

**CALENDAR ITEM
C91**

A Statewide

02/22/13

S Statewide

Bid Log 2012-09

W40654, W30089, R23011

A. Abeleda, D. Brown, C. Herzog

**REQUEST AUTHORITY FOR THE EXECUTIVE OFFICER TO SOLICIT
STATEMENTS OF INTEREST FOR CONSULTANT SERVICES, NEGOTIATE FAIR
AND REASONABLE PRICE, AWARD AND EXECUTE AGREEMENTS FOR
PREPARATION OF ENVIRONMENTAL DOCUMENTATION AND MITIGATION
MONITORING FOR THE PROPOSED 4H PLATFORM SHELL MOUNDS
DISPOSITION AND CARPINTERIA SALT MARSH ENHANCEMENT PROJECT
OFFSHORE OF SANTA BARBARA COUNTY:**

California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

BACKGROUND:

Chevron Environmental Management Company (Chevron) has applied to the California State Lands Commission (CSLC) to implement the "4H Platform Shell Mounds Disposition and Carpinteria Salt Marsh Enhancement Project" (Project) located both onshore and offshore the city of Carpinteria, Santa Barbara County.

From the information that Chevron has provided, in consultation with other California responsible and/or trustee agencies for the Project, and in accordance with Public Resources Code section 21067 and California Code of Regulations, Title 14, section 15051, staff has determined that it has the principal responsibility for carrying out or approving the Project, which may have a significant effect upon the environment, and is therefore the lead agency under the California Environmental Quality Act (CEQA). CSLC staff has determined that the Project will require the preparation of an Environmental Impact Report (EIR) in accordance with CEQA.

PROPOSED PROJECT:

Chevron's proposed Project has four components: (1) fulfill Abandonment Plan requirements of State Oil and Gas Leases PRC 1824 and PRC 3150¹ and quitclaim Chevron's interest in these leases, which are the former sites of Platforms Hazel, Hilda,

¹ PRC 3150, which is currently restricted to subsurface development with no right of surface entry on the leased land, is jointly held by Venoco, Inc. and Arco Oil and Gas Company. In 1996, the southern portion of PRC 3150 (now PRC 7911) was assigned to Carone Petroleum Corporation.

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Hope and Heidi (known collectively as the “4H Platforms”); (2) leave in place the “shell mounds” and embedded Hazel caisson remnants that remain on the seafloor at the former 4H Platform sites; (3) enhance Basin 3 in the Carpinteria Salt Marsh by removing the existing sand plug and non-native vegetation; and (4) provide funds for additional future marsh and/or coastal habitat improvements (or other conservation purposes).

PROPOSED ACTIVITY:

The Executive Officer requests delegation of authority to engage consultants to prepare the EIR and, if the Project is approved, possibly implement the Project Mitigation Monitoring Program. Consultant selection shall be conducted in accordance with the procedures as specified in Commission Regulations and in the State Contract Manual, on the basis of demonstrated competence and qualifications for the types of services to be performed, and at a fair and reasonable price. All costs shall be recovered from the Project Applicant.

The EIR/EIS will address potential impacts to sensitive habitat of state- and federal-listed species, air quality/greenhouse gas emissions, cultural resources, and potential impacts from other Project activities. For sensitive areas which cannot be avoided, the EIR/EIS will provide measures to reduce impacts to the maximum extent feasible. The Commission may require that a monitoring plan with appropriate guidelines be adopted to ensure that any proposed mitigation measures would be accomplished.

OTHER PERTINENT INFORMATION:

1. The staff recommends that the Commission find that the subject solicitation does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with CEQA.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

2. Approval of this item by the Commission does not constitute approval of the proposed lease; it only authorizes consultant contracts for environmental documentation.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code section 6106 (Delegation to execute written instruments)
- B. State Contracts Manual section 11.00 A & E method (rev. 10/05)
- C. Public Contract Code section 6106
- D. Government Code section 4526
- E. California Administrative Code, Title 2, Article 13 sections 2980.0 - 2990.0
- F. Government Code section 19130

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G. California Administrative Code, Title 14, section 15045

IT IS RECOMMENDED THAT THE COMMISSION:

1. Find that the subject solicitation is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.
2. Find that the services are of limited duration and are of such urgent, temporary and occasional nature that the delay in their implementation under civil service would frustrate their very purpose as specified in Government Code section 19139, subdivision (b)(10).
3. Find that the selection of consultants under this process does not affect small businesses as defined in Government Code section 11342.610, because they will be accorded equal opportunity to submit statements of qualifications and performance data.
4. Find that the selection of consultants under this process for professional services of architectural, landscape architectural, engineering, environmental, land surveying or construction project management services will be consistent with procedures and policies adopted by the Commission as specified in Government Code section 4526 and California Code of Regulations, Title 2, sections 2980–2980.9.
5. Authorize the Executive Officer or her designee to solicit proposals, negotiate a fair and reasonable price, award and execute contracts for environmental documentation and mitigation monitoring in accordance with State policies and procedures.
6. Authorize the Executive Officer or her designee to enter into an agreement with Project applicant to recover costs incurred in the consideration of this Project.