



ENVIRONMENTAL IMPACT REPORT

DEPARTMENT OF PLANNING AND BUILDING SERVICES

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CONSULTANT SELECTION AND CONTRACTING PROCEDURES

The following process sets forth a procedure for the selection of consultants for preparation of Environmental Impact Reports (EIR's) for projects in Lassen County in cases where the Planning Commission or Board of Supervisors is the "Lead Agency." This process is designed to minimize expenses to the County of Lassen and the applicant, while ensuring that the EIR will be both objective and adequate for the purpose of evaluating and mitigating potentially significant adverse environmental impacts.

The following excerpts are from the California Environmental Quality Act Guidelines:

15084

- (a) The draft EIR shall be prepared directly by or under contract to the Lead Agency.

- (e) Before using a draft prepared by another person, the Lead Agency shall subject the draft to the agency's own review and analysis. The draft EIR which is sent out for public review must reflect the independent judgment of the lead Agency. The Lead Agency is responsible for adequacy and objectivity of the draft EIR.

The EIR process starts with the determination by the Lead Agency to prepare an EIR.

Following the determination that an EIR will be required for a proposed project, the Planning and Building Services Department (Department) shall notify the applicant of the determination and issues that will need to be addressed in the EIR, and shall advise the applicant of the EIR process as set forth herein.

Whenever possible, applicants shall be encouraged to meet with Department staff after a determination to prepare an EIR to discuss the project and explore possible amendments to the project which may avoid or mitigate the extent of potential impacts and which could affect the scope of an EIR or the manner in which the EIR will be prepared.

The principal arrangement for preparing an EIR for private projects in Lassen County will be via third party contract or Memorandum of Understanding with the applicant to govern preparation of a draft EIR by an independent contractor. The applicant will pay all contracted consultant fees and costs.

The applicant may initiate the preparation of the EIR by filing the following with the Department:

- (a) Affirmation that the applicant wishes to proceed with the application and that he/she agrees to participate in preparation of the EIR.

- (b) Submittal of the EIR filing fee. The filing fee is \$2,789 in addition to the \$3,085 Initial Study application fee (if not already completed).
- (c) The applicant may select, in writing, up to five (5) consultants to whom requests for proposals shall be sent. The County maintains a list of consultants, or the applicant could propose a consultant not on the list, subject to the approval of the Department.

The Department shall prepare the Request for Proposals and mail it to the selected consultants and the project applicant.

Bid proposals will be submitted to the Planning and Building Services Department by the date specified in the Request for Proposals. The submitted proposals shall at a minimum agree with the scope of services and proposal specifications as outlined in the Request for Proposal, and shall be valid for a definite period of time. Incomplete proposals may be rejected.

The Department shall review and evaluate the scope, content and completeness of the bid proposals in order to determine the bid which best demonstrates the ability and qualified staff to provide the services required. The Department may hold interviews with any or all of the selected consultants to help in arriving at a decision. The scope, content, completeness and quality of services provided will be of equal importance with cost. The Department shall select a consultant for each EIR.

The Department's selection shall be contained in a letter to the applicant indicating the date of expiration of the proposal. Upon receipt of a letter from the applicant indicating concurrence with the environmental consultant selected, and funds sufficient to cover the consultant's fee, the Planning and Building Services Department shall execute the contract.

If less than two of the selected consultants submit a bid, or if, following a discussion with the applicant, it is the judgment of the Department that exceptional or extraordinary circumstances exist that would preclude the use of the selected consultant, the Department may choose an alternate consultant or, at the request of the applicant, may mail out up to three additional Requests for Proposals.

Consultants with a possible conflict of interest with a project, directly or indirectly, shall not be considered as a consultant for preparation of a project's EIR.

The EIR will be prepared in compliance with the State's CEQA Guidelines. Draft EIR's shall contain the information required by Sections 15122 through 15131.

The contract offered to the consultant selected to prepare the EIR shall specify a schedule for preparation and review so that the EIR can be processed within the required timeframes. Section 15108 states:

With a private project, the Lead Agency shall complete and certify the final EIR as provided in Section 15090 within one year after the date when the Lead Agency accepted the application as complete.

This one-year limit may be extended once for a period of not more than 90 days upon consent of the Lead Agency and the applicant.

The laws and rules governing the CEQA process are contained in the CEQA statute (Public Resources Code Section 21000 and following), the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 and following), published court decisions interpreting CEQA, and locally adopted CEQA procedures.

The Governor's Office of Planning and Research (OPR) serves several important functions in the administration of CEQA. First, together with the Natural Resources Agency, OPR develops the CEQA Guidelines. The CEQA Guidelines are administrative regulations interpreting the CEQA statute and published court decisions. Second, OPR runs the State Clearinghouse which coordinates state level review of CEQA documents. Finally, OPR provides technical assistance to state and local government agencies, including the development of technical advisories on selected CEQA topics.

Additional information regarding the CEQA statute, the CEQA Guidelines, published court decisions involving CEQA, OPR's technical advisories, and updates on addressing greenhouse gas emissions in CEQA documents can be found by visiting OPR's website: http://www.opr.ca.gov/m_ceqa.php.

If you have any questions about Lassen County's role in the CEQA process and the preparation of EIR's for projects in Lassen County, contact the Lassen County Planning and Building Services Department, 707 Nevada Street, Suite 5, Susanville, California 96130, (530) 251-8269.

Attachment:
CEQA Flowchart for Local Agencies