

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, CA
Special Board of Directors Meeting
Agenda
April 7, 2014 at 3:00 p.m.

1. Call to Order, Flag Salute and Roll Call

2. Adoption and Adjustment of Agenda

3. Public Comment

Members of the public may address the Board at this time concerning items relating to any matter within the Agency's jurisdiction. To comment on specific agenda items, please complete a speaker's request form and hand it to the board secretary.

4. Consent Calendar:

If any board member requests that an item be removed from the Consent Calendar, it will be removed so that it may be acted upon separately.

- A. Approval of the Minutes of the Regular Board Meeting, March 17, 2014* (Page 2)
- B. Approval of the Minutes of the Finance and Budget Workshop, March 25, 2014* (Page 5)
- C. Approval of the Finance and Budget Workshop Report, March 25, 2014* (Page 7)

5. Reports (Discussion and Possible Action)

- A. General Manager's Report
 - 1. Operations Report
 - 2. General Agency Updates
- B. Directors' Reports

6. New Business (Discussion and Possible Action)

- A. Consideration of Authorization to Contract with Atkins for the Beaumont Avenue Recharge Facility Post Design* (Page 8)
- B. Consideration of Authorization to Contract with First Carbon Solutions for the Beaumont Avenue Recharge Facility Post Design* (Page 14)
- C. Consideration of Authorizing General Manager to sign T-Mobile Cell Tower Agreement*(Page 21)
- D. Consideration of Association of California Water Agencies (ACWA) Polling Funds* (Page 55)

7. Topics for Future Agendas

8. Announcements

- A. Engineering Workshop, April 14, 2014 at 1:30 p.m.
- B. Regular Board Meeting, April 21, 2014 at 1:30 p.m.
- C. San Gorgonio Pass Regional Water Alliance Bus Tour – April 23, 2014 at 10:00 a.m. – 3:30 p.m. (Tour begins and ends – SGPWA Parking Lot)

9. Adjournment

Information included in Agenda Packet

(1) Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Agency's office at 1210 Beaumont Avenue, Beaumont during normal business hours. (2) Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection at the Agency's office, located at 1210 Beaumont Avenue, Beaumont, California 92223, during regular business hours. When practical, these public records will also be made available on the Agency's Internet Web site, accessible at: www.sgpwa.com (3) Any person with a disability who requires accommodation in order to participate in this meeting should telephone the Agency (951 845-2577) at least 48 hours prior to the meeting in order to make a request for a disability-related modification or accommodation.

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, California 92223
Minutes of the
Board of Directors Meeting
March 17, 2014

Directors Present: John Jeter, President
Bill Dickson, Vice President
Mary Ann Melleby, Treasurer
Ron Duncan, Director
Ted Haring, Director
Barbara Voigt, Director

Director Absent: Ray Morris, Director

Staff Present: Jeff Davis, General Manager
Thomas Todd, Finance Manager
Cheryle Rasmussen, Executive Assistant
Kenneth Falls, Operations and Maintenance Manager

1. **Call to Order, Flag Salute and Roll Call:** The meeting of the San Gorgonio Pass Water Agency Board of Directors was called to order by Board President John Jeter at 1:30 p.m., March 17, 2014 in the Agency Boardroom at 1210 Beaumont Avenue, Beaumont, California. Director Dickson led the Pledge of Allegiance to the flag. A quorum was present.
2. **Adoption and Adjustment of the Agenda:** The agenda was adopted as presented.
3. **Public Comment:** No members of the public requested to speak at this time.
4. **Consent Calendar:**
 - A. Approval of the Minutes of the Regular Board Meeting, March 3, 2014
 - B. Approval of the Minutes of the Engineering Workshop, March 10, 2014

Director Dickson moved, seconded by Director Duncan, to approve the consent calendar as presented. Motion passed 6-0, with Director Morris absent.

5. **Reports:**

A. General Manager's Report:

(1) Operations Report: General Manager Davis reported on the following: **SWP Deliveries:** (a) Beaumont Cherry Valley Recreation & Parks Department's Annual Fishing Derby event will be held next month at BCVWD ponds from April 26 – 27. SWP water deliveries will commence April 2nd to ensure that there is enough water (approximately 10 cfs) for the event. The conveyance of the water will be accomplished by using the Crafton Hills bypass line, as Crafton Hills Reservoir is currently shut down for the construction of the Crafton Hills Reservoir enlargement project. (b) SBVMWD has agreed to swap carryover water with Metropolitan Water District on or about May 1st. General Manager Davis will contact Metropolitan Water District to inquire if it would consider negotiating the same type of exchange with the Agency. (c) An unofficial

estimate of the amount of carryover water that the Agency will have access to this year is at least 85%, equating to about 4500 acre-feet.

(2) General Agency Updates: a) Litigation Matters – (1) Delta Smelt: In 2011, the United States District Court ruled in favor of public water agencies, overturning what the court deemed to be arbitrary and harmful federal regulations on State Water Project operations. On March 13, 2014, the United States Court of Appeals for the Ninth Circuit reversed the 2011 ruling. It is likely that a petition will be filed with the Supreme Court for review. **2) Monterey Amendment Environmental Impact Report (EIR):** A portion of the EIR known as the Monterey Plus Agreement was overturned by Sacramento Superior Court Judge Timothy Frawley on March 6th. Judge Frawley stated that the Department of Water Resources did an acceptable job on the EIR, with the exception of the portion of it relating to the Kern Water Bank, stating that DWR didn't properly analyze the environmental impacts. Judge Frawley will be holding a hearing to determine the next step in this case. The remainder of the Monterey Amendment EIR was upheld. **b) EBX 2 Bonds:** General Manager Davis reminded the Board that all but \$25 million in EBX 2 bonds were sold last year, as the funds were not immediately needed and it was believed that interest rates would not increase for another year. These remaining bonds were sold this past February at the same interest rate as last year, resulting in a savings to the Agency. **c) Water Conservation and Education:** General Manager Davis reported on the ongoing water conservation education sessions that the Agency, along with the Inland Empire Resource Conservation District, has been conducting at local schools. He stated that topics of discussion have included the current drought crisis, a PowerPoint presentation on the water cycle, and presentations utilizing the groundwater model. There will be eleven presentations this week and additional presentations to follow next month. Director Melleby requested a report on how many students and teachers are attending each session, stating that this information could be conveyed in the Agency's Urban Water Management Plan pertaining to education.

B. Directors Reports:

(1) Director Haring reported that he attended the Region 9 Water Bond Briefing that was held at Eastern Municipal Water District on March 6th. He also attended the Calimesa Chamber breakfast meeting on March 11th. The topic of discussion was the proposed Mesa Verde housing project. **(2) Director Melleby** reported that she attended the California Utilities Executive Management Association - Elected Officials Summit on March 5th. She explained that this is a new group that focuses on professional education and seminars for general managers and elected officials. She also attended the ACWA Region 9 Water Bond Briefing, YVWD Board Workshop, BCVWD Board Meeting, Beaumont Chamber Breakfast – General Manager Jeff Davis was the guest speaker and he gave a presentation that was well received. **(3) Director Duncan** reported that he attended the Banning Chamber of Commerce meeting. He stated that the Chamber would like to have General Manager Davis provide another presentation. General Manager Davis stated that he will follow-up with the request. **(4) Director Voigt** reported that she attended the BCVWD Board meeting. She stated that General Manager Davis provided a presentation to its board.

6. New Business: (Discussion and Possible Action)

A. Status of Water Bond Issue: 1) A copy of the Association of California Water Agencies *Overview of 2014 Water Bond Bills – March 3, 2014* was included in the agenda packet. General Manager Davis reviewed with the Board the various water bond bills, estimated costs range from \$5.1 billion - \$9.25 billion. ACWA's Board of Directors has taken a strong position in supporting modifications to the current water bond to protect key statewide priority areas and aid its passage this year at a cost of \$8.2 billion. ACWA is supporting Assemblyman Anthony Rendon's water bond - AB 1331, and is working with Assemblyman Rendon to add additional monies for water storage. Ultimately, it is the governor who will decide if the water bond issue will be on this year's ballot. 2) General Manager Davis reported on the ACWA Region 9 Water Bond Briefing that he and some of the Agency's board members attended on March 6th. He stated that due to the drought both Sacramento and the agricultural community are being most affected and that there is genuine concern that the Delta may be overtaken by saltwater this year. Southern California has spent \$12 billion on water storage since the 1988-1992 droughts, thereby effectively providing Southern Californians with water during this drought year. ACWA's Executive Director Tim Quinn is requesting funding to conduct a water bond poll which would be submitted to the governor in April.

7. **Topics for Future Agendas:** President Jeter requested continued updates on the water bond.

8. **Announcements:** *President Jeter reviewed the following announcements:*

- A. Finance and Budget Workshop, March 24, 2014 at 1:30 p.m.
- B. San Geronio Pass Regional Water Alliance – Technical Committee Meeting, March 26, 2014 at 4:00 p.m. - Banning City Hall Conference Room
- C. San Geronio Pass Regional Water Alliance – Committee Meeting, March 26, 2014 at 6:00 p.m. - Banning City Council Chambers
- D. Regular Board Meeting, April 7, 2014 at 1:30 p.m.

9. **Adjournment:** President Jeter adjourned the meeting at 2:13 p.m.

DRAFT – SUBJECT TO BOARD APPROVAL

Jeffrey W. Davis, Secretary of the Board

cmr

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue
Beaumont, California 92223
Minutes of the
Board Finance and Budget Workshop
March 24, 2014

Directors Present: John Jeter, President
Mary Ann Melleby, Treasurer
Ron Duncan, Director
Ted Haring, Director
Ray Morris, Director
Barbara Voigt, Director

Directors Absent: Bill Dickson, Vice President

Staff and Consultants Present:
Jeff Davis, General Manager
Tom Todd, Jr., Finance Manager

1. **Call to Order, Flag Salute and Roll Call:** The Finance and Budget workshop of the San Gorgonio Pass Water Agency Board of Directors was called to order by President John Jeter at 1:30 p.m., March 24, 2014, in the Agency Conference Room at 1210 Beaumont Avenue, Beaumont, California. President Jeter led the Pledge of Allegiance to the flag. A quorum was present.
2. **Adoption and Adjustment of Agenda:** The agenda was adopted as published.
3. **Public Comment:** There was no public comment at this time.
4. **New Business:**
President Jeter turned the meeting over to Director Voigt, Chair of the Finance & Budget Committee.
 - A. Ratification of Paid Invoices and Monthly Payroll for the Month of February, 2014 by Reviewing Check History Reports in Detail: After review and discussion, a motion was made by Director Morris, seconded by Director Duncan, to recommend that the Board ratify paid monthly invoices of \$735,189.02 and payroll of \$30,521.46 for the month of February, 2014, for a combined total of \$765,710.48. The motion passed unopposed, with Vice-President Dickson absent.
 - B. Review and Consideration of Pending Legal Invoices for February, 2014: After review and discussion, a motion was made by Director Duncan, seconded by Director Morris, to recommend that the Board approve payment of the pending legal invoices for February, 2014. The motion passed unopposed, with Vice-President Dickson absent.

- C. Review of February, 2014 Bank Reconciliation: After review and discussion, a motion was made by Director Duncan, seconded by Director Morris, to acknowledge receipt of the Wells Fargo bank reconciliation for February, 2014 as presented. The motion passed unopposed, with Vice-President Dickson absent.
 - D. Review of Budget Report for February, 2014: After review and discussion, a motion was made by Director Duncan, seconded by Director Melleby, to acknowledge receipt of the Budget Report for February, 2014 as presented. The motion passed unopposed, with Vice-President Dickson absent.
 - E. Discussion of Contribution to ACWA Bond Issue Polling: After discussion about the presentation made by Tim Quinn at the ACWA Region 9 meeting, the consensus of the Board was to request a letter from ACWA that included a specific request about the issue of conducting a poll about the water bond proposals that are currently being considered by the legislature.
 - F. Discussion of Verizon Cell Phone Tower Lease: General Manager Jeff Davis began the discussion of this item by reviewing the major points of a previous contract the Agency negotiated with T-Mobile. The proposed contract with Verizon, included in the agenda package, is better in all aspects. After review and discussion, a motion was made by Director Morris, seconded by Director Duncan, to recommend that the Board approve the proposed contract with Verizon at the April 7 Board meeting, or if a final contract is not available at that time, to authorize the General Manager to approve a contract with Verizon when it is available. The motion passed unopposed, with Vice-President Dickson absent.
5. **Announcements:** Director Voigt reviewed the following announcements:
- A. San Gorgonio Pass Regional Water Alliance – Technical Committee Meeting, March 26, 2014 at 4:00 pm, Banning City Hall Conference Room
 - B. San Gorgonio Pass Regional Water Alliance – Committee Meeting, March 26, 2014 at 6:00 pm, Banning City Council Chambers
 - C. Regular Board Meeting, April 7, 2014 at 1:30 p.m.
 - D. Engineering Workshop, April 14, 2014 at 1:30 p.m.
6. **Adjournment:** The Finance and Budget workshop of the San Gorgonio Pass Water Agency Board of Directors was adjourned at 2:04 p.m.

Draft - Not Approved

Jeffrey W. Davis, Secretary of the Board

Finance and Budget Workshop Report

From Director Barbara Voigt, Chair of the Finance and Budget Committee

The Finance and Budget Workshop was held on March 24, 2014. The following recommendations were made:

1. The Board ratify payment of Invoices of \$735,189.02 and Payroll of \$30,521.46 as detailed in the Bank Register Report for Accounts Payable and the Bank Register Report for Payroll for February, 2014 for a combined total of \$765,710.48.

2. The Board authorize payment of the following vendor's amounts:

Best, Best & Krieger LLP	\$12,659.06
Metropolitan Water District	16.05

3. The Board acknowledge receipt of the following:

- A. Wells Fargo bank reconciliation for February, 2014
- B. Budget Report for February, 2014

MEMORANDUM

TO: Board of Directors

FROM: General Manager

RE: Consulting Agreement With Atkins Global for Post Design Work on Beaumont Avenue Recharge Facility Pipeline

DATE: April 7, 2014

Summary:

The purpose of this proposed Board action is to engage the consulting firm of Atkins Global to provide post-design services during construction of the Beaumont Avenue Recharge Facility Pipeline. Atkins Global designed the pipeline and is also designing the connection to the East Branch Extension.

Background:

In 2012, the Agency engaged three consulting firms to provide environmental and design services for the Beaumont Avenue Recharge Facility and the accompanying pipeline and service connection. First Carbon Solutions was engaged to prepare the Environmental Impact Report; Albert A. Webb Associates was engaged to design the recharge facility, and Atkins Global was engaged to design the pipeline and service connection. Those three tasks are essentially completed, and the final design of the facility is done (Albert A. Webb Associates has a few minor tasks remaining to complete its design).

Now the project has moved to the construction phase. On February 18, the Board authorized staff to advertise the pipeline portion of the project for construction. Since that time, Atkins Global has been working on completing the final design and preparing to provide post design services. The post design services include support for the bidding process, inspection services, shop drawing review, and coordination with the Contractor and with DWR regarding various encroachment permits. A proposal from Atkins Global for this work is included in the agenda package.

Detailed Report:

Atkins Global staff has many years' experience in construction inspection and other related post design tasks. Atkins Global staff supported the Agency during construction of the Noble Creek connection to the EBX and performed satisfactorily.

During construction, Atkins Global staff will serve as an extension of Agency staff and will provide services that would be provided by in-house staff at a larger public agency.

Fiscal Impact:

Most of the cost of this work will be during the next fiscal year, as construction is scheduled to begin in June. However, \$25,000 was budgeted for this fiscal year and costs will be incurred prior to the start of construction during the bidding process. The full cost of this work, minus the work performed this fiscal year, will be included in the budget for the 2014-2015 fiscal year.

Relationship to Strategic Plan:

The Strategic Plan includes a goal of developing a regional infrastructure plan. This facility is part of the regional infrastructure plan and thus this action is directly related to the Strategic Plan.

Recommendation:

Staff recommends that the Board authorize the General Manager to sign the agreement with Atkins Global for post design services and authorize expenditures not to exceed \$200,000.



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April 1, 2014

Mr. Jeff Davis, PE
General Manager/Chief Engineer
San Gorgonio Pass Water Agency
1210 Beaumont Avenue
Beaumont, CA 92223

**Subject: Beaumont Avenue Recharge Facility Pipeline
 Proposal for Bidding and Construction Engineering Services**

Dear Mr. Davis:

Atkins is pleased to submit its proposal to the San Gorgonio Pass Water Agency (SGPWA) for subject Project. In general, all labor hour estimates are based upon an assumed construction duration of 68 working days (95 calendar days), with the specific levels of effort (per week) as further described.

Based on our detailed understanding of the Project, we propose to perform the following services associated with the construction of approximately 6,700 linear feet (1.27 miles) of waterline from Agency's (first) property near the Mountain View turnout, to the Agency's (second) property at the southwest corner of Beaumont and Brookside Avenues:

Task 1: Project Management, Coordination and Meetings – Provide technical support including as-needed conferences, correspondence and meetings with both Agency staff and Contractor. Preconstruction services include: attending/running the pre-bid meeting and responding to questions, issuing any addenda, attending/running the bid opening, evaluation of bids, and recommending an award.

Construction services include: attending/running the pre-construction meeting, continued coordination with various permitting agencies, assisting Staff with as-needed matters, managing all subconsultants, and implementing as-needed cost

controls. The Project Manager will also make weekly visits to site to personally converse with our inspector and Staff.

We have assumed 136 hours (2 hours/day for 68 days) for the designated Project Manager at a rate of \$200/hour and 68 hours (1 hour/day for 68 days) for a Project Engineer at a rate of \$155/hour.

Task 2: Construction Surveying & Staking – Provide construction staking along the pipeline alignment at 50' intervals, including all angle points, grade breaks, fittings, and appurtenances. Cut sheets will be prepared using flow line of pipe, as shown on the Construction Drawings. Staking will be 1" x 2" hubs or nails and tins set along pipeline alignment at an offset requested by Contractor. Contractor will be provided necessary copies of cut sheets prior to saw cutting or trenching.

Per Riverside County Transportation Department (RCTD) requirements, we will also tie out any survey monument that is in jeopardy of being destroyed during construction activities. Should the monument require replacement, we will then reset same in accordance with acceptable survey practices, and file a corner record with the County Surveyor's office.

Based on our experience with similar projects, we estimate 2 days of office calculations, 1 mobilization to tie out the necessary monuments, and a maximum of 3 mobilizations to stake the waterline (incl. bore and jack pits) for an estimated fee of \$17,000.

Task 3: Contract Administration and Submittals Review – The Project Manager will administer the contract on behalf of Agency, including reviewing and responding to Requests-for-Information (RFIs), reviewing and approving all material submittals, reviewing and providing recommendations pertaining to any partial payment requests, and facilitating any communications by and between Staff and Contractor.

We have assumed 68 hours (1 hour/day for 68 days) for the designated Project Manager at a rate of \$200/hour, and 34 hours (0.5 hour/day for 68 days) for a Project Engineer at a rate of \$155/hour.

Task 4: Geotechnical Inspection & Testing – Coordinate compaction testing based on Contractor’s progress and specific permitting agencies requirements. However, we anticipate the need for a part time technician and anticipate that compaction tests will be taken in the pipe zone, in the backfill above the pipe zone, and in the subgrade at approximately 300' intervals.

Using Converse Consultants as our testing subconsultant, we offer an estimated fee of \$38,500 for their field technician, laboratory analysis, and office management costs.

Task 5: Construction Observation and Inspection – Provide for a full-time inspector for the duration of the project to represent Agency during all phases of construction. The inspector will have constant communication with the Project Manager to ensure the highest quality of construction, and resultant project.

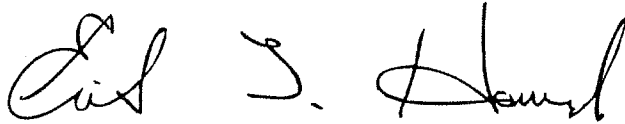
We have assumed 544 hours (8 hours/day for 68 days) for the designated Field Engineer at a rate of \$125/hour, an inspection vehicle charge of \$75 per day.

Based on the above described items and a breakdown of staff and hours, we estimate the following fees associated with the requested level of effort:

Task	Amount (Rounded)	Comments
1	\$38,000	PM, Coord and Mtgs
2	\$17,000	Construction Surveying
3	\$19,000	Admin and Submittals
4	\$38,500	Geotechnical Testing
5	\$73,100	Inspection
Direct Costs:	<u>\$5,800</u>	(Est. @ 3% of 1-5)
Total :	\$191,400	

As always, we look forward to the continued opportunity of working with the SGPWA on this matter. If you have any questions or require additional information, please call me (direct) at 909.521.3766. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik S. Howard". The signature is written in a cursive style with a large initial "E" and "H".

Erik Howard, PE, PLS
Sr. Project Manager

MEMORANDUM

TO: Board of Directors

FROM: General Manager

RE: Consulting Agreement With First Carbon Solutions for Post Design Work on Beaumont Avenue Recharge Facility Pipeline

DATE: April 7, 2014

Summary:

The purpose of this proposed Board action is to engage the consulting firm of First Carbon Solutions to provide mitigation monitoring services during construction of the Beaumont Avenue Recharge Facility Pipeline. The mitigation monitoring services are required under the terms of the Environmental Impact Report. The Board's certification of that document also included adoption of the mitigation monitoring and reporting plan, which will be implemented by First Carbon Solutions.

Background:

In 2012, the Agency engaged three consulting firms to provide environmental and design services for the Beaumont Avenue Recharge Facility and the accompanying pipeline and service connection. First Carbon Solutions was engaged to prepare the Environmental Impact Report; Albert A. Webb Associates was engaged to design the recharge facility, and Atkins Global was engaged to design the pipeline and service connection. Those three tasks are essentially completed, and the final design of the facility is done (Albert A. Webb Associates has a few minor tasks remaining to complete its design).

Now the project has moved to the construction phase. On February 18, the Board authorized staff to advertise the pipeline portion of the project for construction. During construction of the pipeline, First Carbon Solutions will be in the field as needed to implement mitigation actions identified in the Environmental Impact Report and approved by the Board in October 2013.

Detailed Report:

First Carbon Solutions, formerly Michael Brandman Associates, has many years' experience in mitigation monitoring and reporting programs. Since the firm wrote the EIR, it is most familiar with the mitigation measures required. A proposal from the firm for this work is included in the agenda package.

During construction, First Carbon Solutions staff will coordinate with the contractor, with Atkins Global, and with Agency staff to ensure that all mitigation measures are carried out in compliance with the California Environmental Quality Act and the Agency's CEQA policies.

Fiscal Impact:

The great majority of this work will be performed during the 2014-2015 fiscal year, but a small portion of it will be performed during this fiscal year, as the construction is likely to begin in June. The Agency has budgeted a total of \$25,000 this fiscal year for post-design services for the pipeline project. That should be sufficient to cover Atkins Global's expenses and First Carbon Solutions' expenses through June. The rest of the funds to be expended under the proposed contract will be included in the fiscal year 2014-2015 budget.

Relationship to Strategic Plan:

The Strategic Plan includes a goal of developing a regional infrastructure plan. This facility is part of the regional infrastructure plan and thus this action is directly related to the Strategic Plan.

Recommendation:

Staff recommends that the Board authorize the General Manager to sign an agreement with First Carbon Solutions for mitigation monitoring and reporting activities and authorize expenditures not to exceed \$50,000.



February 13, 2014

Jeff Davis, P.E., General Manager
San Geronio Pass Water Agency
1210 Beaumont Avenue
Beaumont, CA, 92223

Subject: Mitigation Monitoring Proposal for the Proposed Pipeline Associated with the Beaumont Avenue Recharge Facility and Pipeline Project

Dear Mr. Davis:

FirstCarbon Solutions | Michael Brandman Associates (FCS)¹ appreciates the opportunity to provide the San Geronio Pass Water Agency (SGPWA) this Scope of Work and Cost Proposal to provide mitigation monitoring for the proposed pipeline associated with the Beaumont Avenue Recharge Facility and Pipeline Project. FCS understands that construction of the pipeline from the recharge facility site to the service connection site will extend approximately 7,000 linear feet and the duration of the construction will be approximately 25 working days for the pipeline and approximately 4 working days for the bore and jack activities at Mountain View Channel and Noble Creek. Approximately 1,400 linear feet of pipeline will be located within the City of Beaumont and approximately 5,600 feet will be located within the County of Riverside.

FCS also understands that staging areas for construction equipment, vehicles, and materials could be at one or more of the following locations: (1) along the pipeline alignment within the traffic lane proposed to be closed, (2) within the triangular parcel located south of Brookside Avenue, (3) on the recharge facility site located southwest of the Brookside Avenue/Beaumont Avenue intersection, and (4) on the service connection site located south of Orchard Avenue. In addition, FCS understands that approximately 1,100 cubic yards of soil will be exported from the pipeline alignment to one of three soil sites (1) the triangular parcel located south of Brookside Avenue, (2) the recharge facility site located southwest of the Brookside Avenue/Beaumont Avenue intersection, and (3) the service connection site located south of Orchard Avenue.

The mitigation monitoring required for the pipeline construction activities includes mitigation measures identified in Section 3.2, Biological Resources; Section 3.3, Cultural Resources; Section 3.4 Geology and Soils; and Section 3.9, Transportation and Traffic. The specific geology and soils measures are typically performed by a certified soils engineer. FCS assumes that the contractor will include a certified soils engineer as part of their construction team.

Please feel free to contact me at 714.508.4100, by email at mhoulihan@brandman.com, or my cell at 714.742.5375 to further discuss the scope of work for this project. We look forward to continuing to work with you on this project.

Sincerely,

A handwritten signature in black ink that reads "Michael E. Houlihan". The signature is written in a cursive, flowing style.

Michael E. Houlihan, AICP
FirstCarbon Solutions | Michael Brandman Associates
220 Commerce, Suite 200
Irvine, CA 92602

¹ For Contracting purposes, FCS continues to do business under the Tax ID number of Michael Brandman Associates #95-3782289

Scope of Work

Task 1 – Burrowing Owl and Nesting Bird Pre-Construction Survey

This task is associated with Mitigation Measures BIO-1 and BIO-12. The area proposed for construction excavation is not suitable habitat for the western burrowing owl, a California Species of Special Concern. Although no suitable burrowing habitat was found on the sites proposed to receive exported soil from pipeline excavation and used for construction staging as part of the environmental documentation process, Mitigation Measure BIO-1 requires a burrowing owl survey 30-days prior to ground disturbing activities. These activities include the placement of export soil and construction staging at one or more of three locations: (1) the triangular parcel located south of Brookside Avenue, (2) the recharge facility site located southwest of the Brookside Avenue/Beaumont Avenue intersection (it is assumed that only two acres will be used to deposit exported soil), and (3) the service connection site located south of Orchard Avenue (it is assumed that 1.75 acres will be used to deposit exported soil).

Prior to construction activities, FCS will conduct a 30-day pre-construction survey to determine if burrowing owl have moved onto the three sites that are anticipated to receive export soil from the pipeline excavation activities, and/or used for construction staging. The 30-day pre-construction survey will consist of a one-day survey within 30-days of initial export soil activities. The survey will consist of walking meandering transects within the areas that are planned to receive export soil. Note that preferably surveys should be conducted in the early morning or later afternoon hours, but this is not required for a 30-day preconstruction survey.

If construction activities occur during the nesting season, which typically extends from mid-February to the end of August, this 30-day pre-construction survey will also cover avian species protected under the federal Migratory Bird Treaty Act. The survey for avian species is identified in Mitigation Measure BIO-12. If nesting birds are observed within portions of the areas planned to receive export soil and/or used for construction staging, they will be avoided until the nestlings have fledged the nest. Export soil activities and/or construction staging activities may still occur, but must avoid the nest at a distance designated by the biological monitor. The buffer shall be no less than 200 feet. Export activities may occur within the buffer at the discretion of the biological monitor.

Following the surveys, a letter report of findings will be submitted to the San Geronimo Pass Water Agency.

Task 2 – Passive Relocation (Optional Task)

This task is associated with Mitigation Measure BIO-2. FCS anticipates that this task will not be needed. However, if there is a burrowing owl that is found, it will need to be passively relocated. Following is the process.

Prior to conducting passive relocation efforts, the California Department of Fish and Wildlife will be contacted to discuss passive relocation protocol. Based on previously acceptable methods, all occupied burrows will be fitted with a one-way trap door to allow burrowing owls to leave the nest, but not return. The one-way doors should be left over the burrow entrance for 3-4 days. The previously occupied burrow should be carefully excavated and collapsed. Once all suitable burrows have been collapsed, the passive relocation effort will be completed. For the purposes of this scope of work, it is estimated that a total of six man-days of work will be required to complete this task. This task is

considered optional, since it is only required if burrowing owl are discovered within the project site. This task will not be performed unless specifically authorized by the San Geronio Pass Water Agency.

Task 3 – Flagging of LAPM occupied habitat

This task is associated with Mitigation Measure BIO-3. The occupied Los Angeles Pocket Mouse habitat will be flagged by a qualified biologist at least 15 days prior to any vegetation removal or soil disturbance activities within the triangular parcel, the northern portion of the recharge facility (assumed up to two acres), and the service connection site (assumed up to 1.75 acres). No construction activities, including soil storage, or staging of construction material, equipment, or vehicles shall occur within the flagged area. Flagging may consist of a combination of pin-flags and/or flagging tape to clearly indicate the boundary of the occupied habitat. This task can be completed any time prior to construction activities.

Task 4 – Biological Monitoring

This task is associated with Mitigation Measures BIO-4 through BIO-8, BIO-10, and Bio-11. Note that Mitigation Measure BIO-9 is an operational mitigation measure and is not applicable for construction monitoring.

A biological monitoring is required to oversee construction related activities to ensure that no significant impacts will occur to sensitive wildlife species known to occur within the vicinity of the project site. The monitor will be responsible for monitoring escape ramps installed within appropriate trench areas or maintain wooden planks over the top of excavated areas. All trenches and pipes will be inspected by construction crews for entrapped wildlife each morning prior to construction activities. All wildlife entrapped within trenches and pipes will be relocated by a biological monitor before construction begins each morning. The biological monitor shall oversee any relocation of wildlife trapped within trenches or pipes. The monitor will ensure that all equipment maintenance will be conducted outside Noble Creek to prevent the release of hazardous substances into the drainage. This scope of work includes a project kick-off meeting that will allow the biological monitor to educate the construction crew on the significant biological resources potentially occurring within the export soil and/or construction staging locations. This scope estimates construction activities to occur over a five week period and a biologist will be required to monitor for approximately eight of those days. Monitoring trenches and pipes as discussed above will be performed by the archaeologist under the supervision of the qualified biologist. The cost associated with the archaeologist is part of Task 5 below.

Task 5 – Archaeological Resource Monitoring

This task is associated with Mitigation Measures CUL-1 and CUL-2. An archaeologist under the supervision of our County of Riverside qualified Archaeologist, will monitor soil excavation activities that are expected to occur only along the pipeline alignment.

An FCS archaeologist will monitor ground disturbing activities, which will include excavation for the pipeline. For the purposes of the pipeline route, monitoring is only required once two feet of surface fill has been removed.

Once 50 percent of the earthmoving activities are complete, the project archaeologist will examine the cuts and at his discretion may terminate monitoring activities if no buried archaeological resources are