

**AMENDMENT TO
Contract for Professional Services
Mission Springs Water District
66575 Second Street
Desert Hot Springs, CA 92240
Telephone 760-329-6448 – FAX 760-329-2482**

TO: Tom Dodson and Associates
PO Box 2307
San Bernardino, CA 92406

DATE: _____

PROJECT DIR#: N/A

**US ARMY CORPS OF ENGINEERS CEQA COMPLIANCE AND ENVIRONMENTAL
STUDIES - SECOND AMENDMENT TO CONTRACT AGREEMENT FOR ON-CALL
PROFESSIONAL GENERAL ENGINEERING SERVICES**

1. This amendment ("Amendment") is hereby made by Mission Springs Water District and **Tom Dodson and Associates** parties to an agreement for **On-Call Professional General Engineering Services** ("Agreement"), dated **July 1, 2024**.
2. In exchange for the promises herein and other good and valuable consideration, the sufficiency of which both parties acknowledged, it is mutually agreed by and between the undersigned contracting parties that the Agreement is amended as follows:

This Second Amendment will:

- **Increase the Contract Agreement amount by \$97,750.00, including a 10% contingency of \$9,775.00. The total increase of \$107,525.00 increases the Contract Agreement from a not-to-exceed amount of \$134,400.00 to a not-to-exceed amount of \$241,925.00, as detailed in Attachment 1.**
 - **Revise the Scope of Work to include CEQA compliance and environmental studies for the US Army Corps of Engineers, as outlined in Attachment 1.**
3. Except as set forth in this Amendment, the Agreement is unchanged and shall continue in full force and effect in accordance with its terms. If there is conflict between this Amendment and the Agreement the terms of this amendment will prevail.

Instructions: Sign and return via email. Upon acceptance by Mission Springs Water District, an executed copy will be returned to you for your records. Insert the names of your authorized representative(s) below.

Accepted:

Mission Springs Water District

Consultant:

Tom Dodson and Associates
(Business Name)

By: _____

Brian E. Macy, PE

Title General Manager

By: _____

Tom Dodson

Title President

Other authorized representative(s):

Other authorized representative(s):

Eric Weck

Engineering Manager

Kaitlyn Dodson

Vice President

Amanda Lucas

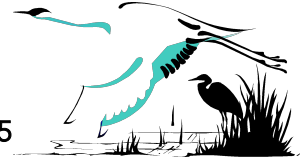
Contracts Analyst

TOM DODSON & ASSOCIATES

Mailing Address: PO Box 2307, San Bernardino, CA 92406

Physical Address: 2150 N. Arrowhead Avenue, San Bernardino, CA 92405

Tel: (909) 882-3612 ♦ **Email:** tda@tdaenv.com ♦ **Web:** tdaenvironmental.com



March 4, 2025

Eric Weck, Engineering Manager
Mission Springs Water District
66575 Second Street
Desert Hot Springs, CA 92240

Dear Eric,

Based on our most recent communication, we propose to assist Mission Springs Water District (MSWD or District) to meet the US Army Corps of Engineers (Corps) request to consolidate the CEQA and NEPA documentations for the Groundwater Quality Protection Program (GQPP) areas J-2, H, I, K, A, and G, as well as the area by I-10. As MSWD is aware, we have completed CEQA documentation for areas H and I recently, and completed the GQPP CEQA documentation for the whole of the Program a decade or two ago, but in discussions with MSWD Staff and TKE Engineering (Steve Ledbetter), it would appear that a new CEQA document should be prepared for these specific areas to meet the Corps' needs to complete the NEPA process on their end. Thus, TDA proposed to compile a comprehensive CEQA compliance document for the GQPP J-2, H, I, K, A, and G, as well as the area by I-10 Project. As such, we believe the best path forward is to prepare an Initial Study/Mitigated Negative Declaration (IS/MND). Note that where any issues appear to trigger a significant impact, we may need to submit a budget amendment to address any additional scope of work necessary to prepare an Environmental Impact Report (EIR). There is a remote possibility that this could be triggered, but as Steve Ledbetter has indicated to me, the Project is likely to be constructed over a period of about 10 years, which means that construction related air and greenhouse gas emissions may fall below significance thresholds due to the limited "annual" emissions over the course of implementing the whole project. However, as this Initial Study covers a large area, note that the scope of work in order to craft such a document will require greater time and resources than would a typical MSWD Project.

TASK 1: PROJECT MANAGEMENT AND ADMINISTRATION

Tom Dodson and Kaitlyn Dodson-Hamilton will coordinate closely MSWD Staff to ensure that the IS/MND and associated technical documents delivered to MSWD are legally defensible, accurate, and useful to decision makers when considering approval of the projects. The project management task is based on the duration of the estimated schedule, which is presented below under *Proposed Schedule*. If the schedule or the project is extended for reasons beyond TDA's control, a contract amendment may be required for additional fees for project management and coordination efforts.

TASK 2: DEVELOP AND COMPILE THE PROJECT DESCRIPTION

TDA will develop a comprehensive project description that will be utilized to forecast the potential environmental impacts of the Project. The project description will include a detailed summary of the overall

Project and its potential effects on the environment. Construction and operation scenarios will be compiled in coordination with MSWD for this specific project to allow detailed impact forecasts. Once the project description is completed, a draft will be forwarded to MSWD staff for review and comment. The end product of this effort will be a detailed project description that will be utilized by TDA in the environmental process to forecast environmental effects of implementing the Project. This same project description with minor editing will be used as a basis for MSWD to write the initial consultation letters pursuant to AB 52. TDA assumes that we will carry out the consultation efforts in coordination with MSWD staff.

TASK 3: TECHNICAL ANALYSES AND MODELING

Task 3A: Air Quality and Greenhouse Gas Emissions

TDA will oversee preparation a technical analysis to evaluate potential air quality and greenhouse gas (GHG) emissions impacts associated with the proposed project. This technical analysis will be prepared by Urban Crossroads. Impacts will be based on the current methodology of the South Coast Air Quality Management District (SCAQMD) for projects within the South Coast Air Basin. Modeling will be conducted using the most current version of California Emissions Estimator Model (CalEEMod) and will be included as an appendix to the environmental document. Model data will be compiled for the following project activities: construction, operation, local significance thresholds, health, and GHG.

Task 3B: Noise and Vibration

TDA will oversee preparation of a technical analysis to evaluate potential noise and vibration impacts for the construction and operational phases proposed project. Urban Crossroads and TDA will utilize previous experience and knowledge of similar noise environments to characterize the existing conditions for the project area. The ambient noise environment around the project site is expected to be relatively low, based on the residential location of the well development site. Urban Crossroads will conduct 24-hour noise monitoring at the project site to establish noise baseline. Urban Crossroads will assess temporary noise and vibration impacts during project construction activities using industry-standard analysis techniques and using scheduling, equipment mix, hauling, and truck trip information as provided by MSWD. Additionally, construction-related vibration will be analyzed with respect to the adjacent residences located adjacent to the project footprint. Construction related noise and vibration impacts will be analyzed in terms of the surrounding non-sensitive and sensitive receptors.

The findings of the noise and vibration analyses and impact assessment will be provided in the IS/MND and pertinent calculations and technical information will be provided in an Appendix.

Task 3C: Cultural Resources Report and Paleontological Memo

TDA will oversee preparation of a technical analysis to evaluate potential impacts the cultural resources (archaeological and historical resources) along the pipeline alignments, and will prepare a Paleontological Memo that will address impacts to paleontological resources. CRM TECH staff are extremely adept at preparing cultural resources reports, and have conducted several studies for similar well development projects. Where applicable, CRM TECH staff will facilitate compliance with compliance with Section 106 of the National Historic Preservation Act. CRM TECH will also conduct a field study of the project area, as well as a records search of the footprint to ultimately compile a Historical/Archaeological Resources Survey Report and Paleontological Resource Memo that will meet CEQA. CRM TECH will also reach out to area tribes to invite them to attend the site survey, as we have found this to be a useful tool in consulting under AB 52. This document will meet NEPA requirements as well as CEQA requirements.

Task 3D: Biological Resources Assessment and Possible Jurisdictional Delineation

TDA will oversee preparation of a technical analysis to evaluate potential impacts the biological resources that may occur near or within the project footprint, which includes each of the well sites and along the pipeline alignment. HDR staff are incredibly familiar with the project area, and have conducted several studies for similar projects, including for the MSWD. Because the project footprint includes areas that have not been completely developed, this assessment is crucial to determining what species may be impacted by the proposed project, and HDR will determine the appropriate treatment of any potential species that may exist within the footprint, in most cases through implementation of mitigation that complies with California Department of Fish and Wildlife standards and requirements. Additionally, as part of the biologist's field assessment, HDR will determine whether any jurisdictional features would be impacted by the proposed project, and if jurisdictional features are determined to be present within the construction footprint, HDR will prepare a Preliminary Jurisdictional Delineation. This is a task for which a fee is provided in this proposal, but is dependent on the determination made as a result of the biological field survey. This document will meet NEPA requirements as well as CEQA requirements.

This scope of work does not include any potential complications regarding the MSHCP. Because the project would be installed within roadways, I suspect that there will not be any issues, but cannot guarantee without further research by our biologist.

TASK 4: DRAFT IS/MND

The draft IS/MND will follow the CEQA Guidelines Appendix G Initial Study format and will clearly identify and address all potential issues facing the proposed project. It will be clearly written and will avoid the use of technical jargon, to the extent possible, so that the document is easily understood, whilst meeting all of the requirements set forth in CEQA and the State CEQA Guidelines. The completed draft IS/MND will be submitted to MSWD for initial review and comment. We assume one round of review of the draft IS/MND. Modification to the scope of work, budget, and time frame may be necessary if additional reviews are required.

TASK 5: PUBLIC DRAFT IS/MND

TDA will edit the IS/MND upon receipt of the comments from MSWD. Upon approval of the IS/MND as the public draft version, we will also aid MSWD to prepare a Notice of Intent (NOI). TDA will reproduce and distribute the public draft IS/MND and NOI to responsible agencies, trustee agencies, and other special interest groups and individuals identified on a distribution list to be developed in consultation with MSWD. It is assumed that TDA will file the NOI with the Riverside County Clerk-Recorder and a Notice of Completion with the State Clearinghouse. TDA assumes that MSWD will draft a Notice of Availability (NOA), which will provide notice to the public pursuant to CEQA Guidelines Section 15072(b). TDA will provide copies of the draft report and notices to public agencies and interested parties, as required.

Task 5A: Accessibility Compliance – TDA is including Accessibility Compliance as part of our scope of work on all future (and will likely apply to existing) proposals because, in order to submit documents to the State Clearinghouse, Accessibility is a newer requirement that must be met. TDA has researched a number of options for Accessibility compliance, and it would appear that outsourcing the documents to experts in this field is the most cost effective approach for meeting this requirement. TDA is presently working from an assumption that the cost per page to make a document accessible (including all technical studies) is an average of 5 dollars per page, with a potential for upwards of 6 dollars per page due to the complexity of the documents we produce (primarily the number of tables used). Thus, TDA is providing a scope of work that assumes that this Initial Study and its technical studies will not exceed 500 pages, and

the budget allocated to this task reflects this assumption. Additional pages will be charged at cost by the selected PDF remediation team. TDA expects to utilize Allyant for this project, but will obtain quotes from at least two PDF remediation companies to find the most cost effective, compliant team for this task.

TASK 6: RESPONSE TO COMMENTS & TASK 7: MMRP

Task 6 – If any comments are received during the 30-day IS/MND public review period, TDA will work with MSWD to address comments. It is expected that the number of comments received would be standard for this type of development. Responses can be handled through a memorandum and included in the staff report to the MSWD Board of Directors. Task 7 – TDA will prepare an MMRP based on mitigation measures identified in the IS/MND and pursuant to Section 21081.6 of the CEQA Public Resources Code. The MMRP will be submitted to MSWD staff for review and approval in conjunction with submittal of the Response to Comments (Task 7).

TASK 8: DELIVERY OF FINAL CEQA PACKAGE

TDA will compile the Final CEQA package prior to the Public Hearing. The Final package would include the Final IS/MND, Responses to Comments, MMRP, & Technical Appendices. TDA assumes that MSWD will provide copies of the final reports to public agencies as required.

Task 8A: Accessibility Compliance – It is anticipated that additional text may be added to the Final IS/MND (i.e. the Responses to Comments, MMRP, and any changes to the text of the IS/MND that occurs as a result of the comments received on the draft), requiring additional PDF remediation. TDA is dedicating staff time to remediation (6 hours) and/or up to 150 pages outsourced remediation.

TASK 9: MEETINGS AND PUBLIC HEARINGS

Tom Dodson and/or Kaitlyn Dodson-Hamilton will attend the initial kick-off meeting. They will be available for progress meetings by phone as needed and will attend the MSWD Board Hearings. Approximately three hours for each public hearing, and one-to-two hours for project status meetings—the hours noted include preparation, drive (where applicable), and attendance time. TDA has included a total of 6 meetings, and attendance at one public hearing as part of this task, with provisions for both Tom and Kaitlyn to be in attendance, where needed. This task may be used for conference calls, in-person meetings, or public hearings.

TASK 10: NOTICE OF DETERMINATION

TDA prepare the NOD for the project and will file it with the Riverside County Clerk-Recorder & State Clearinghouse within five days of project approval by MSWD. This task assumes that TDA will pay the appropriate CDFW filing fees on MSWD's behalf.

TASK 11: NEPA COORDINATION

TDA is dedicating about 20 hours to coordinating the NEPA efforts with Corps Staff, alongside MSWD Staff to ensure that the transition from the CEQA process to the NEPA process is seamless.

SCOPE OF WORK FEE

The following are the fees for implementing the above tasks:

Tasks	Task Description	Initial Study
Task 1	Project Management and Administration (for CE and IS/MND)	\$4,000
Task 2	Project Description	\$4,000
Task 3	Technical Analyses and Modeling	
Task 3A	Air Quality and Greenhouse Gas Impact Analysis	\$7,500
Task 3B	Noise Impact Assessment	\$12,000
Task 3C	Phase I Cultural Resources Report	\$13,500
Task 3D	Biological Resources Report & Jurisdictional Delineation	\$19,000
Task 4	Draft IS/MND	\$15,000
Task 5	Public Draft IS/MND	\$3,000
Task 5A	Accessibility Compliance (up to 500 pages)	\$4,000
Tasks 5 & 7	Responses to Comments and MMRP	\$3,000
Task 8	Delivery of Final CEQA Package	\$2,500
Task 8A	Accessibility Compliance (up to 150 pages)	\$1,500
Task 9	Meetings and Public Hearings	\$2,500
Task 10	Notice of Determination (varies by year)	~\$3,250
Task 11	NEPA Coordination	\$3,000
Total Fee		\$97,750

The final fee of \$97,750 above is considered the “not to exceed” amount of this proposal. Should the scope of work required to complete the CEQA effort for this project fall outside of the scope identified herein, TDA will provide a follow on amendment to aid in the new scope of work effort.

SCHEDULE

Initial Study (CEQA): To be completed within the span of about 6-7 months.

The schedule is tentative, and the duration may be less than or greater than the above amount. I believe the schedule above is reasonable to comply with CEQA requirements for this Project and meet the Project Team’s objectives. Should you have any questions regarding the above proposal, please feel free to give me a call.

Sincerely,



Kaitlyn Dodson-Hamilton, Vice President, TDA

Authorization to Proceed / Acceptance of Proposal:

Due to potentially dynamic project considerations including, but not limited to: environmental occurrences, changes in the project description, and/or modifications in public/private policy, TDA reserves the right to shift funds among individual task budgets according to specific needs.