



BOARD OF SUPERVISORS
AGENDA LETTER

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

Agenda Number:

**Submitted on:
(COB Stamp)**

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: December 11, 2018
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Planning and Development
Director(s) Dianne Black, Director, (805) 568-2086

Contact Info: John Zorovich, Deputy Director, Energy, Minerals & Compliance
Division (805) 568-2519

SUBJECT: Coastal Resource Enhancement Fund Grant Contracts – Second, Third and Fifth
Districts

County Counsel Concurrence:

As to form: Yes

Auditor-Controller Concurrence:

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a. Approve and authorize the Chair to execute the attached Coastal Resource Enhancement Fund contract with the Santa Barbara Natural History Museum, in the amount of \$10,000, to fabricate and install eight interpretative signs along the Santa Barbara wharf, for the period of December 11, 2018 to April 1, 2020, Second District (Attachment A).
- b. Approve and authorize the Chair to execute the attached Coastal Resource Enhancement Fund contract with Earth Island Institute, in the amount of \$10,000, to complete 50% of the engineering design reports for the Gaviota Creek Fish Passage project, for the period of December 11, 2018 to December 15, 2019, Third District (Attachment B).
- c. Approve and authorize the Chair to execute the attached Coastal Resource Enhancement Fund contract with Earth Island Institute, in the amount of \$19,818, to complete 65% of the engineering design reports for the Davy Brown/Munch Creeks Fish Passage project, for the period of December 11, 2018 to February 15, 2019, Fifth District (Attachment C).

- d. Approve and authorize the Director of Planning and Development, or designee, to: extend performance in accordance with Section 3 of the three contracts (Attachments A, B, and C) for up to and not to exceed a period of one year for good cause; to terminate the contracts in accordance with Section 4 and Section 15 of the three contracts for failure of Grantees to provide matching funds; and to approve project changes in accordance with Section 5 of the three contracts, including changes to project descriptions, reduction in the overall project budgets or change in budget items of 10 percent or more.
- e. Approve transfer of the \$20,000 Coastal Resource Enhancement Fund grant that was awarded in the 2017 cycle for the Baron Ranch Realignment Project from Santa Barbara County Trail Council to Santa Barbara County's Community Services Department (request letter in Attachment D).
- f. Determine that the allocations of the CREF grants and transfer of a CREF grant are exempt from CEQA pursuant to Section 15378(b)(5) of the State Guidelines for the implementation of the California Environmental Quality Act.

Summary Text:

Recommended Actions a - d. The Santa Barbara Natural History Museum (SBNHM) would use the \$10,000 Coastal Resource Enhancement Fund (CREF) grant to fabricate and install eight marine-themed interpretative signs along the Santa Barbara wharf. SBNHM reduced the overall costs of the project by having its own staff design the signs and by refurbishing the existing housing for the signs instead of purchasing new housings. The total project costs have been reduced from \$64,012 to \$22,897. SBNHM will pay for the additional \$12,897 out of its operational budget. Attachment A contains this contract.

The Earth Island Institute would coordinate with the South Coast Habitat Restoration Project (SCHR) to complete 50% of the engineering designs (title sheet, location map, existing topography, site improvements, diversion and dewatering plan) for the Gaviota Creek Fish Passage Project. The deliverables would include a Design Report, a Geotechnical/Structural Type Selection Report, and Engineers Estimate of Probable Construction Costs. The total cost of the project is \$255,865, and SCHR has secured all the remaining funds: \$190,790 from the Coastal Conservancy, \$51,075 from Coastal Ranches Conservancy, and \$4,000 from Patagonia. Attachment B contains this contract.

The Earth Island Institute coordinated with SCHR to complete 65% of the engineering designs (title sheet, location map, existing topography, site improvements, diversion and dewatering plan) for Munch Creek at Davy Brown Campground, Upper Sunset Valley Road along Davy Brown Creek, and Lower Sunset Valley Road along Davy Brown Creek. The deliverables include a Design Report, a Geotechnical/Structural Type Selection Report, and Engineers Estimate of Probable Construction Costs. The total cost of the project is \$68,409, and SCHR has secured all the remaining funds: \$42,461 from the National Fish and Wildlife Foundation and \$6,130 from itself. Attachment C contains this contract. SCHR has completed this project and submitted its deliverables.

The contracts in Attachments A, B and C execute the three grants described above. Staff Recommended Action (d) above allows for administrative tasks that are minor in nature to be handled by the Director of Planning & Development.

Recommended Action e. The Santa Barbara County Trails Council (SBCTC) received a \$20,000 grant in the 2017 cycle towards the Baron Ranch Trail Realignment project. SBCTC has been working with the County's Community Services Department, Parks Division (Parks) on a portion of this project (the

Baron Ranch Trail Bridge). The total cost of this portion of the project is \$770,000. The Board of Supervisors has previously allocated a total of \$670,000 in Development Impact Fees towards this project, and on October 16, 2018, the Board of Supervisors approved a budget revision for the remaining \$100,000: \$80,000 from the Public Works Resource Recovery Fund and \$20,000 from a donation from the SBCTC. SBCTC requested in a letter (Attachment D) to transfer the \$20,000 CREF grant to Parks since Parks will be implementing the project.

Recommended Action f. Executing CREF contracts and transferring a CREF award from one recipient to another do not meet the definition of a “project” pursuant to CEQA Guidelines Section 15378(b)(5). This section exempts government administrative activities that will not result in direct or indirect physical changes in the environment.

Background:

At the June 20, 2017 Board of Supervisors hearing, the Board of Supervisors awarded 10 grants from the 2017 CREF cycle and directed staff to return to the Board with the contractual agreements. The contracts in Attachments A, B, and C execute the three CREF awards described above.

The County established CREF as a condition of approval on permits for offshore oil and gas development and transportation projects. Mitigation is provided through CREF for impacts to four categories of coastal resources: recreation, tourism, aesthetics, and environmentally sensitive resources (e.g., marine mammals and birds). The County must ensure that CREF fees are used to mitigate those impacts.

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Grants Costs</u>
General Fund			
State			
Federal			
Fees			
Other: CREF			\$ 39,818.00
Total	\$ -	\$ -	\$ 39,818.00

Budgeted: Yes

The three contracts in Attachments A, B and C do not involve County ongoing costs. The transfer of funds from SBCTC to Parks beneficially impacts a County property. The contracts associated with CREF awards are funded by mitigation fees paid annually by developers of offshore oil and gas reserves.

CREF creates no fiscal impact on the County general fund budget. Funding for CREF is budgeted on page D-272 of the fiscal year 2018-19 budget in the Coastal Mitigation Budget Program, and is fully supported by funds in the Coastal Resource Enhancement Fund. Administration of CREF includes updates of the annual status report, solicitation and evaluation of grant proposals and recommendation of grant awards to the Board of Supervisors, preparing, monitoring and enforcement of CREF grant contracts, preparation and monitoring of the CREF budget, reassessing CREF fees, and responding to inquiries.

Key Contract Risks:

Risk analyses of the proposed contracts determined they all would be a low risk: the contract amounts are less than \$100,000; the performance periods are less than two years; the complexities of the contract requirements are low; and the contracts are not controversial.

Special Instructions:

Clerk of the Board will forward copies of the contracts (including Exhibits A and B of the contracts) to Kathy Pfeifer of the Planning and Development Department, Energy, Minerals & Compliance Division, who will mail copies of the contracts to the grantees and request the Auditor Controller to pay the awards.

Attachments:

- A: Contract with the Santa Barbara Natural History Museum
- B: Contract with the Earth Island Institute (Gaviota Creek Fish Passage Project)
- C: Contract with the Earth Island Institute (Davy Brown/Munch Creeks Fish Passage Project)
- D: Request to transfer the Baron Ranch Trail Realignment CREF award to the Community Services Department

Attachment A

Contract with the Santa Barbara Natural History Museum

Attachment B

Contract with the Earth Island Institute
(Gaviota Creek Fish Passage Project)

Attachment C

Contract with the Earth Island Institute
(Davy Brown/Munch Creeks Fish Passage Project)

Attachment D

Request Letter to transfer the Baron Ranch Trail Realignment CREF award
to the Community Services Department