



GAVIN NEWSOM, Governor
NATURAL RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
Mailing Address: P.O. Box 944209
Sacramento, California 94244-2090
www.wcb.ca.gov
(916) 445-8448

Date: 6/7/2024

Merritt Perry
City Manager
City of Fortuna
mperry@ci.fortuna.ca.us

MILL CREEK FISH PASSAGE PLANNING
HUMBOLDT COUNTY
AMENDMENT NO. 1 TO GRANT AGREEMENT WC-2359KM
PROJECT ID: 2023094 & 2024069

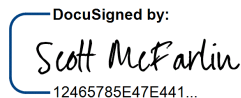
Dear Merritt Perry:

Enclosed for your review and signature is Amendment No. 1 to Grant Agreement WC-2359KM. This amendment identifies an incorrect fund source within the original grant agreement and replaces it with the correct fund source. Please sign this amendment on behalf of the grantee with a DocuSign electronic signature.

After the amendment is approved, we will send you a fully executed copy for your records.

Thank you for your interest in working with the Wildlife Conservation Board. If you have any questions, please contact Hayley Pechner at hayley.pechner@wildlife.ca.gov or (916) 539-6645.

Sincerely,

DocuSigned by:

12465785E47E441...

Scott McFarlin, Supervisor
Restoration and Development

Enclosure(s)

cc: Tina Bartlett, Regional Manager
CDFW, Northern Region (1)

**AMENDMENT NO. 1 TO GRANT AGREEMENT WC-2359KM
BETWEEN THE
STATE OF CALIFORNIA/WILDLIFE CONSERVATION BOARD
AND
CITY OF FORTUNA
FOR THE
MILL CREEK FISH PASSAGE PLANNING
HUMBOLDT COUNTY
Project ID: 2023094 and 2024069**

THIS AMENDMENT TO AGREEMENT is made and entered into this seventh day of June, 2024 by and between the State of California, acting by and through the Wildlife Conservation Board, hereinafter called GRANTOR and the City of Fortuna, hereinafter called GRANTEE.

WHEREAS, the parties hereto entered into Grant Agreement WC-2359KM, dated August 29, 2023, to implement the Mill Creek Fish Passage Planning project on Mill Creek, a tributary to the Lower Eel River via Strongs Creek, in Humboldt County, and

WHEREAS, due to an additional barrier to fish passage being found within the creek corridor, work cannot be completed under the budget allocation of \$966,000 that was approved by the Grantor on August 24, 2023, and an additional \$107,000 is needed to complete the project as proposed, and

WHEREAS, the Board's motion at the August 24, 2023 Wildlife Conservation Board meeting and the Grant Agreement identified an incorrect fund source and it is necessary for Grantor and Grantee to amend the Grant Agreement to reference the correct fund source.

NOW THEREFORE, it is mutually agreed between the parties hereto that said Grant Agreement is amended as follows:

1. To allow the FUNDING AUGMENTATION described in the attached Exhibit B-1 REVISED BUDGET.
2. The Fund Source on Page 1 of the Grant Agreement is amended to read as follows:

Fund Source: General Fund, Budget Act of 2022, Water Supply for Environmental Flows, Stream Flow Enhancement Program Provision (SB154)

3. Section 1 of the Grant Agreement is replaced in its entirety with the following Section 1:
 1. Pursuant to the Wildlife Conservation Law of 1947, Chapter 4.0 of Division 2, (commencing with Section 1300) of the California Fish and Game Code; General Fund, Budget Act of 2022, Water Supply for Environmental Flows, Stream Flow

Enhancement Program Provision (SB154); and the approval granted by the Wildlife Conservation Board on August 24, 2023, the Wildlife Conservation Board (Grantor) hereby grants to the City of Fortuna (Grantee), a sum not to exceed nine hundred sixty-six thousand dollars (Grant Funds), upon and subject to the terms and conditions of this Grant Agreement (Agreement).

Except as amended herein, all terms and conditions of said Grant Agreement will remain unchanged and in full force and effect.

COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one, and the same instrument.

ELECTRONIC SIGNATURES

The Parties agree to accept electronic signatures (as defined in Section 1633.2 of the California Civil Code), faxed versions of an original signature, or electronically scanned and transmitted versions (e.g., via pdf) of an original signature.

GRANTOR

State of California

Wildlife Conservation Board

By: _____ Date: _____
Jennifer M. Norris, PhD, Executive Director

GRANTEE

City of Fortuna

By: _____ Date: _____
Merritt Perry, City Manager

I certify that (a) budgeted funds are available for the extended period stated above; and (b) Grant Funds shall not be disbursed unless and until sufficient proceeds become available to Grantor to disburse.

Fiscal Officer

Date:

Project ID: 2023094 (Amended Fund Source)

Grant Amount: \$966,000.00
Fund Source: General Fund, Section SB154, Flow
Appropriation Item: Chapter 43, Statutes of 2022
Line Item: 3640-102-0001
Expenditure Code: 1000122102

Project ID: 2024069 (Augmentation)

Grant Amount: \$107,000.00
Fund Source: Water Quality, Supply, and Infrastructure Improvement Fund of 2014, Section 79733
Appropriation Item: Chapter 23, Statutes of 2016
Reappropriation Item: CH 6/20 B.A. IT 490(1); CH EO 22/23-25 B.A. IT 490
Line Item: 3640-101-6083
Expenditure Code: 116101588

Mill Creek Fish Passage Planning, Amendment 1
Grant Agreement Number: WC-2359KM
Project ID: 2023094 and 2024069

EXHIBIT B-1 – Revised Budget

Project Task	WCB	WCB Augmentation	Non-WCB Funds	Total
Project Management and operating expenses	\$15,499	\$0	\$10,000	\$25,499
Supporting Technical Studies	\$319,523	\$32,000	---	\$319,523
Design	\$588,604	\$75,000	---	\$588,604
CEQA and Permitting	\$42,374	\$0	---	\$42,374
TOTAL	\$966,000	\$107,000	\$10,000	\$1,083,000