

**AGREEMENT — AMENDMENT NO. 1 TO
AGREEMENT FOR PROFESSIONAL SERVICES FOR ENVIRONMENTAL CONSULTANTS/CONTRACTORS
BETWEEN
HARRIS AND ASSOCIATES AND CITY OF SALINAS**

This Amendment No. 1 to the Agreement for Professional Services (the “Amendment”) is entered into this 24th day of October 2023, by and between the City of Salinas (the “City”) and Harris and Associates, (the “Consultant”). City and Consultant may be individually referred to herein as a “Party” and collectively the City and Consultant may be referred to as the “Parties.”

RECITALS

WHEREAS, the City and Consultant first entered into an Agreement for Professional Services for Environmental Consultants/Contractors effective December 22nd, 2022, pursuant to which Consultant agreed to act as and provide certain services to the City for compensation (the “Agreement”); and

WHEREAS, the City and Consultant desire to amend the Agreement to include additional scope of services provided by Consultant and to reflect the revised compensation to be paid to Consultant.

NOW, THEREFORE, in mutual consideration of the terms and conditions set forth below, the Parties agree as follows:

TERMS

- I. The Agreement, 1. Scope of Service section, is amended and restated in its entirety as follows:
 1. **Scope of Service.** The project contemplated and the scope of Consultant’s services are described in **Exhibits B and B1**, attached hereto and incorporated herein by reference.
- II. The Agreement, 3. Compensation section, is amended and restated in its entirety as follows:
 2. **Compensation.** City hereby agrees to pay Consultant for services rendered the City pursuant to this Agreement on a time and materials basis according to the rates of compensation set forth in **Exhibits B, and B1**. The total amount of compensation to be paid under this Agreement shall not exceed **three hundred sixty-three thousand eight hundred sixty eight dollars (\$363,868)**.
- III. All other covenants, terms, and conditions set forth in the Agreement and not amended by this Amendment shall remain in full force and effect as if fully set forth herein.

IN WITNESS WHEREOF, the undersigned, as authorized representatives of the City and Consultant have entered into this Agreement as of the date first written above.

CITY OF SALINAS

DocuSigned by:
Jim Pia
95AF7118EAC849A...

Jim Pia, Interim City Manager

APPROVED AS TO FORM:

DocuSigned by:
Christopher A. Callihan
DF000E02871044E...
 Christopher A. Callihan, City Attorney
 Rhonda Combs, Assistant City Attorney

HARRIS AND ASSOCIATES

DocuSigned by:
Frank Lopez
302888E2C9D142A...

Frank Lopez
Principal-in-Charge, Harris and Associates, Inc.



MEMORANDUM

Exhibit B-1

To: Brian Frus, P.E., Senior Engineer, City of Salinas
From: Kate Elliott and The Harris Team
RE: **Scope of Work for the Salinas Creeks Flood Control Project (Phase II)**
Date: September 28, 2023 (updated October 6, 2023)

Introduction

The Harris Team (Harris & Associates, EcoSystems West Consulting Group, Albion Environmental, and Waterways Consulting, Inc.) will assist the City of Salinas (City) with the **Salinas Creeks Flood Control Project**¹ (Project), including flood control management, mitigation, and habitat enhancement of Gabilan Creek and Natividad Creek.

During Phase I of the Project, Waterways' Feasibility Study identified critical locations along Gabilan and Natividad Creeks to target for flood control actions, including sediment removal, construction of an alternate main channel for Natividad Creek, and bank slope stabilization and reconstruction of Gabilan Creek (Figure 1). These key locations include:

- A reach of Gabilan Creek located along Coventry St and Independence Blvd where Waterways proposes that aggraded sediment be removed.
- A lower reach of Gabilan Creek near the Constitution Soccer Complex and First Tee Monterey County where Waterways proposes that the creek bank be laid back to repair the incised channel and stabilize the embankments; and
- A reach of Natividad Creek in upper Natividad Creek Park, immediately south of Boronda Rd, where Waterways proposes that an alternate channel be constructed to allow for on-going access and sediment removal without impacting the existing creek channel or riparian vegetation.

Proposed flood control actions also include the removal of aggraded sediment under the Boronda bridges over both creeks and on-going maintenance, as needed, to ensure the creeks retain their flood capacity to protect public safety. Together, these activities constitute the proposed Project. To facilitate 2025 Project implementation, the Harris Team will perform the following tasks during Phase II:

1. Project Management and Project Description
2. Technical Studies to Support Project Permitting
3. CEQA Compliance/Documentation
4. Regulatory Compliance/Permitting
5. Natividad Creek and Gabilan Creek Maintenance Plan and Conceptual Mitigation Plan
6. Concept Level, 65%, and 100% Design Plans

During Phase II, the Harris Team will draft a detailed Project Description describing proposed flood control actions. Waterways will develop Conceptual Designs and Engineering Design Plans for the Project and the Harris Team will focus aquatic, biotic, and cultural resources assessments on the specified locations (Project Areas) identified during Phase I. The Project Description, plans and assessments will provide the basis for project permitting, conceptual mitigation, and inform future maintenance activities.

¹ This discrete Project is part of the **City of Salinas Creeks and Wetlands Maintenance Plan and Mitigation and Enhancement Program**.

Task 1. Project Management/Detailed Project Description

Task 1.1 – Project Management and Coordination

The Harris Team will continue to work closely with the City to meet the City's needs for flood control (sediment management and maintenance), mitigation, and habitat enhancement. Our primary goal for Task 1.1 will be to effectively track Project meetings (including meetings with project stakeholders, Task 1.2), tasks, timelines, and schedule to ensure cost effectiveness and efficiency at accomplishing Project goals to move the Project to implementation. The Harris Team will prepare the detailed Project Description for review by the City (Task 1.3) as the Project advances toward Permitting (Task 4).

Task 1.2 – Meetings with City Staff and Stakeholders

The Harris Team will meet with City Staff to define current and future maintenance practices that the City performs/will perform within the creeks, wetlands, and Natividad Detention Basin. Maintenance Plan actions may include, but are not limited to, flood management/sediment control, bank stabilization, erosion control, outfall structure maintenance and repair, flood gate maintenance and repair (coordinate with NPDES program), culvert maintenance, repair and replacement, and vegetation management.

The Harris Team will conduct follow-up meetings with potential stakeholders listed below to identify opportunities for coordination and partnership.

NPDES MS4 Program

The Harris Team reviewed those features, structures, and maintenance actions subject to the City's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Program. Municipal discharges of stormwater and non-stormwater from all municipal separate storm sewer system (MS4) discharge points within the City's boundaries are subject to waste discharge requirements under Order R3-2019-0073 and NPDES as issued by the Central Coast Regional Water Quality Control Board for the period October 1, 2019 through September 30, 2024. These MS4 discharges are regulated under Section 402 of the Clean Water Act (CWA) as well as Porter-Cologne Water Quality Control Act and other applicable state, federal, and regional regulations.

The creeks within the City's jurisdiction and the Salinas River are considered receiving waters for municipal discharges and, as such, under the NPDES MS4 Program, are subject to the City's Pollutant Load Reduction Plan (PLRP), Stormwater Resource Plan (SRP), List of Structural Best Management Practices (BMPs)², and Maintenance Plan for MS4 components (for both the conveyance system and structural BMPs).

Only features that are in federal jurisdiction are in need of additional permitting for impacts associated with flood control and other maintenance activities. The Harris Team will clearly define the features and activities already covered under existing NPDES permit and identify potential overlap and interaction between NPDES maintenance activities and those activities proposed for flood control and other preventative maintenance.

² Structural BMPs are infrastructure/facilities that are constructed or installed to prevent pollutants in storm water runoff from leaving a developed property, entering storm drains, and impacting our local waterways, and include sediment basins, vegetated swales, and other types of catchments. All types of structural BMPs require regular inspection and maintenance to ensure that they are operating effectively, so the City maintains all of their existing sediment basins and some creeks under the maintenance requirements of the NPDES permit.

Salinas Community Development for Future Growth Area (Central Area Specific Plan and East Area Specific Plan)

The Harris Team will schedule follow-up meetings with City planners and review existing Specific Plan documents to identify opportunities for mitigation with the future Growth Area footprints and to address sedimentation as it enters the proposed future boundary of the City limits - i.e. to modify proposed land use boundaries and/or to work within the proposed open space boundaries along the hydrologic flood plains of Gabilan Creek and Natividad Creek for sediment capture, to better capture sediments and consolidate future maintenance activities.

Big Sur Land Trust Carr Lake Project

The Harris Team proposes that a portion of mitigation for impacts associated with City's Maintenance Plan activities include a partnership with the Big Sur Land Trust. The Big Sur Land Trust owns 73 acres within Carr Lake and has 90% design plans to create a multi-benefit central park that will include ecological restoration, water quality improvement and flood control. The Harris Team had an initial meeting with the Big Sur Land Trust to discuss a partnership in restoration as a component of mitigation. As we refine the Maintenance Plan and the City's specific needs for mitigation, the Harris Team will continue to work with the Big Sur Land Trust to specify the City's potential contribution to ecological restoration in Carr Lake.

2019 Storm Water Resource Plan for the Greater Monterey County Integrated Regional Water Management Region

The Harris Team has reviewed background documentation on flood management, water quality, and various existing and proposed plans and programs to address sedimentation and restore and enhance the region's watersheds. Much of this documentation is summarized in the 2017 and 2019 Storm Water Resource Plan (updated 2021).

City of Salinas Recreation and Community Service Department

The Harris Team had two meetings with City of Salinas Recreation and Community Service Department (Recreation Department). The Recreation Department has agreed to the construction of the new channel orientation in Natividad Park, while preserving the existing disc golf course. The Harris Team will continue to work with the Recreation Department to discuss acreage requirements for Natividad Creek channel construction, Conceptual and Final Design Plans, and habitat enhancement opportunities.

Monterey County Resource Conservation District and the Natural Resources Conservation District

The Monterey County Resource Conservation District (RCD) and the Natural Resources Conservation Service (NRCS) have existing programs to work with farmers to voluntarily protect water quality. In addition, the RCD has established programs to restore aquatic features and riparian habitats. Harris has worked with the City and the RCD to develop a draft contract for the provision of services by the RCD to the City. Where applicable, the following RCD programs can be incorporated into the enhancement plan.

- ❖ Farm and Ranch Runoff. The RCD and the NRCS assist local land managers with conservation practices to manage farm runoff to protect water quality through "slow the flow" techniques and practices including:
 - permanently vegetated borders along fields (filter strips),
 - vegetated ditches and constructed wetlands (vegetated treatment systems),
 - water and sediment basins, and
 - grade stabilization, gully repair, streambank protection, and erosion control.

Permitting resource agencies typically favor actions that address the problem at its source and thereby provide larger on-going benefits to ecological resources and reduce overall ongoing maintenance activities.

The Central Coast Regional Water Quality Control Board (Regional Board) has indicated that efforts to reduce creek sediments before entering the City limits should be explored, and may be formal permit conditions. This element will necessitate further coordination with the RCD, the NRCS, and with relevant land managers. With the City's approval, EcoSystems West will work with the RCD and the NRCS to identify mechanisms for implementing this aspect of the enhancement plan, such as an in-lieu fee program, whereby a portion of mitigation for impacts within the City limits would be offset by funding this off-site program.

Task 1.3 – Draft and Final Detailed Project Description

Harris & Associates and EcoSystems West will continue to work with the City to prepare the Detailed Project Description. The Detailed Project Description includes an overview of the creeks and creek-related resources within City boundaries, a description of the existing maintenance activities, proposed flood control actions (Project), and anticipated future maintenance. Waterways has identified three locations for flood control construction activities that will include sediment removal, construction of an alternate flow channel, and bank slope stabilization and reconstruction (Figure 1). These key locations include:

- An upper reach of Gabilan Creek located along Coventry St and Independence Blvd,
- A lower reach of Gabilan Creek near the Constitution soccer complex and First Tee Monterey County, and
- A reach of Natividad Creek in Natividad Creek Park.

The Detailed Project Description will be developed in compliance with existing regulatory requirements and guidance documents (e.g., NPDES programs, relevant City planning documents), as determined in coordination with the City. The Detailed Project Description will identify future maintenance activities based on hydrologic analysis, proposed mitigation and enhancement sites, the type of feature proposed, construction requirements, and a descriptive overview of the activities required to maintain these features. These activities would be subject to approval by the relevant regulatory agencies and would be developed in consultation with the agencies, which are anticipated to include the US Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), and Central Coast Regional Water Quality Control Board (Regional Board or RWQCB).

Task 1 Meetings, Deliverables, and Assumptions:

- The Harris Team will attend up to 4 field meetings with City personnel to discuss the City's current and future maintenance activity needs.
- With City approval, the Harris Team will attend up to 3 meetings with Project stakeholders to identify opportunities to avoid, minimize, and mitigate for potential impacts associated with the Project.
- This scope assumes that the partnerships and coordination with other stakeholders will be developed to a viable conceptual level, which will be further developed as part of the Conceptual Mitigation Plan (Task 5).
- The Harris Team will prepare the Draft and Final Project Description for City. This scope assumes there will be one round of review of the draft Project Description (Task 1.3), the City will provide one set of consolidated comments, and the comments will not require major changes to the document.

Task 2. Technical Studies

Technical assessments and studies will be prepared for aquatic resources, biological resources, and cultural resources, as well as hydrologic and hydraulic analysis, to provide the scientific basis for the permitting process, and to allow the Harris Team to provide a quantitative impact assessment to the regulatory agencies. The technical studies also enable us to work with the City to minimize impacts through careful design of current and future maintenance activities, and to identify suitable locations for mitigation and enhancement.

Task 2.1 – Assessment of Aquatic Resources

During Phase I, a reconnaissance assessment of aquatic resources was conducted for the Project. During Phase II within the Project Areas identified for flood control activities, the wetlands specialist will map aquatic features and collect sample points at representative locations.

Waters and wetlands (aquatic resources) of the U.S. are protected under the federal Clean Water Act (CWA), and impacts to these resources require mitigation. An aquatic resources delineation determines the extent of wetlands and waters of the U.S. within the City's defined Maintenance Plan areas and will be submitted to the US Army Corps of Engineers (USACE) during permitting. An aquatic resource delineation is valid for 3 years following verification by the USACE (with subsequent renewal possible).

EcoSystems West will map the relevant aquatic features and adjacent habitats using ArcGIS and resource-grade GPS. Waterways and EcoSystems West will identify and map the Ordinary High Water Mark (OHWM) of the creeks and wetland boundaries to determine the jurisdiction of the USACE. EcoSystems West will delineate the break in bank and/or boundary of the riparian habitat to determine the jurisdiction of the Regional Board and CDFW. These boundaries will be depicted in ArcGIS shapefiles, geodatabase, and maps.

EcoSystems West will prepare a draft aquatic resources delineation report for the proposed Project Areas within Natividad Creek and Gabilan Creek. This delineation of wetlands and "other waters" of the U.S. would be prepared using protocols outlined in the USACE Wetlands Delineation Manual (Environmental Laboratory 1987) and the Regional Supplements to the Corps of Engineers Wetland Delineation Manual: Arid West Region, Version 2.0 (Environmental Laboratory 2008). The USACE defines three criteria to delineate wetlands: (1) hydrophytic vegetation, (2) wetland hydrology, and (3) hydric soils. The OHWM is defined as *"that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."* The draft of the delineation report would be submitted to the City for review, comment, and approval prior to submittal of the final report to the USACE.

Task 2.1 Meetings, Deliverables, and Assumptions:

- GIS files and maps of aquatic features and riparian habitat subject to maintenance activities within the City's boundaries.
- Draft and final Aquatic Resources Delineation for Natividad Creek and Gabilan Creek.
- EcoSystems West will attend one (1) meeting in the field with USACE personnel, as needed, to confirm the aquatic resources delineation.

Task 2.2 –Hydrologic and Hydraulic Modeling (See also Waterways Scope of Work and Cost Estimate)

Waterways will perform a hydrologic analysis of the project areas and a hydraulic model of the channel and floodplain. These studies will inform design geometry and channel and bank treatments. A FEMA-certified no-rise analysis of the 100-year floodplain will also be conducted to demonstrate the project will not increase flood heights in the surrounding areas.

Task 2.2 Deliverables and Assumptions:

- Hydrologic and Hydraulic Modeling
- GIS Files and Maps of Relevant Data
- Mapping/Modeling of the OHWM

Task 2.3 – Biotic Assessment

A biotic assessment, which characterizes the biological resources within the proposed Project Areas is required for regulatory compliance and will be submitted to the City, USACE [which may consult with US Fish and Wildlife Service (USFWS) if federal Endangered Species Act (FESA)-listed species are present], Regional Board, the California Department of Fish and Wildlife (CDFW) during the permitting process.

The Harris Team will sensitive biological resource data from USFWS, CDFW, California Natural Diversity Database (CNDDDB); and other recognized lists of sensitive resources focusing on the specified Project Areas. Additionally, the team has communicated with other local experts about occurrences of sensitive wildlife species, including federally Threatened California red-legged frog (CRLF) that have not been recorded in official databases. Based on this research and these sources, we will develop target lists of sensitive plant and wildlife species with potential to occur in the City's maintenance areas.

The biotic assessment will describe the biological resources present or potentially present in Natividad Creek and Gabilan Creek. The biotic assessment will include a discussion of existing habitat conditions, documented occurrence of sensitive species in the maintenance areas, potential impacts, and measures to avoid, minimize, or mitigate for adverse impacts.

The Harris Team will use resource grade-GPS and ArcGIS to map sensitive habitats adjacent to aquatic features.

All biological resources will be presented in detailed maps or mapbooks. The mapbooks will also depict potential impacts and inform protective measures as well as the development of the Conceptual Mitigation Plan (**Task 5**) and Conceptual and Engineering Design Plans (**Task 6**).

A draft of the biotic assessment will be submitted to the City for review, comment, and approval prior to submittal to the agencies.

Task 2.3 Deliverables and Assumptions:

- Draft and Final Biotic Assessment for Natividad Creek and Gabilan Creek.
- Map/s of Biological Resources (sensitive habitats, plants, wildlife species, and wildlife movement).
- This scope assumes that there will be one round of review of the Draft Biotic Assessment, the City will provide one set of consolidated comments, and the comments will not require major changes to the document.

Task 2.4 – Cultural and Historical Resources Report

Maintenance activities that fall under the jurisdiction of the USACE (and are subject to Section 404 of the Clean Water Act) also must comply with Section 106 of the National Historic Preservation Act (NHPA) through consultation with the State Historic Preservation Officer (SHPO) and Native American tribes.

The Harris Team will identify and map the Project Area [Area(s) of Potential Effect (APE)], on which direct ground disturbance may occur. The APE boundaries will define the limits of cultural resources studies including background research, an updated records search, tribal outreach, and field survey. Albion Environmental will assess whether any cultural and historic built resources are located directly in or adjacent to the areas of proposed ground disturbance.

Albion's background research will include conducting a cultural and historic resources records search at the Northwest Information Center (NWIC), requesting information related to Native American resources from the Native American Heritage Commission, and any Native American contacts that are identified by the Commission,

reviewing historical maps and documents, and conducting a desktop geoarchaeological review of local soil conditions for evidence of potential buried cultural resources. When possible, the results of these efforts will be used to help guide ground disturbing activities that may impact known cultural resources or refine proposed work in areas that have been identified as sensitive for supporting cultural resources.

A pedestrian field survey will be conducted to identify previously undocumented archaeological and historic built resources visible on the ground surface. The archaeologist will carefully inspect the ground surface to identify artifacts, features, and infrastructure, and assess the local geomorphic context. If resources are identified, the survey team would document them for future study.

The results of Albion's study will be compiled into a technical report to be used for regulatory compliance. The report will contain an abstract, introduction, natural and cultural context, results of background research, results of Tribal outreach, field methods, survey results, summary and discussion of cultural resource sensitivity for the APE, and if needed, recommendations for additional work needed to complete requirements under NHPA regulations. The report will also include completed site records for any sites or isolates identified during survey. See also Albion Scope of Work and Cost Estimate (**Attachment C**).

Task 2.4 Deliverables and Assumptions:

- Draft and Final Cultural Resources Report
- Outreach letters to Native American stakeholders

Task 3. CEQA Compliance/Documentation

In compliance with the requirements of the California Environmental Quality Act (CEQA), Harris will prepare the appropriate CEQA documentation for the Plan. We will first explore the use of an exemption from CEQA. If the plan does not meet the requirements for an exemption, an initial study/mitigated negative declaration (IS/MND) would likely be required.

Task 3.1 – CEQA Exemption

The Harris team in coordination with the City will explore the use of the following exemptions.

Categorical Exemption – Minor Alterations to Land (CEQA Guidelines 15304). **Class 4** consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include but are not limited to:

- Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and local regulatory agencies (g).

Task 3.1 Deliverables and Assumptions:

- Draft and Final Notice of Exemption with Supporting Documentation
- For the purposes of this scope of work and cost estimate, it is assumed that an exemption applies. However, the appropriate CEQA documentation will be determined once the detailed Project Description is complete.

Task 3.2 – Optional: CEQA Initial Study/Mitigated Negative Declaration (If Needed)

If an exemption does not apply, the Harris team will prepare an IS/MND that evaluates the following environmental topics, in accordance with the State CEQA Guidelines, Appendix G, and relevant regulations.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire
- Mandatory Findings of Significance

This task also includes preparing the Notice of Intent (NOI) to adopt an MND and the Notice of Completion (NOC), as well as filing the notices with the County Clerk and State Clearinghouse, respectively. This scope assumes that the City will be responsible for additional distribution and noticing requirements (e.g., newspaper, onsite posting) in accordance with City and CEQA requirements.

Following the 30-day public review period, Harris will review and respond to comments received on the IS/MND in memorandum format for City consideration and for the administrative record. If comments identify errors or other necessary changes to the IS, we will prepare a revised IS, along with the final MND.

CEQA does not require formal responses to comments, preparation of a final document with comments/responses, nor a public hearing during the 30-day review period for an IS/MND. Therefore, these items have not been included in the scope. However, CEQA does require that the City notify the commenting agencies in writing of any public hearing to be held for the Plan at least 10 days in advance, and it is recommended the City provide responses to the agency comments as part of this notice. The response memorandum we prepare can be used for this.

Additionally, we will prepare the Mitigation Monitoring and Reporting Program (MMRP) in tabular format, in coordination with the City to determine appropriate monitoring/reporting responsibilities. The MMRP will include all mitigation that has been identified in the IS/MND, in addition to avoidance and minimization measures and Best Management Practices (BMPs) include in the Plan description.

Finally, once the City has approved the MND and voted to approve the Plan, we will prepare the Notice of Determination (NOD) and submit it to the County Clerk and State Clearinghouse. The NOD must be filed within five working days of the City's approval on the Plan to initiate a 30-day statute of limitations for legal challenge of the MND. The costs for the County Clerk and California Department of Fish & Wildlife (CDFW) MND filing fees, which must be paid upon filing the NOD with the County Clerk, are not included in this scope.

Optional Task 3.2 Deliverables and Assumptions:

- Draft and Final IS/MND (electronic format)
- MMRP (electronic format)
- NOI, NOC, NOD to file with the County Clerk and State Clearinghouse.
- This scope assumes that there will be one round of review of the Draft IS/MND, the City will provide one set of consolidated comments, and the comments will not require major changes to the document.
- Harris will be responsible for submitting the IS/MND electronically to the State Clearinghouse, providing an electronic copy to the City for posting on the City website, and for filing the notices (NOI, NOC, NOD) with the County Clerk and State Clearinghouse.
- The City will be responsible for printing and distributing any hard copies; additional noticing (e.g., distribution of the NOI, newspaper notice) in accordance with CEQA requirements; and for paying the County Clerk and CDFW filing fees for an MND.
- For the purposes of this scope of work and cost estimate, it is assumed that an exemption applies. However, the appropriate CEQA documentation will be determined once the draft plan is complete. If it is determined that an IS/MND is required, a detailed cost estimate will be provided.

Task 4. Regulatory Compliance/Permitting

This regulatory compliance/permitting task includes on-going consultation with the agencies, the preparation of permit application packages, and additional agency coordination/consultation to finalize permit requirements. For one-time sediment removal, EcoSystems will utilize the hydrologic and hydraulic modeling conducted by Waterways (Task 2.2) to identify impacts associated with construction activities (sediment removal, construction of an alternate flow channel, and bank slope stabilization and reconstruction) to restore flood capacity in each creek. We will also calculate on-going impacts associated with new proposed maintenance regimes.

Task 4.1 – On-Going Agency Consultation to Further Refine Permitting Strategy and Development Mitigation and Enhancement

The Harris Team will coordinate with the agencies in advance to facilitate permit approval for the actions proposed in the project such that the City will comply with the federal Clean Water Act, federal and state Endangered Species Acts, National Historic Preservation Act, and Fish and Game Codes.

Once the permit applications and reports are submitted to the agencies [USACE (USFWS, NOAA Fisheries, SHPO), Regional Board, and CDFW] (**Task 4.2** below), there is typically additional agency coordination and information required to finalize and obtain the permits.

To date, Harris and EcoSystems West have had several communications with the resources agencies regarding the proposed project and agency requirements for avoidance, minimization, and mitigation.

The Harris Team will continue to coordinate with the agencies regarding mitigation, monitoring, and adaptive management requirements to offset impacts from implementation of the Project. The Conceptual Mitigation Plan (Task 5.2) would be developed in conjunction with the regulatory agencies.

Task 4.1 Deliverables and Assumptions:

- After permit application submittal, Harris will provide regular email updates to the City.
- This scope assumes that the agencies will not require major changes to the permit packages, other than the refinement of the Conceptual Mitigation Plan. In the event that additional coordination is determined to be necessary (e.g. if it is determined that a more developed Habitat Mitigation and Management Plan is required by the agencies), a scope and budget augment would be requested.

Task 4.2 Permit Packages

Impacts to natural resources associated with Project implementation (including impacts that occur within the 100-year flood elevation to riparian habitats, wetlands, and other biological resources) require regulatory compliance with CWA Section 404 (USACE), CWA Section 401 (Regional Board), and California Fish and Game Codes (CDFW).

US Army Corps of Engineers (USACE)

This task includes preparation of the relevant USACE permit application form with a detailed description of the Project and permanent and temporary impacts to waters of the U.S. The figures for this report will be prepared using Engineering Design Plans for flood control actions. The Aquatic Resources Delineation (**Task 2.1**) will illustrate the type and extent of aquatic resources, including creeks and wetlands, within the Project Areas. The Harris Team will depict impacts to aquatic resources by overlaying Engineering Design Plans onto the aquatic resources shape files using ArcGIS.

The permit package will include the Aquatic Resources Delineation report (prepared in **Task 2.1**), the Biotic Assessment (prepared in **Task 2.3**), and the Cultural and Historical Resources report (prepared in **Task 2.4**). A draft application package will be submitted to the City for review, comment, and approval prior to submittal to the USACE.

US Fish and Wildlife Service (USFWS)

If adverse effects to federally-listed species or critical habitat may occur, the USACE would initiate consultation with USFWS pursuant to Section 7 of the FESA. Our qualified biologists will prepare sufficient documentation, with a thorough review of federally-listed species and/or habitats present at or near the Project Areas, for submittal to the USACE for formal consultation with USFWS.

Regional Water Quality Control Board (Regional Board)

A Section 401 Water Quality Certification (WQC) must be obtained from the Regional Board for impacts to wetlands, waters of the U.S. and/or waters of the state. Therefore, this task includes preparing an application for WQC/WDR, as appropriate, for submittal to the Regional Board that would be based, in large part, on the information developed for the USACE permit application.

The application package will include a cover letter, description of existing conditions, discussion of impacts to aquatic features (including riparian habitat), description of avoidance and minimization measures, and a completed application form. The application package will also include demonstration of CEQA compliance (**Task 3**) and analysis of impacts to biological resources (**Task 2.3**). A draft of the WQC/WDR application package would be submitted to the City for review, comment, and approval prior to submittal to the Regional Board. A permit processing/filing fee will be required from the City at the time of application submittal. The fee amount will be based on the extent of temporary and permanent impacts.

California Department of Fish and Wildlife (CDFW)

The CDFW has jurisdiction over creeks below the break-in-bank and/or associated riparian habitat that may be impacted by project activities. As such, this task includes preparing an application for a Lake and Streambed Alteration Agreement (LSAA) pursuant to Section 1602 of CFGC. The application would include a cover letter, standard notification form, CEQA compliance (**Task 3**), and other necessary attachments (wetland delineation, figures, plans, biological assessment (**Task 2.3**)). A draft of the LSAA application package will be submitted to the City for review, comment, and approval prior to submittal to CDFW. An application filing/processing fee will be required from the City at the time of application submittal. The fee amount is based on the cost of the proposed work in CDFW's jurisdiction.

Task 4.2 Deliverables and Assumptions:

- Permitting packages for USACE (and USFWS), Regional Board, and CDFW regulatory compliance.
- This scope assumes that, for each permitting package, there will be one round of review, the City will provide one set of consolidated comments, and the comments will not require major changes to the permitting package.
- All permit fees will be paid by and provided directly from the City to regulatory agencies.
- This task does not include any site visits with agency personnel, although the scope may be amended to include these meetings, if requested by the City and/or agencies.

Task 5. Natividad Creek and Gabilan Creek Maintenance Plan and Conceptual Mitigation Plan

The Harris Team will work with the City to develop a plan for future maintenance activities necessary to retain flood control within Natividad Creek and Gabilan Creek (a component of the Project). In addition, we will draft a conceptual plan to mitigate for impacts associated with all aspects of the Project, including proposed flood control actions and future maintenance activities.

Task 5.1 Natividad Creek and Gabilan Creek Maintenance Plan

Future maintenance activities will likely be required to retain flood capacity within Natividad Creek and Gabilan Creek to protect public safety. The Maintenance Plan will include a descriptive overview of the activities required to maintain these features, ideally at discrete accessible locations designed to capture sediments. These activities would be subject to approval by the relevant regulatory agencies including USACE, CDFW, and the Regional Board. The overall goal of the Project is to reduce the need and increase the interval for on-going maintenance. The Harris Team will work with the City to develop a feasible future maintenance plan.

Task 5.2 Prepare Conceptual Mitigation Plan (or Habitat Mitigation and Monitoring Plan)

Implementation of the Project (flood control actions, one-time sediment removal and on-going maintenance activities) will require a Conceptual Mitigation Plan to compensate for impacts to aquatic resources and adjacent riparian habitats. Task 5 may include coordination with other stakeholders and programs including:

- City Community Development (Future Growth Area),
- RCD and the NRCS,
- Monterey County farmers,
- Big Sur Land Trust (Carr Lake Project), and
- City NPDES permit programs.

Substantial comprehensive work has been done over a period of many years to describe and analyze regional, County-wide, and City-wide aquatic resources, stormwater, pollution, and sediment loads in the City and Monterey County, and in the Salinas River watershed. Our goal is to avoid duplication of efforts, to draw upon the resources developed to date, and take advantage of existing programs that could improve efficiency and reduce costs. To that end, the Conceptual Mitigation Plan includes the following components:

- A) Flood Control Actions Conceptual Designs and Engineering Design Plans (**Task 6**);
- B) Habitat Restoration/Enhancement within the City limits, including possible partnership and/or funding through in lieu fees with the Big Sur Land Trust and/or other identified stakeholders; and
- C) Sediment Load Reduction through coordination with identified stakeholders and funding through possible in lieu fees for other existing/proposed programs including both off-site (outside of the City limits) and within the Future Growth Areas.

To this end, the Conceptual Mitigation Plan would include the following sections:

- ❖ Project Description (**Task 1**), including existing flood management/sediment control; bank stabilization; erosion control; and future proposed maintenance actions required to maintain flood control.
- ❖ Summary of Hydrologic and Hydraulic Modeling.
- ❖ Ecological enhancement opportunities within City creeks and wetlands.
- ❖ Improve the flood capacity of City creeks, the Salinas Stormwater Outfall, and Natividad Detention Basin by:
 - managing sediments before they enter the City limits through existing programs and new programs in coordination with the City's NPDES permit programs, the City's Future Growth Area, County, the RCD, NRCS, Monterey County farmers and other adjacent neighboring landowners (as feasible), Central Coast Wetlands Group (Gabilan Flood Plain Enhancement Project), Big Sur Land Trust (Carr Lake Project), and other stakeholders;
 - identification of locations for flood control management features and critical locations that can be maintained/cleared on a regular basis;
 - identification of channel recontouring locations;
- ❖ Reduce pollution in City creeks using natural vegetative treatment filtration systems such as bioswales positioned at key locations.
- ❖ Enhance ecological functions and values of aquatic and riparian habitat in creek corridors and wetlands through invasive species removal, and native plant restoration compatible with flood management objectives (i.e., this would not include planting willows in flood corridors).
- ❖ Improve in-stream and near-stream infiltration/percolation of surface flows into the aquifer through design where possible.
- ❖ Manage open spaces adjacent to creeks and wetlands to improve the community benefits of the creeks and riparian corridors, and to deter unregulated encampments and the associated potential impacts on public safety (including fire prevention), water quality, and on the ecological integrity of the City's creeks and wetlands.

Task 5 Deliverables and Assumptions:

- Up to three (3) meetings with City personnel to discuss Maintenance Plan and Mitigation Plan goals
- The Harris Team will attend meetings partners to further coordinate and develop agreements to avoid, prevent, minimize, and mitigate for potential impacts associated with the Project (**Task 1**)
- Draft and Final Maintenance Plan (electronic format)
- Draft and Final Conceptual Mitigation Plan (electronic format)
- This scope assumes that meetings with partners will not exceed six (6) total hours. In the event that additional coordination is determined to be necessary, a scope and budget augment would be requested.
- This scope assumes that there will be one (1) round of review, the City will provide one set of consolidated comments, and the comments will not require major changes to the program.

Task 6. Flood Control Design Plans

Based on the Feasibility Study conducted during Phase I, Waterways has identified design features and proposed actions so that maintenance (sediment and vegetation removal) would occur in discrete locations to improve maintenance efficiency, reduce maintenance costs, and reduce on-going impacts to the City's creeks. Features and actions will include but are not limited to:

- An upper reach of Gabilan Creek located along Coventry St and Independence Blvd
- A lower reach of Gabilan Creek near the Constitution soccer complex and First Tee Monterey County; and
- A reach of Natividad Creek in Natividad Creek Park.

Waterways will prepare conceptual designs, and 65% and 100% engineering design plans. See also Waterways Scope of Work and Cost Estimate (**Attachment B**).

Task 6 Deliverables and Assumptions:

- Up to three (3) meetings with City personnel to discuss proposed features and designs
- Conceptual Plans (electronic format)
- 65% and 100% Engineering Design Plans
- This scope assumes that there will be two (2) rounds of review for conceptual plans and three (3) rounds of review for engineering design plans.

Cost Estimate

The cost estimate to conduct the work described above is \$278,139.00 (**Attachment A**).

Attachments

- A, Cost Estimate
- B, Waterways Consulting
- C, Albion Environmental

Attachment A

Salinas Creeks Flood Control Project (October 6, 2023)															
Task Description	STAFF HOURS														Fee
	Harris & Associates				EcoSystems West				Waterways				Albion		
	Kate Elliott Project Director	Alec Barton Planner/Will Lawton Biologist	Lindsey Messner Tech Editor	Randy Deodat GIS Specialist	William Davilla Principal	Justin Davilla Senior Ecologist	Erin McGinty Wildlife Biologist/ Project Manager	Sr Patti Clark/Elena Scott/Biologist	Matt Weld Principal Engineer	Craig Stewart Engineer	Lovrin Hydrologist	2-Person Survey Crew	Cultural Resources		
	\$280.00	\$145.00	\$155.00	\$155.00	\$170.00	\$160.00	\$160.00	\$135.00	\$190.00	\$140.00	\$130.00	\$210.00			
Task 1: Project Management and Maintenance Plan Description															
Task 1.1 Project Management and Coordination	26.0				24.0	8.0	36.0		32.0	12.0				\$ 26,160.00	
Task 1.2 Meetings with City Staff and Stakeholders	24.0					24.0	24.0		8.0					\$ 15,920.00	
Task 1.3 Draft and Final Maintenance Plan Description	24.0		2.0	4.0		8.0	12.0		4.0					\$ 11,610.00	
Hours Subtotal	74	0	2	4	24	40	72	0	44	12	0	0			
Task 1 Subtotal	\$20,720.00	\$0.00	\$310.00	\$620.00	\$4,080.00	\$6,400.00	\$11,520.00	\$0.00	\$8,360.00	\$1,680.00	\$0.00	\$0.00	\$ -	\$53,690.00	
Task 2: Technical Reports															
Task 2.1 Jurisdictional Delineation of Aquatic Resources				8.0	2.0	56.0	4.0		8.0					\$ 12,700.00	
Task 2.2 Hydrologic and Hydraulic Modeling									20.0	44.0	55.0	58.0		\$ 29,290.00	
Task 2.3 Biotic Assessment	1.0	40.0	6.0	16.0	2.0	48.0	0.0	8.0						\$ 18,590.00	
Task 2.4 Cultural and Historical Resources Report	1.0												\$ 5,000.00	\$ 5,280.00	
Hours Subtotal	2.0	40	6	24	4	104	4	8	28.0	44	55	58			
Task 2 Subtotal	\$560.00	\$5,800.00	\$930.00	\$3,720.00	\$680.00	\$16,640.00	\$640.00	\$1,080.00	\$5,320.00	\$6,160.00	\$7,150.00	\$12,180.00	\$ 5,000.00	\$65,860.00	
Task 3: CEQA Compliance/Documentation															
Task 3.1 CEQA Exemption	8.0	16.0	1.0	2.0		2.0	2.0							\$ 5,665.00	
Task 3.2 Optional: Initial Study/Mitigated Negative Declaration (TBD)														\$ -	
Ballpark estimate for Task 3.2 is an additional \$35,000														\$ -	
Hours Subtotal	8.0	16	1	2	0	2	2	0	0	0	0	0			
Task 3 Subtotal	\$2,240.00	\$2,320.00	\$155.00	\$310.00	\$0.00	\$320.00	\$320.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$ -	\$5,665.00	
Task 4: Regulatory Compliance/Permitting															
Task 4.1 Agency Consultation					4.0	16.0	48.0		12.0	20.0				\$ -	
Task 4.2 Permit Packages		32.0		8.0	4.0	16.0	40.0		16.0					\$ 17,680.00	
Hours Subtotal	0.0	32	0	8	8	32	88		16	12	0	0			
Task 4 Subtotal	\$0.00	\$4,640.00	\$0.00	\$1,240.00	\$1,360.00	\$5,120.00	\$14,080.00	\$2,160.00	\$2,280.00	\$2,800.00	\$0.00	\$0.00	\$ -	\$33,680.00	
Task 5: Mitigation and Enhancement Program															
Task 5.1 Natividad Creek and Gabilan Creek Maintenance Plan	4.0			4.0		48.0	32.0		16.0	20.0				\$ 20,500.00	
Task 5.2 Conceptual Mitigation Plan	4.0	16.0		4.0	4.0	48.0	32.0		16.0					\$ 19,700.00	
Hours Subtotal	8.0	16.0	0.0	8.0	4.0	96.0	64.0		32.0	20.0	0.0	0.0			
Task 5 Subtotal	\$2,240.00	\$2,320.00	\$0.00	\$1,240.00	\$680.00	\$15,360.00	\$10,240.00	\$4,320.00	\$3,800.00	\$0.00	\$0.00	\$0.00	\$ -	\$40,200.00	
Task 6: Conceptual and Engineering Design Plans (TBD)															
Task 6.1 Conceptual Design Plans						4.0	4.0		2.0					\$ 9,670.00	
Task 6.2 Engineering Design Plans						8.0	8.0		126.0					\$ 49,170.00	
Hours Subtotal	0.0	0.0	0.0	0.0	0.0	12.0	12.0		4.0						
Task 6 Subtotal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,920.00	\$1,920.00	\$540.00	\$23,940.00	\$30,520.00	\$0.00	\$0.00	\$ -	\$58,840.00	
Task 7: Salinas Outfall Emergency (RGP 5) Project															
Task 7.1 Permitting and Agency Consultation						7	36		18					\$ 9,310.00	
Hours Subtotal		0.0	0.0	0.0	0.0	7.0	36.0		18.0	0.0	0.0	0.0			
Task 7 Subtotal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,120.00	\$5,760.00	\$2,430.00	\$0.00	\$0.00	\$0.00	\$0.00	\$ -	\$9,310.00	
SUBTOTAL TASKS 1-7	\$25,760.00	\$15,080.00	\$1,395.00	\$7,130.00	\$6,800.00	\$46,880.00	\$44,480.00	\$10,530.00	\$43,700.00	\$41,160.00	\$7,150.00	\$12,180.00	\$5,000.00	\$267,245.00	
Subconsultant Markup (5%)					\$340	\$2,344	\$2,224	\$527	\$2,185	\$2,058	\$358	\$609	\$250	\$10,894	
TOTAL														\$278,139.00	



Ecological Restoration Design ~ Civil Engineering ~ Natural Resource Management

August 27, 2023

Harris and Associates
Attn. Kate Elliott
450 Lincoln Ave
Suite 103, Salinas CA 93901

Exhibit A: Scope of Services, Job No. 23-053A, **Salinas Sediment Management – Phase 2 Engineering Design**

Dear Mrs. Elliott,

Thank you for your interest in our services. Per your request, we prepared the following proposal to provide design consultation services in support of the above referenced project.

Please review the following Scope of Services and attached Budget (Exhibit B). If the scope and budget meet your approval and you wish to proceed, please contact us to discuss preparation of an agreement to authorize our work.

PROJECT UNDERSTANDING

Our project understanding is based on our continued support of the project from a feasibility evaluation perspective. Our staff have attended regular meetings with the project team and City staff to discuss potential scopes of projects, evaluate alternatives, and consider constraints. Our staff have also performed site visits to evaluate existing conditions and better understand the level of investigation and analysis required to successfully complete an engineered design. As part of these evaluations and discussions, we understand that three areas of work have been identified including: 1) an upper reach of Gabilan Creek located along Coventry Street and Independence Boulevard, 2) a lower reach of Gabilan Creek located near the Constitution soccer complex and First Tee – Monterey County, as well as 3) a reach of Natividad Creek in Natividad Creek Park.

The goal of our involvement will be to perform the field investigation and office analysis necessary to ultimately prepare 100% Plans, Specification and Cost estimates for the 3 identified work areas. Our involvement is anticipated to include field topographic mapping, preparation of concept through final designs, completion of hydrologic and hydraulic modeling, and well as attendance in regular progress meetings and other tasks associated with permit support as necessary. We will strive to provide our services in a timely manner, with an understanding of your desire to move quickly to obtain necessary permits.

We understand that significant accumulations of sediment have been identified in the subject work areas. Our analysis and design will be focused on finding a reasonable solution to mitigate these concerns to an acceptable level given the site constraints and costs associated. We note that the fluvial environments subject to the proposed work are highly variable, subject to



regular flooding conditions, and that the final designs may require routine maintenance to maintain their intended level of performance.

Our current scope of work does not include the design of utility relocations for underground or overhead utilities which may be affected by the work (e.g., electrical, communications, sewer, gas), as these efforts are not currently anticipated to be required. If utility relocations are required, we can provide this service under an amended agreement.

SCOPE OF SERVICES

Based on our project understanding, we intend to provide the following services:

Task 1 - Project Management, Coordination, and Meetings

The task 1 budget covers time spent performing project management and administration duties, including correspondence, coordination, and documentation directly related to our performance of the work. This task effort includes preparation of consultant agreements, invoices, and other related administration. This budget also includes time required for teleconference and site meetings with the project team.

Meetings

We anticipate 3 site meetings, and 10 remote meetings or teleconferences would be required to complete the work:

Deliverables: Meeting Notes and Monthly Invoices (.pdf)

Task 2 – Topographic Mapping

Waterways will survey the project sites and prepare a topographic map, profile & cross section survey of sufficient detail to quantify opportunities and constraints and construction quantities. Due to the dense vegetation, we do not propose to map all trees within potential work areas that may occur within dense riparian zones. At upper Gabilan, we will identify a limit of disturbance that avoids trees over 6" dbh. At lower Gabilan, we will survey all trees on the right bank (looking downstream) within the proposed work areas that have the potential to be impacted by work. At Natividad, our survey will consist of mapping cross sections at intervals through the dense riparian area. Trees will not be surveyed, as we do not currently anticipate disturbing this area. The topography will be required only in support of hydraulic modeling efforts. Site specific topographic mapping will be supplemented with regional LiDAR data, where necessary.

Mapped data will include

- topography,
- utilities visible above ground,
- existing structures and other improvements,
- trees over 6" diameter, where specified above
- anticipated access and staging areas



Mapping will be performed with a robotic total station and/or survey grade GPS. Our data collection will be performed by our design team, allowing them to spend valuable time on the ground to obtain familiarity with the site, ground truth mapping products, and focus their effort on features critical to the design.

Cross section mapping will be performed upstream and downstream of the project area, as necessary to construct a complete and accurate hydraulic model of the study area. A long profile will be extended downstream to evaluate the channel slope and condition. High water marks of past floods will be recorded for calibration of the hydraulic model, where evident.

Waterways will establish a network of permanent survey control points in the vicinity of the proposed work. Control points will be established outside of the proposed work areas to ensure they're retained for future use during construction staking, as-built mapping, and post-construction monitoring, if required. The control network could later be used to provide ties to any existing benchmarks, should this be requested by the Client or reviewing agencies.

Waterways does not perform boundary surveys. However, if existing boundary monuments are identified by the landowner in the vicinity of the project area, we will locate them to allow for approximate orientation of record information as an overlay upon the mapped topography.

Deliverables: topographic basemap (.pdf & .dwg)

Task 3 – Utility Locations

Waterways will contact known utility service providers and obtain available electronic maps of existing utilities in the proposed work areas. These will then be overlain onto our base maps. We assume the City will separately contract a private utility location service to flag/paint or otherwise identify potential utility conflicts in the field. Waterways will coordinate our schedule with the utility locators and perform ground-based field surveys to record locations for incorporation into our design documents.

Deliverables: Utility layer in Acad (.dwg) format and/or Shapefile

Task 4 – Concept Level Designs and Cost Estimates

Waterways develop Concept level Designs and Cost Estimates for the three identified work areas. We anticipate that the alternatives would include grading within the channel and along channel banks and floodplains to remove sediments, lay bank banks, or create overflow paths as future sediment management areas.

The concept level drawings will be sufficiently accurate and complete to determine project layout, impacts, opportunities, constraints and material quantities. The drawings will serve as a basis for preliminary hydraulic modeling and ranking of alternatives. Information to be provided on the Drawings will include:

- Title sheet with location and vicinity maps
- Site overview, access and staging areas;



- Existing site topography and proposed grading plan, identifying limits of ground disturbance and vegetation removal;
- Typical details, cross sections and profiles;
- Location of relevant structures, streams, and roads
- Location of easements or other restrictions (to be provided by others), and

An Engineer's construction cost estimate will be provided for each alternative, with assumptions defined in the text of the memorandum.

Deliverables: Concept level plans and Preliminary Engineer's Cost Estimate (.pdf)

Task 5 - Hydrology and Hydraulic Modeling

Waterways will perform a hydrologic analysis to determine the peak flow rates at the project site for several return intervals of interest (e.g., 2-, 10-, and 100-year). The work will consist of a flood-frequency analysis based upon adjacent gauged watersheds or regional regression equation calculations.

Based upon the topographic mapping, Waterways will prepare a hydraulic model of the channel and floodplain through the project extents. The hydraulic model will assist us in estimating the hydraulic parameters such as velocity, depth, and shear forces experienced during design flows. The results will inform our design approach and be used to explain our methods, results and conclusions to reviewers.

Results of the modeling will be used to inform our selection of design geometry and channel and bank treatments. Results will be summarized and presented in figures for presentation to reviewing agencies or other interested stakeholders.

Our scope of services does not currently include preparation of a no-rise analysis, CLOMR, or other reporting to FEMA. If requested, those services would be performed under an amended agreement.

Deliverables: Plan and profile graphical output from HEC RAS 2-D model (.pdf)

Task 6 - 65% Designs

65% Designs will be developed based on the City and Consultant team's review and comments provided on the Concept level designs. The 65% drawings will be sufficiently accurate and complete to determine project layout, impacts, opportunities, constraints and quantities. Typically, the 65% Drawings will be suitable to serve as a basis for permit applications. The 65% cost estimate will be in a format that represents the anticipated final bid form, with recommended units of measurement specified for individual work items. The 65% specifications will consist of a table of contents of the anticipated technical specifications. Items to be shown on the Drawings include:

- Title Sheet and Location Map
- Existing site topography
- Proposed Site Improvements
- Typical cross sections



- Quantities & materials
- Limits of disturbance
- General Notes
- Typical details for key project features
- Diversion and Dewatering plan (as necessary)
- Site access and staging plan
- Erosion Control and Construction BMP's

Tech Memo: A brief technical memorandum will be prepared to summarize our methods, results, and anticipated project performance, including inherent risks, uncertainties, and anticipated maintenance requirements.

Deliverables: 65% design drawings (.pdf), technical memo (pdf), and cost estimate (.pdf and .xlsx).

Task 7 – Permit Support

Our scope assumes the Client will take the lead in permitting the project and that Waterways' role will be to provide technical support at the Client's request.

Permit support services typically include participation in permit-related meetings or conference calls, preparation of written responses to agency comments, or preparation and submittal of calculations or figures required to support permit applications. Our budget estimate for this task is based on our experience with similar projects in this area. Actual costs will be dependent on the level of assistance requested by the Client, and may exceed our budget estimate. These services will be performed on a time and materials basis, at the request of the Client up to the level of effort estimated in our attached budget.

Deliverables: To be determined

Task 8 - 100% Designs

The 100% drawings will incorporate Client and agency comments made on the 65% drawings. The 100% cost estimate will be in a format that represents the bid items and will accurately reflect the design. The 100% specifications will include all technical specifications for the project, provided in CSI format. The 100% Plans will be at a suitable level to competitively bid and construct the project.

The 100% Drawings will include the following:

- Title Sheet and Location Map
- Existing site topography
- Proposed Site Improvements & Grading Plan
- Typical cross sections
- Quantities & materials
- Limits of disturbance
- Technical Specifications for materials and placement (to be included on plans)
- Typical details for key project features



- Dewatering plan (as necessary)
- Site access and construction phasing plan
- Erosion Control and Construction BMP's

Deliverables:

- *Design drawings (.pdf)*
- *Cost Estimate (.pdf and .xlsx)*
- *Technical specifications (.pdf & MSWord)*

PROPOSED COST

Refer to attached Exhibit B for a detailed breakdown of our anticipated budget. We will not exceed this estimate without prior written approval of the Client. The estimated budget is valid for a period of 180 days beyond the date of this proposal.

Costs have been allocated to individual tasks to determine the total estimated budget. Waterways may reallocate costs among tasks, as needed, provided the total price is not exceeded for the scope of work proposed, without previous written authorization from the Client.

Our fees for construction phase services, if included in the scope of services described above, will be billed on a time and materials basis in accordance with the attached Schedule of Fees, and will reflect the actual work and costs incurred, as dictated by the project requirements. Our fees are highly dependent on the Contractor's schedule and performance, which are beyond our control.

Printed and/or wet-signed copies of design documents will be prepared at Client's request and billed at our standard rates (Attached).

ADDITIONAL SERVICES

Waterways shall be available for additional services on a time and materials basis, at our prevailing rates. Additional services are defined as those that are not specifically identified under the scope of proposed services or those that are required as a result of unforeseen circumstances that arise during the permitting process. Examples "additional services" may include:

- Services beyond the scope of services in the agreement.
- Services which need to be provided beyond the time schedule set forth in the agreement.
- Services required as a result Client providing incomplete or incorrect project information.
- Services related to redesigning documents or rebidding contracts due to no fault of Engineer.
- Services related to revising drawings and specifications occasioned by substituting materials or equipment.
- Reproduction of reports drawings, and specifications, except as provided under scope of services.
- Providing renderings or models.



- Additional or extended services made necessary by defective, negligent, or delayed work by prime contractors or others.
- Additional or extended services during construction made necessary by the acceleration of the progress schedule involving services beyond normal working hours.
- Evaluation of claims or providing testimony in connection with a hearing, arbitration, or litigation.

We look forward to working with you to further these efforts. If you have any questions, please contact me at 831-421-9291.

Sincerely,

Matt Weld, R.C.E.
CA License No. 62235
NV License No. 15367
OR License No. 78668PE
WA License No. 51508



LIMITATIONS & EXCLUSIONS

1. Waterways shall not be held responsible for the accuracy of existing mapping or data collection performed by others and made available by the Client. If existing products made available by others are found to be inaccurate or incomplete, during the process of our work, our budget, scope, and/or schedule shall be adjusted to account for unexpected expenses or delays incurred as a result of these deficiencies.
2. Waterways Consulting does not provide boundary surveying services. Our scope of services excludes boundary surveying, unless otherwise stated in the scope and budget. When these services are offered by Waterways, it is through a Subconsultant, and will be explicitly identified as such.
3. The scope of work does not include a "line of sight" study, unless specifically included as a task item.
4. Schedules, Budgets, and Estimates of Cost: Any schedules or completion dates, budgets, or estimates of cost prepared by Waterways represent Waterways' professional judgment based on its experience and available information. Since neither Waterways nor Client has control over the cost of labor, materials, or equipment, or contractor's methods of determining prices, or over competitive bidding, permit requirements, or market conditions, Waterways cannot and does not warrant or represent that actual schedules or completion dates or actual costs will not vary from schedules or completion dates, budgets, or estimates of cost prepared by Waterways or proposed, established, or approved by Client.
5. If the scopes of services to be provided by Waterways pursuant to the terms of this agreement includes the preparation of grading drawings but excludes construction staking services, Client acknowledges that such staking services normally include coordinating civil engineering services and the preparation of record drawings based upon information provided by others, and Client will be required to retain such services from another consultant or pay Waterways for such services pursuant to this agreement.
6. If the scope of services includes Waterways' assistance in applying for governmental permits or approvals, this work does not include the preparation of additional studies or analysis requested by governmental agencies and not specifically included in our scope (e.g., archeological investigations, wetland delineations, geologic studies, etc.). Waterways' assistance with permit preparation and/or submittal will not constitute a representation, warranty or guarantee that such permits or approvals will be acted upon favorably by any governmental agency.
7. Waterways makes no representations concerning soils or geological conditions unless specifically included in writing in this agreement, or by amendments to this agreement, and will not be responsible for any liability that may arise out of performing or failure to perform soils or geological surveys, subsurface soils or geological tests, or general soils or geological testing.
8. Client acknowledges that the design services performed pursuant to this agreement are based upon field and other conditions existing at the time these services were performed. Client further acknowledges that field and other conditions may change by the time project construction occurs and clarification, adjustments, modifications and other changes shall be paid for by Client as extra services in accordance with the agreement.



9. Waterways does not provide geotechnical engineering services. If required, these services will be provided by subcontractors and clearly identified in our scope and budget. If required and not included herein, they may be requested under an amended scope of services.

10. Design services do not include preparation of a "Design Report" for Client or agency review, unless specifically noted in the scope of services. If the Client requests the preparation of a design report, or the re-formatting of our internal design calculations for submittal to agencies, these services will be performed on a time and materials basis.

ASSUMPTIONS

1. Client is aware that differences may exist between the electronic files delivered and the printed hard copy construction documents. In the event of a conflict between the signed construction documents prepared by Waterways and electronic files, the signed and stamped or sealed hard copy construction documents shall govern.

2. After Client's acceptance of the preliminary drawings (Concept level of completion), should new information, changed conditions, agency/public comments on the preliminary drawings, or other factors require additional mapping, data collection, graphic modifications, or conceptual changes, the budget may need to be amended to cover these unanticipated costs.

3. The Client shall be responsible for obtaining all necessary easements for both temporary construction-related access and for permanent access and parking, where required.

4. Where the Waterways scope includes preparation of specifications, Waterways will only be responsible for preparation of technical specifications. The Client shall prepare general and front end provisions for the project, if required.

5. All permitting shall be handled by the Client. Waterways will be available for permitting assistance on a time and materials basis, at the firm's prevailing hourly rates. If permitting agencies request submittal of design reports, detailed hydraulic modeling or calculations, beyond what is deemed by Waterways to be necessary to complete the design, this work will be considered extra, unless specifically outlined in the scope of services.

6. Our design services are not typically performed to meet a specific total project cost, as cost is often beyond our control. When total project budget is expected to guide the design approach, this expectation should be clearly defined in the Agreement.

7. Waterways will have no responsibility for the discovery, presence, handling, removal or disposal of hazardous or toxic materials or substances in any form at Project sites, including but not limited to, asbestos, asbestos products or polychlorinated biphenyl (PCB) except for such hazardous or toxic materials or substances introduced on to the project site by Waterways or any damage or injuries resulting from Waterways' negligence.

8. When hazardous or toxic materials or substances are known, assumed or suspected to exist at a site, Client shall take appropriate precautions to protect health and safety of Waterways' personnel, to comply with applicable laws and regulations, and to follow procedures that Client deems prudent to minimize physical risks to employees and the public. Client shall inform Waterways of any hazardous or toxic materials or substances known by Client to exist at a Project site on which Waterways is providing services.



9. Client agrees not to use or permit any other person to use final maps, exhibits, legal descriptions, surveys, or other work product ("Work Product") prepared by Consultant, which Work Product is not final and which is not signed, and stamped or sealed by Consultant. Client agrees that Consultant is not responsible for any such use of non-final Work Product and waives any right to claim liability against Consultant therefore. Client further agrees that final Work Product is for the sole use of Client for the specific purpose described in this Agreement. Such final Work Product may not be altered or reproduced in any way nor used on any other project or for any other purposes than as specifically authorized by Consultant in writing prior to any such use, alteration, or reproduction. Client may use preliminary products for permit review submittals. However, Client is advised that design details may change as designs are finalized. Waterways cannot be held liable for the cost of additional permitting effort or project delays that may result from these changes.



EXHIBIT B - ESTIMATED BUDGET FOR CONSULTING SERVICES

8/27/2023

Client: Harris and Associates

Project Name: Salinas Creeks Sediment Management - Phase Two Engineering Design

Waterways Job No.: 23-053A

#	Task Description	Principal Geomorph.	Principal Engineer	Senior Engineer	Senior Hydrologist	Hydrologist/Moder	Staff Engineer	Engineering Technician	Survey Crew	Budget Allocation
		(Dvorsky)	(Weld)	(Zacharia)	(Dvorsky)	(Lovrin)	(Stewart)	(Landsdale)	(2 person)	
		\$165	\$190	\$160	\$155	\$130	\$140	\$125	\$210	
1	Project Administration		33				12			\$7,950
2	Topographic Mapping (Field and Office)		8				32		40	\$14,400
3	Utility Location		2				12		18	\$5,840
4	Concept Level Designs & Costs						58			\$8,120
5	Hydrologic and Hydraulic Modeling		18			55				\$10,570
6	65% Plans & Cost Estimate & Tech Memo		90				120			\$33,900
7	Permit Support		12				20			\$5,080
8	100% Plans, Specifications, and Cost Estimate		36				40			\$12,440
Sub Total										\$98,300.00

Direct Expenses

	Allocation	
Office Expenses	\$200.00	
Field Supplies (disposable)	\$100.00	
Per Diem		
Mileage (\$.655/mile)	\$32.80	
Subtotal		\$332.80
Total		\$98,632.80

Attachment C



October 6, 2023

Kate Elliott
Director, Environmental Planning & Compliance
Harris & Associates
450 Lincoln Avenue, Suite 103
Salinas, CA 93901

RE: Proposal to Provide a Phase I Cultural Resource Inventory for the Salinas Creeks Flood Control Project, Salinas, California

Dear Ms. Elliott:

Albion Environmental, Inc. (Albion) is pleased to respond to your request for a proposal to conduct a Phase I cultural resource inventory for the Salinas Creeks Flood Control Project in Salinas, California (Project). The City of Salinas is proposing a series of flood control actions in three key locations, including the following:

- A reach of Gabilan Creek located along Coventry Street and Independence Boulevard where Waterways Consulting, Inc. (Waterways) proposes that aggraded sediment be removed.
- A lower reach of Gabilan Creek near the Constitution Soccer Complex and First Tee Monterey County where Waterways proposes that the creek bank be laid back to repair the incised channel and stabilize the embankments; and
- A reach of Natividad Creek in upper Natividad Creek Park, immediately south of Boronda Road, where Waterways proposes that an alternate channel be constructed to allow for on-going access and sediment removal without impacting the existing creek channel or riparian vegetation.

The City is also proposing ground disturbing activities at an off-site location up to 0.5 acres in size in a place yet to be determined. The total Project APE, including the mitigation site, is approximately 12 acres in size. Depths of impact are currently unknown for all Project elements.

The Project is subject to Section 404 of the Clean Water Act and must comply with Section 106 of the National Historic Preservation Act (NHPA), with the US Army Corps of Engineers (USACE) as the lead federal agency. Albion will provide the services of a qualified archaeological team.

Our proposal contains a Scope of Work and a Cost Estimate (Attachment 1).

1414 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

(831) 469-9128 Santa Cruz
(805) 592-2222 San Luis Obispo

albionenvironmental.com

SCOPE OF WORK

TASK 1: MANAGEMENT

Task 1 is for project management, pre-field preparation, and post-field organization. Albion will coordinate site access and field crew schedules, as well as process all field collected data (e.g., GIS, notes, photographs). The Project Manager, Douglas Ross, will manage the overall Project scope and budget, and be your primary contact on this project. Sarah Nicchitta will function as the Principal-in-Charge and will oversee quality control and assurance.

TASK 2: BACKGROUND RESEARCH

Albion will conduct a detailed records search at the NWIC for information on known cultural resources and previous studies within a 1/2-mile radius of the Project APE, including resources listed on national, state, and local heritage inventories. In addition, we will conduct background historical research and examine archival maps and photos to investigate any evidence of either precolonial or historic period materials. Background research will also be conducted in order to support the sensitivity assessment. We will identify, compile, review, and integrate new and existing information (e.g., available published data or reports), historical maps, geologic maps, soil maps, and related data relevant for assessing the potential for archaeological sites in and near the Project APE.

TASK 3: TRIBAL OUTREACH

A working relationship with the Native American community and individual tribal representatives is essential to the success of the cultural resource program. Albion will conduct a sacred lands file search and a stakeholder list request with the Native American Heritage Commission (NAHC). After obtaining a list of Native American stakeholders from the NAHC, Albion will draft and submit outreach letters that will include a brief project description, a map of the project location. Albion will also conduct follow up outreach via email and phone calls to the individuals identified by the NAHC to inform them about the Project and ascertain tribal interests, concerns, and information. We assume that Albion will need to send letters to and conduct follow-up communication with no more than fifteen (15) Tribes.

TASK 4: PEDESTRIAN SURVEY

Albion will conduct a pedestrian survey to identify if any cultural resources exist within the Project APE. The survey will consist of two-three separate field mobilizations on different days, one for the Gabilan and Natividad Creek portions, a second for the off-site mitigation area, and a third one if necessary. We assume that all survey locations will be accessible to Albion's crew for each mobilization. Albion's survey approach includes parallel transects that are spaced no more than 15 meters apart. All sites, features, and isolates will be recorded when encountered during the survey. The crew will record each site or isolated artifact digitally, using notes and photographs. All surface artifacts will be documented with a sub-meter accurate GPS unit, and the survey will be documented with photography. Artifacts will not be collected during this effort.

ALBION

RE: Phase I Cultural Resource Inventory for the Salinas Creeks Flood Control Project, Salinas, California

October 6, 2023
Harris & Associates

TASK 4: REPORT OF FINDINGS

The results of our study will be compiled into a technical report to be used for regulatory compliance in the environmental review process. The report will contain an abstract, introduction, natural and cultural context, results of background research, results of Tribal outreach, field methods, survey results, summary and discussion of cultural resource sensitivity for the APE, and if needed, recommendations for additional work needed to complete requirements under NHPA regulations. We will include completed site records for any sites or isolates identified during survey.

COST ESTIMATE AND TIMELINE

We are proposing to complete this study on a time and materials basis with a limit not anticipated to exceed \$18,823.31 (Attachment 1). In the event cultural resources are located, Albion can, for a renegotiated fee, work with the City (or agent) to determine an appropriate course of action under NHPA guidelines.

Albion is prepared to begin work upon execution of a signed contract. Thank you for the opportunity to provide this proposal. If our proposal is acceptable to you, please issue a contract and transmit to me at dross@albionenvironmental.com. The terms of this proposal are valid for 90 days. Please contact me at (831) 252-3436 if you have any questions.

Sincerely,



Douglas Ross, PhD
Senior Archaeologist

Attachment 1. Cost Estimate

Attachment 1

Cost Estimate



Phase I Cultural Resource Inventory for the Salinas Creeks Flood Control Project

Harris & Associates

10/6/2023

Labor	Rate	Task 1		Task 2		Task 3		Task 4		Task 5		Total	
		Management		Background Research		Tribal Outreach		Pedestrian Survey		Report of Findings			
		Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost
Principal 4B - Nicchitta, S.	\$136.26	4	\$545.04	2	\$272.52	4	\$545.04	2	\$272.52	6	\$817.56	18	\$2,452.68
Senior Archaeologist 7B - Murphy	\$125.60	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	5	\$628.00	5	\$628.00
Senior Archaeologist 7B - Ross	\$125.60	10	\$1,256.00	6	\$753.60	0	\$0.00	2	\$251.20	19	\$2,386.40	37	\$4,647.20
Senior Archaeologist 5C - D'Oro	\$109.71	0	\$0.00	1	\$109.71	1	\$109.71	0	\$0.00	4	\$438.84	6	\$658.26
Senior Anthropologist 4B - Sarmiento	\$102.63	0	\$0.00	0	\$0.00	10	\$1,026.30	0	\$0.00	0	\$0.00	10	\$1,026.30
Archaeologist 7C - Biasi	\$95.54	0	\$0.00	0	\$0.00	0	\$0.00	29	\$2,770.66	14	\$1,337.56	43	\$4,108.22
Archaeologist 6D - Manigault	\$90.27	0	\$0.00	0	\$0.00	0	\$0.00	29	\$2,617.83	0	\$0.00	29	\$2,617.83
Archaeologist 6D - Nicchitta, A.	\$90.27	0	\$0.00	0	\$0.00	5	\$451.35	1	\$90.27	0	\$0.00	6	\$541.62
Archaeologist 5A - Bright	\$77.83	0	\$0.00	0	\$0.00	0	\$0.00	2	\$155.66	7	\$544.81	9	\$700.47
Total Labor		14	\$1,801.04	9	\$1,135.83	20	\$2,132.40	65	\$6,158.14	55	\$6,153.17	163	\$17,380.58
Other Direct Costs		Units	Cost	Units	Cost	Units	Cost	Units	Cost	Units	Cost	Units	Cost
Mileage	\$0.655	0	\$0.00	0	\$0.00	0	\$0.00	216	\$141.48	0	\$0.00	216	\$141.48
NWIC Records Search	\$1,200.00	0	\$0.00	1	\$1,200.00	0	\$0.00	0	\$0.00	0	\$0.00	1	\$1,200.00
Letters and Certified Mail	\$6.75	0	\$0.00	0	\$0.00	15	\$101.25	0	\$0.00	0	\$0.00	15	\$101.25
Total ODCs			\$0.00		\$1,200.00		\$101.25		\$141.48		\$0.00		\$1,442.73
Total Cost			\$1,801.04		\$2,335.83		\$2,233.65		\$6,299.62		\$6,153.17		\$18,823.31