



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: WRAG 25-081

May 19, 2025

Introduced: 5/13/2025

Current Status: Agenda Ready

Version: 1

Matter Type: WR General Agenda

Consider approving Amendment No.2 to the agreement for Professional Services with FISHBIO to extend the term length by three years to June 30, 2028, to perform fish monitoring services within the Salinas and Gabilan Watersheds as necessary; amend Exhibit B to reflect 2025 billing rates; and authorize the General Manager to execute the amendment.

RECOMMENDATION:

It is recommended that the Board of Directors of the Monterey County Water Resources Agency:

Approve Amendment No.2 to the agreement for Professional Services with FISHBIO to extend the term length by three years to June 30, 2028, to perform fish monitoring services within the Salinas and Gabilan Watersheds as necessary; amend Exhibit B to reflect 2025 billing rates; and authorize the General Manager to execute the amendment.

SUMMARY/DISCUSSION:

An Agreement for Professional Services with FISHBIO to perform fish monitoring services at various times throughout the year within the Salinas and Gabilan Watersheds ("Agreement") was approved by the Board of Directors on May 20, 2019, and by the Water Resources Agency Board of Supervisors on June 25, 2019, in an amount not to exceed \$300,000 (Attachment 1).

Amendment No. 1 to extend the term of the Agreement by three years to June 30, 2025, was approved by the Board of Directors on March 9, 2022 (Attachment 2).

Amendment No. 2 will extend the term of the Agreement by three years to June 30, 2028, allowing FISHBIO to continue performing fish monitoring services as necessary (Attachment 3). It will also amend Exhibit B to reflect FISHBIO's 2025 billing rates.

For Fiscal Year (FY) 2024-2025 and FY 2025-2026, the Agency plans to utilize FISHBIO's services under the Agreement to support monitoring that is required during maintenance activities at Nacimiento and San Antonio dams.

Not all activities listed in the scope of work from the original Agreement are planned for FYs 2024-2025 and 2025-2026. The original scope of the Agreement was developed when the Biological Opinion (BO) for the Salinas Valley Water Project, issued by the National Marine Fisheries Service in 2007, was in place. The 2007 BO and associated incidental take permit were withdrawn in February 2019, so some of the scoped activities are not currently being conducted (e.g., Task 1 - Smolt Outmigration Monitoring and Task 2 - Adult Upstream Migration monitoring). However, in 2018,

prior to withdrawal of the BO, the Agency began the process of developing a Habitat Conservation Plan (HCP). The scope of the Agreement is not being amended because the HCP is currently under development and mitigation actions are being drafted that may or may not include tasks from the original scope. Activities scoped in the Agreement that are germane to implementation of the HCP would not be performed in the upcoming FY 2025-2026; any such work would be requested under a future amendment or a new agreement. Within the term of the Agreement under Amendment No. 2, new monitoring methods for the HCP may be considered and tested. However, this activity would not be performed in FY 2025-2026.

OTHER AGENCY INVOLVEMENT:

Services provided by FISHBIO are conducted to maintain compliance with regulations from one or more of the following agencies: California Department of Fish and Wildlife, California State Water Resources Control Board, National Oceanic and Atmospheric Administration (NOAA) Fisheries, and U.S. Fish & Wildlife Service.

FINANCING:

Funding for this agreement is included in Fund 116 of the Agency's FY 2024-2025 and proposed FY 2025-2026 budgets. As of this report, total expenditures under the Agreement from 2019 to present are \$149,445.28 (approximately 50% of the total Agreement amount). The average amount spent on this contract for the last three years is \$14,338. There is \$10,000 identified from Fund 116 in the FY 2025-26 budget for as needed services under this agreement. Future work to be performed under this Agreement will be addressed in the applicable future budgets.

Certain activities conducted by FISHBIO under the Agreement may be eligible for funding under future grant funds, if received. Additionally, FISHBIO's work related to the Low Effect Habitat Conservation Plan is conducted as subcontractor with ICF, which is a separate agreement. Tasks relating to the HCP development and LEHCP implementation are distinct from this Agreement and the proposed Amendment No. 2.

Fish surveys performed as part of the grant-funded HCP development process, not related to this Agreement, are available at: <https://www.salinasrivermanagementprogram.org/hcp/reports.html>

Prepared by: Marinn Browne, Water Resources Biologist (831) 755-4680

Approved by: Ara Azhderian, General Manager, (831) 755-4860

Attachments:

1. Agreement for Professional Services
2. Amendment No. 1
3. Amendment No. 2
4. Board Order