



Midpeninsula Regional
Open Space District

R-21-142
Meeting 21-30
October 27, 2021

AGENDA ITEM 7

AGENDA ITEM

Award of Contract for Grant-Funded Forest Health and Ecosystem Resiliency Work

GENERAL MANAGER'S RECOMMENDATIONS *dem*

1. Award a contract with Ecological Concerns, Inc., of Santa Cruz, California to provide vegetation management services for a total base contract amount of \$150,000 allocated as follows:
 - A. For a base contract amount of \$60,000 for Fiscal Year 2021-22 in Santa Clara County (CAL FIRE associated grant).
 - B. For a base contract amount of \$90,000 for Fiscal Year 2021-22 in San Mateo County (State Coastal Conservancy associated grant).
2. Authorize the General Manager to extend the contract for three additional consecutive years, if additional grant funds are secured to expand the forest health and ecosystem resiliency work, for a total not-to-exceed contract amount of \$600,000 over the four-year term.

SUMMARY

The recommended contract will allow the Midpeninsula Regional Open Space District (District) to implement the Vegetation Management Plan from the Wildland Fire Resiliency Program, which was approved by the Board of Director (Board) earlier this year (Fire Program) (refer to [R-21-58](#)). The project objective is to enhance ecosystem resiliency through vegetation management, including manual, mechanical, and limited chemical treatments consistent with the Fire Program. The cost for these services is \$150,000 per fiscal year, for a total contract amount of \$600,000 (over four years if additional grant funds are secured). A portion of the contract amount (\$90,000) will partially fulfill the District's match for grant funding secured from CAL FIRE and the State Coastal Conservancy (SCC) of \$1.47M and \$400,000 respectively. Of the \$150,000, the remaining \$60,000 is reimbursable from the granting agencies. The adopted Fiscal Year (FY) 2021-22 budget includes sufficient funds for this recommendation.

DISCUSSION

Background

The District manages vegetation in open space preserves "to protect and restore the natural environment," with the goal of safeguarding the diversity and integrity of the natural resources and ecological processes. District field staff, contractors, non-government organizations (e.g., San Jose Conservation Corps and the Student Conservation Corps), and volunteers all aid in vegetation management. The District uses contractors for larger projects that require technical

specialization. District staff oversee the work of contractors, which includes biological monitoring when contractors are working near sensitive areas such as ponds with rare aquatic species. The District uses both integrated pest management and ecologically sensitive vegetation management practices (See Attachment 1) when managing land under its jurisdiction.

Fuel Reduction Areas (FRA) are one of the two main types of vegetation management described in the Fire Program. FRAs are prescribed to enhance ecosystem resiliency to fire (and other disturbances) where fuels are manually or mechanically removed at a reduced scale compared to fuelbreaks. These areas are typically implemented to achieve a combination of habitat enhancement and wildland fire risk reduction. FRAs can be areas of managed vegetation adjacent to fuelbreaks and can also occur in areas where fuel loading is particularly problematic, such as areas affected by forest disease (e.g., Sudden Oak Death). Ladders and surface fuels are greatly reduced in FRAs, and overstory and understory vegetation is spatially separated so that a ground fire will not, under normal fire conditions, burn too hot and/or climb into the canopy and turn into a crown fire. Examples of where FRAs could be implemented include in oak woodlands adjacent to a non-shaded fuelbreak where understory fuels are removed and over-topping conifers, such as Douglas fir, are removed, or in grasslands where shrubs are removed. The majority of the proposed work will implement FRA treatment recommendations.

Grant Funding

CAL FIRE selected the Santa Clara County FireSafe Council's (FireSafe) Los Gatos Creek Watershed Collaborative Forest Health Grant for a grant award in August 2021; approximately \$1.46M of this CAL FIRE grant will be used to treat 353.5 acres of District lands. The District worked with the Wildlife Conservation Board (WCB), and in coordination with FireSafe, to develop additional restoration activities for forest health in the Los Gatos Creek Watershed Collaborative. WCB will consider the approval of a \$1.5M grant on November 18, 2021, to fund forest health and restoration activities in high priority areas of Bear Creek Redwoods, Long Ridge, Saratoga Gap, and Sierra Azul Open Space Preserves.

During the grant solicitation period, the SCC prioritized "shovel-ready" work to reduce fire risk. On June 7, 2021, the SCC selected District to treat approximately 115 acres of high priority areas within 11 District preserves by September 2022 with a grant award of \$400,000 for forest health and wildland fire prevention activities.

These two grants (one directly to the District and one awarded to a partner for a collaborative project that will fund treatment on District lands), will support implementation of the Fire Program and offset the costs of the related forest health and ecosystem resiliency activities that would be completed under the recommended contract. These include the following:

Table 1: Contract Location Descriptions for this Fiscal Year

Location		Target Species ¹	Typical Methods ²
1	Irish Ridge, Purisima Creek Redwoods Preserve	Blackwood Acacia; jubata grass; French broom	Chainsaw; Pole-saw; cut and cover; green flaming; manual; pesticide (cut-stump); pesticide (spot spray)

¹ Treatment of native local species to the Santa Cruz Mountain is limited to species whose diameter at breast height (DBH) is 8 inches or less.

² Use of pesticides is limited to only invasive species that have the ability to re-sprout after manual or mechanical treatment.

Location		Target Species ¹	Typical Methods ²
2	Upper La Honda; La Honda Creek Preserve	Slender false brome; coastal redwood; Douglas fir; periwinkle; tanoak Pacific madrone; bay laurel	Chainsaw; Pole-saw; cut and cover; manual; pesticide (spot spray); chipper
3	Schilling Lake Trail; Thornewood Preserve	Coyote brush; silver wattle; French broom; Douglas fir; St. John's wort; chamise; eggleaf spurge	Chainsaw; Pole-saw; manual; pesticide (cut-stump); pesticide (spot spray)
4	Skeggs Point and Bear Gulch Road; El Corte de Madera Preserve	Coastal redwoods; Pacific Madrone; Douglas fir; bay laurel; cotoneaster	Chainsaw; Pole-saw; manual; chipper
5	Alma College; Bear Creek Redwoods Preserve	Coastal redwood; Douglas fir; French broom; English ivy; periwinkle	Chainsaw; Pole-saw; manual; chipper; pesticide (spot spray)

Contractor Selection

Vegetation management in natural areas (including areas open to the general public) requires distinct knowledge, skills, and abilities. In addition to the legally-required licenses, the District requires firms to have the following experience:

- Worked under an independent biological monitor in sensitive or special status species habitat;
- Performed vegetation management in a natural environment;
- Interacted with the public during IPM activities to keep people safe and informed;
- Proficiency in identifying native, non-native, and invasive plant species of the Santa Cruz Mountains; and
- Applied and supervised the safe use of pesticides.

The District issued a Request for Bids (RFB) on September 8, 2021 and advertised in local newspapers and on the District website. Four (4) firms attended the mandatory pre-bid conference on September 22, 2021. Three (3) firms attended an optional field visit on September 23, 2021. Staff issued an addendum on September 27, 2021, clarifying questions on the RFB. Bids were due on October 4, 2021. The results are as follows:

Bidder	Location	Annual Base Bid	Percent of Cost Estimate of \$150,000	
1	Ecological Concerns, Inc.	Santa Cruz, CA	\$131,542.20	-12.3%
2	Hanford ARC	Petaluma, CA	\$245,779.00	+63.9%

District staff deemed Ecological Concerns, Inc., the lowest responsible and responsive bidder. The duration of the contract would be for a one-year term at the base bid of \$150,000 with an option to extend the contract annually up to a total of four years if additional grant funds are secured, for a total not-to-exceed amount of \$600,000.

At this same October 27, 2021 meeting, the Board is also considering an award of contract for Bear Creek Redwoods Cultural Resources Surveys (R-21-144). The General Manager's

Recommendation 1-A is contingent upon the authorization of that contract; if the cultural resource surveys are not authorized, then the work within Santa Clara County will be deferred.

FISCAL IMPACT

The FY22 adopted budget includes \$250,000 for the 61023 - Los Gatos Creek Watershed - Wildland Fire Resiliency project (Santa Clara County work). At the October 27, 2021 meeting, the Board is also considering an award of contract for Bear Creek Redwoods Cultural Resources Surveys in this project (R-21-144). There are sufficient funds in the project budget to cover both recommended action and expenditures.

61023 - Los Gatos Creek Watershed - Wildland Fire Resiliency	Prior Year Actuals	FY22 Adopted	FY23 Projected	FY24 Projected	Estimated Future Years	TOTAL
District Funded (Fund 10):	\$0	\$250,000	\$250,000	\$250,000	\$250,000	\$1,000,000
Total Budget:	\$0	\$250,000	\$250,000	\$250,000	\$250,000	\$1,000,000
Spent-to-Date (as of 10/12/21):	\$0	\$0	\$0	\$0	\$0	\$0
Encumbrances:	\$0	(\$14,860)	\$0	\$0	\$0	(\$14,860)
Santa Clara County Ecological Concerns Contract:	\$0	(\$60,000)	\$0	\$0	\$0	(\$60,000)
Contingent 3-year extension:	\$0	\$0	(\$60,000)	(\$60,000)	(\$60,000)	(\$180,000)
Rincon Consultants, Inc Contract:	\$0	(\$63,845)	\$0	\$0	\$0	(\$63,845)
Rincon Consultants, Inc. Contingency:	\$0	(\$9,577)	(\$60,000)	(\$60,000)	(\$60,000)	(\$189,577)
Budget Remaining (Proposed):	\$0	\$101,718	\$130,000	\$130,000	\$130,000	\$491,718

The FY22 budget includes sufficient funds for the 61028 - SCC Forest Health & Wildfire - Wildland Fire Resiliency project (San Mateo County work) in the 61017 - Fuel Reduction Implementation project. This will require a net-zero budget adjustment that will come to the Board on November 10, 2021, along with an adjustment to increase grant revenue for the newly awarded SCC grant. This separation of the grant work into its own project will allow for better grant tracking.

61028 - SCC Forest Health & Wildfire - Wildland Fire Resiliency	Prior Year Actuals	FY22 Projected	FY23 Projected	FY24 Projected	Estimated Future Years	TOTAL
District Funded (Fund 10):	\$0	\$273,500	\$90,000	\$90,000	\$90,000	\$543,500
Grant Amount:	\$0	\$400,000	\$0	\$0	\$0	\$400,000
Total Budget:	\$0	\$673,500	\$90,000	\$90,000	\$90,000	\$943,500
Spent-to-Date (as of 10/05/21):	\$0	\$0	\$0	\$0	\$0	\$0
Encumbrances:	\$0	(\$19,962)	\$0	\$0	\$0	(\$19,962)
Santa Mateo County Ecological Concerns Contract:	\$0	(\$90,000)	\$0	\$0	\$0	(\$90,000)
Contingent 3-year extension:	\$0	\$0	(\$90,000)	(\$90,000)	(\$90,000)	(\$270,000)
Budget Remaining (Proposed):	\$0	\$563,538	\$0	\$0	\$0	\$563,538

BOARD AND COMMITTEE REVIEW

On April 28, 2021, the Board approved the Bear Creek Redwoods Open Space Preserve Vegetation Treatment Project ([R-21-56](#); [Minutes](#))

The Board certified the Final Program Environmental Impact Report and approved the Wildland Fire Resiliency Program on May 12, 2021 ([R-21-58](#), [Minutes](#)).

On June 9, 2021, the Board authorized the General Manager to enter into an agreement with the Santa Clara County Firesafe Council to perform vegetation management activities using a grant from CAL FIRE ([R-21-76](#), [Minutes](#)).

On June 23, 2021, the Board authorized the General Manager to enter into a grant funding agreement with the State Coastal Conservancy ([R-21-84](#), [Minutes](#)).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. Public notice was sent to interested parties and tenants by postal or electronic mail.

CEQA COMPLIANCE

The District prepared a Project Specific Analysis (PSA) for work to be performed within Bear Creek Redwoods Open Space Preserve, which the Board approved on April 28, 2021 ([R-21-56](#); [Minutes](#)). The project and contract documents will incorporate the associated mitigation measures and BMPs from the environmental review.

The Environmental Impact Report (EIR) prepared for the WFRP, which the Board approved on May 12, 2021 ([R-21-58](#), [Minutes](#)), analyzed the vegetation management activities in the recommended contract not reviewed by the PSA. The project and contract documents will incorporate the associated mitigation measures and BMPs from the environmental review.

NEXT STEPS

Upon approval by the Board, the General Manager will enter into a one-year contract with Ecological Concerns Inc., of Santa Cruz, CA. If the District receives additional grant funds and the program is successful in the first year, the General Manager will extend the contract annually for a contract duration of up to four years.

Attachment

1. Ecological Sensitive Vegetation Management Practices

Responsible Department Head:
Kirk Lenington, Natural Resources

Prepared by:
Coty Sifuentes, Senior Resource Management Specialist, Natural Resources



Midpeninsula Regional
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Ecologically Sensitive Vegetation Management Practices

Ecologically sensitive vegetation management is primarily focused on maintaining and improving high biodiversity and ecological health on the landscape.

The Midpeninsula Regional Open Space District's land management practices include vegetation management to improve native species habitat, maintain patrol routes and recreational facilities (e.g. parking lots and trails), and reduce wildland fire risk.

Midpen staff consider the following practices at each project site to minimize impacts and maximize benefits to natural resources when performing vegetation management in Midpen preserves:

- Conducting pre-management surveys for special status species and nesting birds
- Providing a biological monitor during work when needed
- Designate refugia for wildlife
- Leaving tree canopies intact
- Leaving buffers around special-status species' habitat
- Leaving buffers around bodies of water
- Seasonally timing work to decrease potential impacts to birds, bats, and other wildlife
- Prioritizing the treatment of invasive species over native species
- Minimizing ground disturbance
- Minimizing the presence of people and mechanized/motorized equipment in wildlands during vegetation management
- Matching source material for nursery plants and seed to site specific requirements to maintain genetic diversity while taking climate change into account
- Consider the changing climate and its impacts to habitats
- Mowing in patterns that allow any wildlife present to easily and safely move away
- Mimicking natural disturbance processes to maintain rare habitats
- Avoiding the spread of invasive non-native species and disease with cultural controls such as cleaning boots and equipment prior to and after work