

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 6/17/2014	(3) CONTACT/PHONE Murry Wilson, Environmental Resource Specialist/(805)788-2352	
(4) SUBJECT Submittal of Amendment #4A to Amendment Contract #4 with Marine Research Specialists, to provide additional consultant services for the preparation of a Revised Draft Environmental Impact Report (EIR) for the Phillips 66 Rail Spur Project in the amount of \$360,689. District 4.			
(5) RECOMMENDED ACTION It is the recommended the Board approve the attached Amendment #4A to Amendment Contract #4 with Marine Research Specialists to prepare a Revised Draft Environmental Impact Report (EIR) for the proposed Phillips 66 Rail Spur Project Development Plan / Coastal Development Permit.			
(6) FUNDING SOURCE(S) Applicant	(7) CURRENT YEAR FINANCIAL IMPACT Increased Amount : \$360,689.00 Total EIR Cost: \$789,627.80	(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) 19001402		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>August 6, 2013</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 4			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Murry Wilson, Environmental Resource Specialist

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 6/17/2014

SUBJECT: Submittal of Amendment #4A to Amendment Contract #4 with Marine Research Specialists, to provide additional consultant services for the preparation of a Revised Draft Environmental Impact Report (EIR) for the Phillips 66 Rail Spur Project in the amount of \$360,689. District 4.

RECOMMENDATION

It is recommended the Board approve the attached Amendment #4A to Amendment Contract #4 with Marine Research Specialists to prepare a Revised Draft Environmental Impact Report (EIR) for the proposed Phillips 66 Rail Spur Project Development Plan / Coastal Development Permit.

DISCUSSION

On August 6, 2013, the Board of Supervisors approved a contract to prepare an EIR, allowing the Planning and Building Department to process the Phillips 66 Rail Spur Project Development Plan / Coastal Development Permit. A Draft EIR was prepared for the project and released in November 2013 for a 60-day public review period. A significant number of comments were received raising concerns about the proposed project including issues of regional and statewide scope. After extensive review of public comments received on the 2013 Draft Environmental Impact Report, the County determined it was necessary to expand the scope of environmental analysis. In particular, the recirculated draft will address indirect impacts resulting from the project along the railroad's mainline outside of the County's borders. This revised scope of analysis triggers the need to recirculate pursuant to Section 15088.5 of the CEQA Guidelines. The Recirculated Draft EIR will also address all other comments received during the public comment period on the Draft EIR within the revised document. The additional analysis requires additional consultant services that are beyond the original scope and cost outlined within the Original Agreement (Amendment Contract #4).

Proposed Project

A request by Phillips 66 Company for a Development Plan / Coastal Development Permit to allow for the extension of an existing rail spur at the Santa Maria Refinery and construction of a railcar off-loading facility, above-ground conveyance pipeline, restroom facility, and an unpaved emergency vehicle access road from the end of the proposed rail spur to State Route 1. The project also includes a conceptual plan for provision of vertical coastal access through the project site to the Oceano Dunes State Vehicular Recreation Area. The proposed project site is located within the Industrial and Open Space land use category and is located at 2555 Willow Road (Highway 1), south of the village of Callender Garrett. The site is in the South County Rural Coastal planning area.

Recirculated Environmental Impact Report

The Revised Draft EIR scope of work includes additional evaluation of the following areas: agriculture, air quality, biological resources, cultural resources, hazards/hazardous materials, noise, population/housing, public services/utilities, transportation and circulation, water resources, wastewater, land use and recreation, cumulative impacts and other sections as required by CEQA.

This contract amendment is consistent with the County purchasing procedures.

OTHER AGENCY INVOLVEMENT/IMPACT

Other agencies and county departments involved in this project include (but are not limited to): Air Pollution Control District, County Public Works, Cal Fire, California Department of Fish and Wildlife, California Coastal Commission, U.S. Fish and Wildlife Service, Regional Water Quality Control Board, California Public Utilities Commission, Union Pacific Railroad, and Caltrans.

In addition, 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 applicant (Phillips 66 Company) will fund the contract amendment. The consultant cost associated with this amendment (including contingencies) for the Revised Draft EIR has been determined to be \$360,689 for the proposed scope of work. The total consultant cost associated with the amendment and the original agreement is \$789,627.80. County Counsel has reviewed this contract amendment as to its form and effect.

RESULTS

Approval of the amendment will authorize the consultant to prepare the Revised Draft EIR. The information in the revised document will be available to the public and used by the decision-makers. This amendment is consistent with the countywide goal of promoting a well-governed community.

ATTACHMENTS

Attachment 1 - Contract Amendment #4A