



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: PARKS
Department No.: 052
For Agenda Of: December 16, 2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Daniel Hernandez – 568-2475 *DH*
Director(s)
Contact Info: Juan M. Beltranena – 568-2470

SUBJECT: Extension of Agreement to Operate Lake Cachuma Park w/BOR

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

1. Accept extension to Contract No. 14-06-200-600, between the County of Santa Barbara and the United States Department of the Interior Bureau of Reclamation to continue to administer the Lake Cachuma Recreation Area for the period of January 12, 2009 to January 12, 2011.
2. Authorize the Chair to sign and return the attached letter dated December 16, 2008 Bureau of Reclamation, indicating acceptance, and simultaneously transmit the attached letter from the County, accepting the terms and conditions, to the Bureau of Reclamation.
3. Approve the Notice of Exemption pursuant to the County's California Environmental Quality (CEQA) guidelines (post).

Summary Text:

On November 26, the Board of Supervisors authorized the extension of a lease between the County of Santa Barbara and the US Bureau of Reclamation for two years from January 12, 2003 to January 12, 2005.

The extension was to provide the Bureau of Reclamation additional time to complete the preparation of a Resource Management Plan (RMP) necessary to begin negotiations. In December 2004, and again in December of 2006, the County and Bureau of Reclamation entered into a second and a third two-year

extensions to January 2009. As of this date, although the RMP has gone through a lengthy public review process, it has not been finalized. Therefore, negotiations for a long-term lease cannot begin.

At this time, an additional short-term, two-year extension is required so that sufficient time is provided to complete the RMP and conduct long-term lease negotiations.

Background:

The County of Santa Barbara, through its Parks Department, has operated and managed the Lake Cachuma Recreation area for over 50 years under lease agreement with the Bureau of Reclamation. Upon any renewal of a contract lease, the Bureau is required to complete a Resource Management Plan (RMP) for the federally owned land. The RMP process started in 2000 with public scoping meetings, and since then has been under development with participation from County Parks and the Cachuma Operations and Management Board (COMB).

The County currently provides an array of recreation amenities including but not limited to fishing, camping (tent, cabin, RV, and yurt), boating and nature cruises to approximately 800,000 visitors each year at Lake Cachuma. The County's original fifty-year lease with the Bureau of Reclamation to manage Lake Cachuma Recreation Area expired in January of 2003, with interim extensions through January 12, 2009 now in effect.

The short term extensions ensure that recreation services currently provided at Lake Cachuma Continue uninterrupted and that all long-term critical issues associated with the lease renewal are sufficiently analyzed and addressed. The extension also allows the existing concessionaires to continue operation under the same interim period. The offer from the Bureau also includes an additional 6 month extension, if required to competitively seek concessionaires for the recreation area, upon transitioning into a new long-term agreement. It is therefore recommended that the board of Supervisors accept an amendment to contract No. 14-06-200-600 extending this lease to January 12, 2011 in which all existing terms and conditions remain in effect.

A letter from the Board of Supervisors to the Bureau of Reclamation is attached and acknowledges the County's acceptance of the lease extension.

The project is exempt from CEQA under Section 15301 - Class 1 Categorical Exemption, which consists of "the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination."

Performance Measure:

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

| Funding Sources | Current FY Cost: | Annualized On-going Cost: | Total One-Time Project Cost |
|------------------------|-------------------------|--------------------------------------|--|
| General Fund | | | |
| State | | | |
| Federal | | | |
| Fees | | | |
| Other: | | | |
| Total | \$ - | \$ - | \$ - |

Narrative: No new Fiscal Impact with these Board Actions. Santa Barbara County Parks will continue to manage the Recreation Area under the same operation budget scenario as previous fiscal years. County staff and the Bureau of Reclamation will continue to work over the course of the lease extension on a new long-term lease agreement.

Staffing Impacts:

Legal Positions:
N/A

FTEs:
N/A

No impact to staffing

Special Instructions:

Clerk of the board to:

- Provide one copy of the minute order to County Parks; attn: Juan M. Beltranena.
- Retain the original signed December 2008 Bureau letter; return original December 16, 2008 signed letter from the Chair to county Parks, Attn: Juan M. Beltranena for transmittal to the Bureau.
- Date and stamp and post Notice of Exemption w/ County Clerk and provide a copy of the stamped Notice to County parks; attn, Juan M. Beltranena

Attachments:

- December 3, 2008 lease extension letter from the Bureau of Reclamation
- Letter to Bureau of Reclamation
- Notice of Exemption

Authored by:

Juan M. Beltranena, Project Manager, 568-2470

cc: Juan M. Beltranena
County Counsel



United States Department of the Interior



BUREAU OF RECLAMATION
South-Central California Area Office
1243 N Street
Fresno, California 93721-1813

IN REPLY REFER TO:

SCC-450/452
LND-6.00/WTR 4.00
Santa Barbara County Parks

DEC -4 2008

VIA FEDERAL EXPRESS

Mr. Daniel Hernandez
Director of Parks
County of Santa Barbara
610 Mission Canyon Road
Santa Barbara, CA 93105

Subject: Continued Extension of the Period of Performance Under Contract No. 14-06-200-600
Cachuma Project

Dear Mr. Hernandez:

Santa Barbara County (County) has expressed an interest in obtaining a second interim extension of the existing Land Management Agreement (LMA). In order to accommodate the completion of the Resource Management Plan and the subsequent negotiation of a new LMA for the Federal lands around Lake Cachuma, the Bureau of Reclamation has determined that it is in the best interest of the United States to continue to extend the interim Period of Performance of the existing agreement (Contract No. 14-06-200-600) for an additional two more years.

Therefore, pursuant to Section 3 of the subject contract, Reclamation is extending the termination date of the subject interim extension from January 12, 2009 to January 12, 2011. However, if as anticipated a new long-term management agreement is completed prior to that date, Contract No. 14-06-200-600 will terminate on the date of execution of the new agreement.

The County may extend existing Concessions Agreements on a year-to-year basis not to exceed two years ending January 12, 2011. It is expected that the new long-term LMA will allow an additional extension of up to six months from its date of execution, if necessary, in order to allow for a competitive selection of Concessionaires and an orderly transition to new Concessions Agreements.

All other terms and conditions of Contract No. 14-06-200-600 shall remain in full force and effect during this interim period.

Reclamation recognizes the importance of the recreational resources at Lake Cachuma to the recreating public and the economy of the County. While Reclamation recognizes that our views differ on the cost allocation for recreational facility improvements, Reclamation will continue to work with the County to support their efforts to secure funding to improve and update all facilities at Lake Cachuma, including the drinking water and wastewater treatment plants.

Reclamation congratulates the County on the completion of over 50 years of successful operation at Lake Cachuma providing nationally recognized recreational opportunities for the people of the State of California and the entire Nation. Reclamation looks forward to working with the County to ensure the availability of these recreational opportunities well into the future.

If you have any questions regarding this matter, please feel free to contact Bob Epperson, Land Use/Resource Plan Specialist of my staff, at 559-269-4518 or for the hearing impaired at 559-487-5933.

Sincerely,



For Michael P. Jackson, P.E.
Area Manager

cc: Ms. Kate Rees
Cachuma Operations and Maintenance Board
3301 Laurel Canyon Road
Santa Barbara, CA 93105-2017

This offer of a second two-year extension of the existing Land Management Agreement (Contract No.14-06-200-600) is hereby accepted by the County of Santa Barbara.

County of Santa Barbara

Date _____

By _____
Chair, Board of Supervisors
Of The County of Santa Barbara
State of California

ATTERT:
Michael F. Brown
Clerk of the Board

By _____
Deputy



SALUD CARBAJAL
First District, Chair

JANET WOLF
Second District

BROOKS FIRESTONE
Third District

JONI GRAY
Fourth District

JOSEPH CENTENO
Fifth District, Vice Chair

BOARD OF SUPERVISORS

County Administration Building
105 East Anapamu Street
Santa Barbara, CA 93101
Telephone: (805) 568-2190
www.countyofsb.org

COUNTY OF SANTA BARBARA

December 9, 2008

Mr. Michael P. Jackson, P. E.
Area Manager
United States Department of the
Interior/Bureau of Reclamation
1234 N Street
Fresno, CA 93721-1813

Subject: Extension of Period of Performance under Contract 14-06-200-600

Dear Mr. Jackson,

Please let this letter serve as acceptance of the extension of the period for performance of Contract No. 14-06-200-600 for the existing Land Management Agreement for the Cachuma Lake Recreation Area. Your letter dated December 4, 2008, is incorporated by this reference and the offer contained therein is hereby accepted by the County. The attached minute order from the County Board of Supervisors' December 16, 2008 meeting indicates the action taken on this item and approval to enter into the lease extension.

Therefore, by mutual agreement of the parties pursuant to Section 3 of the subject contract, the Agreement to Administer Recreational Area dated January 12, 1953; (your contract number 14-06-200-600) is hereby extended until January 12, 2011. However, it is anticipated that a long-term management agreement with the County will be completed prior to that date. If such is the case, Contract No. 14-06-200-600 may terminate on the effective date of the new agreement. Furthermore, it is noted, that the County may extend existing concession sub-lease agreements at the Cachuma Lake Recreation Area on a month-to-month basis, not to exceed the two years ending on January 12, 2011. All

Mr. Michael P. Jackson, P. E.
December 16, 2008-12-09

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other terms and conditions of Contract 14-06-200-600 shall remain in full force and effect during the interim period.

The County of Santa Barbara is proud of its 56-year history managing the Cachuma Lake Recreation Area and looks forward to continuing to work toward the establishment of another long-term lease with the Bureau of Reclamation.

If you have any question regarding this matter, please feel free to contact Dan Hernandez, Director of County Parks, at (805) 568-2461.

Sincerely,

Salud Carbajal, Chair
County Board of Supervisors

Attest:
Michael F. Brown
Clerk of the Board

By: _____
Deputy

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: County Parks

Based on a preliminary review of the project the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s): 145-160-072; 141-029-054 **Case No.:** N/A

Location: Cachuma Lake Recreation Area

Project Title: Two-Year Lease Extension with U.S. Bureau of Reclamation

Project Description: This action extends an existing operations and management lease agreement between the County of Santa Barbara and the U.S. Department of the Interior, Bureau of Reclamation, for the Cachuma Lake Recreation Area, for a period of two years – January 12, 2009 – January 12, 2011. All other terms and conditions of the original lease agreement remain in full force and effect during this interim period. The extension will allow the Bureau of Reclamation to complete the required Resource Management Plan (RMP) prior to entering into negotiations with the County for a long-term agreement to manage the recreation lands.

Exempt Status: (Check one)

- Ministerial
- Statutory
- Categorical Exemption
- Emergency Project
- No Possibility of Significant Effect [§15061(b,3)]

Cite specific CEQA Guideline Section: 15301

Reasons to support exemption findings (attach additional material, if necessary):

The lease extension does not change the terms of the original agreement other than the length of time that the lease is in effect. No expansion of use beyond existing use of the recreation lands is proposed during this interim period.

Jim Beltrama
Department/Division Representative

12/8/08
Date

Note: A copy must be filed with the County Clerk of the Board after project approval and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

Distribution: Richard Corral
Project file (when P&D permit is required)

Date File of Counter Clerk