



Midpeninsula Regional  
Open Space District

R-23-146  
Meeting 23-35  
December 13, 2023

## AGENDA ITEM 5

### AGENDA ITEM

Contract Amendment for San Gregorio Creek Fish Habitat Enhancement

### GENERAL MANAGER'S RECOMMENDATIONS *den*

1. Authorize the General Manager to amend the existing partnership agreement with the San Mateo Resource Conservation District by \$246,273, bringing the total base not-to-exceed contract amount to \$292,011, to oversee the implementation and monitoring of habitat enhancements in San Gregorio Creek to promote the recovery of protected fish species.
2. Authorize an additional 15% contingency of \$36,941 to cover unforeseen tasks for a total not-to-exceed contract amount of \$333,214.

### SUMMARY

In June 2023, under the General Manager's signing authority, the Midpeninsula Regional Open Space District (District) executed a partnership agreement (Partnership Agreement) with the San Mateo Resource Conservation District (RCD) to receive project management and technical oversight assistance for the design of instream woody installations to enhance fisheries habitat in San Gregorio Creek at the Apple Orchard property (Project) in La Honda Creek Open Space Preserve. The proposed amendment would provide funding for the RCD to oversee the implementation and monitoring phase of the Project. The General Manager recommends amending the contract with the RCD in the amount of \$246,273 and authorizing an additional 15% contingency in the amount of \$36,941, bringing the total contract to a not-to-exceed amount of \$333,214. The Fiscal Year 2023-24 (FY24) Budget includes insufficient funding to cover the recommended action and expenditures through the end of the fiscal year. A reallocation of budget funds will be requested at the next quarterly review.

### BACKGROUND

A legacy of wood removal from creeks has left many riparian habitats in the San Gregorio Creek watershed lacking the natural habitat complexity that provides a healthy environment for native fish species. Throughout the late 20<sup>th</sup> century, woody debris was intentionally removed from streams under the belief that these tree trunks and branches posed a flooding risk; these natural features have since been shown to play an important role in the creation of complex habitat. Increasing the amount of wood in creeks reduces streamflow velocity during winter storms and increases the size and cover of pools, which provides places for fish to forage, take refuge, rest and for young fish to develop. Additionally, the wood sorts and stores sediment and traps organic matter and nutrients, improving habitat richness and complexity in downstream spawning

gravels. More recently, restoration practitioners have been installing large trunks of wood back into salmonid streams to recreate past stream conditions that accelerate species recovery.

In 2016, the RCD assisted the District in implementing a large woody habitat enhancement project in San Gregorio Creek at the Apple Orchard property in La Honda Creek Open Space Preserve. The Project was designed to improve habitat for federally endangered coho salmon, federally threatened steelhead, and state species of special concern Pacific lamprey. Observations of San Gregorio Creek at the Apple Orchard since 2016 reveal that the woody debris has positively impacted stream dynamics and complexity by sorting sediments and gravels needed for spawning and creating low-flow refugia for the target species during winter high flows and flood conditions.

In October 2020, Pacific Gas and Electric (PG&E) approached the District about working in Russian Ridge Open Space Preserve west of Rapley Ranch Road to repair and improve a PG&E access road that contains five stream crossings, to facilitate ongoing maintenance of the Monta Vista-Jefferson transmission line, which is located within the western portion of the Preserve. With input from District staff, PG&E modified its original project to reduce potential environmental impacts. Even with a reduced scope, regulatory permitting agencies required PG&E to implement approximately 2,100 square feet of stream restoration to offset their project impacts.

Limited onsite restoration possibilities prompted PG&E to approach the RCD for local restoration opportunities. The RCD and District staff determined that adding large wood to improve instream fish habitat in San Gregorio Creek at the Apple Orchard property in La Honda Creek Open Space Preserve was the most ecologically desirable and reasonably actionable project. This conclusion borrows from prior land assessments and a prior 2016 project that installed large tree trunks at the project site. In September 2021, the Board authorized the General Manager to execute an access, monitoring, and mitigation agreement ([R-21-122](#)) with PG&E for new wood installations in San Gregorio Creek at the Apple Orchard property to mitigate the potential impacts related to the PG&E road repairs within Russian Ridge Open Space Preserve. The restoration project is being completed by the RCD on behalf of and fully funded by PG&E, with construction taking place in summer 2024 and post-construction monitoring continuing through 2027.

## **DISCUSSION**

The recommended amendment to the Partnership Agreement with the RCD would allow the District to take advantage of an opportunity to fund additional woody installations beyond those required as mitigation for the PG&E work to maximize habitat enhancement opportunities at the Apple Orchard property. Installing the wood features concurrently with the PG&E mitigation work would result in significant cost savings and minimization of creek impacts by equipment. This additional creek habitat enhancement work would be funded by the District.

In June 2023, the District executed a Partnership Agreement with the RCD for Phase I of the PG&E Mitigation Project, during which the RCD provided project management and technical oversight for the feasibility and design of the San Gregorio Creek wood installations. During the design, an opportunity was identified for the District to enhance approximately 2,000 additional linear feet of San Gregorio Creek by installing one new feature and improving five existing instream wood features. Under the recommended contract amendment, the RCD would support

the next phases of these additional creek habitat enhancements by soliciting proposals/bids, executing contracts in compliance with governing laws, performing general project management, and leading the permitting and monitoring work. The RCD would hire and oversee a Registered Professional Forester working in conjunction with a Licensed Timber Operator familiar with felling, moving, and securing logs to provide an onsite source for the additional wood installation. District staff would also monitor implementation. Under this amendment, the RCD would oversee and manage the installation of the habitat enhancements concurrently with the separate PG&E mitigation work. Any mitigation credits generated beyond those provided to PG&E would be retained by the District.

### FISCAL IMPACT

The FY24 adopted budget includes \$130,500 for the San Gregorio Creek Fish Habitat Enhancement project #80095. Due to an acceleration of the project schedule and a slight overall increase in post-construction monitoring fees, there are insufficient funds in the project budget to cover the recommended action and expenditures. A budget reallocation will be requested at the next quarterly review. Additional funding for future fiscal years would be requested during the annual Budget and Action Plan process.

| <b>San Gregorio Creek Fish Habitat Enhancement #80095</b> | <b>Prior Year Actuals</b> | <b>FY24 Adopted</b> | <b>FY25 Projected</b> | <b>FY26 Projected</b> | <b>Estimated Future Years</b> | <b>TOTAL</b>       |
|---|---------------------------|---------------------|-----------------------|-----------------------|-------------------------------|--------------------|
| District Funded (Fund 40):                                | \$0                       | \$130,500           | \$148,000             | \$5,000               | \$5,000                       | <b>\$288,500</b>   |
| <b>Total Budget:</b>                                      | <b>\$0</b>                | <b>\$130,500</b>    | <b>\$148,000</b>      | <b>\$5,000</b>        | <b>\$5,000</b>                | <b>\$288,500</b>   |
| Spent-to-Date (as of 12/01/23):                           | \$0                       | (\$460)             | \$0                   | \$0                   | \$0                           | <b>(\$460)</b>     |
| Encumbrances:   | \$0                       | (\$45,278)          | \$0                   | \$0                   | \$0                           | <b>(\$45,278)</b>  |
| Remaining of Original Contract:                           | \$0                       | (\$4,262)           | \$0                   | \$0                   | \$0                           | <b>(\$4,262)</b>   |
| RCD Base Contract Amendment:                              | \$0                       | (195,476)           | (17,364)              | (17,116)              | (16,317)                      | <b>(\$246,273)</b> |
| RCD Contract Amendment Contingency:                       | \$0                       | (29,321)            | (2,605)               | (2,567)               | (2,448)                       | <b>(\$36,941)</b>  |
| <b>Budget Remaining (Proposed):</b>                       | <b>\$0</b>                | <b>(\$144,297)</b>  | <b>\$128,031</b>      | <b>(\$14,683)</b>     | <b>(\$13,765)</b>             | <b>(\$44,714)</b>  |

The recommended action is not funded by Measure AA.

### PRIOR BOARD AND COMMITTEE REVIEW

- **September 22, 2021:** The Board authorized the General Manager to enter an access, monitoring, and mitigation agreement with PG&E for new wood installations in San

Gregorio Creek at Apple Orchard to mitigate the potential impacts related to PG&E road repairs within Russian Ridge Open Space Preserve. ([R-21-122](#), [Meeting Minutes](#))

## **PUBLIC NOTICE**

Public notice was provided as required by the Brown Act.

## **CEQA COMPLIANCE**

The potential environmental impacts of the Project will be evaluated in the Notice of Exemption to be prepared by the San Mateo Resource Conservation District as the lead agency under the California Environmental Quality Act (CEQA).

## **NEXT STEPS**

If authorized by the Board, the General Manager will amend the Partnership Agreement with San Mateo County RCD for Project implementation. Bidding, installation and project management would be completed by the RCD and is anticipated to take place summer 2024.

### Attachments

1. Apple Orchard Map

### Responsible Department Head:

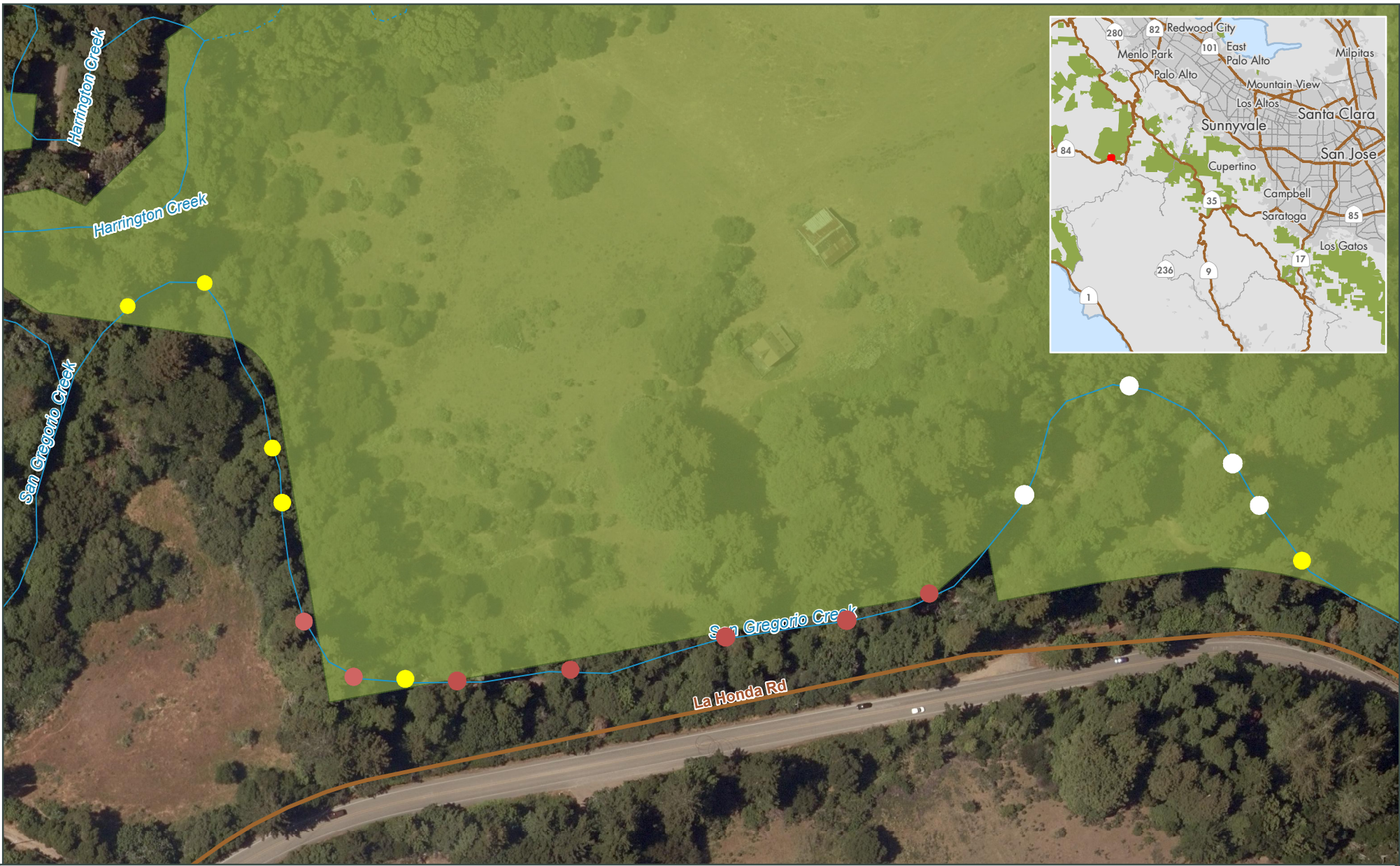
Kirk Lenington, Natural Resources Department

### Prepared by:

David Liefert, Water Resources Specialist, Natural Resources Department

### Contact person:

David Liefert, Water Resources Specialist, Natural Resources Department



## Wood Debris Installations, Apple Orchard, La Honda Creek Open Space Preserve

- Existing Structure (2016)
- District-funded (new or improved)
- PG&E Mitigation (new or improved)
- Highway
- Preserve Boundary

### ATTACHMENT 1

Midpeninsula Regional  
Open Space District  
(MROSD)  
12/1/2023

