

Meeting Date: 9/15/2015

Report Type: Consent

Report ID: 2015-00756

Title: Cooperative Agreement: U.S. Department of the Interior, Fish and Wildlife Service (USFWS) funding for the Lower American River Salmonid Spawning and Rearing Habitat Restoration Project for Fiscal Year 2015/16

Location: Citywide

Recommendation: Pass a Resolution authorizing the City Manager, or his designee, to: 1) apply for USFWS Research Grant (Generic), Domestic Assistance Number 15.650 funding for Fiscal Year 2015/16, for up to the maximum amount of \$150,000, for the Lower American River Salmonid Spawning and Rearing Habitat Restoration Project (Project); 2) if the grant is awarded, accept federal funds in the amount awarded and execute the Cooperative Agreement and any subsequent modifications; and (3) establish an operating grant for the Project, including revenue and expenditure budgets, for the amount awarded.

Contact: Tom Gohring, Executive Director, (916) 808-1998, Citywide & Community Support, City-County Office of Metropolitan Water Planning (CCOMWP)

Presenter: None

Department: Community Support

Division: CCOMWP

Dept ID: 80004101

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Map
- 4-Application
- 5-Resolution

City Attorney Review

Approved as to Form
Joe Robinson
9/5/2015 5:34:07 PM

Approvals/Acknowledgements

Department Director or Designee: Kathy Howard - 8/31/2015 10:20:31 AM

Description/Analysis

Issue Detail: The Lower American River Salmonid Spawning Gravel Augmentation Project (Project) began in 2006 when the City-County Office of Metropolitan Water Planning (CCOMWP) first partnered with the U.S. Bureau of Reclamation (USBOR), U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Game, and Sacramento County Regional Parks. The purpose is to increase the availability of spawning gravel and rearing habitat for fall-run Chinook salmon and steelhead trout in the lower American River (LAR).

Staff recommends the City apply for additional funds made available through the USFWS Research Grant (Generic), Domestic assistance number 15.650, to fund activities related to the Project.

This report requests authorization to submit the application, execute all necessary agreements, and establish related revenue and expenditure budgets.

Policy Considerations: Resolution 2015-0169, Section 11.1, requires City Council approval to accept grant funding, establish a grant project, and appropriate grant funding when the award is in excess of \$100,000. The Project will aid fish habitat restoration efforts for the Lower American River, consistent with goals of the Water Forum Agreement.

Economic Impacts: None.

Environmental Considerations:

California Environmental Quality Act (CEQA): Actions requested in this staff report relate to funding mechanisms that do not constitute a project as defined by the CEQA [CEQA Guidelines Section 15378 (b) (4)]. Project activities that would occur in the event grant funding is received would be subject to subsequent CEQA review if applicable.

Sustainability Considerations: Implementation of the Project is consistent with the City of Sacramento's Sustainability Master Plan:

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: Cooperative Agreement funding opportunities such as this allow the CCOMWP to increase and improve salmon and steelhead spawning and rearing habitat by replenishing spawning gravel, and establishing additional side-

channel habitat at new restoration sites in the LAR between Nimbus Dam and Discovery Park, a reach of about 20 miles. The need for the action derives from the declines of naturally spawned salmonid stocks due in part to loss of spawning and rearing habitat through curtailment of gravel recruitment due to blockage of the river channel by dams.

Financial Considerations: If the grant is awarded, this Cooperative Agreement of up to \$150,000 will cover the Project costs and no General Fund support is needed. The City will front the estimated total cost of \$150,000 during FY2015/16 from the CCOMWP Habitat Management Element (HME) Fund 7104 and then be reimbursed for expenditures on a quarterly basis by USFWS. This process will continue through FY2017/18 as USFWS Funds are allocated for the Project. Funding for the CCOMWP HME Fund 7104 is provided by cost sharing agreements between the City of Sacramento and County of Sacramento. Other local purveyors with contracts for Central Valley Project (CVP) water also contribute to the HME in those years when they divert non-CVP water above their baseline.

Prior and projected allocations for the Project are listed in the tables below:

PROJECT FUNDING HISTORY

Entity	Fiscal Year	Amount Awarded	City Contract #
USBOR	FY2006/07	\$ 600,000	2006-1211
	FY2009/10	151,000	2006-1211-1
	FY2011/12	430,000	2006-1211-2
	Subtotal USBOR:	\$1,181,000	
County of Sacramento D.O.T.	FY2011/12	\$ 100,000	2010-0179
USFWS	FY2010/11	\$ 148,695	2010-0694
	FY2011/12	253,773	2010-0694-1
	FY2011/12	99,000	2010-0694-2
	FY2012/13	255,660	2010-0694-3
	FY2012/13	395,283	2010-0694-4
	FY2013/14	45,760	2010-0694-5
	FY2013/14	440,000	2010-0694-6
	FY2013/14 & FY2014/15	150,000	2010-0694-7
	Subtotal USFWS:	\$1,788,171	
Total Historical Funding:		\$3,069,171	

PROJECTED FUNDING

Entity	Fiscal Year	Amount Awarded	City Contract #
USBOR	FY2014/15	\$1,080,000	2014-0914
	FY2015/16	869,580	
	FY2016/17	870,000	
	FY2017/18	860,000	
	FY2018/19	875,000	
	Subtotal USBOR:	\$4,554,580	
USFWS	FY2015/16	\$150,000	new

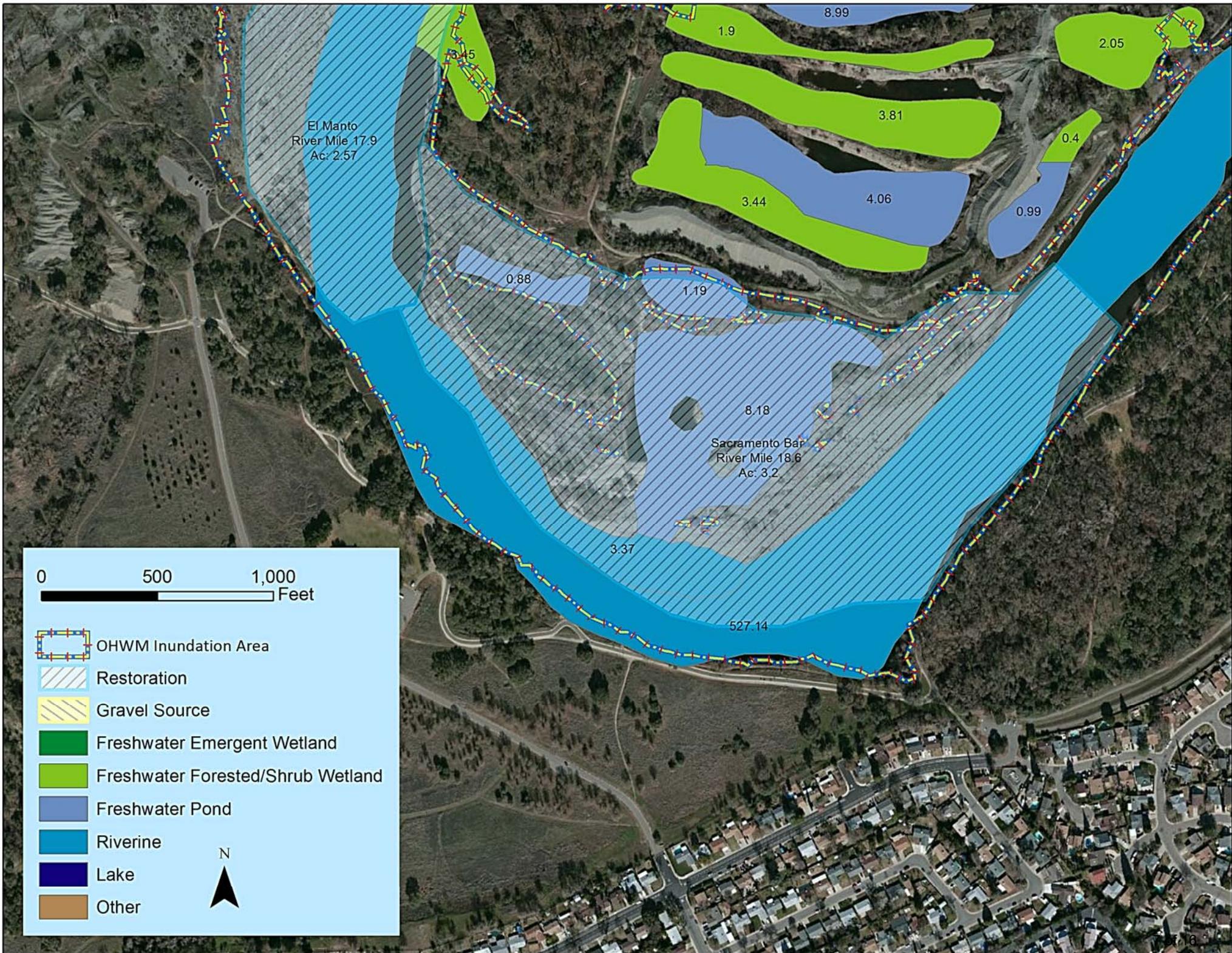
Total Project History and Projected Funding: \$7,773,751

Local Business Enterprise (LBE): Not applicable.

Background

- The City and County of Sacramento created the CCOMWP in 1991 to pursue a joint water planning effort in the greater Sacramento Metropolitan area.
- In 1993, a diverse group of business and agricultural leaders, citizens groups, environmentalists, water managers, and local governments formed the Sacramento Area Water Forum.
- In 1999, Water Forum members approved a comprehensive Water Forum Agreement (WFA) (City Agreement No. 1999-222). The WFA consists of integrated actions necessary for providing a regional solution to water shortages, environmental damage, groundwater contamination, and limited economic prosperity.
- The CCOMWP has been charged with staffing the effort to implement the WFA, known as the Water Forum Successor Effort (WFSE).
- The USBOR 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 funding, the CCOMWP, on behalf of the Sacramento Region Water Forum, will assist USBOR and the USFWS in carrying out this project, including permitting, inter-agency coordination, contracting, gravel production and placement, and post-project monitoring.
- 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.



Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): _____ * Other (Specify): _____
* 3. Date Received: 07/16/2015	4. Applicant Identifier: _____	
5a. Federal Entity Identifier: _____	5b. Federal Award Identifier: _____	
State Use Only:		
6. Date Received by State: _____	7. State Application Identifier: _____	
8. APPLICANT INFORMATION:		
* a. Legal Name: City of Sacramento		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 946000410	* c. Organizational DUNS: 1275579370000	
d. Address:		
* Street1: 2831 G Street	_____	
Street2: Suite 100	_____	
* City: Sacramento	_____	
County/Parish: Sacramento	_____	
* State: CA: California	_____	
Province: _____	_____	
* Country: USA: UNITED STATES	_____	
* Zip / Postal Code: 95816-3783	_____	
e. Organizational Unit:		
Department Name: Citywide and Community Support	Division Name: CCOMWP	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: Mr.	* First Name: Tom	_____
Middle Name: _____	_____	
* Last Name: Gohring	_____	
Suffix: _____	_____	
Title: Executive Director	_____	
Organizational Affiliation: City-County Office of Metro. Water Planning / Water Forum		
* Telephone Number: 916-808-1997	Fax Number: 916-443-1255	
* Email: tgohring@waterforum.org		

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

U.S. Department of the Interior, Fish and Wildlife Service

11. Catalog of Federal Domestic Assistance Number:

15.650

CFDA Title:

Generic Grant: Gravel Restoration

*** 12. Funding Opportunity Number:**

* Title:

Generic Grant: Gravel Restoration

13. Competition Identification Number:

Title:

Generic Grant: Gravel Restoration

14. Areas Affected by Project (Cities, Counties, States, etc.):

Fig1.jpg

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

The purpose of the project is to restore, enhance and protect viable salmonid habitat in the Lower American River to ultimately enhance overall salmonid productivity.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="150,000.00"/>
* b. Applicant	<input type="text" value=""/>
* c. State	<input type="text" value=""/>
* d. Local	<input type="text" value=""/>
* e. Other	<input type="text" value=""/>
* f. Program Income	<input type="text" value=""/>
* g. TOTAL	<input type="text" value="150,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on .
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative:

* Date Signed:

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

<p>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</p> <p>Tom Gohring</p>	<p>TITLE</p> <p>Executive Director, CCOMWP</p>
<p>APPLICANT ORGANIZATION</p> <p>City of Sacramento</p>	<p>DATE SUBMITTED</p> <p>07/16/2015</p>

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BUDGET INFORMATION - Non-Construction Programs

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget			Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)	
1. Generic Grant: Gravel Restoration	15.650	\$ 150,000.00	\$ 0.00	\$	\$	\$ 150,000.00	
2.							
3.							
4.							
5. Totals		\$ 150,000.00	\$	\$	\$	\$ 150,000.00	

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	Generic Grant: Gravel Restoration				
a. Personnel	\$	\$	\$	\$	\$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual	150,000.00				150,000.00
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a-6h)	150,000.00				150,000.00
j. Indirect Charges					
k. TOTALS (sum of 6i and 6j)	\$ 150,000.00	\$	\$	\$	\$ 150,000.00
7. Program Income	\$	\$	\$	\$	\$

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SECTION C - NON-FEDERAL RESOURCES				
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. Generic Grant: Gravel Restoration	\$	\$	\$	\$
9.				
10.				
11.				
12. TOTAL (sum of lines 8-11)	\$	\$	\$	\$

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$	\$	\$	\$	\$
14. Non-Federal	\$				
15. TOTAL (sum of lines 13 and 14)	\$	\$	\$	\$	\$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT				
(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16. Generic Grant: Gravel Restoration	\$	\$	\$	\$
17.				
18.				
19.				
20. TOTAL (sum of lines 16 - 19)	\$	\$	\$	\$

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges:	
22. Indirect Charges:	
23. Remarks:	

RESOLUTION NO.

Adopted by the Sacramento City Council

**U.S. DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICES,
FISCAL YEAR 2015/16
COOPERATIVE FUNDING AGREEMENT
APPLICATION AND RELATED ACTIONS**

BACKGROUND

- A. The Lower American River Salmonid Spawning Gravel Augmentation Project (Project) began in 2006 when the City-County Office of Metropolitan Water Planning (CCOMWP) first partnered with the U.S. Bureau of Reclamation (USBOR), U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Game, and Sacramento County Regional Parks. 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 (LAR).
- B. Additional funds may be made available through the United States Department of the Interior, Fish and Wildlife Services (USFWS) Research Grant (Generic), Domestic assistance number 15.650, to fund activities related to the Project.

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

- Section 1 The City Manager, or his designee, is authorized to: (a) apply for U.S. Fish and Wildlife Services (USFWS) Research Grant (Generic), Domestic assistance number 15.650 funding for Fiscal Year 2015/16, for up to the maximum amount of \$150,000, for the Project; and (b) accept federal funds in the amount awarded by the USFWS and execute a new Cooperative Agreement for receipt of the amount awarded.
- Section 2 The City Manager, or his designee, is authorized to establish an operating grant for the Project, including revenue and expenditure budgets, for the amount awarded.
- Section 3 The City Council has reviewed the purpose of the application and supports the application being submitted.