



Midpeninsula Regional
Open Space District

R-12-99
Meeting 12-33
October 10, 2012

AGENDA ITEM 4

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Authorization to Amend a Contract Agreement with Ascent Environmental for an Additional \$10,000 to Perform Additional Environmental Review pursuant to the California Environmental Quality Act (CEQA) for the Mount Umunhum Environmental Restoration and Public Access Project (Project)

GENERAL MANAGER'S RECOMMENDATION

A handwritten signature in black ink, appearing to be "S. J. ...", written over the printed text of the recommendation header.

Authorize a contract amendment with Ascent Environmental for an additional \$10,000 to perform additional CEQA related tasks for the Mount Umunhum Environmental Restoration and Public Access Project, for a total contract amount not to exceed \$278,000.

SUMMARY

The District entered into an agreement with Ascent Environmental in 2010 to conduct the environmental review pursuant to CEQA for the Project (R-10-74). The original contract amount was \$230,000 plus a contingency of \$38,000 for a total of \$268,000. Tasks performed under the original contract and contingency amendments included: data collection and impact analysis, production of the Environmental Impact Report (EIR) and supporting documentation, and attendance at various Project meetings. Given the evolution of the Project, the high level of public interest, and the need to conduct extensive analysis on the various radar tower options, the Project has required two more public hearing than were originally anticipated. This has led to incremental Board approvals of Project elements, which has required separate sets of CEQA documentation and additional meeting attendance by Ascent. As such, the contingency amount has been expended, and an additional \$10,000 is being requested to complete the remaining CEQA work to carry the Project through final considerations and approvals.

DISCUSSION

The Project has required a long and complex process of environmental review and public input. Due to the intense amount of public interest generated by the Project, staff determined that separate public hearings were necessary to: 1) certify the EIR and approve site demolition, 2) approve public access facilities, and 3) decide the future of the radar tower. Typically, CEQA certification and project approval occur at a single public hearing, therefore requiring only one set of Findings of Fact, Mitigated Monitoring Plan, Resolution, and Notice of Determination. This smaller, more typical scope of work was included in the original agreement between parties.

As described above, project consideration and approval was separated over three decision hearings, requiring three separate sets of these materials for each hearing. Because Ascent's original scope of work includes preparing only one set of these materials, this proposed amendment includes the preparation of two additional sets (not including the revised set to reflect the removal of the backpack camp to reflect the Board's decision at the September 19th hearing). Further, the District has requested, in order to provide a clear and concise record, that a fourth and final set of Findings of Fact, Mitigated Monitoring Plan, and Resolution be prepared that reflect all the decisions prior to and including the October hearing, included in one document. Ascent has also included additional project management hours to continue providing close coordination via phone and email with District Staff.

The unanticipated addition of two additional Board hearings on the Project resulted in a budget shortfall in the amount of \$10,000 to complete the required CEQA tasks. This amount is requested to allow Ascent Environmental, the District's CEQA consultant for the Project, to provide additional environmental review assistance to help carry the Project through final Board considerations and approvals.

FISCAL IMPACT

With this \$10,000 amendment added to the current contract of \$268,000, the total not-to-exceed contract amount will be \$278,000. Staff will be requesting a Midyear Budget Adjustment to include these additional funds into FY2012-13 Budget for the Planning Department.

BOARD COMMITTEE REVIEW

Board Committee review for this item was not required as the Project has been thoroughly vetted with the Sierra Azul Ad Hoc Committee over the past year.

PUBLIC NOTICE

Notice was provided pursuant to the Brown Act. No additional notice is required.

CEQA COMPLIANCE

This proposed action is not a project under the CEQA and no environmental review is required.

NEXT STEPS

Upon Board authorization, the General Manager will approve a contract amendment with Ascent Environmental for an additional \$10,000 to complete CEQA related tasks for the Project.

Responsible Department Head:
Ana Ruiz, AICP, Planning Manager

Prepared by:
Meredith Manning, Senior Planner

Contact person:
Same as above