



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: November 4, 2008  
Placement: Administrative  
Estimated Tme: N/A  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department John Baker, Director, Planning & Development, 568-2085  
Director(s)  
Contact Info: Doug Anthony, Deputy Director, Energy Division, 568-2046  
**SUBJECT: Lompoc Wind Project EIR Contract Amendment**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors approve and authorize the Chair to execute the attached Amendment No. 1 to the professional services contract with Aspen Environmental Group for (1) completion of the Environmental Impact Report (EIR) for the Lompoc Wind Energy Project in an amount not to exceed \$40,000 (\$20,000, plus \$20,000 in contingency funds), for a total contract amount of \$306,860.79 and, (2) to extend the contract end date to February 1, 2009. The Lompoc Wind Energy Project is located in the Third and Fourth Supervisorial Districts.

**Summary Text:**

On February 26, 2008, the County of Santa Barbara entered into a contract with Aspen Environmental Group in the amount of \$266,860.79 to complete the EIR for the Lompoc Wind Energy Project. The original contract for EIR preparation approved by your Board was with CH2MHill for \$508,695.02, including amendments. That contract produced a Draft EIR and expired December 31, 2007 leaving a balance of \$135,558.82. Using these and additional funds approved by the Board, Aspen completed the proposed Final EIR for the project. The current contract balance is slightly less than \$1000.00.

On September 30, 2008, the County Planning Commission unanimously approved the Lompoc Wind Energy Project. Two appeals of that approval were filed: (1) George and Cheryl Bedford (Case No. 08APL-00000-00034), and (2) the California Department of Fish and Game (Case No. 08APL-00000-00035). Both appeals raise issues related to, among other things, the adequacy of the EIR. This contract Amendment is necessary to provide funds and time for the EIR consultant to provide technical support for the preparation of responses to the issues raised in these appeals.

Staff requests Board approval of an additional \$20,000 plus \$20,000 contingency, for a total of \$40,000 to compensate Aspen for technical assistance in responding to the appeals, based on actual time-and-material expenses. This amount is based on the October 17, 2008 scope of work prepared by Aspen and provided in Attachment 1. In addition, the EIR contract is currently due to expire on November 5, 2008. Extension of the contract for three months will provide for the EIR consultant's participation in the Board appeals. The project applicant, Acciona, is in agreement with both the increased contract amount and time extension.

**Background:**

Acciona proposes to construct and operate a 65-turbine wind farm in northern Santa Barbara County, near the City of Lompoc. Total electric generation capacity will be up to 97.5 megawatts, enough to power over 40,000 households. The power output will be sold to PG&E through a long-term power purchase agreement. A new power line will run from the project site to connect into an existing power line near PG&E's Cabrillo Substation at the southwest corner of Lompoc.

**Performance Measure:**

Staff will direct and monitor Contractor's work to ensure timely completion of requested tasks.

**Fiscal and Facilities Impacts:** Budgeted: Yes **Fiscal Analysis:**

Narrative: These additional costs for technical assistance are fully offset by the applicant and are within the expenditures budgeted in line-item "EIR Contracts" (\$550,000) of the Energy Division's operating expenses, and offsetting revenues budgeted in line-item "Reimbursable Contracts" (\$1,097,000) on page D-313 of the 2008/2009 fiscal year budget.

**Staffing Impacts:**

**Legal Positions:**  
0

**FTEs:**  
0

**Special Instructions:**

Please forward a copy of the executed Contract Amendment No. 1 and a copy of the Minute Order to Gloria Kelm, P&D Accounting.

**Attachments:**

1. Contract Amendment No. 1, Aspen Environmental Group (Contract BC 08-093)
2. Contract Summary Sheet

**Authored by:**

John Day, Planner, 568-2045.