



Midpeninsula Regional
Open Space District

R-20-74
Meeting 20-14
July 8, 2020

AGENDA ITEM 3

AGENDA ITEM

Award of Contract for Mitigation Monitoring and Reporting at Eight Mitigation Sites for Five Years (2020-2024)

GENERAL MANAGER'S RECOMMENDATIONS

1. Authorize the General Manager to enter into contract with Vollmar Natural Lands Consulting for the base contract price of \$81,292 to monitor eight mitigation sites for five years.
2. Authorize an allowance of \$20,000 to be expended only if additional mitigation sites require monitoring and reporting over the next five years.
3. Authorize a 10% contingency of \$8,130 to be expended only if the eight mitigation sites do not meet permit success criteria, additional years of monitoring are required, and/or additional coordination with the permitting agencies is necessary, for a not-to-exceed total contract of \$109,422.

SUMMARY

The Midpeninsula Regional Open Space District (District) has implemented capital improvement projects that require permits from the California Department of Fish and Wildlife (CDFW), the Regional Water Quality Board (RWQCB), and the United States Army Corps of Engineers (USACE). Mitigation Monitoring Plans (MMPs) or Vegetation Restoration Plans (VRPs) developed by the District or District Consultants, in consultation with permitting agencies, outline required mitigation measures for potential temporary and/or permanent impacts related to a project. The recommended 5-year contract will authorize Vollmar Natural Lands Consulting to monitor and report on eight mitigation sites for five years for a base contract amount of \$81,292. In addition, the General Manager recommends authorizing an allowance of \$20,000 to accommodate any additional monitoring and reporting of newly installed mitigation sites in years 2021-2024, and a 10% contingency of \$8,130 to be expended only if mitigation sites do not meet permit success criteria, additional years of monitoring are required, and/or additional coordination with the permitting agencies is necessary, for a total not-to-exceed contract amount of \$109,422. The Fiscal Year 2020-21 (FY21) budget includes sufficient funds to cover expenditures through June 30, 2021. Funds to complete the contract work in future years will be proposed as part of the annual Budget and Action Plan process.

DISCUSSION

Capital and operational projects that affect the natural environment have the potential to impact native species and/or the jurisdictional areas regulated by the California Department of Fish and

Wildlife (CDFW), and/or United States Army Corps of Engineers (USACE). California Environmental Quality Act (CEQA) mitigation measures and/or regulatory permits often require biological surveys, documentation, and mitigation of potential impacts to natural resources, including native plant restoration to reestablish normal ecological function. Some of this work has been implemented under Routine Maintenance Agreements (i.e. a broad permit with generalized mitigation conditions) and others have obtained individual permits (i.e. a specific permit with specific mitigation conditions).

Mitigation Monitoring Plans (MMPs) or Vegetation Restoration Plans (VRPs) developed by the District or District Consultants, in consultation with permitting agencies, outline required mitigation measures for potential temporary and/or permanent impacts related to a project. These measures often include native plantings to restore ecological functions. The associated mitigation monitoring of installed vegetation and site conditions are reported to permitting agencies for five to ten years, or more, after a project is completed. The monitoring reports document native vegetation and ecological function reestablishment at the sites and any necessary adaptive management measures to ensure all permit conditions and MMP success criteria are achieved.

The following tasks are included under the recommended 5-year agreement for Mitigation Monitoring and Reporting at Eight Mitigation Sites to ensure permit conditions and MMP success criteria are met at each Mitigation Site:

- Review permits and permit conditions to confirm monitoring and reporting requirements;
- Annually conduct mitigation site monitoring of installed vegetation and site conditions;
- Recommend adaptive management actions to ensure success criteria are met;
- Prepare Draft Mitigation Monitoring Reports for District review;
- Prepare Final Mitigation Monitoring Reports to submit to permitting agencies.

The following projects require mitigation monitoring and reporting to be compliant with permit conditions and fulfill mitigation requirements:

Table 1: Mitigation projects requiring monitoring and reporting under this contract

Project Site #	Site Name	Open Space Preserve	Project Type	Project Site Size	Project Description
1	Mount Umunhum Trail	Sierra Azul	Mitigation	8,700 ft ²	Permit requirements for Mount Umunhum Trail bridges
2	Woods Trail	Sierra Azul	Mitigation	12,000 ft ²	Permit requirements for Mount Umunhum Trail bridges
3	Tree Farm	Bear Creek Redwoods	Mitigation	3.76 acres	Permit requirements for the new public access parking lot
4	Mud Lake	Bear Creek Redwoods	Mitigation	1,080 ft ²	Permit conditions for installation of new culvert
5	Stables	Bear Creek Redwoods	Mitigation	10,000 ft ²	Riparian Tree Removals for Fuel Management Work
6	Webb Creek	Bear Creek Redwoods	Mitigations	2,271 ft ²	Permit conditions for new bridge
7	Stevens Creek Nature Trail	Monte Bello	Mitigation	3,200 ft ²	Permit conditions for bridge and trail improvements
8	Harkins Bridge	Purisima Creek Redwoods	Mitigation	10,890 ft ²	Permit conditions for new bridge

District staff are not available to perform this work due to the ongoing commitments for Measure AA and Vision Plan projects, and to complete core job responsibilities.

Contractor Selection

A Request for Qualifications and Proposals (RFPQ) was sent to 13 consultants and posted on the District website on May 5, 2020. Two addenda were issued. Seven proposals were received. Three District staff from two departments ranked proposals based on the quality of the proposal, including the consistency with the objectives, ability to demonstrate an understanding of the project, fulfilling proposal requirements, and overall presentation. In addition, the proposals were ranked on the implementation approach and ability to meet the project schedule. Proposal fees for the base contract ranged from \$69,466 to \$125,474.

After a careful review of all the proposals, District staff determined Vollmar Natural Lands Consulting to be the most qualified and cost-effective consultant to conduct the mitigation monitoring and reporting. Vollmar Natural Lands Consulting submitted their base contract proposal at a cost of \$69,466. After Vollmar Natural Lands Consulting's proposal was selected, Addendum 2 was issued to include monitoring and reporting for the Bear Creek Redwoods Stables Mitigation Site also for 5-years, for a fee of \$11,826, bringing the revised Project base cost total to \$81,292.

The base cost for this service is \$81,292 over a 5-year period. In addition, the General Manager recommends an allowance in the amount of \$20,000 to accommodate any mitigation monitoring and reporting for additional Projects that may require installation of plants at mitigation sites in future years, and a 10% contingency of \$8,130 to be expended only if mitigation sites do not meet permit success criteria, additional years of monitoring are required, and/or additional coordination with the regulatory agencies is necessary, for a total not-to-exceed contract amount of \$109,422.

FISCAL IMPACT

There are sufficient funds in the Fiscal Year 2020-21 budget to cover the cost of the recommendation. Funds to complete the work will be recommended in future fiscal year budgets as a part of the annual Budget and Action Plan process.

The recommended action is not funded by Measure AA.

BOARD COMMITTEE REVIEW

This item was not previously reviewed by a Board committee.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. Public notice was sent to the Resource Management interested parties lists by postal or electronic mail.

CEQA COMPLIANCE

This item is not a project subject to the California Environmental Quality Act. The work performed by the consultant under the proposed contract will help ensure that the District fulfills its CEQA mitigation monitoring commitments for Projects that are otherwise complete.

NEXT STEPS

Upon approval by the Board of Directors, the General Manager will execute an agreement with Vollmar Natural Lands Consulting to complete mitigation monitoring and reporting at eight mitigation sites for five years. Natural Resources department staff will continue to work with the Engineering and Construction, Land and Facilities, and Planning departments to design projects that avoid and/or minimize the impacts of capital and operational projects and reduce the amount of required future mitigation work and associated monitoring and reporting.

Attachment

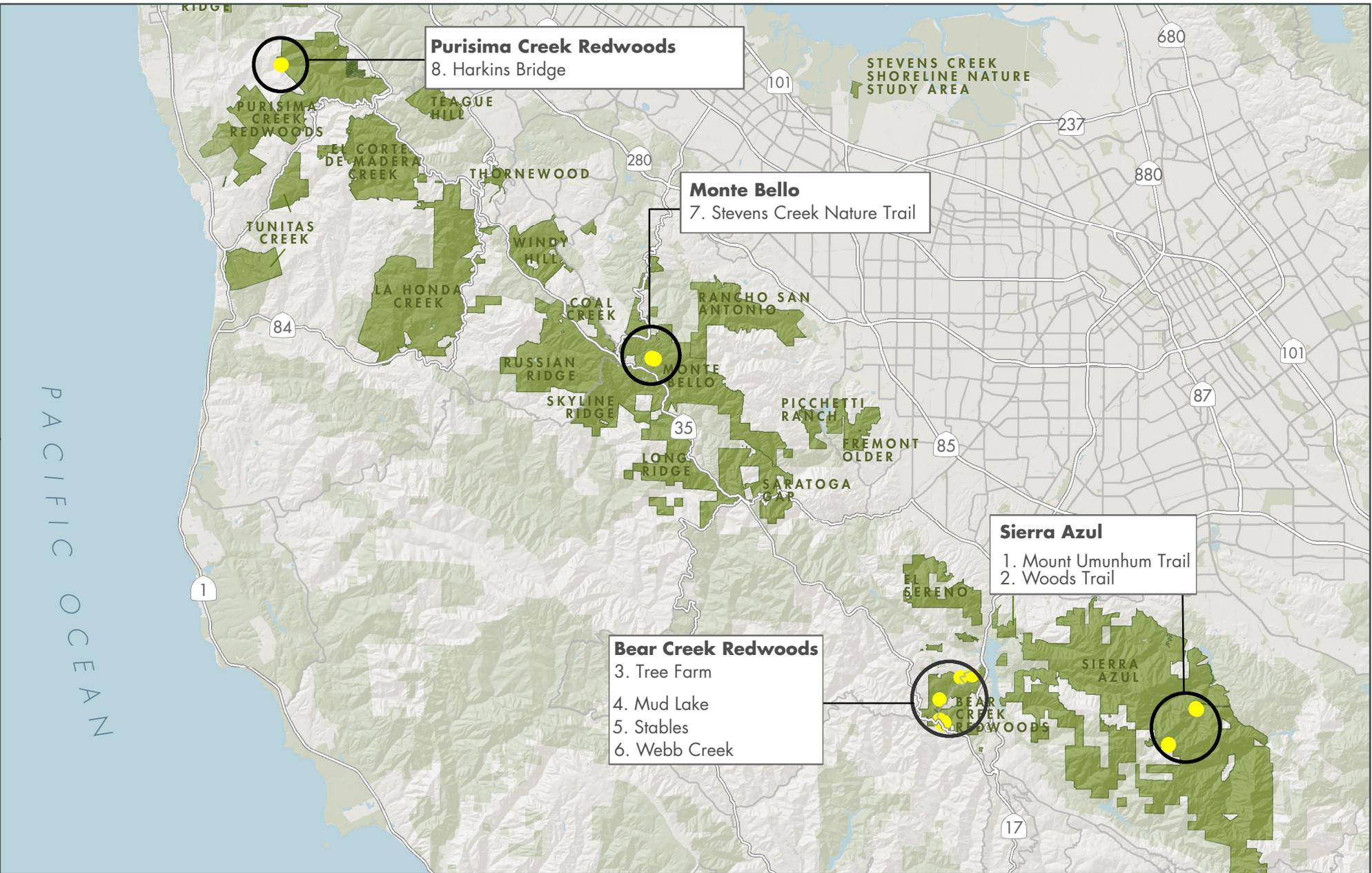
1. Project Locations

Responsible Department Head:

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Prepared by:

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Mitigation Monitoring Sites

- MROSD Preserve
- Other Protected Lands
- Private Property
- Revegetation Site

ATTACHMENT 1

Midpeninsula Regional
Open Space District
(Midpen)
6/12/2020

