



**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: May 20, 2014
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) Glenn Russell, Ph.D., Director, 568-2085

Contact Info: Kevin Drude, Deputy Director, Energy & Minerals Division
568-2519

SUBJECT: Approval of Amendment No. 1 to the Professional Services Contract with AMEC Environmental and Infrastructure, Inc. for Preparation of the Environmental Impact Report for the Cuyama Solar Facility Project, 1st Supervisorial District.

County Counsel Concurrence:

As to form: Yes

Auditor-Controller Concurrence:

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

1. That the Board of Supervisors approve and authorize the Chair to execute Amendment No. 1 to AMEC Environmental and Infrastructure, Inc.'s existing professional services contract (Contract No. BC 14-136), increasing the contract amount by \$48,945.77, for a total contract not-to-exceed cost of \$147,987.77, in order to complete additional analysis in association with preparation of the Environmental Impact Report (EIR) for the Cuyama Solar Project (Attachment A).

Summary Text:

Work beyond the original scope of the existing professional services contract with AMEC Environmental and Infrastructure, Inc. (AMEC) is required to complete the EIR for the Cuyama Solar Project. Exhibit A-1 of Amendment No. 1 describes in detail the proposed scope changes and associated costs to complete the environmental analysis. In summary, the changes include: 1) request by P&D to include a Plans and Policies section in the Draft EIR; 2) the need for AMEC to review and respond to extensive comments and technical information contained within the Lozeau Drury, LLP, March 13, 2014 comment letter on the EIR; 3) peer review of revised technical information; and 4) the need for AMEC to incorporate revisions throughout the EIR in response to PG&E's comment letter, which

necessitated changes in the project description. The previously approved contract with AMEC for preparation of the EIR is not adequate to cover the cost of this work.

The original contract contingency amount of \$12,918 was authorized by P&D for payment on other work efforts that were beyond the originally approved scope, including: preparation of four new visual simulations; extensive revisions to the previous ADEIR Aesthetics and Visual Resources analysis; revising and consulting for the Cultural Resources section; developing and analyzing a new alternative for the CP/LUDC Amendments; and analyzing a new project component – the PG&E Cuyama Substation Additions.

The applicant, First Solar, and Planning and Development (P&D) staff agree that the additional analysis and costs are warranted in order to complete a technically sound, accurate and legally defensible EIR. The request for the additional \$48,945.77 (work estimated at \$42,561.54 and 15% contingency at \$6,384.23) would augment the current contract, for a new not-to-exceed cost of \$147,987.77.

Background:

On October 8, 2013, the Board of Supervisors executed an Agreement for Services with AMEC to complete an Environmental Impact Report for the Cuyama Solar Project in an amount not to exceed \$99,042.

The proposed project has two components. First, regulatory amendments to the Comprehensive Plan and Land Use Development Code are necessary to allow utility-scale photovoltaic solar facilities on up to 600 acres of land designated Agriculture II (A-II) or Agricultural Commercial (AC) and zoned Agriculture II (AG-II) within Rural Area of the Cuyama Valley Rural Region. Second, a Conditional Use Permit would be required for the construction and operation of the proposed 40 megawatt Cuyama Solar Facility located southeast of Cuyama, in rural northeastern Santa Barbara County. Additional approvals are also needed for the project to proceed, including a Williamson Act contract cancellation, a replacement Williamson Act contract, consistency rezone of four parcels and a lot line adjustment.

P&D released a Draft EIR to the public on January 28, 2014 for a 45-day public review period. Staff and AMEC are currently responding to the comments and making revisions to the EIR, as appropriate.

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: Reimbursement			\$ 147,987.77
Total	\$ -	\$ -	\$ 147,987.77

All costs for this project are fully reimbursed by the project applicant. The cost of completing the EIR for the CP/LUDC Amendments and Cuyama Solar Facility Project is for an amount not to exceed 147,987.77. The applicant will deposit an additional \$48,945.77 to make up the full 147,987.77 of the EIR Agreement for Services with P&D to pay the costs for AMEC to complete the EIR.

P&D will continue to invoice the Applicant for all staff time necessary to administer the Agreement for Services and related planning actions. These funds are budgeted in the Operating Expenditures of the Energy Division on page D-168 of the County of Santa Barbara Fiscal Year 2013 – 2015 Operating Plan.

A budget revision is not necessary because appropriation already exists for these expenditures.

Special Instructions:

The Clerk of the Board will forward a copy of Amendment No. 1 and Minute Order to P&D, Energy Division, attention Kathy Pfeifer.

Attachments:

Attachment A: Contract Amendment No. 1 to Contract No. BC 14-136

Attachment A

Contract Amendment No. 1
to Contract No. BC 14-136