

I. EXECUTIVE SUMMARY:

a. Project Title and Applicant Name:

Title: Laguna Creek Seasonal Wetland Construction Project.
Applicant Name: City of Sacramento Neighborhoods, Planning and Development Services Department - Office of Environmental Affairs.

b. Project Description and Primary Biological/Ecological Objectives:

The Laguna Creek Seasonal Wetland Project is a wetland mitigation project for the City of Sacramento, designed such that it also results in the expansion of existing wetlands on property owned by the Sacramento Regional Sanitation District (termed "Fishhead Lake"). The project site is located immediately west of Franklin Boulevard in South Sacramento within the Regional Sanitation District's "Buffer Lands" (Figure 1). When constructed, the 19.6 acre wetland project will be linked hydraulically to "Fishhead Lake" utilizing a gravity feed channel. This channel will facilitate the movement of water from Fishhead Lake to the proposed wetlands when a certain water elevation is achieved at the lake. Water flowing through the City's wetlands will travel through three wetland "cells" constructed as part of the project. Water flowing through the wetlands will eventually discharge into Laguna Creek.

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The project will serve as important mitigation for the continued loss of wetlands due to urban development in the South Sacramento area. The project will effectively provide benefits associated with seasonal wetlands for the many species which rely on this type of habitat - giant garter snake, northern pintails, mallards, Canada goose, tricolored blackbird, and Swainson's Hawk. See Table 1 for a complete list of species in the project area. The wetlands will also provide additional benefits which include the natural filtration of water prior to entering Laguna Creek, the natural co-evolution of species and habitat, food production, and impacted ecosystem restoration. Because the intent of the wetland's construction is to allow for the natural evolutionary process to unfold in perpetuity, this project will attain its objectives for years to come.

c. Approach/Tasks/Schedule:

The City of Sacramento (City) has spent 2+ years modeling, surveying, and analyzing options for this site. Feasibility, Design, and Pre-Construction tasks have been completed. Studies have been completed by biologists, hydrologists, and engineers, resulting in the plans presented in this proposal.

The City has solicited bids from qualified contractors and has received five bids to-date. The project will be ready for construction following the receipt of the necessary permits and identification of a funding source. It is the desire of the City to begin construction of the proposed project in September of 1997.

Monitoring is scheduled to be conducted bi-annually (in spring and summer) for three years following construction of the proposed project. Monitoring Reports will follow the monitoring in the Fall of each year.

d. Justification for Project and Funding for CALFED:

This habitat type (Seasonal Wetlands) has been diminishing rapidly due to urbanization in the Sacramento area. The project site has been studied extensively and has been chosen due to its unique location that will allow for a link with existing wetlands (immediately south) and its proximity to Laguna Creek (immediately north). The project will have a strong positive impact upon natural aspects which CALFED deems priorities: both high risk species and habitats, as well as overall ecosystem benefits. Furthermore, this project will assist in the restoration of the Bay-Delta system.

e. Budget Costs and Third Party Impacts:

Overall project costs are estimated to be \$297,001.23. This includes the construction of the wetlands (\$210,000.00), biological monitoring during construction (\$13,750.00), monitoring and reporting on the wetlands after construction (\$46,218.70), and project management during construction and three years of monitoring/reporting (\$27,032.53).

This project will have no adverse impacts on third parties because it is being constructed on Regional Sanitation lands, in an area designated as Buffer Lands. There currently is an agreement between the City and Regional Sanitation to use the property for wetland purposes.

f. Applicant Qualifications:

The City maintains a list of qualified consultants capable of constructing and monitoring wetland habitat. Due to the competitive bid process, costs for: labor, equipment, and other supplies will be kept to a minimum. The City of Sacramento and the Office of Environmental Affairs have not previously received grants or contracts.

g. Monitoring and Data Evaluation:

The City will utilize a qualified biological consultant to monitor the wetlands bi-annually and develop reports annually for three years. The data will be evaluated by the City, U.S. Army Corps of Engineers (Corps) and U.S. Fish and Wildlife Service (USF&WS).

h. Local Support/Coordination with other Programs/Compatibility with CALFED objectives:

This project receives strong support from area residents and Agencies. Public notification and outreach will come as part of the CEQA process. Because of its isolation from other city projects, it will only need to be coordinated with the operation of the Fishhead Lake wetland operated by Regional Sanitation. In addition, this project is supported at the Federal level through a 404 Permit Condition from the U.S. Army Corps of Engineers (Corps).

II. TITLE PAGE:

a. Title of Project:

Laguna Creek Seasonal Wetland Construction Project.

b. Applicant:

City of Sacramento Neighborhood, Planning and Development Services
Department - Office of Environmental Affairs
Principle Investigator: Joe Broadhead, Associate Planner
Phone: (916) 264-7622
FAX: (916) 264-7185
City of Sacramento
1231 I Street, Suite 300
Sacramento, CA. 95814

c. Type of Organization and Tax Status:

Municipality

d. Tax Identification Number:

State: 800-3849-0
Federal: 94-6000410

e. Technical and Financial Contact Person:

Technical:

Joe Broadhead
1231 I Street, Suite 300
Sacramento, CA. 95814
(916) 264-7622, FAX: (916) 264-7185

Financial:

Ruth Gregory
1231 I Street, Suite 300
Sacramento, CA. 95814
(916) 264-5078, FAX: 264-8329

f. Participants/Collaborators in Implementation:

City of Sacramento (Applicant):	Joe Broadhead	(916) 264-7622
Army Corps of Engineers:	Kathy Norton	(916) 557-5260
Regional Sanitation:	Roger Jones	(916) 875-9175

g. Monitoring and Data Evaluation:

The City will utilize a qualified biological consultant to monitor the wetlands bi-annually and develop reports annually for three years. The data will be evaluated by the City, U.S. Army Corps of Engineers (Corps) and U.S. Fish and Wildlife Service (USF&WS).

h. RFP Project Group Type:

Construction Project.

III. PROJECT DESCRIPTION:

a. Project Description and Approach:

The City is proposing to construct seasonal wetlands at the project site to satisfy the requirements of a 404 Permit issued to the City by the Corps. The project site was initially designed as an isolated wetland consistent with the original permit conditions issued in 1988. However, given that the original wetland (constructed under the 1988 permit) was one of the first of its kind in the state, it was designed with limited knowledge of wetland systems and interactions. This has generated a need for redesign and reconstruction of the habitat. This was due in great part to the lack of adequate water supply.

In evaluating the need for a redesign/reconstruction, the City met and discussed the issue with the Regional Sanitation District (District) on several occasions beginning in 1994. The District previously constructed the Fishhead Lake of wetlands immediately south of the project site. The District's wetlands periodically experiences poachers which is having a detrimental effect on wildlife use of the area. To solve this problem, they contracted with a consulting firm to design a system of canals around the perimeter of the wetlands that would serve as a barrier to poachers. They were not able to implement the plan due to revenue shortfalls.

The City and the District came to the realization that by linking the two systems hydraulically, each wetland system would benefit. The District's wetlands would receive a portion of their protective canal system along the southern end of their wetlands, while the City's wetlands would receive an adequate supply of water. The end result would be a combination of the two formally independent systems into one integrated, functioning wetland system.

The City, District, Corps and USF&WS met several times over the past two years to discuss the plan. Feasibility studies were conducted and draft plans have been developed addressing the issue of linking the two wetlands. The plans have been designed and the City has received five competitive bids from qualified contractors..

The City's project will result in 19.6 acres of wetlands linked hydraulically to Fishhead Lake. This link will occur via a gravity flow channel constructed at the northwestern end of the District's wetlands. The channel will flow from the lake to the eastern end of the City's project area. This channel will facilitate the movement of water, via gravity flow, when the level of Fishhead Lake gets to a predetermined elevation. Flows above this elevation will be directed in the City's Wetlands over a grouted cobble structure built into the berm that currently separates the District's wetlands and the City's Wetlands. Water flowing into the City's Wetlands will travel through three wetland "cells". Each cell will be separated by a berm constructed as part of the project. Variations in elevation throughout the three cells will be due to isolated "islands" constructed throughout the

project site. This design facilitates the movement of water through the cells thereby preventing long-term ponding. The islands within each of the cells were designed to serve as an island "retreat" for wildlife escaping rising water and to encourage "shorebird" use of the area.

Details concerning the construction work to be undertaken are included in the attached plans (Figures 2-5). Construction work for this project is planned for the summer of 1997, and the order of work is as follows:

1. Prior to commencing the field work, the Environmental Consultant pins-flag wetland areas to be preserved and to be off limits to any construction activities.
2. Contractor collects and stock piles top 2" of seed bearing soil from the bottom of the existing basins.
3. Contractor excavates wetlands and constructs berms per specifications.
4. Contractor creates wildlife hibernacula areas.
5. Contractor places seed bearing soil into wetland areas.
6. Contractor constructs spillways and control structures.
7. Contractor applies hydroseeding to all disturbed and hibernacula areas.

b. Location and/or Geographic Boundaries of the Project:

The 19.6 acre project site is located within the Regional Sanitation District's "Buffer Lands" immediately west of the South Sacramento Community of the City of Sacramento (Figure 1). The site is situated between Laguna Creek on the north and the District's wetlands on the south. Franklin Boulevard is located nearby to the east of the project site. This area constitutes part of the Laguna Creek Wetland Mitigation lands established by the City of Sacramento in response to the conditions in Corps 404 Permit #9570. The City entered into an agreement with the Regional Sanitation District and County of Sacramento in 1988 to use this site for mitigation purposes.

c. Expected Benefits:

The proposed wetland project will result in an integration of two wetlands (one existing and one proposed). The existing wetland, Fishhead Lake, currently accepts runoff from surrounding properties and discharges from a nearby fish hatchery. The water flows through the wetland system into a lake which ultimately discharges to Laguna Creek. The project proposes to direct flows from the lake into an additional 19.6 acres of wetlands prior to the discharge to Laguna Creek. Water quality in Laguna Creek will benefit from the proposed project in that runoff will be filtered through an additional 19.6 acres prior to discharge to Laguna Creek.

The project would also result in the creation of 19.6 acres of seasonal wetlands from an area currently considered as uplands. Small islands will be developed throughout the site that will protrude above the high water mark providing areas for migratory birds and other wildlife. Protection for the giant garter snake will be provided by the two

hibernacula areas proposed on the project site. Lastly, the hydraulic linking of the two systems (District's wetlands and the project area) will effectively result in one functioning wetland system.

The intent of the wetland construction is to allow for a natural evolutionary process to unfold in perpetuity. This natural process will create and maintain a sensitive habitat type (seasonal wetlands) which has been eliminated due to urbanization. Additionally, this project will restore pieces to the wetland system which have been otherwise severed by human developments. The added benefits include: additional filtration of water thereby improving water quality in Laguna Creek, additional support to increase wetland habitat acreage, contribution to flood relief, and added habitat for migratory birds and wildlife.

This project will benefit many naturally occurring priority species in this area. Some of these include the giant garter snake, northern pintails and mallards, Canada goose, tricolored blackbird, and Swainson's Hawk. For a complete list of species from the area, see Table 1. Other possible beneficial impacts by improving wildlife habitat and ecosystem health include the consideration of systems viability and creation of "sources" for plants and animals. Since much of Laguna Creek has been surrounded by development, there is the possibility that some areas may become "sinks" for some types of wildlife. It is important to insure that such restored areas are able to maintain their integrity. The creation of this wetland and its connection to the overall system will improve habitat and ecological functions while contributing to diversity within the Bay-Delta system.

d. Background and Biological/Technical Justification:

Existing natural conditions in the Laguna Creek area continue to deteriorate due to urbanization. The intent of the proposal is to create an adequate topographical cross-section that will allow for timely and adequate inundation of the 19.6 acres and create a hydraulic link to existing water that will provide a reliable water source now and in the future. In addition, small islands will exist during full inundation which will encourage shore and migratory bird use. Lastly, hibernacula will be constructed above the high water mark for the giant garter snake. The City has spent 2+ years analyzing alternatives and options for this site. Studies have been completed by biologists, hydrologists, and engineers resulting in the plans (attached) for this site.

The City has participated in a series of meetings with the Regional Sanitation District, the UF&WS, and the Corps between 1995-1997. The meetings discussed the implementability of this project, its various ecological benefits, and how to achieve them. Additionally, there was a briefing held with the North Laguna Creek Neighborhood Association, Board of Directors in the spring of 1996 which served to educate the surrounding neighbors and solicit their input.

Below is a summary of the reports the City commissioned to-date addressing the feasibility of the proposed project:

Feasibility Assessment: Laguna Creek Wetlands Remediation, December, 1993.
Soil Analysis and Percolation Rates on Project Site.

The report states that the soils on site have little variation from one end to the other. They are composed of vertisols, which are clays with high shrink-swell capacity. During the dry part of the year, this type of soil will develop cracks due to desiccation. However, once the rainy season begins, these cracks become filled as the soil saturates and swells, and will support runoff after a short period of time.

The report concluded that because of extensive drought in the early 1990's, many desiccation cracks formed in the project area which have yet to re-seal with seasonal rains. As the project evolves through time, the cracks may seal giving developed wetlands the potential for longer inundation. Longer inundation will eventually provide wetland habitat year-round.

The Feasibility Assessment concludes that:

- With some construction work (i.e. changing outlet elevations, grading, berms, etc), the site will support high value seasonal wetlands.
- Water augmentation will help in the establishment of these wetlands (from Fishhead and/or Laguna Creek).

Sugnet & Associates Report, August, 1995 - On Site Alternatives.

The report stated that the plan which the City wants to implement will render all 19.6 acres functional as seasonal wetland. However, the report also stated that at this time, the system is very dependent upon human maintenance and mechanical support, making the wetlands vulnerable to flow interruption. This dependence will be lessened with the re-contouring of the site and hydrologic connection to the Regional Sanitation wetlands at Fishhead Lake.

The design of the project has been completed by Sugnet and Associates, including draft plans on 7/96 and detailed final construction plans on 6/97.

Finally, pre construction has been completed, including contract specifications on 6/97 and receipt of five bids to-date for construction of the wetlands.

Summary of Contract Specifications:

- a) Specifications: The work to be performed by the contractor will be done in

- accordance with City and State Standard Specifications.
- b) **Review:** The Contractor shall submit all drawings, information, and plans regarding materials and equipment to the City Engineer for approval or modification.
 - c) **Record Drawings:** Contractor must keep a neat and accurate set of drawings (to be kept current weekly) of progress of the project.
 - d) **Compliance with Contract:** The Contractor must submit the properly authenticated documents or other proof of compliance with requirements of the City Engineer.
 - e) **Construction Activity Time Schedule:** The Contractor must submit plans, to be reviewed by the City Engineer, of an activity time schedule revealing the chronological sequence for all aspects of work and the calendar dates on which they are to be completed. This schedule shall be updated at a minimum of every 30 days or upon request of the City Engineer.
 - f) **Permits:** The Contractor shall comply with all permits issued by regulatory agencies in connection with all work under contract.
 - g) **Water Quality Control:** The Contractor will be responsible for dust control, erosion, sediment, & pollution control, and housekeeping practices during the construction of this project.

e. Proposed Scope of Work:

As indicated above, the City of Sacramento has completed the feasibility and design phases of the proposed project. The feasibility of the project was explored in the "Feasibility Assessment" (12/93) and "Sugnet & Associates" (8/95) documents as well as a series of meetings which took place between the City, USF&WS, and the Corps. Furthermore, in the spring of 1996, the City held a project briefing for the North Laguna Creek Neighborhood Association.

The Design was completed in two steps: the Draft Plans were submitted in July of 1996, and the final detailed construction plans were approved in the beginning of June, 1997 (See Figures 2 through 5). They were completed by Sugnet and Associates.

Pre-Construction was completed with the creation of Contract Specifications at the end of June 1997. Finally, the City has begun working to obtain the necessary permits for the project. Following the receipts of the necessary permits the project will be ready for funding and construction. The Contract specifies the phasing of construction as stated on Page 5 of this application.

After the project is completed, the Contractor is obligated to complete "as-built" drawings to the City of Sacramento and Environmental Consultant for their portion of their work prior to equipment being removed from the site. The wetlands are to be monitored bi-annually (spring and summer) for three years, and monitoring reports are to be prepared in each fall following the monitoring. These reports will follow the performance of the

wetlands project.

f. Monitoring and Data Evaluation:

There will be two phases of monitoring for this project - during and after construction. During construction monitoring will last for four months, while post-construction monitoring will last for three years. Because of the specifics of this project, there will be no coordination or integration of monitoring/data evaluation with other programs. However, this project will extensively use peer reviews in the monitoring and data gathering process. A yet to be determined contractor will do the monitoring, while the City, Corps, USF&WS, and the Department of Fish and Game will follow and review the data and reports.

g. Implementability:

The City is currently working on obtaining the necessary permits for this project. The City has submitted an application for a Reclamation Board Permit, and is currently negotiating a grading permit from the County. The City is also currently working with the Department of Fish and Game on both a 1601 permit (Streambed Alteration) and a Biological Opinion. Additionally, the city is currently working with the Regional Water Quality Control Board on a water quality permit. The City has also incorporated NPDES requirements into the plan specifications. The Corps is currently negotiating a Section 7 Permit with the USF&WS for the City.

The only coordination the City's wetlands will require with other projects will be with the District's wetlands. The hydraulic link between the two wetlands will need to be maintained. The coordination of this link is being taken care of with a Memorandum of Understanding (MOU) between the City and District.

Because the property on which the wetlands will be constructed is a buffer zone for the District, there is no concern of any hazardous materials being present, or urban development proposed to hinder this project. Additionally, the site is outside of any primary cultural impact area.

IV. COSTS AND SCHEDULE TO IMPLEMENT PROPOSED PROJECT:

a. Budget Costs:

The Need for CALFED Financing:

The City is requesting financial assistance from CALFED to implement the proposed wetland construction project due to the revenue shortfalls experienced for projects in this area. The City does currently oversee a fund for proposed projects in the Laguna Creek area. Taken together, the total costs of these proposed projects far exceeds the amount of money available in the fund. While the City was able to fund design alternatives for wetland construction, permit processing and the competitive bidding process, the City is not in a financial position to fund the wetland construction project together with the other proposed projects for the Laguna Creek area.

Justification of Dollar Amounts:

The City is the ideal candidate to design, implement, and monitor a project such as this because of past experiences. Utilizing its active list of Contractors/Consultants, the City will receive and evaluate bids for the construction and monitoring. As noted elsewhere in this proposal, the City has received five bids to-date for the wetland construction project. Contractors will be evaluated by comparing bid price, ability to complete the project, and Contractor compliance with MBE/WBE regulations to obtain the ideal cost-benefit ratio. In addition, contractors/consultants will be evaluated using criteria outlined in Attachment D of the CALFED Grant Proposal. The cost estimate identified for the biological consultant was estimated using past experience on similar projects (see Section V of the proposal). The City assures that the contracts for the tasks for the biological consultant, when entered into, will not exceed the estimates provided in the cost table above.

Project oversight by the City will provide years of valuable expertise in its implementation. As can be seen from Table 2, the City will realize the highest productivity and return on the CALFED grant money by utilizing the services of both a Junior Planner and experienced Associate Planners to oversee the project. The Junior Planner will do a majority of the legwork, while the Associate Planners will be in charge of project coordination and oversight.

Incremental Funding:

It will be possible for CALFED to provide incremental funding for this project in two phases. The first phase will require funding for construction, biological monitoring during construction, and project management during construction. The second phase will be for post construction biological monitoring and reporting. Since the monitoring and reporting will occur each year for three years, the funding can potentially be provided by CALFED each year when contracts are signed.

The City currently funds yearly maintenance of the wetland restoration project east of Franklin Boulevard and will expand this maintenance to the project site west of Franklin Boulevard. Additionally, there are no funding partnership needs and/or commitments for this project.

b. Schedule Milestones:

The proposed dates on which this project will progress are as follows:

1. Construction of Wetlands: September to Mid-October, 1997.
2. Biological Monitoring: During Construction through December.
3. Monitoring of Wetlands: Spring and Summer 1998, 1999, 2000.
4. Development of Project Reports: Fall 1998, 1999, 2000.
5. Project Management: September through December, 1997, Fall 1998, 1999, 2000 (and ongoing as needed).

c. Third Party Impacts:

The wetlands are being constructed on the District's Buffer Lands which have been set aside by the District. The Buffer Lands are intended to buffer the operations of the Regional Sanitation Plant from surrounding communities. As such, no development is planned for this property. The City currently has a Memorandum of Understanding with the District and County to use the project site for wetland purposes. No adverse third party impacts from the construction of the City's wetlands are expected.

V. APPLICANT QUALIFICATIONS:

The City of Sacramento's Neighborhoods, Planning and Development Services Department - Office of Environmental Affairs will be responsible for overseeing the wetland construction and monitoring/reporting. The overall project team used to assure successful implementation of the wetland project will consist of City staff, agency staff, and contractors/consultants.

The City's lead staff members in project oversight will be Joe Broadhead, an Associate Planner who has worked for the City's Office of Environmental Affairs for the past 7 years (see Biosketch below). Mr. Broadhead will be assisted Paul Sherman, a recent graduate from U.C. Davis with a Bachelor of Science degree in Environmental Policy Analysis and Planning. Given that this project is a mitigation plan proposed to assure successful compliance with a Corps 404 Permit, the project management team will be augmented throughout the construction and monitoring periods by Agency oversight including the U.S. Fish and Wildlife Service, California Department of Fish and Game and the U. S. Army Corps of Engineers. Lastly, the City is in the process of selecting a contracting firm to undertake construction of the wetlands, and this will be followed by selection of a qualified biological consultant to monitor construction activities. The City will undertake consultant selection in the winter of 1998-2000 for a qualified biological consultant to monitor and report the success of the created wetlands.

There are many examples in the City of Sacramento which exemplify the cities ability to carry out a project such as this. The closest example would be another location along Laguna Creek (east of Franklin Boulevard) where the City constructed wetlands mitigation and habitat restoration 10 years ago. This project incorporated many of the same types of characteristics as the present one. There was extensive input from community groups, and standards were set by the ACOE and USFWS. The City utilized independent contractors and consultants for construction and monitoring, and the ecosystem continues to evolve to this day. There are now many species of birds, wildlife, and plants which reside in the area, making it the pride of the community. Another wetland project successfully implemented is the "Northsides" wetland project constructed in the North Sacramento area of the City. This 3.67 acre wetland was constructed in 1991 and deemed successful in April 1995.

The City is to be in charge of all Administrative tasks, as well as overall project management. The contractor will be in charge of implementation of all the guidelines, goals, and technicalities for the project. These guidelines and technicalities are set forth in the Contract Specifications and Project Designs. The biological consultant will be responsible for overseeing in-field construction work, monitoring the success of the constructed wetlands and reporting the results back to the City.

As of this writing, a specific contractor or biological consultant has not been selected. However, the City has received five qualified bids to-date for the construction work. The City also maintains a City Council approved short-list of qualified biological consultants capable of conducting the in-field oversight and monitoring/reporting the success of the constructed wetlands. As noted in the table above, the costs for construction and monitoring reporting is an estimate; however, the City assures CALFED that the project will be implemented for no more than the estimates identified above.

This project presents no conflicts of interest. This is because of the unique placement of this project - on Regional Sanitation Buffer Lands. The Buffer Lands property is managed by Regional Sanitation as land that serves as a buffer for the on-going Regional Sanitation operations and the surrounding communities. Since the project proposed by the City fits within the current land use practices of Regional Sanitation, this project will cause no negative impacts. Furthermore, the City, County and Regional Sanitation District currently have a MOU that allows for use of the site for wetland purposes.

Biosketch of Joe Broadhead, Associate Planner

Mr. Broadhead has worked in the City's Office of Environmental Affairs for the past 7 years. Mr. Broadhead has project managed over a dozen Environmental Impact Reports and countless negative declarations of various types of projects. Mr. Broadhead has also overseen the monitoring and maintenance work for the North Laguna Creek Wetland Restoration project (east of Franklin Boulevard) for the past four years. Roles and responsibilities for the Wetland Restoration project have included: contracting with qualified biological consultants to monitor the success of these wetlands, reviewing/commenting on draft reports submitted by biological, hydrological and engineering consultants, and meeting with Agency staff to discuss the results of the technical reports. Mr. Broadhead has also been responsible for project managing the development of the plans included in this application (project site west of Franklin Boulevard).

Mr. Broadhead has worked extensively with the North Laguna Creek Neighborhood Association over the past four years to establish an information kiosk and an interpretive signage program along the perimeter of the North Laguna Creek Wetland Restoration area (east of Franklin Boulevard). One of Mr. Broadhead's primary goals in working with the community is to have the community take ownership of the existing wetland area east of Franklin Boulevard and the proposed wetland area west of Franklin Boulevard.

Biosketch of David Mohlenbrok, Associate Planner

Mr. Mohlenbrok has worked in the City's Office of Environmental Affairs for the past 6 years. Mr. Mohlenbrok has project managed over a half dozen Environmental Impact Reports and numerous negative declarations, covering a wide variety of projects. Mr. Mohlenbrok has also overseen the monitoring and maintenance of several environmental mitigation projects, specifically the H-Street Bridge Valley Elderberry Longhorn Beetle

(VELB) Planting project, and the Calvine Interchange Vernal Pool Restoration project. As a part of these projects, Mr. Mohlenbrok has worked with the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the Department of Fish and Game, and the Environmental Protection Agency. Roles and responsibilities for these projects have included: contracting with qualified biological consultants to monitor progress of the restoration efforts, reviewing and commenting on draft reports prepared by consultants, and meeting with agency staff representatives to discuss the results of monitoring efforts.

Biosketch of Paul Sherman, Planning Technician

Mr. Sherman is a recent graduate of U.C. Davis in the Environmental Policy Analysis and Planning Program. He has been working with the City's Office of Environmental Affairs over the past three months. Should funding be approved for the proposed wetland construction project, Mr. Sherman will assist in project management operating under the direct supervision of Mr. Broadhead.

References for Similar Projects:

North Laguna Creek Wetland Restoration Project (east of Franklin Boulevard): Kathy Norton, U.S. Army Corps of Engineers ((916) 557-5260); June DeWeese, U.S. Fish and Wildlife Service ((916) 979-2116); Sue Mohler, North Laguna Creek Neighborhood Association ((916) 682-6241).

Northsides Wetland Restoration Project: Kathy Norton, U.S. Army Corps of Engineers ((916) 557-5260); June DeWeese, U.S. Fish and Wildlife Service ((916) 979-2116).

VI. COMPLIANCE WITH STANDARD TERMS AND CONDITIONS:

The terms and conditions are agreeable to and will be complied with by the City of Sacramento.

Attachment D, Table D-1 requires that construction projects submit specific documentation showing that the City has regulations relating to the following: (1) No Collusion, and (2) Non Discrimination. Exhibit 1 includes excerpts from the City Code of Sacramento (Section 58.01.105 and 58.03.302), consultant agreements (Exhibit D, Section 10), and Standard Specifications for Construction Contracts (Page 2-13, 6-1 and 6-2(c)) that relate to no collusion and non-discrimination.

FIGURE 1
Project Location

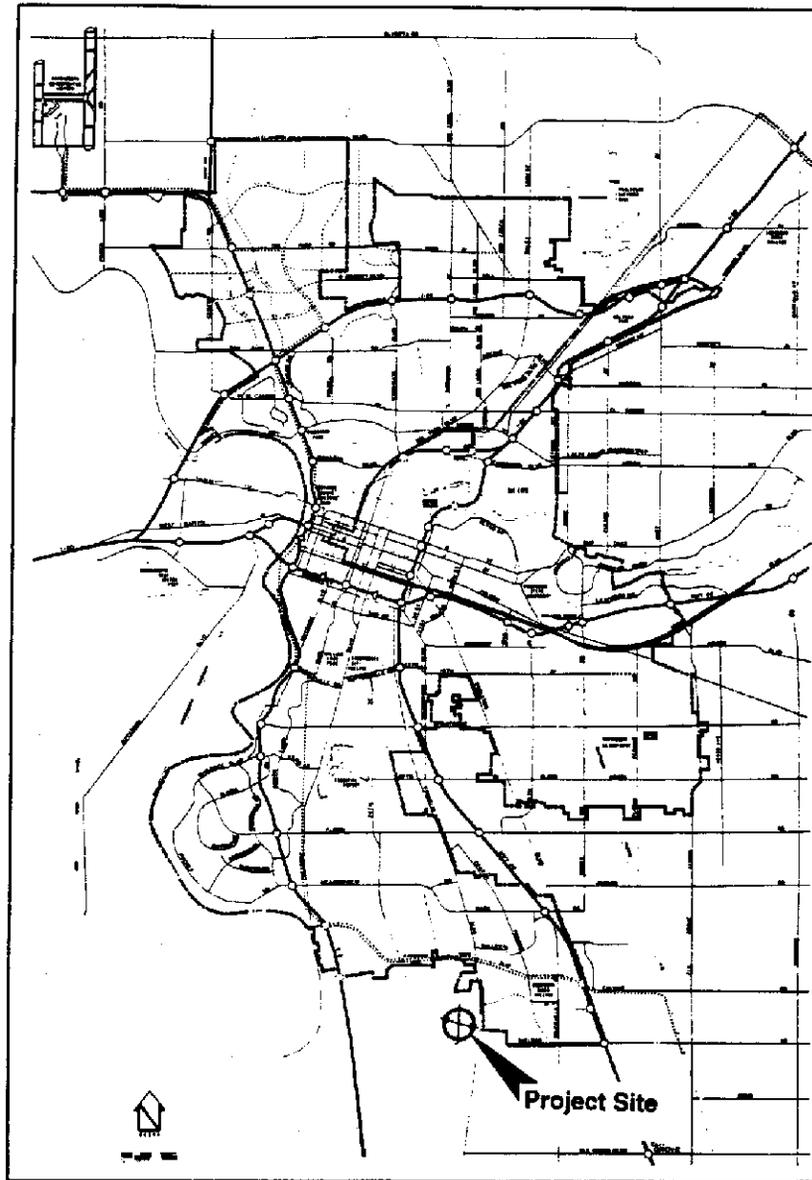


TABLE 1
Bird Species Observed in Vernal Pools at Laguna Creek.

Great Blue Heron	Long-Billed Dowitcher
Great Egret	Common Snipe
Snowy Egret	Mourning Dove
Canada Goose	Burrowing Owl
Green-Winged Teal	Say's Phoebe
Mallard	Western Kingbird
Northern Pintail	Cliff Swallow
Cinnamon Teal	Yellow-Billed Magpie
Northern Shoveler	Water Pipit
Gadwall	Loggerhead Shrike
Common Merganser	Yellow-Rumped Warbler
Northern Harrier	Savannah Sparrow
Ring-Necked Pheasant	White-Crowned Sparrow
California Quail	Dark-Eyed Junco
American Coot	Red-Winged Blackbird
Killdeer	Tricolored Blackbird
Black-Necked Stilt	Western Meadowlark
American Avocet	Brewers Blackbird
Greater Yellowlegs	American Goldfinch
Spotted Sandpiper	

Bold denotes priority species listed in the CALFED RFP.

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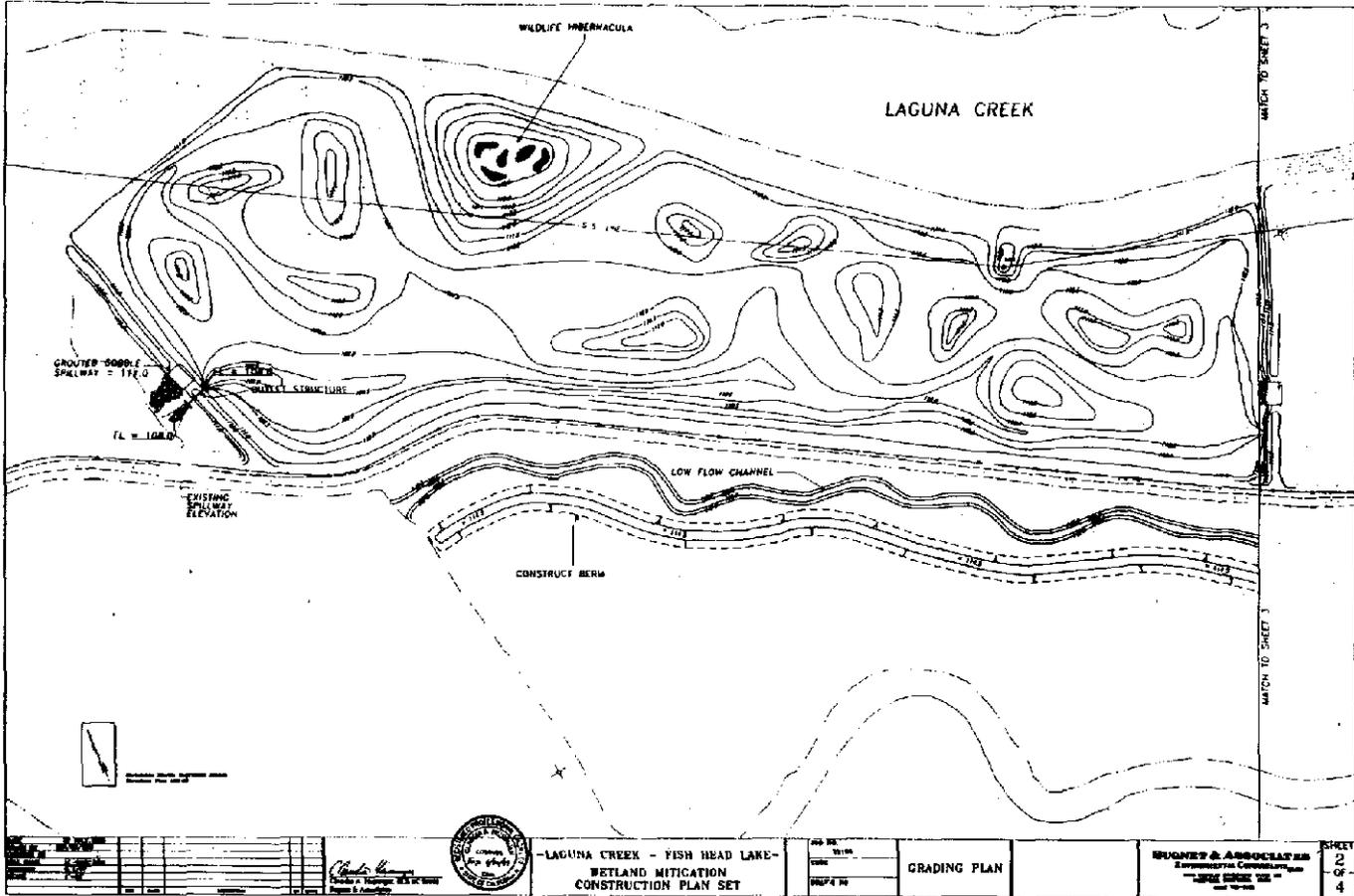
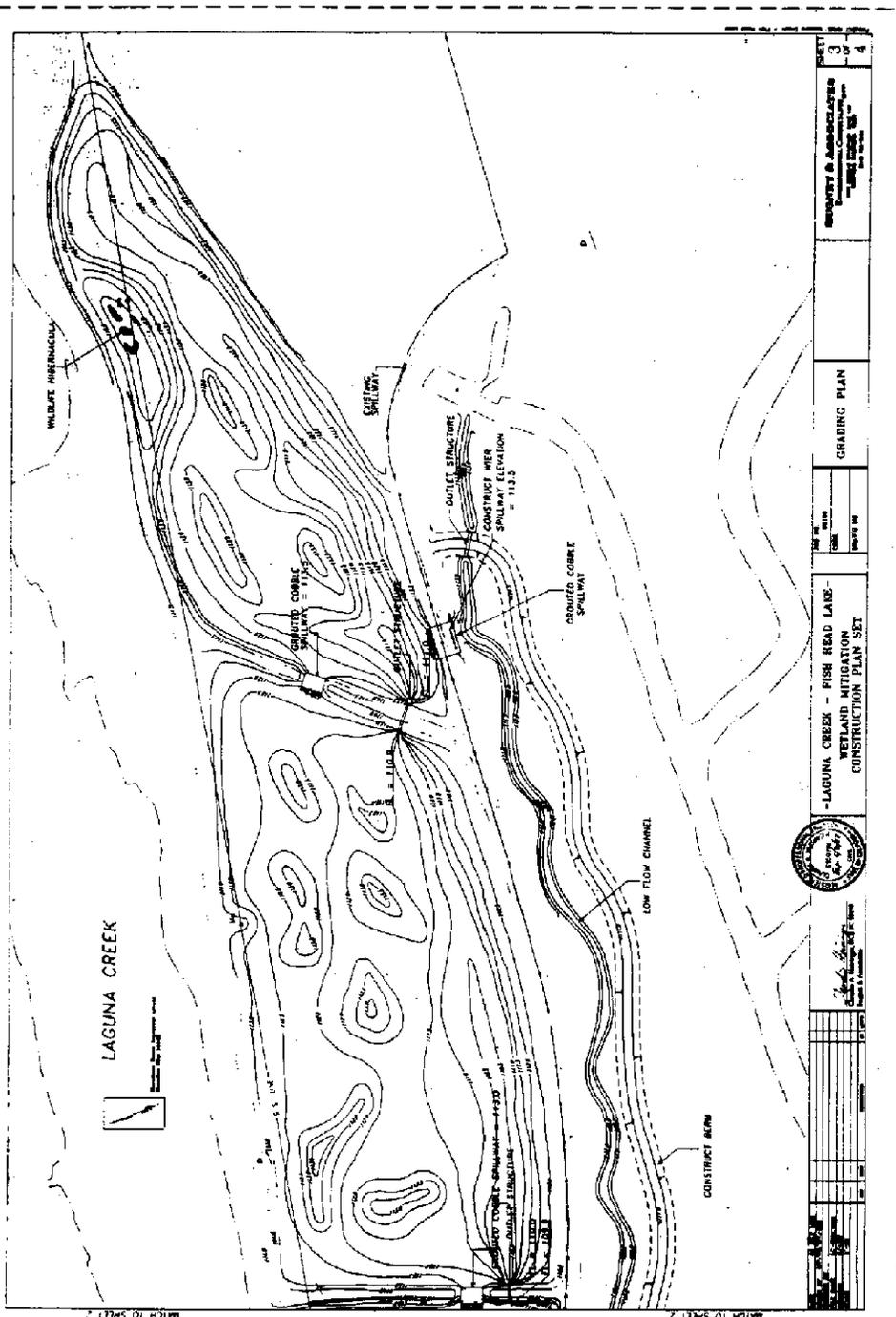


FIGURE 3
Proposed Plans Cont.

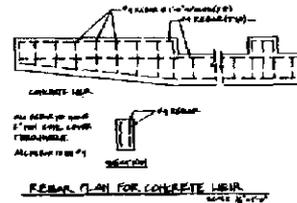
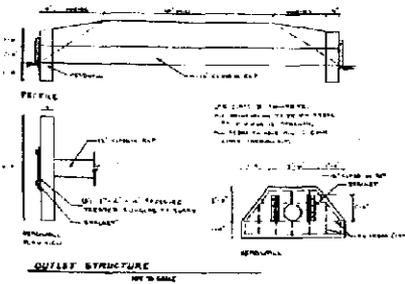
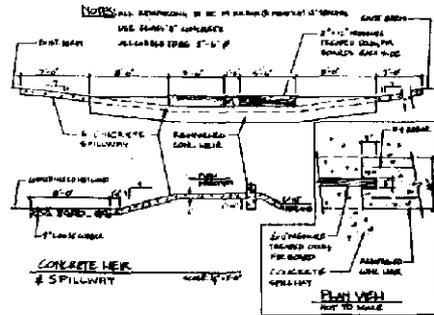
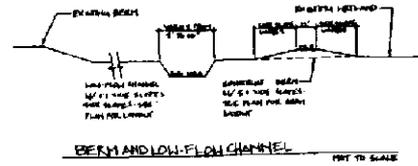
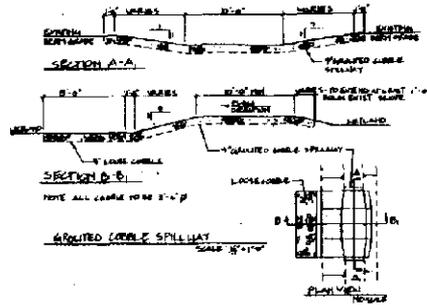
1-005470

FIGURE 4
Proposed Plans Cont.



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I-005471



		LAGUNA CREEK - FISH HEAD LAKE - WETLAND MITIGATION PLAN CONSTRUCTION PLAN SET	SHEET NO. DATE DRAWN BY	DETAILS AND NOTES	SHAWKIN & ASSOCIATES ENVIRONMENTAL CONSULTANTS 10000 SHERBORN BLVD. SAN DIEGO, CA 92121	SHEET 4 OF 4
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FIGURE 5
Proposed Plans Cont.

TABLE 2
PROJECT COSTS

Project Phase and Task	Direct Labor Hours	Direct Salary and Benefits/Hr.	Overhead Labor	Consultant Contracts	Total Costs
Project Management					
Assoc. Planner					
Construction Oversight	60	\$29.89	\$64.00		\$5,633.40
Monitoring Periods (3yrs)	41	\$29.89	\$64.00		\$3,849.49
Agency Meetings	15	\$29.89	\$64.00		\$1,408.35
Contingency	12	\$29.89	\$64.00		\$1,126.68
<i>Total</i>	128	\$29.89	\$64.00		\$12,017.92
Jr. Plnr.					
Construction Oversight	120	\$15.64	\$32.33		\$5,756.40
Monitoring Periods (3yrs)	105	\$15.64	\$32.33		\$5,036.85
Agency Meetings	60	\$15.64	\$32.33		\$2,878.20
Contingency	28	\$15.64	\$32.33		\$1,343.16
<i>Total</i>	313	\$15.64	\$32.33		\$15,014.61
Wetland Construction*					
Mobilization and Demobilization				\$10,000	
Earthwork				\$120,000	
Collecting and Placing Seed Bearing Soil				\$25,000	
Creating Hibernacular Areas				\$5,000	
Constructing Spillways and Control Structures Hydroseeding				\$30,000	
<i>Total</i>				\$210,000	\$210,000
Biological Monitoring**					
Construction				\$12,500.00	
Monitoring and Reporting (3 yrs)				\$42,017.00	
Contingency				\$ 5,451.70	
<i>Total</i>				\$59,968.70	\$59,968.70
Total Project Costs					\$297,001.23
* Engineers estimates					
** Current estimates					

EXHIBIT 1
NO COLLUSION AND NON DISCRIMINATION LANGUAGE
FOR THE
CITY OF SACRAMENTO

58.01.105 Collusion with bidder.

Any officer or employee of the city, or of any department thereof, who shall aid or assist a bidder in securing a contract for a public project at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information, or who

shall willfully mislead any bidder in regard to the character of the public project called for, or who shall knowingly accept work of a quality inferior to that called for by the contract, or to the receipt of a greater amount or different kind of work than has been actually received, shall be deemed guilty of a misdemeanor.

(Ord. No. 3129, §1; Ord. No. 93-019, §1)

58.03.302 Independent price determination.

No person submitting any bid or proposal in connection with the procurement of supplies or services by City of Sacramento shall:

- (a) propose or bid prices which have not been arrived at independently without consultation, communication, or agreement with any other bidder, offeror or competitor for the purpose of restricting competition as to any matter relating to the prices bid or proposed;
- (b) unless otherwise required by law, prior to opening of the bids or proposals, knowingly disclose any price bid or proposed to any other bidder, offeror or to any competitor;
- (c) make any attempt to induce any other person, firm or other entity or association to submit or not to submit a bid or proposal for the purpose of restricting competition;
- (d) knowingly be interested in more than one bid as the principal bidder; provided, however, subcontract bids to the principal bidders are excluded from this paragraph (d).

In the case of joint venture bids, the joint venture and each and every member of the joint venture shall for purposes of

the foregoing be construed to be the person submitting the bid or proposal.

Any violation of this section shall be unlawful and a misdemeanor and shall be punished by a fine not exceeding one thousand dollars (\$1,000) or imprisonment for a term not exceeding six months, or by both such fine and imprisonment. Any bid received or contract awarded where there was a violation of this section shall be a nullity and the city council shall dispose of the matter in the same manner as if the bidder involved had failed to enter the contract after award.

(Ord. No. 3129, §1; Ord. No. 4297, §2; Ord. No. 93-019, §1)

10. **Equal Employment Opportunity.** During the performance of this Agreement, CONSULTANT, for itself, its assignees and successors in interest, agrees as follows:

- A. **Compliance With Regulations:** CONSULTANT shall comply with the Executive Order 11248 entitled "Equal Opportunity in Federal Employment", as amended by Executive Order 11375 and 12086, and as supplemented in Department of Labor regulations (41 CFR Chapter 60), hereinafter collectively referred to as the "Regulations".
- B. **Nondiscrimination:** CONSULTANT, with regards to the work performed by it after award and prior to completion of the work pursuant to this Agreement, shall not discriminate on the ground of race, color, religion, sex, national origin, age, marital status, physical handicap or sexual orientation in selection and retention of subcontractors, including procurements of materials and leases of equipment. CONSULTANT shall not participate either directly or indirectly in discrimination prohibited by the Regulations.
- C. **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiations made by CONSULTANT for work to be performed under any subcontract, including all procurements of materials or equipment, each potential subcontractor or supplier shall be notified by CONSULTANT of CONSULTANT'S obligation under this Agreement and the Regulations relative to nondiscrimination on the ground of race, color, religion, sex, national origin, age, marital status, physical handicap or sexual orientation.
- D. **Information and Reports:** CONSULTANT shall provide all information and reports required by the Regulations, or by any orders or instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the CITY to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of CONSULTANT is in the exclusive possession of another who fails or refuses to furnish this information, CONSULTANT shall so certify to the CITY, and shall set forth what efforts it has made to obtain the information.
- E. **Sanctions for Noncompliance:** In the event of noncompliance by CONSULTANT with the nondiscrimination provisions of this Agreement, the CITY shall impose such sanctions as it may determine to be appropriate including, but not limited to:
 - (1) Withholding of payments to CONSULTANT under this Agreement until CONSULTANT complies;
 - (2) Cancellation, termination, or suspension of the Agreement, in whole or in part.
- F. **Incorporation of Provisions:** CONSULTANT shall include the provisions of Paragraphs A through E in every subcontract, including procurements of materials and leases of equipment, unless exempted by the Regulations, or by any order or instructions issues pursuant thereto. CONSULTANT shall take such action with respect to any subcontract or procurement as the CITY may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that in the event CONSULTANT becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, CONSULTANT may request CITY to enter such litigation to protect the interests of CITY.

2-13 DISQUALIFICATION OF BIDDERS

City shall not consider more than one Proposal from an individual, partnership, corporation or combination thereof under the same or different names. If City has reasonable grounds to believe that any individual, partnership, corporation or combination thereof is interested in more than one Proposal as a prime Bidder for the work contemplated, City may reject all Proposals in which such individual, partnership, corporation or combination thereof is interested. If City has reason to believe that collusion exists among any Bidders, City may reject the Proposals. City may reject the Proposals in which the bids submitted are obviously unbalanced.

6-1 LAWS TO BE OBSERVED

Contractor shall be familiar with all Federal, State, and local laws, ordinances, codes and regulations which in any manner affect those engaged or employed in the work or the material or equipment used in or upon the site, or in any way affect the conduct of the work. No plea of misunderstanding of such laws, ordinances, codes or regulations or of ignorance of the same, on the part of Contractor shall, in any way, serve to modify the Provisions of the Contract.

Contractor shall at all times observe and comply with all Federal, State, and local laws, ordinances, codes and regulations affecting the conduct of the work, and Contractor and his surety shall indemnify and save harmless City and all of its officers, agents, and employees against any claim for liability arising from, or based upon, the violation of any such law, ordinance, regulation, decree, or order, whether by Contractor or by his employees.

c. Labor Discrimination

There will be no discrimination in the employment of persons on any ground listed in Labor Code Section 1735, except as provided in Labor Code Section 1735. The penalty for any such discrimination will be as set forth in the Labor Code, Section 1735, and Chapter 1 of Part 7 of said Labor Code.

§ 1735. Discrimination in employment because of race, color, etc.

No discrimination shall be made in the employment of persons upon public works because of the race, religious creed, color, national origin, ancestry, physical ~~disability~~, ~~mental disability~~, medical condition, marital status, or sex of such persons, except as provided in Section 18540 of the Government Code, and every contractor for public works violating this section is subject to all the penalties imposed for a violation of this chapter.

(Amended by State 1995, c. 818 (A.B.1977), § 36.)