



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: 11/21/2006
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) John Baker, 568-2085
Contact Info: Dianne Black, 568-2086
SUBJECT: Contract Amendment for Santa Barbara Ranch Project Environmental Impact Report

County Counsel Concurrence

As to form: Yes No N/A

Auditor-Controller Concurrence

As to form: Yes No N/A

Other Concurrence:

As to form: Yes No N/A

Recommended Actions:

That the Board of Supervisors approve the attached contract amendment for the Santa Barbara Ranch Project Environmental Impact Report ("EIR") which modifies the scope of work, increases the total contract amount by the sum of \$194,824 and extends the contract period by one year to January 31, 2008.

Summary Text:

On January 18, 2005, the Board of Supervisors approved a contract with URS Corporation to undertake preparation of an EIR for Santa Barbara Ranch Project. The approved contract was for a total sum of \$857,536 with a contract period of two years, expiring on January 31, 2007. A draft of the EIR was released on June 28, 2006, and the public comment period closed on September 27, 2006. Upon review of the written comments, it has been concluded that the best method for complying with the California Environmental Quality Act ("CEQA") is to repackage the Draft EIR and re-circulate the entire document for public review. The contract amendment sets forth the specific tasks, performance timeline and adjusted budget required to bring the EIR process to completion.

Background:

On December 3, 2002, the County of Santa Barbara and two of the four principal owners of Naples Townsite (the Morehart and Santa Barbara Ranch related interests; collectively the "Applicant/Landowner") entered into a Memorandum of Understanding ("MOU"). The MOU sets forth a protocol for processing land use applications to resolve development and conservation issues arising

from a conflict between the density of legal lots within the Townsite and the underlying agricultural land use and zoning designation. The MOU does not create entitlements, rights or approvals, and does not. However, it does obligate the County to entertain applications for development at Naples. In this regard, the Applicant/Landowner has formulated a proposed project and a project alternative for consideration:

○ **MOU Project.** The MOU Project consists of a large lot residential development and associated land use changes on Santa Barbara Ranch (“SBR”) totaling 485 acres and encompassing 80% of the 274 lots comprising the Official Map of Naples. The MOU Project would merge these lots, resulting in 54 new rural estate residences and include an equestrian center, agricultural support facilities, a worker duplex, public amenities (including access road, parking and restroom, hiking, biking, equestrian trails near the coastal bluff, an educational kiosk and a coastal access stair structure), and creation of private conservation easements permanently protecting 137 acres for agricultural uses and 188 acres for open space.

○ **Alternative 1.** The Applicant/Landowner has also submitted a project alternative (“Alternative 1”) for review by the County at a project-level detail for purposes of evaluating alternatives to the MOU Project under the California Environmental Quality Act (“CEQA”). Alternative 1 comprises the 485-acre SBR plus the adjacent 2,769-acre Dos Pueblos Ranch (“DPR”). Alternative 1 would include development of a total of 72 new rural estate residences, one employee duplex, one agricultural support facility, public amenities (including access road, parking and restroom, hiking, biking, equestrian trails near the coastal bluff, an educational kiosk and a coastal access stair structure), and creation of conservation easements permanently protecting 2,629 acres for agricultural uses and 372 acres for open space.

A draft of the EIR that evaluates the MOU Project and Alternative 1 to a similar level of detail was released on June 28, 2006. An initial period of 60 days was afforded for public review, as compared to a more typical 45-day comment period. At the request of the Naples Coalition, and with the consent of the Applicant/Landowner, the public review period was extended an additional 30 days to September 27, 2006. In sum total, 200 comments were received totaling in excess of 400 pages. In consultation with the Applicant/Landowner and their legal counsel, it was concluded that the best method for responding to comments would be to revise and re-circulate the entire DEIR document for public review as opposed to simply responding to individual comments. As noted in the revised workscope (attached), this decision is driven by four principal factors:

- The project design will be revised to address comments received (including those of the Central BAR) and incorporate a number of mitigation measures identified during the EIR preparation process that will serve to reduce environmental effects.
- An Open Space Management Plan, referenced extensively in the Draft EIR for implementation of mitigation measures intended to avoid or reduce biological effects, will now be incorporated into the project description and used to update the discussion of biological resources.
- Additional information regarding agricultural resources (particularly relevant to Alternative 1) will be incorporated into the EIR as the result of interactions between the County and California Department of Conservation.

- To simplify the presentation format and reinforce the MOU Project as the official project for which formal application has been made, the EIR will be divided into distinct volumes that separately address the MOU Project and the Alternatives (inclusive of Alternative 1).

Insofar as this approach is beyond the scope of the current contract with URS Corporation, the attached contract amendment has been prepared for Board consideration. The revised budget also takes into account the level of effort and staff support required to bring the document to a certifiable state given the complexity of the project and wealth of public participation to date. Under the MOU, the County is obligated to complete its deliberations on Santa Barbara Ranch within 18 months of the date when the initial application for the MOU Project was deemed complete. Taking into account tolling periods and time extensions agreed upon by the Applicant/Landowner, staff was targeting commencement of Planning Commission deliberations in December with the Board to follow in early 2007. These targets dates will now be delayed by at least four months, again with the Applicant/Landowner's acknowledgement.

Fiscal and Facilities Impacts:

Budgeted: Yes No

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:	\$ 194,825.00		\$ 194,825.00
Total	\$ 194,825.00	\$ -	\$ 194,825.00

Narrative: All costs associated with preparation of the EIR for Santa Barbara Ranch are payable by the Applicant/Landowner.

Staffing Impacts:

Legal Positions:

FTEs:

No FTE changes

Special Instructions:

None

Attachments:

Contract Amendment No. 1 (Contract No. BC 05128)

Authored by:

Tom Figg