 12-12-2012	Approved 3-27-14
14	14014	Johl	1	Approved 3-4-2010	Approved 3-27-14
15	14015	Webb	1	Approved 3-4-2010	Approved 3-27-14
16	14016	H&H Trenching	1	Approved 3-4-2010	Approved 3-27-14
17	14017	P.F. Rice	1	Approved 6-25-2014	Approved 3-27-14
18	14018	Hadley	1	Approved 10-16-2013	Approved 3-27-14
19	14019	T. Miller	1	Approved 1-7-2013	Approved 3-27-14
20	14020	Maxey	1	Approved 3-4-2010	Approved 3-27-14
21	14021	P. Heir	1	Approved 3-9-2012	Approved 4-8-2014
22	14022	Foster Residence	1	Approved 1-7-2015	Conditionally Approved 1-28-2015
23	14022	Foster	5	Approved 1-7-2015	Conditionally Approved 1-28-2015

Number	CVFPB #	Owner	Number of Parcels	DWR RE Approval Status	DWR Cadastral Approval Status
24	14023	L. Nieschulz	1	Approved 10-23-2015	Conditionally Approved 1-28-2015
25	14024	Souza	1	Approved 1-3-2013	Conditionally Approved 1-28-2015
26	14025	Herold	1	Approved 6-25-2014	Conditionally Approved 4-8-14
27	14026	Flores	1	Approved 6-15-2011	Approved
28	14027	Foster, et al bar property	1	Approved 6-25-2014	Conditionally Approved
29	14078	S. Nieschulz	1	Approved 11-5-2015	Conditionally Approved
			40	29/29	28/29

Tables 2 – 4 provide the FAP status.

o **Table 2 – Final Accounting Packages at DWR for Approval**

CVFPB	APN	OWNER	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	STATE REMAINING BALANCE
14002	013-010-010; 013-010-035	Danna Investments	\$1,301,597.17	\$1,078,042.65	\$(140,293.78)
14078	016-010-016	Susanna M. Nieschulz Trust	\$1,406,403.88	\$1,164,848.39	\$19,362.66

Table #3 – Final Accounting Packages APPROVED by DWR

CVFPB	APN	OWNER	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	STATE REMAINING BALANCE
14001	013-010-046; 013-010-026	J.M.Smith, et al.	\$289,900.00	\$235,967.29	\$125,810.29
14003	013-010-013	Joga S. Mann, et ux	\$1,458,474.69	\$1,207,975.83	\$172,668.33
14004	013-010-016	Joga S. Mann, et ux	\$11,200.00	\$9,276.36	\$9,276.36

*Feather River Levee Improvement Project
32nd Quarterly Work Plan
January 12, 2016*

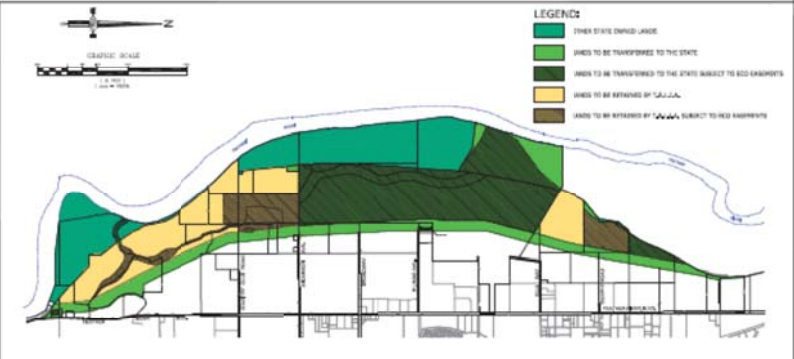
CVFPB	APN	OWNER	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	STATE REMAINING BALANCE
14005	013-010-014	Satinder N. Davit, et ux	\$2,975,063.08	\$2,464,084.10	\$(7,192.49)
14006	014-240-022	Nora Lee Terry Trust	\$128,800.00	\$106,678.08	\$1,649.03
14007	014-250-028; 014-250-027	Naumes, Inc.	\$17,548,012.12	\$14,534,070.85	\$(4762.41)
14008	014-250-029	T. Rice, et. ux.	\$211,721.00	\$175,357.07	\$38,294.09
14009	014-290-004	B. Heir, et al.	\$546,122.12	\$452,323.46	\$(1.07)
14010	014-290-033	Quinn X. Dang	\$330,000.00	\$273,321.18	\$(717.80)
14011	014-290-034	R.S. Uppal, et. ux.	\$731,350.00	\$605,737.71	\$302,886.02
14011	014-290-034	R. S. Uppal (excess land sale)	\$(388,321.00)	\$(321,625.31)	\$(321,625.31)
14012	014-370-039; 014-370-006	Gene R. Anderson	\$536512.24	\$444,364.12	\$173,782.11
14013	014-370-036	Nordic Industries, Inc.	\$1,125,000.00	\$931,776.75	\$(317,556.30)
14014	014-370-037	Jaspal S. Clar, et ux (Johl)	\$781,000.00	\$646,860.13	\$825.13
14015	014-370-026	R. E. Webb, et ux	\$785,000.00	\$650,173.11	\$0
14016	014-037-003	H&H Trenching, Inc.	\$293,500.00	\$243,090.20	\$4,140.08
14017	014-370-007	P.F. Rice, et ux	\$382,500.00	\$316,804.10	\$(2,164.88)
14018	014-370-033	Harold D. Hadley, Jr., Trust et al.	\$432,154.40	\$357,930.15	\$36,767.81
14019	014-370-033	T. Miller	\$1,020,000.00	\$844,810.92	\$0
14020	014-370-024	Steve Maxey, et ux	\$495,000.00	\$409,981.77	\$0
14021	014-370-017	P. Heir	\$18,500.00	\$15,322.55	\$0
14022	016-010-008	Foster Residence	\$51,404.99	\$42,575.98	\$22,830.03
14022	014-370-030; 014-370-029; 016-010-002; 016-010-007; 016-020-005	Foster Ranch	\$4,946,084.19	\$4,096,574.45	\$49,863.80
14023	016-010-006	Lloyd R. Nieschulz, et al.	\$43,771.96	\$36,253.95	\$21,495.63

CVFPB	APN	OWNER	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	STATE REMAINING BALANCE
14024	016-010-015; 016-010-016	F.D. Souza Trust	\$900.00	\$745.42	\$745.42
14025	016-010-009	Eleanor Herold	\$419,524.50	\$347,469.49	\$297,309.76
14026	016-010-010	Herminita Flores and Mark Aldrin Flores	\$167,000.00	\$138,317.08	\$(0.39)
14027	016-010-001	Foster et al Bar Property	\$105,000.00	\$86,965.83	\$1,113.88

Table #4 – Relocation Final Accounting Packages Approved by DWR

CVFPB	OWNER	SETTLEMENT AMOUNT	STATE SHARE	F.A.P. APPROVED	STATE REMAINING BALANCE
14002	Eden (Danna)	\$126,218.86	\$94,881.06	1/17/2013	\$(14,592.82)
14014	Mincher (Johl)	\$21,238.91	\$17,591.04	3/16/2012	\$(105,086.48)
14014	Johl	\$1,882.75	\$1,559.38	3/21/2012	\$ see Mincher above
14015	Webb	\$307,767.36	\$155,296.13	10/7/2013	\$99,610.91
14016	Timmins (H & H)	\$26,331.00	\$21,808.55	3/21/2012	\$(21,674.37)
14017	Cummings (P.F.Rice)	\$900.00	\$745.42	11/8/2012	\$745.42
14019	Miller	\$149,688.50	\$123,978.90	1/17/2013	\$(31,317.23)
14025	Herold	\$195,000.00	\$161,507.97	8/15/2012	\$161,507.97

- The graphic below presents TRRIA’s current usage of the property and anticipated transfer to the state. DWR is considering the modification of the Funding agreement



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
**FEATHER RIVER
 SETBACK LEVEE - SEGMENT 2**
 LAND TRANSFER AREAS
 COUNTY OF YUBA STATE OF CALIFORNIA

cta Engineering & Surveying		DRAWN BY: KAH		DATE: 04/21/2015		SHEET 1	
CHECKED BY: BJC		JOB NO: 06-088-005				OF 1	

○ **Feature 2 (Segment 3):**

- **Land Transfer:** During the 32nd quarter TRLIA and the state will continue to have discussions pertaining to land transfer.
- **FAPs and Cadastral:** During the 32nd quarter TRLIA will continue to work with the state to finalize FAPs and cadastral requirements. The information below in Tables 5 to 11 reflect the recent Real Estate actions and lists the status of the Segment 3 Final Accounting Packages:

Table 5: Segment 3 - List of FAPs and Cadastral Approval Status

Number	CVFPB #	OWNER	Number of Parcels	DWR RE Approval Status	DWR Cadastral Approval Status
1	14000	Steven Stewart, et ux	1	Approved 7-7-2014	Pending
2	14001	J.M. Smith	1	Approved 10/21/14	Pending
3	14028	Trumon G. Cooper Trust	3 different acquisitions. 2 resulted in Eminent Domain Action. The 3rd was a small portion of previously abandoned Virginia Avenue was granted willingly.	Approved 10/29/15	Pending
4	14029	Richard G. Wilbur Trust	2	Approved 10/30/15	Approved 10-22-2015
5	14030	Jourbee Khang, et ux	1	Approved 2-5-2013 & 4-17-2013	Pending
6	14031	State of California	1	Approved 5-24-2011	Approved 10-22-2015
7	14032	R.D. 784	1	Pending	Approved 10-22-2015
8	14033	Henry P. Smith	2	Approved 10/30/15	Approved 10-22-2015
9	14034	Linda County Water District	3	Approved 9/24/14	Approved 10-22-2015
10	14036	Richard G. Wilbur Trust	1	Approved 10/30/15	Approved 11-24-2015

Number	CVFPB #	OWNER	Number of Parcels	DWR RE Approval Status	DWR Cadastral Approval Status
11	14037	E Street MX, Inc.	1	Approved 8-10-2015	Approved 11-24-2015
12	14038	John Roth	1	Approved 7-7-2014	Approved 11-24-2015
13	14039	California Capital Loans	1	Approved 7-7-2014	Approved 11-24-2015
14	14040	John Roth	1	Approved 7-7-2014	Approved 11-24-2015
15	14041	Carolyn J. & Gary D. Tindel	1	Approved 7-7-2014	Approved 11-24-2015
16	14042	Salvation Army	2	Approved 11-5-2015	Pending
17	14043	Forrest Ray Miller	1	Approved 8-10-2015	Pending
18	14044	Vernon Adams	1	Approved 7-7-2014	Pending
19	14045	Ronald R. & Marcia E. Wessels	1	Pending	Pending
20	14046	Roadway	1	Pending	Pending
			27	17/20	11/20

Table 6 – Segment 3 – Parcels Not Yet Acquired

CVFPB	APN	OWNER	STATUS OF ACQUISITION	STATUS OF F.A.P. (target to be submitted to DWR)	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	COMMENTS
14032	020-330-007	RD 784	In Process				Will obtain at no cost
14046		Roadway	In Process				No ownership information available; still working with Title; may require legal action

Table 7– Segment 3 – Parcel Acquisitions and Final Accounting Packages being completed by BRI

CVFPB	APN	OWNER	STATUS OF ACQUISITION	STATUS OF F.A.P. (target to be submitted to DWR)	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	State Remaining Balance
14045	020-440-017	Max Hoseit (acquired by foreclosure from Ronald R. & Marcia E. Wessels)	Settled		\$7,000		Documents sent to escrow 5/18/15

Table 8– Segment 3 – Parcel Acquisitions and Final Accounting Packages at Downey Brand for Review

CVFPB	APN	OWNER	STATUS OF ACQUISITION	STATUS OF F.A.P. (target to be submitted to DWR)	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	State Remaining Balance	COMMENTS
None								

Table 9 – Segment 3 – Final Accounting Packages at DWR for Approval

CVFPB	APN	OWNER	STATUS OF ACQUISITION	STATUS OF F.A.P. (target to be submitted to DWR)	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	State Remaining Balance
14042	020-091-004; 020-091-005	Salvation Army	Escrow Closed	submitted	\$62,600.00	\$43,820.00	\$43,820.00

Table 10 – Segment 3 – Final Accounting Packages Approved by DWR

CVFPB	APN	OWNER	STATUS OF ACQUISITION	STATUS OF F.A.P. (target to be submitted to DWR)	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	State Remaining Balance
14000	013-010-045	Steven Stewart, et ux	Complete	Approved	\$1,650.00	\$1,155.00	\$875.00
14001	013-010-046; 013-010-026	J.M. Smith, et al.	Complete	submitted	\$22,000.00	\$15,400.00	\$15,400.00
14029 & 14036	020-330-007; 020-330-010	Richard G. Wilbur Trust	Completed	submitted	\$5,480	\$3,836	\$3,836
14028	020-360-060; 020-360-061; 020-360-062	Trumon G. Cooper Trust	Escrow Closed	submitted	\$21,500.00	\$15,050.00	\$4,550.00
14031	020-330-008	State of California	Complete	Approved	\$7,100.00	\$4,970.00	\$(7,539.00)
14030	020-360-022	Jourbee Khang, et ux	Complete	Approved	\$72,500.00	\$50,750.00	\$41,790.00
14033	020-010-023	Henry P. Smith	Escrow Closed	submitted	\$46,300.00	\$32,410.00	\$32,410.00
14034	020-360-054; 013-010-001; 013-010-002; 013-010-045	Linda County Water District	Complete	Approved	\$6,800.00	\$4,760.00	\$4,760.00
14037	020-091-026	E Street MX, Inc.	Complete	Approved	\$2,550.00	\$1,785.00	\$1,785.00
14038	020-091-028	John Roth	Complete	Approved	\$750.00	\$525.00	\$525.00
14039	020-091-027	California Capital Loans	Complete	Approved	\$1,000.00	\$700.00	\$700.00
14040	020-091-026	John Roth	Complete	Approved	See 14038		
14041	020-091-002	Carolyn J. & Gary D. Tindel	Complete	Approved	\$5,580.00	\$3,906.00	\$3,906.00
14043	020-091-006	Forrest Ray Miller	Complete	Approved	\$1,650.00	\$1,155.00	\$1,155.00
14044	020-091-007	Adams	Complete	Approved	\$1,000.00	\$700.00	\$700.00

Table #11 – Segment 3 - Relocation Final Accounting Packages Approved by DWR

CVFPB	OWNER	SETTLEMENT AMOUNT	STATE SHARE	F.A.P. APPROVED	STATE REMAINING BALANCE
14042	Salvation Army	\$1,295.00	\$906.50	1/17/2014	\$906.50

- **Element 2: Feather River Segment 2 setback levee w/o tie-ins and new levee construction requiring federal action (except as noted in features):**
 - Feature 1.2 Permitting:
 - See Attachment 1 for updated permit listing.
 - During the 32nd quarter TRLIA will revise the Administrative Draft of the Substantial Evidence Engineer’s Report and submit to the Independent Expert Panel for review. Additional revisions will occur due to the IEP Review. The Substantial Evidence Engineer’s Report will be used to show that the Feather East Levee complies with the ULDC.
 - The OMRR&R Agreement was approved and signed by CVFPB, TRLIA and RD784 in August 2011. TRLIA will continue to perform its obligations under this Agreement during the 32nd quarter.
 - Feature 1.3 Right of Way Support:
 - Both legal and real estate activity will continue during the 32nd quarter to support the ongoing land acquisition activities associated with Project Element 1 Feature 1.
 - During the 32nd quarter TRLIA will continue to work with DWR on developing the process to transfer property to the state. This action is also necessary for Project Element 1 Feature 2, and Project Element 8 Feature 1 property transfers. TRLIA will capture the cost of this effort for all three Project Element Features in this feature.
 - Feature 4 Environmental and Cultural Mitigation:
 - The maintenance of the Vegetated Wind Wave Buffer is scheduled to transfer from TRLIA (River Partners) to RD784. The Vegetated Wave Buffer was authorized by CVFPB encroachment permit (#18556 BD). The maintenance cost once the transition to RD784 has occurred will be paid for by revenues received from the TRLIA Benefit Assessment District. Long Term Maintenance will follow the directions given in the May 2014 Version of the Combined O&M Addendums for RD 784

which incorporates guidance in Permit # 18556 which is essentially debris removal and vegetation control.

- Environmental Mitigation/Restoration: Environmental monitoring of the Wetlands Mitigation, Swale, and Elderberry Mitigation Area will continue in the 32nd quarter.
- Cultural Mitigation: Monitoring of the planting at the Cultural Site will continue during the 32nd quarter.
- Feature 5 O&M Manual:
 - This Feature is **considered completed** – This item has very little costs allocated to the Feature, a separate retention request would not be efficient and worthwhile to process. Retention release for this item will be requested later with another separate larger milestone.

A comprehensive O&M Addendum for Segments 1, 2, and 3 was issued on December 12, 2011. RD 784 has the Segments 1, 2, and 3 manual and is using it to perform O&M. USACE requested that one combined O&M Addendum which includes all Addendums for the RD 784 Levee System be prepared. A draft Combined Addendum was submitted to the CVFPB on January 8, 2014. USACE has completed an internal review of the combined Addendum. USACE has concerns with elements that they do not consider to be part of the Federal Project being in a federal version of a combined manual. USACE is preparing their draft version of what the combined addendum should be and will submit that to CVFPB as the manual to follow for maintenance of the Federal Project. As of October 31, 2015 USACE has not provided their version of the manual to the CVFPB. The USACE Project Manager is addressing internal review comments on the combined manual. The draft combined O&M Addendum submitted to USACE included O&M for areas for which TRLIA has committed to provide O&M. These portions of the draft Manual will need to be captured, presented in a separate supplement to the federal version of the combined O&M Manual, and followed in order to meet past commitments. RD 784 continues maintenance for the levee system following the directions contained in the Combined RD 784 O&M Manual. TRLIA will continue to coordinate with USACE during the 32nd Quarter to obtain a federal version of the combined O&M Manual.

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

- Feature 1.2 Permitting:
 - See Attachment 1 for permit status update

- See Element 2, Feature 1.2 for additional information
- Feature 1.3 Right of Way Support:
 - Both legal and real estate activity will continue during the 32nd quarter to support the ongoing land acquisition activities associated with Project Element 1 Feature 2.

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

- Feature 1 Environmental Maintenance Activities: Environmental monitoring of the Elderberry Mitigation Area, Wetlands, and Swale will continue in the 32nd quarter.
- Feature 2 Lease Back Activities (e.g. farming):
 - During the quarter funds will be received and reported to DWR within the quarterly progress reports, and the State share of these funds will be used to offset the remaining funding due to TRLIA through the EIP funding agreement. Lease revenues are held in separate funds at Yuba County and interest earned on these funds is accounted for as well.

As part of the June 11, 2014 notice of retention release, the State has deducted a total of \$286,783.13 for lease revenues received through March 31, 2014 from the retention release. March 31, 2014 is the new baseline for accumulated Ag revenues that are due to DWR.

- **Agriculture Leases:** TRLIA has 7 farming leases in the Feather Setback area. Management of farm leases will continue in the 30th quarter.

The leases are listed below. During the 18th quarter the acreages of the parcels were found to be off based on survey information. The updated acreages are shown below in red if a change was found.

1. Foster (016-020-005, 014-370-030, 014-370-029, 016-010-002, 016-010-007) - 248 (239.6) Acre Walnut Orchard. Term of lease January 1, 2009 through December 31, 2014. Rent is 10% of the Adjusted Gross Income. During the 25th quarter the state approved a three year lease extension and the lease was extended to December 31, 2017.
2. T. Miller (014-370-033) – 20 Acre Walnut Orchard. Term of lease August 16, 2008 to August 15, 2013. Rent is 10% of the Gross Sales. During the 22nd quarter TRLIA- extended the lease to June 30, 2014. During the 25th quarter the state approved a three year lease extension and the lease was extended to December 31, 2017.

3. Maxey (014-370-024) – 27.38 (28.8) Acres Walnut, persimmons, mandarins, chestnuts and jujube Orchards. Term of lease August 16, 2008 to August 15, 2013. Rent is 10% of the Gross Income on walnuts and 10 % of the Adjusted Gross Income for other crops. During the 22nd quarter TRLIA extended the lease to June 30, 2014. During the 25th quarter the state approved a three year lease extension and the lease was extended to December 31, 2017.
4. Hadley (014-370-020) – 9 (6.3) Acre Walnut Orchard. Term of lease November 1, 2008 to November 30, 2013. Rent is 10% of the Gross Sales. During the 22nd quarter TRLIA is extended the lease to June 30, 2014. During the 25th quarter the state approved a three year lease extension and the lease was extended to December 31, 2017.
5. Davit (013-010-014) – 99 (81.9) Acre Walnut & Peach Orchard. Term of lease October 21, 2009 to December 31, 2014. Rent is 10% of the Adjusted Gross Income. Davit was allowed to remove the peach orchard (found to be too old) and replace with walnuts at his own risk, since there is no guarantee the state will extend the lease. During the 25th quarter the state approved a three year lease extension and the lease was extended to December 31, 2017.
6. F. Miller (014-370-003 and 014-370-037) – 66 Acres Walnut Orchard. Term of lease July 21, 2010 through December 31, 2013. Rent is 30% of the Gross Income. During the 22nd quarter TRLIA extended the lease to June 30, 2014. During the 25th quarter the state approved a three year lease extension and the lease was extended to December 31, 2017.
7. Nieschulz (016-010-016) – 35.07 (30.3) Acres of Orchard trees. Term of lease retroactively to January 1, 2009 and terminating at the end of the 2011 crop year. The lease was executed in September 2010. After the 3 year term, the lease is automatically extended each Jan 1. For the 2010 crop year and all subsequent years Tenant shall pay the amount of 15% of the Gross Income from the property over the course of the applicable prior twelve month period. During the 25th quarter the state approved a three year lease extension and the lease was extended to December 31, 2017. This latest extension terminated the automatic extension clause in the lease.

A schedule of payments is shown below for the 32nd Quarter: (Note: A Summary of Ag Lease Payments received is also included within the Financial Report of the corresponding QPR submitted during this quarter, the 30th QPR. The payments included within the 30th QPR report reflect agricultural lease revenues received since May 31, 2014.)

- ✓ Foster – No lease payment is due.
- ✓ T. Miller – No lease payment is due.
- ✓ Maxey – No lease payment is due.
- ✓ Hadley – No lease payment is due.
- ✓ Davit – No lease payment due.
- ✓ F. Miller – No lease payment is due.
- ✓ Nieschulz – No lease payment is due.

On June 5, 2014 TRLIA requested DWR modify the existing funding agreement to allow the agricultural lease revenues to work for the broader state-wide flood control and environmental goals by approving the use of the rents collected under the leases to fund long term maintenance to support existing and proposed mitigation areas in the Feather River area. The revenue stream from the leases is a critical source of funding for maintenance of ecosystem restoration work in the Feather setback area.

This item is listed in the Issues/Concerns portion of this report.

- **Revocable Easement and Profit Agreement:** TRLIA had one revocable easement and profit agreement with Thomas Rice in the landside levee toe access corridor. This easement was created as part of an eminent domain acquisition for the Feather Setback levee. This agreement has been terminated. Details of the agreement are listed here:

Rice (014-250-029) – 4.82 Acres of Peach Orchard. This agreement terminated on 1 October 2014. Mr. Rice was notified that his lease will be terminated on September 30, 2014 (end of the 26th quarter) by TRLIA letter dated July 16, 2013. This letter was coordinated with DWR and CVFPB in the 21st quarter.

- **Interim non-renewable row crop leases:** In the 19th quarter 2 interim non-renewable row crop leases (Sharma and Atwal) were approved by TRLIA – they are listed below with the other leases.
 1. Sharma (APN 014-250-027). During the 19th quarter TRLIA awarded a non-renewable 2 to 5 year lease to Mr. Sharma (Sunrise Orchards) to plant row crops on 537 acres (Naumes Property) within the Feather Setback area. Tenant shall pay to Landlord, in addition to providing a valuable service of maintenance and upkeep of the Property,

including maintenance of any wells and pumps, weed abatement, controlling of trash dumping, pest control pertaining to the crop being grown, and property surveillance, an annual rent for the Premises in the amount of the lesser of five percent (5%) of the Gross Income from the Property over the course of the applicable prior twelve-month period, or an amount equal to \$10,000 per month. Rent shall be paid in arrears, on December 1st of each year.

The term of this Lease shall commence upon August 1, 2012 and terminate on July 31, 2017. The term of this Lease shall be non-renewable. After two years from the commencement date of the Lease, either party to the Lease, and any successors and assigns to the Lease pursuant to Paragraph 33 below, may give 30 days' written notice to terminate this Lease. Notwithstanding the foregoing, Landlord may terminate this Lease at any time on 60 days' notice if Landlord finds it necessary to do so in meeting Landlord's needs, including any federal or state requirements.

2. Atwal (APN 014-290-034). During the 19th quarter TRLIA awarded a non-renewable 1 year lease to Mr. Sarbdeep Atwal (Heer/Atwal Orchards) to plant row crops on 23 acres (Uppal Property) of reclaimed borrow area east of the landside levee toe access corridor. The term of this Lease commenced upon September 1, 2012 and shall terminate on August 31, 2013. This lease expired in the 22nd quarter.

A schedule of payments is shown below for the 31st Quarter: (Note: A Summary of Ag Lease Payments received is also included within the Financial Report of the corresponding QPR submitted during this quarter, the 30th QPR. The payments included within the 30th QPR report reflect agricultural lease revenues received since May 31, 2014.)

- ✓ Sharma – None is anticipated
- ✓ Atwal – None. Lease terminated in 22th quarter.
- Feature 3 Land Maintenance of Setback area (e.g. security and land management activities) post construction and prior to transfer of property to State: TRLIA will continue to manage activities within the 1600 acres that were created by the Setback levee in the 32nd quarter. Public Access will be allowed during this quarter. Three onsite cameras will be operating (PS 3, Broadway Ramp, near Star Bend) in the 32nd quarter.
 - TRLIA will continue to perform interim land operations and maintenance activities for the Feather Setback area per the Setback Area O&M Plan in the 32nd quarter. The plan included short-term and long-term operations

and maintenance of the borrow sites, security/maintenance road, onsite mitigation areas (wetlands, swale, and elderberry area), farm leases, security of setback area, and trash pickup. During the 30th quarter TRLIA experienced increased vandalism and theft in the leased orchards in the setback area. The fencing along portions of the orchards and irrigation systems were damaged. These items are anticipated to be repaired in the 31st quarter, but the work could extend into the 32nd quarter. Additional fencing will also be placed to protect the leased orchards.

- The Star Bend public entrance to the Feather Setback Area is planned to remain open in the 32nd quarter.
- In the 32nd quarter TRLIA could participate in meetings and discussions pertaining to the DWR Lower Feather River Floodway Corridor Management Plan. A draft of the Feather River Corridor Plan was sent out for review during the 25th quarter (May 2014). DWR needs to finalize and approve the Feather River Corridor Plan because it will impact how TRLIA will manage and transfer the Feather Setback Area.

This item is listed in Issues portion of this report

- In the 32nd quarter no work is anticipated by TRLIA in preparing a Flood Corridor Program funding application. Per the DWR Flood Corridor Management program the funding for this program has slipped to mid-2016.
- **Element 7:** Project Management, legal support, community relations support, land management support, and overhead
- Activity is anticipated in all Features during the 32nd quarter.
 - As reported in the 26th QWP TRLIA will continue to use in the 32nd quarter the revised allocation of its administration and overhead expenses to reflect an apportionment of these expenses to additional work TRLIA has underway throughout the basin. The revised projections for expenses allocated to the FRLIP have been reduced to reflect a lower allocation.
- **Element 8:** Feather River EIP Land Acquisition; formally Associated Element 1
- Feature 1 Feather Segment 1: The TRLIA Segment 1 Real Estate Plan was approved in November 2011. In the 32nd quarter, TRLIA will continue negotiations with the one remaining property owner within Feather Segment 1 to acquire the 50 foot wide levee O&M toe access corridor. It anticipated that the Danna acquisition will be finalized in the 31st or 32nd quarter.

- Below are tables that reflect the estimated acquisition costs reflected in the Segment 1 Real Estate Plan:

Table 12: Segment 1- List of FAPs and Cadastral Approval Status

Number	CVFPB #	OWNER	Number of Parcels	DWR RE Approval Status	DWR Cadastral Approval Status
1	14047	Danna Properties, LP	2	Pending	Pending
2	14048	Danna Properties, LP	1	Pending	Pending
3	14049	Shoei Food USA, Inc.	1	Approved 10/30/15	Pending
4	14029	Valley View Packing Co.	0	Parcel acquisition will be Cancelled	Parcel acquisition will be Cancelled
			4	1	0

Table 13: Property Not Yet Acquired

CVFPB	APN	OWNER	STATUS OF ACQUISITION	STATUS OF F.A.P.	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	COMMENTS
14047	016-120-015; 016-120-016	Danna Properties, LP	NEGOTIATING				Settlement agreement is being proposed
14048	016-120-008	Danna Properties, LP	NEGOTIATING				Settlement agreement is being proposed
14076	016-090-008	Valley View Packing Co.	Cancelled				This parcel will be eliminated; TRLIA will seek an exemption for this very small area.

Table 14: Properties Acquired & FAP Status

CVFPB	APN	OWNER	STATUS OF ACQUISITION	STATUS OF F.A.P.	SETTLEMENT AMOUNT / TOTAL CLAIMED	STATE SHARE OF SETTLEMENT	State Remaining Balance
14049	016-060-019	Shoei Food USA, Inc.	closed	approved	\$166,543.17	\$116,580.22	\$116,580.22

- Landside and Waterside Access Toe Corridor License Agreements: During the 22nd quarter Shoei was issued a landside access corridor license. It is anticipated that Danna will be issued a landside and waterside license in the 32nd quarter once the above acquisition has occurred.
- **Element 9:** Feather River Segment 1 Levee Improvement (formally Associated Project Element 2)
 - Feature 1.3 Right of Way Support:
 - Both legal and real estate activity will continue during the 32nd quarter to support the ongoing land acquisition activities associated with Project Element 8 Feature 1.
- **Element 10 (Added by Amendment 2): Closeout Process post June 30, 2012:**
 - 10.1 Feature 1: Closeout Process post June 30, 2012:
 - In April 2012, DWR released a portion, \$5,000,000 of the retention held on the State’s share of funding for cost incurred by TRLIA. In support of this partial retention release, on August 16, 2012 TRLIA delivered to DWR all of the requested hard copy documentation related to the partial release of retention. TRLIA will supplement the closeout documentation when the final closeout of the project occurs as noted within the closeout documentation report provided with the hard copy transmission of documentation.
 - On January 3, 2013, TRLIA provided DWR with a request for the release of additional retention of the State Cost share for the project. Specifically, TRLIA requested the release of an additional \$1,153,562 of retention based upon additional costs incurred since the April 2012 release of retention and additional progress made toward the completion of project through the 18th Quarter. DWR reviewed this request and in response to meetings with TRLIA, TRLIA refined the request and DWR

made a determination to release \$2,078,412.40. TRLIA received this retention release on June 25, 2014.

- While the primary outstanding issues associated with closeout are related to Right of Way, the financial closeout of the project will also require additional coordination with DWR. TRLIA will continue to work with the State in the 32nd quarter to work toward the final project closeout. In the interim, due to cash flow concerns, TRLIA will be working with DWR to provide additional funding either through an additional partial release of retention based on the completion of outstanding items to date, or true-up payments made for work completed since the last retention release.
- **Environmental matters:**
 - Project Element 2:
 - River Partners will continue to maintain the Feather River Elderberry mitigation area, wetlands, and drainage swale.
- **Status of permits, easements, rights-of-way, and approvals as may be required by other State, federal, and/or local agencies:**
 - **Project Elements 2, 3, 4, 5, 5A, 9, & 9A:**
 - See Attachment 1 for the Permit status update.
 - TRLIA will continue to perform its obligations under the OMRR&R Agreement during the 32nd quarter.
 - **Major accomplishments planned for the quarter (i.e. tasks to be completed, milestones to be met, meetings to be held or attended, etc.):**
 - Project Element 8 Feature 1: Complete Danna property acquisition.
- **Issues/concerns that have, will, or could affect the schedule or budget, with a recommendation on how to correct the matter:**
 - **Issue 1:** Land Transfer: The actual land transfer to the state by the current as Feather EIP funding agreement termination date (June 30, 2016) has become problematic during the 30th quarter. TRLIA and the state have made good progress on resolving FAP and cadastral issues, but the implementation of the cadastral solutions is taking a long time due to the extra work needed with the former property owners. Also, the state review of TRLIA's request to allow

TRLIA to continue to own the Orchards in the Setback area (at a nominal price) in order to provide revenue for the O&M of future state and TRLIA actions in the Setback Area has taken much longer than anticipated. These issues and other related land transfer issues will most likely cause the funding agreement to be extended again.

Recommended Resolution: DWR consider extending the Funding Agreement another year to allow for the land transfer process to unfold and be accomplished.

- **Issue 2:** During the 18th quarter TRLIA requested DWR allow TRLIA to extend orchard leases 1 to 7 for a long term (20 to 30 years) to provide farmers the ability to plan future maintenance and replacement investments for the leased orchards. Late in the 23rd quarter DWR granted the leases to be extended for an interim period (3 years - 2017) so that the farmers could continue to maintain the leased orchards. The issue of long term leases for the orchards still needs to be resolved

Recommended Resolution: DWR modify the funding agreement to allow TRLIA to retain the Ag lease property. Thus TRLIA will be the deciding organization on time length of the lease.

- **Issue 3:** During the 24th quarter TRLIA met with DWR and requested the Department of Water Resources (DWR) put the agricultural leases to work for broader state-wide flood control and environmental goals by approving the use of the rents collected under the leases to fund long term maintenance to support existing and proposed mitigation areas in the Feather River area. The revenue stream from the leases is a critical source of funding for maintenance of ecosystem restoration work in the Feather setback area.

Recommended Resolution: DWR modify the funding agreement to allow TRLIA to retain the Ag lease property. TRLIA would use lease revenues from the existing orchard leases in the Feather setback area to maintain state and TRLIA flood, ecological, agricultural, and recreational activities.

- **Issue 4:** During the 28th quarter TRLIA continued to ask DWR to officially approve the draft final Lower Feather River Corridor Plan. DWR needs to finalize and approve the Plan because it will impact how TRLIA and other will manage the Feather floodway corridor.

Recommended Resolution: DWR formally approved the Feather River Corridor Plan

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

- No changes have been identified as part of this Quarterly Work Plan.

- **Any litigation, proceedings or claims relating to the Project:**

- Elements 1 thru 10: None at this time

5. Cost Information by Project Element:

Per DWR's direction provided on December 23, 2015, because there are no outstanding construction elements and DWR is no longer releasing advances for the FRLIP, analysis of projected costs have been excluded from this Report.

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

No changes are planned at this time. This report reflects modifications provided as part of the modified Overall Work Plan Budget submitted with the 24th QPR.

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

This analysis has been excluded per DWR's direction in this and future Quarterly Work Plans. In the future, the associated QPR's will provide an analysis of the actual costs as compared to the Overall Work Plan Budget.

- **A discussion on how the projected schedule compares to original or last reported schedule:**
 - None

Attachments

1. Permit Status Update for Project Element 2, 3, 4, 5, 5A, 9, & 9A

Attachment 1 - Updated Permit Tables for Project Elements 2, 3, 4, 5, 5A, 9, & 9A

<u>Project Element 2</u> Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)			
PERMITTING AGENCY	PERMIT	ACTION DONE	STATUS/COMMENTS
The Central Valley Flood Protection Board	Encroachment Permits	Yes	The CVFPB General Manager issued a phased permit (#18227) on April 7, 2008 that allows construction in non-federal jurisdictional areas
California Central Valley Flood Protection Board	Encroachment Permit – Vegetated Wave Buffer	Yes	CVFPB approved permit #18556 at the February 2011 CVFPB meeting
California Central Valley Flood Protection Board	Encroachment Permit – Elderberry Mitigation Area	Yes	CVFPB approved permit #18637 at the March 25, 2011 CVFPB meeting
The Central Valley Flood Protection Board	Encroachment Permit	Yes	CVFPB approved permit # 18916 EO on November 20, 2014
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Biological Opinion was approved on August 28, 2008
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Request for B.O. re-initiation was deemed unnecessary – letter sent to Corps on July 25, 2011
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC was completed and MOA signed by all parties, on August 13, 2008
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	A NPDES permit (WDID # 5S5BC348901) was issued on 9/18/07 for Segments 1, 2, and 3.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor submitted Fugitive Dust Plan to FRAQMD
DFG	Streambed Alteration Agreement	Yes	The final Streambed Alteration Agreement was approved by DFG on January 2, 2008
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors and coordination with RD 784

			regarding levee encroachments is ongoing. RD 784 signed the application for the Central Valley Flood Protection Board encroachment permit with no objections.
Yuba County	Grading Permit	Yes	Grading permit was received in May 2008
State Mining and Geology Board (SMGB)	Reclamation Plan	Yes	The Reclamation Plan was approved and SMGB mining permit (No. 91-58-0026) issued for Ella and Platter/JTS Borrow sites on Sept 22, 2009.
CEQA	EIR	Yes	EIR certified by the TRLIA board on February 6, 2007 and a Notice of Determination filed with the State Clearinghouse (Number 2006062071) on February 8, 2007
CEQA	EIR Addendum #1	Yes	EIR addendum for offsite Platter Borrow site
CEQA	EIR Addendum #2	Yes	EIR addendum for Ella offsite borrow site
CEQA	EIR Addendum #3	Yes	EIR addendum for Vegetated Wave Buffer
Section 104 Credit Application	Future federal projects cost Sharing	Yes	CVFPB submitted a request on June 15, 2007 for \$154.3M Section 104 credit to the Sacramento District.
Section 104 Credit Approval (N/A)	Future federal projects cost sharing	Yes	At the March 21 CVFPB meeting DWR stated it would waive the need for 104 credits – DWR waiver letter issued on May 2, 2008

<u>Project Element 3</u> Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)			
PERMITTING AGENCY	PERMIT	Action Done	STATUS/COMMENTS
The Central Valley Flood Protection Board	Encroachment Permits	Yes	The CVFPB General Manager issued a phased permit (#18227) on April 7, 2008. The permit has two parts: Part A – Project Element 2 work to be done outside of jurisdictional waters of the U.S., and Part B – Project Element 3 work to be within jurisdictional waters of the U.S.
U.S. Army Corps of	Section 10 Permit	Yes	Navigable waterways not affected

Engineers (Corps)			
Corps	Section 404 Permit	Yes	Corps of Engineers signed the Feather River Setback Levee Environmental Impact Statement 404 permit Record of Decision on December 8, 2008 and the issued the final Feather River Setback 404 permit on December 15, 2008.
Corps	408 approval of project levee alteration	Yes	Corps of Engineers signed the Feather River Setback Levee Environmental Impact Statement 408 Authorization Record of Decision on December 8, 2008 and issued The Feather River Setback 408 Authorization on December 8, 2008.
Corps	Wetlands Delineation	Yes	Completed March 11, 2008
Corps	Wetlands Delineation	Yes	Amended September 30, 2008
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	Yes	The Regional Water Quality Control Board signed the Section 401 Water Quality permit on November 24, 2008. Copy available on the
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	A NPDES permit (WDID # 5S5BC348901) was issued on 9/18/07 for Segments 1, 2, and 3.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor submitted a Fugitive Dust Plan to the FRAQMD prior to initiating construction on Segment 2.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Biological Opinion was approved on August 28, 2008
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Request for B.O. re-initiation was deemed unnecessary – letter sent to Corps on July 25, 2011
National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	Yes	NMFS sent letter on December 13, 2007 concurring that setback levee is not likely to adversely affect any fish species under NMFS jurisdiction.
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance	Yes	Section 2081 Permit received in August 2009
DFG	Streambed Alteration Agreement	Yes	The final Streambed Alteration Agreement was approved by DFG on January 2, 2008.
California State Lands	Encroachment Permit	Yes	All project facilities are outside SLC

Commission (SLC)			jurisdiction.
California Department of Forestry	Conversion of timberland to other uses.	Yes	No timberland conversion is required for the project.
The Resources Agency	Cancellation of Williamson Act Contract	Yes	No Williamson Act contract cancellations are required to implement the project.
California Department of Transportation (Caltrans)	Encroachment on or across a State highway	Yes	Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70). Development and implementation of a traffic control plan is being coordinated with Caltrans.
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC was completed and MOA signed by all parties, on August 13, 2008.
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	Coordination with the SHPO was completed and MOA signed by all parties, on August 13, 2008.
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors and coordination with RD 784 regarding levee encroachments is ongoing. RD 784 signed the application for the Reclamation Board encroachment permit with no objections.
Yuba County	Grading Permit	Yes	Grading permit was received in May 2008
State Mining and Geology Board (SMGB)	Reclamation Plan	Yes	The Reclamation Plan was approved and SMGB mining permit (No. 91-58-0026) issued for Ella and Platter/JTS Borrow sites on Sept 22, 2009.
CEQA	EIR	Yes	EIR certified by the TRLIA board on February 6, 2007 and a Notice of Determination filed with the State Clearinghouse (Number 2006062071) on February 8, 2007.
NEPA	EIS	Yes	Corps of Engineers Finalized the Environmental Impact Statement and signed the Record of Decision on December 8, 2008.
Section 104 Credit	Future federal projects	Yes	The Section 104 credit for this Project

	cost Sharing		Element was issued by the Corps on April 3, 2009
--	--------------	--	---

**Project Element 4 Applicable Permit and Environmental Documentation (refer to exhibit A of overall
TRLIA work plan)**

PERMITTING AGENCY	PERMIT	Action Done	STATUS/COMMENTS
California Central Valley Flood Protection Board	Encroachment Permit	Yes	CVFPB issued permit No 18430 at the July 2009 Board meeting
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	Yes	Navigable waterways not affected
Corps	Section 404 Permit	Yes	Corps of Engineers signed the Feather River Setback Levee Environmental Impact Statement 404 permit Record of Decision on December 8, 2008 and the issued the final Feather River Setback 404 permit on December 15, 2008.
Corps	408 approval of project levee alteration	Yes	Corps of Engineers signed the Feather River Setback Levee Environmental Impact Statement 408 Authorization Record of Decision on December 8, 2008 and issued The Feather River Setback 408 Authorization on December 8, 2008.
Corps	Wetlands Delineation	Yes	Completed March 11, 2008
Corps	Wetlands Delineation	Yes	Amended September 30, 2008
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	Yes	The Regional Water Quality Control Board signed the Section 401 Water Quality permit on November 24, 2008.
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	A NPDES permit (WDID # 5S5BC348901) was issued on 9/18/07 for Segments 1, 2, and 3.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor submitted a Fugitive Dust Plan to the FRAQMD prior to initiating construction on Segment 2.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Biological Opinion was approved on August 28, 2008
U.S. Fish and Wildlife	Endangered Species Act	Yes	Request for B.O. re-initiation was

Service	Compliance		deemed unnecessary – letter sent to Corps on July 25, 2011
National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	Yes	NMFS sent letter on December 13, 2007 concurring that setback levee is not likely to adversely affect any fish species under NMFS jurisdiction.
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance	Yes	Section 2081 Permit received in August 2009
DFG	Streambed Alteration Agreement	Yes	The final Streambed Alteration Agreement was approved by DFG on January 2, 2008.
California State Lands Commission (SLC)	Encroachment Permit	Yes	All project facilities are outside SLC jurisdiction.
California Department of Forestry	Conversion of timberland to other uses.	Yes	No timberland conversion is required for the project.
The Resources Agency	Cancellation of Williamson Act Contract	Yes	No Williamson Act contract cancellations are required to implement the project.
California Department of Transportation (Caltrans)	Encroachment on or across a State highway	Yes	Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70). Development and implementation of a traffic control plan is being coordinated with Caltrans.
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC was completed and MOA signed by all parties, on August 13, 2008.
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	Coordination with the SHPO was completed and MOA signed by all parties, on August 13, 2008.
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors and coordination with RD 784 regarding levee encroachments is ongoing. RD 784 signed the application for the Reclamation Board encroachment permit with no objections.
Yuba County	Grading Permit	Yes	Grading permit was received in May 2008
State Mining and Geology Board (SMGB)	Reclamation Plan	Yes	The Reclamation Plan was approved and SMGB mining permit (No. 91-58-0026) issued for Ella and

			Platter/JTS Borrow sites on Sept 22, 2009.
CEQA	EIR	Yes	EIR certified by the TRLIA board on February 6, 2007 and a Notice of Determination filed with the State Clearinghouse (Number 2006062071) on February 8, 2007.
NEPA	EIS	Yes	Corps of Engineers Finalized the Feather River Setback Levee Environmental Impact Statement and signed the Record of Decision on December 8, 2008.
Section 104 Credit	Future federal projects cost Sharing	Yes	The Section 104 credit for this Project Element was issued by the Corps on April 3, 2009

<u>Project Element 5</u> Applicable Permit and Environmental Documentation (refer to exhibit A of overall TRLIA work plan)			
PERMITTING AGENCY	PERMIT	ACTION DONE	STATUS/COMMENT
Central Valley Flood Protection Board (CVFPB)	Encroachment Permit	Yes	Permit No. 18170 BD issued on August 7, 2007.
Central Valley Flood Protection Board (CVFPB)	Encroachment Permit	Yes	CVFPB issued landside access corridor fence permit No. 18690 BD on March 12, 2012 meeting.
Central Valley Flood Protection Board (CVFPB)	Encroachment Permit	Yes	Permit No. 18170 BD permit modified for seepage berm to provide final fix for cutoff wall trench cave-in, issued on 7/17/08
Central Valley Flood Protection Board (CVFPB)	Encroachment Permit	Yes	Permit No. 18690 issued for construction of Segment 3 toe Access Corridor. Permit includes Special conditions dealing with elderberry shrub mitigation and drainage impacts.
Central Valley Flood Protection Board (CVFPB)	Encroachment Permit	Yes	Permit No. 18170-1 BD permit modification for Elderberry shrub relocation.
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	Yes	Navigable waterways not affected
Corps	Section 404 Permit	Yes	No jurisdictional features affected. Corps issued "Letter of No Permit Required" on July 23, 2007
Corps	408 Approval of project levee alteration	Yes	Finding of No Significant Impact (FONSI) issued by Corps of

			Engineers on July 11, 2007. Corps approved Section 408 alteration on August 2, 2007.
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	Yes	No 404 permit triggering 401 compliance. RWQCB sent email on August 15, 2007 verifying that 401 certification was not necessary
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	A NPDES permit (WDID # 5S5BC348901) was issued on 9/18/07. A Storm water Pollution Prevention Plan (SWPPP) has been developed and is being followed.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor's Fugitive Dust Plan has been developed and submitted to the FRAQMD.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Project design and mitigation measures prevent take of threatened and endangered species. FWS sent a letter on May 7, 2007 agreeing that there were no impacts to any endangered species.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	F&WS issued a Biological Opinion to support Elderberry shrub transplants for CVFPB Permit No. 18170-1 BD on January 15, 2013. This Biological Opinion was revised on July 16, 2013 to reflect the changes identified during the Elderberry shrub transplants.
National Marine Fisheries Service	Endangered Species Act Compliance	Yes	Project will have no affect on fishery resources and habitats.
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance	Yes	Project design and mitigation measures prevent take of threatened and endangered species.
DFG	Streambed Alteration Agreement	Yes	All ground disturbances is above the Feather River ordinary high water mark. Neither the bed nor bank of the river will be disturbed. DFG sent letter on May 2, 2007 verifying that a Streambed Alteration Agreement was not required.
California State Lands Commission (SLC)	Encroachment Permit	Yes	All ground disturbance is above the Feather River ordinary high water mark and outside SLC jurisdiction.
California Department of	Conversion of	Yes	No timberland conversion is required

Forestry	timberland to other uses.		for the project.
The Resources Agency	Cancellation of Williamson Act Contract	Yes	No Williamson Act contract cancellations are required to implement the project.
California Department of Transportation (Caltrans)	Encroachment on or across a State highway	Yes	Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70). Development and implementation of a traffic control plan is being coordinated with Caltrans.
Caltrans	Encroachment on Caltrans property	Yes	A portion of a stability berm encroaches a short distance onto property owned by Caltrans used for habitat mitigation. A real estate easement for this berm was obtained from Caltrans. No adverse effects to protected habitats occur.
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC has occurred and no known Native American sites or sensitive areas would be affected by the project
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	No known sensitive historic or cultural resources would be affected by the project. SHPO sent letter on July 16, 2007 agreeing that no impacts to historic or cultural resources were occurring.
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors and coordination with RD 784 regarding levee encroachments is ongoing. RD 784 signed the application for a CVFPB encroachment permit
Yuba County	Grading Permit	Yes	Yuba County is one of the project sponsors and coordination with the County regarding construction of this project continues.
CEQA	EIR Processed for Various Permits	Yes	EIR certified by the TRLIA board on February 6, 2007 and a Notice of Determination filed with the State Clearinghouse (Number 2006062071) on February 8, 2007

CEQA	EIR Addendum # 2	Yes	EIR addendum for the Seepage berm addition needed to provide the final solution to the cutoff wall trench failure.
Section 104 Credit	Future federal projects cost sharing	Yes	\$32.7 M Section 104 credit approved by Corps HQ on August 7, 2007

Project Element 5A: Feather River Erosion Site 2

PERMITTING AGENCY	PERMIT	ACTION DONE	STATUS/COMMENT
Central Valley Flood Protection Board	Encroachment Permits	Yes	Encroachment permit No. 18479 issued on September 10, 2009
Corps	Section 404 Permit	Yes	Obtained Nationwide Permit, application submitted to Corps on June 25, 2009
Corps	Wetlands Delineation	Yes	Delineation submitted to Corps on May 27, 2009
Corps	408 approval of project levee alteration	Yes	Corps does not consider this as eligible under the Section 408 approval given for Segments 1 & 3. Per discussion with the Corps, they will approve work under Section 208 authority when they comment on the CVFPB Encroachment Permit Application.
Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	Yes	Obtained on July 9, 2009
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	TRLIA has a current WDID # 5S5BC348901 that was issued by the Regional Water Quality Control Board. The permit covers Feather River Segments 1, 2, and 3 and encompasses the Erosion Site. This permit is current.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Used Documentation provided for Project Element 5
U.S. Fish and Wildlife Service	Endangered Species Act Compliance (Biological Opinion)	Yes	Biological opinion prepared, take avoided, no Incidental Take authorization needed.

National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	Yes	Biological opinion prepared, take avoided, no Incidental Take authorization needed.
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance (2081)	Yes	No potential take of State listed species.
DFG	Streambed Alteration Agreement	Yes	Obtained on July 9, 2009
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Cultural resources surveys and consultation with Native American groups have found no evidence of burials or artifacts
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	Cultural resources surveys and consultation with Native American groups have found no evidence of significant historic or cultural resources
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors and coordination with RD 784 regarding levee encroachments is ongoing. RD 784 signed the application for the Reclamation Board encroachment permit with minor conditions.
Yuba County	Grading Permit	Yes	Used Documentation provided for Project Element 5
State Mining and Geology Board (SMGB)	SMARA Permit	Yes	The Reclamation Plan was approved and SMGB mining permit (No. 91-58-0026) issued for Ella and Platter/JTS Borrow sites on Sept 22, 2009. Used Ella Site.
CEQA	EIR	Yes	ISIMND certified by TRLIA Board on 10/17/06
NEPA	EIS	Yes	No federal action constituting a NEPA trigger

Section 104 Credit	Future federal projects cost sharing	Yes	Work is not eligible for Section 104 Credit because it being accomplished under Section 208 authority and was not approved under Section 408 authority.
--------------------	--------------------------------------	-----	---

Project Element 9, & 9A Permit and Environmental Documentation			
PERMITTING AGENCY	PERMIT	ACTION DONE	STATUS/COMMENT
The Central Valley Flood Protection Board	Encroachment Permit	Yes	Permit No. 18170 BD issued on August 7, 2007.
The Central Valley Flood Protection Board	Encroachment Permit	Yes	Permit No. 18170 BD modified for design changes, issued on 7/17/08
The Central Valley Flood Protection Board	Encroachment Permit	Yes	CVFPB approved permit (No. 18869) on September 27, 2013 conditioned that the Corps issue a minor 408 letter. The Corps finally issued the minor 408 letter in November 2014 and CVFPB permit was issued. This permit was for an Erosion Protection Berm to remediate ULDC Criteria Exceedance.
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	Yes	Navigable waterways not affected
Corps	Section 404 Permit	Yes	No jurisdictional features affected. Corps issued “Letter of No Permit Required” on July 23, 2007. Subsequently, a Nationwide permit was received in July 2008 allowing repairs to sinkholes observed on the waterside toe of the existing levee in a reach of the Site 7 Extension segment of levee.
Corps	408 Approval of project levee alteration	Yes	Finding of No Significant Impact (FONSI) issued by Corps of Engineers on July 11, 2007. Corps approved Section 408 alteration on August 2, 2007. Subsequently, water quality certification was received in July 2008 allowing repairs to sinkholes observed on the waterside toe of the existing levee in a reach of the Site 7 Extension segment of levee.

Regional Water Quality Control Board (RWQCB); Central Valley Region (Region 5)	Section 401 Water Quality Certification	Yes	No 404 permit triggering 401 compliance. RWQCB sent email on August 15, 2007 verifying that 401 certification was not necessary
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Yes	A NPDES permit (WDID # 5S5BC348901) was issued on 9/18/07. A Storm water Pollution Prevention Plan (SWPPP) has been developed and is being followed.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Contractor's Fugitive Dust Plan has been developed and submitted to the FRAQMD.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Project design and mitigation measures prevent take of threatened and endangered species. FWS sent a letter on May 7, 2007 agreeing that there were no impacts to any endangered species.
National Marine Fisheries Service	Endangered Species Act Compliance	Yes	Project will have no effect on fishery resources and habitats.
California Department of Fish and Game (DFG)	California Endangered Species Act Compliance	Yes	Project design and mitigation measures prevent take of threatened and endangered species.
DFG	Streambed Alteration Agreement	Yes	All ground disturbance is above the Feather River ordinary high water mark. Neither the bed nor bank of the river will be disturbed. DFG sent letter on May 2, 2007 verifying that a Streambed Alteration Agreement was not required. Subsequently, a streambed authorization permit was received in June 2008 allowing repairs to sinkholes observed on the waterside toe of the existing levee in a reach of the Site 7 Extension segment of levee.
California State Lands Commission (SLC)	Encroachment Permit	Yes	All ground disturbance is above the Feather River ordinary high water mark and outside SLC jurisdiction.
California Department of Forestry	Conversion of timberland to other uses.	Yes	No timberland conversion is required for the project.

The Resources Agency	Cancellation of Williamson Act Contract	Yes	No Williamson Act contract cancellations are required to implement the project.
California Department of Transportation (Caltrans)	Encroachment on or across a State highway	Yes	Project facilities do not encroach onto a State highway. However, construction equipment will likely use State Route 70 (SR 70). Development and implementation of a traffic control plan is being coordinated with Caltrans.
Caltrans	Encroachment on Caltrans property	Yes	A portion of a stability berm encroaches a short distance onto property owned by Caltrans used for habitat mitigation. A real estate easement for this berm was obtained from Caltrans. No adverse effects to protected habitats occur.
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC has occurred and no known Native American sites or sensitive areas would be affected by the project
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	No known sensitive historic or cultural resources would be affected by the project. SHPO sent letter on July 16, 2007 agreeing that no impacts to historic or cultural resources were occurring.
Reclamation District 784 (RD 784)	Encroachment Permit	Yes	RD 784 is one of the project sponsors RD 784 signed the application for a CVFPB encroachment permit with no objections.
Yuba County	Grading Permit	Yes	Yuba County is one of the project sponsors and coordination with the County regarding construction of this project continues.
CEQA	EIR Processed for Various Permits	Yes	EIR certified by the TRLIA board on February 6, 2007 and a Notice of Determination filed with the State Clearinghouse (Number 2006062071) on February 8, 2007
CEQA	CEQA Addendum #2	Yes	EIR addendum for the Water Blanket modifications.
Section 104 Credit	Future federal projects cost sharing	Yes	\$32.7 M Section 104 credit approved by Corps HQ on August 7, 2007