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September 6, 2006

Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

Dear Board Members:

**Subject:** Agreement – EN2 resources to Prepare an Oak Woodland Management Plan (OWMP) to serve as the “oak woodland portion” of the Integrated Natural Resources Management Plan (INRMP) in accordance with General Plan Policy 7.4.2.8, General Plan Implementation Measure CO – P, and implementing Option B of General Plan Policy 7.4.4.4 (oak tree mitigation fees), including any related fee studies and implementing ordinances.

**Recommendation:**

Development Services/Planning Services recommends that the Board of Supervisors:

1. Make findings in accordance with Government Code 31000 and pursuant to County Charter Section 210 (b)(6) that it is more economical and feasible to obtain an outside consultant for the preparation of the OWMP as set forth by General Plan Implementation Measure CO-P including Ordinances and Fee Studies to Implement Policy 7.4.4.4 Option B;
2. Approve the Agreement with EN2 Resources in an amount of \$346,981 to prepare the OWMP to serve as the “oak woodland portion” of the INRMP in accordance with General Plan Policy 7.4.2.8, General Plan Implementation Measure CO – P, and implementing Option B of General Plan Policy 7.4.4.4 (oak tree mitigation fees), including any related fee studies and implementing ordinances, and
3. Authorize the Chair to execute the Agreement.

**Reason for Recommendation:**

The General Plan requires the preparation of an “Oak Resources Management Plan”, currently referred to as the Oak Woodland Management Plan, pursuant to Implementation Measure CO-P. Implementation Measure CO –P requires the OWMP to address the following: Mitigation standards outlined in Policy 7.4.4.4; thresholds of significance for the loss of oak woodlands; establish requirements for tree surveys and mitigation plans for discretionary projects; replanting and replacement standards; heritage/landmark tree protection standards; and, an Oak Tree Preservation Ordinance as outlined in Policy 7.4.5.2. In addition, the Settlement Agreement recently approved by the Board of Supervisors to resolve the General Plan litigation commits the County to prepare the “oak woodland portion” of the Integrated Natural Resources Management Plan prior to implementing Option B (mitigation fee) of Policy 7.4.4.4. The above requirements will be addressed and satisfied with preparation of the OWMP; including fee study/resolution and implementing ordinance.

Development Services/Planning Services staff recently completed an RFP process to identify a consultant team to prepare the OWMP. EN2 Resources is the consultant team that County and agency staff rated highest at the conclusion of the proposal evaluation and consultant interview process. The

Agreement requires the consultant to address the preparation of the OWMP as set forth by the General Plan and Settlement Agreement, a fee study to implement Option B, and an implementing ordinance. The OWMP is designed to be the first phase of the future INRMP and will meet State Wildlife Conservation Board requirements to establish eligibility for grant funding.

Development Services/Planning Services has organized a Technical Advisory Committee (TAC) to guide the development of the OWMP, implementing fee study and ordinance. The TAC includes representatives from the UC Cooperative Extension, Agricultural Commission, Department of Transportation, County Counsel, Development Services, GIS and EN2/PMC. The TAC will meet twice a month commencing during October 2006 to guide this project through completion. Overall progress of the OWMP, including budget activity, will be monitored by Development Services through review of monthly workplan and scheduled status reports submitted by the Consultant Team beginning in October 2006.

Product deliverables are scheduled to be provided by EN2 to Development Services throughout the work plan/schedule and are detailed in the attached scope of work. The process will include an initial period of time for research and mapping, public workshops through the Planning Commission and Agriculture Commission, preparation of a draft OWMP and related studies/ordinances, preparation of an environmental document and public hearings before the Planning Commission and Board of Supervisors resulting in adoption of a final OWMP, fee study and fee ordinance. The process is expected to require approximately 6 months from project initiation.

**Fiscal Impact:**

The fiscal impact of this contract is not to exceed \$346,981. This figure includes the base contract amount of \$283,801, an optional task amount of \$20,610 and a contingency task amount of \$42,570 (15%). Funding is included in the Department budget. Grant applications will also be submitted as part of the project to seek reimbursement from the State of California Wildlife Conservation Board for some or all of the project costs.

**Action to be Taken Following Approval:**

1. The Board Clerk's Office will forward the executed agreement to the Development Services Department for distribution.
2. The Development Services Department will administer the agreement consistent with generally accepted contract administration practices and government accepted accounting principles/practices.

Respectfully

Gregory L. Fuz  
Development Services Director

- c: Rick Lind, EN2 Resources  
Patrick Angell, Pacific Municipal Consultants  
Bill Frost, UC Cooperative Extension  
Bill Stephans, Agricultural Commission  
Paula Frantz, County Counsel  
Susan Varner, Department of Transportation  
Steven Hust, Planning Services  
Monique Wilber, Planning Services  
Bob Berry, Planning Services - GIS  
Jere Copeland, EDC Employee's Association, Local # 1  
Rick Davis, Operating Engineers, Local #3