

Central Services  
Joan Araujo, Director

Engineering Services  
Anastasia Seims, Director

Roads & Transportation  
Anitha Balan, Director

Water & Sanitation  
Vacant, Director

Watershed Protection  
Jeff Palmer, Director

September 10, 2024

Board of Supervisors  
Ventura County Watershed Protection District  
800 South Victoria Avenue  
Ventura, CA 93009

**Subject: Approval of the Plans and Specifications for the Coyote Creek Pilot Channel Project – Located in the Unincorporated Area of Casitas Springs near Ojai, CA; Authorization for the Public Works Agency Director or His Designee to Negotiate and Award a Contract to Construct a Portion of the Project to a Qualified Contractor in an Amount Not to Exceed \$1,512,000, and to Execute the Contract; Finding that the Project is Statutorily Exempt from the California Environmental Quality Act; Authorization for the Auditor-Controller to Process the Necessary Accounting Transactions; Specification No. WP25-01, Project No. P6081175; Supervisorial District No. 1. RECOMMENDATION NO. 4 REQUIRES A 4/5THS VOTE.**

**Recommendations:**

1. Approve the plans and specifications, including Addendum Nos. 1 and 2, for the Coyote Creek Pilot Channel Project (Project) – located in the unincorporated area of Casitas Springs near Ojai, CA – Specification No. WP25-01, Project No 81175, (Exhibits 3 and 4);
2. Authorize the Public Works Agency (PWA) Director or his designee to award a negotiated contract to a qualified contractor, in an amount not to exceed \$1,512,000, to construct Schedules III and V of the Project, and to execute subject contract after review and approval as to form by County Counsel;
3. Find that the Project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15269, Emergency Projects
4. Authorize the Auditor-Controller to process the accounting transactions necessary to increase the appropriations for Watershed Protection District Zone 1, Fund S710 (4/5ths vote required):



INCREASE	4210-4211	Intergovernmental Revenues	\$1,530,899
INCREASE	4210-4211	Services and Supplies	\$1,695,431
DECREASE	4210-4211	Restricted Public Protection	\$164,532

**Fiscal/Mandates Impact:**

Mandatory: No  
 Source of Funding: Natural Resources Conservation Service, Ventura County Community Foundation, General Fund and Watershed Protection District Zone 1  
 Funding Match Required: 25% of eligible costs  
 Impact on Other Department(s): None

**Summary of Revenue and Total Costs:**

	<b><u>FY 2024-25</u></b>
Revenue:	\$ 1,530,899
Costs:	
Direct	\$ 1,685,328
Indirect – Agency/Dept.	\$ 9,678
Indirect – County CAP	\$ 425
Total Costs	<u>\$ 1,695,431</u>
Net Costs	\$ 164,532
Recovered Indirect Costs	\$ 0

**Current FY Budget Projection:**

<b>Current FY 2024-25 Budget Projection for Watershed Protection District Zone 1 - Unit 4211</b>				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$ 9,580,000	\$ 9,580,000	\$ 9,580,000	\$0
Revenue	\$13,539,200	\$13,539,200	\$13,539,200	\$0
Net Cost	(\$3,959,200)	(\$3,959,200)	(\$3,959,200)	\$0

Sufficient revenue and appropriations will be available in the FY2024-25 Watershed Protection District Zone 1 budget after approval of Recommendation No. 3.



### **Discussion:**

On July 23, 2024, your Board authorized the Director of the Public Works Agency to award the Construction contract to the lowest responsible responsive bidder for the project. The bid was divided into 5 sections (schedules). Two sections (Schedules 3 and 5) were the base bid for the purposes of awarding the contract. One section (Schedule 4) was and is part of a companion brought to your Board as a separate matter. Two sections (Schedules 1 and 2) were additive alternates that were only going to be awarded if they were within the project budget for construction. However, no bids were received. The Project Manager and Deputy Director for Design & Construction for the Watershed Protection District (District) talked to six of the construction companies that attended the mandatory pre-bid meeting. Their responses were all similar in nature with recurring themes of too much risk, too many restrictions in project boundaries, too dense of vegetation and the sediment is too wet. Because no bids were received, Public Contract Code section 22038 allows the District to negotiate a contract with a qualified contractor. The District has been negotiating with two of the firms that attended the mandatory pre-bid meeting. Based on feedback from the contractors, to stay within the budget we have available, the scope of work for the construction contract currently being negotiated is the base bid (Schedules III and V).

The project is located within Coyote Creek, a tributary to the Ventura River, near the unincorporated area of Casitas Springs in Ventura County, California (See Exhibits 1 and 2). The project site is parallel to Casitas Vista Road starting approximately 500 feet upstream of Camp Chaffee Road and extending about 1,060 feet downstream of the Santa Ana Road bridge, for a total project length of approximately 3,300 linear feet (Exhibit 2).

The storm events experienced early in 2023 caused flooding in the areas adjacent to Coyote Creek. The strength and duration of the storms experienced early this year exacerbated sediment buildup in the creek by bringing sediment from the nearby mountains down the creek. After most of the water had receded, the extent of accumulated sediment within the creek is now especially evident at the Camp Chaffee Road low water crossing, where there are approximately 4 feet of sediment and surface water on top of the existing road surface.

The updated project involves excavating 1,200 linear feet (LF) of a pilot channel 25 feet wide and 1 to 3 feet deep (average) with banks at 2(H):1(V) tying to the existing topography. This work is within the Schedules 3 and 5 reaches of the previously bid out project. The existing terrain is heavily vegetated which has also contributed to the sediment buildup by slowing down the water; this causes sediment suspended in the water to settle and deposit over time and will require 1,200 LF of vegetation and tree removal within the limits of the pilot channel. Vegetation will also be cut down to the existing surface elevation 15 feet past the overbanks on both sides of the pilot channel to



provide construction equipment access. It is preferable that construction occurs during the dry season to reduce impacts to water quality. Any water that will be present within the creek during construction will require diversion, control, and removal.

The Coyote Creek Pilot Channel project consists of vegetation removal and excavation of a pilot channel from Station 19+00 to Sta 21+00 and from Station 24+00 to Station 34+00, within the limits shown on the plans (Exhibit 3). A companion project to be done under a separate contract requires reaching an agreement with the property owner and securing NRCS funding for the buyout of the property located at 575 Casitas Vista Road. It will consist of the demolition, removal, and disposal of the existing houses and other structures within the buyout property. This project will also consist of vegetation removal and the excavation of the pilot channel from Station 21+00 to Station 24+00, connecting the gap from the first Pilot Channel Project. The purchase of the property and authorization to award the construction contract for the companion project are before your Board for consideration in two separate letters today.

The District is working in collaboration with the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). Funding is available for the proposed channel improvements on private property through the NRCS Emergency Watershed Protection Program (EWPP). NRCS administers the EWPP, which responds to emergencies created by natural disasters. The EWPP is a recovery effort aimed at relieving imminent hazards to life and property caused by floods, fires, windstorms, and other natural disasters. Threats that the EWPP addresses are termed watershed impairments. NRCS may bear up to 75 percent of the eligible construction cost of emergency measures.

The subject project must have a project sponsor, which is a responsible government agency. The District was requested to sponsor this project by Supervisor LaVere, with concurrence by the affected residents. Initial discussions were held with NRCS, and the District was informed in August 2023, that the Project was eligible for 75% of the estimated project cost. NRCS issued the District a Notice of Award on March 11, 2024.

The NRCS program also requires a local match for the remaining 25 percent of the project construction cost, approximately \$378,000. The California Office of Emergency Services (CalOES) has a program that will fund 75 percent of the remaining local 25 percent cost share for this project, or \$283,500. This leaves \$94,500. The residents raised \$72,163. On January 23, 2024, your Board approved a contribution of \$25,000 from the General Fund toward the local match. Note that the CalOES funding is only available at project completion. The District intends to apply to CalOES for reimbursement once the project has been completed and closed out by NRCS.

Your Board is requested to authorize the Public Works Agency Director or his designee, to negotiate and award a construction contract with a qualified contractor for an amount not to exceed \$1,512,000 due to the urgency to issue a Notice to Proceed and commence the work. The EWPP funding expires at the end of 2024. In addition, because of



anticipated regulatory conditions, the construction window for the Project is limited to August 1 to October 31, 2024.

Regulatory permitting for the project is in progress and includes authorizations to be issued by the U.S. Fish and Wildlife Service, National Marine Fisheries Service, U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board. The project is statutorily exempt from CEQA under CEQA Guidelines section 15269 (a) and (c), Emergency Projects.

The estimated total project costs are as follows:

Preliminary Engineering:	\$ 142,750
Construction Contract:	\$ 1,512,000
Construction Engineering:	\$ 150,000
Right of Way:	\$ 15,000
Contingencies:	\$ 0
Total	\$ 1,819,750

\*\$124,319 in Preliminary Engineering and Right of Way Costs was incurred in previous fiscal year.

**Strategic Plan:**

This item contributes to the Board of Supervisors (Board's) 2024-2027 strategic priority to provide:

- III. Reliable infrastructure and sustainability through
  - 3. Investing in sustainable infrastructure, renewable energy, and preservation of our natural resources.

This letter has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel. The Contract is on a standard form previously reviewed by County Counsel.

If you have any questions regarding this item, please contact the undersigned at 654-2040.

Sincerely,



Jeff Palmer, P.E.  
Director  
Watershed Protection District



Attachments:

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Location Map
- Exhibit 3 – Plans and Specifications
- Exhibit 4 – Addendums 1 and 2

