



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
[www. CityofSacramento.org](http://www.CityofSacramento.org)

Consent
October 26, 2010

**Honorable Mayor and
 Members of the City Council**

Title: Agreement: Additional Grant Funding for Lower American River Salmonid Spawning Gravel Augmentation (G14000200)

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** (1) ratifying the City Manager's approval, effective September 27, 2010, of an Assistance Agreement with the U.S. Department of the Interior, Bureau of Reclamation (Reclamation) to provide additional federal funding in the amount of \$430,000, for the City-County Office of Metropolitan Water Planning (CCOMWP) to augment gravel in spawning riffles in the lower American River and provide additional spawning areas that will protect, restore, and enhance fish habitat; and (2) increasing the Habitat Management Element funding (Fund 7104) revenue and expenditure budgets for G14000200 for the grant funding in the amount of \$430,000.

Contact: Sarah Foley, (916) 808-1997, Kathy Howard, (916) 808-1995

Presenters: Not Applicable

Department: Utilities

Division: City-County Office of Metropolitan Water Planning (CCOMWP)

Organization No: 14001911

Description/Analysis

Issue: In October 2006 the City, on behalf of the CCOMWP, entered into a grant funding agreement with Reclamation, for grant funding of up to \$600,000 for the Lower American River Salmonid Spawning Gravel Augmentation Project (G14000200), to be completed by September 30, 2011. The purpose of the Project is to increase the availability of spawning gravel and rearing habitat for fall-run Chinook salmon and steelhead trout in the lower American River.

In August 2009, the City Council authorized the acceptance of an additional \$151,000 of grant funding from Reclamation. In August 2010, the City Council authorized the acceptance of additional funding for the Project from the U.S. Fish and Wildlife Service and from the County of Sacramento Department of Transportation (DOT).

This report requests that City Council ratify the City Manager's approval of a second modification to the Reclamation funding agreement to accept additional funding for the Project in the amount of \$430,000. Ordinarily, Council approval would be obtained prior to the City's execution of an agreement modification to obtain such additional funding. However, CCOMWP staff did not receive the funding agreement modification from Reclamation until the week preceding the close of the federal fiscal year (September 30), and staff was notified by Reclamation that unless the agreement was signed prior to September 30, funding for the Project would be lost. The agreement was signed on behalf of the City Manager by an Assistant City Manager on September 27, 2010, and was signed by Reclamation the following day.

Policy Considerations: This Project will aid fish habitat restoration efforts for the Lower American River, consistent with the goals of the Water Forum Agreement and the Water Forum Successor Effort administered by the CCOMWP. Pursuant to the Interagency Agreement that created the CCOMWP, the City's procedures are followed for all CCOMWP contracting activities.

Environmental Considerations:

California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA):

The Project is subject to review pursuant to both CEQA and NEPA. The Project work is exempt from CEQA pursuant to CEQA Guidelines Section 15333, Small Restoration Projects, as the Project does not exceed five acres in size, will be undertaken for the purpose of restoring habitat for fish, would have no significant impact on endangered, rare or threatened species or their habitat, and would not otherwise result in any significant effects on the environment.

Reclamation conducted the NEPA review and prepared a Finding of No Significant Impact. After consultation with the State Historic Preservation Officer (SHPO), Reclamation included interpretive measures in the Project to mitigate any significant effects on historic resources, pursuant to a Memorandum of Agreement (MOA) between Reclamation, Sacramento County Parks and SHPO. In August 2010, the City Council authorized CCOMWP to sign the MOA as a concurring party.

Sustainability Considerations: Approval of the recommended actions is consistent with the City of Sacramento's Sustainability Master Plan Goals:

Sustainability Goal No. 7 - Parks, Open Space and Habitat Conservation is promoted by the second co-equal objective of the Water Forum Agreement "To preserve the fishery, wildlife, recreational, and aesthetic values of the lower American River."

Commission/Committee Action: None

Rationale for Recommendation: It is recommended that the City Council ratify the City Manager's approval of the funding agreement modification, to provide \$430,000 in additional funding for the Project. Replenishing gravel in the lower American River will improve spawning and rearing habitat for anadromous fish, consistent with the Water Forum Agreement objective to preserve the fishery, wildlife, recreational, and aesthetic values of the lower American River.

Financial Considerations: This Project has no impact on the City of Sacramento's General Fund and no match is required. To date the Bureau of Reclamation has obligated \$751,000. The County of Sacramento DOT has contributed \$100,000 to this Project in order to satisfy mitigation requirements associated with the County's Watt Avenue Bridge Widening Project as required by the California Department of Fish and Game, and the USFWS has contributed \$148,695. Increasing the Habitat Management Element funding (Fund 7104) revenue and expenditure budgets for G14000200 for the grant funding in the amount of \$430,000 brings the total project budget to \$1,429,695.

Summary of Resources:

Approved	Amount	Source
October 31, 2006	600,000	Reclamation
August 6, 2009	151,000	Reclamation
August 24, 2010	100,000	Sac County DOT
August 24, 2010	148,695	US FWS
September 27, 2010	<u>430,000</u>	Reclamation
	1,429,695	

Emerging Small Business Development (ESBD): Not Applicable

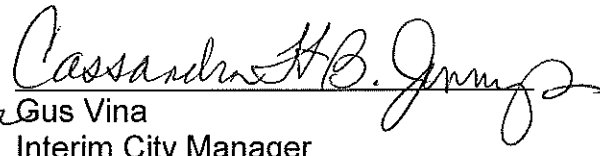
Respectfully Submitted by: _____


Thomas R. Gohring, Executive Director
City-County Office of Metropolitan Water Planning

Approved by: _____


Marty Hanneman
Director, Department of Utilities

Recommendation Approved:


Gus Vina
Interim City Manager

APPROVED AS TO FORM:


CITY ATTORNEY

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Background Information:

The United States Bureau of Reclamation (Reclamation) operates facilities that regulate flows in the lower American River, which contains populations of anadromous Chinook salmon and threatened steelhead trout. Flow regulation and stream channel manipulations have modified anadromous salmonid habitat in the American River. Specifically, gravel is regularly lost from spawning sites on the river because of the construction and operation of Central Valley Project dams, bank protection projects, and other actions that reduce the availability of spawning gravel and rearing habitat in the American River downstream of Nimbus Dam.

In October 2006 the City of Sacramento entered into a grant funding agreement with Reclamation, on behalf of the CCOMWP, for grant funding of up to \$600,000 (C2006-1211) for the lower American River Salmonid Spawning Gravel Augmentation Project (Project), expected to be completed by September 30, 2011. The purpose of the Project is to increase the availability of spawning gravel and rearing habitat for fall-run Chinook salmon and steelhead trout in the lower American River. The Project is consistent with the goals of the Fisheries and Instream Habitat Plan, which is incorporated into the River Corridor Management Plan (RCMP). The RCMP is a coordinated approach to management of the lower American River that was developed and endorsed by 38 organizations and local governments in 2002, including the City of Sacramento. Further, the project is a key project under the Habitat Management Element (HME) of the Water Forum Agreement, of which the City of Sacramento is a signatory. The HME implements one of the Water Forum Agreement's co-equal objectives, which is to preserve the fishery, wildlife, recreational and aesthetic values of the lower American River.

In August 2009, the City Council authorized the acceptance of an additional \$151,000 (C2006-1211-1) in grant funding from Reclamation for the Project. In August 2010 City Council authorized the acceptance of additional project funding of \$148,695.28 (C2010-0694) from the U.S. Fish and Wildlife Service and \$100,000 (C2010-0719) from the County of Sacramento Department of Transportation.

This report requests that City Council ratify the City Manager's approval of a second modification to the Reclamation funding agreement to accept additional funding for the Project in the amount of \$430,000. Ordinarily, Council approval would be obtained prior to the City's execution of an agreement modification to obtain such additional funding. However, CCOMWP staff did not receive the funding agreement modification from Reclamation until the week preceding the close of the federal fiscal year (September 30), and staff was notified by Reclamation that unless the agreement was signed prior to September 30, funding for the Project would be lost. The agreement was signed on behalf of the City Manager by an Assistant City Manager on September 27, 2010, and was signed by Reclamation the following day.

The additional \$430,000 in funding from Reclamation will be used for planning, permitting, placement of gravel, pre and post project site surveys, and the monitoring of spawning gravel and the response of salmonids in the lower American River in accordance with the Central Valley Project Improvement Act (CVPIA). The purpose of the CVPIA is to protect, restore, and enhance fish and wildlife habitat in the Central Valley Basin. Through this grant the CCOMWP will assist Reclamation in selecting the sites, obtaining appropriate permits, planning for and placing spawning gravel and monitoring the response of salmonids.



RESOLUTION NO.

Adopted by the Sacramento City Council

AGREEMENT FOR GRANT FUNDING FOR LOWER AMERICAN RIVER SALMONID SPAWNING GRAVEL AUGMENTATION (G14000200)

BACKGROUND

- A. In October 2006 the City entered into a grant funding agreement with the U.S. Department of the Interior, Bureau of Reclamation ("Reclamation"), to provide federal grant funding of up to \$600,000 for the City-County Office of Metropolitan Water Planning (CCOMWP) to undertake the Lower American River Salmonid Spawning Gravel Augmentation Project (Project), to be completed by September 30, 2011. The purpose of the Project is to increase the availability of spawning gravel and rearing habitat for fall-run Chinook salmon and steelhead trout in the lower American River.
- B. In August 2009, the City Council authorized the acceptance of an additional \$151,000 of grant funding from Reclamation. In August 2010, the City Council authorized the acceptance of additional funding for the Project from the U.S. Fish and Wildlife Service and from the County of Sacramento Department of Transportation.
- C. On September 27, 2010, the City Manager approved a second modification of the Reclamation funding agreement to accept additional funding for the Project in the amount of \$430,000. Reclamation required the City's approval prior to the close of the federal fiscal year on September 30.

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

- Section 1. The City Council ratifies the City Manager's approval, effective September 27, 2010, of an Assistance Agreement with the U.S. Department of the Interior, Bureau of Reclamation to provide additional federal funding in the amount of \$430,000, for the City-County Office of Metropolitan Water Planning's Lower American River Salmonid Spawning Gravel Augmentation Project.
- Section 2. The City Manager or the City Manager's designee is authorized to increase the Habitat Management Element funding (Fund 7104) revenue and expenditure budgets for G14000200 by \$430,000.
- Section 3. Exhibit A is a part of this Resolution

Table of Contents:

Exhibit A: Approved Assistance Agreement with the Department of the Interior
Bureau of Reclamation



Requires Council Approval: No YES Meeting: 10-26-10

Real Estate Other Party Signature Needed Recording Requested

General Information

Type: Grant Attachment: Original Number:
PO Type: Interagency Agreement Original Document Number: 2006-1211-1
\$ Not to Exceed: \$ 430,000 Revenue Original Contract Amount: \$ 751,000
Other Party: U.S. Bureau of Reclamation Deed: None Included Separate
Project Name: LAR Gravel Augmentation No. Certified Copies of Document:
Project Number: G14000200 Fund 7104
Bid Transaction #: E/SBE-DBE-M/WBE: NA

Department Information

Department: Utilities Division: C.C.O.M.W.P.
Project Mgr: Sarah Foley Supervisor: Tom Gohring
Contract Services: Kathy Howard Date: 09/27/2010 Division Mgr: Tom Gohring
Phone Number: 808-1995 Org Number: 14001911 Dept. I.D.
Comment:

Review and Signature Routing

Table with 3 columns: Department, Signature or Initial, Date. Rows for Project Mgr, Accounting, Contract Services, Supervisor, and Division Manager.

City Attorney Signature or Initial Date
City Attorney: [Signature] 9/27/10

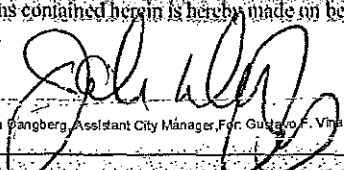
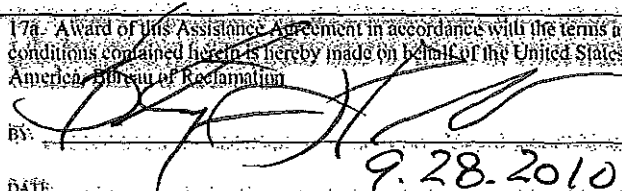
Send Interoffice Mail Notify for Pick Up

Authorization Signature or Initial Date
Hanneman, Marty Department Director: [Signature]
City Mgr: yes No [Signature] 9/27/10

Contract Cover/Routing Form: Must Accompany ALL Contracts; however, is not part of the Contract

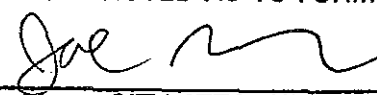
For City Clerk Processing
Finalized: Initial: [] Date:
Imaged: Initial: [] Date:
Received: (City Clerk Stamp Here) []

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
ASSISTANCE AGREEMENT**

1A. AGREEMENT NUMBER R10AC20625 Formerly 06FC202081		1B. MOD NUMBER 0006		2. TYPE OF AGREEMENT <input type="checkbox"/> GRANT <input checked="" type="checkbox"/> COOPERATIVE AGREEMENT		3. CLASS OF RECIPIENT Local Government									
4. ISSUING OFFICE (NAME, ADDRESS, TELEPHONE) U.S. Department of the Interior Bureau of Reclamation Mid-Pacific Region 2800 Cottage Way, Room E-1815 Sacramento, California 95825-1898 DUNS: 098865801/EIN: 84-1024566				5. RECIPIENT (NAME, ADDRESS, TELEPHONE) City of Sacramento 660 J Street, Suite 260 Sacramento, CA 95814 <table border="1"> <tr> <td>FACILITY#</td> <td>94-6000410</td> <td>County</td> <td>Sacramento</td> </tr> <tr> <td>DUNS#</td> <td>127557937</td> <td>Congress Dist</td> <td>05</td> </tr> </table>				FACILITY#	94-6000410	County	Sacramento	DUNS#	127557937	Congress Dist	05
FACILITY#	94-6000410	County	Sacramento												
DUNS#	127557937	Congress Dist	05												
6. ADMINISTRATIVE POINT OF CONTACT (NAME, ADDRESS, TELEPHONE, E-MAIL) Vivian Davis, MP 3827 U.S. Department of the Interior Bureau of Reclamation Mid-Pacific Region 2800 Cottage Way, Room E-1815 Sacramento, California 95825-1898 Email: vdavis@usbr.gov Phone: (916) 978-5543 Fax: (916) 978-5175				7. RECIPIENT PROJECT MANAGER (NAME, ADDRESS, TELEPHONE, E-MAIL) City of Sacramento Sarah Foley 660 J Street, Suite 260 Sacramento, CA 95814 Phone: (916) 808-10997 Email: sfoley@waterforum.org											
8. GRANTS OFFICER/TECHNICAL REPRESENTATIVE (NAME, ADDRESS, TELEPHONE, E-MAIL) John Hamton, MP 150 Bureau of Reclamation Mid-Pacific Region 2800 Cottage Way Sacramento, CA 95825 Email: jhamton@usbr.gov Phone: (916) 978-5524 Fax: (916) 978-5055				9A. INITIAL AGREEMENT EFFECTIVE DATE September 29, 2006		9B. MODIFICATION EFFECTIVE DATE See block 17.a									
10. COMPLETION DATE September 30, 2011															
11. PROGRAM STATUTORY AUTHORITY Program Authority: Public Law 102-575, Title 34, Central Valley Project Improvement Act, Section 3407(e), Public Law 111-85, Energy and Water Development Appropriations Act 2010, and section 7.6 Modifications CFDA: 15.512															
12. FUNDING INFORMATION		RECIPIENT/OTHER		RECLAMATION		13. REQUISITION NUMBER 102015000A0/0001									
Total Estimated Amount of Agreement				\$1,181,000.00		14A. ACCOUNTING AND APPROPRIATION DATA H30-0214-6650-000-00-0-0-411C									
This Obligation				\$430,000.00											
Previous Obligation				\$751,000.00											
Total Obligation				\$1,181,000.00		14B. TREASURY ACCOUNT FUNDING SYMBOL 14-0680									
Cost Share %				100%											
15. PROJECT TITLE AND BRIEF SUMMARY OF PURPOSE AND OBJECTIVES OF PROJECT Lower American River Salmonid Spawning Gravel Work - The purpose of this cooperative agreement is to provide funding for planning, permitting, placement of gravel, pre and post project site surveys, and the monitoring of spawning gravel and the response of salmonids in the Lower American river.															
16a. Acceptance of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the above-named recipient BY:  John Pangberg, Assistant City Manager, For: Guadalupe F. Vina, City Manager, September 27, 2010 DATE: _____				17a. Award of this Assistance Agreement in accordance with the terms and conditions contained herein is hereby made on behalf of the United States of America, Bureau of Reclamation BY:  DATE: 9.28.2010											
16b. NAME, TITLE, AND TELEPHONE NUMBER OF SIGNER				17b. NAME OF GRANTS OFFICER Sataporn J. Palachai											
<input type="checkbox"/> Additional signatures are attached															

DOCUMENTS INCORPORATED HEREIN BY REFERENCE:

APPROVED AS TO FORM:


CITY ATTORNEY

A. **PURPOSE:** The purpose of this modification is to add additional funds and incorporate revised task 2.

B. **DESCRIPTION:** This modification:

1. Adds funding for Fiscal Year 2010 in the amount of \$430,000.00 .
2. Incorporates a revised task 2.

C. **ADJUSTMENT OF AGREEMENT AMOUNT:** As a result of this modification, the total estimated amount of the agreement is increased by \$430,000.00 from \$751,000.00 to \$1,181,000.00.

D. **NOTICE OF CHANGE IN FUNDS OBLIGATED:** As a result of this modification, the total amount of funding obligated for this agreement is increased by \$430,000.00 from \$751,000.00 to \$1,181,000.00.

E. **ADJUSTMENT IN AGREEMENT TIME:** The period of performance remains unchanged from September 26, 2005 to September 30, 2011.

F. **ATTACHMENT:** Attachment 1 is hereby incorporated and made part of this agreement.

Statement of Work

R10AC20625
Modification 0006

Modified task 2

2. Contract, provide, or assist Reclamation in contracting, for gravel, equipment, and personnel to be used for the gravel introduction. Place approximately 10,000 tons of spawning-sized gravel and 2,000 tons of 4"-10" material in the American River as instream construction timing and permitting allow each year.



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

IN REPLY
REFER TO:

MP-3827
ADM-4.00

SEP 28 2010

Ms. Sarah Foley
City of Sacramento
City-County Office of Metropolitan Water Planning
Water Forum Utilities
660 J Street, Suite 260
Sacramento, CA 95814

Subject: Modification 0006 to Agreement R10AC20625 formerly 06FC202081 for
Lower American River Salmonid Spawning Gravel Work

Dear Ms. Foley:

Enclosed for your record is an executed original copy of the subject modification.

All payments will be made through Electronic Funds Transfers (EFT). To ensure you receive proper payment via EFT, please check Central Contractor Registration (CCR) at <http://www.ccr.gov>

If you have any questions, please contact Vivian Davis at (916) 978-5543, or email vdavis@usbr.gov.

Sincerely,

Sataporn J. Palachat
Grants Officer

Enclosure

09-29-10P12:04 RCVD