



## Staff Report

December 18, 2023 Council Workshop Meeting

NW 38<sup>th</sup> Avenue Wetland Mitigation Professional Services Agreements Amendments

Presenter: James Carothers, Engineering Manager

Time Estimate: 5 minutes

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**BACKGROUND:** Road improvement projects that impact wetlands and/or streams, directly or indirectly, require permits issued by the US Army Corps of Engineers (Corps). Corps permits are typically for a 10-year period. These permits include requirements for maintenance and monitoring. The NW 38<sup>th</sup> Avenue Road Improvements for Phases 1 and 2 (from the Camas city limits east to NW Parker Street) were constructed in 2014 and 2015 respectively. Ecological Land Services (ELS) is the consultant that prepared the final wetland mitigation and monitoring reports for both projects. ELS conducts the yearly maintenance activities and prepares the required monitoring reports for submittal to the Corps.

**SUMMARY:** There are two separate Professional Services Agreements (PSAs) that need to be amended. The current ELS contracts for Phase 1 (monitoring year 9 of 10) and Phase 2 (monitoring year 8 of 10) expire on December 31, 2023. For this reason, staff has placed these amendments on the December 18, 2023 Council Consent Agenda.

- Phase 1 PSA Amendment 3 covers the required year 10 (2024) maintenance, site visits with agencies, and final monitoring report.
  - Amendment 3 has a not to exceed amount of \$21,000.00.
- Phase 2 PSA Amendment 4 covers the required year 9 (2024) maintenance, plantings, site visits with agencies, and monitoring.
  - Amendment 4 has a not to exceed amount of \$49,450.00.

**BENEFITS TO THE COMMUNITY:** The NW 38<sup>th</sup> Avenue Road Improvement Projects, Phases 1 and 2, provided a contiguous vehicular and pedestrian connection from NE 192<sup>nd</sup> Avenue to NW Parker Street.

**POTENTIAL CHALLENGES:** Corps permits stipulate a level of success for survival of required plantings and eradication of invasive plant species. Failure to meet the requirements may result in additional plantings and extension of monitoring in excess of the original 10 years.

**BUDGET IMPACT:** These wetland mitigation projects are paid for out of the Stormwater Fund.

**RECOMMENDATION:** Staff recommends these items be placed on the December 18, 2023, Consent Agenda for Council's consideration.

**Figure: Wetland Plantings Along NW 38<sup>th</sup> Avenue**

