

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:
Prepared on: 1/7/05
Department Name: Planning & Development
Department No.: 053
Agenda Date: 01/18/05
Placement: Departmental
Estimate Time: 10 minutes
Continued Item: Yes
If Yes, date from: 1/4/05
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00041\BOS Hearing EIR Contract
1.18.05\EIR Contract Board Rpt
1.18.05 revised

TO: Board of Supervisors

FROM: Val Alexeeff, Director
Planning & Development

STAFF CONTACT: Tina Ryder, Supervising Planner, x2001
Peter Imhof, Planner III, x2518

SUBJECT: Authorization for Director of Planning and Development to Issue Notices to Proceed to URS Corporation (a local vendor) for preparation of the Environmental Impact Report and Transfer of Development Rights Study for the Santa Barbara Ranch project, P&D Case Numbers 03DVP-00000-00041/ 03ORD-00000-00012, -00013/ 03GPA-00000-00005, -00006, -00007/ 03RZN-00000-00005, -00006/ 03CUP-00000-00065 through 03CUP-00000-00083/ 03LUP-00000-01188 through 03LUP-00000-01203. The project site is located in the Naples Townsite area, Gaviota, along Highway 101, Third Supervisorial District; 079-140-012, et al. The EIR and TDR study cost is \$832,559 plus a contingency of \$24,977 for a total not to exceed cost of \$857,536.

Recommendation:

That the Board of Supervisors:

Authorize the Director of Planning and Development to issue successive Notices to Proceed on a project milestone basis to the consulting firm of URS Corporation (a local vendor) for preparation of the Environmental Impact Report (EIR) and Transfer of Development Rights (TDR) study for the proposed Santa Barbara Ranch project. Total cost of the consultant contract for the EIR and TDR study is \$832,559 plus a contingency of \$24,977 for a total not to exceed cost of \$857,536.

The attached Notice to Proceed is for the first phase of the work from Scope of Work Task 1.0 through Task 6.18 (Administrative Draft EIR), Task 12.0 (Public Meetings/Hearings) and Task 14.0 (GIS, Graphics, and Other Tools). Cost of this first work phase is \$638,131.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with actions required by law and by routine business necessity.

Executive Summary and Discussion:

At the January 4, 2005 meeting, the Board continued hearing of authorization of the consultant contract for preparation of an EIR and TDR study for the Santa Barbara Ranch project, requesting certain additional information regarding the consultant selection process and contract management. In particular, the Board requested clarification regarding (1) consultant qualification by the County, (2) management of the EIR contract, and (3) the consultant selection process. The Board also asked about criteria for selection of TDR study receiver sites as part of the environmental review process and past County TDR study efforts. The general discussion of the EIR contracting process, including consultant selection and consultant qualification by the County, is presented in a separate Board Agenda Report on the A-Agenda for January 18, 2005. This report includes information specific to the proposed contract for the Santa Barbara Ranch EIR and Transfer of Developments Credit study.

Contract Details:

In addition to the requirements of CEQA, the State CEQA Guidelines and County CEQA Guidelines, environmental review of the Santa Barbara Ranch project must adhere to the terms of the Memorandum of Understanding (MOU) entered into between the County and the applicant in December 2002. The MOU stipulates that the project shall be subject to an environmental impact report (EIR), which shall consider TDR as a project alternative, and prescribes certain timelines for the environmental review and permit process.

In conducting the RFP and consultant selection process for the Santa Barbara Ranch project, P&D staff closely followed the steps set forth in the approved County CEQA Guidelines. On October 1, 2004, staff sent an RFP to nine separate consulting firms, and provided the applicant with a copy of the RFP and list of recipient consultants. The RFP recipients included a firm requested by the project applicant after consultation with P&D staff, in accordance with the County CEQA Guidelines. A pre-proposal meeting was also held with all interested consultants and the applicants to provide information about the contemplated scope of work and selection process. Upon completion of the 45-day RFP response period, staff forwarded copies of the consultant proposals to the applicant and reviewed the proposals against the qualification criteria stated in the RFP. Staff then informed the applicant of the qualifying proposals. On December 16, 2004, the applicant notified the P&D of its selection of consultants and P&D staff immediately calendared the consultant contract for authorization by the Board.

The applicant-selected firm of URS Corporation is on P&D's list of firms approved by the Board of Supervisors to provide environmental services. Pursuant to the procedures in the County's CEQA Guidelines, after qualification of consultant proposals by County staff, the project applicant selected URS Corporation to prepare the EIR and TDR study for Santa Barbara Ranch. A copy of the Scope of Work is included as Attachment D.

The primary objectives of the scope of work are to conduct a thorough and objective environmental analysis of the proposed Santa Barbara Ranch project and site, prepare a transfer of development rights (TDR) study

pursuant to CLUP Policy 2-13, prepare and process all requisite environmental documents, and provide the County Planning and Development Department (P&D), other County departments, Planning Commission, Board of Supervisors and other responsible agencies with information on and independent evaluation of project design and impacts, mitigation measures, approval conditions and project alternatives as required by the MOU which could lessen or eliminate project impacts. The selected consultant will also assist staff in preparing staff reports, CEQA and policy findings, project conditions, any necessary statement of overriding consideration, and in presentations for the Planning Commission, Board of Supervisors, Coastal Commission and other public forums.

Work under the contract will be managed on a project milestone basis. Planning and Development will issue successive NTPs for project milestones stated in the scope of work upon completion of earlier work phases by the consultant and following receipt of contract funding from the project applicant for the work phase to be authorized. This contract management approach allows payment of the full environmental services contract value in installments and alleviates hardship to the project applicant.

TDR Study and Receiver Site Selection:

As part of the environmental review of the Santa Barbara Ranch project, the County must conduct a transfer of development rights (TDR) study to evaluate the feasibility of TDR from the project site to suitable urban area receiver sites. The MOU also specifies that TDR be evaluated as a project alternative in the EIR. This requirement for a TDR study is driven by Policy 2-13 of the Coastal Land Use Plan (CLUP), which states:

The existing townsite of Naples is within a designated rural area and is remote from urban services. The County shall discourage residential development of existing lots. The County shall encourage and assist the property owner(s) in transferring development rights from the Naples townsite to an appropriate site within a designated urban area which is suitable for residential development. If the County determines that transferring development rights is not feasible, the land use designation of AG-II-100 should be re-evaluated.

In consonance with this policy, a TDR study will be prepared in conjunction with the environmental review of the proposed Santa Barbara Ranch project. Receiver sites considered in the study have not yet been selected, but will be identified in the preliminary research for study and will presumably include sites in suitable urban locations within Santa Barbara County and its incorporated cities.

Past efforts by the County to study TDR include, most notably, a series of hearings before the Planning Commission in 1994 to study a County-wide transfer of development credits (TDC) program. That TDC study was instigated as part of the Goleta Community Plan process as a potential planning tool for addressing special problems areas, including antiquated subdivisions. Although P&D staff drafted a TDC ordinance outline at the direction of the Planning Commission, the TDC program was not viewed as a budget priority and did not advance past the Planning Commission initiation hearings. In contrast to the County's earlier efforts to study TDC, consideration of TDR feasibility in conjunction with environmental review of the Santa Barbara Ranch project will be limited to a study specific to the Santa Barbara Ranch site in response to a specific policy requirement applicable to that site.

Mandates and Service Levels:

No change in programs or service levels. The Board adopted process for using consultant services contracts for environmental impact report (EIR) preparation is a permissible method under the California Environmental Quality Act (CEQA), and allows the County to meet CEQA-mandated time lines for EIR consultant contracting.

Fiscal and Facilities Impacts:

Costs for consultant selection, preparation, and processing of the environmental document are borne by the applicant. Funding for this work is in the Permitting and Compliance Program of Development Review South on page D-290 of the adopted 04/05 fiscal year budget.

Special Instructions:

- Clerk of the Board to forward a copy of the Minute Order to Planning and Development; Attn: Peter Imhof.
- Planning and Development will issue Notices to Proceed to URS Corporation on a project milestone basis.

Concurrence:

Concurrences regarding the Services contracts for environmental consultants have been previously obtained from County Counsel, the Auditor-Controller and GSA/Risk Management.

Attachments:

- Attachment A: Contract Summary
- Attachment B: Scope of Work for the Santa Barbara Ranch EIR
- Attachment C: Project Milestones
- Attachment D: Notice to Proceed from Scope of Work Task 1.0 through Task 6.18, Task 12.0 and Task 14.0

Attachment C
Project Milestones

<u>Milestone</u>	<u>Scope of Work Tasks</u>		<u>Amount</u>
1	Tasks 1.0 Through 6.18 (Administrative Draft EIR) Task 12.0 (Public Meetings/Hearings) Task 14.0 (GIS, Graphics, and Other Tools)	\$	638,131
2	Through Task 11.0, Develop Mailing List		167,830
3	Through Task 13.0, Assistance with Staff Reports		26,598
TOTAL		\$	832,559