COUNTY OF GLENN
BOARD REPORT

PUBLIC WORKS - AGREEMENT / MITIGATION BANK CREDITS COUNTY ROAD 35

Submitted by Public Works
January 7, 2020

EXECUTIVE SUMMARY:

Staff seeks authorization from the Board for the Public Works Director, or designee, to execute a purchase agreement to purchase mitigation credits from Westervelt Ecological Services for the County Road 35 at Walker creek Bridge Replacement Project (Project). In order to mitigate the potential permanent impacts to the giant garter snake (Thamnophis gigas), the purchase of mitigation bank credits is required by Project permit conditions.

RECOMMENDATION(S):

Authorize Public Works Director, or designee, to execute the purchase agreement, and to purchase 1.53 giant garter snake mitigation credits from Westervelt Ecological Services for the County Road 35 at Walker Creek Bridge Replacement Project. Total costs not to exceed $91,800.00

HISTORY AND BACKGROUND:

During the summer of 2011 the need was identified to replace the low-water crossing at Walker Creek along County Road 35 which was regularly inundated during storm events. Under the Federal Highway Administration’s (FHWA) Highway Bridge Program, the cost of replacement is an expense that is 100% reimbursable to the County.

Resolution 2010-54, adopted on June 29, 2010, authorized the Director of Planning & Public Works to execute agreements with Caltrans to receive Federal and/or State funding for certain Transportation Projects. Pursuant to the authority granted, Agency staff secured funding through the FHWA Highway Bridge Program to begin preliminary engineering for the replacement of the low-water crossing.

The Board approved a Comprehensive Professional Engineering and Surveying Services Agreement with Willdan Engineering of Redding with Minute Order #10 on August 20, 2013. Agency staff utilized the professional services of Willdan Engineering to undertake the preliminary engineering phase of the project. To date, Agency staff has received determinations under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) for this Project. As stated in the determinations, the local agency is responsible for obtaining all required permits from regulatory
agencies prior to initiation of construction. Currently it is understood that the County will need to obtain the following permits: 404 Permit from the Army Corps of Engineers, 401 Certification from the State Water Resources Control Board, and a Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW).

During the Board meeting held on April 17, 2018, staff was authorized to award and execute a contract with Padre Associates Inc., an environmental consulting firm, to obtain all required Project permits. On the recommendation of Padre Associated, Inc., staff sought a consistency determination from CDFW in lieu of a California Endangered Species Act Incidental Take Permit. In order to comply with conditions set forth by the consistency determination, the purchase of mitigation bank credits to offset potential impacts to the giant garter snake is required. The purchase of additional mitigation bank credits may be necessary in the future depending upon the requirements imposed by the remaining permitting agencies.

**FISCAL/PERSONNEL IMPACTS(S):**

Administered by the FHWA, the Highway Bridge Program funds the replacement of deficient bridges at a rate of 80% of eligible costs; the remaining 20% is to be made up of non-federal match.

As detailed in Section 3.10 of the Local Assistance Procedures Manual (Caltrans), “through the use of toll-credits, the non-federal share match can be satisfied by applying an equal amount of toll credit and allow a project to be funded with up to 100% federal funds.” Therefore, low water crossing 00L0053 over Walker creek qualifies for 100% federal funding.

No general fund impact is anticipated, all funds to be covered by the Road Fund.

**ANALYSIS/DISCUSSION:**

Permit conditions require the mitigation of potential impacts related to Project activities. The purchase of mitigation bank credits ensures compliance with permit requirements and allows the County to proceed with Project development.

**APPROVERS:**

Cole Grube, Di Aulabaugh, William Vanasek, Humberto Medina, Scott De Moss

In Progress

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