



Midpeninsula Regional
Open Space District

R-12-17
Meeting 12-06
February 8, 2012

AGENDA ITEM 6

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Award of Contract for Completion of CEQA Analysis and Documentation for the La Honda Creek Master Plan

GENERAL MANAGER'S RECOMMENDATION

Authorize the General Manager to execute a contract with Ascent Environmental for an amount not to exceed \$55,000 to complete the analysis of potential environmental impacts associated with the La Honda Creek Master Plan pursuant to the California Environmental Quality Act (CEQA).

SUMMARY

A qualified consultant is needed to complete the environmental review process for the La Honda Creek Master Plan Project (Project), initiated in 2004. After seven public workshops, open houses, and hearings, the Board of Directors tentatively approved the Project in November 2009. The Project includes a Public Use Option that would permit bicycle use on approximately 9.4 miles of proposed new and existing trail. Since then, work on the project has been deferred due to budget and staffing constraints associated with higher priority projects. The General Manager recommends retaining the firm of Ascent Environmental to complete the analysis of potential environmental impacts associated with the Project pursuant to CEQA. Ascent has unparalleled knowledge of Midpeninsula Regional Open Space District's (District) policies, practices, and environment due to extensive recent experience with Mt. Umunhum, and have proven themselves adept at analyzing complex and highly sensitive projects. Ascent is also a prequalified environmental consulting firm pursuant to the District's consultant selection policy.

DISCUSSION

Background

Beginning in June 2004, staff, with assistance from the consulting firm Design, Community and Environment (DC&E) and guidance from the Board of Director's La Honda Creek Master Plan Ad Hoc Committee, began preparing a Draft Master Plan for La Honda Creek Open Space Preserve (Preserve). During this comprehensive planning process, the southern area of the Preserve has remained closed to the public; only the northern area that is accessed via Allen Road is currently open to the public via permit. If approved, the Master Plan will ensure responsible stewardship of the Preserve by describing District actions to protect natural and cultural resources, expand conservation grazing, and provide public environmental education and

ecologically-sensitive recreation consistent with the District's strategic goals. The Master Plan will also be consistent with the Coastside Service Plan given that over one-half of the Preserve is located in the Coastside Protection Area.

The first phase of the project focused on data collection and review with subsequent phases utilizing those data to identify, analyze, and solidify recommendations for resource management, conservation grazing, and public access. The District has encouraged active public participation throughout the planning process, soliciting input from agencies, environmental organizations, local neighbors, and trail users at workshops, through phone interviews, and in focus group meetings. In response to comments from the public and suggestions from the Board Ad Hoc Committee, staff prepared alternative recommendations for bicycle and dog access opportunities in the Draft Master Plan for consideration by the full Board of Directors.

The introduction of bicycle and dog use will require formal approval from the resource agencies due to potential impacts to the San Francisco garter snake (SFGS), which is a fully protected species that may be present at the Preserve given numerous ponds/aquatic habitat and presence of California red-legged frog. Although no SFGS have yet been observed or recorded at the Preserve to date, including since 2004 when the District first began to actively conduct surveys and monitor the property, District staff nonetheless prepared the proposed Draft Master Plan recommendations with the goal of protecting this species and enhancing its habitat in the event the species is present. For example, core SFGS habitat is proposed to be designated a Conservation Management Unit (CMU) where general public access is restricted to protect the high quality pond and upland habitat for this and other listed species. Moreover, the Draft Master Plan proposes ongoing SFGS surveys to determine presence, and if none are found, the plan proposes the reintroduction of SFGS in the CMU.

After receiving comments at two public hearings in Spring 2009 (see Reports R- 09-71, R-09-85), the Draft Master Plan, including Public Use Option 2 (expanded bicycle access), was tentatively approved by the Board in November 2009 (Report R-09-105), initiating the environmental review process. A first draft of a Mitigated Negative Declaration (MND) was prepared by DC&E. At that time, using the first draft as a starting point, staff initiated a significant revision process to produce an MND that fully addressed all potential impacts and met all CEQA and Service Plan requirements. The revision process has yet to be completed, primarily due to shifting priorities given other high-profile capital projects. A consulting firm with extensive knowledge of the District's applicable policies and environment, and experience conducting CEQA analyses for complex planning projects with significant public involvement, is required to expedite completion of the environmental review and enable the Draft Master Plan to be presented to the Board for final approval.

Consultant Selection

The District's professional consultant selection policy includes a process to pre-qualify consultants. After staff has completed a consultant selection process consistent with this policy, the District maintains a list of those consultants who were determined to be qualified and competent in the performance of professional services. Staff maintains a list of such consultants in their appropriate categories. For a period of two (2) years from the determination of qualification, staff may select a prequalified consultant from this list. In July 2011, Ascent Environmental submitted a proposal to prepare a Mitigated Negative Declaration for the Mindego Gateway project. Although not selected for that project, Ascent was among the firms determined to be qualified to perform this CEQA work. Accordingly, District policy enables

staff to recommend selection of Ascent as a prequalified consultant without having to repeat the Request for Proposal Process which greatly expedites the contracting process and will expedite the completion of the MND for this long awaited Master Plan Project.

Ad Hoc Committee Review

The Ad Hoc Committee assigned to this Project worked closely with staff to develop the Draft Master Plan recommendations from 2004 to 2009, at which point the Project was taken to the full Board of Directors for consideration of tentative approval. Staff does not foresee the need to return to the Committee, and instead expects to bring consideration of CEQA certification and final Master Plan approval to the full Board at a subsequent hearing later this year.

FISCAL IMPACT

The FY2011-12 budget includes \$35,000 to fund the completion of the MND for the Draft Master Plan. It is expected that the FY2012-13 budget will include an additional \$20,000 to fund participation by the consultant in future public meetings to consider Certification of the MND and final approval of the Master Plan, as well as to address comments received during the public review process.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. No additional notice is required.

Once the CEQA analysis is completed, the Mitigated Negative Declaration will be released for Board and public review. Notice of this review period along with a project status update and upcoming public hearing to consider CEQA certification and final Master Plan approval will be mailed and distributed to the Master Plan project mailing list and adjacent neighbors, as well as posted on the District's website and Preserve trailhead entrance.

CEQA COMPLIANCE

The scope of work for the Ascent contract will complete the CEQA compliance process for the La Honda Creek Master Plan project. No separate CEQA review is required to award this contract.

NEXT STEPS

Upon Board authorization, the General Manager will enter into a contract with Ascent Environmental to revise and complete the draft Mitigated Negative Declaration. A fourth public hearing will be scheduled following this review period for the Board to consider additional public comment, certification of the environmental review document, and determine whether to approve the Master Plan consistent with any environmental or other constraints and required mitigation measures identified during the environmental review process.

Permitting review and coordination will involve the following regulatory agencies: United States Fish and Wildlife Service, California Department of Fish and Game, United States Army Corps of Engineers, Regional Water Quality Control Board, and San Mateo County.

Prepared by:
Lisa Bankosh, Planner III

Contact person:
Same as above