

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 10/25/2016	(3) CONTACT/PHONE Megan Martin, Planner III / (805)781-4163	
(4) SUBJECT Request to approve a contract amendment with Rincon Consultants Inc. in the amount of \$67,975 to prepare the Los Osos Habitat Conservation Plan Environmental Impact Report/Environmental Impact Statement. District 2.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Approve and sign the contract in the amount of \$67,975 as contained in Attachment 1.			
(6) FUNDING SOURCE(S) CIAP Grant Award/Planning Department	(7) CURRENT YEAR FINANCIAL IMPACT \$67,975.00	(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) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? YES	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>April 19, 2011</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 2			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Megan Martin, Planner III

VIA: Matt Janssen, Division Manager, Policies and Programs

DATE: 10/25/2016

SUBJECT: Request to approve a contract amendment with Rincon Consultants Inc. in the amount of \$67,975 to prepare the Los Osos Habitat Conservation Plan Environmental Impact Report/Environmental Impact Statement. District 2.

RECOMMENDATION

It is recommended that the Board:

1. Approve and sign the contract in the amount of \$67,975 as contained in Attachment 1.

DISCUSSION

On April 19, 2011, the Board authorized staff to enter into a contract with Rincon Consultants, Inc. (Rincon), to prepare the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Los Osos Habitat Conservation Plan (LOHCP) for the community of Los Osos. The LOHCP will streamline new development and allow for the long-term preservation of sensitive habitats remaining within the Los Osos Greenbelt. The County is working with multiple agencies (California Department of Fish and Wildlife [DFW], United States Fish and Wildlife Service [USFWS], and the California Coastal Commission [CCC]) on the LOHCP.

Because of multi-agency involvement, changes to agency involvement, and multi-agency review of the LOHCP, substantial changes to the first administrative draft HCP were necessary. Changes to the draft LOHCP necessitate preparation of a completely revised administrative draft LOHCP. This level of work is out of scope under the current contract with Rincon. Thus, this requested contract amendment is necessary to proceed. This amendment will allow Rincon to prepare and complete a second administrative environmental document expeditiously (within four weeks) to stay on track with the previously agreed upon schedule.

The original service contract amount with Rincon for the LOHCP EIR/EIS was \$136,759. The services outlined in the revised scope of work (Attachment 1 Exhibit A) provides for an additional cost not to exceed \$67,975 for milestone tasks. The new total contract amount with Rincon Consultants to prepare the LOHCP EIR/EIS, as amended, will be for \$200,839. Funding for the preparation of the LOHCP EIR/EIS is largely covered by the Coastal Impact Assistance Program (CIAP) grant the County was previously awarded on April 11, 2011 for \$311,483. The grant funds are set to expire December 31, 2016. Of the \$311,483 CIAP grant amount, a portion (\$174,724) was allocated for grant administration, contract legal counsel (Ebbin, Moser and Skaggs), and consultant time (Jodi McGraw Consulting) for the LOHCP. These funds are not available to the consultant (Rincon) for the preparation and circulation of the LOHCP EIR/EIS. As such, it is expected that a portion of the milestone tasks may require a small amount (\$9,817.92) that is not covered by the CIAP grant and will instead be paid through Planning Department funds specifically allocated for the LOHCP available in the Fiscal Year 2016-17 budget.

OTHER AGENCY INVOLVEMENT/IMPACT

Other agencies and county departments involved in the preparation of the LOHCP EIR/EIS include: County Department of Public Works, County Department of Parks, Cal Fire, California Department of Fish and Wildlife, United States Fish and Wildlife Service, United States Army Corps of Engineers, California Coastal Commission, and the Los Osos Community Service District.

In addition, County Counsel has approved the contract as to form and legal effect. The contract complies with all county contracting policies and procedures.

BUSINESS IMPACT STATEMENT

Measureable impacts to business are not expected.

FINANCIAL CONSIDERATIONS

Funding for the preparation of the LOHCP EIR/EIS is largely covered by the Coastal Impact Assistance Program (CIAP) grant the County was previously awarded on April 11, 2011 for \$311,483. The grant funds are set to expire December 31, 2016. Of the \$311,483 CIAP grant amount, a portion (\$174, 724) was allocated for grant administration, contract legal counsel (Ebbin, Moser and Skaggs), and consultant time (Jodi McGraw Consulting) for the LOHCP. These funds are not available to the consultant (Rincon) for the preparation and circulation of the LOHCP EIR/EIS. As such, it is expected that a portion of the milestone tasks may require a small amount (\$9,817.92) that is not covered by the CIAP grant and will instead be paid through Planning Department funds specifically allocated for the LOHCP available in the Fiscal Year 2016-17 budget.

RESULTS

The LOHCP is a critical component to streamline future development to in Los Osos and is necessary for the overall protection of listed species and critical habitats in Los Osos. The EIR/EIS is necessary in conjunction with the HCP to apply for the Section 10 permits from the USFWS. The absence of the HCP will require that any project in the future individually apply for an incidental take permit from the USFWS, which will significantly increase expense of any new development project and significantly slow the processing of such projects. Preparation and implementation of this plan is consistent with the countywide goals of providing a well-governed and livable community.

ATTACHMENTS

1. Attachment 1 - Contract Agreement