



July 21, 2016

Eric Martinez, Project Manager  
Division of Flood Management  
Department of Water Resources  
3464 El Camino Avenue, Suite 200  
Sacramento, CA 95821

**SMITH CANAL GATE PROJECT – FUNDING AGREEMENT NO. 4600009799 AM1  
PROGRESS REPORT FROM 12/1/2015 TO 2/29/2016 AND INVOICE NO. SCGATE-10**

Enclosed for your review is an invoice and progress report for the above-noted period.

Expenses for December 1, 2015 through February 29, 2016 totaled \$519,666.18. Because these expenses are cost-shared on a 50/50 basis, each party's cost-share is \$259,833.09. After deducting the required 10% retention (\$25,983.31), the State's cost-share for this quarter totals \$233,849.78.

Please see the enclosed "Disbursement Request Summary" which summarizes SJAFCA invoices and the State's payments.

I certify that we have verified that the costs and work performed are consistent with the costs and scope of work approved by the State.

In addition to the above-noted progress report and invoice, enclosed please find a work plan for the period covering March 1, 2016 through May 31, 2016.

If you have any questions or need more information, please contact Juan Neira at (209) 937-8113 or by email at [juan.neira@stocktonca.gov](mailto:juan.neira@stocktonca.gov)

A handwritten signature in blue ink that reads "Roger Churchwell". The signature is written in a cursive style with a large, prominent "R" and "C".

ROGER CHURCHWELL  
DEPUTY EXECUTIVE DIRECTOR

RC:JJN:dc

Enclosures

emc: Kelly Fucciolo, Department of Water Resources  
Robert Scarborough, Department of Water Resources  
Juan Neira, Project Manager

SC GATE Prog Rpt 10

# INVOICE

**Bill to:**

State of California  
Department of Water Resources  
Division of Flood Management  
Attention: Eric Martinez, Project Manager  
3464 El Camino Ave., Suite 200  
Sacramento, CA 95821-9000

**Invoice No.:** SCGATE-10  
**Invoice Date:** July 21, 2016

<u>Description</u>	<u>Amount</u>	<u>Subtotal</u>
Agreement No. 4600009799 AM 1, Smith Canal Closure Structure Design The Expenditure Summary Report covering the work period From 12/1/2015 thru 2/29/16 accompanies this invoice.		
Total Expenses	\$ 519,666.18	
Cost Share (50%)		\$259,833.09
Retention Amount (10%)		\$(25,983.31)
Total Request		\$ 233,849.78

Please send payment to:

San Joaquin Area Flood Control Agency  
22 E. Weber Ave., Room 301  
Stockton, CA 95202-2317  
Attn: Roger Churchwell

**Total Balance Due: \$233,849.78**

## Monthly/Quarterly Statement of Costs

Smith Canal Gate Project									
December 1, 2015, through February 29, 2016									
Task	Description	Budget	PROPOSED Quarterly costs	TOTAL ACTUAL Quarterly Costs			TOTAL ACTUAL Quarterly Costs		
				DEC	JAN	FEB			
1	Program Management	\$1,181,235.00	\$140,000.00	\$23,340.80	\$65,322.21	\$79,730.37	\$168,393.38		
2	Engineering Design	\$3,160,223.00	\$120,000.00	\$39,032.08	\$107,502.51	\$156,863.42	\$303,398.01		
3	Independent Review	\$300,000.00	\$30,000.00		\$7,647.50	\$5,020.00	\$12,667.50		
4	Environmental Review and Permitting	\$2,067,132.00	\$60,000.00	\$26,818.04	\$7,874.75	\$514.50	\$35,207.29		
5	Real Estate Planning & Acquisition	\$94,337.00					\$0.00		
6	Public Outreach	\$88,442.00					\$0.00		
	TOTALS	\$6,891,369.00	\$350,000.00	\$89,190.92	\$188,346.97	\$242,128.29	\$519,666.18		

### Task 1 - Breakdown

Task	Description	Work Performed By	Budget	PROPOSED Quarterly costs	ACTUAL		TOTAL ACTUAL Quarterly Costs
					DEC	FEB	
1	Program Management	SJAFCA - Program Mgt	\$709,000.00	\$30,000.00	\$7,349.95	\$1,389.37	\$14,345.44
		SJAFCA - Legal Counsel			\$8,179.00	\$55,972.55	\$68,975.77
		PBI - Design Team			\$7,811.85	\$7,960.29	\$5,148.48
	Task 1 TOTAL		\$709,000.00	\$140,000.00	\$23,340.80	\$65,322.21	\$79,730.37

**PROGRESS  
REPORT  
12/1/15 – 2/28/16**

# QUARTERLY PROGRESS REPORT for the DESIGN of the SMITH CANAL CLOSURE STRUCTURE

**Project Sponsor:** San Joaquin Area Flood Control Agency (SJAFCA)

**Contract Agreement No.:** 4600009799 AM 1

**Progress Period:** 12/1/15 thru 2/29/16

## SUMMARY OF ACTIVITIES

Work on the Project's final design and permitting was initiated. On July 23, 2015 FEMA provided comments to the proposed project described in the approved CLOMR. Subsequent meetings with FEMA on September 17 and October 7, 2015, and a conference call on November 17, 2015 were needed to determine the scope of work for the submittal. Documentation for the submittal is being developed and will be reviewed by the Independent Panel of Experts. Legal actions were taken by Atherton Cove Property Owners Association and Dominick Gulli with regard to the Project's CEQA documentation.

## PROJECT INFORMATION

### Major accomplishments during the progress period

Table 1 presents a summary of design phase tasks and the associated accomplishments completed during the progress period.

**Table 1. Project Accomplishments during the Progress Period**

Design Phase Task		Status	Major Accomplishments during the Progress Period
Task 1: Program Management	SJAFCA	Ongoing	Oversaw and coordinated consultant work, and public outreach activities. Worked on general project activities and requests from other agencies Coordinated project with FEMA Reviewed documentation prepared for FEMA Supported environmental legal issues
	Legal	Ongoing	Supported environmental legal issues as well as general project issues
	Design Team	Ongoing	Conducted monthly project development team meeting on 12/17/15 Sub-consultant team coordination Developed documentation for FEMA Supported environmental legal issues
Task 2: Engineering Design		Ongoing	Prepared ULDC Design Criteria TM Initiate topographic and bathymetric surveys Initiated 30% design Performed geotechnical investigation laboratory work and developed draft data report
Task 3: Independent Review		Ongoing	Reviewed geotechnical and hydrology information submitted to FEMA
Task 4: Environmental Review and Permitting		Ongoing	Assembled administrative record in support of CEQA lawsuits Initiated contact with USACE regarding 404 permit

Design Phase Task	Status	Major Accomplishments during the Progress Period
Task 5: Real Estate Planning & Acquisition	Not Started	
Task 6: Public Outreach	Ongoing	None

### **Legal matters**

On December 19, 2015 CEQA lawsuits were filed by the Atherton Cove Property Owners Association and Dominick Gulli.

### **Engineering and design matters**

Completed field work for geotechnical investigation and initiated laboratory analysis. Finalized scope for final design activities. Contract for final design and permitting activities awarded to the Design Team on November 19, 2015.

FEMA requested addition documentation regarding storage of interior drainage behind a closed Smith Canal gate.

### **Environmental matters**

Completed Final EIR for CEQA, which was adopted by the SJAFCA Board of Directors on November 19, 2015.

### **Issues or concerns that affect the schedule or budget**

#### Budget

No budget issues arose during this progress period.

#### Schedule

No schedule issues arose during this progress period.

### **Differences between work performed and work outlined in Overall Project Work Plan**

No deviations from the Overall Project Work Plan occurred during this progress period.

## **COST INFORMATION**

### **Costs incurred to date**

There are no changes to the total costs presented in the previously submitted revised design budget.

Table 2 (attached) presents an itemized cost breakdown by task for this progress period as well as an overall summary for the costs to date.

At this time, we have spent approximately 42% of our revised design and permitting budget, which is consistent with the amount of work completed thus far.

### **Changes to the budget**

There have been no new changes to the revised project budget to date.

## **SCHEDULE INFORMATION**

Figure 1 presents the current update project schedule.

Smith Canal Closure Structure  
Overall Project Budget

Budget Status through February 2016

Progress Period = December 1, 2015 through February 29, 2016

**Funding Agreement Tasks**

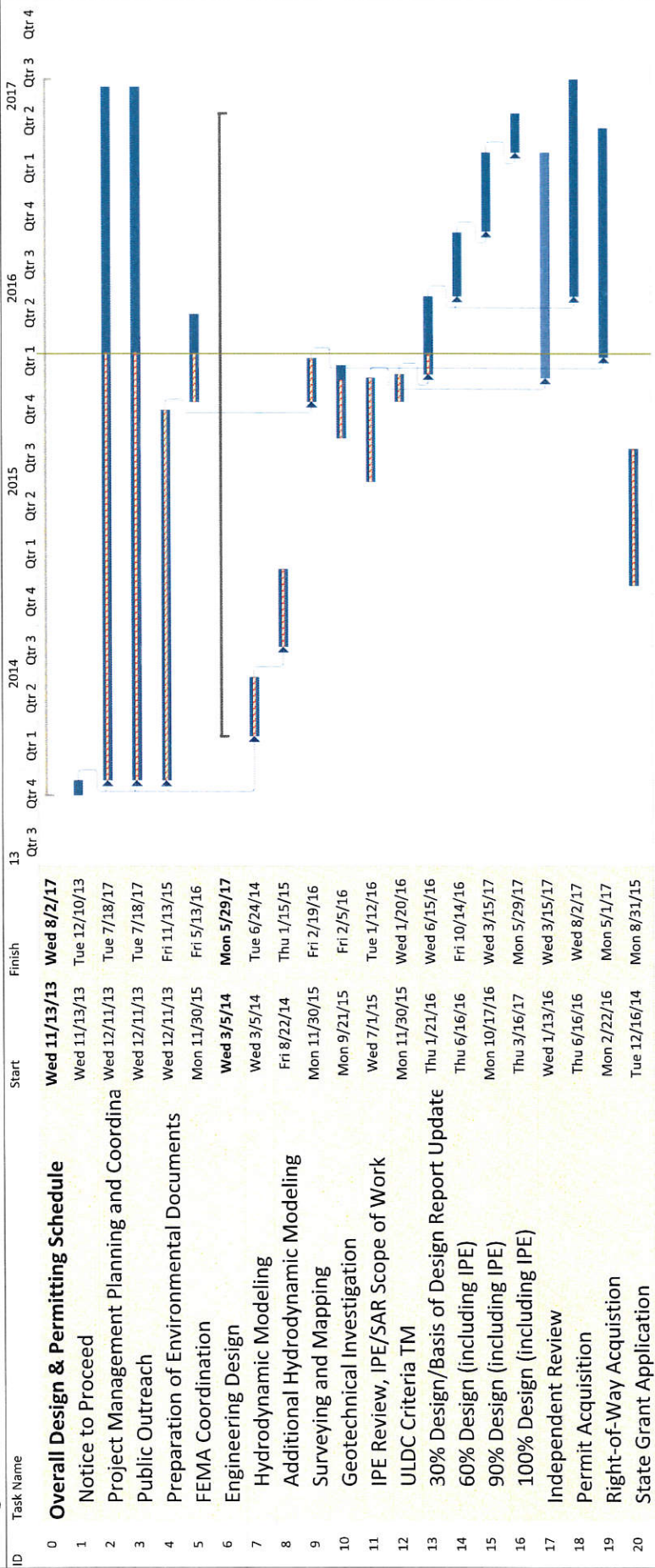
Task	Description	Updated Budget	Costs for Current Progress Period	Costs for Previous Progress Periods	Total Cost through Progress Period	Budget Remaining	Percent Complete
1	Program Management	\$ 1,181,235	\$ 168,393	\$ 627,191	\$ 795,584	\$ 385,650	58%
2	Engineering Design	\$ 3,160,223	\$ 303,398	\$ 393,658	\$ 697,057	\$ 2,463,166	33%
3	Independent Review	\$ 300,000	\$ 12,668	\$ 41,709	\$ 54,377	\$ 245,624	10%
4	Environmental Review and Permitting	\$ 2,067,132	\$ 35,207	\$ 1,234,470	\$ 1,269,677	\$ 797,455	63%
5	Real Estate Planning & Acquisition	\$ 94,337	\$ -	\$ -	\$ -	\$ 94,337	0%
6	Public Outreach	\$ 88,442	\$ -	\$ 62,690	\$ 62,690	\$ 25,752	75%
	<b>TOTALS</b>	\$ 6,891,368	\$ 519,666	\$ 2,359,719	\$ 2,879,385	\$ 4,011,983	42%

**Breakdown of Funding Agreement Task 1**

Task Description	Work Performed By	Updated Budget	Costs for Current Progress Period	Costs for Previous Progress Periods	Total Cost through Progress Period	Budget Remaining	Percent Complete
1 Program Management (Design Phase)	SJAFCA	\$ 1,181,235	\$ 14,345	\$ 268,343	\$ 282,688	\$ 385,651	58%
	Legal		\$ 133,127	\$ 45,160	\$ 178,287		
	Design Team		\$ 20,921	\$ 313,688	\$ 334,609		
Program Management (Design Phase) TOTAL		\$ 1,181,235	\$ 168,393	\$ 627,191	\$ 795,584	\$ 385,651	58%



**Figure 1. SMITH CANAL GATE OVERALL DESIGN & PERMITTING SCHEDULE  
Progress Report Period (December 2015 through February 2016)**



## ANTICIPATED ACTIVITIES NEXT QUARTER

Table 3 presents the anticipated activities for March through May 2016.

**Table 4. Anticipated Activities**

Design Phase Task		Status	Major Accomplishments during the next quarter
Task 1: Program Management	SJA/CA	Ongoing	Oversee and coordinate consultant work, and public outreach activities. Work on general project activities and requests from other agencies Support environmental legal issues
	Legal	Ongoing	Support environmental legal issues as well as general project issues
	Design Team	Ongoing	Conduct monthly project development team meetings Sub-consultant team coordination Support environmental legal issues
Task 2: Engineering Design		Ongoing	Continue geotechnical investigation Complete topographic and bathymetric surveys Initial Meeting with IPE/SAR Continue work on 30% Design submittal Continue coordination with FEMA
Task 3: Independent Review		Ongoing	Review ULDC TM
Task 4: Environmental Review and Permitting		Ongoing	Initiate Delta Stewardship Council consistency determination Setup USACE 404 permit pre-application meeting
Task 5: Real Estate Planning & Acquisition		Not Started	
Task 6: Public Outreach		Ongoing	No activities scheduled

**DISBURSEMENT  
REQUEST  
SUMMARY**

**AS OF  
NOVEMBER 30, 2015**

**SMITH CANAL CLOSURE STRUCTURE DESIGN  
DISBURSEMENT REQUEST SUMMARY  
As of February 29, 2016**

SIATCA Request Date	Invoice No.	Total Expenses	Cost-Share (50%)	Retention (10%)	Amount Requested	DWR Disbursement Date	State Warrant No.	Disbursed Amount	Balance
9/28/2012	SCGATE-01	\$499,952.87	\$249,676.44	\$24,967.64	\$224,708.79	9/17/2013	Wire transfer	\$224,708.79	\$0.00
4/11/2014	SCGATE-02	\$125,989.86	\$62,694.93	\$6,269.47	\$56,425.21	7/8/2014	Wire transfer	\$56,425.21	\$0.00
7/16/2014	SCGATE-03	\$77,659.86	\$38,829.93	\$3,882.99	\$34,946.94	10/21/2014	Wire transfer	\$177,397.83	
	April	\$37,961.00	\$18,980.50	\$1,898.05	\$17,082.45	10/21/2014	Wire transfer		
	May	\$139,615.40	\$67,807.70	\$5,780.77	\$61,026.93	10/21/2014	Wire transfer		
10/29/2014	SCGATE-04	\$82,867.52	\$41,433.76	\$4,143.38	\$37,290.38	10/7/2014	Wire transfer	\$0.00	
	June	\$60,113.61	\$30,056.81	\$3,005.68	\$27,051.12	10/21/2014	Wire transfer		
	August	\$32,042.51	\$16,021.26	\$1,602.13	\$14,419.19	10/21/2014	Wire transfer		
1/22/2015	SCGATE-05	\$73,779.18	\$36,889.59	\$3,688.96	\$33,200.63	4/22/2015	Wire transfer	\$164,094.12	
	September	\$166,644.38	\$83,322.19	\$8,332.22	\$74,989.97	4/22/2015	Wire transfer		
	November	\$92,187.54	\$46,093.77	\$4,609.88	\$41,484.39	4/22/2015	Wire transfer	\$0.00	
4/7/2015	SCGATE-06	\$66,652.60	\$33,326.30	\$3,332.63	\$29,993.67	12/9/2015	Wire transfer		\$68,443.51
	January	\$64,894.02	\$32,447.01	\$3,244.70	\$29,202.31	12/9/2015	Wire transfer		
	February	\$20,550.05	\$10,275.03	\$1,027.50	\$9,291.26	12/9/2015	Wire transfer	\$0.00	
7/20/2015	SCGATE-07	\$82,886.45	\$41,443.23	\$4,144.32	\$37,298.90	12/9/2015	Wire transfer. Release retention for SCGATE 01	\$24,967.64	
	March	\$76,071.89	\$38,035.92	\$3,803.59	\$34,232.32			\$37,298.90	
	April	\$33,990.81	\$16,995.41	\$1,699.54	\$15,295.86				
12/1/2015	SCGATE-08	\$265,915.65	\$132,957.83	\$13,295.78	\$119,662.04				
	July	\$37,505.65	\$18,752.83	\$1,875.28	\$16,877.54			\$16,877.54	
	August	\$51,749.21	\$25,874.61	\$2,587.46	\$23,287.14				
2/3/2016	SCGATEU-09	\$41,211.51	\$20,605.76	\$2,060.58	\$18,545.18			\$18,545.18	
	September	\$161,205.38	\$80,602.69	\$8,060.27	\$72,542.42			\$72,542.42	
	October	\$73,471.96	\$36,735.98	\$3,673.60	\$33,062.38			\$33,062.38	
	SCGATE-10								
	December	\$89,190.92	\$44,595.46	\$4,459.55	\$40,135.91			\$40,135.91	
	January (2016)	\$188,346.97	\$94,173.49	\$9,417.35	\$84,756.14			\$84,756.14	
	February	\$242,128.29	\$121,064.15	\$12,106.41	\$108,957.73			\$108,957.73	
	Totals To Date	\$2,879,384.53	\$1,439,692.27	\$143,969.23	\$1,295,723.04			\$716,037.10	\$604,653.58

**WORK PLAN**  
**3/1/16 – 5/31/16**  
**(AS OF 6/30/16)**

# QUARTERLY WORK PLAN for the DESIGN of the SMITH CANAL CLOSURE STRUCTURE

**Project Sponsor:** San Joaquin Area Flood Control Agency (SJAFCFA)

**Contract Agreement No.:** 4600009799 AM 1

**Work Plan Period:** 3/1/16 thru 5/31/16

## PROJECT INFORMATION

### Engineering and design matters

Continue design and permitting activities. Continue providing additional information to FEMA regarding storage of interior drainage behind a closed Smith Canal gate.

### Environmental matters

Initiate permitting with Delta Stewardship Council. Initiate 404 permit with USACE. Address CEQA legal actions.

### Major accomplishments expected the Work Plan period

Table 1 presents the anticipated activities for March through May 2016.

**Table 1. Anticipated Activities**

Design Phase Task		Status	Major Accomplishments during the next quarter
Task 1: Program Management	SJAFCFA	Ongoing	<ul style="list-style-type: none"> <li>Oversee and coordinate consultant work, and public outreach activities.</li> <li>Work on general project activities and requests from other agencies</li> <li>Support environmental legal issues</li> </ul>
	Legal	Ongoing	<ul style="list-style-type: none"> <li>Support environmental legal issues as well as general project issues</li> </ul>
	Design Team	Ongoing	<ul style="list-style-type: none"> <li>Conduct monthly project development team meetings</li> <li>Sub-consultant team coordination</li> <li>Support environmental legal issues</li> </ul>
Task 2: Engineering Design		Ongoing	<ul style="list-style-type: none"> <li>Continue geotechnical investigation</li> <li>Complete topographic and bathymetric surveys</li> <li>Initial Meeting with IPE/SAR</li> <li>Continue work on 30% Design submittal</li> <li>Continue coordination with FEMA</li> </ul>
Task 3: Independent Review		Ongoing	<ul style="list-style-type: none"> <li>Review ULDC TM</li> </ul>
Task 4: Environmental Review and Permitting		Ongoing	<ul style="list-style-type: none"> <li>Initiate Delta Stewardship Council consistency determination</li> <li>Setup USACE 404 permit pre-application meeting</li> </ul>
Task 5: Real Estate Planning & Acquisition		Not Started	
Task 6: Public Outreach		Ongoing	<ul style="list-style-type: none"> <li>No activities scheduled</li> </ul>

**Issues or concerns that affect the schedule or budget**

There are no new issues or concerns anticipated that could affect the schedule/budget at this time.

**Differences between work performed and work outlined in Overall Project Work Plan**

No deviations from the Overall Project Work Plan are anticipated during this work plan period.

**Legal issues**

Ongoing litigation with Dominick Gulli and Atherton Cove Property Owners Association. There are no new legal issues anticipated at this time.

**COST INFORMATION****Projected Costs**

Table 2 (attached) presents an itemized cost breakdown by task for this progress period as well as an overall summary for the costs to date.

The projected costs show that we will have spent approximately 47% of our budget, which is consistent with the amount of work anticipated for completion thus far.

**Changes to the budget**

No changes to the budget are anticipated during this Work Plan period.

**Advance funds sought**

No advance funds are sought by SJAFCA.

**SJAFCA funding expenditures**

SJAFCA will fund 50% of the projected costs shown in Table 2.

**SCHEDULE INFORMATION**

Figure 1 presents the Updated Project Schedule through the end of the Work Plan period. No changes are anticipated to the updated schedule during this Work Plan period.

Smith Canal Closure Structure  
Overall Project Budget  
Work Plan Budget through April 2016  
Work Plan Period = March 1, 2015 through May 31, 2016

Task	Description	Budget	Costs for Current Work Plan Period		Total Cost through Work Plan Period	Budget Remaining at Completion of Work Plan Period	Percent Complete at Completion of Work Plan Period
			Costs for Current Work Plan Period	Costs for Previous Periods			
1	Program Management		\$ 30,000	\$ 282,688	\$ 312,688		60%
	SJA/CA	\$ 1,181,235	\$ 60,000	\$ 178,287	\$ 238,287	\$ 265,651	
	Legal (Design Phase)		\$ 30,000	\$ 334,609	\$ 364,609		
2	Engineering Design	\$ 3,160,223	\$ 200,000	\$ 697,057	\$ 897,057	\$ 2,263,166	35%
3	Independent Review	\$ 300,000	\$ 30,000	\$ 54,377	\$ 84,377	\$ 215,624	15%
4	Environmental Review and Permitting	\$ 2,067,132	\$ 30,000	\$ 1,269,677	\$ 1,299,677	\$ 767,455	65%
5	Real Estate Planning & Acquisition	\$ 94,337	\$ -	\$ -	\$ -	\$ 94,337	0%
6	Public Outreach	\$ 88,442	\$ -	\$ 62,690	\$ 62,690	\$ 25,752	75%
<b>TOTALS</b>		\$ 6,891,368	\$ 380,000	\$ 2,879,384	\$ 3,259,384	\$ 3,631,984	47%



**Figure 1. SMITH CANAL GATE OVERALL DESIGN & PERMITTING SCHEDULE  
Work Plan Period (March through May 2016)**

