

STANDARD AGREEMENT - AMENDMENT

STD 213A (Rev. 4/2020)

CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED 26 PAGES

AGREEMENT NUMBER 4600012115	AMENDMENT NUMBER 5	Purchasing Authority Number
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1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

Department of Water Resources

CONTRACTOR NAME

Three Rivers Levee Improvement Authority (TRLIA)

2. The term of this Agreement is:

START DATE

September 8, 2017

THROUGH END DATE

June 30, 2024

3. The maximum amount of this Agreement after this Amendment is:

\$42,529,251.00

Forty-two million, five hundred twenty-nine thousand, two hundred fifty-one dollars, and zero cents

4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

A. Std. 213, Paragraph 2 is amended to read: Extend the termination date by one year, from June 30, 2023, to June 30, 2024. The term of this agreement begins on September 8, 2017 and terminates on June 30, 2024.

B. Amendment 5, Paragraph 2 is amended to read: The term of the Funding Agreement shall be from the latest date of execution by the State and approval by the Department of General Services through June 30, 2024.

C. Article A-1, Overall Project Workplan, the Description of the Proposed Project, is hereby being revised to reflect the inclusion of a new project element to take design of the Yuba River, Bear River and WPIC levees to be able to pass the 500-year event from 65% to a construction bid package, complete 65% design of the Feather River and Bear River setback levees to be able to pass the 500-year event, and to complete a feasibility study to replace the temporary Goldfields 100-yr embankment and will be compatible with the approved mining reclamation plan which will remove the existing embankment.

D. All other terms and conditions of Agreement 4600012115, including amendment 1, 2, 3, and 4, shall remain the same.

Signatures appear on page 2 of 2 in the attached Amendment 5 to the Funding Agreement.

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

CONTRACTOR BUSINESS ADDRESS

CITY

STATE

ZIP

PRINTED NAME OF PERSON SIGNING

TITLE

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES
STANDARD AGREEMENT - AMENDMENT

STD 213A (Rev. 4/2020)

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AGREEMENT NUMBER 4600012115	AMENDMENT NUMBER 5	Purchasing Authority Number
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STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

CONTRACTING AGENCY ADDRESS

CITY

STATE

ZIP

PRINTED NAME OF PERSON SIGNING

TITLE

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

Approved as to legal form
and sufficiency:

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

Benjamin Davies
for Asst. General Counsel, DWR

EXEMPTION (If Applicable)



STATE OF CALIFORNIA
THE NATURAL RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES

Amendment No. 5

To

FUNDING AGREEMENT

BETWEEN

THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES

AND THE

Three Rivers Levee Improvement Authority

FOR THE

TRLIA 200-year Goldfields Levee Project

**FUNDED UNDER THE
STATE- FEDERAL FLOOD CONTROL SYSTEM MODIFICATION PROGRAM
(EARLY IMPLEMENTATION PROGRAM)**

OF

THE CALIFORNIA DISASTER PREPAREDNESS AND FLOOD PREVENTION BOND ACT OF 2006

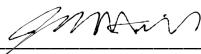
Amendment number 5 to the Funding Agreement, entered into by and between the State of California, acting by and through the Department of Water Resources, herein referred to as the "State" and the Three Rivers Levee Improvement Authority, a joint powers agency in the County of Yuba, State of California, duly organized, existing, and action pursuant to the laws thereof, herein referred to as the "Funding Recipient," which parties do hereby agree as follows:

- A. Article A-1, Overall Project Workplan, the Description of the Proposed Project, is hereby being revised to reflect the inclusion of a new project element to take design of the Yuba River, Bear River and WPIC levees to be able to pass the 500-year event from 65% to a construction bid package, complete 65% design of the Feather River and Bear River setback levees to be able to pass the 500-year event, and to complete a feasibility study to replace the temporary Goldfields 100-yr embankment and will be compatible with the approved mining reclamation plan which will remove the existing embankment.
- B. Std. 213, Paragraph 2 is amended to read: Extend the termination date by one year, from June 30, 2023, to June 30, 2024.
- C. Amendment 5, Paragraph 2 is amended to read: The term of the Funding Agreement shall be from the latest date of execution by the State and approval by the Department of General Services through June 30, 2024.
- D. All other terms and conditions of Agreement #4600012115, including Amendments 1, 2, 3, and 4 shall remain the same.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 4 to the Funding Agreement.

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES

FUNDING RECIPIENT

By 
Jeremy Arrich, Manager
Division of Flood Management


By 
Kevin Mallen
Executive Director
Three Rivers Levee Improvement Authority


Date: 12/21/2022

Date: 12/13/2022

Approved as to Legal Form
and Sufficiency:

Approved as to Legal Form
and Sufficiency:

By 
Robin E. Brewer
Assistant General Counsel
Office of the General Counsel

By 
Andrea Clark
General Counsel
Three Rivers Levee Improvement Authority

Date: 12/20/2022

Date: 12/19/2022

Exhibit A

Overall Work Plan, Budget, and Schedule – Amendment 5.

Article A-1 Overall Project Work Plan

State Plan of Flood Control: The Goldfields 200-Year Levee Project (Project) must be added to the State Plan of Flood Control (SPFC) due to the requirement of the Proposition 1E General Obligation Bond (Pub. Resources Code, § 5096.821.). The California Department of Water Resources (DWR) has identified paths for this Project to be added to the SPFC, and activities that can be started prior to the Project's inclusion into the SPFC. The two steps DWR has identified are:

- Compliance with the U.S. Army Corps of Engineers (USACE) Section 408 permission to alter a USACE Project. As with all modifications to existing federal flood control features, the Project would need to be approved under the Section 408 process, with acknowledgement by USACE that the entire length of the levee would be the permitted facility, not solely the tie-in point, or
- Inclusion of the Project in a Chief's Report signed by the USACE's Chief of Engineers, and subsequent authorization by Congress.

As long as a clear path is identified and progress is made towards one of the two steps identified above, the Project will be conditionally funded for design, real estate support, California Environmental Quality Act/National Environmental Policy Act (CEQA/NEPA) activities and other related expenses. DWR will not commit funds for real estate acquisition or any construction activities prior to the Project's inclusion into the SPFC. If at any time federal authorization is not reasonably foreseeable, all funding commitments will be withdrawn, and this Agreement will terminate. The Project was authorized by Congress in Section 1305 of the Water Resource Development Act (WRDA) 2018. This authorization provided the clear path required by the above language.

Given the time limitations of the Bond funding and the required duration for right of way acquisition, permitting, and construction activities as stated in the Project application package, adequate progress on securing a path to the SPFC needed to be established by December 2018. Again, congressional authorization of the Project in 2018 fulfilled this requirement. DWR has identified a clear path for this Project to be added to the SPFC and activities that can be started prior to adoption into the SPFC; including real estate acquisition and construction activities (see DWR letter to Three Rivers Levee Improvement Authority [TRLIA], dated August 16, 2018, Re: TRLIA 200-Year Goldfields Levee Project Funding Update).

Description of the Proposed Project: The Goldfields 200-Year Levee Project is located south of the Goldfields, see Map 1 below.

The Goldfields 200-Year Levee Project is located south of the Yuba Goldfields in Yuba County, see Map 1 below. The project includes approximately 2.6 miles of new levee embankment to extend and partially replace the existing Yuba River South Levee (YRSL) located upstream of levee improvements completed under the Upper Yuba Levee Improvement Project (UYLIP). The new levee would begin approximately 1,000 feet west of the existing YRSL terminus and extend southeast to Hammonton-Smartville Road. The levee would then continue along the north side of Hammonton-Smartville Road, terminating approximately 0.5 mile southwest of Hammonton Road. In addition to the levee embankment, other project features include a landside seepage berm at the junction of the existing YRSL and the new levee, seepage cutoff walls, waterside drainage features (e.g., ditch, detention basin), two access roads and several ramps, and acquisition of O&M corridors. Borrow for the Project will come from both onsite and offsite sources. Details of the Project can be viewed in the 65% plan set published by TRLIA in February

2019. The proposed levee was authorized by Congress in 2018 and will comply with USACE levee design criteria, in addition to Urban Levee Design Criteria (ULDC) and CA Water Code Title 23. Construction of the Project features began in 2020 and will continue into 2021.

In November 2018, TRLIA presented DWR with a request (Amendment 1) to increase the State's funding agreement limit to address two primary issues. First, the funding agreement limit was insufficient to provide the full State cost share based on the approved State cost sharing rate for the Project (85%). Second, additional State funding was needed due to expected additional construction and right of way costs on the Project. Since November 2018, large additional costs associated with major (PG&E and WAPA) utility line relocations have been identified. Attachment A Article 2 of Amendment 1 presented an updated budget that reflects additional DWR funding, and the allocation of remaining funding available within TRLIA's Feather River Levee Improvement Project and Upper Yuba Levee Improvement Project to the 200 Year Goldfields Project.

The second amendment provided for inclusion of two additional features that will improve the long-term performance of the SPFC levee (i.e., Goldfields levee) by mitigating erosion of the Yuba River South Training Wall. The Yuba Goldfields are a dynamic complex of dredged material tailings between the Yuba River and the Goldfields levee. This complex is continuously changing in physical condition and alignment due to both natural and man-made causes. A review of historical aerial imagery and TRLIA's hydraulic modeling have identified two critical locations as susceptible to these changes: Crossing 21 and Site J Saddle (Map 2). Based on the dynamic nature of the Yuba Goldfields and hydraulic modeling performed by TRLIA, two additional features are proposed for reinforcement. These additional features will improve the long-term performance of the SPFC levee (i.e., Goldfields levee) by mitigating erosion in the Yuba Goldfields. To mitigate this erosion, TRLIA will reinforce and raise two tailing mounds in the Goldfields: Crossing 21 and Site J Saddle.

Amendment 3 to this workplan adds a new project element to design, complete CEQA, permitting, and begin implementation of the work needed to improve the Reclamation District (RD) 784 levee to be able to pass the 500-year event. The completed ULDC levee improvement program (Figure 1) provides a minimum of 200-year protection. However, the actual performance of each levee in the system varies due to a number of factors. For example, the design of the Feather River and the lower Yuba River levees were based on the existing conditions at the time and did not account for the water surface reduction benefits of the Feather River setback levee. The hydrology has also been updated, and the updated estimate of the 200-year flood is smaller than what was used for design. Yuba Water Agency is also designing the Atmospheric River Control Spillway for New Bullard's Bar (ARC Spillway) that will reduce flood stages for large events, further improving the performance of the majority of the RD 784 levee system.

The Yuba River and Bear River levees will have differing levels of performance with the NBB SS. For example, the Yuba River below Simpson Lane may be close to or possibly exceed 500-year without the need for improvement. Upstream of Simpson Lane has lower performance numbers and will at a minimum require a small levee raise. Initial information suggests the levee raise would be less than 2 feet. The lower reach of the Bear River levee likely has higher performance numbers than the upper reach. More work is needed on the hydrology and hydraulic profile to determine what work is required on the Bear River and the Western Pacific Interceptor Canal. However, the information available suggests that a modest levee raise is required for this reach. The stage reductions associated with the updated hydrology and NBB SS result in the 500-year water surface being equal to or lower than the design water surface that was used for the Feather River levee and Bear River setback levee. These levees will be able to pass the 500-year water surface once the NBB SS spillway is built without the need for additional improvements. Figure 3 shows the levee systems that are proposed for work as part of Addendum 3 to this work agreement.

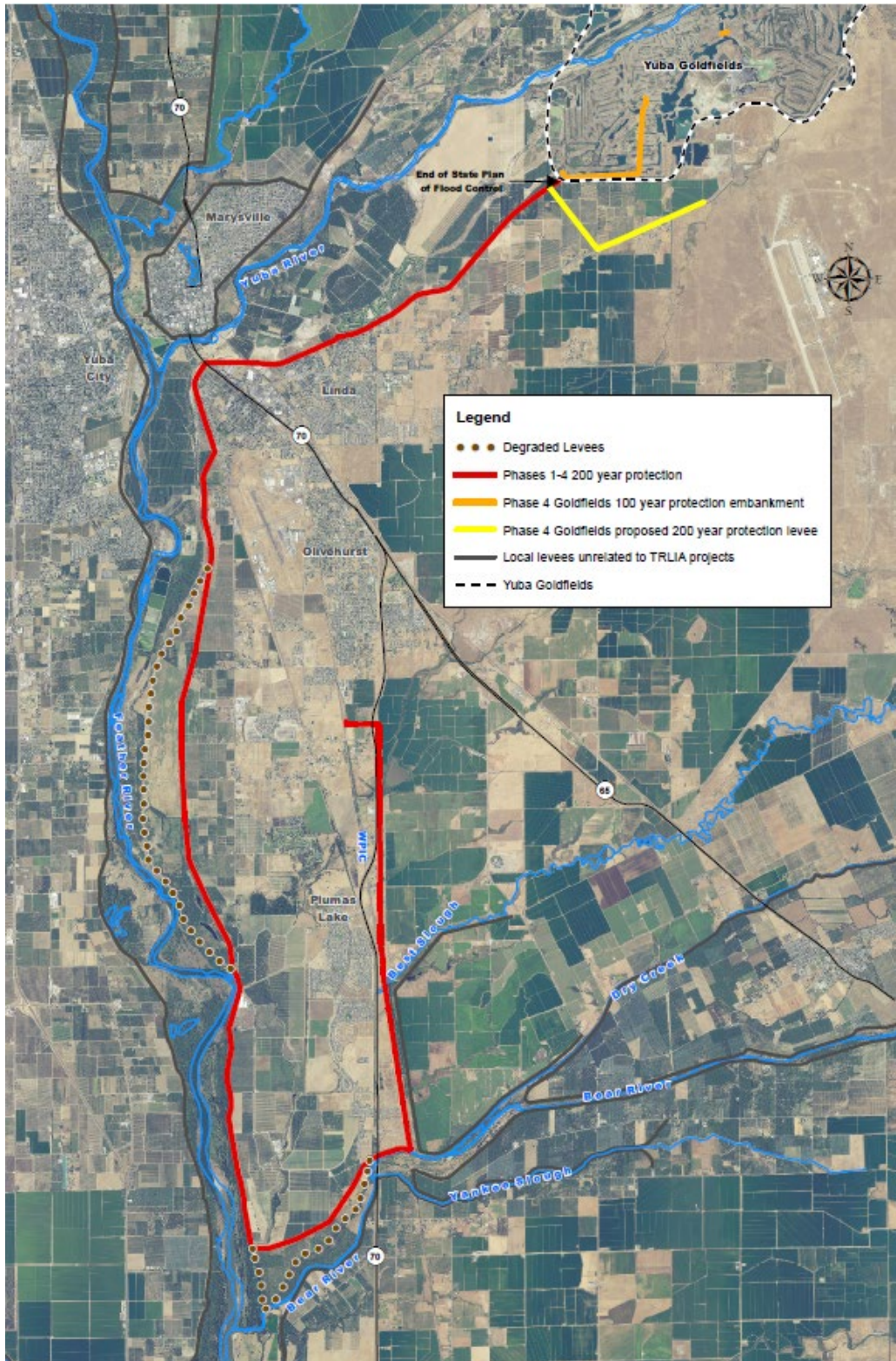
The work identified in Addendum 3 was completed in 2022. As described above, there are two primary components of the 500-year project: levee improvements and the NBB ARC Spillway. YWA has been

approved to submit a sub application for FEMA's Building Resilient Infrastructure and Communities (BRIC) grant program for the ARC Spillway. Separately, TRLIA has been approved to submit a sub application for a BRIC grant for the RD 784 urban levee improvements that are included in the 500-year project. Because the levee improvements in of themselves will not achieve 500-year, the project submitted by TRLIA for the BRIC grant has been titled the "Climate Resiliency Project". The Climate Resiliency Project, as a standalone action, is estimated to improve the performance of the urban portion of the RD 784 levee system from 200-year to 300-year. The BRIC grant process can take 18-24 months for final selection. In the meantime, TRLIA is proposing to advance the engineering, design, environmental, and permitting for the necessary levee improvements (i.e., Climate Resiliency Project) in cooperation with DWR.

Addendum 5 to this funding agreement is intended to advance the design to 100% for the Yuba, Bear and WPIC levees and develop 65% plans for the Feather and Bear River setback levees. The Feather and Bear River setback levees have been added to the scope of the project due to recent changes in seepage criteria published by USACE. Additionally, design of a wind wave buffer is proposed on the WPIC to reduce wave energy. Completing the design (going from 65% to 100%) on the Feather and Bear River setback, real estate acquisition as well as construction of all improvements is proposed to be funded under a FEMA BRIC grant.

Amendment 5 also includes preparation of the Goldfields Multi Benefit Project Feasibility Study. This study will address residual flood risk issues in the Goldfields and identify opportunities to advance the CVFPP Conservation Strategy Measurable Objectives on the Yuba River.

Finally, Amendment 5 includes development of residual floodplains and new FIRM panels to reflect the FEMA certification made under the original workplan.



Map 1 – 200-Year Goldfields Location Map
Updated Amendment 1

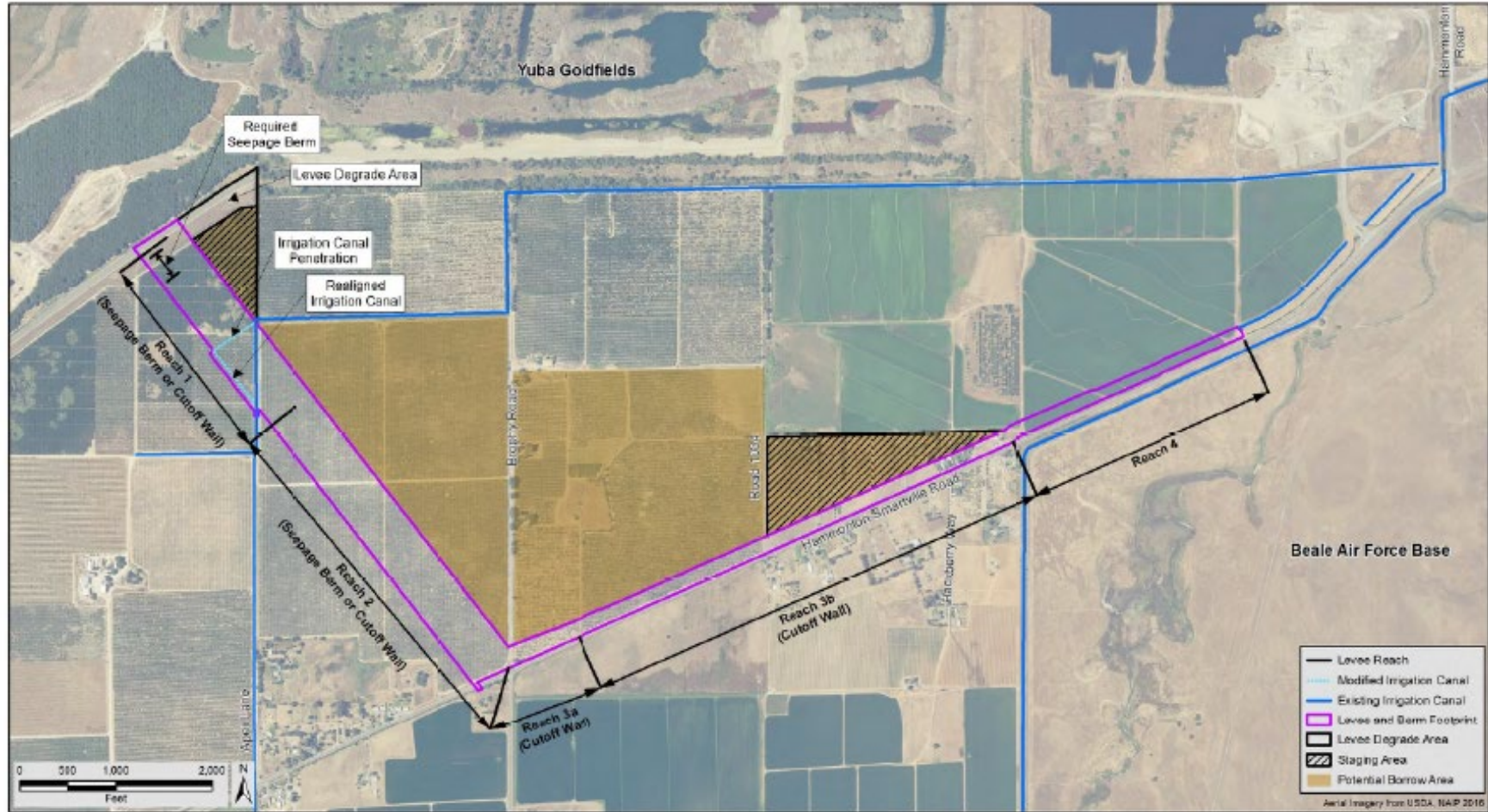
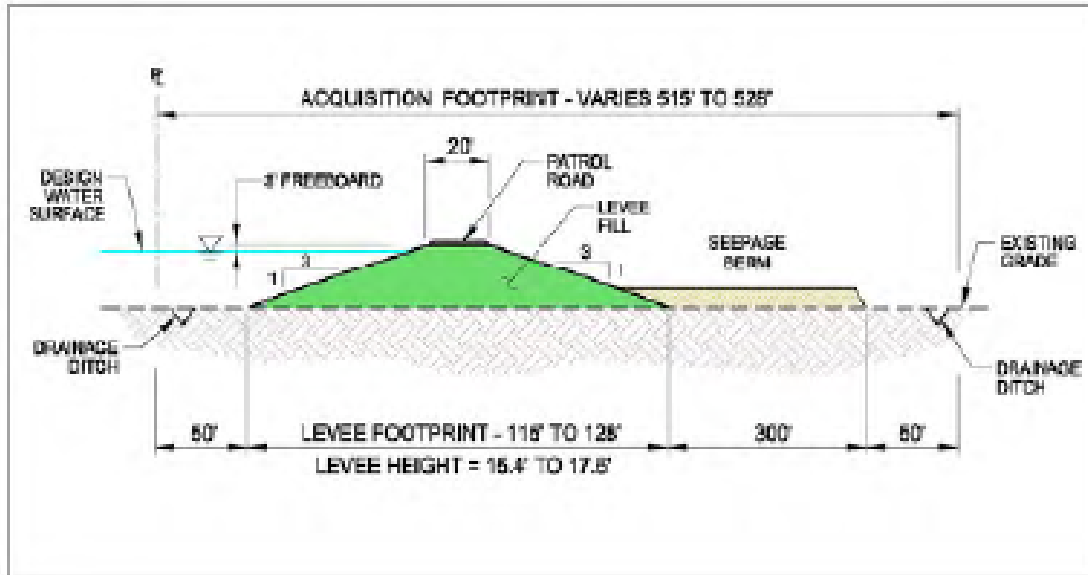


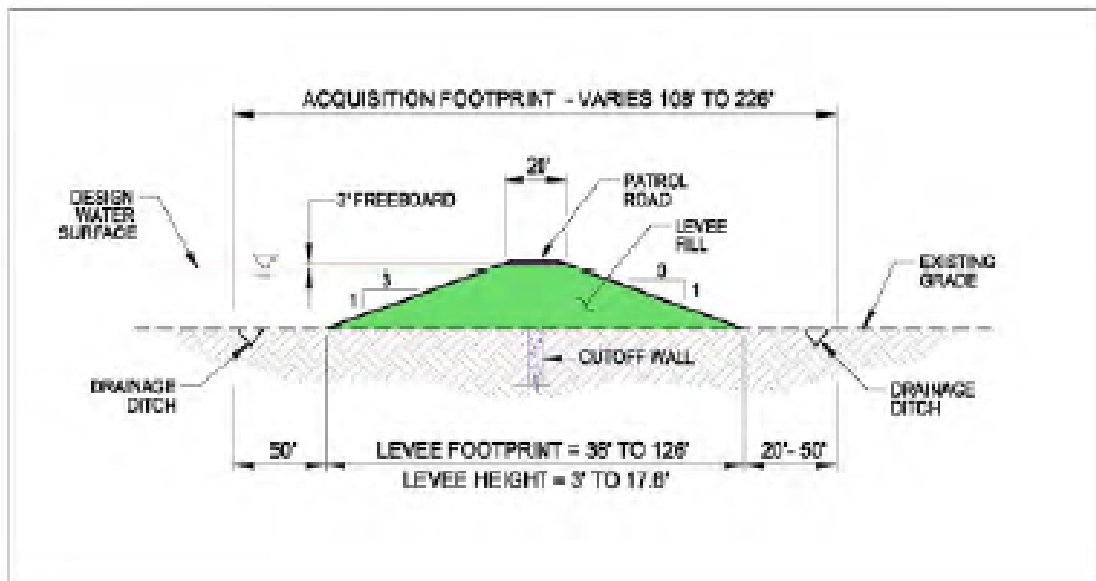
Figure 1 – 200-Year Goldfields Levee Alignment
Updated Amendment 1



Source: Wood Rodgers, Inc. 2018

Exhibit 2-3

Modified Alternative 4 Cross Section – Seepage Berm



Source: Wood Rodgers, Inc. 2018

Exhibit 2-4

Modified Alternative 4 Cross Section – Cutoff Wall

Figure 2 – 200-Year Goldfields Levee X-Sections
Updated Amendment 1



Source: ENGEO 2019, adapted by GEI Consultants, Inc.

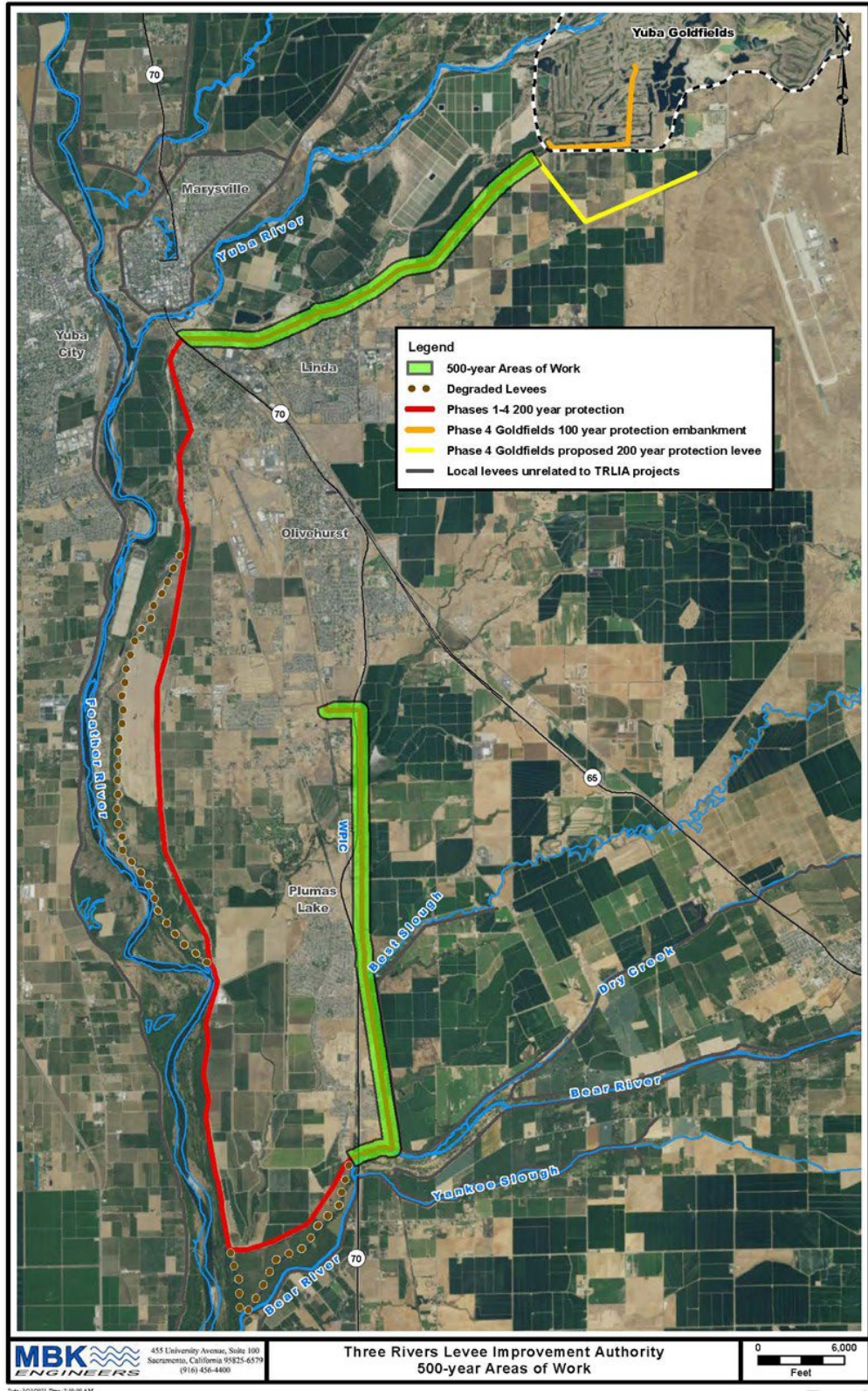


Figure 3

Figure 3. 500-year Areas of Work
Updated Amendment 3

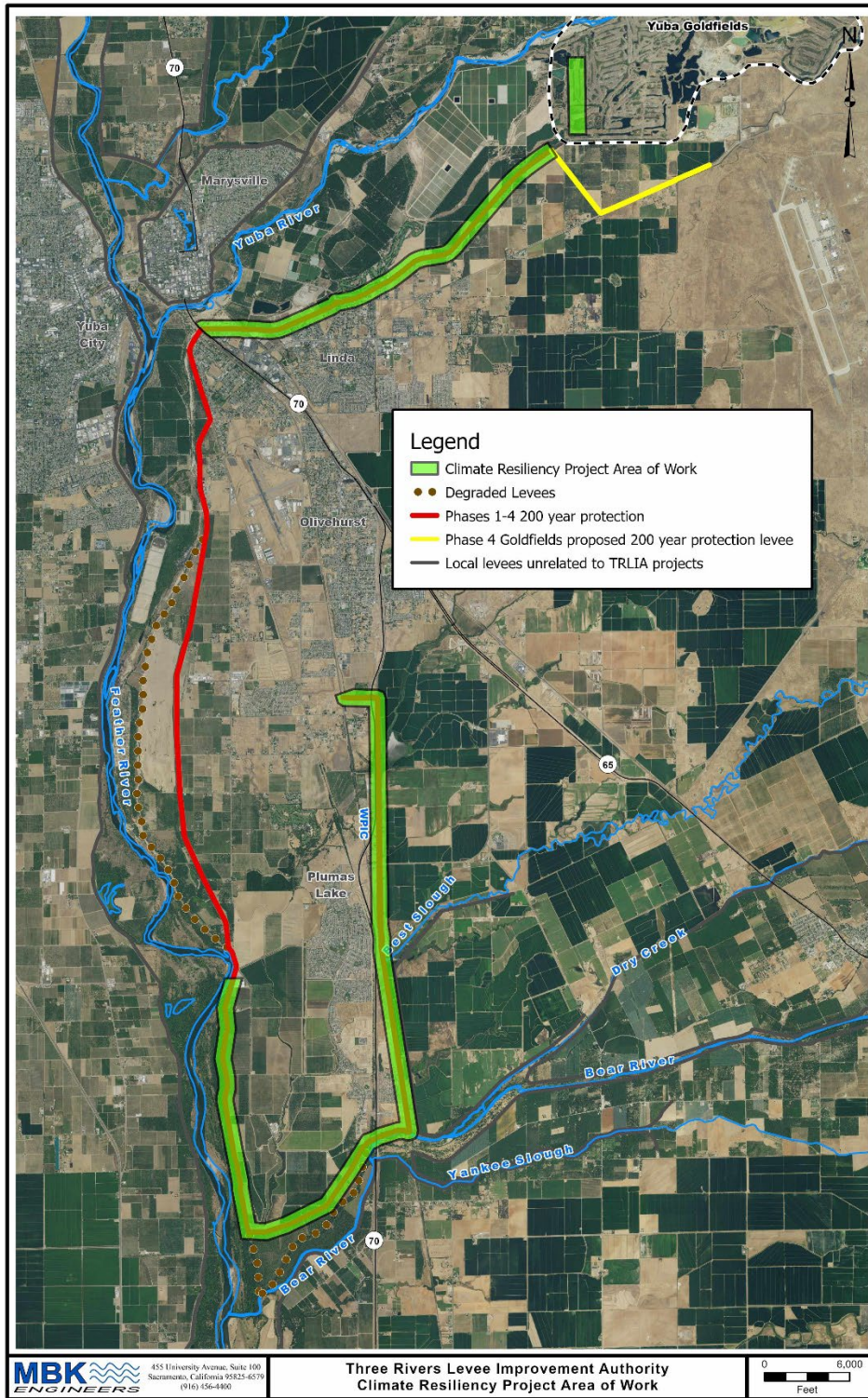


Figure 4

Figure 4. Climate Resiliency Project Areas of Work
Amendment 5

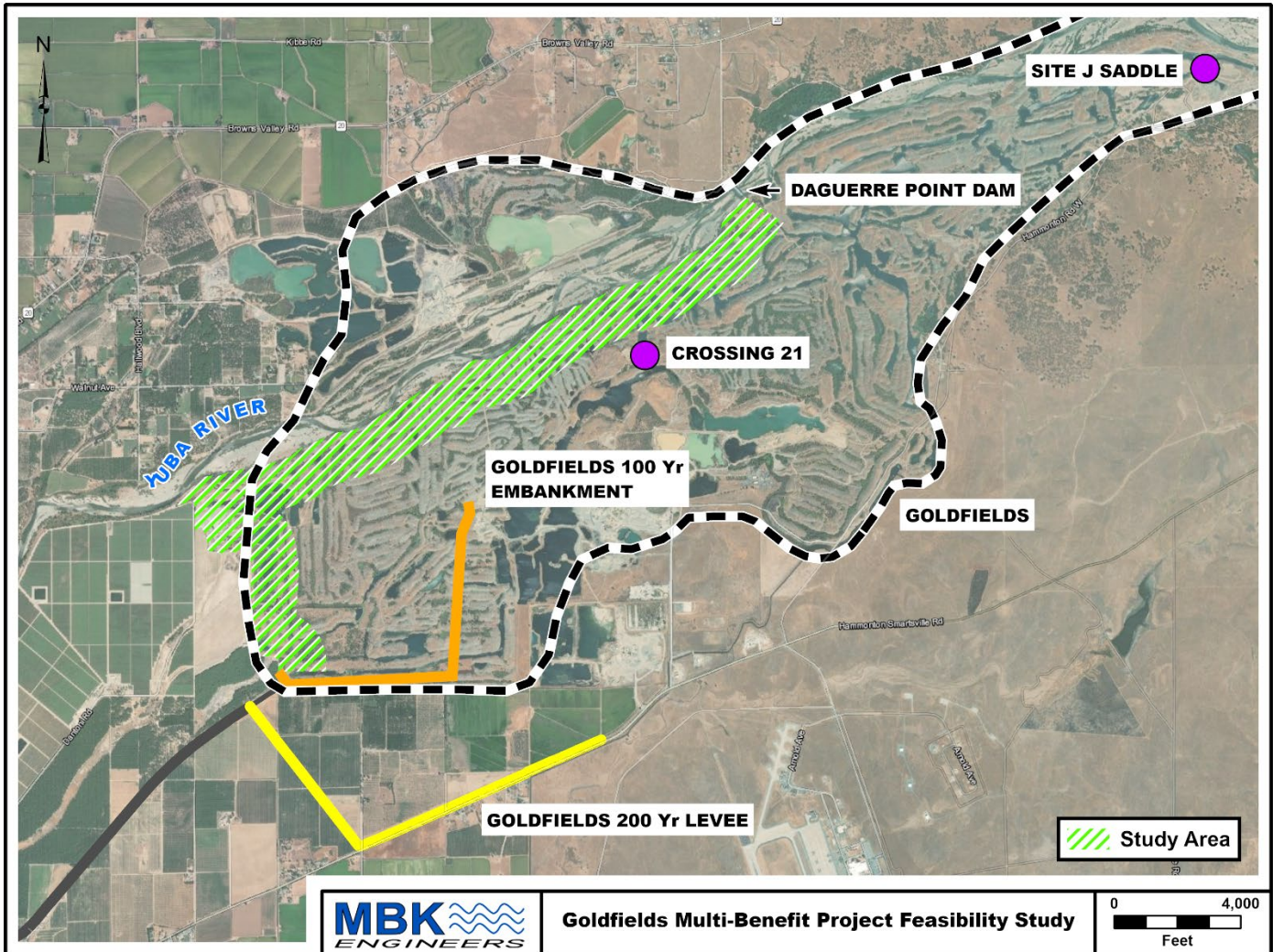


Figure 5

Figure 5. Goldfields Multibenefit Project Feasibility Study
Amendment 5

Description of Grant Elements:

a. **Outline of Project Elements and Features:**

- i. Element 1: Grant Application
- ii. Element 2: Program Management
- iii. Element 3: Design and Right of Way Support
- iv. Element 4: Environmental Review and Permitting
- v. Element 5: Right of Way Acquisition (Post Addition to SPFC)
- vi. Element 6: Construction, Mitigation, and Other Project Activities (Post Addition to SPFC)
- vii. Element 7: Closeout Process (Post Addition to SPFC)
- viii. Element 8: 500-year Project (Amendment 3)
- ix. Element 9: Climate Resiliency Project and Goldfields Multibenefit Feasibility Study (Amendment 5)

b. **Description of Project Elements and Features:**

This element encompasses the eligible work that was expended in the preparation of the Urban Flood Risk Reduction (UFRR) Grant Application.

i. **Element 1:** Grant Application1. **Feature 1:** Grant Application Efforts

Deliverables: A final UFRR Grant Application and supporting materials needed in advance of full execution of the Grant.

ii. **Element 2:** Program Management

This element includes work needed to manage the Project that is not accounted for in Elements 3 through 7. The work is broken into three features: government; consultant; and legal.

1. **Feature 1:** Government salaries, benefits and general expenses (travel expenses, services, supplies, office, & insurance)

This feature includes the Funding Recipient's operating expenses, travel expenses, staff and intragovernmental staff support time (Executive Director, Executive Administrative Assistant, Board Members, Board Secretary, Auditor-Controller, Treasurer, public works finance and administration support) directly related to and in support of the Project.

2. **Feature 2:** Project consultant expenses (technical support (e.g., Project engineers), financial support, community relations support)

This feature includes the portion of the Funding Recipient's consultant costs directly related to the support of the Project.

3. **Feature 3:** Legal Support

This feature includes the cost of legal support directly related to the Project.

Deliverables: All reports related to the administration of the Project as required by the Funding Agreement (quarterly reports, statements of costs with supporting invoices and journals documenting eligible expenses); project completion reports;

technical memoranda; legal documentation; and other documentation, as needed and requested by DWR.

iii. **Element 3: Design and Right of Way Support**

The Project will need to acquire new property on which will be construction of the new levee. The new levee needs to be designed to meet the State ULDC requirements. This element includes work needed for the design and preparation of plans and specifications and property acquisition needed for the Project. The acquisition costs of property and easements are set forth in Element 5.

1. **Feature 1: Design**

This feature includes the design cost (hydraulic, geotechnical, and civil) needed for the Project, which includes, but is not limited to, all field investigations, basis of design, hydraulic modeling, cost estimates, design drawings (initial, 65%, 90%, and 100%), and bid documents including specifications.

2. **Feature 2: Right of Way Support**

This feature includes all right of way support costs. Support features during design include: Right of way management, review of Title Reports, boundary survey, real estate strip map, geodetics, plat and legal descriptions, environmental site documents, real estate admin activities, and legal review of real estate issues. Support features during construction include process approvals by DWR, appraisal reports, review of appraisals, preparation of administrative settlement justifications, legal support for land acquisitions, preparation of final accounting package, public outreach support for real estate acquisition, and rights of entry.

3. **Deliverables:** Design report (basis of design); final design drawings and specifications; bid documents; permits; real estate plan; appraisals, final accounting packages, property purchase contracts, easements, and other right of way related documents.

iv. **Element 4: Environmental Review and Permitting**

The Project requires multiple federal, State, and local permits obtained; and environmental documents that need to be completed. This element includes these efforts.

1. **Feature 1: Completion of the Environmental Review Process**

In order to complete the State and federal environmental review process, the Funding Recipient will be the lead agency for CEQA compliance and the USACE will be the lead agency for NEPA compliance. However, USACE will rely upon the Funding Recipient to complete the appropriate NEPA document for them. This feature includes all costs associated with compliance with both CEQA and NEPA.

2. **Feature 2: Permitting and Addition to the State Plan of Flood Control**

Multiple local, State, and federal permits are required for the construction of the Project; see Article A-4 to A-6 of this work plan. This feature includes all costs associated with obtaining these permits.

Deliverables: Completed CEQA and NEPA Documents; Appropriate permits for construction of Goldfields 200-Year Project; and Addition to SPFC.

v. **Element 5: Right of Way Acquisition**

This feature includes the final acquisition (signing of negotiated agreements) of all real property needed for the Project.

1. **Feature 1: Right of Way Capital Cost**

This feature will capture the capital cost for acquiring the properties and easements identified in the final approved real estate plan that will be prepared for this Project under Element 3, Feature 2. This feature will also capture any capital legal settlement costs.

Deliverables: Rights of way acquired per final approved real estate plan.

vi. **Element 6: Construction, mitigation, and other Project activities (Post Addition to SPFC)**

This element includes all the costs for constructing the Project.

1. **Feature 1: Construction**

This feature includes the Project construction costs (including borrow sites, Utility relocations, and construction change orders).

2. **Feature 2: Construction management**

This feature includes the Project construction management costs pre-, during, and post-construction. Bid document issuance and contractor selection; as-built drawings; and the completion of the Construction Document Report are included in this feature.

3. **Feature 3: Environmental mitigation**

This feature includes the cost of any environmental mitigation(s) that will be required for the Project. These costs will result from the completion of the work identified in Element 4, Feature 2.

4. **Feature 4: O&M Manual addendum**

This feature includes the cost of the O&M Manual Addendum required by the Funding Agreement.

5. **Feature 5: Certification**

This feature includes all the costs associated with Federal Emergency Management Agency (FEMA) 100-year certification, and 200-year State compliance determination.

6. **Feature 6: Mitigation of Erosion Threats**

This feature includes the cost of reinforcing Crossing 21 and Site J Saddle, construction management, and environmental mitigation associated with these two sites.

Deliverables: A new approximately 2.0 mile 200-Yr Compliant Levee; two reinforced tailing mounds; Environmental Mitigation; Construction Documentation Report (includes As-Built Drawings); O&M Manual Addendum

vii. **Element 7: Closeout Process**

This element includes the cost closeout of all aspects of the Funding Agreement.

Feature 1: Closeout Work

This feature includes the preparation of a Project Closeout Report and the compiling of all the deliverables associated with this document by the different

consulting disciplines including engineering, construction management, financial administration and environmental compliance.

Deliverables: Completed Project Closeout Report

viii. **Element 8:** 500-year Project

1. **Feature 1:** Design and Right of Way

This element includes work needed for the design and preparation of plans and specifications and property acquisition needed for the 500-year Project. Land acquisition for the 500-year Project is not proposed as part of Amendment 3. This feature includes the design cost (hydraulic, geotechnical, and civil) needed for the Project, which includes, but is not limited to, all field investigations, basis of design, hydraulic modeling, cost estimates, design drawings and specifications (30% and 65%). This feature includes right of way support costs needed to identify what right of way will be needed for implementation. Support features during design include: Right of way management, review of Title Reports, real estate strip map, geodetics, plat and legal descriptions, environmental site documents, real estate admin activities, and legal review of real estate issues. Support features include public outreach support for real estate acquisition, and rights of entry.

Deliverables: Design report (basis of design); 65% design drawings and specifications; CVFPB encroachment permit application and plan identifying needed real estate.

2. **Feature 2:** Environmental Review and Permitting

In order to complete the State and federal environmental review process, the Funding Recipient will be the lead agency for CEQA compliance and the USACE will be the lead agency for NEPA compliance. However, USACE will rely upon the Funding Recipient to complete the appropriate NEPA document for them. This feature includes all costs associated with compliance with both CEQA and NEPA. Multiple local, State, and federal permits are required for the construction of the Project; see Article A-4 to A-6 of this work plan. This feature includes all costs associated with obtaining these permits.

Deliverables: Completed CEQA and draft NEPA documents; Complete appropriate permit application for construction of TRLIA 500-year Project.

3. **Feature 3:** Construction, mitigation, and other Project activities

This feature includes the Project construction costs (including borrow sites, Utility relocations, and construction change orders). This feature includes the Project construction management costs pre-, during, and post-construction. Bid document issuance and contractor selection; as-built drawings; and the completion of the Construction Document Report are included in this feature. This feature includes the cost of any environmental mitigation(s) that will be required for the Project.

Deliverables: Construction features TBD. Likely will include piezometers and potentially cultural or environmental mitigation measures. Deliverables will be confirmed once initial design is completed.

ix. **Element 9:** Climate Resiliency Project and Goldfields Multibenefit Project Feasibility Study1. **Feature 1:** Grant management, Project Management, Agency Staffing & Legal.

This feature includes the Funding Recipient's operating expenses, travel expenses, staff and intragovernmental staff support time (finance and administration); and consultant costs, including legal services, directly related to the support of the Project.

Deliverables: All reports related to the administration of the Project as required by the Funding Agreement (quarterly reports, statements of costs with supporting invoices and journals documenting eligible expenses); project completion reports; legal documentation; and other documentation, as needed and requested by DWR.

2. **Feature 2:** Climate Resiliency Project (all disciplines) & FIRM panel updates

This feature includes engineering and design, environmental and permitting, and right-of-way effort to support implementation of the Climate Resiliency Project. This includes taking the existing 65% design developed under Element 8 to a bid package, adding the Feather River and Bear River setback levee features and developing 65% plans for those levee segments and a vegetated wind wave buffer on the WPIC. Development of draft NEPA documents to support USACE decision-making and development and submittal of permit applications for construction. Development of the right of way acquisition plan. The 100% plans for the Feather and Bear River Setbacks and vegetated wind wave buffer as well as real estate acquisition will be funded by the BRIC grant.

The FEMA FIRM panels will be updated and include the residual internal drainage floodplain.

Deliverables: Basis of design report; 100% design drawings and specifications for the Yuba, Bear and WPIC levees and 65% for the Feather and Bear River setback levees; CVFPB encroachment permit application; and plan identifying needed real estate. Draft NEPA documents to support USACE decision making; Permit applications for construction of TRLIA Climate Resiliency Project, as required. Updated FIRM panels.

3. **Feature 3:** Goldfields Multibenefit Project Feasibility Study (all disciplines)

The feasibility study will identify a multi-benefit project to replace the temporary Goldfields 100-year embankment that is compatible with the approved mining reclamation plan. The study will seek to build on the success of the Hallwood Side Channel Project and evaluate opportunities for ecosystem restoration along the Yuba River, including those that contribute to the Central Valley Flood Protection Plan Conservation Strategy measurable objectives. Compatibility with the Climate Resiliency Project will be addressed in the feasibility study.

Deliverables: Draft and final feasibility study.

Article A-2 Overall Project Budget – Amendment 2
 The budget is broken out by Project element and feature (see Article A-2 above).

**TRLIA Overall Work Plan Budget
 200-Year Goldfields Levee Project**

State Cost Share % [1]	TRLIA Code	Project Elements and Features	State Budget (\$) [1]	Local Budget (\$) [2]	Total Budget (\$)
Element 1: Grant Application					
85%	3128-3641	Feature 1: Grant Application Efforts	\$19,783	\$5,317	\$25,100
Subtotal Element 1			\$19,783	\$5,317	\$25,100
Element 2: Program Management					
85%	3128-3642	Feature 1: Government Salaries, Benes. and G.E.	\$1,655,978	\$445,022	\$2,101,000
85%	3128-3649	Feature 2: Program Consultant Expenses	\$740,106	\$198,894	\$939,000
85%	3128-3650	Feature 3: Legal Support	\$362,565	\$97,435	\$460,000
Subtotal Element 2			\$2,758,649	\$741,351	\$3,500,000
Element 3: Design and Right of Way Support					
85%	3128-3643	Feature 1: Design	\$3,322,202	\$892,798	\$4,215,000
85%	3128-3646	Feature 3: Right of Way Support	\$1,300,506	\$349,494	\$1,650,000
Subtotal Element 3			\$4,622,708	\$1,242,292	\$5,865,000
Element 4: Environmental Review and Permitting					
85%	3128-3644	Feature 1: CEQA/NEPA Process	\$792,126	\$212,874	\$1,005,000
85%	3128-3651	Feature 2: Permitting & Add to SPFC	\$472,911	\$127,089	\$600,000
Subtotal Element 4			\$1,265,038	\$339,962	\$1,605,000
Element 5: Right of Way Acquisition (Post Add to SPFC)					
85%	3128-3645/3657	Feature 1: Right of Way Capital Cost	\$6,699,577	\$1,800,423	\$8,500,000
Subtotal Element 5			\$6,699,577	\$1,800,423	\$8,500,000
Element 6: Construction, Mitigation, and Other Project Activities (Post Addition to SPFC)					
85%	3128-3647	Feature 1: Construction	\$17,235,905	\$4,631,924	\$21,867,829
85%	3128-3648	Feature 2: Construction Management	\$2,620,717	\$704,283	\$3,325,000
85%	3128-3653	Feature 3: Environmental Mitigation	\$1,278,437	\$343,563	\$1,622,000
85%	3128-3654	Feature 4: O&M Manual Addendum	\$98,523	\$26,477	\$125,000
85%	3128-3655	Feature 5: Certification	\$216,751	\$58,249	\$275,000
85%	3130-Varies	Feature 6: Crossing 21 and Site J Saddle	\$492,616	\$132,384	\$625,000
Subtotal Element 6			\$21,942,949	\$5,896,880	\$27,839,829
Element 7: Closeout Process (Post Add to SPFC)					
85%	3128-3656	Feature 1: Closeout Work	\$86,700	\$23,300	\$110,000
Subtotal Element 7			\$86,700	\$23,300	\$110,000
Element 8: 500-Year Project					
85%	3131-3671	Feature 1: Design and Right of Way	\$1,596,076	\$428,924	\$2,025,000
85%	3131-3672	Feature 2: Environmental Review and Permitting	\$457,148	\$122,852	\$580,000
85%	3131-3673	Feature 3: Construction, mitigation, and other Project activities	\$197,046	\$52,954	\$250,000
Subtotal Element 8			\$2,250,270	\$604,730	\$2,855,000
Element 9: Climate Resiliency Project and Goldfields Multibenefit Project Feasibility Study					
85%	3132-3671	Feature 1: Grant management, PM & BRIC app	\$94,582	\$25,418	\$120,000
85%	3132-3672	Feature 2: Climate Resiliency Project & FIRM panel	\$2,363,511	\$594,990	\$2,958,501
85%	3132-3673	Feature 3: Goldfields Multibenefit Study	\$425,754	\$74,246	\$500,000
Subtotal Element 9			\$2,883,847	\$694,654	\$3,578,501
TOTAL ALL ELEMENTS			\$42,529,521	\$11,348,909	\$53,878,430

[1] State cost share is 85%. State Budget shown for each Feature and Element is proportionately reduced to reflect State share cap / funding Agreement Limit of \$42,529,521.

[2] Local Budget is the portion of the Total Budget not funded by State. Local budget is funded by TRLIA local sources.

State Funding Increase Recap (from Amendment 1):

Original Funding:	\$ 32,600,000
Feather EIP Transfer:	\$ 2,071,137
UYLIP EIP Transfer:	\$ 1,858,114
DWR Increase:	<u>\$ 6,000,000</u>
Total:	\$ 42,529,251

Article A-3 Overall Project Work Schedule – Amendment 5

The schedule below is broken out by Project element and feature (see Article A-1 above).

Task Name	Finish	Qtr 2, 2022	Qtr 3, 2022	Qtr 4, 2022	Qtr 1, 2023	Qtr 2, 2023	Qtr 3, 2023	Qtr 4, 2023
4 Feature 1: Government Salaries, Benefits and General Expenses	Fri 12/30/22	[Bar]						
5 Feature 2: Program Consultant Expenses	Fri 12/30/22	[Bar]						
6 Feature 3: Legal Support	Fri 12/30/22	[Bar]						
7 Element 3: Design and Right of Way Support	Mon 5/31/21	[Bar]						
8 Feature 1: Design	Mon 3/2/20	[Bar]						
9 Feature 2: Right of Way Support	Mon 5/31/21	[Bar]						
10 Element 4: Environmental Review and Permitting	Fri 12/30/22	[Bar]						
11 Feature 1: CEQA and NEPA Process	Fri 1/3/20	[Bar]						
12 Feature 2: Permitting and Addition to the SPFC	Fri 12/30/22	[Bar]						
13 Element 5: Right of Way Acquisition (Post Addition to SPFC)	Fri 12/31/21	[Bar]						
14 Feature 1: Right of Way Capital Cost	Fri 12/31/21	[Bar]						
15 Element 6: Construction, Mitigation, and Other Project Activities (Post Addition to SPFC)	Fri 9/30/22	[Bar]						
16 Feature 1: Construction	Tue 12/21/21	[Bar]						
17 Feature 2: Construction Management	Tue 5/31/22	[Bar]						
18 Feature 3: Environmental Mitigation	Wed 8/31/22	[Bar]						
19 Feature 4: O&M Manual Addendum	Fri 9/30/22	[Bar]						
20 Feature 5: Certification	Fri 9/30/22	[Bar]						
21 Feature 6: Crossing 21 and Site J Saddle	Fri 7/30/21	[Bar]						
22 Element 7: Closeout Process (Post Addition to SPFC)	Fri 12/30/22	[Bar]						
23 Feature 1: Closeout Work	Fri 12/30/22	[Bar]						
24 Element 8: 500-Year Project	Tue 5/31/22	[Bar]						
25 Feature 1: Design and Right of Way	Tue 5/31/22	[Bar]						
26 Feature 2: Environmental Review and Permitting	Tue 5/31/22	[Bar]						
27 Feature 3: Construction, Mitigation, and Other Activities	Tue 5/31/22	[Bar]						
28 Element 9: Climate Resiliency Project	Tue 10/31/23	[Bar]						
29 Feature 1: Grant Management, Project Management, Agency Staffing, Legal	Tue 10/31/23	[Bar]						
30 Feature 2: Climate Resiliency Project (all disciplines) & FIRM panel updates	Fri 9/15/23	[Bar]						
31 90% Design Yuba, Bear, and WPIC & 65% Design Setback Levees and Wind Wave Buffer	Fri 3/31/23	[Bar]						
32 100% Design Yuba, Bear, and WPIC	Fri 9/15/23	[Bar]						
33 Feature 3: Goldfields Multibenefit Project Feasibility Study (all disciplines)	Thu 8/31/23	[Bar]						
34 Prepare Draft Feasibility Report	Fri 3/31/23	[Bar]						
35 Prepare Final Feasibility Report	Thu 8/31/23	[Bar]						

Article A-4 Project Element and Features Permits – Amendment 3

TRLIA 200-YEAR Goldfields Levee Project

PERMITTING AGENCY	PERMIT	PERMIT NEEDED (Y/N)	STATUS/COMMENTS
Central Valley Flood Protection Board	Encroachment Permits	Yes	Need encroachment permit to tie into existing SPFC levee
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	No	Navigable waterways not affected
Corps	Section 404 Permit	Yes	Section 404 permit was obtained.
Corps	Wetlands Delineation	Yes	Wetland delineation required.
Corps	408 approval of project levee alteration	No	project was authorized by Congress and therefore no 408 is required.
Regional Water Quality Control Board (RWQCB); Central Valley Region 5	Section 401 Water Quality Certification	Yes	Section 401 permit was obtained.
RWQCB, Region 5	National Pollution Discharge Elimination System (NPDES) Permit per CWA Section 402	Yes	Storm water Pollution prevention Plan (SWPPP) is being implemented as part of construction.
Feather River Air Quality Management District (FRAQMD)	Authority to Construct	Yes	Authorization obtained.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	No	Project is not likely to effect on fish or wildlife resources or habitats
National Marine Fisheries Service (NMFS)	Endangered Species Act Compliance	No	Project will have no effect on fishery resources and habitats
California Department of Fish and Wildlife (CADFW)	CA Endangered Species Act Compliance (2081)	No	Project is not likely to effect on fish or wildlife resources or habitats.
CADFW	Streambed Alteration Agreement (1602)	No	No SAA is required.
California State Lands Commission (SLC)	Encroachment Permit	No	All ground disturbances are outside SLC jurisdiction
California Department of Forestry	Conversion of timberland to other uses	No	No timberland conversion is required for the project
California Natural Resources Agency	Cancellation of Williamson Act Contract	No	No 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.
Native American Heritage Commission (NAHC)	Evaluation of effects on Native American burials or artifacts	Yes	Coordination with the NAHC and Native American tribes was completed.
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	New alignment will require coordination with the NAHC and Native American tribes
Reclamation District 784 (RD 784)	Encroachment Permit	No	RD 784, as a TRLIA member, waived the requirement for a permit.
Yuba County	Grading Permit	No	A grading permit was not required by Yuba County.
State Mining and Geology Board	SMARA Permit	No	A SMARA permit was not required.

TRLIA Crossing 21 and Site J Saddle

PERMITTING AGENCY	PERMIT	PERMIT NEEDED (Y/N)	STATUS/COMMENTS
Central Valley Flood Protection Board	Encroachment Permits	No	Work is outside the jurisdiction of the CVFPB.
U.S. Army Corps of Engineers	Section 10 Permit Section 408 Permission	No	Navigable waterways not affected.
	Section 404 Permit	Yes	USACE approved use of Nationwide Permit #3
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	SHPO consultation required as part of BLM ROW
Regional Water Quality Control Board (RWQCB); Central Valley Region 5	Section 401 Water Quality Certification	Yes	Pending
	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Maybe	TRLIA will confirm if NPDES/SWPPP is required.
Yuba County	Grading Permit	Maybe	TRLIA will coordinate with Yuba Co regarding need for a grading permit.
Feather River Air Quality Management District	Authority to Construct	No	Not required.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	No	No impacts on federally-listed species under USFWS jurisdiction.
National Marine Fisheries Service	Endangered Species Act Compliance	No	No impacts on federally-listed species under NMFS jurisdiction.
California Department of Fish and Wildlife	CA Endangered Species Act Compliance (2081)	No	No impacts on state-listed species.
	Streambed Alteration Agreement	No	Project sites are not within jurisdiction.
California State Lands Commission (SLC)	Encroachment Permit	No	Project sites are outside SLC jurisdiction
California Department of Forestry	Conversion of timberland to other uses	No	No timberland conversion is required for the project
California Natural Resources Agency	Cancellation of Williamson Act Contract	No	No 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
Reclamation District 784 (RD 784)	Encroachment Permit	No	RD784 does not have jurisdiction at the two locations.
State Mining and Geology Board (SMGB)	SMARA Permit	No	Mining will not occur as part of the project.

TRLIA 500-year Project

PERMITTING AGENCY	PERMIT	PERMIT NEEDED (Y/N)	STATUS/COMMENTS
Central Valley Flood Protection Board	Encroachment Permits	Yes	Need encroachment permit to alter levees
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	No	Navigable waterways not expected to be affected
Corps	Section 404 Permit	Maybe	TRLIA will evaluate permit need after project footprint is identified
Corps	Wetlands Delineation	Yes	Wetland delineation is required to evaluate potential need for 404 permit
Corps	408 approval of project levee alteration	Yes	Need 408 approval to alter levees
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	SHPO consultation required for Corps permit/approval processes
Regional Water Quality Control Board (RWQCB); Central Valley Region 5	Section 401 Water Quality Certification	Maybe	TRLIA will evaluate permit need after project footprint is identified
	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Maybe	TRLIA will evaluate permit need after project footprint is identified
Yuba County	Grading Permit	Maybe	TRLIA will evaluate permit need after project footprint is identified
Feather River Air Quality Management District	Authority to Construct	No	Not required.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Compliance required for Corps permit/approval processes; TRLIA will evaluate permit need after project footprint is identified
National Marine Fisheries Service	Endangered Species Act Compliance	Yes	Compliance required for Corps permit/approval processes, but permit not anticipated to be required
California Department of Fish and Wildlife	CA Endangered Species Act Compliance (2081)	Maybe	TRLIA will evaluate permit need after project footprint is identified
	Streambed Alteration Agreement	Maybe	TRLIA will evaluate permit need after project footprint is identified
California State Lands Commission (SLC)	Encroachment Permit	Maybe	TRLIA will evaluate permit need after project footprint is identified
California Department of Forestry	Conversion of timberland to other uses	No	No timberland conversion is required for the project
California Natural Resources Agency	Cancellation of Williamson Act Contract	No	No contract cancellations would be 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
Reclamation District 784 (RD 784)	Encroachment Permit	No	TRLIA is not required to obtain this permit.
State Mining and Geology Board (SMGB)	SMARA Permit	No	Mining will not occur as part of the project.

TRLIA Climate Resiliency Project

PERMITTING AGENCY	PERMIT	PERMIT NEEDED (Y/N)	STATUS/COMMENTS
Central Valley Flood Protection Board	Encroachment Permits	Yes	Need encroachment permit to alter levees
U.S. Army Corps of Engineers (Corps)	Section 10 Permit	No	Navigable waterways not expected to be affected
Corps	Section 404 Permit	Maybe	TRLIA will evaluate permit need after project footprint is identified
Corps	Wetlands Delineation	Yes	Wetland delineation is required to evaluate potential need for 404 permit
Corps	408 approval of project levee alteration	Yes	Need 408 approval to alter levees
State Office of Historic Preservation (SHPO)	Evaluation of effects on historic and cultural resources	Yes	SHPO consultation required for Corps permit/approval processes
Regional Water Quality Control Board (RWQCB); Central Valley Region 5	Section 401 Water Quality Certification	Maybe	TRLIA will evaluate permit need after project footprint is identified
	National Pollution Discharge Elimination System (NPDES) Permit per Section 402 of the Clean Water Act	Maybe	TRLIA will evaluate permit need after project footprint is identified
Yuba County	Grading Permit	Maybe	TRLIA will evaluate permit need after project footprint is identified
Feather River Air Quality Management District	Authority to Construct	No	Not required.
U.S. Fish and Wildlife Service	Endangered Species Act Compliance	Yes	Compliance required for Corps permit/approval processes; TRLIA will evaluate permit need after project footprint is identified
National Marine Fisheries Service	Endangered Species Act Compliance	Yes	Compliance required for Corps permit/approval processes, but permit not anticipated to be required
California Department of Fish and Wildlife	CA Endangered Species Act Compliance (2081)	Maybe	TRLIA will evaluate permit need after project footprint is identified
	Streambed Alteration Agreement	Maybe	TRLIA will evaluate permit need after project footprint is identified
California State Lands Commission (SLC)	Encroachment Permit	Maybe	TRLIA will evaluate permit need after project footprint is identified
California Department of Forestry	Conversion of timberland to other uses	No	No timberland conversion is required for the project
California Natural Resources Agency	Cancellation of Williamson Act Contract	No	No contract cancellations would be 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
Reclamation District 784 (RD 784)	Encroachment Permit	No	TRLIA is not required to obtain this permit.
State Mining and Geology Board (SMGB)	SMARA Permit	No	Mining will not occur as part of the project.

Article A-5 Project Element and Features Environmental Documents

TRLIA 200-YEAR Goldfields Levee Project

Environmental Act	Documents	STATUS/COMMENTS
California Environmental Quality Act	Initial Study/Environmental Impact Report	Existing EIR will need to be revised or supplemented to address revised alignment.
National Environmental Policy Act	Environmental Assessment/Environmental Impact Statement	Section 408 will require NEPA compliance

TRLIA Crossing 21 and Site J Saddle

Environmental Act	Documents	STATUS/COMMENTS
California Environmental Quality Act	Addendum to Goldfields 200 EIR	An addendum to the Goldfields 200 year project EIR was completed in July 2020. Document is available here: https://www.trlia.org/Addendum%203_GF200_071020.pdf
National Environmental Policy Act	Categorical Exemption or Environmental Assessment	Site J Saddle is located on Bureau of Land Management property and requires a right of way. BLM will need to accomplish NEPA to issue the ROW. TRLIA will assist as requested.

TRLIA 500-year Project

Environmental Act	Documents	STATUS/COMMENTS
California Environmental Quality Act	Environmental Impact Report	TRLIA anticipated to complete CEQA compliance in 2021/2022
National Environmental Policy Act	Environmental Assessment	Section 408 approval will require NEPA compliance; Environmental Assessment is anticipated to be adequate

TRLIA Climate Resiliency Project

Environmental Act	Documents	STATUS/COMMENTS
California Environmental Quality Act	Environmental Impact Report	TRLIA completed CEQA compliance in 2022
National Environmental Policy Act	Environmental Assessment	Section 408 approval will require NEPA compliance; Environmental Assessment is anticipated to be adequate

Article A-6 Project Element and Features Other Reports

TRLIA 200-YEAR Goldfields Levee Project

AGENCY	Item	Description	STATUS/COMMENTS
United States Army Corps of Engineers	Section 221 Credit	Future federal projects cost sharing	Not currently eligible because we do not have an active study that would allow use of 221; however, DWR is considering restarting GRR efforts in Yuba County.