

Date: April 24, 2013
Rev.: May 6, 2013
File: 7.775.258

Mr. Reed Zars
910 Kearney Street
Laramie, WY 82070

**RE: CONCEPTUAL REVIEW OF THE FEASIBILITY TO IMPROVE FISH
PASSAGE ALONG THE BYPASS BETWEEN PERMANENTE CREEK AND
STEVENS CREEK, SANTA CLARA COUNTY, CALIFORNIA**

Dear Reed:

We are excited to present you with a proposal to prepare an initial scope of work and budget to analyze the biological, physical and financial feasibility of providing for fish passage through the 1.5 mile Permanente-Stevens Creek Diversion Channel in Santa Clara County, California.

We currently anticipate six phases of work in this undertaking.

Phase 1: Preparation of an initial scope of work and budget to analyze the feasibility of modifying the diversion channel to provide fish passage. The evaluation of 2-3 modification alternatives is anticipated.

Phase 2: Fundraising to pay for the feasibility analysis described in the scope of work and budget described above.

Phase 3: Preparation of the biological, physical and financial feasibility analysis to improve fish passage through the diversion channel. This would include evaluating 2-3 diversion channel alternatives and their associated cost to prepare a funding strategy, assuming funding would be obtained.

Phase 4: If one or more diversion channel modification alternatives are viable, select the most viable alternative.

Phase 5: Prepare a funding plan to design, permit and construct the chosen alternative.

Phase 6: To the extent funding is obtained, design, permit and construct the chosen alternative.

The effort to improve fish passage is a complex, multi-disciplined and multi-agency challenge on which we look forward to working with you. For this initial, Phase 1 effort, we have enlisted Alice A. Rich, Ph.D., from A. A. Rich and Associates, a noted fisheries biologist who has experience in Permanente Creek, to assist us with our analysis.

Mr. Reed Zars
May 6, 2013
Page 2

SCOPE OF SERVICES

PHASE 1 TASKS

1. Review recent studies on the condition and assessment of the bypass channel on Permanente Creek below Portland Avenue.
2. Complete a field visit to the bypass channel to gain a general understanding of the physical layout including adjacent land uses, road/pedestrian crossings, and other opportunities and constraints.
3. Contact up to three (3) persons from various agencies familiar with this reach of the creek to hear their perspective of the uses, condition, possibilities, and limitations of the channel.
4. Prepare a comprehensive approach to develop a detailed feasibility study, including a multi-disciplined analysis of technical, political and regulatory issues.
5. Prepare a letter report summarizing our findings, outlining the next steps, detailing a scope of work, and preparing a budget for the work.

DELIVERABLE

Three (3) hard copies and one (1) digital copy of the short report and proposal for the comprehensive analysis of the options to improve fish passage in the by-pass reach of Permanente Creek.

FEES

CSW|ST2 will complete the tasks outlined in the Scope of Services above for a fee of \$8,895.00. We are prepared to begin the work on this upon receipt of the attached signed Work Confirmation.

Reed, thank you for considering CSW|ST2 to work through the challenges of this admirable undertaking.

If you have any questions please feel free to contact me.

Sincerely,



Al Cornwell, R.C.E. #27577

AGC:gmp

cc: A.A. Rich and Associates
Enclosures