

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 4/2/2013	(3) CONTACT/PHONE Brian Pedrotti, Planner III / 805-788-2788	
(4) SUBJECT Request to approve an agreement with SWCA Environmental Consultants in the amount of \$92,580 (includes optional tasks) to prepare an Environmental Impact Report (EIR), for the Dana Adobe Nipomo Amigos Land Use Ordinance Amendment and Conditional Use Permit. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board of Supervisors approve, and direct the Chairman to sign, the contract with SWCA Environmental Consultants to prepare an Environmental Impact Report for the proposed Dana Adobe Nipomo Amigos General Plan Amendment and Conditional Use Permit.			
(6) FUNDING SOURCE(S) Applicant	(7) CURRENT YEAR FINANCIAL IMPACT \$92,580 (including optional tasks)	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) 19001245		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A    Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Reviewed by Leslie Brown			
(18) SUPERVISOR DISTRICT(S) District 4			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Brian Pedrotti, Planner III

VIA: Ellen Carroll, Environmental Coordinator

DATE: 4/2/2013

SUBJECT: Request to approve an agreement with SWCA Environmental Consultants in the amount of \$92,580 (includes optional tasks) to prepare an Environmental Impact Report (EIR), for the Dana Adobe Nipomo Amigos Land Use Ordinance Amendment and Conditional Use Permit. District 4.

## **RECOMMENDATION**

It is recommended that the Board of Supervisors approve, and direct the Chairman to sign, the contract with SWCA Environmental Consultants to prepare an Environmental Impact Report for the proposed Dana Adobe Nipomo Amigos General Plan Amendment and Conditional Use Permit.

## **DISCUSSION**

This item consists of submittal of an agreement with SWCA Environmental Consultants to prepare an Environmental Impact Report for the proposed Dana Adobe Nipomo Amigos General Plan Amendment and Conditional Use Permit.

The Environmental Impact Report contract for consideration will include a detailed analysis of the request by Dana Adobe Nipomo Amigos for a General Plan Amendment and Conditional Use Permit application to the County for a visitor's center, outdoor amphitheater, Chumash Village including exhibits and interpretive features, and associated support features. The project is located on the east side of South Oakglen Avenue, approximately one mile southeast of West Tefft Street, within and immediately adjacent to the community of Nipomo, in the South County Inland planning area.

### **Background**

The Board of Supervisors, at their regularly scheduled meeting of November 1, 2011, authorized the processing of the Land Use Ordinance (LUO) Amendment, as requested. County Planning staff completed an Initial Study and Mitigated Negative Declaration (MND) for the project. The MND addressed both the LUO amendments, as well as the conditional use permit that anticipates development of visitor and interpretive facilities on the site.

On June 14, 2012, the Planning Commission held a public hearing to consider proposed amendments to Section 22.112.030.B and Section 22.112.080.G of the County Land Use Ordinance. After consideration of the project, the Commission recommended that the Board amend the sections as proposed with one minor revision. On July 17, 2012, the Board of Supervisors held a public hearing to consider the proposed amendments. At that hearing, concerns were raised regarding the impacts to cultural resources, as well as noticing and procedural provisions. Following a lengthy public hearing, the Board continued the item and directed County staff to meet with the applicant and Native American tribal representatives to attempt to resolve various issues regarding cultural resources. On August 7, 2012, the Board of Supervisors held a second public hearing for the proposed amendments. At the hearing, the applicant indicated that a resolution had not been reached, and requested and received an indefinite continuance to complete an EIR.

The County circulated a Request for Proposal for preparation of the EIR. Two proposals were received. SWCA was chosen based on their demonstrated understanding of the project, the expertise of the consultant team, and their experience in efficiently preparing EIRs for the County.

The Final Proposal from SWCA Environmental Consultants (December 14, 2012) was submitted to staff and upon a detailed review was determined to accurately depict the proposed project and the comprehensive environmental analysis that the proposed project demands. It was critical to make sure that all issues were covered and the proposal included adequate budget not only for the required California Environmental Quality Act (CEQA) analysis, but also for meetings, hearings and collaborative approach that addresses the public's concerns.

#### **OTHER AGENCY INVOLVEMENT/IMPACT**

County Counsel has reviewed and approved this contract for form and legal effect and the contract complies with all county contracting policies and procedures.

#### **FINANCIAL CONSIDERATIONS**

The EIR cost has been determined to be a maximum of \$92,580, including optional tasks. The entire cost of the EIR will be funded by the applicant, Dana Adobe Nipomo Amigos.

Staff costs will be partially offset by an administrative fee based on the cost of the EIR. Dana Adobe Nipomo Amigos is requesting a fee waiver. This fee waiver will be brought to your Board at a separate hearing.

#### **RESULTS**

Upon approval of this contract SWCA Environmental Consultants will be authorized to prepare an EIR that evaluates the potential impacts of the proposed Dana Adobe Nipomo Amigos project, in conformance with the requirements of CEQA and the County. This is consistent with communitywide results of a safe community, a healthy community and a livable community.

#### **ATTACHMENTS**

- Attachment A - EIR Contract
- Attachment 1 - Location Map
- Attachment 2 - Scope of Work