



Santa Clara Valley Water District

File No.: 17-0858

Agenda Date: 7/10/2018

Item No.: 6.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Resolution Adopting the Final Initial Study/Negative Declaration, Project Approval, and Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Uvas Creek Levee Rehabilitation Project Phase 1, Project No. 62084001, Task No. 5175, Contract No. C0643, (Gilroy) (District 1).

RECOMMENDATION:

- A. Consider the environmental effects of the Uvas Creek Levee Rehabilitation Project as discussed in the Final Initial Study/Negative Declaration;
- B. Adopt a Resolution ADOPTING THE FINAL INITIAL STUDY/NEGATIVE DECLARATION FOR THE UVAS CREEK LEVEE REHABILITATION PROJECT;
- C. Approve the Uvas Creek Levee Rehabilitation Project;
- D. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Uvas Creek Rehabilitation Project, Phase 1 per the Notice to Bidders; and
- E. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

SUMMARY:

Background and Project Description

Staff has identified a need to proceed with approximately 30 erosion repair and animal damage repair projects from FY2018 through FY2022. One of the higher priority projects is the U.S. Army Corps of Engineers (USACE) levee at Uvas Creek, downstream of Miller Avenue to end of the levee (Attachment 1) within the City of Gilroy (City).

Annually, USACE staff inspects the Uvas Creek Levee to assess the condition of the levee to determine if corrective work is required to ensure the integrity of the levees. Based on inspections, USACE ranked this portion of the levee as "Unacceptable" with a request to address the burrowing animal damage to the levee. Despite implementation of a long-term burrowing animal abatement program, animal burrows continue to persist throughout the levee's landside and riverside slopes

along the entire length of the creek. If left unabated, the current condition may induce levee failure by sloughing, slumping, and/or piping through the levee during high storm events. To maintain this certified levee within the “Acceptable” ranking from the USACE inspection, construction of this Project is proposed this year.

The scope of this Project will: A) repair damage to approximately 4,200 feet of the outboard face of the levee, due to burrowing animals along the most critical areas where a substantial number of holes have emerged within the levee immediately downstream of Miller Avenue towards the end of the levee, downstream of West Luchessa Avenue, adjacent the City of Gilroy Sports Park; B) reduce frequent maintenance costs associated with the routine bank erosion repair projects; and C) reduce the risk of levee/bank slope failure due to damage caused by burrowing animals. Phase 1 of the Project is to address the levee conditions for the outboard face, while future Phase 2 is to address the levee conditions for the inboard face.

This Project, including Phase 1 and Phase 2, is a covered activity included in the Santa Clara Valley Habitat Plan (VHP). The District plans to utilize the VHP permits to comply with the federal and state endangered species laws, and as such the District will be required to make payment of VHP fees based on acreage impacts from the Project. Once VHP fees are paid, future levee maintenance and rehabilitation work within the same area can be conducted within the limit of 50 years.

Upon Board approval of the recommendations, staff will proceed to advertise for bids for Phase 1 of the Project construction with the Notice to Bidders (Attachment 2). The next Board action would be for Award of the Construction Contract on Aug 14, 2018.

Environmental Review

Pursuant to the CEQA, the District, as the lead agency for the Project, prepared a Final IS/ND (Attachment 3), which is included in this Agenda Memo for Board’s consideration prior to authorizing advertisement of bids for the Project. The draft IS/ND for this Project, including Phase 1 and Phase 2, was circulated for public review from May 9, 2018 to June 8, 2018. The District received comments from the California Department of Fish and Wildlife (CDFW), and the Department of Transportation (DOT). The District also received a phone call from a private citizen with comments unrelated to the adequacy of the draft ND. CDFW commented on potential project impacts to riparian habitat from tree removal and pruning activities as well as impacts to biological resources from equipment staging. CDFW requested the ND be revised to more clearly describe the environmental setting, project activities, and extent of impacts to riparian habitat including detailed figures showing the extent of the riparian corridor. In addition, CDFW advised that a Lake or Streambed Alteration Agreement will be required for activities, including inboard levee work, within Uvas Creek and the associated riparian corridor. In response to CDFW’s comments, the District provided additional detail of the Project and associated impacts and adjusted the project to include an alternative staging area on the outboard side of the levee away from the Uvas Creek riparian corridor. Furthermore, the District will provide maps to CDFW clearly showing the extent of the riparian corridor and the location of project activities as part of an application package for a Lake or Streambed Alteration Agreement (LSAA), which is expected to cover for work activities within CDFW. District will enter into the LSAA for Phase 2 of this Project between now and early spring 2019. Phase 2 of the Project will be bid-

advertised and implemented after completion of the LSAA.

The DOT recommended haul trips occur during off-peak hours. In the response, the District referred to the traffic analysis in the ND document stating that only an average of 2 to 3 haul truck trips would occur during peak hours, which supports the conclusion that haul truck trips during Project construction would not substantially impede traffic flow.

In addition to the text revisions made in response to public comments, other revisions were made in the final ND to reflect minor changes in the Project description and schedule. The number of approximate working days for both Phase 1 and Phase 2 increased by twenty days, since construction for the Project shall be undertaken within two seasons. However, none of the above-described changes are considered substantial revisions that would require recirculation of the ND prior to adoption.

Summary of Environmental Impacts

As discussed in the attached Final IS/ND, the Project would result in or less than significant impacts in all resource areas and no mitigation measures are necessary.

Next Steps

If Board adopts the resolution adopting the Final IS/ND for the Project (Attachment 4) and authorizes advertisement of bids for the Project, the upcoming Project milestones are:

- a) Board's award of construction contract for Project, Phase 1: August 14, 2018
- b) Begin construction: First week of September 2018
- c) Complete construction: Summer 2019

Project Delivery Process

Project Delivery Chart (Attachment 5) highlights the current Project, Phase 1 and the staff recommendations currently before the Board.

FINANCIAL IMPACT:

The estimated cost of construction for the Project is between \$4.0M and \$4.5M. This Project has sufficient funds allocated in the FY19 budget to pay for construction.

CEQA:

A Final IS/ND for the Project, which includes Phase 1 and Phase 2, has been prepared and is included in this Agenda Memo for Board consideration and adoption before Board's authorization to advertisement for bids for the Project.

ATTACHMENTS:

Attachment 1: Project Location Map
Attachment 2: Notice to Bidders
Attachment 3: Final Uvas Creek ISND
Attachment 4: Resolution
Attachment 5: Project Deliver Process Chart

UNCLASSIFIED MANAGER:
Ngoc Nguyen, 408-630-2632