



City of Sacramento City Council

915 I Street, Sacramento, CA, 95814

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Meeting Date: 8/16/2011

Report Type: Consent

Title: Funding Agreement: Lower American River Salmonid Spawning Gravel Augmentation Project (G14000200)

Report ID: 2011-00708

Location: Citywide

Recommendation: Adopt a Resolution: 1) authorizing the City Manager or designee to execute Modification No. 1 to Cooperative Agreement No. 81332AJ004 with the U.S. Department of the Interior Fish and Wildlife Service to accept \$253,773.00 in additional funding for the Lower American River Salmonid Spawning Gravel Augmentation Project being administered by the City-County Office of Metropolitan Water Planning; and 2) increasing Fund 7104 revenue and expense budgets for G14000200 \$253,773.00 to reflect the reimbursements from the U.S. Fish and Wildlife Service.

Contact: Sarah Foley, Program Manager, (916) 808-1997; Kathy Howard, Administrative Analyst, (916) 808-1995, Department of Utilities

Presenter: None

Department: Department Of Utilities

Division: C/Co Ofc Water Planning

Dept ID: 14001911

Attachments:

- 1-Description/Analysis
- 2 - Background
- 3 - Resolution
- 4 - UnExecuted Contract Cover
- 5 -Exhibit A - Agreement

City Attorney Review

Approved as to Form
Joe Robinson
8/10/2011 10:57:03 AM

City Treasurer Review

Prior Council Financial Policy Approval or
Outside City Treasurer Scope
Russell Fehr
8/1/2011 11:14:01 AM

Approvals/Acknowledgements

Department Director or Designee: Marty Hanneman - 8/4/2011 4:38:41 PM

Eileen Teichert, City Attorney

Shirley Concolino, City Clerk

William H. Edgar, Interim City Manager

Russell Fehr, City Treasurer

Assistant City Manager: Cassandra Jennings - 8/10/2011 10:26:15 AM

Description/Analysis

Issue: In October 2006 the City of Sacramento entered into a five-year grant funding agreement with the U.S. Bureau of Reclamation (Reclamation), on behalf of the CCOMWP, for grant funding of up to \$600,000 for the Lower American River Salmonid Spawning Gravel Augmentation Project (G14000200) (Project) (C2006-1211). The purpose of the Project is to increase the availability of spawning gravel and rearing habitat for fall-run Chinook salmon and steelhead trout in the lower American River. Since then, the City Council has accepted additional funding from Reclamation, the U.S. Fish and Wildlife Service (FWS) and the Sacramento County Department of Transportation (County) for the Project. To date, total funding awarded to the CCOMWP has been \$1,429,695.00. The FWS is now contributing an additional \$253,773.00 to fund the Project. Pursuant to the Interagency Agreement that created the CCOMWP, the City's procedures are followed for all CCOMWP contracting activities.

Policy Considerations: This Project will aid fish habitat restoration efforts for the Lower American River, consistent with goals of the Water Forum Agreement.

Environmental Considerations:

California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA):

The project is subject to review pursuant to both CEQA and NEPA. The Bureau of Reclamation is responsible for NEPA review. The Bureau prepared a Finding of No Significant Impact (FONSI) for the project. The NEPA review process does not require action by the City Council.

The project is exempt from CEQA review, pursuant to CEQA Guidelines Section 15333, Small Restoration Projects. The project does not exceed five acres in size, will be undertaken for the purpose of restoring habitat for fish, would have no significant impact on endangered, rare or threatened species or their habitat, and would not otherwise result in any significant effects on the environment.

Sustainability Considerations: Approval of the recommended actions is consistent with the City of Sacramento's Sustainability Master Plan Goals:

Sustainability Goal No. 7 - Parks, Open Space and Habitat Conservation is promoted by the second co-equal objective of the Water Forum Agreement "To preserve the fishery, wildlife, recreational, and aesthetic values of the lower American River."

Commission/Committee Action: None

Rationale for Recommendation: Replenishing gravel in the lower American River will improve spawning and rearing habitat for anadromous fish. This activity is consistent with the Water Forum Agreement objective to preserve the fishery, wildlife, recreational, and aesthetic values of the lower American River.

Financial Considerations: This Project has no impact on the City of Sacramento's General Fund and no match is required. To date Reclamation, FWS and the County have obligated \$1,429,695.00 to the Project. The FWS is now contributing an additional \$253,773.00 to help support the Project. The Project revenue and expenditure budgets will be amended to reflect the additional grant funds.

Emerging Small Business Development (ESBD): Not applicable to the acceptance of additional federal funding.

Respectfully Submitted by: _____
Thomas R. Gohring, Executive Director
Sacramento City-County Office of
Metropolitan Water Planning

Approved by: _____
Marty Hanneman, Director
Department of Utilities

Recommendation Approved:

William H. Edgar,
Interim City Manager

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Background Information:

The United States Bureau of Reclamation (Reclamation) operates facilities that regulate flows in the lower American River, which contains populations of anadromous Chinook salmon and threatened steelhead trout. Flow regulation and stream channel manipulations have modified anadromous salmonid habitat in the American River. Specifically, gravel is regularly lost from spawning sites on the river because of the construction and operation of Central Valley Project dams, bank protection projects, and other actions that reduce the availability of spawning gravel and rearing habitat in the American River downstream of Nimbus Dam.

The purpose of this project is to provide funding for planning, permitting, placement of gravel, pre and post project site surveys, and the monitoring of spawning gravel and the response of salmonids in the lower American River in accordance with the Central Valley Project Improvement Act (CVPIA). The purpose of the CVPIA is to protect, restore, and enhance fish and wildlife habitat in the Central Valley Basin.

Through this grant the CCOMWP, on behalf of the Sacramento Region Water Forum, will assist Reclamation and the U.S. Fish and Wildlife Service in carrying out this project, including permitting, inter-agency coordination, contracting, gravel production and placement, and post-project monitoring.

Reclamation has chosen to utilize mining dredgings at Sailor Bar in the American River Parkway for this Project. These dredgings were identified as having significant historical value during Reclamation's environmental analysis for the Project because of the type of mining activity that produced the dredgings. Project partners have developed an interpretive exhibit about historic mining activities in the Parkway that will mitigate for the use of these dredgings. This mitigation is the subject of a Memorandum of Agreement (MOA) between Reclamation, County Parks and SHPO. The City, on behalf of the Water Forum, has signed this MOA as a concurring party.

This Project is consistent with the goals of the Fisheries and Instream Habitat Plan, which is incorporated into the River Corridor Management Plan (RCMP). The RCMP is a coordinated approach to management of the lower American River that was developed and endorsed by 38 organizations and local governments in 2002, including the City of Sacramento. The RCMP serves as the implementation vehicle for the Habitat Management Element (HME) of the Water Forum Agreement, of which the City is a signatory. The HME implements one of the Agreement's co-equal objectives, which is to preserve the fishery, wildlife, recreational and aesthetic values of the lower American River.



RESOLUTION NO.

Adopted by the Sacramento City Council

MODIFICATION NO. 1 TO COOPERATIVE FUNDING AGREEMENT WITH THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE LOWER AMERICAN RIVER SALMONID SPAWNING GRAVEL AUGMENTATION PROJECT (G14000200)

BACKGROUND

- A. The United States Bureau of Reclamation (Reclamation) operates facilities that regulate flows in the lower American River, which contains populations of anadromous Chinook salmon and threatened steelhead trout. Gravel is regularly lost from spawning sites on the river as a result of the construction and operation of Central Valley Project dams, bank protection projects, and other actions that reduce the availability of spawning gravel and rearing habitat in the American River downstream of Nimbus Dam.
- B. In October 2006 the City of Sacramento entered into a five-year grant funding agreement with Reclamation, on behalf of the City County Office of Metropolitan Water Planning (CCOMWP), for the Lower American River Salmonid Spawning Gravel Augmentation Project (Project) being administered by the CCOMWP. The purpose of the Project is to increase the availability of spawning gravel and rearing habitat for fall-run Chinook salmon and steelhead trout in the lower American River.
- C. In 2010 additional funding was provided by the United States Fish and Wildlife Service (USFWS) and the County of Sacramento Department of Transportation. To date, funding for the project has totaled \$1,429,695.00.
- D. USFWS is providing additional funding in the amount of \$253,773.00 to the Project, which requires approval of a modification to the existing funding agreement between USFWS and the City.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Manager or the City Manager's designee is authorized to execute Modification No. 1 to the Cooperative Agreement with the U.S. Fish and Wildlife Service, for additional funding in the amount of \$253,773.00 for the Lower American River Salmonid Spawning Gravel Augmentation Project being administered by the CCOMWP.

Section 2. The City Manager or the City Manager's designee is authorized to increase the Habitat Management Element funding (Fund 7104) revenue and expenditure budgets for G14000200 by \$253,773.00.

Section 3. Exhibit A is a part of this Resolution.

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Exhibit A: Modification No. 1 to Cooperative Agreement with the United States Fish and Wildlife Service (USFWS)



Unexecuted Contract/Agreements

- The Unexecuted Contract/Agreement is signed by the other party, is attached as an exhibit to the resolution, and is approved as to form by the City Attorney.

- The Unexecuted Contract/Agreement (Public Project) is NOT signed by the other party, is attached as an exhibit to the resolution, and is approved as to form by the City Attorney.

- The Unexecuted Contract is NOT included as an exhibit to the Resolution because the Agreement(s) is with other another governmental agency and it is not feasible to obtain the other agency's signature prior to Council action (be they denominated Agreements, MOUs, MOAs, etc.); however, the City Attorney approves the forwarding of the report to Council even though the signed agreement is not in hand yet.

- The Unexecuted Contract is NOT included as an exhibit to the resolution because, due to special circumstances, and the City Attorney confirms in writing that it is okay to proceed with Council action even though the signed agreement is not in hand yet.

All unexecuted contracts/agreements which are signed by the other parties are in the Office of the City Clerk before agenda publication.



Charge Code: FY11 81332 4833FR02
 Obligate: \$131,132.00
 Charge Code: FY11 81332 GP02
 Obligate \$122,641.00
 Total for Modification 1 \$253,773.00
 Cumulative Total \$402,468.28
 CFDA No: 15.648

MODIFICATION NO 1
 To
 COOPERATIVE AGREEMENT NO. 81332AJ004
 Between
 U.S. DEPARTMENT OF THE INTERIOR
 FISH AND WILDLIFE SERVICE
 And
 WATER FORUM

This modification is to fund work that will be conducted to modify and augment the spawning and side-channel habitat restoration sites that initially were constructed in 2010 approximately one (1) mile upstream of Sunrise Boulevard.

1. Spawning habitat will be extended approximately 0.05 miles and the depths adjusted to improve habitat quality.
2. Additional gravel injection work that relies on river flow to sculpt the habitat also may occur another mile upstream at Sailor Bar, creating an additional 0.05 miles of spawning habitat.
3. Total amount of gravel expected to be installed in 2011 is 5,000 tons.
4. Planning work will continue with the Sacramento County Parks Department and other stakeholders with the goal of installing instream woody material to increase the diversity of habitat characteristics available to spawning and rearing salmonids.

All other terms and conditions of this agreement remain unchanged.

U.S. DEPARTMENT OF THE INTERIOR
 FISH AND WILDLIFE SERVICE

WATER FORUM

BY: 

BY: _____

TITLE: ARD, Water & Fisheries, Region 8

TITLE: _____

DATE: 30 June 2011

DATE: _____

FWS Contract Sufficiency Review:

 + matt 06.22.11
 Contracting Officer FWS 1-P735 Date