



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: 10/20/2009
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) Glenn Russell, PhD (568-2085)
Contact Info: Doug Anthony, Deputy Director, Energy Div. (568-2046)
SUBJECT: Venoco Line 96 Modification Project EIR Contract

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

Execute the professional services contract with Marine Research Specialists (MRS), a non-local consultant located in Ventura, to prepare the Environmental Impact Report (EIR) for the Venoco Line 96 Modification Project with a Not-to-Exceed amount of \$324,206.00 (which includes a 15% contingency), for the period beginning October 21, 2009 and ending August 31, 2010. (3rd Supervisorial District)

Summary Text:

Staff recommends that your Board approve the sole source services contract with MRS in the Not-to-Exceed amount of \$324,206.00 (including a 15% contingency) to prepare the EIR. The County will act as the CEQA Lead Agency and manage preparation of the EIR in consultation with a formal Joint Review Panel (JRP) comprised of the County, the City of Goleta, the California State Lands Commission and the California Coastal Commission.

The Applicant (Venoco, Inc), other members of the JRP and staff believe that MRS is the most qualified consultant for preparing the EIR. MRS is currently under contract to the State Lands Commission to prepare Venoco's Full Field Development Project EIR which contains a thorough technical analysis of the Line 96 pipeline as a project component. MRS also prepared the recently certified EIR for the Venoco Ellwood Marine Terminal lease extension which also included analysis

of Line 96. MRS staff has also conducted technical evaluations and risk assessments of the Ellwood Processing Facility operations, an integral part of Line 96 operations. Staff believes that no other contractor could reasonably compete effectively with MRS for the EIR contract because of MRS's involvement in the other Venoco projects, greatly benefiting the Applicant and the County in terms of time, cost savings and technical expertise.

Background:

Based on the uncertainty of completion of the Venoco Full Field Development EIR, the timing and uncertainty of the California State Lands Commission (CSLC) decision on the project, and other factors driving the need for the Line 96 pipeline modification, the applicant came forward with an application to proceed with the permitting of Line 96 independent of the Full Field Development Project. The proposed Line 96 Modification project is a component of the Full Field Development Project currently undergoing environmental review with the CSLC acting as the lead CEQA agency. The project EIR is currently at the Administrative Final stage of the CEQA process.

Performance Measure:

Staff will direct and monitor Contractor's work to ensure timely completion and production of a legally defensible EIR for use by County and other permitting agencies. To ensure timely completion, staff will coordinate preparation of the EIR with agencies that have or may have permitting authority over the project through use of a Joint Review Panel (JRP) as outlined in a project-specific Memorandum of Understanding.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Preparation of the EIR is fully offset by permit fees and is within the expenditures budgeted in line-item "EIR Contracts" (Program 5015) of the Energy Division's operating expenses, and revenues budgeted in line-item "Reimbursable Contracts" on page D-320 of the approved 2009/2010 fiscal year budget.

Staffing Impacts:

Legal Positions:
0

FTEs:
0

Special Instructions:

Please forward a duplicate original executed Contract and a copy of the Minute Order to Linda Bishop, P&D Accounting. Please forward copies of the executed Contract and Minute Order to Dean Dusette in P&D Energy Division.

Attachments:

Attachment 1 – MRS Contract

Authored by:

Dean Dusette, Planner 568-2513

Attachment 1

MRS Contract