

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **6.B.**

FROM: Jerry Gruber, General Manager  
Bob Gresens, District Engineer

Meeting Date: May 24, 2018

Subject: DISCUSSION AND CONSIDERATION  
OF AN AGREEMENT FOR  
CONSULTANT SERVICES WITH  
CLEVELAND BIOLOGICAL, LLC FOR  
ENVIRONMENTAL CONSULTATION

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**RECOMMENDATIONS:**

Staff recommends that the Board of Directors approve an agreement for consultant services with Cleveland Biological, LLC for environmental consultation services related to the Sustainable Water Facility (SWF).

**FISCAL IMPACT:**

Based upon the attached proposal, the agreement for consultant services is in the amount of \$104,500 to perform work related to completing an Endangered Species Act (ESA) Section 7 consultation process, associated permits, consultations, updating the Adaptive Management Plan (AMP), and preparation of the Annual AMP Monitoring Report. Funding for this proposed effort is to be from the Capital SWF Projects budget (Fund 40, Department 30).

**DISCUSSION:**

Although the Subsequent Environmental Impact Report (SEIR) process for the SWF addressed issues raised over the potential biological impacts of the project, questions and concerns continue to be expressed by resource agencies and private citizens regarding endangered or threatened "special status" species and critical habitats. The Adaptive Management Plan (AMP), developed as a biological mitigation for the SWF, provides a mechanism to monitor and protect such species; however, the AMP does not provide the same level of protection to the District as completing an ESA Section 7 consultation process, which would also address and hopefully resolve the remaining resource agency concerns.

Staff believes that initiating the Section 7 ESA consultation process, in addition to the other environmental support outlined within the proposal, will better protect the District while also facilitating the SWF's Regular Coastal Development Permit processing. As a result, an agreement for consultant services based on the attached proposal from Cindy Cleveland of Cleveland Biological, LLC is being recommended for approval. Ms. Cleveland is also familiar with the biological issues of the project and has provided biological monitoring and reporting work on the AMP for the SWF. As set forth in her proposal, Ms. Cleveland's work will involve preparation of a biological assessment, which would support the ESA Section 7 consultation process, as well as several required permits. In addition to updating the AMP and supporting the ongoing SWF Regular Coastal Development Permit process, permitting assistance will be provided to support the lagoon water pipeline modification described within the SEIR. Such

permitting will include a U.S. Army Corps of Engineers 404 permit, a Regional Water Quality Control Board 401 permit and a California Department of Fish and Wildlife streambed alteration 1602 permit.

Permitting efforts will include discussions and coordination with several State and Federal agencies, including the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife.

Ms. Cleveland has extensive experience with the ESA Section 7 consultation process and related permitting. She has previously worked for the U.S. Fish and Wildlife Service doing, among other things, ESA Section 7 consultations. Ms. Cleveland's resume is included with her proposal.

Ms. Cleveland estimates that the work will take approximately 1100 hours to complete at a rate of \$95 per hour, for a total cost of \$104,500. Given the amount of work involved, staff believes her cost proposal is reasonable.

Attachments: Cleveland Biological, LLC Proposal dated May 22, 2018

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BOARD ACTION: Date \_\_\_\_\_ Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

UNANIMOUS: \_\_\_ RICE \_\_\_ BAHRINGER \_\_\_ FARMER \_\_\_ WHARTON \_\_\_ PIERSON \_\_\_