

AMENDMENT NO. 8

AGREEMENT FOR PROFESSIONAL SERVICES  
FOR  
ENVIRONMENTAL SERVICES  
BETWEEN  
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND  
AECOM TECHNICAL SERVICES, INC.

THIS EIGHTH AMENDATORY AGREEMENT is made effective MAR 3 2015, 2015, by and between Three Rivers Levee Improvement Authority ("TRLIA") and AECOM Technical Services, Inc. ("the Consultant"), who agree as follows:

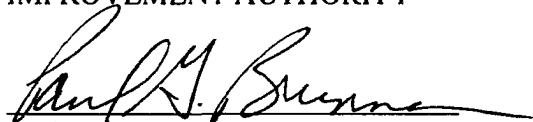
1. **Recitals.** This Amendment is made with reference to the following background recitals:
  - 1.1. Effective February 2, 2012 the parties entered into an Agreement for Professional Services relating to Environmental Services for TRLIA's Construction Program.
  - 1.2. Effective August 7, 2012 the parties entered into the first Amendatory Agreement to increase the budget by \$25,000 to a total of \$125,000.
  - 1.3. Effective December 18, 2012 the parties entered into a second Amendatory Agreement to increase the budget by \$44,955 to a total of \$169,955.
  - 1.4. Effective April 9, 2013 the parties entered into a third Amendatory Agreement to increase the budget by \$74,000 to a total of \$243,955.
  - 1.5. Effective May 7, 2013 the parties entered into a fourth Amendatory Agreement to increase the budget by \$29,705 to a total of \$273,660.
  - 1.6. Effective October 1, 2013 the parties entered into a fifth Amendatory Agreement to increase the budget by \$475,000 to a total of \$748,660; and extend the Termination Date of the contract to December 31, 2015.
  - 1.7. Effective May 6, 2014 the parties entered into a sixth Amendatory Agreement to increase the budget by \$35,000 to a total of \$783,660.
  - 1.8. Effective September 16, 2014 the parties entered into a seventh Amendatory Agreement to increase the budget by \$209,735 to a total of \$993,395.
  - 1.9. Article C.23 of the AGREEMENT, states that modifications or amendments to the terms of the AGREEMENT shall be in writing and executed by both parties;
  - 1.10. TRLIA and the CONSULTANT desire to amend the AGREEMENT;

NOW, THEREFORE, TRLIA and the CONSULTANT agree as follows.


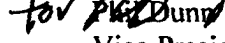
2. **Eighth Amendment to Agreement.** The Professional Services Agreement is hereby amended as follows:
  - 2.1. The scope of services (Attachment A to the Agreement for Professional Services between TRLIA and AECOM Technical Services, Inc.) is amended by the addition of effort to the original tasks as described in Exhibit I attached to this amendment agreement.
  - 2.2. The payment, budget, and not-to-exceed amounts, Condition B.1 in Attachment B to the Agreement for Professional Services between TRLIA and AECOM Technical Services, Inc. are amended to include the additional amount of \$382,386 for a total contract amount of \$1,375,781.
  - 2.3. Operative Provision 2 is amended to extend the Termination Date of the contract from December 31, 2015 to December 31, 2016.
3. **No Effect on Other Provisions.** Except for the amendments in Section 2, the remaining provisions of the Professional Services Agreement shall be unaffected and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on  
\_\_\_\_\_ MAR 3 2015 \_\_\_\_\_, 2015.

THREE RIVERS LEVEE  
IMPROVEMENT AUTHORITY

  
Paul G. Brunner  
Executive Director

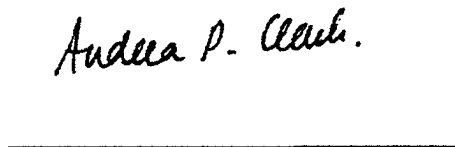
AECOM TECHNICAL SERVICES,  
INC.

  
for  Phil Dunn Jeffrey M. Goldman  
Vice President Principal

ATTEST:  
DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF DIRECTORS



APPROVED AS TO FORM:  
GENERAL COUNSEL



**AMENDED SCOPE OF SERVICES FOR AECOM TO PERFORM  
ADDITIONAL ENVIRONMENTAL SERVICES**

*FOR THE WPIC WEST LEVEE IMPROVEMENT PROJECT*

**I. INTRODUCTION**

This amended scope of services identifies additional work required to complete Tasks 1, 2, 4, and 6 described in the September 9, 2014 scope of services for the Three Rivers Levee Improvement Authority's (TRLIA) proposed Western Pacific Interceptor Canal (WPIC) 200-Year Standard Project. Since the September 9, 2014 scope of services was developed, coordination with the resource agencies has identified three additional requirements to fulfill environmental compliance for the project: 1) preparing a joint document for California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliance (instead of the U.S. Army Corps of Engineers [USACE] developing a separate NEPA document), 2) evaluating the WPIC West Levee as a potential historical resource (a new USACE requirement), and 3) preparing a California Endangered Species Act (CESA) Section 2081 Incidental Take Permit (ITP) application (a new California Department of Fish and Wildlife [CDFW] requirement). This scope of services also includes one new task to provide biological monitoring services related to project construction.

**II. SCOPE OF SERVICES**

The following scope of services includes augmentation of Tasks 1, 2, 4, and 6 described in the September 9, 2014 scope of services and the addition of Task 7. There is no change to Tasks 3 or 5.

**TASK 1: PREPARE EA/IS/MND**

**Subtask 1.2 Prepare EA/IS/MND.** The September 9, 2014 scope of services assumed USACE would prepare its own Environmental Assessment and Finding of No Significant Impact (EA/FONSI) for the proposed project (and conduct all steps of the NEPA process), based on AECOM's Initial Study and Proposed Mitigated Negative Declaration (IS/MND) that would be expanded to preliminarily address NEPA issues. However, USACE has since indicated they prefer that TRLIA prepare the EA. Therefore, AECOM will prepare a joint EA/IS/MND to satisfy both CEQA and NEPA compliance. This involves additional coordination and document reviews with USACE, re-structuring the document to focus on USACE format and content (as compared to just adding NEPA-required sections which were included in the September 9, 2014 scope of services), developing a Final EA (an IS does not need to be finalized or have responses to comments), and conducting additional NEPA process-related steps. NEPA does not require a scoping meeting or public meeting on the draft EA.

AECOM will restructure the current working administrative draft IS/MND into an administrative draft EA/IS/MND for submittal to TRLIA. After TRLIA review of the administrative draft EA/IS/MND, AECOM will submit an electronic copy of the second draft EA/IS/MND to TRLIA and USACE.

AECOM will incorporate any comments and prepare the public draft EA/IS/MND and submit to TRLIA and USACE in electronic format. AECOM will prepare a Final EA in consultation with USACE. AECOM will prepare a draft FONSI for submittal to USACE; USACE will prepare the final FONSI. AECOM will coordinate with USACE as the various drafts of the EA/IS/MND are prepared and modified.

## **TASK 2: PREPARE CULTURAL RESOURCES REPORT**

**Subtask 2.5 Evaluate the WPIC West Levee.** The WPIC West Levee was previously evaluated in 1994 within the context of Reclamation District 784 and was recommended as not meeting National Register of Historic Resources (NRHP) criteria. However, USACE has indicated the levee is within the boundaries of the Sacramento River Control Project Levee System and therefore must be re-evaluated per the criteria recently established by USACE.

AECOM will conduct the required investigation to identify and consider the significance of and effects on the WPIC West Levee. Documentation will be prepared in accordance with Section 106 of the NHPA and its implementing regulations (36 Code of Federal Regulations Part 800). The main purpose of this reassessment will be to determine if the levee meets the criteria for listing in the NRHP or the California Register of Historical Resources, per USACE guidelines.

The analysis will focus on the inventory and evaluation of the levee and will be based on existing recordation/evaluation information (if available), primary research, fieldwork, and an evaluation. All work will be conducted by an AECOM architectural historian who meets the Secretary of the Interior's Standards for work in architectural history and history. AECOM will present the methods and results of the investigation in the cultural resources report being prepared under Subtask 2.2 of the September 9, 2014 scope of services.

## **TASK 4: PREPARE ESA AND CESA COMPLIANCE**

**Subtask 4.4 Prepare CESA ITP Application and Facilitate Coordination with CDFW.** CDFW has indicated they no longer consider implementation of standard impact avoidance and minimization measures adequate to avoid direct take of giant garter snake and that TRLIA needs to obtain an ITP for the proposed project.

AECOM will prepare an application for a CESA Section 2081 ITP for potential direct take of giant garter snake that could result from the proposed project. The ITP application will be prepared in accordance with California Code of Regulations Section 783.2 requirements. The setting information, effects analysis, and compensatory mitigation discussion developed for the Biological Assessment will be adapted for use in the ITP application. AECOM assumes compensatory mitigation proposed in the Biological Assessment will be adequate to fully mitigate take of giant garter snake under CESA and that development of an alternative mitigation proposal will not be necessary.

AECOM will provide one draft of the ITP application to TRLIA for review, will incorporate comments sent to AECOM in one electronic file, and will submit an electronic copy and one hard copy of the final ITP application to CDFW and TRLIA.

The efforts required to complete coordination with CDFW and obtain an ITP can vary greatly, depending on a number of factors, such as the complexity of the project, potential extent of take, acceptance of the mitigation proposal, and workload of agency staff assigned to the project. Because CDFW has recently changed their approach to evaluating potential for take of giant garter snake and has

not issued an ITP for giant garter snake under this new approach, the coordination necessary to obtain an ITP for this project could be relatively extensive. Therefore, this scope of services assumes a maximum 20 hours will be needed for coordinating with CDFW staff after the application is submitted.

#### **TASK 6: MANAGE ENVIRONMENTAL TASKS**

The September 9, 2014 scope of services included project management costs through July 2015. With the addition of construction-related biological services, described below, the period for providing environmental services would extend through November 2016.

AECOM will attend up to five progress meetings in Sacramento from August 2015 through November 2016. This scope of services assumes an average of 0.5 hour of preparation time and 0.5 hour of travel time for each meeting, and that each meeting will last an average of 2 hours.

AECOM will manage the environmental tasks described in this scope of services and maintain close communication with TRLIA, the project engineer, and the construction contractor.

#### **TASK 7: CONDUCT CONSTRUCTION-RELATED BIOLOGICAL SERVICES**

AECOM will complete biological resources training, surveys, monitoring, and construction coordination activities necessary to ensure the project is implemented in compliance with all biological resource mitigation measures, permits, and other relevant authorizations. Based on the current anticipated schedule, construction would occur through November 2016. It is assumed construction would occur over a total of 12 months. This scope of services also includes coordination with resource agency staff regarding the results of the surveys and additional efforts that may be required to adapt avoidance and minimization measures based on survey results or unanticipated project needs.

**Subtask 7.1 Conduct Construction Monitoring.** AECOM will coordinate with HDR and the construction contractor regarding proper implementation of avoidance and minimization measures, including working with HDR to ensure biological resource protection is appropriately addressed in construction plans and specifications. AECOM biologists approved by the resource agencies will conduct regular monitoring visits to verify implementation of biological resource protection measures throughout the construction period. Monitoring efforts will include regular site visits on a weekly or bi-weekly basis, depending on the level of construction activity and sensitivity of areas where construction is taking place. Monitoring visits will sometimes occur concurrently with worker training, on-site meetings, and preconstruction survey activities described below.

AECOM biological monitors will attend regular meetings led by the construction contractor to remain apprised of construction activities and provide input on how biological resources issues might affect the construction process. It is assumed that on occasion additional meetings and conference calls with HDR and/or other members of the project team will also be required. This scope of services provides for attendance at up to five contractor and/or team meetings a month by one AECOM staff during the construction period.

AECOM biological monitors will conduct awareness training for construction personnel and other site workers, as anticipated to be required by the U.S. Fish and Wildlife Service (USFWS) and CDFW for valley elderberry longhorn beetle, vernal pool crustaceans, giant garter snake, and Swainson's hawk. It is

assumed that up to four training sessions may be required in each construction season to accommodate addition of new personnel as the construction season progresses.

**Subtask 7.2 Conduct Pre-construction Surveys.** AECOM biologists approved by the resource agencies will conduct surveys for relevant species before construction activities begin, and as necessary when construction progresses into previously undisturbed areas or intensity of construction activities increases.

Surveys for giant garter snake will be conducted immediately before (within 24 hours of) construction activity within 200 feet of suitable aquatic habitat in the WPIC. It is assumed that multiple surveys will be required to accommodate initiation of various activities in different portions of the project area, at different times during the construction season, and in multiple seasons. This scope of services includes up to ten surveys.

Surveys for nesting Swainson's hawks will be conducted before beginning project activity during the nesting season (March 15 – August 31) in any given area. These surveys will be conducted to identify locations of active Swainson's hawk nests that could be disturbed by project activities. Methods will generally follow Swainson's Hawk Technical Advisory Committee recommendations, and the survey area will include suitable habitat within 0.25 mile of the construction limits. It is assumed that 8 days of pre-construction surveys and up to 6 days of nest monitoring will be required to determine the location of active nest sites and ensure project activities do not result in nest disturbance.

Surveys will also be conducted for other nesting raptors and special-status birds before beginning project activity during the nesting season (February 15 – August 15) in any given area. These surveys will be conducted to identify locations of active nests of special-status and common raptor species (e.g., northern harrier, white-tailed kite, red-tailed hawk, great horned owl) and nests of other special status birds (tricolored blackbird and song sparrow) that could be disturbed by project activities. The survey area will vary from 200 to 1,000 feet from the construction limits, depending on the species. Additional cost for this effort is limited, because surveys will be combined, when possible, with the Swainson's hawk survey and monitoring task. It is assumed that 2 days of pre-construction surveys and up to 2 days of nest monitoring will be required in each construction season to determine the location of active nest sites and ensure project activities do not result in nest disturbance of nesting birds other than Swainson's hawk.

**Subtask 7.3 Document Surveys and Monitoring and Coordinate with Agencies.** AECOM will document pre-construction survey results and monitoring efforts in memoranda and/or letter reports prepared for TRLIA. AECOM will also coordinate with resource agency staff (USACE, USFWS, National Marine Fisheries Service, CDFW, and Central Valley Regional Water Quality Control Board), as necessary, regarding implementation of permit conditions and progress and results of survey and monitoring efforts. Reporting may include phone calls, memoranda, and/or letter reports.

### **III. SCHEDULE**

Every effort will be made to complete this scope of services by November 30, 2016. However, timing of construction monitoring is dependent on the construction schedule, which is beyond AECOM's control.

#### **IV. COST ESTIMATE**

AECOM will complete the above tasks on a time-and-materials basis for a maximum not-to-exceed cost of \$166,966, with costs by task specified below. The cost estimate is based on completion of work by November 30, 2016.

TASK 1: PREPARE EA/IS/MND: \$23,960

TASK 2: PREPARE CULTURAL RESOURCES REPORT: \$6,575

TASK 4: PREPARE ESA AND CESA COMPLIANCE: \$9,868

TASK 6: MANAGE ENVIRONMENTAL TASKS: \$15,458

TASK 7: CONDUCT CONSTRUCTION-RELATED BIOLOGICAL SERVICES: \$99,355

TASK 1 – 7 EXPENSES: \$11,750

TOTAL COST: \$166,966

# *FOR THE FEATHER RIVER SETBACK MITIGATION BANK*

## **I. INTRODUCTION**

This amended scope of services identifies the environmental services that AECOM will provide to the Three Rivers Levee Improvement Authority (TRLIA) for the proposed development of the Feather River Setback Advanced Mitigation Bank (mitigation bank).

TRLIA is proposing to establish the mitigation bank with funding support from the California Department of Water Resources. Development of the mitigation bank would include creation of 500 acres of perennial grassland, mixed riparian forest, riparian scrub, and valley oak woodland. The purpose of establishing the mitigation bank is to provide advance mitigation credits to offset future compensatory mitigation requirements for impacts associated with construction and maintenance activities related to the State Plan of Flood Control.

## **II. PROJECT APPROACH**

In 2006 and 2007, a number of environmental and biological resource permitting documents were completed for Segment 2 of the Feather River Levee Repair Project (FRLRP). The Segment 2 project area included the entire proposed mitigation bank area. Therefore, AECOM will make maximum use of information from these existing documents.

In February 2007, the TRLIA Board of Directors certified the Final Environmental Impact Report (EIR) for the FRLRP. Subsequently, TRLIA approved Addenda 1-5 to the certified EIR for various project refinements. The United States Army Corps of Engineers (USACE) completed an Environmental Assessment/Finding of No Significant Impact (EA/FONSI) on Segments 1 and 3 and an Environmental Impact Statement/Record of Decision (EIS/ROD) on Segment 2, to satisfy NEPA requirements for the FRLRP.

The proposed restoration of the mitigation bank area meets the definition of a “project” under CEQA; consequently, TRLIA as the lead agency is responsible for fulfilling CEQA requirements. AECOM has reviewed environmental documents prepared for the FRLRP in light of CEQA Guidelines and potential project impacts to determine the appropriate CEQA documentation. The recommended strategy for CEQA compliance is to prepare a new stand-alone Initial Study/proposed Mitigated Negative Declaration (IS/MND).

A preliminary assessment of the proposed project’s impacts has identified potential impacts to endangered species and cultural resources that may require mitigation. Conversion of agricultural lands, including the entire proposed project’s footprint, was addressed in the FRLRP EIR, EA, and EIS; no further analysis of this issue is necessary. Feasible mitigation measures appear available to reduce impacts to a less-than-significant level and allow TRLIA to prepare an IS/MND for the proposed project.

The proposed mitigation bank restoration will likely require USACE approval under 33 United States Code 408 (Section 408). As the responsible agency for Section 408 permission, USACE would be the lead federal agency responsible for fulfilling National Environmental Policy Act (NEPA) requirements. The NEPA document expected to be required for the proposed project is an EA/FONSI. Consequently, AECOM will prepare a joint EA/IS/MND.



### III. SCOPE OF SERVICES

The following scope of services describes the tasks that AECOM will perform to obtain the following environmental approvals and permits:

- CEQA compliance (Notice of Completion [NOC], IS/MND, Notice of Determination [NOD], and Mitigation Monitoring and Reporting Program [MMRP])
- NEPA compliance (EA and draft FONSI)
- United States Fish and Wildlife Service (USFWS) Endangered Species Act (ESA) compliance
- California Department of Fish and Wildlife (CDFW) California ESA (CESA) compliance
- CDFW Streambed Alteration Agreement
- Native American Heritage Commission (NAHC) and State Office of Historic Preservation (SHPO) coordination

The following approvals and permits are *not* part of this scope of services and will be obtained by TRLIA and other contractors:

- Central Valley Flood Protection Board (CVFPB) approval
- USACE Section 408 approval
- RWQCB Section 402 National Pollution Discharge Elimination System (NPDES) compliance
- Reclamation District 784 Encroachment Permit
- Yuba County Grading Permit

#### **TASK 1: PREPARE EA/IS/MND**

**Subtask 1.1 Prepare Project Description.** River Partners will provide a detailed project description that AECOM will use to prepare the project description for the EA/IS/MND. The draft project description will be submitted to TRLIA electronically for review and comment. AECOM will make necessary changes to the draft project description based on comments received from TRLIA and River Partners. AECOM will submit a final project description to TRLIA electronically; this version will be included in the EA/IS/MND and used in all subsequent impact analyses.

**Subtask 1.2 Prepare EA/IS/MND.** AECOM will use as much information as possible from the FRLRP DEIR and other environmental documents prepared for Segment 2 of the FRLRP to expedite and streamline analyses in the EA/IS/MND. AECOM will address impacts identified in the environmental checklist form in Appendix G of the State CEQA Guidelines with explanations and analysis for each response, including “No Impact” responses. The level of analysis and degree of impact will vary depending upon the environmental topic. For each environmental issue, AECOM will describe existing conditions, assess potential environmental impacts, and recommend feasible mitigation measures, where applicable. Other federal, state, regional, or local agencies with permit requirements or other approval authority will be identified where appropriate. The EA/IS/MND will address NEPA requirements such as purpose and need, socioeconomics and environmental justice sections, and provide more detailed

information on wetlands, federally threatened and endangered species, and cultural resources covered under Section 106 of the National Historic Preservation Act (NHPA). As identified in USACE EC 1165-2-216, the EA/IS/MND will analyze the no-action alternative and the proposed action only. The EA/IS/MND analysis will not include visual simulations, water quality modeling, or traffic modeling; limited air quality modeling will be conducted.

AECOM will submit an electronic copy of the first draft EA/IS/MND to TRLIA for review and comment. AECOM will incorporate and respond to one consolidated set of TRLIA comments on the administrative draft EA/IS/MND and submit an electronic copy of the second draft EA/IS/MND to TRLIA and USACE. AECOM will incorporate any comments and prepare the public draft EA/IS/MND and submit to TRLIA in electronic format. AECOM will also prepare the NOC, NOD, and MMRP in a similar manner. AECOM will prepare a draft FONSI for submittal to USACE; USACE will prepare the final FONSI.

AECOM will file 15 copies of the public EA/IS/MND and a notice of completion with the State Clearinghouse for the 30-day public and agency review period. AECOM will deliver five bound copies, and Microsoft Word and PDF copies, of the public EA/IS/MND to TRLIA. AECOM will distribute the public EA/IS/MND on cd to up to 50 interested stakeholders. AECOM will prepare a notice of intent (NOI); it is assumed that TRLIA will publish the NOI in a newspaper of general circulation in the area affected by the proposed project.

**Subtask 1.3 Prepare Response to Comments.** Upon completion of the public review process for the EA/IS/MND, and after discussing with TRLIA and USACE any comments received on the environmental analysis, AECOM will prepare a draft response to comments report (RTC) for TRLIA review and Final EA for USACE review. It is assumed that comments will be relatively minor and comments for all responses will not be more than five pages in length. AECOM will submit the draft RTC and draft NOD in electronic form to TRLIA for review and comment. Upon receipt of one set of consolidated TRLIA comments, AECOM will prepare and submit the final RTC to TRLIA in electronic format. It is assumed that TRLIA will file the NOD with the State Clearinghouse following MND adoption and pay any necessary filing fees (e.g., CDFW). AECOM will submit the draft Final EA and draft FONSI to USACE for review and comment. Upon receipt of one set of consolidated USACE comments, AECOM will prepare and submit the final EA to USACE in electronic format. It is assumed that USACE will conduct all NEPA public noticing requirements.

## **TASK 2: PREPARE CULTURAL RESOURCES REPORT**

Compliance with Section 106 of the NHPA will be required for the proposed project. A cultural resources investigation of the proposed mitigation bank area was conducted nearly 8 years ago, in support of the FRLRP. This investigation revealed three prehistoric sites adjacent to the mitigation bank area. These prehistoric resources have not been evaluated, but based on current information could be potentially eligible for the National Register of Historic Places (NRHP) and California Register of Historical Resources. USACE is anticipated to require an updated records search, Native American coordination, and field survey because of the sensitivity of the area and length of time since the previous investigation.

Assembly Bill (AB) 52 requires Native American consultation. The notice of intent to adopt an MND will occur prior to July 1, 2015, which is the trigger date for compliance with AB 52. Consequently, compliance with AB 52 requirements are not needed or included in this Scope of Services.

**Subtask 2.1 Conduct Archival Research and Document Review.** AECOM will conduct a records review and archival research of sources consulted to develop the archaeological background for prehistory and the historic-era. Records searches will be conducted at numerous repositories, including but not limited to the North Central Information Center and the California State Library.

**Subtask 2.2 Conduct Field Survey.** AECOM staff will prepare an appropriate Area of Potential Effects (APE) map. The APE will include all areas of proposed project activities. AECOM will submit the APE map to TRLIA to send to USACE for review. The map will be finalized with USACE before field work begins. Field methods for the surface identification of archaeological resources will be based upon the sensitivity of the area, and will consist of transect intervals ranging from 15 to 30 meters.

AECOM will conduct needed investigations to identify and consider the effects for archaeological resources and will prepare appropriate documentation in accordance with Section 106 of the NHPA and its implementing regulations (36 Code of Federal Regulations Part 800). Documentation of all previous and newly identified resources will include preparation of detailed California Department of Parks and Recreation (DPR) 523 forms, mapping of all features, diagnostic artifacts and site boundaries using a hand held Trimble GPS unit with submeter accuracy. This Scope of Services assumes recordation of up to four archaeological resources within the APE.

**Subtask 2.3 Prepare Cultural Resources Report.** AECOM will prepare a technical report that updates the cultural resources information provided in the Cultural Resources Assessment for the FRLRP (EDAW 2007). Information will be presented in accordance with Section 106 standards and USACE guidelines. The report will include a description of the current project setting; results of the previous investigations; results of archival research and consultation efforts; methods and results of the field investigation; documentation of additional consultation as required under Section 106 of the NHPA; and discussion of results and findings of the current investigation and NRHP eligibility recommendations. The report will include an APE map and locations for known cultural resources. Copies of DPR recordation forms and photographs will be included as an appendix.

AECOM will provide an electronic version of the draft cultural resources report to TRLIA for review, will incorporate comments sent to AECOM in one electronic file, and will submit an electronic copy of the final Cultural Resources Report to TRLIA and three hard copies (two for later submission to USACE).

**Subtask 2.4 Facilitate NHPA Section 106 Compliance.** The Section 106 process generally requires the SHPO to concur with any cultural resource findings. To facilitate SHPO review, the Cultural Resources Report will include, but will not necessarily be limited to, a description of the proposed project, results of a records search update and a finding of effect as appropriate/possible.

AECOM assumes that one hard copy of the final technical report submitted to USACE under Task 2.2 will be provided to the SHPO by USACE. AECOM assumes that USACE will conduct formal consultation with SHPO throughout the course of the proposed project. However, AECOM will coordinate with USACE and/or SHPO to facilitate completion of the consultation process. This scope of work assumes a maximum 8 hours for coordination.

### **TASK 3: CONDUCT WETLAND DELINEATION**

A wetland delineation was conducted for Segment 2 of the FRLRP (EDAW 2007) and verified by USACE in 2008. The delineation study area included the proposed mitigation bank area. However, the verification expired in September 2013, and the onsite conditions have changed substantially since the delineation was verified. AECOM wetland specialists will conduct a jurisdictional delineation of the proposed mitigation bank area and adjacent areas of riparian woodland/scrub and intermittent drainage to confirm there are no jurisdictional features in the mitigation bank area and to identify the current

boundaries of adjacent jurisdictional features. The exact location and boundary of all jurisdictional waters of the United States that could be affected by the proposed project, will be determined.

**Subtask 3.1 Conduct Literature Review and Field Preparation.** AECOM's wetland specialists will review existing wetland data, including the 2007 wetland delineation report, USFWS National Wetland Inventory maps, U.S. Department of Agriculture Natural Resources Conservation Service soil survey information, U.S. Geological Survey 7.5-minute series topographic quadrangles, and existing topographic maps and aerial photographs of the project site.

**Subtask 3.2 Conduct Wetland Delineation.** AECOM's wetland specialists will conduct a field delineation of jurisdictional waters of the United States, including wetlands, that could be affected by the proposed project. The study area will include the entire approximately 500-acre mitigation bank area and will extend up to approximately 200 horizontal feet beyond the mitigation area boundaries where potentially jurisdictional features are present in adjacent areas. The location and boundaries of jurisdictional areas mapped in the 2007 delineation report will be confirmed or adjusted, as necessary. The USACE multi-parameter methodology will be used to delineate any jurisdictional features that may have become established in the mitigation bank area. Field data sheets will be completed for each data point. It is assumed that field work can be completed by two biologists in 2 days.

**Subtask 3.3 Prepare Wetland Map.** AECOM will prepare a wetland map showing the extent and location of all jurisdictional waters of the United States, including wetlands, within the study area. This map will be prepared in accordance with USACE requirements. The preferred base map for this effort is a recent aerial photograph (minimum scale of 1 inch = 200 feet).

**Subtask 3.4 Prepare Wetland Delineation Report.** A jurisdictional wetland delineation report that summarizes methodology, existing conditions, and findings will be prepared. Final copies of all wetland data sheets will be included as attachments to the report. AECOM will provide one electronic copy of the draft report to TRLIA for review and comment, and subsequently will prepare and submit the final report to TRLIA and to USACE with a request for verification.

**Subtask 3.5 Conduct USACE Field Verification Meeting.** An AECOM wetland specialist will coordinate and attend a field verification meeting with USACE.

#### **TASK 4: PREPARE ESA AND CESA COMPLIANCE**

The proposed project will require Section 408 approval from USACE. Therefore, Section 7 consultation between USACE and USFWS and National Marine Fisheries Service (NMFS) will be required.

**Subtask 4.1 Conduct Biological Resources Field Surveys.** AECOM biologists conducted reconnaissance surveys of the proposed mitigation bank area in support of the EIR and biological permitting for the FRLRP. However, on-site conditions have changed substantially since these surveys were conducted, and updated habitat evaluations for species to be addressed in the biological assessment are required. Based on habitat likely to be present on and adjacent to the mitigation bank area, AECOM assumes focused surveys would only be required for elderberry shrubs that could provide habitat for valley elderberry longhorn beetle. AECOM biologists familiar with the natural resources of the project site will map the location of elderberry shrubs within 100 feet of the Mitigation bank area. It is assumed a protocol-level stem count will not be necessary because any elderberry shrubs present would be retained and provided a buffer adequate to avoid or minimize adverse impact. The potential presence of any additional species or habitats considered sensitive, threatened, endangered, or otherwise unique by

government agencies (e.g., USFWS, CDFW), or recognized conservation organizations (e.g., California Native Plant Society), will also be evaluated. This fieldwork will support preparation of the biological assessment and the biological resources section of the EA/IS/MND. It is assumed that field work can be completed by two biologists in 1 day.

**Subtask 4.2 Prepare Biological Assessment and Facilitate Section 7 Consultation.** AECOM will prepare a joint biological assessment for USFWS and NMFS that evaluates effects to federally listed species that could result from the proposed project. The biological assessment will be prepared in accordance with USFWS and NMFS guidelines and will include a summary of consultation to date, a description of the proposed action, an account of each species addressed, an assessment of project effects, a description of measures to minimize and compensate for potential effects, and an effect determination for each species. Based on results of Section 7 consultations completed for the FRLRP, AECOM assumes the biological assessment will address the following species: valley elderberry longhorn beetle, Central Valley spring-run Chinook salmon, Central Valley steelhead, and North American green sturgeon.

AECOM will provide one draft of the biological assessment to TRLIA for review, will incorporate comments sent to AECOM in one electronic file, and will submit an electronic copy and one hard copy of the final biological assessment to TRLIA and USACE.

Upon transmittal of the biological assessment to USFWS and NMFS, Section 7 consultation will be requested by USACE. The efforts required to complete the consultation can vary greatly, depending on a number of factors, such as the extent of potential effects and workloads of agency staff assigned to the project. AECOM assumes that the proposed project will result in a not likely to adversely affect determination for all species addressed and that efforts required beyond preparation for the biological assessment will be relatively minimal. This scope of work assumes a maximum 30 hours will be needed for consultation.

**Subtask 4.3 Prepare CESA Compliance Analysis.** The potential for the proposed project to result in direct take of state-listed species will be evaluated as part of Subtask 4.2 and the CEQA process (Task 1). Based on results of surveys conducted in support of the FRLRP and the CESA Incidental Take Permit obtained for the FRLRP, AECOM assumes that with implementation of avoidance and minimization measures, it will be possible to avoid direct take of state-listed species. AECOM will prepare a report that addresses potential effects on state-listed species and describes measures that would be implemented to avoid take.

AECOM will provide one draft of the report to TRLIA for review, will incorporate comments sent to AECOM in one electronic file, and will submit an electronic copy and one hard copy of the final report to TRLIA. AECOM will submit an electronic copy and one hard copy to CDFW if requested by TRLIA.

## **TASK 5: PREPARE SECTION 1602 STREAMBED ALTERATION NOTIFICATION**

Because CDFW jurisdiction includes the Feather River floodplain, a Streambed Alteration Agreement would be required for the proposed restoration. AECOM will prepare a draft Streambed Alteration Notification that includes: a complete project description; at least 30% design drawings for the project (in CADD or ArcGIS); information on federally and state-listed species that could be affected by the project; plans showing the restoration area; project schedule; and proof of fee payment. This scope of

work assumes there would be no removal of riparian vegetation and that TRLIA will pay the CDFW-required filing fee associated with obtaining a Streambed Alteration Agreement.

AECOM will provide one draft of the Streambed Alteration Notification to TRLIA for review, will incorporate comments sent to AECOM in one electronic file, and will submit one electronic and one hard copy to CDFW and TRLIA.

AECOM assumes that one coordination meeting with CDFW may be required (typically a field visit) and that this meeting will be attended by one AECOM staff to discuss project characteristics, permit requirements, and permitting schedule. Additional telephone/e-mail coordination with CDFW will be conducted by AECOM, to ensure that the permit application materials are technically accurate and meet the needs of CDFW. For purposes of this scope of work, a maximum 15 hours of time will be allocated for AECOM to coordinate with CDFW after the application is submitted.

#### **TASK 6: MANAGE ENVIRONMENTAL TASKS**

AECOM will attend one project initiation meeting in Sacramento with TRLIA to review scope, schedule and communication protocols for the project; identify any additional information needs and sources, and key contacts; and identify key issues known to be of concern to agencies, interest groups, and the public and discuss level of analysis anticipated. AECOM will hold an internal kick-off meeting with staff.

AECOM will attend up to six additional project meetings in Sacramento from April 2015 through July 2016. AECOM will also participate in one public/board meeting in Marysville for the adoption of the IS/MND.

This scope of services assumes an average of 0.5 hour of preparation time and 0.5 hour of travel time for each meeting (1.5 hours for the Marysville meeting), and that each meeting will last an average of 2 hours.

AECOM will manage the environmental tasks described above and maintain close communication with TRLIA, TRLIA's contractors, and DWR. AECOM will work with TRLIA to develop a schedule for the tasks identified in this scope of services.

#### **IV. SCHEDULE**

Every effort will be made to complete this scope of services by July 31, 2016. However, obtaining permits is highly dependent on the review times of the regulatory agencies, which is mostly beyond AECOM's control. A detailed schedule will be developed with TRLIA as part of Task 6.

#### **V. COST ESTIMATE**

AECOM will complete the above tasks on a time-and-materials basis for a maximum not-to-exceed cost of \$224,719, with costs by task specified below. The cost estimate is based on completion of work by July 31, 2016.

TASK 1: PREPARE EA/IS/MND - \$99,951

TASK 2: PREPARE CULTURAL RESOURCES REPORT - \$27,140

TASK 3: CONDUCT WETLAND DELINEATION - \$20,390

TASK 4: PREPARE ESA AND CESA COMPLIANCE - \$29,546

TASK 5: PREPARE SECTION 1602 STREAMBED ALTERATION NOTIFICATION - \$9,842

TASK 6: MANAGE ENVIRONMENTAL TASKS - \$23,301

TASK 1 – 6 EXPENSES: \$5,250

TOTAL COST: \$215,420

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TASKS	Rate/Hour	Project Director \$283	Project Manager \$145	Sen. Env. Planner \$175	Regulatory Spec. III \$170	Biologist II \$149	Envir. Analyst II \$113	Architect. Hist. III \$128	Architect. Historian \$98	Wildlife Biologist II \$98	Biologist \$77	Graphic Artist \$113	GIS Spec \$95	Tech Writer/Editor \$113	Word Proc. \$85	Project Coord. \$92	Hours	Dollars
<b>MODIFIED COST ESTIMATE</b>																		
<b>Task 1 Prepare EA/IS/MND</b>																		
1.2 Prepare EA/IS/MND		20		40		100											160	\$23,960
Subtotal Task 1		20	0	40	0	100	0	0	0	0	0	0	0	0	0	0	160	\$23,960
<b>Task 2 Prepare Cultural Resources Report</b>																		
2.4 Evaluate the WPIC West Levee								20	40								61	\$6,575
Subtotal Task 2		0	0	0	0	0	0	20	40	0	0	0	0	0	0	0	61	\$6,575
<b>Task 4 Prepare ESA and CEQA Compliance</b>																		
4.4 Prepare CEQA I/P, Application and Facilitate Consultation		2			4	50											68	\$9,868
Subtotal Task 4		2	0	0	4	50	0	0	0	0	0	0	4	4	4	0	68	\$9,868
<b>Task 6 Manage Environmental Tasks</b>																		
6 Project Management		16	50														106	\$15,458
Subtotal Task 6		16	50	0	0	0	0	0	0	0	0	0	0	0	0	40	106	\$15,458
<b>Task 7 Construction-Related Biological Services</b>																		
7.1 Conduct Construction Monitoring						10				180	420						610	\$51,470
7.2 Conduct Pre-Construction Surveys			40		10	40				100	80						190	\$17,450
7.3 Document Surveys/Monitoring and Coordinate with Agencies		0	40	0	10	60	0	0	0	75	125					290	\$30,435	
Subtotal Task 7		0	40	0	10	60	0	0	0	355	625	0	0	0	0	0	1090	\$99,355
Total Labor Hours		38	90	40	14	110	100	20	40	385	625	0	5	4	4	40	1485	\$185,216
Total Direct Labor Dollars		\$10,754	\$13,050	\$7,000	\$2,380	\$16,380	\$11,500	\$2,560	\$3,920	\$34,790	\$48,125	\$0	\$475	\$462	\$340	\$3,860		\$185,216
<b>OTHER DIRECT COSTS</b>																		
1. Printing/Other Reproduction																		\$1,000
2. Database Searches																		\$0
3. Messenger/Vehicle Rental/Fuel/Per Diem																		\$10,000
4. Postage/Delivery																		\$500
5. Miscellaneous																		\$250
Total Other Direct Costs																		\$11,750
<b>TOTAL ESTIMATED COST</b>																		<b>\$196,966</b>