

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

(1) DEPARTMENT General Services Agency	(2) MEETING DATE 8/27/2013	(3) CONTACT/PHONE Janette Pell, General Services Agency Director 805-781-5200	
(4) SUBJECT Request to approve a Streambed Alteration Agreement with the California Department of Fish and Wildlife for the Women's Jail Expansion located at 1585 Kansas Avenue.			
(5) RECOMMENDED ACTION It is recommended that the Board approve and authorize the Chairperson to sign and date the Streambed Alteration Agreement with the California Department of Fish and Wildlife for the Women's Jail Expansion project.			
(6) FUNDING SOURCE(S) Detention Facility Reserves	(7) CURRENT YEAR FINANCIAL IMPACT Budgeted in approved project budget	(8) ANNUAL FINANCIAL IMPACT NA	(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) NA		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: NA <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 type="checkbox"/> N/A Date: 07/18/2006; 07/17/2007; 12/04/2007; 01/29/2008; 03/11/2008; 09/21/2010; 02/22/2011; 12/13/2011; 04/10/2012; 06/19/2012; 08/28/2012; 12/11/2012; 12/18/2012; 03/26/2013; 04/02/2013, 08/13/2013	
(17) ADMINISTRATIVE OFFICE REVIEW Vincent Morici			
(18) SUPERVISOR DISTRICT(S) District 2 -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: General Services Agency / Janette Pell, Director
805-781-5200

DATE: 8/27/2013

SUBJECT: Request to approve a Streambed Alteration Agreement with the California Department of Fish and Wildlife for the Women's Jail Expansion located at 1585 Kansas Avenue.

RECOMMENDATION

It is recommended that the Board approve and authorize the Chairperson to sign and date the Streambed Alteration Agreement with the California Department of Fish and Wildlife for the Women's Jail Expansion project.

DISCUSSION

The General Services Agency requests the Board approve the Streambed Alteration Agreement with the California Department of Fish and Wildlife for the Women's Jail Expansion (WJE) project. The Streambed Alteration Agreement is intended to avoid, minimize, and mitigate adverse project impacts to the fish and wildlife resources and associated habitat that occupy the area of Chorro Creek and the wetland tributary of Chorro Creek within the proposed project area.

Background

The WJE project is intended to mitigate long standing issues associated with overcrowding. The formal development of this project began in 2006. In 2008, the County was successful in obtaining \$25.1 million in State funding made available by the Public Safety and Offender Rehabilitation Act (AB900).

The \$25.1 million award of AB900 funds covers 75% of the original estimate for project expenses for the housing unit and medical facility identified in the application for the State funds. The funds reimburse the County for construction expenses. Expenses related to project administration, design, permits, and construction management count toward the County's obligatory contribution of matching funds but are not eligible to be director funded with AB900 funds.

The project consists of three components and authorization to bid was approved by the Board on August 13, 2013.

1. A new housing unit for women inmates and a new medical facility that provides medical and programming space for the entire jail complex (Base Bid).
2. A new security system to serve the entire jail complex. The new system will replace an aging security system that uses outdated and unsupported technology (Base Bid).
3. Remodel of the existing Intake/Release Center (IRC) and Sally Port (Optional Bid).

During the Environmental Determination and CEQA review process of the project, it was determined the project may impact the Waters of the State of California. A Notice of Determination and Mitigated Negative Declaration was prepared by the County of San Luis Obispo and filed on January 29, 2008 (State Clearinghouse No. 2007121039). The California Department of Fish and Wildlife has jurisdiction for environmental (fish and wildlife) impacts to the Chorro Creek and tributary areas to Chorro Creek. Due to the Sheriff's facility expansion, a modification to an existing wetland drainage area is proposed. It includes installation of a drop inlet and subgrade piping to convey modified drainage flow. As a result

of the impacts of the project grading and construction, the California Department of Fish and Wildlife determined a Streambed Alteration Agreement is required by the Department prior to beginning construction of the WJE project.

Streambed Alteration Agreement Notification No. 1600-2012-0208-R4

The Streambed Alteration Agreement Notification No. 1600-2012-0208-R4 with the California Department of Fish and Wildlife is intended to avoid, minimize, and mitigate adverse project impacts to the fish and wildlife resources that occupy the area of Chorro Creek and the tributary of Chorro Creek, within the Sheriff Women's Jail Expansion Project Area.

The Agreement lists various fish and wildlife avoidance and mitigation measures to be implemented by the project team, contractor and project inspector during construction operations. Protected species of plants and animals have been identified and special procedures are to be followed during pre-construction, construction and post-construction activities on-site. The Streambed Alteration Agreement also refers to a biological survey, consulting reporting measures and compensatory measures that include restoration and re-vegetation of the modified wetland portion of the project site. A Wetland Mitigation Plan is attached as a reference with the Streambed Alteration Agreement.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed the Agreement as to form and content. The California Department of Fish and Wildlife and the County's biological consultant for the WJE project have reviewed the Agreement. The project has received a Mitigated Negative Declaration (MND) from the County of San Luis Obispo Office of Environmental Coordinator. General Services coordinated with environmental regulatory agencies that include the Regional Water Quality Control Board, Air Pollution Control District, U.S. Fish and Wildlife, and Army Corps of Engineers.

FINANCIAL CONSIDERATIONS

A fee of \$840 was paid by the County to the California Department of Fish and Wildlife to initiate the permit application process with the department. The project will be monitored by Fish and Wildlife staff during the course of construction. Upon completion of the project, additional fees may be billed to the County to offset State costs associated with the project.

The costs to implement various mitigation measures of the Streambed Alteration Agreement will be applied to the project budget as environmental conditions evolve and construction occurs. A biological consultant, implementation of a Wetland Mitigation Plan, other environmental mitigation measures, and verify of completed mitigation measures are currently budgeted in the project. The estimated cost for these services is included in the project budget.

RESULTS

Approval of the Streambed Alteration Agreement will allow the County to proceed with construction of the Women's Jail Expansion project and comply with CEQA environmental requirements.

The project will significantly expand the capacity of the Women's Jail, alleviate overcrowding conditions and provide capacity for the future. It will also provide improved medical facilities for both male and female inmates and additional space for rehabilitation programs such as counseling and education. State funding will provide \$25.1 million and would offset approximately 75% of the cost for the housing unit, medical facility and security system associated with those units. The facility improvements will contribute to a safer community.

ATTACHMENTS

1. Vicinity Map
2. Streambed Alteration Agreement