



April 14, 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 coming – Project is on State exempt list and is included in the recent State Bond sale
- Program Contingency is \$8.5 million. Up \$4+ million due to credit adjustment allowed by DWR for Yuba River levee EIP application (see Yuba River update below)
- 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.
- Reached Settlement on Nordic Property. Settled at \$1.125 million. \$1.48 million deposited into the State Escrow account.
- Submitted Request to DWR to include Regulatory Setback design changes into Feather EIP Agreement (\$4.9 million)
- Submitted Request to DWR to include Erosion Site 2 cost into Feather River EIP Agreement (\$855,000)
- No YLFA funding request is needed this month – expect request to be made next month

➤ **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. Raised resolution of issue to George Qualley/Senior DWR Manager.
 - \$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)
 - Teichert anticipates starting work on non tie-in embankment work in the next 2 weeks.
 - Anticipate awarding tie-in construction contract to Teichert at April 21st TRLIA Board meeting – anticipate starting work in May on North tie-in.
 - 104 credit letter from Corps received
 - 408 Requirement: Safety Assurance Plan (SAR) – expect Corps approval in next two weeks – needed prior to tie-in construction starting
 - 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) needs to be deposited prior to work starting.
 - 2081 DFG permit to be issued by end of April 09 – needed prior to start of tie-in construction.
 - On April 9th the SMGB opted to not grant the TRLIA exemption requests and voted unanimously to require TRLIA to do the following for the two borrow locations (Ella and Platter):
 - Submit a financial assurances cost estimate within 30 days of this SMGB meeting;
 - Provide the financial assurances within 60 days of this SMGB meeting; and
 - Submit a reclamation plan for the Platter/JTS Borrow and the Ella Borrow, and related environmental documents, by the SMGB’s July 9, 2009 meeting.
 - TRLIA will be able to meet all the actions requested by the SMGB. The SMGB made it clear at the meeting that they wanted the project to continue given public safety concerns if the project was delayed. Accordingly, the SMGB crafted its order so that TRLIA could take material from the two borrow pits while it was processing a reclamation plan and financial assurances for the two borrow sites.
 - New Cultural Site status:
 - Last Friday (4-10-09) we were 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
 - Awaiting Corps of Engineers comments
 - On June 09 CVFPB agenda for encroachment permit
 - Anticipate levee degrade to begin in Fall once Setback levee is 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 cortication 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 submitted for work between Hwy 70 and Goldfields
 - Negotiations still underway – anticipate agreement in June 2009
 - Credit from prior work will help local share
 - Need Assessment District to be approved
 - Slope flattening work under design and anticipated to be awarded in late July 09
 - Work between Simpson Lane and Goldfields is scheduled for 2010
 - Will need HDR design modification – pending

➤ **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 on April 23
 - 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