

Central Services
Joan Araujo, Director

Engineering Services
Christopher Cooper, Director

Roads & Transportation
Christopher Kurgan, Director

Water & Sanitation
Joseph Pope, Director

Watershed Protection
Glenn Shephard, Director

January 24, 2023

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

Subject: Approval of and Authorization for the Public Works Agency - Watershed Protection District Director or His Designee to Modify Cooperative Agreement WP-1-2019-1 for the Fresno Canyon Diversion Project with the Ojai Valley Land Conservancy to Conduct Riparian Restoration of 2.182 Acres of Riparian Habitat which increases the budget by \$218,729 to a Maximum Fee of \$302,989.00 Over Six Years; Project No. 81185, Supervisorial District No. 1, Watershed Protection District Zone No. 1.

Recommendations:

1. Approve the attached Modification 1 to the Cooperative Agreement with the Ojai Valley Land Conservancy (OVLC) to provide riparian restoration services for the Public Works Agency - Watershed Protection District (District) in accordance with the mitigation requirements of the Fresno Canyon Diversion Project, which increases the budget by \$218,729 to a maximum fee of \$302,989.00 over six years.
2. Authorize the District Director, or his designee, to execute the approved Modification 1 to the Cooperative Agreement.

Fiscal/Mandates Impact:

Mandatory:	No
Source of Funding:	Watershed Protection District Zone 1
Funding Match Requirement:	No
Impact on Other Department(s):	None

Summary of Revenue and Total Costs:

	<u>FY 2022-23</u>	<u>FY 2023-24 through</u> <u>FY 2024-25</u>
Revenue:	\$ 0	\$ 0
Costs:		
Direct	\$ 132,588	\$ 86,141
Indirect – Agency/Dept.	0	0



Indirect – County CAP		0		0
Total Costs	\$	132,588	\$	86,141
Net Costs	\$	132,588	\$	86,141
Recovered Indirect Costs	\$	0	\$	0

Current Fiscal Year Budget Projections:

Current FY 2022-23 Budget Projection for Watershed Protection District Zone 1 – Unit 4214				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$1,805,000	\$1,963,432	\$1,963,432	\$0
Revenue	\$1,064,500	\$1,064,500	\$1,064,500	\$0
Net Cost	\$ 740,500	\$ 898,932	\$ 898,932	\$0

Sufficient appropriations are available in the FY 2022-23 Watershed Protection District Zone 1 Adjusted Budget. Sufficient appropriations will be included in the FY 2023-24 through FY 2024-25 budget as appropriate.

Discussion:

In May 2020, the Watershed Protection District (District) completed the construction of the Fresno Canyon Diversion Project to reduce flooding in the community of Casitas Springs. To offset project impacts to riparian habitats in Fresno Creek and the Ventura River, the District prepared a compensatory mitigation plan for habitat restoration within nearly 2.2 acres of the San Antonio Creek Mitigation site just north of Casitas Springs. The plan details methods to remove non-native plants and install native vegetation and was approved by the California Department of Fish and Wildlife, the Los Angeles Regional Water Quality Control Board, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service as part of the project permitting. Your Board approved Cooperative Agreement WP-1-2019-1 on August 6, 2019, authorizing OVLC to implement the habitat restoration tasks per the compensatory mitigation plan.

The goal of the restoration work is to enhance the existing native vegetation cover in San Antonio Creek near the Ventura River confluence. OVLC has been working to control and manage invasive and weedy plant species on the mitigation site and has planted native upland and riparian species as described in Tasks 1-3. However, both the 2020 COVID-19 staff impact and the extreme drought conditions for the past several years have resulted in weed control and plant survivorship performance setbacks. Additional time and funding are necessary for OVLC to conduct the required work and meet the performance criteria required per the mitigation plan.



Transmitted herewith is Modification 1 to Cooperative Agreement WP-1-2019-1 (Exhibit 3) that has been negotiated with OVLC. The term of the original Cooperative Agreement began September 1, 2019, and was to terminate August 31, 2024. Modification 1 will extend the agreement 12 months to August 31, 2025, and provides an additional \$218,729 in funds to cover costs for remedial and ongoing tasks through the extended agreement end date. A total of \$132,588 is due upon execution of Modification 1 to reimburse for work conducted and pre-fund expected work in 2023. The Modification 1 Scope of Work (Cooperative Agreement Exhibit B) describes updated services and schedules; Cooperative Agreement Exhibit C provides the Agreement Budget.

The work conducted per the Cooperative Agreement will enhance native habitat values in San Antonio Creek. No grading or substantial soil disturbance will occur; impacts to special status wildlife will be avoided.

This item has been reviewed by the County Executive Office, the Auditor-Controller's Office and County Counsel.

If there are any questions regarding this item, please contact me at (805) 654-2040.

Sincerely,



Glenn Shephard, P.E.
Director, Watershed Protection District

Attachments:

- Exhibit 1 – Location Map
- Exhibit 2 – Vicinity Map
- Exhibit 3 – OVLC Agreement Mod 1

