

TO: JAMES L. APP, CITY MANAGER
FROM: DITAS ESPERANZA, CITY ENGINEER
SUBJECT: SALINAS RIVER CLEARING *FEV*
DATE: FEBRUARY 1, 2000

Needs: For the City Council to authorize the City Manager to enter a Consultant Services Agreement with North Coast Engineering.

- Facts:**
1. The City Council has allocated an expenditure of \$40,000 for the Salinas River Clearing project.
 2. This initial allocation would cover the costs to engage the services of an engineer and biologist to assist the City in obtaining a permit from the Army Corp of Engineers (ACOE) for the removal of vegetation within the Salinas River Channel.
 3. The project limit is to remove a swath of 150 feet of vegetation, 2.5 miles long within the main river channel from Niblick Bridge, northerly to the City's Wastewater Treatment Plant (WWTP).

Analysis and

Conclusion: The City has received the attached scope of work and fee proposal from North Coast Engineering (NCE) in the amount of \$36,234.01. This fee includes the services of an environmental consultant, including a Least Bell's vireo (bird) specialist.

Policy

Reference: Adopted Budget for FY 1999/2000

Fiscal

Impact: The City Council has previously approved budget allocations for this phase of work for the project from General Funds Reserves as per the attached.

- Options:**
- A. That the City Council authorize the City Manager to enter a Consultant Services Agreement for the amount of \$36,234.01 with NCE to assist the City in obtaining permits from the ACOE for the Salinas River Clearing project.
 - B. That the City Council amend, modify or reject the above option.

Attachments: (3)

- 1) Resolution
- 2) Attachment from Accounting
- 3) Scope of Work

RESOLUTION NO. 00-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING AN APPROPRIATION TO OBTAIN PERMITS FOR THE
SALINAS RIVER CLEARING PROJECT

WHEREAS, the City Council of the City of Paso Robles did authorize staff to obtain permits from the Army Corps of Engineers (ACOE) for the removal of vegetation within the Salinas River Channel; and

WHEREAS, the project limit is to remove a swath of up to 150 feet of vegetation, 2.5 miles long within the main river channel from Niblick Bridge, northerly to the City's Wastewater Treatment Plant (WWTP); and

WHEREAS, this \$40,000 initial allocation, is only for the cost of obtaining the permits.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council of the City of Paso Robles does hereby approve a budget appropriation in the amount of \$40,000 from General Fund Reserves to budget account No. 100-310-5235-161.

SECTION 2. That this initial appropriation would only cover the costs to engage the services of an engineer and environmental consultants to assist the City in obtaining a permit from the Army Corp of Engineers to clear the Salinas River of vegetation.

SECTION 3. That the City Council of the City of Paso Robles does hereby authorize the City Manager to enter a Consultant Services Agreement with North Coast Engineering in the amount of \$36,234.00 for the work.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 1st day of February 2000 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Duane Picanco, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk



December 20, 1999

Mr. Gary Paruzzi
City of Paso Robles
Public Works Department
1000 Spring Street
Paso Robles, CA 93446

Subject: Salinas River Clearing Project

Dear Gary:

We are pleased to submit the following revised proposal for assisting the City in obtaining a permit from the U.S. Army Corps of Engineers (ACOE) for the removal of vegetation within the Salinas River channel. This proposal supercedes our previous proposal dated June 30, 1998.

It is our understanding that the City intends to mechanically remove a swath of vegetation approximately 20 - 30 feet wide and approximately 2.5 miles long within the main river channel from the Niblick Road bridge northerly to the wastewater treatment facility. The vegetation will be removed to improve conveyance of the river channel along the project reach. Only the vegetative matter resulting from the mechanized clearing will be removed. The vegetation will be removed with a bulldozer or similar piece of equipment. It will be hauled from the river channel and deposited onto upland areas outside of the area of ACOE jurisdiction.

Based on our experience, the ACOE will likely view the proposed project as one that will change the bottom elevation of the water body due to the use of mechanized equipment. The change in the bottom elevation of the Salinas River will likely be considered as the placement of "fill material" as defined under Section 404(b)(1) of the Environmental Protection Agency guidelines. These guidelines define "fill material" as material discharged for the primary purpose of replacing aquatic areas with dryland areas or the changing of the bottom elevation of a water body. The ACOE is the lead agency for projects which place fill material in wetlands or other special aquatic areas.

We have reviewed the various Nationwide Permits (NWP) which are available from the ACOE. It does not appear that the project will comply with the terms and conditions of any of the currently available NWP's due to the proposed area of disturbance. An Individual Permit will likely be required.

Mr. Gary Paruzzi
December 20, 1999
Page 2

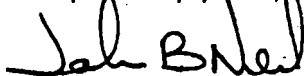
A complete filing for an individual permit will require a jurisdictional determination. The determination should be performed in conformance with Section 404(b)(1) of the EPA's guidelines for the discharge of fill material. The determination should include a delineation of wetlands or other special aquatic sites, an alternatives analysis, an endangered species investigation and the preparation of a mitigation and monitoring plan. An Individual Permit will involve a 30 day public notice period and likely a consultation with the U.S. Fish and Wildlife Service and the U.S. Marines Fisheries Service. We are proposing to enlist the services of the Morro Group to assist us with the preparation of the necessary jurisdictional report.

The attached scope of work outlines those tasks we feel are necessary to provide the City with the information needed to file a complete application for a U.S. Army Corps of Engineers permit for the Salinas River vegetation removal project. The hydraulic calculations will be incorporated into the alternative analysis to demonstrate the effectiveness of vegetation removal as a means of increasing river channel conveyance.

Our scope of work includes 24 hours of field time to survey the limits of the ACOE jurisdictional areas delineated by the Morro Group. Since the extent of these jurisdictional areas are not known at this time, field survey time beyond 24 hours will be billed on an hourly basis subject to prior approval by the City.

If you have any questions regarding this proposal or if we can be of further assistance on this project, please do not hesitate to contact us.

Respectfully yours,



John B. Neil

Enclosure

JBN/tas

Ditas Esperanza

From: john neil [jneil@tcsn.net]
Sent: Tuesday, January 18, 2000 4:14 PM
To: 'Ditas Espiranza'
Subject: FW: Expanding swath in Salinas River

Ditas,

Hope this provides you with what you need. Removing a wider swath of vegetation will not affect the estimated cost of services provided by North Coast Engineering. However, it will increase the cost of services provided by the Morro Group as follows.

The proposal you have dated 12/20/99 does not include the red-legged frog survey. The cost of these services to be provided by the Morro Group would be in addition to those outlined in our proposal. The cost of the frog survey was \$5,816.01.

Call me if you need anything else.

-----Original Message-----

From: Mary Reents [mailto:mreents@morrogroup.com]
Sent: Tuesday, January 18, 2000 3:26 PM
To: jneil@tcsn.net
Subject: Expanding swath in Salinas River

Hi John-

Kate Ballantyne with our office has indicated that going to 150 feet would take out a considerable amount of habitat for Least Bell's vireo and it may not get past the agencies reviewing the information. It's getting touchy.

But, as far as surveying a 150 foot swath, we'd have to put another biologist on the reconnaissance and this would cost an additional \$2,000. We had two biologists walking for the 60-80 foot swath. For every 40 or so feet, we'd need an additional biologist. At 150 feet, it would stress three biologists to maximum survey capabilities.

If we go any greater than 150 feet, we'd recommend adding a heavy weight Least Bell's vireo specialist for 32 hrs and report time, for a total of 45 hrs plus travel expenses, or about \$5,000 in addition to the above \$2,000.

The reason we'd bring in the "name" specialist is to mitigate for significant impacts on Least Bell's vireo habitat and to lend support with agencies. Remember, that to remove habitat means the City would have to mitigate by providing habitat elsewhere--the cost of mitigation goes up. So, the costs aren't just in the survey but also in the mitigation at the back end of the project. This should be weighed against the flood benefits of the project.

Let me know if you have any other questions.

Mary Reents