



# Sutter Butte Flood Control Agency

Board of Directors Agenda (**Amended**) – Regular Meeting, December 12, 2018, 1 p.m.  
City of Yuba City Council Chambers - 1201 Civic Center Blvd., Yuba City, CA

The agenda is posted in the building of the Sutter Butte Flood Control Agency at 1130 Civic Center Blvd. Suite B, Yuba City, and at the Sutter County Library, 750 Forbes Avenue, Yuba City. The agenda summary, backup materials, and approved minutes are also posted on the Sutter Butte Flood Control Agency website at [sutterbutteflood.org](http://sutterbutteflood.org). Materials related to an item on this agenda and submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the office of the Board Clerk at 1130 Civic Center Blvd, Suite B, Yuba City, during normal business hours. In compliance with the American with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need, disability related modifications or accommodations to participate in this meeting, please contact the SBFCA office at 530-755-9859 or [admin@sutterbutteflood.org](mailto:admin@sutterbutteflood.org). Requests must be made one full business day before the start of the meeting.

## County of Sutter

Mat Conant  
Larry Munger  
Alt. Ron Sullenger  
Alt. Jim Whiteaker

## County of Butte

Bill Connelly  
Steve Lambert

## City of Yuba City

John Buckland  
Stan Cleveland  
Alt. Manny Cardoza  
Alt. Shon Harris

## City of Live Oak

Jason Banks  
Alt. Lakhvir Ghag

## City of Gridley

Frank Hall  
Alt. Gary Davidson

## City of Biggs

Bo Sheppard  
Alt. Roger Firth

## Levee District 1

Francis Silva  
Charlie Hoppin  
Alt. Sally Serger  
Alt. Drew Stresser

## Levee District 9

Mike Morris  
Chris Schmidl  
Alt. David Schmidl

Persons wishing to address the Board during consideration of matters listed on the agenda will be allowed to do so. Testimony should always begin with the speaker giving his or her name and place of residence. Requests for assistive listening devices or other accommodations, such as interpretive services, should be made through the Sutter Butte Flood Control Agency office at 530-755-9859. Requests should be made at least 72 hours prior to the meeting. Later requests will be accommodated to the extent feasible.

## AGENDA SUMMARY

### **REGULAR MEETING/CALL TO ORDER**

- Roll Call
- Pledge of Allegiance

### **CONSENT CALENDAR**

The Consent Calendar groups together those items which are considered noncontroversial or for which prior policy direction has been given to staff and that require only routine action by the Board. The Chair will advise the audience that the matters may be adopted in total by one motion; however, the Board may, at its option or upon request of a member of the public, consider any matter separately.

1. Approval of the Minutes for the November 14, 2018 Board Meeting.

2. Approval of Task Order 5 Amendment 2 with ECORP to Provide Biological, Cultural, and Tribal Monitoring & Environmental Compliance for the 2018 Oroville Wildlife Area (OWA) Construction Project
- 2.1 **New Item:** Approval of the schedule for regular SBFCA Board meetings

#### **PRESENTATION, DISCUSSION & ACTION ITEMS**

3. Remarks from USACE Sacramento District Commander COL David Ray
4. Recognition of Board Member Departures
5. Receive and File Monthly Financial Report

#### **INFORMATIONAL AND POSSIBLE APPROVAL ITEMS**

6. Receive and File Program/Project Update
7. Other Reports from Agency Staff and Consultants
8. Report by Member and Partner Agencies

#### **CORRESPONDENCE**

9. Report on Correspondence Sent by and Received by the Board

#### **PUBLIC COMMENT**

Members of the public will be allowed to address the Sutter Butte Flood Control Agency's Board of Directors on items of interest to the public that are within the subject matter jurisdiction of the Board. Any member of the audience who may wish to bring a matter before the Board that has not been placed on the agenda may do so at this time; however, State law provides that no action may be taken on any item not appearing on the posted Agenda.

#### **ADJOURNMENT**

The next regularly scheduled Board of Directors meeting will be held on Wednesday, January 9, 2018 at 1 p.m., Yuba City Council Chambers – 1201 Civic Center Blvd., Yuba City, CA 95993



# Sutter Butte Flood Control Agency

Board of Directors Minutes Regular Meeting, November 14, 2018, 1 p.m.  
City of Yuba City Council Chambers - 1201 Civic Center Blvd., Yuba City, CA

The Sutter Butte Flood Control Agency (Agency) Board of Directors (Board), State of California, met on the above date at 1 p.m. at the City of Yuba City Council Chambers - 1201 Civic Center Boulevard, Yuba City, CA.

These minutes do not represent a transcript of the meeting and are intended to be a summary of the most important points. For a complete record, please refer to the video recording of the meeting, which is posted on SBFCA's website: <http://sutterbutteflood.org/board/meetings-agendas/>

## MEMBERS PRESENT

County of Sutter:	Mat Conant, Larry Munger
City of Yuba City:	John Buckland, Stan Cleveland
City of Biggs:	Bo Sheppard
City of Live Oak:	Jason Banks
Levee District 9:	Mike Morris
Levee District 1:	Charlie Hoppin, Francis Silva

**MEMBERS ABSENT:** Bill Connelly, Frank Hall, Steve Lambert, Chris Schmidl

**STAFF PRESENT:** Mike Inamine, Executive Director; Michael Bessette, Director of Engineering; Scott Shapiro, Agency Counsel; Kim Floyd, Public Outreach Manager; Seth Wurzel, Budget Manager; and Terra Yaney, Board Clerk

## MEETING/CALL TO ORDER

At 1p.m., Director John Buckland opened the meeting and led the group in the pledge of allegiance, followed by a moment of silence for the victims of the Camp Fire and Southern California Fire.

## CONSENT CALENDAR

1. Approval of the Minutes for the October 10, 2018 Board Meeting
2. Approval of Task Order No. 20 with ICF International for Cultural Resources Mitigation Compliance for the Feather River West Levee Project
3. Approve and authorize the Executive Director to execute Amendment 2 to Task Order 21 with HDR Engineering for Final Design of the Federal Sutter Basin Flood Risk Management Project (Cypress Avenue to Tudor Road)
4. Approval of Task Order 11 under the Master Services Agreement with WSP (formally Parsons Brinckerhoff, Inc.) to provide construction management services for the UPRR Closure Structure

A motion to approve the Consent Calendar was made by Director Mat Conant and seconded by Director Larry Munger. The motion passed with no objection. The Consent Calendar was approved as follows:

- Jason Banks – yes
- John Buckland - yes
- Stan Cleveland - yes
- Mat Conant - yes
- Charlie Hoppin - yes
- Mike Morris- yes
- Larry Munger - yes
- Mike Morris - yes
- Francis Silva - yes

## No public Comment

The entire discussion is available on the SBFCA website at: <http://sutterbutterflood.org/board/meetings-agendas/>

## **PRESENTATION, DISCUSSION & ACTION ITEMS**

### **5. Receive and File Monthly Financial Report**

Budget Manager Seth Wurzel presented the monthly financial reports for September and answered questions regarding operating revenue of advanced funding. The entire report, along with a PowerPoint presentation is available on the SBFCA website at: <http://sutterbutterflood.org/board/meetings-agendas/>

Director Charlie Hoppin asked if OWA eco-restoration expenses are covered by grants and not assessment money.

Mr. Wurzel answered yes.

## **INFORMATIONAL AND POSSIBLE APPROVAL ITEMS**

### **6. Program/Project Update**

Director of Engineering Michael Bessette gave a presentation outlining recent and ongoing activities. He reported that we have been in active construction on the Oroville Wildlife Area project for several months. Construction began in early August and the project team continues to progress on the design of the recreational improvements and on the invasive species removal efforts. On October 23<sup>rd</sup>, a site tour was held with several of the SBFCA Board members to view the ongoing construction work.

Mr. Bessette provided an update on the funding issues with DWR, he reported that staff continues to work with DWR to process several payment and reimbursement requests for various items of work.

An update was provided on the UPRR Closure Structure agreement. It was reported that not much has changed since last month's report, and we are waiting on direction from UPRR and their counsel.

Executive Director Mike Inamine provided an update on the Federal Project. He reported that congressional representatives are still working on Section 1043 approval. At the September board meeting, the board unanimously proposed to write their own letter to the ASA affirming staff's Section 204 request, and alternatively, renewing the request for local construction per passage of WRDA 2018. SBFCA has yet to receive a response from the ASA. Mr. Inamine went on to report that we received a formal response to the board's request for a visit from Col. David Ray to discuss USACE projects and address our concerns. Unfortunately, he is unable to attend, but will send senior staff in his absence.

Director Mat Conant agreed that it would be appropriate to pursue a representative from USACE SPK construction.

Mr. Inamine announced that Proposition 3 failed which included \$6 million to finished out the remaining component of the Oroville Wildlife Area (OWA). He went on to explain that the eco-restoration, recreation and maintenance issues associated with the project are 100 percent funded by grants, not assessment dollars. Staff has compiled a list of grant opportunities and will continue to pursue those in order to complete the remaining component.

Director Jason Banks requested that the compiled list of grants be distributed to the board.

Mr. Inamine provided an update on Proposition 68, reporting that staff continues to scope work with the California Resources Agency and local stakeholders for \$5 million of direct funding for SBFCA led projects.

Director Charlie Hoppin asked how Prop 3 shortfall will be handled.

Mr. Inamine answered that project has always been designed with funding and financing in mind, and that if the funding doesn't come in, work can stop without incurring additional expenses.

The entire report, along with a PowerPoint presentation is available on the SBFCA website at:  
<http://sutterbutterflood.org/board/meetings-agendas/>

**7. Other Reports from Agency Staff and Consultants**

Nothing to report.

**8. Report by Member and Partner Agencies**

Nothing to report.

**CORRESPONDENCE**

**9. Report on Correspondence Sent by and Received by the Board**

Nothing to report.

**PUBLIC COMMENT**

Yuba City resident Pat Miller provided public comment regarding SBFCA's website and the need for regular updates.

Yuba City resident Roberta Fletcher provided public comment in regard to OMRRR.

Yuba City resident Francis Coats provided public comment in regard to public access to the Feather River.

**ADJOURNMENT**

With no further business coming before the Board, the meeting was adjourned at 1:55p.m.

ATTEST BY: \_\_\_\_\_

**Terra Yaney, Board Clerk**

\_\_\_\_\_  
**Steve Lambert, Board Chair**



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

December 12, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine, Executive Director  
Michael Bessette, Director of Engineering

**SUBJECT:** Approval of Task Order 5 Amendment 2 with ECORP to Provide Biological, Cultural, and Tribal Monitoring & Environmental Compliance for the 2018 Oroville Wildlife Area (OWA) Construction Project

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## Recommendation

It is recommended that the Board of Directors approve and authorize the Executive Director to execute Task Order 5 Amendment 2 with ECORP Consulting, Inc. (ECORP) to provide biological, cultural, and tribal monitoring & environmental compliance for the 2018 OWA construction project under the Master Services Agreement subject to legal counsel's final review and approval.

## Background

On June 8<sup>th</sup> 2017, SBFCA issued a Request for Qualifications (RFQ) for consulting firms to provide Environmental Services for SBFCA's program. Services requested included: CEQA/NEPA Environmental documents, permitting, ESA/CESA compliance, cultural resources, mitigation monitoring and implementation. Seven firms submitted Statements of Qualifications and three firms were interviewed on June 23 by a four-person interview panel consisting of the Board Chair, Executive Director, Director of Engineering, and Agency Counsel. ECORP was unanimously selected to provide the requested services. On July 12, 2017 the SBFCA Board approved a Master Services Agreement with ECORP. On December 13, 2017 the SBFCA Board approved Task Order 5 with ECORP to provide pre-construction environmental compliance and permitting services for the OWA Project. On May 9, 2018, the SBFCA Board approved Task Order 5 Amendment 1 to provide biological, cultural, tribal monitoring and environmental compliance services for the 2018 construction of the OWA Project.

Task Order 5 Amendment 2 was developed to provide biological, cultural, tribal monitoring and environmental compliance services necessary to complete construction of the project through the end of 2018. The original task orders had assumed that work would stop at the end of November; however, additional efforts are needed to extend support into December. The original task orders also did not anticipate numerous additional tasks requested of ECORP in order to allow construction to commence along with more extensive permit compliance actions, and the existing budget was fully utilized to cover those tasks. In addition, assumptions regarding duration of monitoring, number of work areas, and coordination with the contractor exceeded expectations, and addressing these tasks required funds from the previous authorization. Collectively, this resulted in a task order budget shortfall during construction. Therefore, the additional budget requested accounts for construction monitoring, permit compliance, reporting, agency liaison, and overall project management/assistance tasks that are necessary to complete the 2018 season. A separate amendment will follow later for construction support in 2019.

**Fiscal Impact**

Approval of Task Order 5 Amendment 2 will obligate SBFCA to pay for the associated services delivered (which are provided on a time and materials basis) up to the task order budget limitation.

The budgeted expenditures for environmental permitting and support for the OWA Project, are cost shared with the State through the following three funding sources; SBFCA's UFRR Grant – covering the flood stage reduction aspects of the project, SBFCA's 2017 CDFW Grant – covering the construction of the Box Culvert, and SBFCA's 2017 Wildlife Conservation Board Grant covering the Berm, Canal and Bridge aspects of the Project. The total maximum limit for Task Order 5 is \$1,627,259 including Amendments 2's increase of \$757,600.

The budgeted expenditures within the OWA related capital programs reflected in the Final Approved 3-Year Budget will be sufficient to cover this TO amendment. The budgeted expenditures within the OWA related capital programs are covered by the UFRR Grant (731-5001/6001-68946) and the 2017 CDFW Grant / 2017 WCB 2017 (731-7003-65722 and 731-7005-65722 respectively). To the extent increased costs and associated obligations exceed the task order budget, staff will either 1) adjust the scope of the project by scaling it back to match available budget (by reducing hard and/or soft costs), or 2) secure additional grant funding to cover the additional costs. There is no net budgetary impact from the Board's approval of this task order amendment.

Attachment: ECORP Task Order 5 Amendment 2

## **ECORP Consulting, Inc.**

### **Task Order 5 – Amendment 2**

#### **SCOPE OF WORK**

##### **Oroville Wildlife Area Flood Stage Reduction Project**

##### **Biological and Cultural Monitoring and Environmental Compliance**

This task order amendment is associated with the Master Agreement between the Sutter-Butte Flood Control Agency (SBFCA) and ECORP Consulting, Inc. (Consultant). Below is a scope of work and estimated costs to augment the previously approved budget for the Oroville Wildlife Area (OWA). The tasks below can be authorized wholly, or individually, as project requirements dictate. Each task is may also be modified to reflect the required effort. The rate schedule is provided in Exhibit A.

#### **INTRODUCTION**

This change order has been prepared at the request of SBFCA to identify the environmental work necessary to complete construction of the project through the end of 2018. The original task order did not anticipate numerous additional tasks requested of ECORP in order to allow construction to commence, and the existing budget was utilized to cover those tasks. In addition, assumptions regarding duration of monitoring, number of work areas, and coordination with the contractor exceed expectations, and addressing these required funds from the previous authorization. Collectively, this resulted in a budget shortfall during construction. Therefore, the additional budget requested accounts for construction monitoring, reporting, agency liaison, and overall project management/assistance tasks that are necessary to complete the 2018 season, after the previous authorized budget has been exhausted. A separate amendment is proposed for 2019 tasks.

#### **ASSUMPTIONS AND UNCERTAINTIES**

The Consultant has made the following assumptions in developing the scope of work.

- This scope of work includes discrete biological resource tasks related to biological and cultural monitoring and reporting for the proposed construction activities in the Project including daily internal reports and final reporting to the agencies. This scope of work does not include work extending into the 2019 calendar year or post-construction related tasks related to monitoring of the restoration areas.
- Because construction timing and duration is unknown or varies at the time of this scoping effort, many of the tasks and associated costs provided herein include timing and duration assumptions.
- This scope of work includes all biological monitoring activities required per the following permit conditions, and approvals:
  - USACE Nationwide Permit 27 Authorization (USACE, 5-24-2018)
  - USACE 408 approval (USACE, 5-22-2018)
  - NMFS BO (NFMS, 11-2017)
  - USFWS BO (USFWS, 4-2017)
  - CDFW Consistency Determination for Giant Garter Snake (CDFW, 6-2017)
  - CDFW Streambed Alteration Agreement (SAA/1602) (CDFW, 7-2017)
  - SWRCB 401 Water Quality Certification (CVRWQCB, 9-7-2017)
  - OWA Flood Stage Reduction Project - CEQA IS/MND (ICF, prepared 7-2016)

- OWA Flood Stage Reduction Project – NEPA EA (ICF, prepared 2-2017)
- CA State Lands Commission Lease (6-2017)
- Biological construction monitoring is 15 hours per day, 6 days per week, from October 1, 2018 through December 31, 2018.
- Consultant assumes that primrose removal will be complete prior to October 1, 2018 and monitoring and other efforts for construction will require up to 3 full-time biological monitors to cover up to three construction activities occurring simultaneously, for up to 90 days. The total cost of monitoring depends in part upon the number of resources that need to be monitored, agency direction, and SBFCA needs. An amendment may be required to cover the costs of additional monitors, which are not yet known to the Consultant.
- Archaeological monitoring is approximately 4 hours per day, 6 days per week, from October 1, 2018 through the end of ground disturbing activities or December 31, 2018, whichever comes first. Additional funding would be required to extend monitoring, if needed.
- Tribal monitoring is 10 hours per day, 6 days per week, from October 1, 2018 through the end of ground disturbing activities or December 31, 2018, whichever comes first. Additional funding would be required to extend monitoring, if needed.
- Consultant assumes that there will be no unanticipated cultural discoveries during the remainder of the 2018 construction season that cannot be addressed during and by the archaeological monitoring. In the event that it becomes necessary to accommodate an unanticipated discovery, then a change order will be developed and negotiated separately.
- SBFCA will be able to engineer/construct the project with no detrimental effect to listed, proposed, and/or other special-status species, aquatic or terrestrial.

## **TASKS AND DELIVERABLES**

### **TASK 1            BIOLOGICAL MONITORING AND REPORTING**

#### **Task 1.1        Monitoring**

Under the assumptions above, Consultant will monitor construction activities during all periods of active construction and will document project impacts and mitigation regarding all aspects of biological resources. The budget is for three monitors.

#### **Task 1.2        Reporting**

Consultant will compile project compliance documentation regarding biological resource issues. Reports will suitable for submittal to: USACE, USFWS, NMFS, RWQCB, CDFW.

### **TASK 2            ARCHAEOLOGICAL MONITORING AND REPORTING**

#### **Task 2.1        Monitoring**

Under the assumptions above, Consultant will monitor the ground-disturbing activities associated with the project, as well as carry out random field inspection visits once per week during active construction to verify the integrity of the fencing during construction activities and communicate any deficiencies to the construction management team to resolve.

#### **Task 2.2        Reporting**

Consultant will compile monitoring logs from archaeological monitoring of fence installation and removal and will prepare a monitoring report to document compliance with the cultural monitoring requirements.

### **TASK 3 TRIBAL MONITORING AND COORDINATION**

#### **Task 3.1 Monitoring**

On behalf of SBFCA, the Consultant has subcontracted with a temporary employment agency to retain one Native American monitor from Enterprise Rancheria, under the assumptions above, to monitor all and only ground disturbing activities associated with construction, in accordance with the SBFCA board policy dated February 14, 2018 (assumes pay rate for monitors of \$19.50/hr plus Spherion markup).

#### **Task 3.2 Coordination**

The Consultant will provide QA/QC of tribal monitoring timesheets and paperwork, including review of time cards and monitoring logs, and coordinating monitoring needs and schedules with the tribe and Spherion. This scope does not include field verification of monitor's hours.

### **TASK 4 PROJECT MANAGEMENT/TECHNICAL SUPPORT**

This task will allow the Consultant to participate in project meetings, conference calls, and field visits with SBFCA and its Construction Management team, to assist and coordinate with the USACE as the Applicant, to coordinate with other Agencies (i.e., USFWS, NMFS, CDFW, RWQCB), to coordinate with engineers and construction personnel, generally manage the project, and provide services as requested. This is a time and materials, best efforts task, that will be used as needed throughout the remainder of this task order. Amendments may be necessary if additional effort is required (particularly with respect to agency liaison).

### **TASK 5 PRECONSTRUCTION BAT HABITAT ASSESSMENT**

This task includes additional bat habitat assessment surveys for the remaining work areas not surveyed in July 2018 (previously scheduled as 2019 work) per the regulatory compliance requirements for preconstruction activities. In accordance with CDFW Measure 2.9 (CDFW SAA) and the Project's IS/MND (WILD-MM-15), the Consultant will conduct a bat habitat assessment to identify potentially suitable bat roosting habitat prior to commencing any vegetation removal activities within the 2019 work areas. The Consultant will obtain CDFW's written approval of the biologist prior to conducting any activities described in this measure. The bat habitat assessment will identify high quality habitat features (large tree cavities, basal hollows, loose or peeling bark, larger snags etc.) and the area around these features searched for bats and bat sign (guano, culled insect parts, staining etc.). Riparian woodland, orchards, and stands of mature broadleaf trees will be considered potential habitat for solitary foliage-roosting bat species. A survey memo report summarizing the findings of the bat habitat assessment will be provided to SBFCA and used to amend the Bat Avoidance Plan previously prepared and submitted to CDFW. Note: this task will not have to be repeated in 2019 but is required prior to construction activities planned for 2019 that may be implemented in 2018.

Task-specific assumptions: This task assumes up to 8-person days for Consultant biologists.

Deliverables: One (1) electronic copy of the final survey report and amended Bat Avoidance Plan.

### **BUDGET**

The budget for the tasks above is based on the provisions of the Master Agreement. A breakdown of work effort is provided on Table 1. Please note that the tasks listed below covers anticipated efforts necessary to continue 2018 work on the project, after the previous authorized budget is expended.

<b>Table 1. Budget Breakdown</b>	
<b>Task</b>	<b>Budget</b>
<b>1.0 – Biological Monitoring and Reporting</b>	
1.1 Monitoring (three full time monitors for three simultaneous work areas)	\$585,000
1.2 Reporting	\$27,000
<b>2.0 – Archaeological Monitoring and Reporting</b>	
2.1 Monitoring	\$33,600
2.2 Reporting	\$16,000
<b>3.0 – Tribal Monitoring and Coordination</b>	
3.1 Monitoring	\$25,500
3.2 Coordination	\$5,500
<b>4.0 – Project Management/Technical Support (Biological and Cultural)</b>	\$40,000
<b>5.0 – Preconstruction Bat Habitat Assessment</b>	\$25,000
<b>Total</b>	<b>\$757,600</b>

Contacts:

**ECORP Consulting, Inc.**  
Bjorn Gregersen, President

**SBFCA**  
Michael Bessette, Director of Engineering

IN WITNESS WHEREOF, the parties hereto have caused the Agreement to be duly executed as of the day and year first written above.

SUTTER BUTTE FLOOD CONTROL AGENCY

CONSULTANT

By: \_\_\_\_\_  
MIKE INAMINE  
Executive Director, SBFCA

By:   
BJORN GREGERSEN  
President, ECORP Consulting, Inc.



**Initially Proposed Schedule of Hourly Fees (Effective 9.1.18-8.30.19)**

<b>Position</b>	<b>Hourly Rate</b>
Program Manager	\$267.80
QA/QC Manager	\$185.40
Principal Environmental Analyst (CEQA/NEPA)	\$185.40
Senior Environmental Analyst (CEQA/NEPA)	\$169.95
Staff Environmental Analyst (CEQA/NEPA)	\$149.35
Associate Environmental Analyst (CEQA/NEPA)	\$103.00
Assistant Environmental Analyst (CEQA/NEPA)	\$87.55
Air/Noise Lead Scientist	\$149.35
Air/Noise Analyst	\$118.45
Principal Biologist	\$185.40
Senior Biologist*	\$164.80
Staff Biologist	\$139.05
Associate Biologist	\$113.30
Assistant Biologist	\$97.85
Biological Technician	\$77.25
Certified Arborist	\$133.90
Compliance Task Manager	\$185.40
Lead Construction Monitor	\$144.20
Permit Holding Construction Monitor	\$123.60
Construction Monitor	\$97.85
Regulatory Principal	\$257.50
Senior Regulatory Project Manager	\$185.40
Regulatory Project Manager	\$133.90
Regulatory Project Specialist	\$118.45
Lead Archaeological Monitor	\$113.30
Staff Archaeological Monitor	\$87.55
Lead Tribal Monitor	**\$69.25
Tribal Monitor	**\$61.80
Cultural Resources Principal Investigator	\$231.75
Senior Archaeologist	\$144.20
Staff Archaeologist	\$103.00
Associate Archaeologist	\$87.55
Assistant Archaeologist	\$82.40
Senior Architectural Historian	\$154.50

Position	Hourly Rate
Staff Architectural Historian	\$113.30
Tribal Liaison	\$267.80
Principal GIS / CADD / Graphics Specialist	\$154.50
Senior GIS / CADD Specialist	\$123.60
GIS / CADD Technician	\$92.70
Information Systems Manager	\$154.50
Database Developer	\$133.90
Technical Editor	\$154.50
Production Coordinator / Proof Reader	\$92.70
Clerical	\$87.55
Senior Project Accountant / Contracts	\$175.10
Associate Project Accountant / Contracts	\$123.60

\* Includes: Wildlife Biologist, Avian Ecologist, Botanist, Wetland Specialist, and Restoration Ecologist.

\*\* Employment of tribal monitors will be handled through a temporary employment agency

#### Expense Reimbursement/Other:

1. Reproduction, equipment and other direct expenses are reimbursed at cost plus a 10-percent administrative handling charge (excluding mileage and per diem).
2. Subcontractor expenses are reimbursed at cost plus a 2.5-percent administrative handling charge.
3. Mileage is reimbursed at the current IRS rate.
4. Rental vehicles will be charged at the current standard daily rate, typically \$100 per day.
5. Per Diem, depending upon geography, may be charged if overnight stays are required.
6. Expert Witness Testimony, including Depositions, is billed at time and a half.
7. ECORP has a wide network of teaming partners in various specialty disciplines that can be retained as subcontractors on an as-needed basis, in consultation with SBFCA.
8. This rate schedule may adjust no more than once per year, unless specified otherwise in the contract.



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

December 12, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine, Executive Director

**SUBJECT:** Approval of the schedule for regular SBFCA Board meetings

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## **Recommendation**

Notwithstanding the January 2019 meeting, it is recommended that the Board meet regularly on the second Wednesday of each month at 1p.m. until further notice. The January 2019 Board meeting is cancelled.

## **Background**

The SBFCA Board of Directors conducts regular meetings regarding Agency business. Meetings will be held at 1 p.m. at the City of Yuba City Council Chamber, 1201 Civic Center Blvd., Yuba City, CA.

## **Fiscal Impact**

There is no fiscal impact.



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

December 12, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine - Executive Director

**SUBJECT:** Remarks from USACE Sacramento District Commander COL David Ray

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This time has been set aside on the agenda USACE SPK Commander COL David Ray; materials, should they be necessary, will be provided at the Board meeting.



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

December 12, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine, Executive Director

**SUBJECT:** Recognition of Board Member Departures

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This time has been set aside on the agenda to recognize and present certificates to those Board members that have completed their service. No action by the Board is requested.



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

December 12, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine, Executive Director  
Seth Wurzel, Budget Manager

**SUBJECT:** Receive and File Monthly Financial Reports (October 2018)

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## **Recommendation**

Staff recommends that the Board receive and file the October 2018 Financial Report and receive staff's monthly financial report update.

## **Background**

Staff will provide a brief presentation of SBFCA's current financial position and financial activities at the Board meeting and will be prepared to answer any questions. For this report, staff is presenting financial information for October 2018. Staff's oral presentation will cover the financial activities of the Agency through October 2018.

The monthly financial reports include the following information:

- Current Working Capital Position: The reports provide an update as to the liquidity of the Agency and ability to cover current obligations. This information is presented within the monthly financial report prepared in coordination with Yuba City finance staff. The current and past months' financial reports reflects the financial information as of October 2018. The information presented is compared to the Final Amended Final Budgets for FY 2017/18 and 2018/19.

## **Fiscal Impact**

This is an informational item with no fiscal impact.

## **Attachments**

Yuba City Finance Department Memorandum, December 12, 2018 re: Monthly Financial Report: October 2018  
*(As materials were not available prior to the preparation of the Board Packet, the materials will be provided at the Board Meeting)*



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

December 12, 2018

## **Item 6**

**TO:** Board of Directors  
**FROM:** Mike Inamine, Executive Director  
**SUBJECT:** Program/Project Update

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This time has been set aside on the agenda for a report and discussion (if necessary) by member and partner agency representatives.

## **Item 7**

**TO:** Board of Directors  
**FROM:** Mike Inamine, Executive Director  
**SUBJECT:** Other Reports by Agency Staff and Consultants

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This time has been set aside on the agenda for Board discussion and staff response regarding correspondence received by the Agency.

## **Item 8**

**TO:** Board of Directors  
**FROM:** Mike Inamine, Executive Director  
**SUBJECT:** Report by Member Partner Agencies

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This time has been set aside on the agenda for Board discussion and staff response regarding correspondence received by the Agency.

## **Item 9**

**TO:** Board of Directors  
**FROM:** Mike Inamine, Executive Director  
**SUBJECT:** Report on Correspondence Sent by and Received by the Board

## **Fiscal Impact**

The above items are informational only with no fiscal impact to the Agency.



# Sutter Butte Flood Control Agency

*A Partnership for Flood Safety*

December 12, 2018

**TO:** Board of Directors

**FROM:** Mike Inamine - Executive Director  
Michael Bessette - Director of Engineering

**SUBJECT:** Receive and File Program/Project Update Report

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## Recommendation

Receive and file the December 2018 Program/Project update report.

## Background

The purpose of this report is to provide a regular, monthly update on SBFCA program and project activities:

### *Engineering Design*

The design team submitted a geotechnical analysis technical memorandum to USACE concerning the Reaches 14-16 emergency levee repair project in Yuba City. This document analyzed the continuity of the landside subsurface conditions around the 5<sup>th</sup> Street Bridge area as requested by USACE. This analysis documents and justifies the adequacy of the levee improvement design and we expect USACE to approve the analysis in the near future. This work is part of the project close-out process.

Negotiations with Union Pacific Railroad (UPRR) on the UPRR Closure Structure project in Yuba City (Live Oak Boulevard) continue. UPRR is undergoing internal organizational changes and this is affecting our progress. Staff has reached out to the Central Valley Flood Protection Board for assistance since they frequently process permits for UPRR and are therefore in a position of influence. The design team has completed the bid documents and is waiting to incorporate the terms of the Construction & Use agreement once completed. We anticipate bidding the project this winter and beginning construction in the spring of 2019.

### *Construction Management (Project Areas B, C & D, and Completion Projects)*

The Construction management team continues work to complete the construction completion report for the Completion Project (Gaps). This report will be submitted to DWR, USACE, and the CVFPB for their review and approval. The completion report for the Reaches 14-16 project in Yuba City will be completed by the end of December.

### *Environmental Documentation/Permitting/Monitoring*

Biological and cultural monitoring activities have concluded now that levee construction work is complete within Reaches 14-16 in Yuba City; however, one biologist will be needed when PG&E performs utility pole relocations in the near future. Biological and cultural monitoring for the Oroville Wildlife Area Project is ongoing (see OWA item below). SBFCA staff is coordinating with the Sacramento Valley Conservancy (SVC) on the Star Bend and Mathews Property mitigation sites.

### *Right of Way*

The right-of-way team continues to work on the land acquisition necessary for the federal project (between Tudor Road and Cypress Avenue). The team completed the right of way certification report for USACE and this report was approved. The team is also working on closing out all acquisitions needed for the FRWLP. The SBFCA right-of-way team and DWR continue to conduct monthly coordination meetings to streamline the real estate

acquisition reimbursement process and ultimate transfer of property to the State. Staff is working with DWR to prioritize the high-dollar reimbursements to SBFCA. DWR has recently experienced staff turnover in their real estate division, causing delays of the review and reimbursement process.

*State & Local Funding and Coordination*

EIP / UFRR Agreement

SBFCA staff continues to work with DWR to process several payment and reimbursement requests for various items of work. This status has been regularly reported to the Board and an updated projection of future payments is summarized in the table below.

DWR management is withholding payments until an agreement between Sutter Extension and DWR is executed that addresses long-term O&M on the improved levee adjacent to the irrigation canal. DWR contends that SBFCA is responsible for ensuring that this agreement is executed; however, SBFCA's responsibilities are limited to facilitating this agreement as SBFCA is not party to the agreement. A draft agreement has been prepared and has been with DWR management/legal for 1.5 years. DWR has agreed to process certain payments for completed work, however, all other remaining payments and future payments are currently tied to this issue. Until resolved, this issue has major funding and cash flow impacts.

<b>Payment Request Summary</b>		
<b>Payment Item (UFRR Agreement)</b>	<b>Amount</b>	<b>Status</b>
Pmt #17 – True-Up through 9/30/2017	\$1,215,179	Approved by DWR, in process for payment
Pmt #18 – True-Up through 12/31/2017	\$386,003	Approved by DWR, in process for payment
Pmt #19 – True-Up through 3/31/2018	\$993,407	Approved by DWR, in process for payment
Pmt #20 – True-Up through 6/30/2018	\$1,372,904	Submitted to DWR for review, pending resolution of Canal Maintenance Issues
Pmt #21 – True-Up through 9/30/2018	\$2,560,430	To be submitted to DWR for review, pending resolution of Canal Maintenance Issues
Pmt #TBD – Partial Retention Release for B & D	\$8,611,000	Draft revised payment request submitted to DWR for comment; pending resolution of Canal Maintenance Issues
<b>Total Pending Payments</b>	<b>\$ 15,138,923</b>	

The following table summarizes SBFCA's EIP/UFRR grant funding committed, in process and received to date.

**FRWLP DWR EIP/UFRR Funding**

	<u>Agreement</u>		
	<u>Design</u>	<u>Construction</u>	<u>Total</u>
Agreement No.	#4600009480	#4600010296	
Capital Outlay Amount	\$9,000,000	\$56,780,000	\$65,780,000
Amendment 1	\$0 [1]	\$0 [2]	\$0
Amendment 2	\$14,869,280 [3]	\$57,803,791 [4]	\$72,673,071
Amendment 3	\$0	\$43,861,587	\$43,861,587
Amendment 4	\$0	\$40,828,931	\$40,828,931
Amendment 5	-\$2,529,451 [5]	\$31,730,451 [5]	\$29,201,000
<b>TOTAL FUNDING</b>	<b>\$21,339,829</b>	<b>\$231,004,760</b>	<b>\$252,344,589</b>
<b>Receipts</b>			
PMT 1	\$2,328,141	\$14,103,457	\$16,431,597
PMT 2	\$1,160,580	\$18,447,722	\$19,608,302
PMT 3	\$4,842,366	\$19,469,632	\$24,311,998
PMT 4	\$8,704,665	\$15,358,844	\$24,063,509
PMT 5	\$2,709,411	\$13,846,991	\$16,556,402
PMT 6	\$0	\$14,479,664	\$14,479,664
PMT 7	\$0	\$13,168,126	\$13,168,126
PMT 8	\$0	\$26,429,866	\$26,429,866
PMT 9	\$0	\$181,266	\$181,266
PMT 10	\$0	\$2,928,803	\$2,928,803
PMT 11	\$0	\$7,898,917	\$7,898,917
PMT 12	\$0	\$4,448,651	\$4,448,651
PMT 13	\$0	\$10,874,296	\$10,874,296
PMT 14	\$0	\$7,437,563	\$7,437,563
PMT 15	\$0	\$23,700,719	\$23,700,719
RET. & FINAL PMT	\$1,594,667	\$0	\$1,594,667
ROW Payment	\$0	\$251,595	\$251,595
Pending	\$0	\$15,138,923 [6]	\$15,138,923
<b>TOTAL PAYMENTS</b>	<b>\$21,339,829</b>	<b>\$208,165,035</b>	<b>\$229,504,864</b>
<b>GRANT BALANCE</b>	<b>\$0</b>	<b>\$22,839,725</b>	<b>\$22,839,725</b>

- [1] Amendment 1 to the Design Agreement amended the term of the agreement.
- [2] Amendment 1 to the Construction Agreement amended the scope agreement to include the closure of gaps (at reaches 13 and 24) in Area C.
- [3] Amendment 2 to the Design Agreement increased the cost share from 50% to 76% State Cost Share and increased the State funding limit.
- [4] Amendment 2 to the Construction Agreement increased the scope to include Areas B & D2A and increased the State funding limit. It also incorporated many of the guideline provisions of the UFRR Program.
- [5] Reflects pending transfer of remaining design funding to the CFA and additional funding from DWR for emergency work (\$25,000,000 for R 14 – 16 and \$4,201,000 for emergency storm response).
- [6] Pending Payments per above listing.

***FEMA/Cal OES Public Assistance Request for 2017 Storm Damage***

As previously reported, SBFCA has received payments from CalOES and FEMA for all three of the Public Assistance program projects coming out of the 2017 storm emergency work. The three Project requests cover the following work and the status of each Project is noted in the matrix below:

PW #	Scope	Project. Amount	Funding Received	Status
SUBFB01	Flood fighting in Yuba City	\$92,397	\$83,049	Approved by FEMA (Documentation and funding received)
SUBFD02	Elderberry Habitat and Irrigation System	\$45,817	\$42,954	Approved by FEMA (Documentation and funding received, portion of denied claim appealed by SBFCA.)
SUBFB03	Rock Berm and Flood Fighting	\$3,658,515	\$3,734,658	Approved by FEMA (Documentation and funding received)

All three worksheets have been formally approved and funding has been received. The funding received is different than the Project amount as it reflects a Local Cost share of 6.25% of the total project plus an estimate for administrative costs (administrative allowance). The funding received will be reconciled with DWR as part of our UFRR Funding Agreement. This reconciliation effort is in process and a payment request will be submitted and incorporated into the UFRR funding processes noted above. That payment request will also incorporate a request for funding for SBFCA's share of the road repairs to Laurel Avenue that are taking place in coordination with Sutter County.

*Laurel Ave Flood System Repair Project (FSRP) Agreement*

SBFCA and DWR are working closely on the financial closeout of this project. SBFCA has submitted its final funding requests for this project which includes a request to release all withheld retention by the State. The following table summarizes the final funding for SBFCA's Laurel Avenue FSRP grant. SBFCA is expecting to receive final payments totaling approximately \$878,100.

**LAUREL AVE DWR FSRP Funding**

Agreement No.	<u>#4600011319</u>
Agreement Amount	\$7,225,000
Amendment 1	\$2,694,500
<b>TOTAL FUNDING</b>	<b>\$9,919,500</b>
Receipts	
PMT 1 - Advance	\$4,188,375
PMT 2 - Q4 Reim. & Retention	\$1,395,573
PMT 3 - Q5 Reim.	\$1,135,013
PMT 4 - Q6 Reim.	\$1,850,497
PMT 5 - Q7 & 8 Reim. *	\$405,723
RET. / FINAL PMT *	\$472,378
<b>TOTAL PAYMENTS</b>	<b>\$9,447,557</b>
<b>GRANT BALANCE</b>	<b>\$471,942</b>

[\*] Remaining payments pending.

*Oroville Wildlife Area (OWA) Flood Stage Reduction Project*

Construction work continues on the inflow weir, outflow weir, interior channel, and fish berm improvements. The construction work will stop for winter in early December and resume again in the Spring of 2019. The project

team is coordinating closely with both DWR and CDFW as part of the construction effort. The project team continues to progress on the design of the recreational improvements and on the invasive species removal efforts. The 100% design plans for the new recreational footbridges are now complete and under review by DWR and CDFW. The project team has also been working on getting the additional permits and approvals needed for the construction of this work in 2019. In regard to funding, SBFCA staff continues to coordinate with both American Rivers and River Partners to implement the recent grants which they received from the Wildlife Conservation Board and CDFW. The team also continues to research additional opportunities to fund the remaining restoration related work. SBFCA has recently submitted two different grant applications, one to the Natural Resources Agency and one to the WCB and is awaiting response.

#### *Sutter Basin Flood Risk Management Project (federal project)*

SBFCA and the State of California, through the Central Valley Flood Protection Board, approved a Local Project Partnership Agreement (LPPA) on September 28<sup>th</sup>. The LPPA defines how the two non-federal partners in the project will cost share their portions of the project costs. Staff is advancing a request for credit for work on the project already completed. This credit request will help alleviate cash flow concerns by allowing the State to advance more of the upfront non-Federal costs of the project as it moves forward. As such, the State has processed a payment required by USACE in order to advertise the project for bids. Staff will advance a tree removal contract this month with work anticipated to take place this winter. Removing trees before next spring minimizes the potential impacts to the project schedule from nesting birds. SBFCA staff and consultants are providing engineering (including cost engineering), economics, Right-of-Way, cultural and environmental permitting support. SBFCA's environmental consultant is clearing the PG&E pole relocation sites from a cultural resources impacts standpoint this month. Staff continues to participate in frequent USACE project management team and related meetings in order to advance the project. The USACE Sacramento District Commander, Colonel David Ray, will provide the board a project briefing this month at the SBFCA board meeting.

#### *Small Community Studies-Sutter and Tudor*

The project team kicked off the small community studies and is currently working on updating the existing conditions 100-year H&H (hydrology and hydraulics) modeling. The team is also working on defining the goals and objectives for each study and researching potential alternatives. The team plans to conduct a series of individual meetings over the next couple of months with selected stakeholders to discuss potential alternatives and opportunities for incorporating multi-benefit features.

#### *Resource Conservation Investment Strategy*

Staff and consultants are participating on the Steering Committee of this Pilot Project. Depending on timing, this Pilot could result in savings of time, money and process required for environmental mitigation for the federal project in the near term and other projects in the long term.

#### *Proposition 68*

Staff continues to scope work with the California Resources Agency and local stakeholders for \$5 million of direct funding for SBFCA-led projects. Staff met with DWR to resolve concerns for the use of survey data that will be used to design the project.

#### Oroville AdHoc Group

Staff met with DWR regarding downstream impacts of Oroville Dam operation, and coordinated concerns with the UC Berkely representative.

#### **Fiscal Impact**

This is an informational item only with no fiscal impact to SBFCA.