



Midpeninsula Regional
Open Space District

R-24-89
Meeting 24-19
July 10, 2024

AGENDA ITEM 5

AGENDA ITEM

Contract Amendment for Bear Creek Redwoods Mitigation and Monitoring Plan Consultation

GENERAL MANAGER'S RECOMMENDATIONS

(5)

1. Authorize the General Manager to execute a contract amendment with AECOM Technical Services, Inc., of Oakland, California, to provide project management support and prepare a Mitigation and Monitoring Plan for the Bear Creek Redwoods Phase II North Parking Area project, in the amount of \$29,573, bringing the contract base amount to a not-to-exceed total of \$65,553.
2. Authorize a 15% contingency of \$4,436 to cover unforeseen conditions and complexities for the Mitigation and Monitoring Plan for a total contract amount not-to-exceed \$69,989.
3. Authorize an allowance to provide biological consultation on the Bear Creek Redwoods Stables Capital Maintenance and Repair Project, including a riparian delineation, in the amount of \$20,000, bringing the contract amount to a not-to exceed total of \$89,989.

DISCUSSION

In January 2017, the Board of Directors (Board) of the Midpeninsula Regional Open Space District (District) approved the Bear Creek Redwoods Preserve Plan (Preserve Plan) and certified the Environmental Impact Report (EIR). The Preserve Plan identified a phased implementation for public access. Phase II projects include the construction of a new parking area, which is subject to permits from the US Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), US Fish and Wildlife Service (USFWS), and Regional Water Quality Control Board (RWQCB). On April 24, 2024, the Board approved an award of contract with BFK Engineers of Redwood City, California to complete the design, engineering, permitting, and construction administration for the Bear Creek Redwoods Phase II North Parking Area Project (Project). As part of the Project permitting, mitigation is required to compensate for impacts that occur during construction activities.

On February 13, 2023, and under the General Manager's authority, the District entered into a multi-year contract with AECOM Technical Services, Inc., (AECOM) to support botanical resource management at Bear Creek Redwoods Open Space Preserve. The recommended contract amendment would allocate funds for AECOM to review relevant local, state, and federal environmental regulations; conduct additional field surveys to quantify the degree of potential impacts from parking lot construction and delineate approximate locations and mitigation activities; prepare a planting palette of native, drought-tolerant species for bioswales included in

the parking lot design; and, develop a mitigation monitoring and reporting plan (MMRP) identifying necessary mitigation measures. The MMRP would include conservation measures to minimize impacts to water quality, general environmental health, and avoid the spread of invasive species; restoration measures that detail the implementation of mitigation activities, such as tree planting and grassland enhancements; mitigation ratios for each resource (grassland habitat and trees); a maintenance and monitoring plan per the guidance and requirements outlined in the EIR; and, spatial data of all impacted tree locations and proposed mitigation areas to aid the design team in minimizing Project impacts.

In addition, an allowance of \$20,000 is requested to allow for further environmental analysis for the Bear Creek Redwoods Stables Capital Maintenance and Repair Project. The analysis would include a riparian delineation and consulting on how to minimize and mitigate for unavoidable resource impacts to jurisdictional areas and provide additional recommendations on natural resource enhancement opportunities. The expenditure of this allowance, with the exception of the riparian delineation, would depend on the Board’s direction on the future use of the Bear Creek Stables site in Bear Creek Redwoods Open Space Preserve.

BUDGET / FISCAL IMPACT

The current fiscal year budget contains:

- sufficient funds.
- insufficient funds; the next quarterly budget update will include a reallocation of unspent funds from other project budgets to cover for this expenditure.
- insufficient funds; approval of this item requires a fiscal year budget augmentation.
- future fiscal year budgets will include additional funds to complete the contracted work.

Measure AA

- No, this contract is not part of a Measure AA project.
- Yes, the allowance for work on the Bear Creek Redwoods Stables Capital Maintenance and Repair Project portion of this contract is part of a Measure AA project.

Measure AA Portfolio 21: Bear Creek Redwoods — Public Recreation and Interpretive Projects	
Portfolio Allocation:	\$17,478,000
Grant Income (through FY27):	\$5,061,002
Interest Income Allocation:	\$2,709,000
Fund 40 Allocation:	\$977,000
Total Portfolio Allocation:	\$26,225,002
21-001 Moody Gulch Fence & Gate Improvements	(\$847)
21-004 Bear Creek Stables Project	(\$5,920,688)
21-005 Bear Creek Redwoods Public Access	(\$5,548,003)
21-006 Bear Creek Redwoods - Alma College Cultural Landscape Rehabilitation	(\$5,775,926)
21-007 Bear Creek Redwoods Preserve Plan Invasive Weed Treatment	(\$2,056,410)

21-008 Bear Creek Redwoods Ponds Restoration and Water Rights	(\$681,517)
21-009 Bear Creek Redwoods Webb Creek Bridge	(\$487,492)
21-010 Bear Creek Redwoods Landfill Characterization and Remediation	(\$517,444)
21-011 Phase II Trail Improvements, Bear Creek Redwoods OSP	(\$5,366,493)
21-012 Bear Creek Redwood Tree Restoration	(\$90,915)
Total Projected Expenditures (life of project):	(\$26,445,735)
Portfolio Balance Remaining (proposed):	(\$220,733)

PROCUREMENT PROCESS AND SELECTION

On August 31, 2022, the District issued a Request for Qualifications and Proposals for biological on-call services. Firms and entities who responded and were deemed as qualify by District staff were placed on a “pre-qualified” list for up to 4 years. On December 7, 2022, the District issued an RFP for botanical services at Bear Creek Redwoods to three firms on the pre-qualified list.

Consultant	Location	Proposed Fee
AECOM	Oakland, CA	\$35,980
Horizon Water and Environment	Oakland, CA	Declined to submit
Sequoia Ecological Consulting, Inc.	Walnut Creek, CA	\$43,062

After a thorough review by District staff, AECOM was selected based on their proposal and experience with the special status species present on District lands at this location.

PRIOR BOARD ACTION SUPPORTING THE PROJECT

Preserve Plan

- **September 28, 2016:** The Board held a Public Hearing to Receive Comments on the Preserve Plan Draft EIR. ([R-16-117](#), [Meeting Minutes](#))
- **January 25, 2017:** The Board approved the Preserve Plan and certified the EIR ([R-17-15](#), [meeting minutes](#))

Bear Creek Stables

- **December 15, 1999:** The Board adopted an amendment to the preliminary use and management plan for Bear Creek Redwoods Open Space Preserve to continue horse boarding facility use and authorized the General Manager to execute a stables rental agreement. ([R-99-159](#), [meeting minutes](#))
- **April 25, 2019:** The Board considered various project options for the Stables and directed staff to move forward with Deferred Maintenance Repairs at the Stables in the near-term and the Preserve Plan Site Design as a long-term solution. ([R-19-53](#), [meeting minutes](#))
- **June 9, 2021:** The Board received an update on the Bear Creek Stables Project, including its legal non-conforming permitting status and challenges therein, and affirmed the Use Permit permitting approach. ([R-21-74](#), [meeting minutes](#))
- **May 14, 2024:** The Board directed the General Manager to bring back Bear Creek Stables Capital Maintenance and Repair Project to the Board in approximately four months and form an Ad-Hoc Committee. ([R-24-58](#), [meeting minutes](#)).

North Parking Area

- **September 19, 2023:** The Planning and Natural Resources Committee received a presentation on the North Parking Area and recommended forwarding both options to the full Board with preference for Alternative 2. ([R-23-141](#), [Meeting Minutes](#))
- **January 24, 2024:** The Board accepted a conceptual design to proceed into environmental review and design development. ([R-24-15](#), [Meeting Minutes](#))
- **April 24, 2024:** The Board approved an award a contract to BKF Engineers of Redwood City, California to complete the design, engineering, permitting, and construction administration for the Bear Creek Redwoods North Parking Area Project. ([R-24-49](#), [Meeting Minutes](#))

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

An amendment to a contract is not a project subject to the California Environmental Quality Act (CEQA). Additionally, the proposed field surveys to be conducted by the consultant are categorically exempt from CEQA under Article 19, Section 15306:

Section 15306 exempts basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.

Potential environmental impacts of the Project were analyzed as part of the Preserve Plan and EIR certified by the Board on January 25, 2017 ([R-17-15](#), [Minutes](#)).

NEXT STEPS

Following Board approval, the General Manager would amend the contract with AECOM to complete the specified tasks.

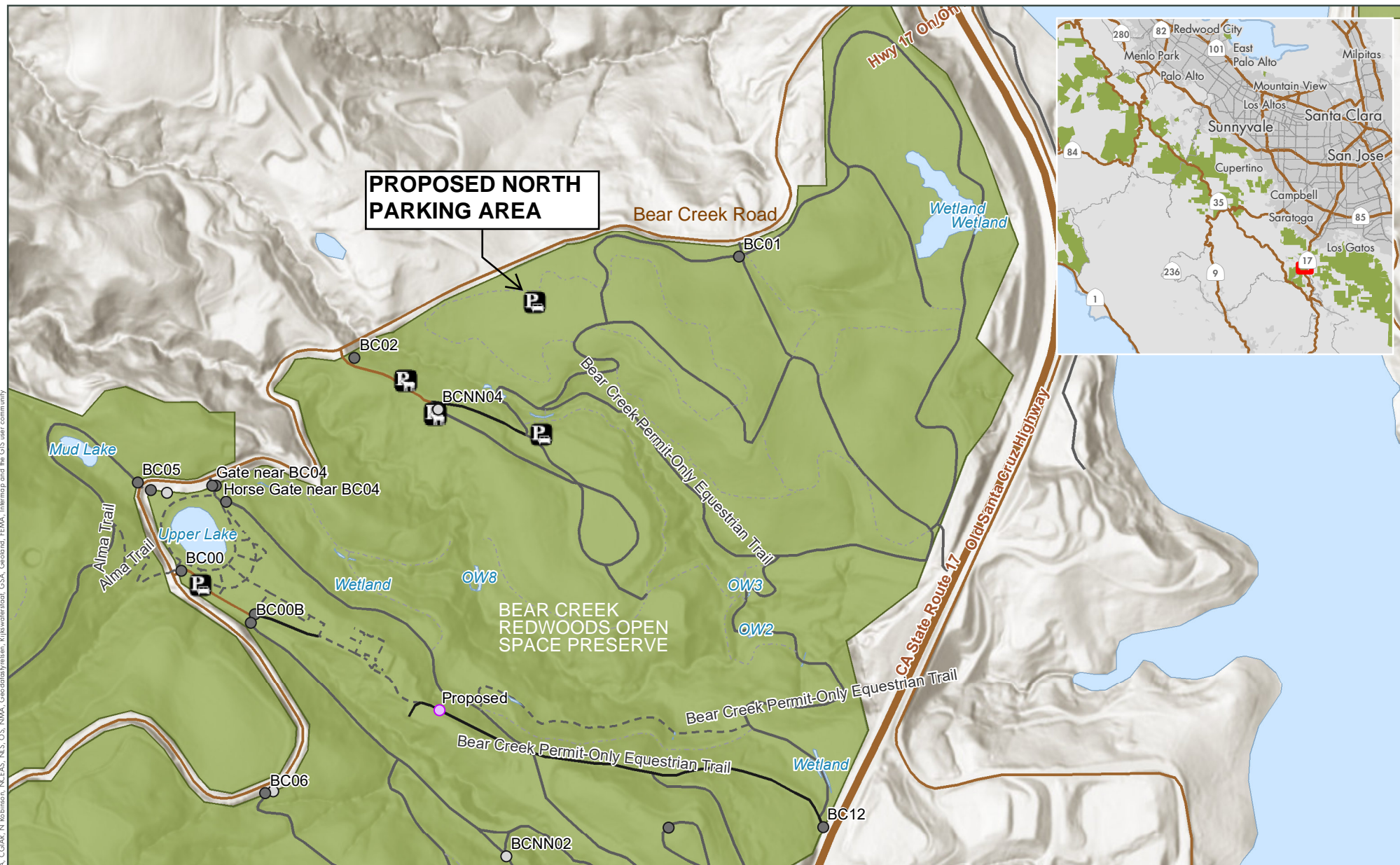
Attachment

1. Project Area Map

Responsible Department Head:
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Prepared by:
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Contact person:
Amanada Mills, Resource Management Specialist II, Natural Resources



Bear Creek Redwoods North Parking Area Vicinity

Gate	Parking Location	Trail (classes)	----- Abandoned / Unmaintained Road
○ Other	Equestrian	— Paved Road	Road Centerline (major)
● Present	Lot	— Unpaved All-Season Road	— Arterial
● Proposed	Roadside	— Unpaved Seasonal Road	— Freeway
		--- Trail	■ Preserve Boundary (fill)

Midpeninsula Regional
Open Space District
(MROSD)
7/17/2023



Data Source(s): Esri, Airbus DS, USGS, NGA, NASA, CCIAR, N. Robinson, NCEAS, NLS, OS, NMA, Geodatasystemen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community