



Legislation Details (With Text)

File #: 24-323 **Version:** 1 **Name:**

Type: Agreement **Status:** Agenda Ready

File created: 3/19/2024 **In control:** BOARD OF SUPERVISORS

On agenda: 4/9/2024 **Final action:**

Title: (Sitting as the Lake County Watershed Protection District) (1) Approve the Cooperative Agreement with Caltrans to provide Blue Lakes Safety Project Mitigation funds to support the Clover Creek Hitch Habitat Restoration Project in an amount not to exceed \$246,492 and Authorize the Water Resources Director to sign the agreement, and (2) Receive a presentation of the proposed project.

Sponsors: Lake County Watershed Protection District

Indexes:

Code sections:

Attachments: 1. Contract_01-0427_Lake Co_Clover Creek_emo_mitagreetempronitoring_legalsigned, 2. Exhibit_A_1602_Permits, 3. Exhibit_B_Final_Approved_HMMP Blue Lakes Safety (01-0H840) and Lake 20 Shoulders (01-0G330), 4. Exhibit_C_CDFW HMMP approval, 5. Exhibit D_Budget for Project

Date	Ver.	Action By	Action	Result
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Memorandum

Date: April 9, 2024

To: The Honorable Lake County Board of Supervisors

From: Scott De Leon, Water Resources Director and Angela De Palma-Dow, Invasive Species Program Coordinator

Subject: (Sitting as the Lake County Watershed Protection District) (1) Approve the Cooperative Agreement with Caltrans to provide Blue Lakes Safety Project Mitigation funds to support the Clover Creek Hitch Habitat Restoration Project in an amount not to exceed \$246,492 and Authorize the Water Resources Director to sign the agreement, and (2) Receive a presentation of the proposed project.

Executive Summary:

Caltrans road or bridge projects that are located within riparian areas are required by the State Of California to offset their impact by establishing a mitigation project fund. When funds are distributed, Caltrans works with a local agency to develop and permit a suitable riparian habitat improvement project that will serve to replace the valuable habitat that is being impacted by the original Caltrans projects.

Today, staff is asking the board to approve the first cooperative agreement between Caltrans and the Lake County Watershed Protection District (District) to use Blue Lakes Safety Project Mitigation funds to support the Clover Creek Hitch Habitat Restoration Project, Upper Lake, CA.

If approved, this project will provide \$246,491.54 in funds to the District to partially fund a 2.9 acre restoration project in the 1.0 mile section of Clover Creek Diversion Channel that the District manages. In addition to restoring in-stream habitat for Clear Lake Hitch, the project would remove large sediment deposits and significant invasive vegetation that is causing localized flooding issues and contributing to levee integrity loss. As with most mitigation projects, this cooperative agreement initiates with a \$60,000 fund advance, so the District can start work as soon as possible without compromising other budget units.

The activities within the scope of this project directly align with the original tasks included in the operations and management agreement between the District and the US Army Corp of Engineers (USACE) for maintenance of the diversion channel levee system while also meeting California Department of Fish and Wildlife (CDFW) approved in-channel improvements for hitch habitat.

To complete this project, the District is partnering with Habematolel Pomo of Upper Lake to ensure all tribal considerations within the project area are included in the project scope and budget. While construction contractors have yet to be selected, the agreement lists the Tribal EcoRestoration Alliance (TERA), a local, non-profit organization, as a partner on this project to conduct invasive species management, vegetation removal, riparian and native plant restoration. The District currently has an existing MOU with TERA to conduct restoration work.

Additionally, the District has been working with CDFW, USACE, and the Central Valley Flood Protection Board to acquire and secure any needed permits needed to conduct ground disturbing activities for the benefit of hitch habitat improvement and flood protection.

Attached for your review are the following documents:

1. Cooperative Agreement
2. Exhibit A, the Caltrans Blue Lakes Project permit (CDFW Permit LAK-17734-R2)
3. Exhibit B, the Habitat Mitigation and Monitoring Plan
4. Exhibit C, CDFW Concurrence and Approval of the Mitigation Plan
5. Exhibit D, Clover Creek Habitat Restoration Lake County Mitigation Budget Justification
6. Exhibit E, Copies of relevant deeds and easements relevant to the Clover Creek Hitch Habitat Restoration Project

District staff and a representative from Caltrans will provide a short presentation on the planned project to provide an opportunity for the Board and Public to engage in any discussion on the project or the agreement.

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Purchasing Considerations (check all that apply):

Not applicable

Fully Article X. <https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI>- and/or Consultant Selection Policy <[http://lcnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+\\$!26+Procedures+Manual/Ch4_2021v2.pdf](http://lcnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+$!26+Procedures+Manual/Ch4_2021v2.pdf)>-Compliant (*describe process undertaken in "Executive Summary"*)

Section 2-38 <https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI> Exemption from Competitive Bidding (*rationale in "Executive Summary," attach documentation, as needed*)

For Technology Purchases: Vetted and Supported by the [Technology Governance Committee](#)

<<http://lcnnet.co.lake.ca.us/Assets/Intranet/Intranet+Forms/Information+Technology/AdvPlan.pdf>> ("Yes," if checked)

Other (Please describe in Executive Summary)

Consistency with Vision 2028 <<http://www.lakecountyca.gov/Government/Directory/Administration/Visioning/Vision2028.htm>>

(check all that apply):

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Well-being of Residents | <input checked="" type="checkbox"/> Public Safety | <input type="checkbox"/> Disaster Prevention, Preparedness, Recovery |
| <input type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Infrastructure | <input type="checkbox"/> County Workforce |
| <input checked="" type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input checked="" type="checkbox"/> Clear Lake |
| | <input type="checkbox"/> Not applicable | |

Recommended Action:

Sitting as the Lake County Watershed Protection District (1) Approve the Cooperative Agreement with Caltrans to provide Blue Lakes Safety Project Mitigation funds to support the Clover Creek Hitch Habitat Restoration Project in an amount not to exceed \$246,492 and Authorize the Water Resources Director to sign the agreement, and (2) Receive a presentation of the proposed project.