

AGENDA
ENGINEERING and OPERATIONS COMMITTEE MEETING
Thursday, February 2, 2023, at 9:00 a.m.
UWCD Headquarters, First Floor, Board Room
1701 N. Lombard Street, Oxnard, CA 93030

CALL TO ORDER – OPEN SESSION 9:00 a.m.

Committee Members Roll Call

1. Public Comment

The public may comment on any matter not on the agenda within the jurisdiction of the Committee. All comments are subject to a five-minute time limit.

2. Approval of Minutes (Proposed Time: 5 minutes)

Motion

The Committee will review and consider approving the minutes from the January 5, 2023, Engineering and Operations Committee meeting.

3. February 8, 2023, Board Meeting Motion Agenda Items

The Committee will review and discuss the following agenda items to be considered for approval at the February 8, 2023, Board meeting. The Committee will formulate a recommendation to the entire Board based on its discussions with staff. The Committee will discuss the following items:

3.1 California Environmental Quality Act Support for the Increased Importation of State Water Project Water – Amendment to Professional Consulting Services Agreement with Stantec Consulting, Inc. - \$286,288

(Environmental Services Department, Randall McInvale) (Proposed Time: 5 minutes)

The Committee will consider recommending approval of the motion to the full Board to authorize the General Manager to execute an amendment to the professional consulting services agreement with Stantec Consulting Services, Inc. in the amount of \$286,000 to complete technical studies and provide additional support to United in the development of California Environmental Quality Act documentation for the pursuit of increased State Water Project water imports to Lake Piru.

3.2 Freeman Diversion Multiple Species Habitat Conservation Plan – Amendment to Professional Consulting Services Agreement with Stillwater Sciences - \$230,000

(Environmental Services Department, Randall McInvale) (Proposed Time: 5 minutes)

The Committee will consider recommending approval of the motion to the full Board to authorize the General Manager to execute an amendment to the professional consulting services agreement with Stillwater Sciences in the amount of \$230,000 to continue the development of the Freeman Diversion MSHCP and complete the submittal by the September 22, 2023, Court ordered permanent injunction and stipulation deadline.



3.3 Freeman Diversion Multiple Species Habitat Conservation Plan – Amendment to Professional Consulting Services Agreement with Rincon Consultants - \$215,381
(Environmental Services Department, Randall McInvale) (Proposed Time: 5 minutes)

The Committee will consider recommending approval of the motion to the full Board to authorize the General Manager to execute an amendment to the professional consulting services agreement with Rincon Consultants in the amount of \$215,381 to continue the development of the Freeman Diversion Multiple Species Habitat Conservation Plan and complete the submittal by the September 22, 2023, Court ordered permanent injunction and stipulation deadline.

3.4 Freeman Diversion Multiple Species Habitat Conservation Plan – Amendment to Professional Consulting Services Agreement with ICF Jones & Stokes, Inc. - \$124,721
(Environmental Services Department, Randall McInvale) (Proposed Time: 5 minutes)

The Committee will consider recommending approval of the motion to the full Board to authorize the General Manager to execute an amendment to the professional consulting services agreement with ICF Jones & Stokes, Inc. in the amount of \$124,721 to continue the development of the Freeman Diversion Multiple Species Habitat Conservation Plan and complete the submittal by the September 22, 2023, Court ordered permanent injunction and stipulation deadline.

3.5 Terms for United Water Conservation District's Future Purchase of State Water from Palmdale Water District
(Operations and Maintenance Department, Brian Collins) (Proposed Time: 5 minutes)

The Committee will consider recommending approval of the Term Sheet (Attachment A) included in this staff report to the full Board. The Term Sheet will be utilized by the General Manager or his designee in the negotiation and preparation of a final agreement which will be brought to the Board for consideration and approval at a future date.

4. Project Highlights (Proposed Time: 15 minutes per update)

4.1 Environmental Services Department Update (Evan Lashly, Randall McInvale)

4.2 Operations and Maintenance Department Update (Brian Collins)

5. Future Agenda Items

The Committee will suggest topics or issues for discussion on future agendas.

ADJOURNMENT

Directors:

Chair Lynn E. Maulhardt
Gordon Kimball
Daniel C. Naumann

Staff:

Mauricio E. Guardado Jr.
Anthony Emmert
Linda Purpus
Hannah Garcia-Wickstrum
Evan Lashly
Tessa Lenz
Randall McInvale

Dr. Maryam Bral
Brian Collins
John Carman
Jackie Lozano
Vanessa Vasquez

Craig Morgan
Michel Kadah
Adrian Quiroz
Robert Richardson



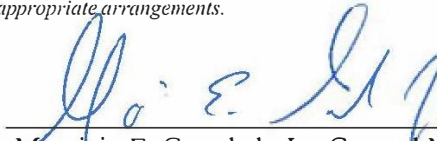
Engineering and Operations Committee Meeting Agenda


Thursday, February 2, 2023

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The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's services, programs or activities because of any disability. If you need special assistance to participate in this meeting, or if you require agenda material in an alternative format, please contact the District's offices at (805) 525-4431. Notification of at least 48 hours prior to the meeting will enable the District to make appropriate arrangements.

Approved:


Mauricio E. Guardado Jr., General Manager


Dr. Maryam Bral, Chief Engineer


Brian Collins, Chief Operations Officer

Posted: (date) January 27, 2023

(time) 4:30 p.m.

(attest) Jackie Lozano

At: www.unitedwater.org

Posted: (date) January 27, 2023

(time) 4:45 p.m.

(attest) Jackie Lozano

At: United Water Conservation District Headquarters, 1701 N. Lombard Street, Oxnard CA 93030



Board of Directors
Bruce E. Dandy, President
Sheldon G. Berger, Vice President
Lynn E. Maulhardt, Secretary/Treasurer
Mohammed A. Hasan
Catherine P. Keeling
Gordon Kimball
Daniel C. Naumann

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

MINUTES
ENGINEERING AND OPERATIONS
COMMITTEE MEETING
Thursday, January 5, 2023, at 9:00 a.m.
Board Room, UWCD Headquarters
1701 N. Lombard Street, Oxnard, CA 93030

COMMITTEE MEMBERS IN ATTENDANCE

Lynn E. Maulhardt, chair
Gordon Kimball, director
Daniel C. Naumann, director

STAFF IN ATTENDANCE

Anthony Emmert, assistant general manager
Dr. Maryam Bral, chief engineer
Brian Collins, chief operations officer
John Carman, operations and maintenance supervisor
Dan Detmer, water resources manager
Michel Kadah, engineer
Tessa Lenz, environmental scientist-regulatory affairs specialist
Jackie Lozano, administrative assistant
Craig Morgan, engineering manager
Josh Perez, chief human resources officer
Zachary Plummer, technology systems manager
Linda Purpus, environmental services manager
Ed Reese, technology systems specialist
Daryl Smith, controller
Vanessa Vasquez, administrative assistant

PUBLIC IN ATTENDANCE

One member of the public was present; the attendance sheet was not signed.

Call to Order- Open Session

Chair Lynn Maulhardt called the committee meeting to order at 9:00 a.m. The clerk of the Committee called roll. All Committee members were present (Maulhardt, Kimball, Naumann)

1. Public Comments

Information Item

Chair Maulhardt asked for public comment. There were none offered. He proceeded in wishing everyone a Happy New Year.

2. Approval of Minutes

Motion

Motion to approve the minutes of December 1, 2022, Engineering and Operations Committee meeting, Director Naumann; Second, Director Kimball. Voice vote: three ayes (Maulhardt, Kimball, Naumann), none opposed. Motion carries 3/0.

3. January 11, 2023, Board Meeting Agenda Motion Items

The Committee reviewed and discussed the following motion items for the January 11, 2023, UWCD Board of Directors meeting to formulate Committee recommendations:

3.1 Resolution 2023-02 Approving Adoption the California Environmental Quality Act Notice of Exemption and the Approval of the Categorical and Statutory Exemption for the Proposed Multi-Year State Water Project Transfer from Casitas Municipal Water District to United Water Conservation District

Environmental Scientist-Regulatory Affairs Specialist Tessa Lenz presented the motion to the Committee (presentation attached). The terms of the draft agreement were approved by the UWCD Board of Directors at their September 14, 2022, regular meeting. The motion associated with the execution of the SWP agreement will be presented at the UWCD Finance and Audit Committee meeting on January 9, 2023, by Chief Operations Officer Brian Collins.

No questions or comments were offered by the directors. No public comments or questions were offered. The Committee members were in favor of recommending approval of the motion to the full Board.

3.2 Recommend the Authorization of a Supplemental Appropriation of Funds for the Iron and Manganese Treatment Project (8007)

Dr. Maryam Bral presented the motion to the Committee (presentation attached). This motion would authorize the Board to issue a supplemental appropriation of \$1.5 million dollars with 6.2% contingency in the amount of \$338,530. Funding would be appropriated through a bond refinance and the rest from the OH Pipeline Fund.

Director Dan Naumann suggested to Dr. Bral that the full details of the grant package of \$4.3 million dollars from the U.S. Department of Defense be included in the presentation when presenting to the full Board. Chair Maulhardt recommended to Ms. Lenz and Dr. Bral that their presentations be shortened since the Board members were familiar with these two motions (3.1 and 3.2).

No further questions or comments were offered by the directors. No public comments or questions were offered. The Committee members were in favor of recommending approval of the motion to the full Board.

4. Project Highlights (see attached slides)

4.1 Engineering Department Update

Dr. Bral presented an overview of the Engineering Department's activities which included Santa Felicia Dam (SFD) safety year-end reporting, pavement maintenance at Lake Piru Recreation Area, Iron and Manganese Treatment Facility progress, as well as Phase 1 updates of the Extraction Barrier and Brackish Water Treatment Project updates.

On the title slide of Dr. Bral's presentation, Chair Maulhardt pointed out that he had never seen that photo of the SFD spillway and was impressed by the spillway's size and scale. He encouraged the staff's use of the photo when an opportunity presents itself to discuss this topic. The photo was taken by former Park Ranger III Peter Whitman. There was further discussion between Committee members and staff on the history of the spillway going back to the 1950's. Overall, the photo left a great impression on the Directors.

Chair Maulhardt mentioned he had viewed an online video report on the number of worldwide dam failures which had occurred over the past 25 years. The video opened his eyes to the seriousness of dam safety. He thanked staff for being proactive in their efforts and Dr. Bral for being the one to report on dam safety. Chair Maulhardt recommended that she brief the Board and stated the Committee lends their full support to ensure a dam report is getting the full attention it deserves from the Board. She appreciated the opportunity to bring safety awareness to the Board's attention.

The discussion continued with an inquiry from Chair Maulhardt on the development of a written policy to encourage and protect employees when reporting on suspected dam safety issues. Dr. Bral stated that the staff is in the process of developing such a policy as a result of the external audit of the ODSPT. Chair Maulhardt asked Dr. Bral to ensure that the Board was notified of this and stressed that this should be included on the Board's agenda for directors to review.

Additionally, Director Nauman suggested any new agencies, seven of which were mentioned, to include them in the notification chart in the Emergency Action Plan. These agencies should also be provided to the Board in the form of a list. His recommendation on a draft policy is that it be reviewed by the District's department managers.

The Committee commented on Dr. Bral's presentation as a job well done. No further questions or comments from the Committee were offered. No public comments or questions were offered.

4.2 Environmental Services Update

Ms. Lenz presented department updates on the preparation for Freeman Fish Ladder Operations, End of Year Reporting, and highlights from the Extraction Barrier and Brackish Water Treatment Project-Phase I kick-off meeting.

No questions or further comments from the Committee were offered. No public comments or questions were offered.

4.3 Operations and Maintenance Department Update

Chief Operations Officer Brian Collins presented an overview of the Operations and Maintenance Department activities which included the Santa Felicia Dam Water Treatment Plant Emergency Generator, Freeman Diversion Canal Joints/Season's First Water Harvest, OH Delivery on OH Well 14 Check Valve at El Rio Recharge Basins, and the PTP Reservoir Motor repairs.

Depicted on slide two of the presentation was a photo of the installation of a new generator at Lake Piru. The Committee and staff discussed the location, the security fencing, and their concerns concerning the potential for vandalism to the unit. A suggestion from Chair Maulhardt was to place slats in the chain link fence surrounding the generator or placing the fence a foot back which may prevent spray paint from reaching it. Mr. Collins answered, the chain link fence slats might obstruct the view of someone taking fuel. Director Naumann suggested having more visibility with cameras. The group concluded that sensor lights, the use of a horn, and robust signage could deter people from vandalizing.

Mr. Collins continued with his presentation. Chair Maulhardt asked if re-caulking was done. Mr. Collins stated 500 feet of caulking would be under review for next year. Director Nauman requested Mr. Collins to include casual updates of the water diversion in his department update.

Regarding repairs to the PTP and the limited availability of materials, Director Naumann proposed to staff building up a reserve by initiating an in-house inventory of parts and supplies to keep everything in operation including the PTP system and elsewhere. Chair Maulhardt felt the supply chain problem would not go away any time soon and welcomed staff to prepare a robust spare proposal for consideration and approval. Director Kimball was also in agreement and recommended the spending to be of quality not quantity.

There were no further questions or comments from the Committee. No public comments or questions were offered.

5. Future Agenda Items

Chair Maulhardt polled the Committee members of any agenda items they would like to see at a future Committee meeting. Below are their responses as well as requests.

- Status of the policy for employees who report on dam safety concerns
- Stocking of equipment materials and spares; inventory proposal
- Director Kimball asked Director Maulhardt to share the online video link of the dam failures report with the Committee members and staff
- Director Naumann restated he would like to hear back from Mr. Collin's on the diverting of water at the Freeman Diversion and on the nitrate issues. He continued by offering feedback on Mr. Collin's Nitrate as Nitrogen graph (slide five of O&M Department Update). He suggested not having so many lines on the chart so data could be easily distinguishable.
- Chair Maulhardt and Director Naumann proposed future committee meetings be held in the Santa Clara Room. Director Naumann also agreed and stated that if a large public outreach is anticipated the Board Room could then be utilized. The Directors concluded that with a new year there are also new Board members, and this more intimate setting could help bring them up to speed. This would also give them the opportunity to participate at the level they wish to participate in.

Engineering and Operations Committee Meeting MINUTES

January 5, 2023

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ADJOURNMENT 10:03 a.m.

Chair Maulhardt adjourned the meeting at 10:03 a.m.


I certify that the above is a true and correct copy of the minutes of the Engineering and Operations Committee Meeting held on January 5, 2023.

ATTEST: _____
Chair Lynn E. Maulhardt

Motion 3.1

Resolution 2023-02; Adoption of CEQA Notice of Exemption (NOE)
for the proposed multi-year State Water Project transfer from
CMWD to UWCD

- Terms of the draft agreement were approved by the Board at the September 2022 meeting
- The motion associated with execution of the SWP agreement will be presented to the finance committee



1

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Motion 3.2


Supplemental Appropriation for the Iron and Manganese
Treatment Project

| | Original Budgeted Amount | Original Contract Amount | Additions | Cost Impact |
|---|--------------------------------|--------------------------------|--|-------------|
| Construction Contract (GSE) | \$9,786,700 | \$9,342,900 | Change orders (various): <ul style="list-style-type: none">• \$662,910.19 (BAA)• \$466,556.07 (other) | \$685,666 |
| Construction Management and Inspection Services (HDR) | \$444,850 | \$701,956 | No amendments requested | \$257,106 |
| Design Services During Construction (K/J) | \$518,790 | \$537,488 | Amendment requested up to \$200,000 (under negotiation) | \$218,698 |

☐ Need: \$1,161,470

☐ 6.2% Contingency: \$338,530

☐ Supplemental Appropriation Total: \$1,500,000



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ENGINEERING DEPARTMENT MONTHLY UPDATE

January 5, 2023



Santa Felicia Dam Safety Year End Reporting December 2022

1. Dam Safety and Surveillance Monitoring Report
2. SFD Spillway Drain Inspection Report
3. Owner Dam Safety Program External Audit Report
4. EAP After Action Report
5. EAP Status Report
6. Call-Down Drill Report
7. Interim Risk Reductions Measures Report



Santa Felicia Dam

Safety Year End Reporting

December 2022 (continued)

8. Annual Security Compliance Certification for Santa Felicia Hydroelectric Project

9. Vulnerability Security Risk Assessment Report

10. SFD Security Plan Update



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Lake Piru Recreation Area

2022 Pavement Maintenance Program



▪ Repairs of access roads to and around Olive Grove Campground

▪ Repairs of areas between Park Rangers Office and Marina Parking Lot

▪ Over 53,000 square feet of pavement repairs between December 5 to 21

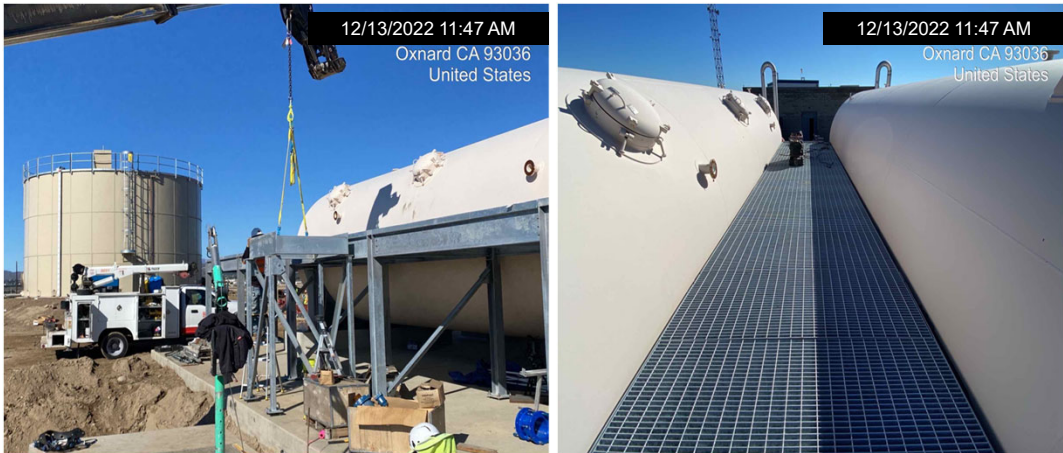
▪ Finishes and final touch-ups by January 4, 2023



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Iron and Manganese Treatment Facility



Installation of grated platforms at filter vessels



5

7

Iron and Manganese Treatment Facility



Preparing filter vessels for pressure washing
and face piping for pressure testing



6

8

Iron and Manganese Treatment Facility



12/20/2022 1:18 PM
Oxnard CA 93036
United States



12/20/2022 11:24 AM
Oxnard CA 93036
United States

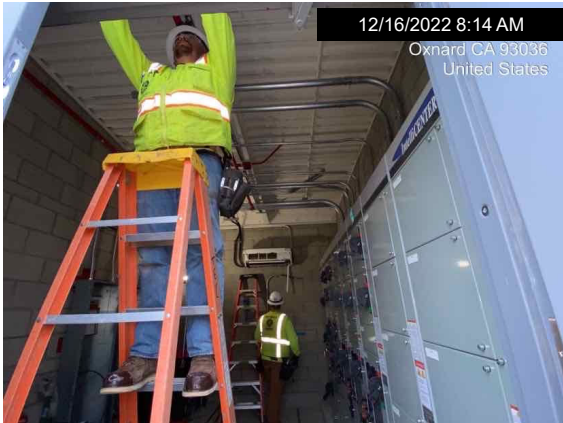
Near completion of piping at Washwater Recovery Tank and Filter Vessels



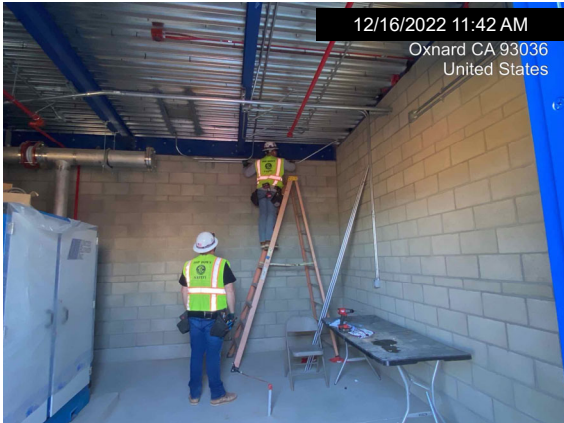
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Iron and Manganese Treatment Facility



12/16/2022 8:14 AM
Oxnard CA 93036
United States



12/16/2022 11:42 AM
Oxnard CA 93036
United States

Taft installing overhead electrical conduits in electrical and blower rooms



8

10

Extraction Barrier and Brackish Water Treatment Project Phase 1


United Water Conservation District

18 November 2022


Design Services Related to Phase 1 of the Extraction Barrier and Brackish (EBB) Water Treatment Project

ENR

Proposal to Prepare CEQA Documentation, Processing, and Regulatory Permitting for the Extraction Barrier and Brackish Water Treatment Project Demonstration Phase




- Kennedy Jenks (KJ) Professional Services Agreement executed December 19, 2022
- ESA Professional Services Agreement executed on December 20, 2022
- Joint kickoff meeting on December 15, 2022
- December 20 and 28 progress meetings with KJ
- Joint site visit scheduled for January 12, 2023



9

11

QUESTIONS



10

12

6



ENVIRONMENTAL SERVICES DEPARTMENT MONTHLY UPDATE

January 5, 2023



Department Summary Updates

- December Freeman Fish Ladder Operations
- End of Year Reporting
- Extraction Barrier and Brackish Water Treatment Project – Phase 1 Kick-off Meeting



Stranding Surveys in the Santa Clara River– 12/13/2022



ES Staff seining the fish bays – 12/15/2022



River discharge measurement training– 12/14/2022

QUESTIONS



OPERATIONS AND MAINTENANCE
DEPARTMENT MONTHLY UPDATE

January 5, 2023



Santa Felicia Dam

Water Treatment Plant Emergency Generator





2

17

Freeman Diversion

Canal Joints / Season's First Water Harvest





3

18

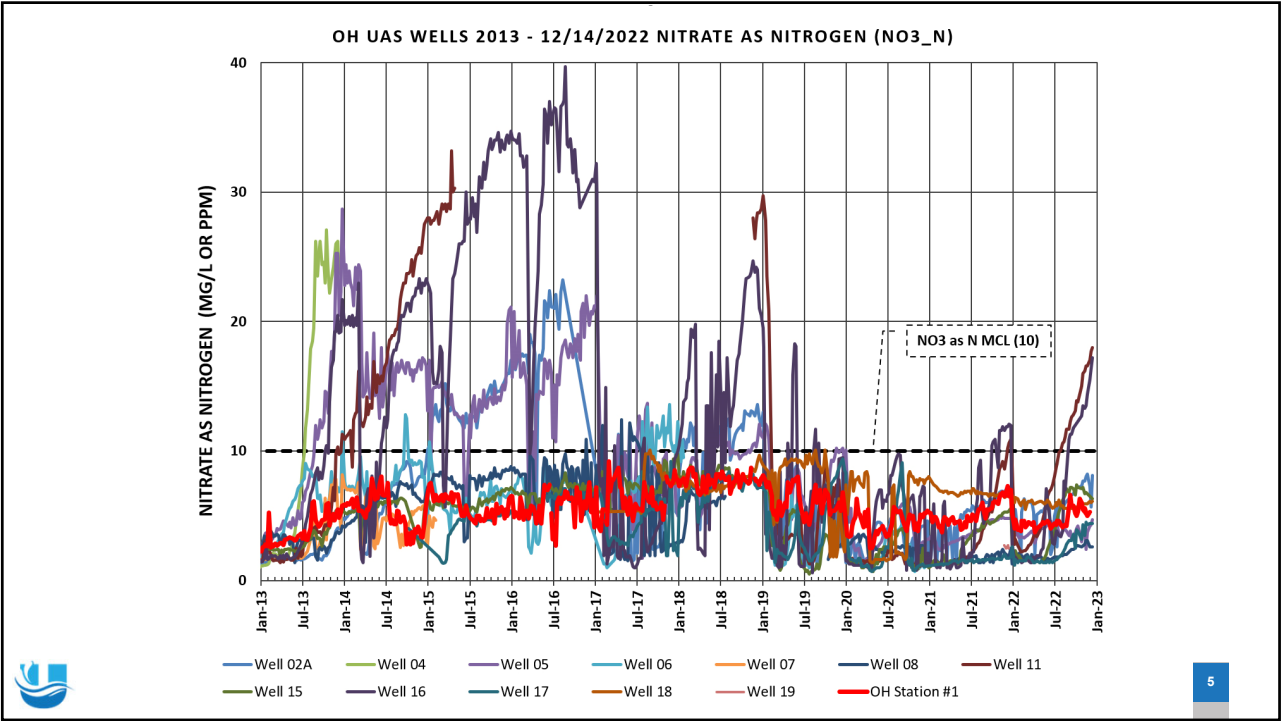
OH Delivery

OH Well 14 Check Valve – El Rio Recharge Basins







4




PTP

PTP Reservoir Motor







6

21

Questions?




7

22

Staff Report

To: Engineering and Operations Committee Members

Through: Mauricio E. Guardado, Jr., General Manager

From: Dr. Maryam Bral, Chief Engineer
Linda Purpus, Environmental Services Manager 
Randall McInvale, Principal Environmental Scientist

Date: January 24, 2023 (February 2, 2023 meeting)

Agenda Item: **3.1 California Environmental Quality Act Support for the Increased Importation of State Water Project Water – Amendment to Professional Consulting Services Agreement with Stantec Consulting Services, Inc. - \$286,288**
Board Motion

Staff Recommendation:

The Committee will consider recommending approval of a motion to the full Board to authorize the General Manager to execute an amendment to the professional consulting services (PCS) agreement with Stantec Consulting Services, Inc. (Stantec) in the amount of \$286,288 to complete technical studies and provide additional support to United in the development of California Environmental Quality Act (CEQA) documentation for the pursuit of increased State Water Project (SWP) water imports to Lake Piru.

Background:

Imports of SWP water from Pyramid Lake to Lake Piru are limited to a maximum of 3,150 acre-feet (AF) each year under Article 52 of the license issued by the Federal Energy Regulatory Commission (FERC) to the California Department of Water Resources (DWR) and the Los Angeles Department of Water and Power (LADWP) for the South State Water Project (P-2426). United has sought to increase SWP imports to Lake Piru and a major component of the process includes the completion of a CEQA analysis to characterize and evaluate the changes from the current conditions and delivery scenario. In addition to fulfilling the requirements of CEQA, the analysis completed as part of this effort will inform the FERC license and State Water Resources Control Board (SWRCB) Water Quality Certification (WQC) variance/ amendment processes.

Discussion:

In pursuit of increased importation of SWP water from Pyramid Lake to Lake Piru, United has coordinated with DWR and LADWP on the regulatory procedures to secure additional SWP imports above the current 3,150 AF limit. Under the current PCS agreement, Stantec has supported United in coordination with DWR, identifying a process to fulfill the requirements of CEQA, and

Agenda Item: 3.1 California Environmental Quality Act Support for the Increased Importation of State Water Project Water – Amendment to Professional Consulting Services Agreement with Stantec Consulting Services, Inc. - \$286,288
Board Motion

obtain a variance from the FERC license and SWRCB WQC. Through ongoing coordination with DWR, United and Stantec have recognized the need to fill data gaps related primarily to the CEQA analysis. The proposed amendment would address these key data gaps and provide information necessary to fully characterize the proposed increase in SWP water importation scenarios. The proposed amendment would increase the contract by \$286,288 and result in a total revised not-to-exceed amount of \$408,364.

A copy of the Amendment to the PCS agreement detailing Stantec's complete proposal, including the scope of work and deliverables and proposed fee is included in Attachment A.

Fiscal Impact:

Funding for the services to be conducted under the proposed amendment is available in the FY2022-23 Budget (050-600-52220; 1020-300).

Attachment:

Attachment A – First Amendment Agreement for Professional Consulting Services

**FIRST AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES**

This Amendment to the Agreement for Professional Consulting Services is entered into as of _____, 2023, by and between **United Water Conservation District (UNITED)**, a public entity, and **Stantec Consulting Services, Inc. (CONSULTANT)** with reference to the following terms and conditions:

WITNESSETH

WHEREAS, on June 23, 2022, UNITED and CONSULTANT entered into a Professional Consulting Services AGREEMENT for the purpose of providing environmental consultation services to support development of the California Environmental Quality Act documentation for the Increased Importation of State Water Project Water, and;

WHEREAS, UNITED and CONSULTANT have discussed and agreed to amend certain terms and conditions of the AGREEMENT involving the scope of work and compensation of the AGREEMENT as specified in this FIRST AMENDMENT.

NOW, THEREFORE, based on the covenants and considerations set forth, UNITED and CONSULTANT mutually agree as follows:

1. The not-to-exceed total charge described in the AGREEMENT is hereby increased by \$286,288. This amendment results in a total revised not-to-exceed amount of: \$408,364 as total payment inclusive of all services.
2. The Scope of Work and Fee Schedule included as Exhibit A of the AGREEMENT is hereby amended to include the Scope of Work included as Attachment A of this FIRST AMENDMENT.
3. The term of the AGREEMENT will expire on December 31, 2023.
4. Each and all other provisions of said AGREEMENT remain in full force and effect and apply to all services and payments made under this FIRST AMENDMENT.

UNITED WATER CONSERVATION DISTRICT

By _____
Mauricio E. Guardado, Jr., General Manager

Stantec Consulting Services, Inc.

By _____
Bryan Rorie, Project Manager

ATTACHMENT "A"
FIRST AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

Revised Scope of Work and Fee Schedule



Stantec Consulting Services Inc.
3301 C Street, Suite 1900
Sacramento CA 95816-3394

Randall McInvale
United Water Conservation District
4780 Piru Canyon Road
Piru, CA 93040

Dear Randall McInvale,

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

Project Understanding

Stantec Consulting Services Inc. (Stantec) was retained to assist United Water Conservation District (UWCD) with the development of a draft California Environmental Quality Act (CEQA) Addendum to California Department of Water Resources (DWR) 2005 Simulation of Natural Flows Environmental Impact Report (2005 EIR) for a temporary winter variance in water releases from DWR's Pyramid Lake down Piru Creek to UWCD's Lake Piru (Project) as detailed in the original Task Order scope of work (TO1). However, during the Project Description development, Project needs were adjusted to focus on maximizing the amount of temporary variance water releases feasible without triggering new significant impacts or changing the level of impact discussed in the 2005 Environmental Impact Report (EIR).

This Change Order (CO1) is in response to UWCD's request to update the Project Description with varied flow scenarios and conduct studies to support impact consistency analyses for key CEQA resource areas, including, Hydrology and Water Quality, Geology and Soils, Cultural and Tribal Cultural Resources, Biological Resources, and Recreation. Three specific field surveys and modeling-based technical studies are needed to complete this analysis: a hydrology assessment; a cultural resources assessment; and a biological resources assessment. Additionally, flow data will be utilized to update the desktop boating recreation assessment. UWCD, DWR, and other agencies and institutions have studied Piru Creek in the past; therefore, where feasible, this scope leverages existing studies (Appendix A) providing focused field updates to inform modeling and impact assessments.

Scope of Work

1 Project Management Additions

On an on-going basis throughout the duration of the project, Stantec will perform the project management activities listed below. Each of these activities are not necessarily discrete tasks to be estimated separately but are to be included in the overall time allotted to Stantec's project management.

- Change Order Setup: Project management and Project control activities associated with this change order.
- Invoicing: Project management and Project control activities associated with invoicing.

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

- Document Review Management: Coordination for technical reviews, independent reviews, technical editing and formatting.
- Change Control: Project management to manage scope, schedule, and cost aspects of requested or required changes.
- Staffing, budget and schedule control: Coordinate resource staffing. Project controls activities to track and control cost and schedule.
- Project Meetings: Assume one kickoff meeting (approximately one hour long) for up to four team members to confirm continued CEQA approach. In addition, assume up to eight additional one-hour status meetings attended by up to three team members.
- Project Management and Coordination: Contract and project management / coordination.

Deliverables:

- Meeting materials: agendas, notes, action items and decision logs with updates associated with agency coordination discussions

2 Information Gathering and Administrative Record Updates

In November of 2022, DWR confirmed that UWCD can utilize the baseline biological data collected during the South SWP Hydropower Project (SSWP) (Federal Energy Regulatory Commission [FERC] Project No. 2426) existing license compliance and relicensing efforts. However, the existing data is varied in survey area coverage. Given that this information is varied by survey type, date, and coverage, additional effort is needed to compile information from differing sources and synthesize the information to inform the survey updates and the impact analysis. Moreover, the hydrology data is located across various erosion monitoring studies, which will need to be compiled. DWR has indicated that their cultural resource data only covers a small area within the FERC boundary and, therefore, data should be reviewed within the context of an updated record search covering all 18 miles of Middle Piru Creek.

As such, under this task the results of previous evaluation efforts for FERC license compliance and relicensing, regulatory permitting, along with National Environmental Policy Act (NEPA) and CEQA compliance, will be incorporated directly into the CEQA document. Additionally, Stantec no longer assumes DWR will provide geospatial data regarding resource locations; rather, Stantec will obtain those data in coordination with DWR, involving Stantec, HDR Inc., and possibly Dudek. Stantec assumes that UWCD will provide geospatial data available from their offices and United States Geological Survey (USGS)/University of California, Los Angeles research.

Additionally, Stantec will update the administrative record for the Project to include information about site specific studies for the Project pursuant to Public Resources Code Section 21167.6(e).

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

Deliverables:

- Administrative Record to include relevant study information and results in Excel and PDF formats

3 Project Description Updates

Stantec and UWCD developed a draft Project Description in a coordinated fashion with a single variance described; however, upon further review, UWCD requested additional flexibility should additional water become available. As such, the draft Project Description development will continue to be an interactive and collaborative process, with the latest potential change including a need for peaking rather than capped releases. Therefore, under this task, Stantec will update the Project Description with various scenarios (i.e., as defined by UWCD) and anticipates implementing two additional Project Description technical flow adjustments: (1) to account for potential peaking and inflow equals outflow scenarios; and (2) to tailor the Project Description based on the field study and modeling results, targeting no changes in impacts.

The Project Description will be provided in a Draft format to UWCD for their review. UWCD will provide one consolidated set of comments for incorporation by Stantec into the Final Project Description.

Assumptions:

- Two additional technical flow updates to the Project Description to account for peaking, and reductions (as necessary) based on field and modeling results.

Deliverables:

- Draft and Final Project Description

4 2005 EIR Addendum Update

An initial administrative draft of a 2005 EIR Addendum was developed based on existing information. The sections developed thus far are resource areas that would not be significantly impacted with the varied flow scenarios. However, the following sections will need to be updated based on the results of the requested technical studies: Hydrology and Water Quality; Geology and Soils; Cultural and Tribal Cultural Resources; Biological Resources; and Recreation.

CEQA does not require public circulation of an Addendum. However, should the lead agency determine the Addendum be publicly circulated, Stantec will provide support in the development of public noticing and outreach publications.

Assumptions:

- Based on the technical study results, the lead agency will determine whether an Addendum remains the appropriate CEQA compliance document.

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

- This scope of work assumes that the Addendum prepared for the Project will be used to verify a Subsequent EIR is not required.

Deliverables:

- Updated Addendum sections will be directly incorporated into the Draft and Final EIR Addendum (as detailed in TO1)

5 Technical Studies

The geographical focus of the technical studies is Middle Piru Creek from Pyramid Lake to Lake Piru (the length of which is approximately 18.5 miles). With a 25 foot buffer on the thalweg, the Project area is approximately 112 acres. However, given that there have been relatively recent technical studies on differing portions of Middle Piru Creek, the field data collection described in this CO1 is intended to fill gaps and update data, while leveraging existing information to the extent feasible. As such, the data described in Appendix A will be leveraged and augmented through the studies described in Task 5.

5.1 Hydrology and Erosion Study

The 2005 EIR determined that erosion monitoring and remediation is required as mitigation for increased flows.

Changing the release schedule at Pyramid Dam can potentially alter the sediment transport characteristics in Piru Creek between Pyramid Dam and Lake Piru. Increasing the volume of water can increase the volume of sediment transport. This increase could change the amount of erosion and deposition occurring within the reach and change the amount of sediment delivered to Lake Piru. The amount of change will be dependent on the timing of the flows, the volume of the flow, and the bed material within the creek. To quantify the potential impacts of the Project, Stantec will conduct a sediment transport study similar to what was performed for the 2005 EIR, where they applied a HEC-RAS model to simulate the hydraulic conditions with and without the Project. The hydraulic model was then used to estimate sediment transport rates for the hydrologic conditions with and without the Project.

The objective of this study will be to assess the changes to sediment transport in Middle Piru Creek between Pyramid Dam and Lake Piru. This study will compare future conditions under the with- and without-Project imposed operational rules. The hydrologic conditions used for the without-Project conditions will be assumed to be consistent with the historical flows downstream of Pyramid dam from 2005 until present. The hydrologic conditions under the with-Project conditions will be the historical flows, with the additional water from the State Water Project (SWP) super-imposed over those historical flows. The operational rules for the release of the additional water from the SWP will be determined by UWCD.

Stantec will develop an updated HEC-RAS model based on the recent LiDAR collected in the region (see below). The model will be a one-dimensional cross section-based representation of the stream from Pyramid Dam and Lake Piru. The model will be used to estimate hydraulic conditions at a range of steady flows within the creek. Stantec will estimate sediment transport rates based on measured river-bed material

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

in the reach. The hydrology for the with- and without-Project conditions will be combined with the estimated sediment transport rates at individual flows to estimate annual transport rates under these two conditions.

There are several tributaries that supply water and sediment in Middle Piru Creek. These tributaries are ungagged and have not had sediment measurements on them. Therefore, empirical methods will have to be used to estimate their contributions. The amount of sediment contributed by a tributary will be estimated based upon the drainage area of that tributary and assuming a background sediment load. Stantec will use previous studies in the region to estimate background sediment loads as a function of drainage area (see references at the end of this section).

The results of the analysis will include the following:

- An estimate of sediment transport rates under with- and without-Project conditions
- Analysis of the flow and sediment contributions of tributaries to Middle Piru Creek. These estimates will be based upon contributing drainage areas.
- An analysis of qualitative differences in expected erosion and deposition resulting from the Project
- Sediment loading quantities to Lake Piru under with- and without-Project conditions
- Description of the qualitative differences in bed material under with- and without-Project conditions

The existing data necessary for the Project (assumed to be provided by UWCD, USGS, and the University of California, Los Angeles) includes:

- LiDAR, which will be used to develop the hydraulic model of the reach.
 - 2018 Southern California Wildfire QL2 Lidar, May 28 - Oct 12, 2018. USGS (2019); and
 - 2015 Los Angeles County, CA QL2 Lidar, Sep 27, 2015 - Oct 18, 2016.
- Stream flows downstream of Pyramid Dam on Piru Creek from Water Year 2005 until 2022.

New data to be collected by Stantec includes:

- Bed Material Sampling: Bag samples and/or pebble count samples will be collected approximately every one-half to one-mile intervals depending upon access and number of identifiable concerns along the reach. Stantec will attempt to sample the upper four miles and the lower four miles of Middle Piru Creek.

References:

Barry R. Hill and Christopher E. McConaughy. 1988. Sediment Loads in the Ventura River Basin, Ventura

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

County, California, 1969-81 By, U.S. GEOLOGICAL SURVEY, Water-Resources Investigations Report 88-4149, Sacramento, CA. 1988. Available at: <https://pubs.usgs.gov/wri/1988/4149/report.pdf>.

Kevin M. Scott, John R. Ritter, and James M. Knott. 1968. Sedimentation in the Piru Creek Watershed

Southern California, US Geological Survey Water – Supply Paper 1798-E, Sedimentation in Small Basins. Available at: <https://pubs.usgs.gov/wsp/1798e/report.pdf>.

Rhea P. Williams. 1979. Sediment discharge in the Santa Clara River Basin, Ventura and Los Angeles

Counties, California, Water-Resources Investigations Report 79-78, Prepared in cooperation with Ventura County Flood Control District, United Water Conservation District, and California Department of Boating and Waterways. Available at: <https://doi.org/10.3133/wri7978>.

Scott, K.M., and Williams R.P. 1978. Erosion and sediment yields in the Transverse Ranges, southern California: U.S. Geological Survey Professional Paper 1030, 38 p. Available at: <https://pubs.usgs.gov/pp/1030/report.pdf>.

Assumptions:

- UWCD will provide operational rules for additional water from the SWP. LiDAR at one meter DEM resolution is available for the entire Project reach.
- Stantec is able to access Piru Creek for at least three miles downstream of Pyramid Dam and three miles upstream of Lake Piru during a single mobilization over four field days, including travel. Prior to conducting field studies, Stantec will hold a kickoff meeting to review safety and logistics (e.g., access) with all participating team members (up to three), up to one hour long.

Deliverables:

- Technical report summarizing Project objectives, data collection, methods and results in Word and PDF formats

5.2 Biological Resources Survey

Stantec will update and fill gaps on existing data for the Project area (Appendix A) with a reconnaissance-level habitat assessment and visual encounter survey of selected accessible, representative areas along the upper and lower portions of Middle Piru Creek. The purpose of the surveys will be to ground truth existing data and fill data gaps, where needed. Specifically, Stantec biologists will conduct a five-day (including travel), reconnaissance-level field study during low flow conditions.

5.2.1 BIOLOGICAL RESOURCE SURVEYS

The surveys will focus on the following:

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

- **Habitat Mapping:** Desktop habitat map data is available for Middle Piru Creek. Additionally, in 2018, DWR conducted site-specific habitat mapping of approximately 6.6 miles of Middle Piru Creek. The reconnaissance level habitat assessment will include a ground verification of existing mapping with site specific spot checks conducted concurrently with (i.e., same dates and locations) the hydrologic field assessment (Task 5.1 above).
- **Fisheries and BMI data:** Stantec will utilize the environmental DNA results from existing DWR fisheries studies along the entire 18 miles of Middle Piru Creek. These data will be augmented via a habitat assessment update conducted concurrently with the hydrologic field assessment (Task 5.1).
- **Amphibians and Aquatic Reptiles:** UWCD and partner agencies and institutions have conducted assessments of winter flow benefits to arroyo toad (*Bufo californicus*) and other sensitive species. Additionally, DWR, in compliance with their existing FERC license, monitored the arroyo toad population annually through 2020 in Middle Piru Creek. These data will be augmented via a habitat assessment update conducted concurrently with the hydrologic field assessment (Task 5.1).
- **Stream and Wetland Delineation:** The ordinary highwater mark of Piru Creek and adjacent wetland areas will be defined using aerial imagery, national wetland inventory data, and LiDAR data. Representative field confirmations conducted concurrently with the hydrologic field assessment (Task 5.1) will provide additional ground truth information. The delineation will be sufficient to inform the CEQA Addendum.
- **Least Bell's Vireo, Willow Fly Catcher and Nesting Bird Assessment:** Special-status avian species surveys conducted in Middle Piru Creek are both recent and relevant (Appendix A). Therefore, no additional presence/absence surveys are proposed. Rather, under this task, nesting habitat level data will be updated in representative areas coincident with the reaches as described in the hydrologic field assessment (Task 5.1).

5.2.2 BIOLOGICAL RESOURCE DATA ANALYSIS AND REPORTING

The results of these studies, including mapping updates, will be incorporated directly into the Biological Resource Section of the CEQA Addendum as defined in TO1.

Assumptions:

- Stantec is able to access Piru Creek for at least 3 miles downstream of Pyramid Dam and 3 miles upstream of Lake Piru during a single mobilization over 5 days, including travel. Prior to conducting field studies, Stantec will hold a kickoff meeting to review safety and logistics (e.g., access) with all participating team members (up to three), up to one hour long.
- For this analysis Stantec does not anticipate protocol level surveys. Rather, existing data with targeted field survey updates will be utilized to inform the impact assessment and verify the potential changes to the 2005 EIR determinations.

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

Deliverables:

- Geographic Information System (GIS) survey data in Shapefile format
- Biological resources evaluation incorporated into the draft and final Biological Resources section of the CEQA Addendum, as described in the original TO1 scope of services

5.3 Cultural and Tribal Cultural Resources Study

Stantec's goal is to complete the cultural work in a timely and cost-effective manner. Stantec staff are familiar with archaeological resources in the Los Padres National Forest Project area; having had provided DWR with National Historic Preservation Act of 1966, Section 106 and AB 52 compliance support on SSWP, and having had reviewed the Cultural Resources Investigations and Paleontological Overview for the Simulation of Natural Flows in Middle Piru Creek Project (McKenna et al. 2004). By anticipating archaeological site types and resource locations, Stantec will streamline this survey and site recording strategy using digital field tools with qualified staff with a breadth of institutional/geographical knowledge.

Stantec has prepared a scope and cost estimate that includes the following tasks: (1) California Historical Resource Information System (CHRIS) Search Task; (2) Pedestrian Survey; and (3) Pedestrian Survey Report. Although not required for an Addendum, Stantec has included time to support the lead agency with such efforts.

5.3.1 RECORDS SEARCH AND NAHC OUTREACH

Stantec will conduct a records search with CHRIS at the South-Central Coastal Information Center in Fullerton, California. The background research will include, but will not be limited to:

- a. A thorough literature and records search to include the National Register of Historic Places
- b. State archaeological and historical documents and records
- c. Published and unpublished reports, journals, and relevant State and federal agency files

Stantec will also conduct a sacred lands search with the Native American Heritage Commission (NAHC) and will send outreach letters to any parties identified through the NAHC.

Although not required for an Addendum, if requested by the lead agency, Stantec will provide a draft consultation letter and map for UWCD as a project-specific template.

5.3.2 PEDESTRIAN FIELD SURVEY

The results from the 2004 Native American outreach, records searches, and pedestrian survey of the Projects 18-mile Middle Piru identified a single area with potential historic resources. As such, based on the results of an updated Records Search, Qualified Stantec archaeologists will conduct a pedestrian survey of targeted areas. The targeted areas will include the riverbanks near the Whitaker Ranch and up to three additional focus areas. The three additional areas will be determined based on the updated records search

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

results, Native American outreach, if conducted by the lead agency, and LiDAR or other desktop data showing highly erosive areas. The survey will include pedestrian transects no wider than 30 meters apart. Stantec will map all archaeological finds using a global positioning system unit meeting agency requirement for accuracy (note that Stantec utilizes units with sub-meter capabilities). Identified sites will be recorded on California Department of Parks and Recreation (DPR) site forms. Stantec archaeologists will take photographs of diagnostic artifacts and at least two overviews of the site. Based on the likelihood of difficult terrain and potentially inaccessible areas, Stantec archaeologists will conduct one, five-day rotation. Any inaccessible areas will be documented using GIS.

5.3.3 CULTURAL RESOURCES REPORT

Stantec will prepare an archaeological survey report, which will include the results of the literature search and field survey, a cultural background of the area, and management recommendations. If Stantec encounters archaeological sites in the area of potential effects, known as the APE, the report will include descriptions of each site and a historic context will be developed to evaluate each site for eligibility for inclusion in the California Register of Historical Resources. Site records will be attached as a confidential appendix to the report.

The Cultural Resources Report will be provided in a Draft format to UWCD for review. UWCD will provide one consolidated set of comments for incorporation by Stantec into the Final Cultural Resources Report.

References:

McKenna, Jeanette A. and McKenna et al. (McKenna et al.). 2004. Final – Cultural Resources Investigations and Paleontological Overview for the Simulation of Natural Flows in Middle Piru Creek Project, Los Angeles and Ventura Counties, California. Prepared for Aspen Environmental Group. November 2004.

Assumptions:

- No more than three sites total will be identified and recorded.
- Should Native American outreach occur, Stantec will provide the lead agency with a draft consultation letter to utilize for consultation.
- Stantec will have access to all proposed survey areas.
- No built resources will require evaluation or detailed documentation.
- If, and where required, in the interest of personnel safety, any areas with impassable vegetation, steep slopes, or that are otherwise deemed unsafe will not be surveyed, and will be depicted on the final survey coverage maps as “no coverage/inaccessible”.
- No tribal participation in field surveys has been factored into this scope.
- Stantec will obtain necessary permits for archaeological investigations, including Archeological Resources Protection Act of 1979 and DPR 412A

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

- One, five-day rotation, focused on the upper and lower Piru Creek. Prior to conducting field studies, Stantec will hold a kickoff meeting to review safety and logistics (e.g., access) with all participating team members (two), up to one hour long.
- Stantec assumes, consistent with the 2005 EIR, cultural resources will not be affected by the Project. The basis for the CEQA Addendum analysis will be data collected in the 2005 EIR and targeted field surveys.
- Should there be historic or prehistoric sites in the Project area that may be affected, Stantec will notify UWCD and assess the need for reduced flows or a Supplemental CEQA document.

Deliverables

- Draft and Final Archaeological Survey Report provided in Word and PDF formats

Key Assumptions

Task specific assumptions are included with the task description above. Key costing assumptions are also highlighted below.

- Stantec assumes that UWCD will be the lead agency.
- A recreation technical field study is not required, rather UWCD will provide information, if needed regarding recreation flows under proposed release scenarios for inclusion into the CEQA Addendum, as estimated under the original TO1 project scope of services.
- Field surveys for each of the three resource areas can be conducted by two specialists (no more than three) within a week, including travel. This assumes three field days with a day before and after for safety and access confirmation, mobilization, and demobilization.
- The additional project description updates and technical study surveys and reporting can be completed in nine months or less.
- This scope of services does not include NEPA or environmental permitting support. It is assumed that separate from this scope of services, UWCD (and DWR) will be working through agency consultations relative to a DWR request for variances to their Water Quality Certification and existing FERC license. Stantec can provide additional consultation and permitting support services under a separate scope upon request.

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

Schedule

The proposed schedule for the Technical Studies and their incorporation into the CEQA Addendum is estimated to span up to nine months, from January through October 2023.

- **January 2022:** CO1 Notice to Proceed
- **January – September 2023:** Project Management and Administrative Record Documentation
- **January – February 2023:** Information Gathering and Project Description Update
- **March – April 2023:** Technical Study - Field Surveys (and if required, Native American Outreach Support)
- **April – May 2023:** Technical Study - Data Processing and Modeling
- **May – June 2023:** Technical Study - Reporting
- **July – August 2023:** Final Project Description Confirmation and CEQA Addendum Section Updates
- **September 2023:** File Copy or 30-day Public Notice of CEQA Document
- **October 2023:** CEQA Process Complete

This schedule is to facilitate CEQA compliance, assuming the flows will be tailored to avoid triggering new impacts or changing the level of impact disclosed in the 2005 EIR. If it is determined a Supplemental EIR or other CEQA document is required, Stantec can provide an updated schedule and scope of services.

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

Proposed Fee

Based on our understanding of your requirements and our experience with similar projects, Stantec estimates that the fee required for our services will be approximately as described in Table 1.

Table 1: Fee Estimate Summary by Task

| Task | Fee Estimate |
|---|------------------|
| Task 1: Project Management and Coordination | \$40,606 |
| Task 2: Information Gathering | \$11,830 |
| Task 3: Project Description Updates | \$8,424 |
| Task 4: EIR Addendum Update | \$22,380 |
| Task 5: Technical Studies | \$188,348 |
| Labor Subtotal | \$271,588 |
| Other Direct Charges Subtotal | \$14,700 |
| Total | \$286,288 |

Our charges will not exceed the above fee estimate without prior authorization from UWCD. Stantec reserves the right to reallocate budget between the tasks as necessary, provided the overall total is not exceeded.

Stantec has estimated the cost of our services based on our understanding at this time of the scope and complexity of the work. During the performance of our services, the need for additional or expanded services may be determined. Stantec will make every reasonable effort to keep you informed of our progress and costs incurred.

Authorization to Proceed

Should you require additional information or wish to discuss this work authorization further, please contact us via the information included in the signature blocks below. If this work authorization is satisfactory, please provide us written authorization to proceed in the form of a task order. This work shall conform to the terms and conditions of the On Call Agreement for Professional Consulting Services executed February 25, 2021.

Respectfully,

STANTEC CONSULTING SERVICES INC.

Bryan Rorie
Project Manager
Phone: (916) 418-8254
bryan.rorie@stantec.com

Bernadette Bezy
Principal, Technical Lead
Phone: (530) 575-6508
bernadette.bezy@stantec.com

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

By signing this proposal, _____ authorizes Stantec to proceed with the services
Client Company Name
herein described and the Client acknowledges that it has read and agrees to be bound by the attached
Professional Services Terms and Conditions.

This proposal is accepted and agreed on the ____ of ____
Day Month Year

Per: _____
Client Company Name

Print Name & Title

Signature



Stantec Consulting Services Inc.
3301 C Street, Suite 1900
Sacramento CA 95816-3394

Appendix A:
Existing Relevant Data, including Survey Extents and Dates – Middle Piru Creek

Table A-1: Existing Relevant DWR Data, Extents and Survey Dates – Middle Piru Creek*

| Resource Area | Survey Type | Miles Covered | Survey or Report Date | Notes |
|---------------|---|---|--|---|
| Hydrology | Indicators of Hydrologic Alteration | The study area for the IHA Study will consist of Pyramid reach. Specifically, flow statistics will be developed for a single location in the Pyramid reach immediately downstream of where the Pyramid Dam spillway enters Pyramid reach. | Analysis was conducted from July 2018 – September 2018 | N/A |
| Water Quality | Water Quality and Temperature Monitoring | (1) Pyramid reach, near the base of Pyramid Dam; (2) Pyramid reach, about 1.5 miles downstream of Pyramid Dam; (3) Pyramid reach, about 3.0 miles downstream of Pyramid Dam (near Frenchmen's Flat); and (4) Pyramid reach, upstream of Lake Piru near Blue Point Campground. | 2017 | Includes Turbidity and Temperature |
| Erosion | Erosion Monitoring at Infrastructure Sites | Middle Piru Creek, which is an 18 mile reach of Piru Creek from Pyramid Dam to Lake Piru. | Ongoing | Includes a catalogue of historical imagery and high flow events. |
| Fish | Fish Habitat Assessment, electro-fishing, and eDNA sampling | Extensive habitat mapping of 6.35 miles of Pyramid reach was divided into three stream segments: two segments located within the first 4 miles immediately downstream of Pyramid Dam and one directly upstream of the NMWSE of Lake Piru. | 2018 | Habitat mapping, electrofishing, and qPCR eDNA surveys for Arroyo Chub, Rainbow Trout, and Santa Ana Sucker |

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

| Resource Area | Survey Type | Miles Covered | Survey or Report Date | Notes |
|--|-------------------------------------|--|-----------------------|---|
| Biological Resources - BMI | Benthic Macroinvertebrates Sampling | Pyramid dam and two miles of Piru Creek downstream, one mile from Frenchman's Flat, and from Fish Creek to Lake Piru | 2018 | N/A |
| Special Status Amphibians and Semi-Aquatic Reptiles | VES surveys (and eDNA for FYLF) | The study area for the Special-Status Aquatic Amphibians and Semi-Aquatic Snakes Study consists of the area within the proposed Project boundary, excluding lands overlying the Angeles Tunnel on which the Licensees do not perform any Project O&M activities. In addition, the study area for the Special-Status Aquatic Amphibians and Semi-Aquatic Snakes Study will include the Pyramid reach. | 2018 | VES and eDNA surveys – FYLF, Western Spadefoot, two striped garter snake, WPT |
| Biological Resources- Aquatic Amphibians- California red-legged frog | Targeted habitat assessment | Two sites along Piru Creek | 2018 | N/A |
| Aquatic Amphibians- Arroyo Toad | Arroyo Toad VES surveys | Annual monitoring of 6.6 miles of Middle Piru Creek where Arroyo Toad are known to occur | 2020 | N/A |

Reference: CEQA Addendum to DWR 2005 Simulation of Natural Flows EIR – Change Order 1

| Resource Area | Survey Type | Miles Covered | Survey or Report Date | Notes |
|--|---|--|--|---|
| Terrestrial Wildlife – Habitat Mapping | California Wildlife Habitat Relationships Study | Near the Piru Outlet | Terrestrial Wildlife – Habitat Mapping | California Wildlife Habitat Relationships Study |
| Cultural and Paleontological Resources | Record Search, Native American Outreach and Intensive Field Surveys | Cultural and Paleontological study of Middle Piru Creek (18 miles) | 2004 | N/A |

Key:

eDNA = environmental DNA

FYLF = Foothill yellow-legged frog

IHA = Indicators of Hydrologic Alteration

N/A = not applicable

NMWSE = normal maximum water surface elevation

O&M = operations and maintenance

qPCR = quantitative polymerase chain reaction

VES = Visual Encounter Survey

WPT = Western pond turtle

*Note: UWCD has also provided Stantec with existing relevant data from recent terrestrial and aquatic studies, including recent willow fly catcher, least bell's vireo, and arroyo toad studies.

FEE ESTIMATE
UWCD CEQA Addendum - CO1

| Name | <div>Specialized Technical Professional (Project Manager)</div> <div>Senior Level Consultant (Regulatory/Technical Advisor)</div> <div>Specialized Technical Professional (CEQA Team Lead)</div> <div>Supervisor Professional (Environmental Scientist)</div> <div>Senior Level Consultant (Hydrologist)</div> <div>Supervisor Professional (Hydrologist)</div> <div>Specialized Technical Professional (Fluvial Geomorphologist)</div> <div>Specialized Technical Professional (Environmental Scientist (Cultural))</div> <div>Supervisor Professional (Built Environment)</div> <div>Supervisor Professional (Environmental Scientist (Bio))</div> <div>Senior Level Consultant (Biologist TR)</div> <div>Supervisor Professional (Environmental Scientist (Bio))</div> <div>Supervisor Professional (GIS)</div> <div>Specialized Technical Professional (Bio Field Lead)</div> <div>Qualified Professional (Bio and Hydro Field Tech)</div> <div>Specialized Technical Professional (Technical Editor)</div> <div>Supervisor Professional (Assistant PM)</div> <div>Qualified Professional (Cultural Field Lead)</div> <div>Supervisor Professional (Cultural Field)</div> <div>Hotel</div> <div>Travel (Airfare/Mileage)</div> <div>Incidentals</div> <div>CCIC Records Search</div> | | | | | | | | | | | | | | | | | | | | | | | |
|------|--|------------------|-------------|----------------|-----------------|----------------|----------------|----------------|--------------|-----------------|----------------|------------------|-----------------|----------------|--------------|--------------|--------------------|---------------|------------------|-------------|------------|------------|------------|------------|
| | Rorie, Bryan | Bezy, Bernadette | Gray, Kate | Messier, Indya | Greimann, Blair | Rossi, Rebecca | Pearson, Jason | Sherlock, Erin | Riggs, Becca | Eppinger, Emily | Varonin, Jared | Stoddard, Robert | Jarvis, Jessica | Hoetker, Geoff | Blaich, Ryan | Eber, Lauren | Hennigan, Savannah | Dinarte, Rudy | Hulbert, Colleen | | | | | |
| | Project Billing Rate | \$201.00 | \$243.00 | \$192.00 | \$164.00 | \$243.00 | \$170.00 | \$217.00 | \$201.00 | \$164.00 | \$170.00 | \$228.00 | \$183.00 | \$164.00 | \$201.00 | \$149.00 | \$201.00 | \$183.00 | \$149.00 | \$164.00 | \$300.00 | \$750.00 | \$250.00 | \$500.00 |
| | Total Units (T&M) | 32.00 | 96.00 | 12.00 | 50.00 | 172.00 | 120.00 | 248.00 | 72.00 | 16.00 | 28.00 | 10.00 | 36.00 | 58.00 | 60.00 | 60.00 | 40.00 | 60.00 | 112.00 | 112.00 | 24.00 | 6.00 | 6.00 | 3.00 |
| | Total Fee (T&M) | \$6,432.00 | \$23,328.00 | \$2,304.00 | \$8,200.00 | \$41,796.00 | \$20,400.00 | \$53,816.00 | \$14,472.00 | \$2,624.00 | \$4,760.00 | \$2,280.00 | \$6,588.00 | \$9,512.00 | \$12,060.00 | \$8,940.00 | \$8,040.00 | \$10,980.00 | \$16,688.00 | \$18,368.00 | \$7,200.00 | \$4,500.00 | \$1,500.00 | \$1,500.00 |

| Task | Task Name | Units | | | | | | | | | | | | | | | | | | | | | | |
|------|--------------------------|-------|----|----|----|-----|-----|-----|----|----|--|---|----|----|----|----|---|--|-----|-----|---|---|---|--|
| 1 | Project Management | 32 | 40 | 50 | 16 | 16 | 50 | | | | | | | | | | | | | | | | | |
| 2 | Information Gathering | 8 | | 12 | 4 | 16 | 2 | 16 | 2 | | | | | | | | | | | | | 3 | | |
| 3 | Project Description | 12 | | 12 | | | | 6 | | | | | | | 8 | | | | | | | | | |
| 4 | 2005 EIR Addendum | 12 | 12 | 24 | 12 | 12 | 12 | | | | | | | 16 | 8 | | | | | | | | | |
| 5 | Project Specific Studies | | | | | | | | | | | | | | | | | | | | | | | |
| 5.1 | Hydrology | | 12 | | | 108 | 120 | 248 | | | | 8 | 24 | 12 | 60 | 60 | 8 | | | | 8 | 2 | 2 | |
| 5.2 | Biological Resources | | 6 | | | | | | | | | | | | | | | | | | 8 | 2 | 2 | |
| 5.3 | Cultural Resources | | 6 | | | | | | 40 | 16 | | | | 12 | | | 8 | | 112 | 112 | 8 | 2 | 2 | |

| Project Summary | Hours | Labour | Expense | Total |
|-----------------|----------|--------------|-------------|--------------|
| T&M | 1,409.00 | \$271,588.00 | \$14,700.00 | \$286,288.00 |

| Task Type | Hours | Labour | Expense | Total |
|-----------|--------|--------------|-------------|--------------|
| T&M | 204.00 | \$40,606.00 | \$0.00 | \$40,606.00 |
| T&M | 60.00 | \$11,830.00 | \$1,500.00 | \$13,330.00 |
| T&M | 38.00 | \$8,424.00 | \$0.00 | \$8,424.00 |
| T&M | 108.00 | \$22,380.00 | \$0.00 | \$22,380.00 |
| T&M | 984.00 | \$188,348.00 | \$13,200.00 | \$201,548.00 |
| T&M | 508.00 | \$106,952.00 | \$4,400.00 | \$111,352.00 |
| T&M | 170.00 | \$30,642.00 | \$4,400.00 | \$35,042.00 |
| T&M | 306.00 | \$50,754.00 | \$4,400.00 | \$55,154.00 |



Staff Report

To: Engineering and Operations Committee Members

Through: Mauricio E. Guardado, Jr., General Manager

From: Dr. Maryam Bral, Chief Engineer
Linda Purpus, Environmental Services Manager *LP*
Randall McInvale, Principal Environmental Scientist

Date: January 24, 2023 (February 2, 2023 meeting)

Agenda Item: **3.2 Freeman Diversion Multiple Species Habitat Conservation Plan – Amendment to Professional Consulting Services Agreement with Stillwater Sciences - \$230,000**
Board Motion

Staff Recommendation:

The Committee will consider recommending approval of the motion to the full Board to authorize the General Manager to execute an amendment to the professional consulting services (PCS) agreement with Stillwater Sciences (Stillwater) in the amount of \$230,000 to continue the development of the Freeman Diversion Multiple Species Habitat Conservation Plan (MSHCP) and complete the submittal by the September 22, 2023, Court ordered permanent injunction and stipulation deadline.

Background:

United Water Conservation District (United) entered into the PCS agreement with Stillwater on April 16, 2014, and since that time, the Freeman Diversion MSHCP has increased in complexity and regulatory scrutiny. In response, United requested that Stillwater expand the scope of work significantly, and the agreement has been amended on nine occasions. Stillwater has provided services in support of the District's efforts in the foundational studies for the effects analyses, assisted with revising technical aspects of the MSHCP, and participated in live-edit meetings with regulatory agencies, promoting progress in resolving outstanding issues in the MSHCP planning process.

This proposed ninth amendment will provide for continuity of services and allow for Stillwater to provide additional services necessary to update the MSHCP. Specifically, the amendment will cover MSHCP chapter updates, incorporation of technical study results, and internal MSHCP team and regulatory agency meetings through December 31, 2023.

**Agenda Item: 3.2 Freeman Diversion Multiple Species Habitat Conservation Plan –
Amendment to Professional Services Agreement with Stillwater Sciences -
\$230,000
Board Motion**

Discussion:

Following submittal of the fourth draft MSHCP in June 2020, United has continued to develop the fish passage facility alternatives through physical modeling and associated design updates. In accordance with the December 2018 permanent injunction and October 2021 stipulation, the MSHCP and regulatory applications must be submitted by September 22, 2023. Stillwater has provided key support to United in the development of previous drafts of the MSHCP and supporting technical studies since 2014. Stillwater's team possesses extensive experience with the operation of the Freeman Diversion, the fish passage alternative design concepts, covered species, and the dynamic environmental processes associated with the Santa Clara River that is vital to the completion of the updates to the MSHCP and regulatory applications. The proposed amendment would increase the contract by \$230,000 and result in a total revised not-to-exceed amount of \$908,628.

A copy of the Amendment to the PCS agreement detailing Stillwater's complete proposal, including the scope of work and deliverables and proposed fee is included in Attachment A.

Fiscal Impact:

Sufficient funds in the amount of \$138,000 are available to carry the work through FY 2022-23. Funding for the services to be conducted under the proposed amendment is included in the Fiscal Year (FY) 2022-23 Capital Improvement Project Budget under 421-400-81080; 8001-825 and Freeman Fund under 420-600-52220; 1020-300 (a budget transfer from the 420 fund to the 421 fund will be proposed to the Finance and Audit Committee in March 2023). The remaining \$92,000 will be included in the FY 2023-24 budget.

Attachment:

Attachment A – Ninth Amendment Agreement for Professional Consulting Services

**NINTH AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES**

This Amendment to the Agreement for Professional Consulting Services is entered into as of _____, 2023, by and between **United Water Conservation District (UNITED)**, a public entity, and **Stillwater Sciences (CONSULTANT)** with reference to the following terms and conditions:

WITNESSETH

WHEREAS, on April 16, 2014, UNITED and CONSULTANT entered into a Professional Consulting Services AGREEMENT for the purpose of providing technical assistance to support development of the “Freeman Diversion Multiple Species Habitat Conservation Plan”, and entered into a FIRST AMENDMENT to said AGREEMENT on June 22, 2016, a SECOND AMENDMENT on May 24, 2018, a THIRD AMENDMENT on June 24, 2019, a FOURTH AMENDMENT on July 25, 2019, a FIFTH AMENDMENT on October 24, 2019, a SIXTH AMENDMENT on May 14, 2020, a SEVENTH AMENDMENT on January 26, 2021 and, entered into an EIGHTH AMENDMENT on September 23, 2021;

and;

WHEREAS, UNITED and CONSULTANT have discussed and agreed to amend certain terms and conditions of the AGREEMENT, the FIRST AMENDMENT, SECOND AMENDMENT, THIRD AMENDMENT, FOURTH AMENDMENT, FIFTH AMENDMENT, SIXTH AMENDMENT, SEVENTH AMENDMENT, and EIGHTH AMENDMENT involving scope of work, and compensation as specified in this NINTH AMENDMENT.

NOW, THEREFORE, based on the covenants and considerations set forth, UNITED and CONSULTANT mutually agree as follows:

1. The not-to-exceed total charge described in the AGREEMENT and all prior AMENDMENTS is hereby increased by \$230,000. This amendment results in a total revised not-to-exceed amount of: \$908,628 as total payment inclusive of all services.
2. The Scope of Work included as Exhibit A of the AGREEMENT, Attachment A of the FIRST AMENDMENT, Attachment A of the SECOND AMENDMENT, Attachment A of the THIRD AMENDMENT, Attachment A of the FOURTH AMENDMENT, Attachment A of the FIFTH AMENDMENT, and Attachment A of the SIXTH AMENDMENT, is hereby amended to include the revised Scope of Work and schedule included in Attachment A of this NINTH AMENDMENT.
3. The term of the AGREEMENT and all prior AMENDMENTS will expire on December 31, 2023.
4. Each and all other provisions of said AGREEMENT and FIRST AMENDMENT, SECOND AMENDMENT, THIRD AMENDMENT, FOURTH AMENDMENT, FIFTH AMENDMENT, SIXTH AMENDMENT, SEVENTH AMENDMENT, and EIGHTH AMENDMENT remain in full force and effect and apply to all services and payments made under this NINTH AMENDMENT.

UNITED WATER CONSERVATION DISTRICT

By _____
Mauricio E. Guardado, Jr., General Manager

Stillwater Sciences

By _____
Sapna Khandwala, CEO/ President

ATTACHMENT "A"
NINTH AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

Revised Scope of Work and Fee Schedule



January, 2023
Randall McInvale
United Water Conservation District
1701 Lombard Street, Suite 200
Oxnard, CA 93030
lindap@unitedwater.org

Re: Amended scope and cost proposal for in support of the United Water Conservation District's Multiple Species Habitat Conservation Plan

Dear Mr. McInvale,

For your review, Stillwater Sciences (Stillwater) is pleased to submit an amended scope and budget proposal to support United Water Conservation District (United) with development of a parallel Multiple Species Habitat Conservation Plan (MSHCP) with a Hardened Ramp alternative for the fish passage project as well as finalization of the 2023 MSHCP with final fish passage decision to be determined. For the task below, Stillwater key staff include Ethan Bell, M.S., Katherine Ayres, Ph.D., Matt Drenner Ph.D., Catlin Ames Ph.D., Danielle Yaconelli and Bruce Orr. Other Stillwater staff will be included for support as appropriate.

Scope of Work

Task 11: Project Management and Meetings

This task includes budget for Stillwater to support United in internal meetings as well as external agency meetings.

Assumptions

- A. Biweekly virtual internal meetings with United, HCP consulting team, and/or United's legal team of one hour from February – May (9 meetings).
- B. Weekly virtual internal meetings with United, HCP consulting team, and/or United's legal team of one hour from June–September (17 meetings).
- C. Six virtual, 2-hour meetings with agency staff at United's discretion
- D. Two in-person, 5-hour meetings in the L.A. or Ventura areas at United's discretion.
- E. All meetings assume attendance of one Stillwater team member on the project management team and one Stillwater team member with technical expertise relevant to the agenda. Assumed to be two different people but it could be one person that covers both when feasible.
- F. All meetings assume time for preparation (such as helping prepare and reviewing agendas), meeting participation, and follow up (such as reviewing meeting notes and providing feedback on meeting notes, action items, or recommended strategy adjustment outside the regular internal meetings).

Increased budget by \$30,800 in labor and \$3,400 in expenses to cover increased scope for a total budget of \$34,200.

Berkeley, CA
510.848.8098

Arcata, CA
707.822.9607

Davis, CA
530.756.7550

Portland, OR
503.267.9006

Morro Bay, CA
805.570.7499

Boulder, CO
720.656.2330

Los Angeles, CA
424.302.3910

Task 12: Hardened Ramp Alternative Multiple Species Habitat Conservation Plan

This task includes budget to support United Water in developing a parallel path MSHCP featuring a hardened ramp fish passage alternative. Stillwater Sciences would be responsible for updating sections of the 2020 HCP that relate to the covered fish species that take into account this alternative. Stillwater would be responsible for updating the Conservation Program, Monitoring and Adaptive Management, and Effects Analysis with regard to these fish species specifically related to the hardened ramp fish passage alternative. Updates required for both alternatives are included in Task 13 below.

Assumptions

- A. The covered fish species (southern California steelhead, Pacific lamprey, and tide water goby) from the 2020 draft HCP would be the same species carried forward. If Santa Ana sucker or other fish species are added to the scope of work, another contract amendment would be needed.
- B. United will provide the engineering design documents and all data and/or modeling outputs needed for interpretation of hardened ramp effects on covered fish and their habitat.

Increased budget by \$84,290 to cover increased scope.

Task 13: Final 2023 Multiple Species Habitat Conservation Plan

This task includes budget to support United Water in finalizing the MSHCP following a fish passage decision by May 2023 (or new court ordered date if applicable). Stillwater Sciences would be responsible for updating sections of the 2020 HCP that relate to the covered fish species. Stillwater would be responsible for updating the Existing Conditions, Covered Species, Conservation Program, Monitoring and Adaptive Management, and Effects Analysis with regard to covered fish species and Stillwater would support United in ensuring consistency across all chapters with regard to fish species and associated best available science.

Assumptions

- A. Both assumptions for Task 12 also apply to Task 13.
- B. No change or minor changes to the four instream flow operations conservation measures to the extent that prior effects analyses developed by R2 Resources and Stillwater Sciences are still relevant for consideration when writing the effects analysis (i.e., no new modeling will be needed from Stillwater).
- C. United will prepare any new sediment management plans with sufficient detail to interpret the effects to covered fish species. Stillwater may assist United with preparation of the Sediment Management Plan up to 10 hours at the SE 18 level or equivalent hours for the same budget at a lower classification.
- D. Stillwater will integrate information from the Fish in Good Condition (Fish and Game Code 5937) effort under another contract into the MSHCP document as appropriate and to maintain consistency between the two efforts at United's direction.

Increased budget by \$90,000 to cover increased scope.

Task 14: Other Permitting Support

This task includes budget for Stillwater to support United in meetings or with reviewing documents related to other permit applications and environmental review relevant to the MSHCP (e.g., EIR, EIS, LSAA, CWA Sections 404 and 401, or any document related to changes in water rights) up to 90 hours of staff time at the SE 18 level or equivalent hours for the same budget at a lower classification.

Increased budget by \$21,510 to cover increased scope

Budget

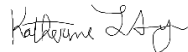
The tasks outlined above will be conducted using Stillwater's standard billing rates (Exhibit A attached) on a time and materials basis with a total not-to-exceed cost of \$230,000.

Deliverables Schedule

Schedule and deliverables for all tasks will be as directed by United but Stillwater assumes that United will select a fish passage alternative by May 2023 and final MSHCP would be due in September 2023 unless the schedule is extended through the ongoing court mediation process.

Please let us know if you have any questions or would like to discuss further.

Sincerely,



Katherine Ayres, Ph.D.

Senior Scientist

Stillwater Sciences

KAyres@Stillwatersci.com

Attachment A. Fee Schedule

| Stillwater Sciences Billing Rates Effective January 2, 2023 | |
|--|-------------|
| Billing Classification | Hourly Rate |
| S/A 1 | \$75 |
| S/A 2 | \$90 |
| S/A 3 | \$101 |
| S/E 4 | \$109 |
| S/E 5 | \$115 |
| S/E 6 | \$122 |
| S/E 7 | \$128 |
| S/E 8 | \$134 |
| S/E 9 | \$140 |
| S/E 10 | \$149 |
| S/E 11 | \$155 |
| S/E 12 | \$163 |
| S/E 13 | \$176 |
| S/E 14 | \$189 |
| S/E 15 | \$199 |
| S/E 16 | \$215 |
| S/E 17 | \$223 |
| S/E 18 | \$235 |
| S/E 19 | \$249 |
| S/E 20 | \$265 |

S/A = Scientist/Administrator; S/E = Scientist/Engineer

Rates are applied for labor-hour level-of-effort contracts with reimbursement for expenses (including travel expenses and subcontractors) at cost. Hourly rates will be adjusted on January 1st of each year.

Berkeley, CA
510.848.8098

Arcata, CA
707.822.9607

Davis, CA
530.756.7550

Portland, OR
503.267.9006

Morro Bay, CA
805.570.7499

Boulder, CO
720.656.2330

Los Angeles, CA
213.336.0001



Staff Report

To: Engineering and Operations Committee Members

Through: Mauricio E. Guardado, Jr., General Manager

From: Dr. Maryam Bral, Chief Engineer
Linda Purpus, Environmental Services Manager *LP*
Randall McInvale, Principal Environmental Scientist

Date: January 24, 2023 (February 2, 2023 meeting)

Agenda Item: **3.3 Freeman Diversion Multiple Species Habitat Conservation Plan – Amendment to Professional Consulting Services Agreement with Rincon Consultants - \$215,381**
Board Motion

Staff Recommendation:

The Committee will consider recommending approval of the motion to the full Board to authorize the General Manager to execute an amendment to the professional consulting services (PCS) agreement with Rincon Consultants (Rincon) in the amount of \$215,381 to continue the development of the Freeman Diversion Multiple Species Habitat Conservation Plan (MSHCP) and complete the submittal by the September 22, 2023, Court ordered permanent injunction and stipulation deadline.

Background:

United entered into the PCS agreement with Rincon Consultants on December 2, 2020, for the completion of environmental consulting services related to the development of the Freeman Diversion MSHCP as well as regulatory permitting associated with the future fish passage facility construction and operation. Since that time, the agreement was amended twice to extend the term of the agreement. This proposed second amendment will provide for continuity of services and allow Rincon Consultants to provide additional services necessary to update the MSHCP and regulatory applications.

This proposed third amendment will provide for continuity of services and allow for Rincon to provide additional services necessary to update the MSHCP and regulatory applications. Specifically, the amendment will cover MSHCP chapter updates, regulatory permit application packages, Environmental Impact Report peer review, internal MSHCP team and regulatory agency meetings through December 31, 2023.

**Agenda Item: 3.3 Freeman Diversion Multiple Species Habitat Conservation Plan –
Amendment to Professional Services Agreement with Rincon Consultants -
\$215,381
Board Motion**

Discussion:

Following submittal of the fourth draft MSHCP in June 2020, United has continued to develop the fish passage facility alternatives through physical modeling and associated design updates. In accordance with the December 2018 permanent injunction and October 2021 stipulation, the MSHCP and regulatory applications must be submitted by September 22, 2023. As part of the MSHCP team, Rincon has provided key support to United in the development of previous drafts of the MSHCP and supporting technical studies beginning in 2013. Rincon's team possesses extensive experience with the operation of the Freeman Diversion, the fish passage alternative design concepts, covered species the regulatory permitting requirements and the dynamic environmental processes associated with the Santa Clara River that is vital to the completion of the updates to the MSHCP and regulatory applications. The proposed amendment would increase the contract by \$215,381 and result in a total revised not-to-exceed amount of \$258,841.

A copy of the Amendment to the PCS agreement detailing Rincon's complete proposal, including the scope of work and deliverables and proposed fee is included in Attachment A.

Fiscal Impact:

Sufficient funds in the amount of \$129,300 are available to carry the work through FY 2022-23. Funding for the services to be conducted under the proposed amendment is included in the Fiscal Year (FY) 2022-23 Budget under the Capital Improvement Project 421-400-81080; 8001-825 and Freeman Fund under 420-600-52220; 1020-300 (a budget transfer from the 420 fund to the 421 fund will be proposed to the Finance and Audit Committee in March 2023). The remaining \$86,081 will be included in the FY 2023-24 budget.

Attachment:

Attachment A – Second Amendment Agreement for Professional Consulting Services

**SECOND AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES**

This Amendment to the Agreement for Professional Consulting Services is entered into as of _____, 2023, by and between **United Water Conservation District (UNITED)**, a public entity, and **Rincon Consultants, Inc. (CONSULTANT)** with reference to the following terms and conditions:

WITNESSETH

WHEREAS, on December 2, 2020, UNITED and CONSULTANT entered into a Professional Consulting Services AGREEMENT for the purpose of providing environmental consultation services to support development of the “Freeman Diversion Multiple Species Habitat Conservation Plan” and associated jurisdictional waters permits, and entered into a FIRST AMENDMENT on September 23, 2021; and;

WHEREAS, UNITED and CONSULTANT have discussed and agreed to amend certain terms and conditions of the AGREEMENT, the FIRST AMENDMENT involving scope of work, and compensation as specified in this SECOND AMENDMENT.

NOW, THEREFORE, based on the covenants and considerations set forth, UNITED and CONSULTANT mutually agree as follows:

1. The not-to-exceed total charge described in the AGREEMENT and all prior AMENDMENTS is hereby increased by \$215,381. This amendment results in a total revised not-to-exceed amount of: \$258,841 as total payment inclusive of all services.
2. The Scope of Work and Fee Schedule included as Exhibit A of the AGREEMENT is hereby amended to include the Scope of Work included as Attachment A of this SECOND AMENDMENT.
3. The term of the AGREEMENT and all prior AMENDMENTS will expire on December 31, 2023.
4. Each and all other provisions of said AGREEMENT and FIRST AMENDMENT remain in full force and effect and apply to all services and payments made under this SECOND AMENDMENT.

UNITED WATER CONSERVATION DISTRICT

By _____
Mauricio E. Guardado, Jr., General Manager

Rincon Consultants, Inc.

By _____
Steven Hongola, Vice President

ATTACHMENT "A"
SECOND AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

Revised Scope of Work and Fee Schedule



Rincon Consultants, Inc.

180 North Ashwood Avenue
Ventura, California 93003

805 644 4455 OFFICE AND FAX

info@rinconconsultants.com
www.rinconconsultants.com

January 13, 2023
Project Number 20-10056

Randall McInvale
Environmental Scientist
United Water Conservation District
Environmental Services
1701 N. Lombard Street, Suite 200
Oxnard, CA 93030

Subject: Proposal for Completion of the 5th Draft of the Freeman Diversion Multiple Species Habitat Conservation Plan and Associated Jurisdictional Waters Permits for the 2023 Milestone Deadlines; Ventura County, California

Dear Mr. McInvale,

At the request of United Water Conservation District (United), Rincon Consultants, Inc. (Rincon) is pleased to provide this scope and cost estimate for support in completion of the 5th Draft of the Freeman Diversion Multiple Species Habitat Conservation Plan (MSHCP) for the Freeman Diversion Renovation Project, Saticoy, Ventura County, California. The following scope and cost estimate outlines Rincon's role and the level of effort expected for each of the associated tasks. We understand United will be pursuing a "two-path" approach to completing the MSHCP. Initially, the MSHCP for the Hardened Ramp will need to be prepared to the same level of detail as contained in the MSHCP for the Vertical Slot. On May 10, 2023, the preferred fish passage alternative is scheduled to be selected. Following selection of the preferred project, the corresponding MSHCP will be updated and advanced to completed draft stage in time for the court order agency submittal date of September 22, 2023.

Costs provided here are anticipated not-to-exceed amounts based on experience. Any additional services beyond the scope outlined below, or any support that exceeds the budget provided herein will be covered under a scope amendment.

Scope of Work

Our scope of work includes five tasks as outlined below. The initial task will involve preparation of the draft Hardened Ramp Multiple Species Habitat Conservation Plan (HR-MSHCP). Following selection of the preferred project (preferred fish passage alternative), the second task outlined below will involve advancing the associated MSHCP to the final draft stage for agency submittal in September 2023. In parallel to the MSHCP tasks, we outline below two tasks for preparing revised permits for impacts to jurisdictional waters for each of the relevant resource agencies, and for providing California Environmental Quality Act (CEQA) support in peer reviewing the Environmental Impact Report (EIR) document sections. We assume Rincon would not be responsible for peer reviewing Environmental Impact Statement sections being prepared for National Environmental Policy Act (NEPA) compliance; however, we are prepared to offer this support if needed and would be able to provide a staffing "firewall" to avoid conflicts of interest with staff preparing the MSHCP.

Task 1. Prepare Draft Hardened Ramp - Multiple Species Habitat Conservation Plan

Rincon will provide support to United with preparation of the chapters and sections of the draft HR-MSHCP historically under Rincon's responsibility. Under the direction of United, Rincon's role in preparation of the HR-MSHCP will involve the following specific tasks:

- Support United, as needed, with language associated with introductory material (Chapter 1) and general (i.e., not related to hydrogeology, hydrography) existing conditions (Chapter 2). We understand United will address most of the material for these two chapters and we have only included time to respond to support requests, as needed.
- Review and update language, as needed, for terrestrial species (Chapter 4: vireo, flycatcher, cuckoo, pond turtle). We assume some additional discussion will be needed to account for updated riparian bird surveys.
- Review and update, as needed, mitigation measures (Chapter 5) and effects analysis (Chapter 7) related to terrestrial species and general project best management practices.
- Support United and ICF, as needed, with revisions to the adaptive management and monitoring (Chapter 6) program associated with the Hardened Ramp project design.
- Review and revise MSHCP Appendices, as needed, related to the hardened ramp project design.
- Provide GIS services for preparation of all document graphics related to the Hardened Ramp project design. The full MSHCP includes 87 graphics, of which we anticipate needing to update 70 graphics for the Hardened Ramp project design.
- Provide Technical Editing and Publication (Production) services for the complete final draft HR-MSHCP.

The draft HR-MSHCP will be completed by the court-ordered date of May 10, 2023, when United will be required to select a preferred project. Rincon will assume responsibility for delivery of the completed draft HR-MSHCP and will work with United to ensure the draft is prepared to United's standards and is uploaded to United's SharePoint site on time. We assume United will lead coordination with subconsultants to ensure chapters are completed in a timely manner for Rincon to complete technical editorial review, production formatting, and final QAQC.

Task 2. Fifth Draft MSHCP Edits and Review

Rincon will provide support to United on advancing the 5th draft (preferred fish passage project) of the MSHCP to a final agency submittal. Revisions and preparation of the 5th draft MSHCP will largely be in response to agency comments and ongoing consultation. Rincon's primary role in preparation of the MSHCP will be as follows:

- Update language associated with introductory material (Chapter 1) and general (i.e., not related to hydrogeology, hydrography) existing conditions (Chapter 2), as needed. We understand United will address most of the material for these two chapters and we have only included time to respond to support requests and edits, as needed.
- Revise and finalize language, as needed, associated with terrestrial species (Chapter 4: vireo, flycatcher, cuckoo, and pond turtle).
- In response to agency comments and United's needs, revise, as needed, mitigation measures (Chapter 5) and effects analysis (Chapter 7) related to terrestrial species and general project best management practices.



- Support United and ICF, as needed, with revisions of the adaptive management and monitoring (Chapter 6) program associated with the preferred project design.
- Review and update MSHCP Appendices, as needed, related to the chosen preferred project.
- Provide GIS services for revisions and edits to all chapter graphics.
- Coordinate submittal of all MSHCP chapters to ICF for complete document peer review and respond to comments and edits for language assigned to Rincon.
- Provide Technical Editing and Publication (Production) services for the complete final draft HR-MSHCP.
- Coordinate submittal of the final draft MSHCP to relevant agencies.

The final draft MSHCP for the preferred project will be completed by the court-ordered deadline of September 22, 2023. Rincon will assume responsibility for delivery of the completed final draft MSHCP for the preferred project and will work with United to ensure the draft is prepared to United's standards and is uploaded to United's SharePoint site on time. We assume United will lead coordination with subconsultants to ensure chapters are completed in a timely manner for Rincon to complete technical editorial review, production formatting, and final QAQC.

Task 3. Jurisdictional Waters Regulatory Permit Acquisition Support

Regulatory permits were submitted to each of the three water resource agencies in June 2020. We understand that agencies ultimately rejected permit applications at that time given the timing of project initiation. Therefore, new permit applications will need to be prepared and resubmitted. Additionally, a current aquatic delineation study will be needed to support jurisdictional determinations and to account for updates to the impact area.

Rincon will complete an aquatic delineation study of the impact footprint, to be determined in coordination with United. We understand United will want to complete a delineation of the Santa Clara River farther upstream to account for ongoing sediment management activities associated with operation the Freeman Diversion and fish passage facility. Our scope accounts for a level-of-effort for the aquatic delineation that will involve four person days (2 staff, 2 days). Following completion of the aquatic delineation fieldwork, Rincon will prepare a standalone report that will be submitted in support of waters permits. The report will address the requirements of all three water agencies (CDFW, Army Corps, and Water Board). Rincon will prepare permit application/notification packages for the preferred project to be determined on May 10, 2023. Rincon will provide support in coordination with water resource agencies during review and negotiation of the water permits. We will work closely with the United team to provide review of agency comments and prepare the necessary responses and revisions to permit materials.

Task 4. CEQA Support

Rincon will provide support to United for third-party review of the preferred project's CEQA document being prepared by Ascent Environmental. The Rincon Project Manager and other technical specialist staff will be available to assist, as directed by United, for this task. We assume that the CEQA document review support will consist of no more than 72 hours (approximately 6 hours for up to 12 sections); however, if needed, Rincon staff can continue to assist as needed on a time and materials billable basis according to our current rate sheet (see Attachment B).

Task 5. Project Management and Meetings

This task involves overall project management and coordination with United and the consultant team



for the duration of the project term, including the establishment of communication and deliverable protocols, task scheduling, invoicing, and general project administrative needs. Rincon will collaborate with United and the consultant team to prepare an overall project schedule outlining a schedule for deliverable milestones, internal review timing, and agency meetings.

Internal coordination meetings and agency meetings are included under this task. Meetings will be required for both MSHCP coordination and for water permit coordination. We have assumed internal MSHCP meetings will be held twice monthly from February through May, and then weekly from May through September. This amounts to 26 internal MSHCP coordination meetings. We have assumed internal permit coordination meetings will be needed from June through September and will be held once per month. This amounts to four internal permit coordination meetings. Finally, we have assumed agency meetings will be held from April through September and would be held monthly, with two held in-person in Long Beach. This amounts to four virtual and two in-person agency meetings. All meetings are assumed to be one hour long, except for in-person agency meetings, which are assumed to be five hours each to account for travel. Meetings would be attended by the Rincon Project Manager, with some addition time included for a support junior staff person to attend meetings or compile meeting notes.

Cost Estimate

We suggest establishing a budget of \$243,181 (Attachment A) to support with the anticipated upcoming tasks described above. Rincon currently has \$27,800 remaining in the HCP Support Services contract (Dated: December 2, 2020; Modified: January 21, 2021; Renewed: September 23, 2021, and June 20, 2022). Considering the remaining funds in the contract, the additional budget recommended here would be **\$215,381**. All tasks will be billed on a time and materials basis in accordance with Rincon's 2022 Standard Rates (Attachment B).

Rincon is committed to providing excellent biological and environmental services. Please call if you have any questions regarding this letter or any other matters related to our services. Thank you for the continued opportunity to assist you with this project.

Sincerely,
RINCON CONSULTANTS, INC.



Eric Schaad, M.Sc.
Project Manager / Supervising Biologist



Steven J. Hongola
Principal Biologist



Christopher Julian
Principal Regulatory Specialist

Attachments:
Attachment A: Cost Estimate Summary Table
Attachment B: Rincon 2022 Fee Schedule



Attachment A

Cost Estimate



RINCON CONSULTANTS, INC.
20-10056 UW MSHCP Support Services
Cost Estimate

| | Rate | Hours | Labor Budget | Direct Expenses | Total Budget |
|--|------|-----------------|-------------------|-----------------|-------------------|
| Task 1: Draft Hardened Ramp Alternative MSHCP | | 298.00 | 51,980.00 | - | 51,980.00 |
| Task 1.1 Draft Chapters 1 through 7 | | 112.00 | 23,520.00 | - | 23,520.00 |
| Task 1.2 GIS Graphic | | 70.00 | 10,220.00 | - | 10,220.00 |
| Task 1.3 Formatting and publication review all chapters | | 32.00 | 3,360.00 | - | 3,360.00 |
| Task 1.4 Technical Review and QAQC all chapters | | 84.00 | 14,880.00 | - | 14,880.00 |
| Task 2: Fifth Draft MSHCP Edits and Review | | 456.00 | 91,008.00 | - | 91,008.00 |
| Task 2.1 Revise Chapters 1 through 7 | | 292.00 | 63,376.00 | - | 63,376.00 |
| Task 2.2 GIS Graphics revisions | | 32.00 | 4,672.00 | - | 4,672.00 |
| Task 2.3 Formatting and publication review all chapters | | 32.00 | 3,360.00 | - | 3,360.00 |
| Task 2.4 Technical Review and QAQC all chapters | | 100.00 | 19,600.00 | - | 19,600.00 |
| Task 3: Jurisdictional Waters Regulatory Permit Acquisition Support | | 249.00 | 50,963.00 | 1,260.00 | 52,223.00 |
| Task 3.1 Aquatic Delineation | | 120.00 | 22,868.00 | 1,260.00 | 24,128.00 |
| Task 3.2 CWA 404 | | 43.00 | 9,365.00 | - | 9,365.00 |
| Task 3.3 CWA 401 | | 43.00 | 9,365.00 | - | 9,365.00 |
| Task 3.4 CFGC 1600 | | 43.00 | 9,365.00 | - | 9,365.00 |
| Task 4: CEQA Support Peer Review | | 72.00 | 17,280.00 | - | 17,280.00 |
| Task 4.1 Peer review of CEQA sections | | 72.00 | 17,280.00 | - | 17,280.00 |
| Task 5: Project Management | | 144.00 | 30,690.00 | - | 30,690.00 |
| Task 5.1 Project Management | | 144.00 | 30,690.00 | - | 30,690.00 |
| Project Total | | 1,219.00 | 241,921.00 | 1,260.00 | 243,181.00 |

| Direct Expenses Summary | Amount |
|---------------------------------|-----------------|
| Submeter Accuracy GPS | 260.00 |
| Standard Field Package | 440.00 |
| 4WD/Offroad Vehicle Day Rate | 560.00 |
| Direct Expenses Subtotal | 1,260.00 |

Attachment B

Rincon 2022 Standard Fee Schedule

**Standard Fee Schedule for Environmental Sciences and Planning Services**

| Professional, Technical and Support Personnel* | Hourly Rate |
|--|-------------|
| Principal II | \$295 |
| Director II | \$295 |
| Principal I | \$285 |
| Director I | \$285 |
| Senior Supervisor II | \$258 |
| Supervisor I | \$240 |
| Senior Professional II | \$224 |
| Senior Professional I | \$208 |
| Professional IV | \$184 |
| Professional III | \$170 |
| Professional II | \$153 |
| Professional I | \$136 |
| Associate III | \$117 |
| Associate II | \$102 |
| Associate I | \$95 |
| Field Technician | \$82 |
| Data Solutions Architect | \$175 |
| Senior GIS Specialist | \$164 |
| GIS/CADD Specialist II | \$146 |
| GIS/CADD Specialist I | \$131 |
| Technical Editor | \$130 |
| Project Accountant | \$110 |
| Billing Specialist | \$95 |
| Publishing Specialist | \$105 |
| Clerical | \$95 |

* Professional classifications include environmental scientists, urban planners, biologists, geologists, marine scientists, GHG verifiers, sustainability experts, cultural resources experts, and other professionals. Expert witness services consisting of depositions or in-court testimony are charged at the hourly rate of \$375.

Reimbursable Expenses

| Direct Cost | Rates |
|------------------------------------|--|
| Photocopies – Black and White | \$0.20 (single-sided), \$0.40 (double-sided) |
| Photocopies – Color | \$1.50 (single-sided), \$3.00 (double-sided) |
| Photocopies – 11 x 17 | \$0.50 (B&W), \$3.30 (color) |
| Oversized Maps | \$8.00/square foot |
| Digital Production | \$15/CD, \$20/flash drive |
| Light-Duty and Passenger Vehicles* | \$88/day |
| 4WD and Off-road Vehicles* | \$140/day |

* \$0.65/mile for mileage over 50 and for all miles incurred in employee-owned vehicles.

Other direct costs associated with the execution of a project, that are not included in the hourly rates above, are billed at cost plus 15%. These may include, but are not limited to, laboratory and drilling services, subcontractor services, authorized travel expenses, permit charges and filing fees, mailings and postage, performance bonds, sample handling and shipment, rental equipment, and vehicles other than covered by the above charges.

Annual Escalation. Standard rates subject to 3.5% annual escalation.

Payment Terms. All fees will be billed to Client monthly and shall be due and payable upon receipt or as indicated in the contract provisions for the assignment. Invoices are delinquent if not paid within ten (10) days from receipt or per the contractually required payment terms.



| Equipment | Day Rate |
|--|---------------|
| Environmental Site Assessment | |
| Soil Vapor Extraction Monitoring Equipment | \$155 |
| Four Gas Monitor | \$133 |
| Flame Ionization Detector | \$107 |
| Photo Ionization Detector | \$80 |
| Hand Auger Sampler | \$60 |
| Water Level Indicator, DC Purge Pump | \$45 |
| Natural Resources Field Equipment | |
| UAS Drone | \$268 |
| Spotting or Fiberoptic Scope | \$165 |
| Pettersson Bat Ultrasound Detector/Recording Equipment | \$165 |
| Sound Level Metering Field Package (Anemometer, Tripod and Digital Camera) | \$110 |
| GPS (Sub-meter Accuracy) | \$65 |
| Infrared Sensor Digital Camera or Computer Field Equipment | \$55 |
| Scent Station | \$22 |
| Laser Rangefinder/Altitude | \$11 |
| Pit-fall Traps, Spotlights, Anemometer, GPS Units, Sterilized Sample Jar | \$9 |
| Mammal Trap, Large/Small | \$1.50/\$0.50 |
| Water and Marine Resources Equipment | |
| Boat (26 ft. Radon or Similar) | \$600 |
| Boat (20 ft. Boston Whaler or Similar) | \$335 |
| Multi Parameter Sonde (Temp, Cond, Turbidity, DO, pH) with GPS | \$165 |
| Water Quality Equipment (DO, pH, Turbidity, Refractometer, Temperature) | \$60 |
| Refractometer (Salinity) or Turbidity Meter | \$37 |
| Large Block Nets | \$110 |
| Minnow Trap | \$95 |
| Net, Hand/Large Seine | \$55 |
| Field Equipment Packages | |
| Standard Field Package (Digital Camera, GPS, Thermometer, Binoculars, Tablet, Safety Equipment, and Botanic Collecting Equipment) | \$110 |
| Remote Field Package (Digital Camera, GPS, Thermometer, Binoculars, Tablet and Mifi, Delorme Satellite Beacon, 24-Hour Safety Phone) | \$140 |
| Amphibian/Vernal Pool Field Package (Digital Camera, GPS, Thermometer, Decon Chlorine, Waders, Float Tube, Hand Net, Field Microscope) | \$165 |
| Fisheries Equipment Package (Waders, Wetsuits, Dip Nets, Seine Nets, Bubblers, Buckets) | \$55 |
| Underwater and Marine Sampling Gear (U/W Photo/Video Camera, Scuba Equipment (Tanks, BCD, Regulators, Wetsuits, etc.)) | \$55/diver |
| Marine Field Package (PFDs – Personal Flotation Devices, 100-foot Reel Tapes with Stainless Carabiners, Pelican Floats, Underwater Slates, Thermometer, Refractometer, Anemometer, Various Field Guides) | \$55 |
| Insurance, Hazard and Fees | |
| Historic Research Fees | \$50 |
| L&H Dive Insurance | \$55/diver |
| Level C Health and Safety | \$65/person |

Staff Report

To: Engineering and Operations Committee Members

Through: Mauricio E. Guardado, Jr., General Manager

From: Dr. Maryam Bral, Chief Engineer
Linda Purpus, Environmental Services Manager *LP*
Randall McInvale, Principal Environmental Scientist

Date: January 24, 2023 (February 2, 2023 meeting)

Agenda Item: **3.4 Freeman Diversion Multiple Species Habitat Conservation Plan – Amendment to Professional Consulting Services Agreement with ICF Jones & Stokes, Inc. - \$124,721**
Board Motion

Staff Recommendation:

The Committee will consider recommending approval of the motion to the full Board to authorize the General Manager to execute an amendment to the professional consulting services (PCS) agreement with ICF Jones & Stokes, Inc. (ICF) in the amount of \$124,721 to continue the development of the Freeman Diversion Multiple Species Habitat Conservation Plan (MSHCP) and complete the submittal by the September 22, 2023, Court ordered permanent injunction and stipulation deadline.

Background:

United Water Conservation District (United) entered into the PCS agreement with ICF on April 9, 2019, securing the services of David Zippin, a recognized facilitator of Habitat Conservation Plans (HCP), as an advisor to United staff and management regarding strategy for the MSHCP, including but not limited to attending and assisting with agency meetings, and updating Chapter 10 (Alternatives to Take) of the MSHCP. Since that time, the contract has been amended on five occasions to address out of scope items requested of ICF including completing a review of critical components of Chapter 7 (Effects Analysis) and updating Chapter 9 (Funding) of the MSHCP, attending and facilitating agency meetings, and participating in internal coordination related to the development of the MSHCP.

This proposed sixth amendment will provide for continuity of services and allow for ICF to provide additional services necessary to update the MSHCP for the September 2023 submittal. Specifically, the amendment will cover MSHCP chapter updates, technical review, internal MSHCP team, and regulatory agency meetings through December 31, 2023.

**Agenda Item: 3.4 Freeman Diversion Multiple Species Habitat Conservation Plan –
Amendment to Professional Services Agreement with ICF Jones & Stokes,
Inc. - \$124,721
Board Motion**

Discussion:

Following submittal of the fourth draft MSHCP in June 2020, United has continued to develop the fish passage facility alternatives through physical modeling and associated design updates. In accordance with the December 2018 permanent injunction and October 2021 stipulation, the MSHCP and regulatory applications must be submitted by September 22, 2023. As part of the MSHCP team, ICF has provided key support to United in the development of previous drafts of the MSHCP and supporting technical studies since 2019. ICF's team are experts in the HCP consultation process and have gained invaluable experience with the operation of the Freeman Diversion, the fish passage alternative design concepts, the regulatory permitting requirements and the dynamic environmental processes associated with the Santa Clara River that is vital to the completion of the updates to the MSHCP and regulatory applications. The proposed amendment would increase the contract by \$124,721 and result in a total revised not-to-exceed amount of \$409,056.

A copy of the Amendment to the PCS agreement detailing ICF's complete proposal, including the scope of work and deliverables and proposed fee is included in Attachment A.

Fiscal Impact:

Sufficient funds in the amount of \$74,900 are available to carry the work through FY 2022-23. Funding for the services to be conducted under the proposed amendment is included in the Fiscal Year (FY) 2022-23 Budget under the Capital Improvement Project 421-400-81080; 8001-825 and Freeman Fund under 420-600-52220; 1020-300 (a budget transfer from the 420 fund to the 421 fund will be proposed to the Finance and Audit Committee in March 2023). The remaining \$49,821 will be included in the FY 2023-24 budget.

Attachment:

Attachment A – Sixth Amendment Agreement for Professional Consulting Services

**SIXTH AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES**

This Amendment to the Agreement for Professional Consulting Services is entered into as of _____, 2023, by and between **United Water Conservation District** (UNITED), a public entity, and **ICF Jones & Stokes, Inc.** (CONSULTANT) with reference to the following terms and conditions:

WITNESSETH

WHEREAS, on April 9, 2019, UNITED and CONSULTANT entered into a Professional Consulting Services AGREEMENT for the purpose of providing strategic support to the “Freeman Diversion Multiple Species Habitat Conservation Plan”, and entered into a FIRST AMENDMENT on September 10, 2019, a SECOND AMENDMENT on May 27, 2020, a THIRD AMENDMENT on December 8, 2020, a FOURTH AMENDMENT on September 16, 2021; and a FIFTH AMENDMENT on June 16, 2022; and;

WHEREAS, UNITED and CONSULTANT have discussed and agreed to amend certain terms and conditions of the AGREEMENT, the FIRST AMENDMENT, the SECOND AMENDMENT, the THIRD AMENDMENT, the FOURTH AMENDMENT, and the FIFTH AMENDMENT involving scope of work and compensation as specified in this SIXTH AMENDMENT.

NOW, THEREFORE, based on the covenants and considerations set forth, UNITED and CONSULTANT mutually agree as follows:

1. The not-to-exceed total charge described in the AGREEMENT and all prior AMENDMENTS is hereby increased by \$124,721. This amendment results in a total revised not-to-exceed amount of: \$409,056 as total payment inclusive of all services.
2. The Scope of Work and Fee Schedule included as Exhibit C of the AGREEMENT and Attachment A and Attachment C of the FIRST AMENDMENT, Attachment A of the SECOND AMENDMENT, and Attachment A of the FIFTH AMENDMENT is hereby amended to include the Scope of Work included as Attachment A of this SIXTH AMENDMENT.
3. The term of the AGREEMENT and all prior AMENDMENTS will expire on December 31, 2023.
4. Each and all other provisions of said AGREEMENT and FIRST AMENDMENT, SECOND AMENDMENT, THIRD AMENDMENT, FOURTH AMENDMENT, and FIFTH AMENDMENT remain in full force and effect and apply to all services and payments made under this SIXTH AMENDMENT.

UNITED WATER CONSERVATION DISTRICT

By _____
Mauricio E. Guardado, Jr., General Manager

ICF Jones & Stokes, Inc.

By _____
Trina L. Fisher, Contracts Administrator

**ATTACHMENT “A”
SIXTH AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES**

Revised Scope of Work and Fee Schedule



January 13, 2023

Randall McInvale
Assistant Ecologist
United Water Conservation District
1701 Lombard Street
Oxnard, CA 93030

Re: Contract Amendment to Update Freeman Diversion MSHCP Chapters for Hardened Ramp and Vertical Slot Two-Path Approach

Dear Randall,

ICF Jones & Stokes, Inc. (hereinafter referred to as "ICF") is pleased to submit this proposal to the United Water Conservation District ("United") for the Freeman Diversion Multiple Species Habitat Conservation Plan (MSHCP). This proposal is based on the tasks outlined in your December 2, 2022 email and subsequent conversations with you and the consultant team (Rincon and Stillwater). As we understand it, United is seeking support in pursuing a "two-path" MSHCP approach to allow for an equal level of analysis of the two fish passage facility design alternatives (a Hardened Ramp and a Vertical Slot) currently in development. United does not intend to submit two separate HCPs, rather United anticipates that the "two-path" approach will facilitate the efficient completion and submittal of an MSHCP for the preferred fish passage alternative (to be selected by May 10, 2023) by the court ordered deadline of September 22, 2023. ICF and our subcontractor Mcubed have been responsible for the preparation of the Alternatives chapter and the Funding chapter. This amendment includes: (1) development of the Alternatives and Funding chapters for the Hardened Ramp HCP to an equivalent level to the Vertical Slot (to the extent possible based on the May 2023 fish passage selection deadline); and (2) support both chapters in advancing one iteration of the HCP (Hardened Ramp or Vertical Slot) to final draft stage in support of document submittal by the September 2023 deadline. In addition, (3) ICF will provide an overall document review (all chapters) for regulatory sufficiency, (4) provide agency meeting facilitation, and (5) participate in internal coordination meetings with the larger consultant HCP team. The scope of work for these tasks and associated costs are provided in the following sections of this contract amendment proposal.

If you have any questions about our proposed scope or need additional information, please contact our project manager, Dr. Scott Fleury, at (858) 444-3917 or scott.fleury@icf.com. ICF is eager to assist United in the completion of this project.

Sincerely,

A handwritten signature in cursive script that reads "Stacey Irwin".

Stacey Irwin, Contracts Administrator



PROPOSED SCOPE OF WORK AND COST ESTIMATE

This scope of work includes the following tasks: To revise and prepare two concurrent versions of the Alternatives and Funding chapters for the two-path approach, bring the chapters supporting the selected alternative to final draft stage, conduct a review of the completed draft HCP document to ensure its regulatory sufficiency, provide support to United Water during meetings with the resource agencies, and participate in coordination meetings with United Water's consultant team while revising the current draft HCP document.

Task 1. Develop Alternatives and Funding chapters for the two-path approach (Hardened Ramp and Vertical Slot).

ICF and MCubed would revise the existing language of the draft HCP chapters 10 and 11 to reflect the Hardened Ramp as the proposed alternative, while also updating relevant language regarding engineering and design features of both alternatives that may have changed in recent months within each of the "two-path" chapters. Additional conservation/ effectiveness monitoring measures needed to comply with state law (e.g., CESA/ FGC 5901, 5937) may also be reviewed and added to existing language within the two documents.

Assumptions

- One administrative review draft and one final draft of each version of each chapter will be provided to United and the other members of the HCP consulting team for review.

Task 2. Support the Alternatives and Funding chapters in advancing one version of each chapter to final draft HCP.

ICF and MCubed would respond to Resource Agency comments and feedback following their review of the draft HCP document, implement revisions to the satisfaction of United Water and the agencies, and produce a final draft of the Alternatives and Funding chapters to be incorporated into the final draft HCP document. This task would include internal coordination meetings that would be held at United Water's convenience to facilitate collaborative work by the consultant team to produce a final draft HCP document.

Assumptions

- One administrative review draft of the selected version of each chapter will be provided to United and the other members of the HCP consulting team for review.
- One final draft will be provided to Rincon to include in the complete HCP document.



- Final technical editing and formatting will be conducted by Rincon as a part of the assembly and submittal of the full HCP document to United.

Task 3. Conduct a review of the entire final draft HCP document for regulatory sufficiency.

Following preparation of the final draft HCP document, ICF would conduct a review and provide feedback and/or implement edits to the final draft document to ensure its regulatory sufficiency. This review will occur prior to final HCP technical editing and formatting, but after the primary technical writing has been completed.

Assumptions

- Rincon will provide ICF a complete draft of the HCP once all technical analysis and technical writing revisions are complete along with all figures, tables, and appendices to allow for a complete and comprehensive review.
- ICF will prepare a high-level summary of the HCP review highlighting any major issues or recommendations.
- ICF will provide specific comments in the HCP document with comment bubbles and tracked change edits as appropriate.

Task 4. Provide agency meeting facilitation.

ICF staff will support and facilitate meetings with the Resource Agencies as needed to support United Water and Resource Agencies review of the engineering and design features, selection of the preferred alternative, and agency review of the final draft HCP.

Assumptions

- Six virtual, 2-hour meetings with Resource Agency staff, United, and the HCP consulting team.
- Two in-person, 5-hour meetings in the L.A. or Ventura areas with Resource Agency staff, United, and the HCP consulting team.
- All meetings assume attendance of two ICF team members with technical expertise relevant to the agenda, and expertise to support meeting facilitation.
- All meetings assume time for preparation (such as helping prepare and reviewing agendas), meeting participation, and follow up (such as reviewing meeting notes and providing feedback on meeting notes, action items, or recommended strategy adjustment outside the regular internal meetings).



Task 5. Participate in internal coordination with HCP team.

During development of the Alternatives and Funding chapters as well as review and submission of the final draft document for Agency review, ICF will participate in weekly or bi-weekly coordination meetings with United Water and the HCP consultant team.

Assumptions

- Biweekly virtual internal meetings with United, HCP consulting team, and/or United's legal team of one hour from February – May (9 meetings).
- Weekly virtual internal meetings with United, HCP consulting team, and/or United's legal team of one hour from June–September (17 meetings).

Schedule

May 2023 Draft Ch. 10 and Ch. 11 for Hardened Ramp are due
September 2023 final draft of HCP document is due.

Cost

Based on our understanding of the project and the proposed scope of work above, we estimate this work will cost \$124,721 which includes all direct expenses. Table 1 on the next page describes the costs associated with each task. These billing rates apply during 2023; billing rates may increase on January 1, 2024, due to inflation. ICF will invoice monthly on a time and materials basis. Invoices are due 30 days from time of receipt.

Table 1. United Water HCP Amendment

| Employee Name Labor Classification Task | Consulting Staff | | | | ICF Production Staff | | | Labor Total | Direct Costs | Total Price |
|--|------------------|-------------|---------------|-------------|----------------------|-----------------|------------|-------------|--------------|--------------|
| | Zippin | Fleury | Warburton | | Cherry | Mountain-Castro | | | | |
| | David | Scott | Manna | | Kenneth | Jenelle | | | | |
| | Sr Proj Dir | Proj Dir | Sr Consult II | | Sr Consult I | Sr Consult I | | | | |
| | | | | Subtotal | | | Subtotal | | | |
| Task 1. Develop Alternatives and Funding chapters for the Hardened R | 8.0 | 32.0 | 60.0 | \$22,080 | 16.00 | 8.00 | \$4,080 | \$26,160 | | \$26,787.84 |
| Task 2. Support the Alternatives and Funding chapters | 8.0 | 12.0 | 20.0 | \$9,280 | 16.00 | 8.00 | \$4,080 | \$13,360 | | \$13,680.64 |
| Task 3. Conduct a review of the entire draft HCP | 8.0 | 24.0 | 12.0 | \$10,560 | | | \$0 | \$10,560 | | \$10,813.44 |
| Task 4. Provide agency meeting facilitation | | | | \$0 | | | \$0 | \$0 | | \$0.00 |
| 6 two hr virtual mtgs | 12.0 | 12.0 | 12.0 | \$8,880 | | | \$0 | \$8,880 | | \$9,093.12 |
| 2 five hr in person mtgs | 20.0 | 20.0 | 10.0 | \$12,800 | | | \$0 | \$12,800 | | \$13,107.20 |
| Prep and follow up time | 2.0 | 4.0 | 4.0 | \$2,360 | | | \$0 | \$2,360 | | \$2,416.64 |
| Task 5. Consultant Team Coordination Meetings | 8.0 | 26.0 | 26.0 | \$13,840 | | | \$0 | \$13,840 | | \$14,172.16 |
| Total hours 388.0 | 66.0 | 130.0 | 144.0 | | 32.0 | 16.0 | | | | |
| Billing Rates, year 2022 | \$300.00 | \$240.00 | \$200.00 | | \$170.00 | \$170.00 | | | | |
| Subtotal | \$19,800.00 | \$31,200.00 | \$28,800.00 | \$79,800.00 | \$5,440.00 | \$2,720.00 | \$8,160.00 | \$87,960.00 | | |
| Total escalation, Period 2 of 3% Year 2023 | \$475.20 | \$748.80 | \$691.20 | \$1,915.20 | \$130.56 | \$65.28 | \$195.84 | \$2,111.04 | | |
| Subtotal (including escalation) | \$20,275.20 | \$31,948.80 | \$29,491.20 | \$81,715.20 | \$5,570.56 | \$2,785.28 | \$8,355.84 | \$90,071.04 | | |
| Other Direct Costs | | | | | | | | | | |
| 500.00 Subcontractor | | | | | | | | | \$30,000.00 | |
| 521.00 Meals \$100, and Lodging \$250 | | | | | | | | | \$700.00 | |
| 522.00 Airfares LAX or BUR from OAK \$300 | | | | | | | | | \$600.00 | |
| 523.05 Travel, Auto \$100 | | | | | | | | | \$200.00 | |
| Mark-up on Direct Expenses : 10% | | | | | | | | | \$3,150.00 | |
| Direct expense subtotal | | | | | | | | | \$34,650.00 | |
| Total price | | | | | | | | | | \$124,721.04 |



Staff Report

To: Engineering and Operations Committee Members

Through: Mauricio E. Guardado, Jr., General Manager

From: Brian Collins, Chief Operations Officer

Date: January 24, 2023 (February 2, 2023, Meeting)

Agenda Item: **3.5 Terms for United Water Conservation District's Future Purchase of State Water from Palmdale Water District**
Board Motion

Staff Recommendation:

The Committee will consider recommending approval of the Term Sheet (attachment A) included in this staff report to the full Board. The Term Sheet will be utilized by the General Manager or his designee in the negotiation and preparation of a final agreement which will be brought to the Board for consideration and approval at a future date.

Background:

Palmdale Water District currently holds the rights to 21,300 Acre-Feet (AF) of State Water Project (SWP) Table A water supply allocation and a lease of Butte County water of 10,000 AF.

Palmdale Water District (PWD) and United Water Conservations District (UWCD) entered into a Memorandum of Understanding in January of 2022 that expressed mutual interest and desire to work cooperatively on a variety of projects including transfers of State Water Project (SWP) water. This term sheet lays out the principles and procedures under which such transfers could be made between the Districts.

Discussion:

Over the past 60 days, PWD and UWCD staff have developed a draft terms sheet regarding future State Water purchases. Annually, in the month of July, UWCD and PWD staff will confer to determine if PWD has excess SWP supplies available for transfer to UWCD and if UWCD is interested in receiving any additional supplies.

UWCD has expressed a need for additional SWP supplies. PWD has developed a portfolio of additional SWP supplies beyond its Table A allocation. During high allocation years PWD is unable to deliver its full portfolio of SWP supplies. Therefore, in high allocation years, UWCD will be the transferee and PWD will be the transferor of excess SWP supplies.

3.5 Terms for United Water Conservation District's Future Purchase of State Water from Palmdale Water District
Board Motion
Page 2

PWD will serve as the lead agency for the transfer. UWCD and PWD staff will work together to obtain all agreements and permits necessary to facilitate the transfer. Transfers will be submitted for approval to the Department of Water Resources no later than September 30th of the same year. The transfers will be from PWD's SWP Table A allocation and will be transferred to UWCD in the San Luis Reservoir.

A summary of draft terms:

- Agreement is for five years. This agreement will expire on January 1, 2028, unless amended by mutual consent or terminated by either district.
- Pricing on a sliding scale based on the SWP Table A allocation, for each given year (see attachment A).
- UWCD to pay all variable costs related to the transferred water supply (\$300/AF estimated).
- A definitive agreement will contain details of the proposed transaction and will require approval by both UWCD and PWD's Boards of Directors.
- CEQA compliance to be prepared in conjunction with the definitive agreement.

Fiscal Impact:

The fiscal impact of this motion item is dependent upon the Table A allocation in any given year of the agreement term. Upon approval, funding will be budgeted for in the FY 2023-24 budget cycle. Note, no financial impact within the FY 2022-23 budget.

Attachment: A: Draft Term Sheet for UWCD-PWD Water Transfers PT 11-2-22

Term Sheet Between Palmdale Water District and United Water Conservation District for Transfer of Excess State Water Project Table A Water Supplies

Palmdale Water District (PWD) and United Water Conservations District (UWCD) entered into a Memorandum of Understanding in January of 2022 that expressed mutual interest and desire to work cooperatively on a variety of projects including transfers of State Water Project (SWP) water. This term sheet lays out the principles and procedures under which such transfers could be made between the Districts.

Transferee and Transferor -

UWCD has expressed a need for additional SWP supplies, particularly during high Table A allocation years for the SWP. PWD has developed a portfolio of additional SWP supplies beyond its Table A allocation. During high allocation years PWD is unable to deliver its full portfolio of SWP supplies. Therefore, in high allocation years, UWCD will be the transferee and PWD will be the transferor of excess SWP supplies.

PWD Excess Supplies -

PWD has a need to develop greater drought resiliency. To this end, PWD engages in and plans on further engaging in transfers, exchanges, and banking agreements that will improve drought resiliency. Excess supply is considered water that is available after PWD has met any previous repayment obligations and has maximized the use of its water portfolio.

Conference -

Annually, in the month of July, UWCD and PWD staff will confer to determine if PWD has excess SWP supplies available for transfer to UWCD and if UWCD is interested in receiving any additional supplies.

Execution of Transfers -

PWD will serve as the lead agency for the transfer. UWCD and PWD staff will work together to obtain all agreements permits necessary to facilitate the transfer. Transfers will be submitted for approval to the Department of Water Resources no later than September 31st of the same year.

Location of Transfers -

The transfers will be from PWD's SWP Table A allocation and will be transferred to UWCD in the San Luis Reservoir.

Price -

The price of each transfer will be based on PWD's price to purchase water according to the existing Long-Term Transfer Agreement between PWD and Littlerock Creek Irrigation District (LCID) with an administration fee of 10%. See below:

| Table A Allocation % | PWD Cost/AF | 10% Admin Fee/AF | UWCD Transfer Price/AF |
|-----------------------------|--------------------|-------------------------|-------------------------------|
| 60% | \$289.86 | \$28.99 | \$318.84 |
| 65% | \$267.56 | \$26.76 | \$294.31 |
| 70% | \$248.45 | \$24.84 | \$273.29 |
| 75% | \$231.88 | \$23.19 | \$255.07 |
| 80% | \$217.39 | \$21.74 | \$239.13 |
| 85% | \$204.60 | \$20.46 | \$225.06 |
| 90% | \$193.24 | \$19.32 | \$212.56 |
| 95% | \$183.07 | \$18.31 | \$201.37 |
| 100% | \$173.91 | \$17.39 | \$191.30 |

Pricing will be adjusted, as needed, based upon changes to PWD's costs related to the Long-Term Transfer with LCID.

Duration -

This term sheet shall be valid upon approval by both Districts' Boards and remain in effect until January 1, 2028, unless otherwise amended by mutual consent of both Districts' Boards or terminated by either District.