

Staff Report

for the Board of Directors Meeting of February 14, 2018

TO: Board of Directors

FROM: Gary D. King PE PhD, Engineering Manager

DATE: February 7, 2018

SUBJECT: **CEQA contract for Replacement of the Hemphill Diversion Structure (FATR#7032)**

ENGINEERING

RECOMMENDATION:

Approve a contract with Helix in the amount of \$228,000 for the CEQA work on the Hemphill Diversion Structure replacement as recommended by January 16, 2018, Engineering Committee, and authorize the General Manager to execute the appropriate documents.

BACKGROUND:

Currently, the District has completed an options analysis and selected Alternative 4 River Bank Infiltration. The proposed California Environmental Quality Act (CEQA) study is being developed as an Environmental Impact Report (EIR). Staff recommends an EIR due to the controversial and difficult issues relevant to working in and near Auburn Ravine.

The District requested proposals from three consultants. One consultant indicated that they were unable to propose due to existing commitments. We received proposals from two other consultants; Kleinschmidt and Helix with costs at \$245,000 and \$228,000 respectively. We have worked with both of these consultants, and both are recommended for this contract.

It is the recommendation of the Engineering Committee and staff to approve this contract with Helix.

BUDGETARY IMPACT:

The Hemphill project is in 2018 budget for \$400,000 in the Administration Non-Programmatic Budget (10114-52915). After this commitment, there will be \$172,000 remaining.

GDK

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January 8, 2018

Mr. Gary D. King, Engineering Manager
Nevada Irrigation District
1036 W. Main Street
Grass Valley, CA 95945-5424

Subject: Proposal to Prepare an EIR for the Removal and Replacement of the Hemphill Diversion Structure

Dear Mr. King:

HELIX Environmental Planning, Inc. (HELIX) is pleased to submit this proposal to the Nevada Irrigation District (NID) to provide California Environmental Quality Act (CEQA) compliance consulting services for the Hemphill Diversion Structure's removal and replacement. As described in our proposal, the HELIX team has the qualifications and experience required to support NID in the preparation of the necessary CEQA documentation and the associated technical studies to evaluate conceptual alternatives for continuing to provide water to the Hemphill canal customers (existing and future demand) with or without the Hemphill Structure in place. Team members were chosen specifically for their experience in providing similar types of services, familiarity with issues and resources related to this NID project, and local presence and experience.

HELIX Environmental Planning, Inc. (HELIX) was established in 1991 to serve the California environmental consulting market; in 2011, we opened our Northern California office in Folsom. Primary disciplines provided by HELIX include preparation of environmental documentation in compliance with California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA); biology, cultural, acoustical, and air quality studies; regulatory permitting; public outreach and involvement; visual impact assessment; and native habitat restoration design and construction.

HELIX's core service is the provision of CEQA and NEPA related environmental compliance documents to public agencies and private clients, including Categorical Exemptions/Exclusions (CE), Environmental Assessments (EA), Initial Studies/Mitigated Negative Declarations (IS/MND), Findings of No Significant Impacts (FONSI), and Environmental Impact Reports/Statements (EIR/EIS). Our CEQA compliance experience has included the successful preparation of hundreds of CEQA documents for public agencies ranging from CE/Exclusions and simple IS/MNDs to complex joint CEQA documents. HELIX has extensive experience in implementing all aspects of the environmental process and understands the importance of assuring that regulatory procedures are rigorously followed in order to avoid delays. Our experience with environmental processing also includes the preparation and distribution of CEQA notices and other

public notices; organizing and facilitating public scoping meetings; responding to public comments; preparing and implementing mitigation monitoring and reporting plans; and making presentations at public hearings.

HELIX has completed CEQA-compliance programs for over 200 water projects of all types, as well as other types of infrastructure projects, throughout California. We have served over 20 different water agencies throughout California, including NID, and we currently hold over 10 on call/as-needed environmental services contracts with water agencies, many of which have been retained for more than a decade. Current or completed NID projects include: Loma Rica Reservoir Cleaning, Meade Canal, Raw Water Master Plan, Hemphill Diversion Facility Water and Fish Studies, and the Loma Rica Hydroelectric Facility.

NID's Hemphill Diversion Structure has been utilized by the District since its purchase of the facility in 1933. The Structure is an approximately 8-foot-tall, concrete structure located in Auburn Ravine near the community of Lincoln in Placer County, California. Historically, the Structure has been fitted with 3-foot-tall flashboards during the District's irrigation season (April to October) to increase the water surface elevation upstream and direct flow into the Hemphill canal. The canal intake is located 40 feet upstream of the Structure and historic flow data indicate that the average daily canal flow during irrigation season ranged from 6 to 16 cubic feet per second (cfs). Flows in Auburn Ravine downstream of the Structure can range from 10 cfs to 180 cfs during irrigation season. The peak flow estimated in the 2011 Phase II Raw Water Master Plan (RWMP) indicated that the Hemphill canal would have a peak demand of approximately 18 cfs by the year 2032. Kleinschmidt has developed an Alternatives Analysis to identify feasible project alternatives and HELIX will continue to work with NID and Kleinschmidt during the CEQA process for this project to refine the proposed project description and to further evaluate project alternatives.

As the Principal-in-Charge, I will be your primary point of contact for the project. I have over 30 years of experience and have previously managed successful contracts with NID. I have also managed CEQA and regulatory compliance programs for many other water agencies and special districts throughout the state. The other HELIX team members identified in this proposal are very familiar with NID and its service area, having worked on other projects for NID as well as projects within the NID service area.

The HELIX team offers NID distinct attributes important to successfully execute this contract:

- **HELIX is a well-established firm and an experienced contractor for water agencies, including NID.** HELIX was established in 1991 and employs 150 staff throughout California. We have the systems in place to define our "marching orders," exercise the contract, and to mobilize our team expeditiously.
- **The HELIX team's Principal, PM and technical experts are highly experienced environmental professionals.** We can solve complex issues that may be associated with any of the tasks under this contract.
- **The HELIX team has the capacity to meet NID's needs.** We have assembled a group of seasoned experts to ensure that NID's expectations are met regarding the work at hand. We understand NID's mission, programs, and our role in assisting you to meet your needs. HELIX is a full-service technical firm that has a strong understanding of permit requirements and agency expectations

and we are ready to commence the regulatory process after the CEQA process gets underway. We are an effective team member during project planning, entitlement, and implementation.

SCOPE OF SERVICES

This section of the proposal provides a summary of the major tasks to be performed by HELIX on this project. Upon formal selection, and for the purposes of contracting, our Scope of Services may be more fully defined. The current Scope of Work is focused on CEQA compliance for the project.

1.0 NOTICE OF PREPARATION/INITIAL STUDY/SCOPING MEETINGS

The HELIX Team will prepare a draft Notice of Preparation (NOP) and Initial Study (IS) (per State CEQA Guidelines Section 15063) using the standard Appendix G Checklist as its basis. The IS will be designed to focus the EIR on relevant topic areas; the NOP will alert public agencies and other stakeholders that an EIR will be prepared. HELIX will assist NID in presenting the project at a public scoping meeting in the NID service area. Upon completion of the public scoping meeting, HELIX will prepare a summary memorandum based on informal notes and feedback from the meetings.

In order to assure that the CEQA analyses accurately reflect all aspects of the proposed project, HELIX will work closely with NID and Kleinschmidt in the early stages of CEQA process to refine the Project Description and alternatives. The Project Description will discuss the goals and objectives and describe the its major features. The Project Description will describe both the construction and operational project phases of the project, and it will include supporting graphics.

DELIVERABLES: Draft Project Description; Internal Draft and Public Review NOP/IS; Notices for State Clearinghouse.

2.0 TECHNICAL STUDIES

This scope of work assumes that the following technical studies will be prepared by HELIX, and that soils, geological, hydrological and engineering reports will be provided by NID for our use in the EIR:

- Biological Resources
 - Baseline Biological Survey [includes tree inventory]
 - Focused Species Surveys [California red-legged frog habitat assessment (includes stand-alone report), western pond turtle visual encounter surveys, valley elderberry longhorn beetle elderberry shrub stem counts and exit hole surveys (if elderberry shrubs are present)]
 - Analysis of Federally-listed California Central Valley (CCV) Steelhead DPS (Distinct Population Segment), CCV steelhead DPS designated critical habitat, and Pacific salmon Essential Fish Habitat (EFH), including Central Valley fall/late fall–run Chinook salmon ESU (Evolutionarily Significant Unit);
 - Rare plant surveys (e.g., big-scale balsamroot)
 - Delineation of Wetlands and Other Waters of the U.S.
 - Biological Technical Report
- Cultural Resources
 - Records Searches
 - AB 52 Compliance Assistance

- Field Survey
- Technical Report
- Noise
 - Site Visit
 - Research
 - Technical Report
- Air Quality/GHG
 - Research and run California Emission Estimator Model (CalEEMod)
 - Technical Report

3.0 ENVIRONMENTAL IMPACT REPORT (EIR)

3.1 ADMINISTRATIVE DRAFT ENVIRONMENTAL IMPACT REPORT (ADEIR)

The ADEIR will contain the requisite components of an EIR, including an Executive Summary, Introduction, and Project Description as outlined in State CEQA Guidelines Section 15168. The IS prepared in Task 1.0, above, will help focus the EIR on the Project's relevant issues. Major topics to be addressed in detail in the ADEIR will include:

- Air Quality/Greenhouse Gases
- Biological Resources (both terrestrial and aquatic)
- Cultural Resources
- Geology and Soils
- Hydrology and Water Quality
- Noise

Alternatives: After the proposed project has been defined, in consultation with NID, we will consider alternatives. Alternatives will be developed based on the need to avoid or reduce the potentially significant impacts identified for the proposed project. At a minimum, we anticipate an evaluation of two other alternatives, in addition to the No Project Alternative.

Cumulative Impacts: An EIR must discuss cumulative impacts if the incremental effect of a project, combined with the effects of other projects is "cumulatively considerable." Such incremental effects are to be viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. Together, these projects comprise the cumulative scenario which forms the basis of the cumulative impact analysis. Both the severity of impacts and the likelihood of their occurrence are to be reflected in the discussion, but the discussion need not be as detailed as provided for the effects attributable to the project alone.

Other CEQA Requirements: The EIR will identify any significant and unavoidable impacts, and discuss any significant and irreversible environmental changes from the project.

DELIVERABLES: Administrative DEIR (first and second drafts) distributed to NID in electronic format (Microsoft Word and Adobe Acrobat PDF). Five hardcopies will also be provided, not including the technical studies.

3.2 DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

HELIX will prepare and print the DEIR for public distribution and review after authorization from NID. In addition, draft Notices of Completion and Availability will be produced and submitted to NID for comment. After receiving a single round of comments from NID on the draft Notices, final Notices will be prepared. The Notice of Completion will be filed with the County Clerk/State Clearinghouse and the Notice of Availability will be published.

DELIVERABLES: Public Review Draft EIR distributed to NID, the State Clearinghouse (SCH), and Interested Parties in hardcopy and/or electronic format (Microsoft Word and Adobe Acrobat PDF). Draft/Final Notice of Completion and Availability (submitted to the County Clerk and SCH).

3.3 FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) AND MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Upon closure of the 45-day public review period, HELIX will receive public comments from the State Clearinghouse (via NID) and prepare draft responses to all of the comments. NID (including Counsel) will review the draft responses and provide a unified set of comments for HELIX to incorporate into the Administrative FEIR. HELIX will prepare and submit a FEIR for NID review. After review by NID, HELIX will prepare the FEIR for submittal to NID for distribution.

The FEIR shall also consist of a MMRP. As necessary, HELIX will prepare Findings of Fact (FOF), as needed, with input from NID and the HELIX team. The FOF will describe each significant impact anticipated to occur as a result of the proposed project and make a determination as to whether mitigation measures are available to reduce each significant impact to below a level of significance. In the event one or more significant impacts cannot be reduced to below a level of significance, the HELIX team will prepare a draft Statement of Overriding Considerations (SOC) identifying the social, economic, or other factors taken into consideration in the decision to approve the project despite unmitigated significant environmental impacts. The identification of overriding economic factors does not include original research to determine those factors. Such information would be provided by NID or another party. The HELIX team will prepare a draft Notice of Determination (NOD) associated with and NID's decision to approve the project and to certify the accompanying FEIR.

DELIVERABLES: Responses to Comments; First Admin FEIR, Second Admin FEIR, FEIR; MMRP; SOC; and NOD.

4.0 PUBLIC INVOLVEMENT SUPPORT SERVICES

As described above, HELIX will prepare and distribute all required CEQA Notices including the NOP, NOC and NOD. HELIX will also prepare for and attend meetings as part of the CEQA process for this project including scoping meetings and formal public hearings. Presentations may be made by HELIX at these meetings in support of NID staff and four (4) formal meetings are assumed in this Scope of Services. HELIX will work with NID to prepare PowerPoint presentations and mounted graphics for use at each of

these meetings. Sign-in sheets and summary handouts will be provided by HELIX in advance of each meeting. HELIX will prepare draft & final newspaper ads and public notification postcards in advance of each of the formal meetings and we will work with NID to develop and maintain a master mailing list for the project.

DELIVERABLES: PowerPoint presentation(s); attend up to 4 public meetings; meeting sign-in sheets, handouts and presentation boards; master mailing list; newspaper ads; meeting notification postcards.

5.0 MANAGEMENT/MEETINGS/QUALITY ASSURANCE

HELIX will participate in a project kick-off meeting and regular formal and informal team meetings, as necessary. This scope of work also includes internal and external technical team management as well as time spent to implement our QA/QC program.

The HELIX Team's project management process provides ongoing QA/QC throughout a project. Our priority is providing excellent service to our clients within the boundaries of our project work programs, schedules, and budgets. Each member of the project team commits to high-quality products and professionalism in all of our interactions with staff, elected officials, and stakeholders. Quality of project deliverables implies numerical accuracy, internal consistency, and conformance to specified methods and project performance or operational standards. We also maintain a high level of QA/QC by having senior personnel involved in each aspect of the project work.

HELIX prides itself on preparing legally defensible and readable environmental documents and associated technical documents that meet our client's needs. We employ strict organization, graphic clarity, and document formatting as tools to ensure that environmental documents are easy to navigate and clearly address issues germane to NID.

In order to ensure document quality, the following quality control checks will be conducted by the team:

- Technical sections of the environmental document and technical studies are reviewed by the team's senior staff member associated with the topic (e.g., biological resources lead, cultural resources lead) for technical accuracy and completeness.
- After technical sections and studies are approved by the team's senior staff member, they are reviewed by the Project Manager for accuracy in addressing the specifics of the project, meeting client expectations and compliance with the scope of work.
- After project management team review, technical sections and studies are reviewed by the HELIX Principal /QA/QC manager, who reviews for adequacy associated with current CEQA case law and as a set of "clean eyes" since this individual is not directly working on the document.
- Final review consists of our technical editor, who checks for consistency in use of terms, facts, references, grammar, spelling, and document format.

ASSUMPTIONS/LIMITATIONS

The following assumptions and limitations, in addition to those specified in the Scope of Services, are a material component of this proposal.

- HELIX will be provided with detailed site and grading plans for the proposed project and alternatives, and copies of any other documents that would be applicable for use in the preparation of the technical reports.
- Once preparation of the technical reports has begun, no changes to the project design will occur such that re-analysis will be required.
- If the project-specific assumptions are not available, CalEEMod model defaults would be used to run the AQ/GHG models based on the proposed project activities.
- The project would incorporate all applicable project design features in the PEIR.
- Applicable public agencies may identify additional study requirements after receipt of one of the EIR and technical analyses.
- This scope of work does not include detailed designs to mitigate project impacts.
- It is assumed that Client will be responsible for the distribution of all documents and meeting notification postcards.
- Document reproduction costs are not included in our cost estimate and will be invoiced to Client at cost plus 5%. Costs for filing fees and newspaper ad posting will also be paid by Client.
- This scope of work does not include resource agency consultation, permitting, or mitigation planning for impacts to biological resources or waters of the U.S./State. Should it be required, it may be provided under additional authorization.

STAFFING

HELIX team members assigned to the project are identified below and shown on the accompanying Organization Chart. Their qualifications are summarized on the accompanying Experience Matrix.

Key Personnel

David Claycomb, AICP
Joanne Dramko, AICP
Stephen Stringer
Tom Keegan
Carrie Wills
Charles Terry
Chad Johnson
Catherine Silvester

Responsibilities

Principal, Primary Point of Contact, QA/QC
EIR and Air Quality/GHG Lead
Biological Resources Lead
Senior Fisheries Scientist
Cultural Resources Lead, NA Consultation
Noise Lead
Hydrology/Water Quality
Lead Environmental Planner

COST ESTIMATE AND PAYMENT PROCEDURES

HELIX is pleased to submit this cost estimate not to exceed **\$228,000**, which is provided below in a breakdown by task. All work shall be invoiced on a time and materials basis pursuant to Exhibit B, Schedule of Fees. Payment terms are net 30 days pursuant to the Terms and Conditions referenced herein.

<u>Task Name</u>	<u>Cost</u>
1.0 Notice of Preparation/Initial Study/Scoping Meetings	12,000
2.0 Technical Studies	-
○ Biological Resources	41,000
○ Cultural Resources	5,400
○ Noise	3,500
○ Air Quality/GHG	4,500
3.1 Administrative Draft Environmental Impact Report	70,260
3.2 Draft Environmental Impact Report	18,600
3.3 Final Environmental Impact Report/Mitigation Monitoring and Reporting Program	21,600
4.0 Public Involvement Support Services	20,000
5.0 Management/Meetings/Quality Assurance	31,140
Total	\$228,000

We are proud to present the HELIX team to NID, and are enthusiastic about the opportunity to work with you on another project. If you have any questions concerning this proposal, please contact me at davec@helixepi.com or 916.365.8700.

Sincerely,



David Claycomb, AICP
Northern California Regional Manager