

AMENDMENT NO. 1

CITY OF CHICO - PROFESSIONAL SERVICES AGREEMENT

AGREEMENT DATED JUNE 19, 2019

BETWEEN CITY OF CHICO

AND

DUDEK

Architect/Consultant/Engineer

VALLEY'S EDGE ENVIRONMENTAL IMPACT REPORT (EIR)

Project Title

863-510-5400/80100-000-4705

Budget Account Number

THIS PROFESSIONAL SERVICES AGREEMENT AMENDMENT (Amendment) is entered into on APRIL 10, 2022, between the City of Chico, a municipal corporation under the laws of the State of California (City), and Dudek, a California corporation, (Consultant). On June 19, 2019, City and Consultant entered into City of Chico - Professional Services Agreement (Agreement). The provisions of the Agreement are hereby amended as follows:

1. Exhibit B is hereby superseded and replaced by revised Page B-1R1 through B-18R1 attached hereto.
2. Exhibit C is hereby superseded and replaced by revised Page C-1R1 through C-2R1 attached hereto.
3. All other provisions of the Agreement shall remain in full force and effect.

CITY:



Matthew Madden, Interim City Manager*

CONSULTANT:

DocuSigned by:

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By: Joseph Monaco, President

*Authorized pursuant to Section 3.08.060 of the Chico Municipal Code

APPROVED AS TO FORM:



Vincent C. Ewing, City Attorney*

*Pursuant to The Charter of the City of Chico, Section 906(D)

APPROVED AS TO CONTENT:



Brendan Vieg, Community Development Director

REVIEWED AS TO CONTENT:



Scott Dewell, Administrative Services Director*

Barbara Medina, Interim

*Reviewed by Finance and Information Systems

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AMENDED
EXHIBIT B

SCOPE OF PROFESSIONAL SERVICES - BASIC; COMPLETION SCHEDULE

Scope of Professional Services - Basic

The Consultant shall provide professional services as follows:

TASK 1 - PROJECT INITIATION

Pre-Project Initiation Meeting

The Consultant and City shall attend a pre-project initiation meeting with the Project applicant (Applicant) to:

- Discuss the approach and format of the California Environmental Quality Act (CEQA) document.
- Participate in a site visit prior to the formal Project initiation meeting with City.
- Gain a better understanding of the Project issues/concerns, community outreach conducted to date, format and general approach to preparing the Specific Plan and Infrastructure Plans, and status of any additional Applicant-prepared technical reports.
- Based on this meeting, the Consultant may propose a revision to the EIR scope of services.

Project Initiation Kick-off Meeting

The Consultant shall attend a Project initiation kick-off meeting with City to discuss:

- Format of the CEQA document, Project description/components, EIR issues to be evaluated, public concerns, Project alternatives, any Project-related concerns or technical issues, thresholds of significance, Project schedule, communication protocol, consultation with responsible and other agencies, and information needs.
- Specific thresholds of significance needed by the Consultant to prepare the EIR analysis.

- Timing of the completion of reports and documents necessary for the EIR analysis, such as the water supply assessment, Specific Plan, infrastructure plans (if separate from the Specific Plan), and California Emissions Estimator Model (CalEEMod) modeling shall be discussed.
- Issues sensitive to the City, public, agencies, and California State University, Chico shall be identified.

Based on this meeting, the Consultant may propose updates the EIR schedule, information needs list, and any other items discussed.

Peer Review - Applicant-Prepared Technical Reports

The Consultant shall conduct peer reviews of the Applicant's background studies that fall within their field of expertise. Peer reviews shall focus on the technical adequacy of the background studies for use as supporting material and substantial evidence required to evaluate Project impacts. Peer reviews shall determine whether the study design and methodology are appropriate for the environmental analysis; if the study area includes the entire Project area as well as adjacent areas sufficient to inform the environmental analysis; quality of empirical study and analysis and whether conclusions are adequately supported; and what, if any, additional work is required to fill any critical data gaps identified.

The Consultant shall conduct peer reviews of the biological resource assessment and wetland delineation (prepared by Gallaway Enterprises Inc.), the archeological inventory survey (prepared by Genesis Society), and the geotechnical report and hydrology/drainage report currently under preparation by the Applicant. The findings of the review shall be provided in a memorandum and shall indicate whether there are any critical data gaps or other concerns in the reviewed materials. If warranted, the Consultant shall advise the City as to whether any additional studies would be required to adequately inform and support the analysis and conclusions contained in the EIR.

Deliverables: Memorandum(s) summarizing findings of peer review of Applicant-provided technical reports. No hard copies shall be provided.

TASK 2 – NOTICE OF PREPARATION

Preparation and Comment Review

The Consultant shall prepare the Notice of Preparation (NOP) for circulation to public agencies, interested individuals, and the State Clearinghouse. The Consultant shall prepare a draft version of the NOP for City review. The City shall provide Project information to the Consultant in sufficient detail for inclusion in the NOP. The NOP shall describe the Project and shall identify potentially significant environmental effects that shall be analyzed in the EIR. The NOP shall include a discussion that addresses those issue areas not anticipated to be impacted.

Specifically, it is anticipated that the Project would not adversely affect agriculture and forestry resources, mineral resources, and population and housing and this shall be explained in the NOP. If after receipt of comments on the NOP, concerns are raised with any issue areas not identified for evaluation in the EIR, the Consultant shall discuss with City if inclusion in the EIR would be recommended. Upon receipt of City comments on the draft NOP, the documents shall be finalized for public distribution.

Scoping Meeting

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The Consultant's Project Director and Project Manager shall attend a public scoping meeting arranged by City Planning staff during the 30-day NOP review period to solicit verbal comments on the Project from agency staff and the public. Based on City practice, commenters shall be asked to provide comments in writing, but notes shall be taken by the Consultant to capture verbal comments for inclusion in the EIR. The Consultant shall make a presentation describing the CEQA process.

Deliverables: One electronic copy of the draft NOP in Microsoft Word for easy on-screen review and editing. A final NOP shall be provided to the City in Microsoft Word and PDF for distribution and posting on the City's website. Consultant shall prepare the Notice of Completion form and deliver 15 hard copies of the NOP to the State Clearinghouse to initiate public review.

TASK 3 – SPECIFIC PLAN

The Consultant shall review the Specific Plan prior to drafting the EIR to allow accurate evaluation of the Project. The review shall identify opportunities to reduce or avoid potential project impacts through minor modifications to proposed land uses, the inclusion of thoughtful design elements or guidelines, or the addition of policies that specify actions/goals future development phases would be required to meet. The review shall also minimize the potential need to update the analysis to address Project components that were not previously identified. This review will be an iterative process, occur during the 30-day NOP review period, and aid the Consultant in drafting the EIR Project description and environmental setting of the technical sections of the EIR.

The Consultant shall review the Specific Plan policies and proposed land use plan and provide recommendations to avoid potential adverse effects to protected resources, including biological and cultural resources.

The Consultant shall review proposed land use plan and policies to identify potential ways to avoid and minimize direct and indirect impacts to sensitive biological resources, including Butte County meadowfoam and other species potentially occurring in the Specific Plan area. The Consultant shall also evaluate consistency of the Specific Plan with the avoidance and minimization measures and conservation strategy of the Butte Regional Conservation Plan, which is currently expected to be implemented in late 2019. For example, according to Applicant Mitigation Measure 6 in the Draft Butte Regional Conservation Plan, all development must include a minimum 50-foot setback buffer from intermittent streams, 100-foot buffer from perennial streams, and 25-foot setback buffer from riparian forest and scrub. The Specific Plan shall also be reviewed to identify potential opportunities to address any geologic or hydrologic concerns and ways to incorporate some of the historic elements of the site that make it unique (e.g., historic rock walls).

TASK 4 – ADMINISTRATIVE DRAFT EIR AND DRAFT EIR

Administrative Draft EIR

The Consultant shall prepare an administrative draft EIR (ADEIR) for City review. The ADEIR technical sections shall incorporate existing information gathered from technical studies and documentation prepared by the Consultant and the Applicant's consultants, existing City planning documents and ordinances, and a site visit. Each section shall describe the regional setting and Project site and nearby features, which shall constitute the baseline conditions for the evaluation of

impacts. Existing federal, state, and local laws and regulations, including Chico 2030 General Plan (General Plan) goals, policies, and implementation programs; the Municipal Code; the Design Guidelines Manual; and the Climate Action Plan, shall be reviewed and summarized as applicable in the regulatory setting of each technical section of the EIR. The methods of analysis and standards of significance used for determining impacts of the Project shall be explicitly described in each technical section of the EIR, including any assumptions that are important to understand the conclusions of the analysis. The City shall provide the Consultant with the applicable standards of significance during Task 1. Responsible agencies shall be consulted during the scoping and EIR process, as appropriate. Each technical section shall evaluate the impacts of the Project against existing, baseline conditions, as well as the Project's contribution to cumulative impacts. Where available, mitigation shall be recommended for significant impacts, and the effectiveness of the mitigation measures shall be described. A draft of the Specific Plan shall be provided to the Consultant a minimum of four weeks before the ADEIR is provided to the City for review.

Draft Project Description

Prior to commencing work on the ADEIR, the Consultant shall prepare a draft Project description for City review, based in large part on the draft Specific Plan reviewed as part of Task 3. The Project description shall briefly summarize the Project's history, the history of the Project site, general conditions present within the Project boundaries, ownership, Project objectives, and surrounding land uses. Elements of the Project shall be described, including the proposed land use plan; infrastructure, utilities, and circulation plans; grading and drainage plans; development standards; design guidelines (if available); parks, open space, and other Project amenities; off-site improvements; requested Project approvals/entitlements; energy features; and Project phasing/schedule.

A draft of the Project description shall be provided to City for review prior to commencing work on the technical sections to make sure the Project description is stable and accurately represents the Project.

Chapters to be Included

In addition to the Project description, the following chapters shall be included in the EIR. In order to address those items included in the Appendix G checklist where either due to the nature of the site or its location, or characteristics certain issues would not be affected by the Project, each EIR technical section shall include "Criteria not Applicable to the Project" immediately following the thresholds of significance. In this section other checklist items shall be addressed, for example, odors, exposure of people to a safety hazard or excessive noise from airports, exposure to fault rupture, seismic ground shaking, and liquefaction. Should the NOP comments identify concerns regarding the Project's consistency with the General Plan policies, the Consultant shall collaborate with City to prepare an evaluation of consistency with Land Use policies in a separate non-impact chapter. This chapter shall evaluate consistency with applicable General Plan policies and zoning requirements, other relevant planning documents, and a general discussion on compatibility with adjacent land uses.

- **Executive Summary.** The Executive Summary chapter presents an overview of the results and conclusions of the environmental evaluation. This chapter identifies Project impacts and feasible mitigation measures from the EIR in a summary table that provides an overview of the levels of significance both before and after mitigation.

The impacts of the alternatives shall also be identified. A summary of the less-than-significant issues scoped out during the NOP process shall also be provided in this chapter along with applicable references to the supporting detailed information. Information on areas of known controversy shall also be included.

- **Introduction.** The Introduction chapter shall describe the CEQA process, type of environmental document, areas of concern identified during the NOP review process, Project background/history, and a definition of the environmental baseline.
- **Environmental Analysis.** The draft EIR shall evaluate the following technical issue areas: aesthetics; air quality; biological resources; cultural and tribal cultural resources; geology, soils, and seismicity; greenhouse gases (GHGs); hydrology and drainage; land use; noise; public services and recreation; public utilities; transportation; and wildfire; per the scope details for each topic area included in agreement.
- **Other CEQA Considerations.** This chapter discusses issues required by CEQA, including unavoidable adverse impacts, effects found not to be significant, irreversible environmental changes, growth inducement, and a summary of cumulative impacts.
- **Alternatives.** The Alternatives chapter provides a description of the Project alternatives. The impacts of the alternatives shall be quantified where feasible, and otherwise described qualitatively and compared to those of the Project. The selection of Project alternatives shall be determined in consultation with the City. For purposes of this scope of work, up to three Project alternatives shall be evaluated, including a no Project/no development and a reduced intensity alternative. It is anticipated an off-site alternative shall not be evaluated and an explanation of why it is not feasible shall be provided.
- **Appendices.** Supporting documentation shall be provided in the appendices, including all technical studies prepared for the Project and any new technical studies relied upon for preparation of the EIR. The appendices shall be provided on a CD in a sleeve in the back cover of the draft EIR.
- **Land Use.** Consistency with applicable General Plan goals and policies for all the EIR sections shall be evaluated on a policy-by-policy basis for those applicable to the Project to determine if the Project would conflict with an adopted policy identified to avoid or mitigate an environmental effect. Information from the Specific Plan, General Plan, and Title 19, Land Use and Development Regulations of the City's Municipal Code, shall be referenced to prepare this section.

Technical Issue Areas to be Evaluated

The following technical issue areas shall be evaluated in the EIR. The Consultant shall provide additional details as necessary.

Aesthetics

Changes to scenic vistas and changes to the existing visual character as well as the creation of light or glare that could affect daytime or nighttime views associated with Project development shall be evaluated. Photographs of the Project site shall be taken from public vantage points to assess potential impacts. Compliance with General Plan policies, the City's Design Guidelines Manual, municipal code, and Specific Plan shall be evaluated. Private views of the Project site shall not be evaluated. There are no state scenic highways in or adjacent to the Project site; therefore, impacts to resources visible from scenic highways shall be addressed in the IS. If requested by the City, the Consultant can prepare a separate scope and budget to prepare massing studies or visual simulations of future development.

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Air Quality

After reviewing all available project materials, the Consultant shall prepare a request for any outstanding data needed to conduct the air quality emissions analysis. If precise information on a particular factor is not available from the City, the Consultant shall every effort to quantify these items using the best available information from comparable data sources, but in all cases will first consult with the City regarding the information needed.

The Consultant shall estimate construction emissions associated with implementation of the project using the California Emissions Estimator Model (CalEEMod), version 2016 or later. Short-term emissions resulting from construction shall be based on scheduling information (e.g., overall construction duration, phasing and phase timing) and probable construction activities (e.g., construction equipment type and quantity, workers, and haul trucks) developed by the City and/or standardized approaches. The Consultant shall then evaluate the significance of the construction emissions based on the Butte County Air Quality Management District (BCAQMD) significance criteria.

CalEEMod will also be used to estimate project-generated operational criteria air pollutant emissions associated with mobile, energy, and area sources. The Consultant shall estimate mobile source emissions using the trip generation rates, vehicle-miles traveled, and additional necessary trip characteristics provided in the traffic report prepared for the proposed project. Energy and area source emissions (e.g., natural gas combustion and consumer products) shall be estimated using the default values in CalEEMod based on the proposed land uses, unless project-specific values are available. The Consultant shall compare the estimated operational emissions to the BCAQMD emissions-based significance thresholds.

If a quantitative hot spots analysis or toxic air contaminant (TAC) analysis is deemed necessary, the Consultant shall notify the City and provide a separate scope and cost (if requested). To address the recent Friant Ranch Supreme Court decision, the analysis shall include a thorough discussion of health effects from exposure to other criteria air pollutants (such as ozone precursors and particulate matter) as well as a qualitative discussion of their health impacts.

Biological Resources

Based on the Consultant's review of the biological resources assessment prepared by the Applicant's consultant, the primary issues of concern for biological resources are effects to Butte County meadowfoam that are known to be present on site, and effects to vernal pools. Protocol-level surveys for vernal pool large branchiopods were conducted for the Project site in 2014–2015 by the Applicant's biologists and results were negative. Although the surveys are now five years old, the USFWS shall accept survey results of that age, especially given that there are no vernal pool branchiopod occurrences immediately adjacent to the subject property.

Consultant shall confirm with USFWS that the surveys are adequate for the purposes of this EIR. If there are any concerns, they shall be forwarded to the City during the peer review, and the findings of any additional surveys (if performed) shall be incorporated into the EIR.

Based on a review of vicinity species occurrences in the California Natural Diversity Database, other species that shall need consideration in the EIR include, but are not limited to, tricolored blackbird (*Agelaius tricolor*), steelhead (*Oncorhynchus mykiss*), and Swainson's hawk (*Buteo swainsonii*). The Consultant assumes that no new surveys by the Consultant biologists shall be conducted as part of

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the EIR preparation; however, there is time included for the Consultant's biologist to visit the site and review the various on-site resources and proposed avoidance and minimization efforts.

Tribal Cultural Resources and Other Cultural Resources

The Consultant shall rely on the archeological inventory survey prepared by Genesis Society to address impacts on cultural resources. The report notes there are numerous historic-era and prehistoric resources present on the site, including historic-era rock walls and a ranch complex that has been evaluated and determined not to be eligible for listing on the California Register of Historical Resources or the National Register of Historic Properties. The report identifies six prehistoric sites that could be eligible for listing and recommends these resources be preserved in place and avoided. The Consultant does not anticipate conducting additional cultural resources field investigations, including archaeological and historic built environment evaluations. The Consultant shall assist the City in drafting letters to conduct tribal outreach, per Assembly Bill 52 and Senate Bill (SB) 18.

The Consultant archeologists shall be available to assist the City in addressing methods to avoid or minimize impacts to prehistoric and historic-era resources. The Consultant shall also address tribal cultural resources in this section based on the results of Assembly Bill 52 tribal outreach and consultation and the archeological inventory survey prepared by Genesis Society.

Energy

The Project's construction and operational energy consumption shall be quantified to the extent estimation methods and Project specifics are available. Project electricity (in kilowatt-hours) and natural gas (in British thermal units) usage shall be estimated based on Project specifics; CalEEMod default values shall be identified in consultation with the City, as appropriate, when Project specifics are not available. Petroleum consumption shall be estimated using CalEEMod and based on the same equipment and vehicle assumptions assumed in the air quality and GHG emissions analyses. Project elements that would reduce the Project's energy demand during construction and operations shall be identified in the analysis and quantified to the extent feasible. The Consultant assumes that the City and/or the Applicant shall provide a list of the Project's energy conservation measures, if any, prior to initiating air quality and GHG emissions modeling, as the energy analysis shall be prepared consistent with the emissions modeling assumptions.

Geology and Soils

The Project site's gently sloping lava cap and the underlying sedimentary deposits exposed by the westerly-flowing drainages could present geotechnical challenges associated with difficult (hard-rock) excavations and unstable soils, as well as the potential for localized slope instabilities around the fringes of the lava cap where soft silts, sands, and gravel are exposed. The Consultant shall use the Applicant-prepared geotechnical report as well as publicly available reports, maps, and data from the California Geological Survey, the U.S. Department of Agriculture, and the U.S. Geological Survey to summarize potential concerns associated with problematic soils and debris flow potential, including consideration of post-fire conditions. In addition, the Consultant shall identify the applicable laws, ordinances, and standards, and evaluate their effectiveness in addressing the site's unusual geotechnical constraints.

Greenhouse Gases

The City has adopted a qualified Climate Action Plan that includes the goal of and pathway for reducing GHGs by 25% below 2005 levels by 2020. However, based on buildout of the Project beyond the 2020 horizon year and to meet the SB 32 goal of reducing GHGs by 40% below 1990 levels by 2030, the Consultant shall estimate and apply a future year efficiency threshold based on the City's projected service population and GHG inventory. The Consultant shall use the CalEEMod emissions results for Project construction and operations to prepare this analysis. The EIR shall include a discussion of the Project's consistency with the Climate Action Plan and State Scoping Plan. The Consultant shall work with the City to confirm the appropriate approach to determine the significance of impacts associated with Project-generated GHG emissions under CEQA.

Hazards and Hazardous Materials

Based on the site's history there may be concerns associated with residual contaminants from historical agricultural and ranching activities, as well as lead-based paints or asbestos-containing materials associated with remnant structures on the site. It is anticipated the Phase 1 ESA prepared by the Applicant will address these concerns. The Consultant shall incorporate the findings of the Phase 1 ESA to complete the relevant portions of the hazards and hazardous materials section. Identification, management, and response to potential contaminants in soil and groundwater, as well as management of hazardous materials during Project construction and operation shall be analyzed. In addition, the section shall evaluate potential Project impacts related to implementation of emergency response plans and emergency evacuation plans.

Hydrology, Water Quality, and Drainage

The focus of this section shall be on flood hazards and protection (Federal Emergency Management Agency and Central Valley Flood Protection Board), and potential impacts on the groundwater basin. The Consultant shall use the Applicant-provided hydrology and drainage study and California Water Service Company's (Cal Water's) water supply assessment (WSA) as a basis upon which to describe and analyze the Project's impacts on hydrology and water quality. Additional resources consulted shall consist of publicly available maps, data, and reports such as the City's Stormwater Resources Plan, Cal Water's Urban Water Management Plan, the Butte County Groundwater Management Plan (and status reports), groundwater data from the California Department of Water Resources and U.S. Geological Survey, and applicable floodplain management regulations (e.g., CMC Chapter 16.36). The 2019 CEQA Guidelines place an increased emphasis on sustainable groundwater management and the analysis of indirect effects, requiring a higher level of analysis than is typically found in a WSA. The EIR shall address whether the Project's increase in water demand would impede or jeopardize sustainable groundwater management of the Vina Groundwater Subbasin (California Department of Water Resources Basin No. 5-021.57) based on review of current groundwater conditions and trends, existing demands on the basin (e.g., basin prioritization), existing aquifer studies (e.g., sustainable yield if known), and the status of sustainable groundwater management for this subbasin.

Noise

Short-term measurements (up to 1 hour in length) and traffic counts provided by either the traffic report or the City along Skyway Drive, Honey Run Road, and East 20th Street shall be used to determine existing noise conditions. Sound level measurements at up to four additional locations along the Project area perimeter shall also be conducted to characterize sound generation levels from non-transportation noise sources. The Consultant shall evaluate potential construction noise and

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vibration impacts, including blasting, that could adversely affect adjacent sensitive uses (i.e., church, residential) using preliminary construction equipment information and the Federal Highway Administration construction noise model. Vibration from construction activities shall be evaluated using criteria and methodologies from the Federal Transit Administration handbook on construction vibration.

Mobile noise shall be modeled based on information from the traffic report. Using the noise measurements, future on-site and off-site traffic noise levels associated with the Project shall be modeled using future traffic volumes provided in the traffic study and the Federal Highway Administration's Traffic Noise Model 2.5.

Public Services and Recreation

Development of the Project will increase demand for public services including fire and police, schools, and parks and recreation. The analysis shall use accepted demand factors and generation rates developed in consultation with the City and the respective service providers. The Project's increase in demand for fire and police services shall be evaluated and quantified. Payment of required development impact fees would offset impacts to police and fire services; however, the EIR shall address the potential need to increase staff or equipment necessitating either construction of a new building or expansion of existing facilities.

The need for additional police officers based on the Police Department's current staffing rate of approximately 1 officer/1,000 residents shall be quantified.

The Project site shall be served by the Chico Unified School District. The EIR shall identify school capacity at area schools that shall serve the Project. Any schools that may be included as part of the Project shall also be evaluated for their ability to serve the Project. Payment of required school impact fees would offset impacts to schools; however, if the demand for off-site schools requires expansion of school facilities, the EIR shall address these potential effects.

The need for new parks and recreation associated with the Project shall be quantified using the Chico Area Recreation District Park Recreation Master Plan parkland standards for future neighborhood and community parks and open space areas. If the demand for additional parkland is not met within the Project site, then the EIR shall address whether the Project would be likely to increase use of off-site parks to the extent that they would require expansion and/or substantial upgrades. Information from the City's Municipal Services Agreement would also be referenced to prepare this section.

Public Utilities

The increase in demand for water supply, wastewater collection and treatment, and solid waste disposal shall be evaluated. The water supply evaluation shall be based on the WSA prepared by Cal Water Chico-Hamilton City District in compliance with SB 610. The Consultant shall review the WSA and use the information to prepare the water supply section. The increase in wastewater flows and treatment shall be quantified, as shall capacity of the City's Water Pollution Control Plant, trunk lines, and pipes, based on information provided by the City. The City shall provide information to the Consultant on where the Project would tie into existing sewer lines. Solid waste generated by the Project during both construction and operation shall be quantified, and the EIR shall disclose the percentage to be recycled and the amount needing disposal at one of the numerous landfills that accept solid waste from the City. Information from the City's Municipal Services Agreement would also be referenced to prepare this section.

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Transportation and Circulation

The Consultant, through their subconsultant Fehr & Peers (F&P), shall prepare the traffic analysis for the Project. F&P shall meet with the City to review the allocation of land uses in the current Butte County Association of Governments (BCAG) base year model to determine whether any reallocation of land uses is appropriate to reflect current development conditions, taking into consideration the change in travel patterns resulting from the 2018 Camp Fire. F&P shall also assist in refining the transportation scope of work by participating in scoping meetings with potentially affected jurisdictions and agencies like Butte County and the California Department of Transportation (Caltrans).

The Project's travel characteristics for both existing and 2040 conditions shall be developed, including the internalization of trips and external trips made by transit or walk/bike, to be estimated using the Mixed-Use Trip Generation Model. Potential changes in travel patterns and the changes in traffic patterns that have occurred since the Camp Fire shall be closely evaluated and adjustments to the forecasting process may be made if necessary. To evaluate potential Project impacts, the AM and PM peak hour levels of service at up to 36 study intersections shall be conducted for all scenarios evaluated. Transit, bicycle, and pedestrian facilities impacts shall also be evaluated. For SR 99, F&P shall analyze mainline, merge, and diverge operations. Under existing conditions, F&P shall analyze up to 16 locations from north of the E 20th Street interchange to south of the Skyway Road interchange. Under cumulative conditions, F&P shall analyze up to 24 locations, which includes locations that shall be constructed with the planned SR 99/Southgate Avenue interchange.

To develop the travel model development and forecasts, F&P shall use the modeling guidelines contained in the 2017 California Regional Transportation Plan Guidelines and the Travel Model Validation and Reasonableness Checking Manual, Second Edition, to establish modeling benchmarks, including static and dynamic validation tests, to make sure that forecasting models are sensitive and accurate for model applications. BCAG has complied with these guidelines at the regional level for their forecasting model, but specific validation tests have not been conducted at smaller corridor or Project scales. The following tasks shall refine and validate the BCAG model within the Project study area for local-scale application: base year land use refinement, base year model calibration, base year validation, and preparation of a model validation technical memorandum. F&P shall refine the land use inputs in the BCAG model to account for the Project and reasonably foreseeable development and transportation projects and shall develop traffic volume forecasts for existing plus Project conditions, cumulative (year 2040) no Project conditions (BCAG Regional Transportation Plan/Sustainable Communities Strategy), and cumulative (year 2040) with Project conditions (RTP/SCS). The travel forecasts shall include AM and PM peak hour volumes for operations analysis, and vehicle-miles-traveled (VMT) estimates using both the boundary and Origin and Destination methods to support air quality and GHG technical studies.

The study area shall be refined in coordination with the Consultant, subconsultant, and the agencies identified above. Data collection for the EIR shall include collecting available data (listed below) for use in the analysis of existing and cumulative (year 2040) conditions.

- Existing and planned roadway geometrics and traffic controls
- Signal timing data for the study intersections
- Existing and planned transit service and facility descriptions

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- Location of existing and planned bicycle and pedestrian facilities
- Proposed Project land uses
- Proposed Project transportation network
- Freeway mainline volumes from Caltrans Performance Measurement System
- Three-year collision records from Caltrans Traffic Accident and Surveillance Analysis System
- New AM and PM peak period intersection traffic counts (provided by the City of Chico)
- Vehicle classification counts on primary study facilities like Skyway Road, E 20th Street, etc. (provided by the City of Chico)

F&P shall document existing conditions within the study area for the roadway, bicycle, pedestrian, and transit systems, and shall also document existing intersection operations, during the AM and PM peak hour levels of service at the study intersections, and freeway operations. F&P shall also analyze AM and PM peak hour operations using procedures described in the 2010 version of the Highway Capacity Manual and the Leisch Method (for weave sections) in the Highway Design Manual (Caltrans 2012).

F&P shall work with the Consultant and City to support the selection of VMT methodology and significance thresholds that can be used for the VMT evaluation. The devastation of the Camp Fire has significantly altered travel in the City of Chico. Traffic volumes have increased on average approximately 25%, which reduces travel speeds and the overall mobility of residents. In addition, the vehicle fleet has changed, with heavy vehicles making up a larger share of vehicles on many routes. These changes are not likely to be permanent, however it would be speculative to forecast when travel may transition toward pre-Camp Fire conditions.

Therefore, traffic mitigation is anticipated to incorporate a monitoring program so that it is proportional to the impact caused by the Project and not triggered due to relatively “short-term” conditions that are reasonably expected to change. This approach will ensure that street facility improvements are not oversized or constructed prematurely. The monitoring program is anticipated to incorporate the following elements:

- Annual monitoring of traffic volumes on impacted facilities
- Vehicle classification on primary truck routes
- Evaluation of traffic operations based on passenger car equivalents before and after the Camp Fire

The use of passenger car equivalents will help to confirm the appropriateness of mitigation.

F&P shall hold a focused SB 743 coordination meeting with the City that would include staff from Planning, Public Works, and the City Attorney. At the meeting, the Consultant shall review SB 743, the Governor’s Office of Planning and Research’s technical guidance, and what other jurisdictions are doing relative to VMT methodology and threshold setting. For this meeting, the Consultant shall prepare a PowerPoint presentation to support the discussion.

A range of VMT methodologies and thresholds have been considered (and adopted) by jurisdictions that have implemented, or are in the process of implementing, SB 743. Relative to existing baseline conditions, VMT thresholds considered have ranged from no reduction in VMT to up to a 15% reduction in VMT.

As outlined above, given the schedule of the CEQA analysis of the Project and the statewide implementation of SB 743 in July 2020, the following MT thresholds and methodology for this Project will be used:

VMT Threshold – 15% below existing city baseline VMT per service population (i.e., population and employment). This threshold is recommended by the Governor’s Office of Planning and Research in the technical advisory. Using this threshold would likely result in a significant and unavoidable finding for the Project, since VMT mitigation measures (i.e., Transportation Demand Management strategy, etc.) shall not likely result in VMT reductions below the threshold due to the Project’s suburban setting.

VMT Methodology – Apply the BCAG (RTP/SCS) travel demand forecasting model to forecast total VMT, using an origin/destination method. For full accounting of trip length, the Consultant shall adjust travel to/from the south (i.e., beyond the model’s southern gateways) to account for travel between Butte County and areas in the Sacramento region using average trip lengths from the Sacramento Area Council of Governments’ SACSIM travel model. Total VMT, developed using an origin/destination method, is consistent with the methodology used to forecast VMT for GHG analysis.

Wildfire

The Consultant’s fire planning team shall conduct an analysis of Project-related impacts associated with wildfire. Based on a review of the California Department of Forestry and Fire Protection’s Fire Hazard Severity Zone mapping data, the Project site is located within areas currently mapped as Moderate and High Fire Hazard Severity Zones. Further, the recent 2018 Camp Fire burned portions of the Project site, so potential wildfire impacts warrant close attention, including potential effects on emergency response and/or evacuation plans, exposure of occupants to wildland fire, exacerbation of wildfire risk from Project-related infrastructure, and impacts from post-fire slope instability.

Screencheck

After receipt of one set of consolidated comments on the ADEIR from the City, the Consultant shall revise the document and prepare a pre-publication or screencheck draft EIR for final City review prior to publication. The screencheck document shall be in track changes, allowing the City to verify that all agreed-upon edits or revisions have been made. The City comments on the screencheck shall be more editorial in nature and not require substantial revisions. If the comments on the ADEIR are extensive and require significant revisions to the analysis, it may be suggested that a second ADEIR be prepared. If requested, the Consultant would provide the City with a separate scope and cost estimate to prepare this additional deliverable.

Draft EIR

Upon receipt of final City edits on the screencheck document, the Consultant shall prepare the draft EIR for public review.

Draft EIR Hearing

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The Consultant's Project Manager and Project Director shall be available to attend one Planning Commission hearing to take public comments on the draft EIR during the 45-day public review period.

Deliverables: Electronic versions of the administrative draft, screencheck, and draft EIRs in Microsoft Word via a shared website for easy online review and editing, including graphics and appendices. A master copy of each deliverable shall be provided to the City in PDF (for posting on the City's website) and in Microsoft Word. Two hard copies of the ADEIR and 30 hard copies of the DEIR shall be provided to the City. All other master deliverables shall be provided to the City electronically (Microsoft Word and/or PDF) or on CD (or flash drive). The Consultant shall prepare the Notice of Completion form and deliver 15 copies of the executive summary and 15 CDs of the draft EIR to the State Clearinghouse to initiate public review.

Task 4 Additional Labor and Staff Time

Additional labor and staff time required to complete Draft EIR. Justification - During preparation of the Draft EIR the schedule was delayed, in part due to time needed to revise the Specific Plan (multiple times) and obtain additional project information, such as updated drainage plans. The original schedule anticipated that the Draft EIR would be completed in less than one year. Such delays are understandable, particularly given the Covid pandemic, but delays do affect the level of effort needed to prepare the Draft EIR. For example, when the ADEIR was begun, the City did not have a Climate Action Plan (CAP) and did not anticipate that the CAP would be adopted prior to completion of the EIR. The CAP was adopted a month prior to release of the Draft EIR which required review and update to the GHG section as well as City review and input. In addition, the Specific Plan was last revised and updated just prior to its release in September 2021. This necessitated another review of the Specific Plan and updates to Draft EIR figures to reflect new information.

Preparation of the Aesthetics analysis in the EIR relied, in large part, on visual simulations prepared by the project applicant team. It took Consultant staff a considerable amount of time to review the visual simulations, provide comments, and work with the City to get a final set of simulations adequate for the Draft EIR.

The Drainage Report originally provided to Consultant was extremely lengthy and proved to be difficult to navigate and understand. In June, an amendment to the Drainage Report was provided to account for a detention basin that had not been identified. In order to obtain the information from this report to support the EIR analysis, Consultant staff reviewed the amendment and provided specific comments on information to be included. This also required calls to Frayji Design Group to address what specific information is required for the analysis. This generated an updated amendment (September) to the June submittal. Another amendment to the Drainage Report was submitted in September with additional changes made to the Drainage report to address incorrect project information that necessitated updating the Hydrology section again. This also required calls to Frayji Design Group to get updated information, including new project graphics. The analysis in the Hydrology and Water Quality section had to be reviewed and updated each time and new graphics created to address the new information.

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Also, in mid-September, questions were raised regarding the noise mitigation that required remodeling and reworking of the mitigation measure to address new information. All of this took more staff time to prepare the ADEIR, screencheck and Draft EIR that was not anticipated in Consultant's scope of work. The remaining contingency budget was applied to Task 4 but the staff time required to address these issues was more labor intensive.

Task 4 Additional Subconsultant Labor

Additional subconsultant labor required to complete Draft EIR. Justification - The Draft EIR has involved more effort in some areas than originally anticipated, including reviewing multiple iterations of the Specific Plan, several iterations of photosimulations, on and off-site utilities plans. Certain areas of the ADEIR required more effort than originally anticipated, including traffic, greenhouse gases (GHG), hydrology and aesthetics. Preparation of these sections of the Draft EIR required multiple reviews due to receipt of new information which required more review time than anticipated. During preparation of the Draft EIR, Subconsultant Adrienne L. Graham attended 13 internal calls (with Consultant and/or Fehr & Peers) and 7 calls with the City to discuss traffic issues. Consultant's and Subconsultant Scope of Work assumed a total of ten teleconferences with the City throughout the entire EIR process. In addition to the traffic calls, Subconsultant Adrienne L. Graham participated in 7 calls with Consultant and the City to discuss other topics, such as the Specific Plan, offsite utilities, visual simulations, alternatives, wildfire and greenhouse gases, for a total of 14 calls with the City through completion of the Draft EIR.

TASK 5 - ADMINISTRATIVE DRAFT FINAL EIR AND FINAL EIR

Administrative Draft Final EIR

After close of the 45-day public comment period on the draft EIR, Consultant shall prepare an administrative draft final EIR (AFEIR) for City review. This shall include bracketing all comments received via letter or at the hearing on the Draft EIR and preparing written responses. If comments received reiterate the same concerns, Consultant shall prepare master responses to address those comments. Should comments on the Draft EIR raise new issues, or require that new surveys or technical studies be conducted to complete adequate responses, Consultant shall initiate discussions immediately with the City to evaluate the options. The AFEIR and final EIR shall include the text of the draft EIR, revised to reflect any changes resulting from the responses to comments. All changes to the draft EIR shall be identified in strike out and underline.

Screencheck

After City review of the AFEIR, Consultant shall incorporate City comments and prepare the screencheck final EIR (including responses to comments and the revised text of the draft EIR) for City review.

Final EIR

Upon receipt of City comments on the screencheck final EIR, Consultant shall prepare the final EIR for distribution to the Planning Commission, City Council, and City staff. For all agency

letters received, Consultant shall email a copy of the letter and response to the commenting agencies a minimum of 10 days before the Planning Commission hearing on the Project.

Deliverables: Four hard copies of the AFEIR and 20 hard copies of the final EIR. All other master deliverables shall be provided electronically (Microsoft Word and/or PDF) or on CD (or flash drive).

Task 5 Additional Labor and Staff Time

Additional labor and staff time required to complete Final EIR. Justification - Preparation of the Final EIR requires responses to 52 comment letters, which includes agency letters, 5 organization letters, and 42 individual letters (including 3 letters from law firms). Additionally, addressing comments on each deliverable from Consultant's subconsultant team (Adrienne L. Graham and Pioneer Law Group) and City staff. Well over 100 individual comments require responses which exceeds what was assumed would be received.

Task 5 Additional Subconsultant Labor

Additional subconsultant labor required to complete Draft EIR. Justification - Subconsultant Adrienne L. Graham to review comments received, review the administrative draft responses to comments and participate in any follow up on City comments including 4 conference calls to complete the Final EIR (with Fehr & Peers, Dudek, and the City).

TASK 6 - MITIGATION MONITORING AND REPORTING PROGRAM

Consistent with CEQA requirements, a Mitigation Monitoring and Reporting Program (MMRP) Consultant shall be prepared to address all mitigation measures identified in the EIR. The MMRP shall follow the City's preferred format to identify the mitigation measure, party responsible for implementation, standards of success, party responsible for completion and monitoring, and timing of the actions. As required by the City, the source of funding and provisions necessary to implement the measure shall be identified in the event the success standards are not satisfied. It is anticipated performance based mitigation measures would be drafted to clearly spell out options to meet the intent of the measure. A draft of the MMRP shall be provided as a standalone document submitted with the AFEIR.

Deliverables: Electronic copies in Microsoft Word and PDF, no hard copies of the MMRP shall be provided.

TASK 7 - FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

Consultant shall prepare the required CEQA Findings of Fact and, if necessary, Statement of Overriding Considerations for the Project consistent with Sections 15091 and 15093 of the CEQA Guidelines. City shall provide templates and the Consultant shall use the City's preferred

format, unless requested otherwise. Consultant shall prepare a draft version for City review prior to providing the City with a final version.

Deliverables: The draft Findings of Fact and Statement of Overriding Considerations shall be provided to the City in Microsoft Word format for easy on-screen review and editing. The final document shall be provided in Microsoft Word and PDF format for the City’s files. No hard copies shall be provided.

TASK 8 - PROJECT MANAGEMENT AND MEETINGS

The Consultant’s Project Manager shall oversee preparation of each component of the environmental analyses and coordinate interaction between the Consultant, the City, subconsultants, and other agencies. The Consultant’s Project Director and Project Manager shall collaborate closely on key issues and City concerns, overall strategy, and unanticipated issues if they arise. The Consultant’s Project Manager shall also oversee internal Consultant staff, manage document review, review monthly invoices, prepare required invoice documentation, prepare memorandums, update the project schedule, and complete other project management tasks. Upon completion of the final EIR, Consultant shall provide the City with a copy of all source documents referenced to prepare the EIR on CD (or flash drive).

The Consultant’s Project Director and Project Manager shall review all documents prior to submission to the City for review. The Consultant’s Project Manager, with support from the Consultant’s Project Director, shall be available for up to ten conference calls with City the (assuming 1.5 hours per call) to address project issues and up to two in-person meetings with the City during preparation of the ADEIR and AFEIR. If additional meetings are required, Consultant shall provide the City with a request to access funds from the contingency budget to pay for attendance.

TASK 9 - CEQA LEGAL REVIEW

The Consultant shall secure the services of Pioneer Law Group (PLG) to provide assistance with CEQA legal strategy and compliance, review drafts of the Notice of Preparation and limited sections of the EIR prior to submittal to the City, review the CEQA Findings of Fact, and to assist in drafting responses to comments on the DEIR.

Completion Schedule

The Consultant shall complete all services outlined herein within 17 months of receipt of the City’s Notice to Proceed, according to the following schedule.

TASK	DURATION (DAYS)*	CUMULATIVE DAYS*
City Notice to Proceed		
Task 1 Project Initiation Kick-off Meeting		

Peer Review Tech Reports	7	7
Task 2 NOP/IS		
Prepare Draft NOP & IS	25	32
<i>City review</i>	21	53
Finalize NOP	3	56
30-day Review Period	30	86
Scoping Meeting TBD		Concurrent with 30-day Review Period
Task 3 Specific Plan Review	44	Concurrent with Tasks 2 and 4
Task 4 Draft EIR		
Draft Project Description	14	100
<i>City review</i>	10	110
Prepare ADEIR	95	205
<i>Receive draft Specific Plan and traffic section 4 weeks prior to submitting ADEIR</i>		
<i>City review</i>	21	226
<i>Meeting with City to review comments on the ADEIR TBD</i>		
Screencheck & DEIR		
Prepare Screencheck DEIR	34	260
<i>City review</i>	7	267
Finalize DEIR	7	274
45-day review period	45	319
<i>PC Hearing to take comments on DEIR TBD</i>		

TASK	DURATION (DAYS)*	CUMULATIVE DAYS*
Task 5 Final EIR		
Prepare AFEIR**	55	374
<i>City review</i>	21	395
<i>Meeting with City to review comments on the AFEIR TBD</i>		
Prepare Screencheck FEIR	35	430
<i>City review</i>	7	437
Prepare FEIR	7	444
Task 6 MMRP		
Prepare draft MMRP	14	Concurrent with Task 5
<i>City review</i>	7	Concurrent with Task 5
Finalize MMRP	3	Concurrent with Task 5
Task 7 Findings		
Prepare draft Findings of Fact	25	469
<i>City review</i>	21	490
Finalize Findings of Fact	5	495 days/17 months
Submit Agency Responses 10 days before PC Hearing		
Planning Commission Hearing TBD		
City Council TBD		
30-day Statute of Limitations		

AMENDMENT NO. 1

CITY OF CHICO - PROFESSIONAL SERVICES AGREEMENT

DUDEK

Architect/Consultant/Engineer

VALLEY'S EDGE ENVIRONMENTAL IMPACT REPORT (EIR)

Project Title

863-510-5400/80100-000-4705

Budget Account Number

AMENDED

EXHIBIT C

COMPENSATION

Total compensation for the services outlined herein shall not exceed the amount of ~~\$577,232.00~~
\$645,102.13.

Compensation for the services shall be in accordance with the following schedule of hourly rates.

Compensation shall be based upon actual invoices received and shall be paid with the completion of each task and subtask and in accordance with the following schedule.

Dudek

Hourly Rates

Project Director	\$ 245.00/Hour
Senior Specialist III.....	\$ 220.00/Hour
Senior Specialist II	\$ 200.00/Hour
Senior Hydrogeologist I/Engineer I	\$ 185.00/Hour
Specialist V	\$ 180.00/Hour
Technical Editor III	\$ 145.00/Hour
GIS Specialist II	\$ 140.00/Hour
Analyst V	\$ 120.00/Hour
Analyst IV	\$ 110.00/Hour
Analyst III	\$ 100.00/Hour
Analyst II.....	\$ 90.00/Hour
Publications Specialist I	\$ 85.00/Hour

<u>TASK DESCRIPTION</u>	<u>COST</u>
Task 1 - Project Initiation	
Pre-kick off Meeting/Site Visit	\$ 3,760.00
Kick off Meeting	\$ 4,945.00
Peer Review	\$ 2,710.00
Task 2 - NOP	
NOP + review comments	\$ 5,600.00
Scoping Meeting	\$ 3,235.00
Task 3 - Specific Plan	
Review	\$ 8,870.00
Task 4 - DEIR	\$ 163,927.00
Project Description	\$ 6,400.00
Exec Summary	\$ 1,000.00
Introduction	\$ 440.00
CEQA/Growth	\$ 3,740.00
Alternatives	\$ 10,840.00
Land Use	\$ 9,000.00
Aesthetics	\$ 5,400.00
Air Quality	\$ 8,820.00
Biological Resources	\$ 10,560.00
Cultural Resources/TBR	\$ 4,680.00
Energy	\$ 6,300.00
Geology/Soils	\$ 7,260.00
Greenhouse Gases	\$ 8,640.00
Hazards	\$ 2,960.00
Hydrology/Water Resources	\$ 7,450.00
Noise	\$ 8,220.00
Public Svcs/Recreation	\$ 3,960.00
Public Utilities	\$ 5,400.00
Traffic	\$ 5,170.00
Wildfire	\$ 9,000.00
QA/QC, Production, Graphics	\$ 40,800.00
Screencheck	\$ 19,700.00
DEIR	\$ 6,180.00
DEIR Hearing	\$ 2,575.00
<u>Additional Labor and Staff Time</u>	\$ 11,905.00
<u>Additional Subconsultant Labor</u>	\$ 2,800.00
Task 5 - Final EIR	\$ 950.00
AFEIR	\$ 55,895.00
Screencheck	\$ 10,105.00
Final EIR	\$ 2,710.00
<u>Additional Labor and Staff Time</u>	\$ 42,830.00
<u>Additional Subconsultant Labor</u>	\$ 5,600.00
Task 6 - MMRP	\$ 2,265.00
Task 7 - Findings of Fact	
AD Findings	\$ 14,538.00
Final Findings/SOC	\$ 830.00
Task 8 - PM/Meetings	
Project Meetings	\$ 10,065.00
PM/CEQA Strategy	\$ 44,225.00
PC & CC Hearings	\$ 7,835.00
Contingency 7.5%	\$ 40,272.00
Total	\$ 577,232.00
Contingency 7.5%	\$ 45,007.13
Total	\$ 645,102.13

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