

**Contract Number**

15-248 A-4

**SAP Number**

## Land Use Services

<b>Department Contract Representative</b>	<u>Karen Watkins, Planning Manager</u>
<b>Telephone Number</b>	<u>909-387-4110</u>
<b>Contractor</b>	<u>PlaceWorks, Inc.</u>
<b>Contractor Representative</b>	<u>Brian Judd, Principal</u>
<b>Telephone Number</b>	<u>714-966-9220</u>
<b>Contract Term</b>	<u>May 20, 2015 to October 20, 2020</u>
<b>Original Contract Amount</b>	<u>\$5,000,000</u>
<b>Amendment Amount</b>	<u>\$209,470</u>
<b>Total Contract Amount</b>	<u>\$5,849,470</u>
<b>Cost Center</b>	<u>6950001000</u>

### IT IS HEREBY AGREED AS FOLLOWS:

#### Amendment No. 4

WHEREAS, the County of San Bernardino (County) and PlaceWorks, Inc. (Consultant) entered into an Agreement, County Contract No. 15-248 on May 20, 2015, whereby Consultant agreed to provide professional consulting services to create a web-based Countywide Plan and Program Environmental Impact Report (PEIR); and

WHEREAS, the County requires additional services to be performed by the Consultant that was not included in the original Scope of Work or Contract, which now requires tasks to comply with new State laws and the California Environmental Quality Act with regards to comments received by the County for the PEIR; and

NOW, THEREFORE, in consideration of mutual covenants and conditions, the parties hereto agree that Contract No. 15-248 is amended as follows:

1. CHANGE that portion of Section D, Term of Contract, by replacing the first sentence in its entirety as follows: "This contract is effective as of May 20, 2015, and expires on October 20, 2021, but may be terminated in accordance with the provisions of this Contract."
2. CHANGE that portion of Section F, Fiscal Provisions, under subsection F.2, which reads, "...shall not exceed \$5,640,000.00..." to read, "...shall not exceed \$5,849,470.00..."
3. CHANGE Attachment A – Scope of Work for the Web-based Countywide Plan and PEIR to expand the scope by the addition of the following tasks:

### COMPONENT 1 – PROJECT MANAGEMENT

### Task 1.1.1 Daily Project Management.

To allow adequate time for revisions and coordination with the Attorney General (AG) a new target adoption date for the Countywide Plan is anticipated to take place in the second quarter of 2020. Consequently, additional funds will be used to manage the project on a day-to-day basis including coordination, project guidance, tracking, reporting and meetings.

### Task 1.1.3 Coordination and Milestone Meetings.

The current scope of work calls for a total of 224 coordination and milestone meetings. As of January 1, 2020, PlaceWorks has participated in and led 235.5 meetings, broken down as follows: 134 project management team (PMT) meetings, 56 technical advisory team (TAT) meetings, and 45.5 executive management team (EMT) meetings (meetings with the CEO count as half a meeting). Approximately \$500 remains in the current budget for this task. The following list identifies the meetings that will be needed during the final five months of the project (subject to change per direction from the County):

- 6 PMT meetings with the project management group by phone, of which 2 are dedicated to coordination for the public adoption process;
- 6 TAT meetings by phone or in person (3 for Tracking & Feedback, 2 for the website, and 1 for the Implementation Plan); and
- 3 EMT with the CEO by phone (counted as 1.5 meetings)

Combined with the meetings already conducted, the total number of coordination and milestone meetings would increase to 249 (140 PMT, 62 TAT, and 47 EMT).

## **COMPONENT 2 – PLAN SETTING AND FRAMEWORK**

### 2.3.2 GIS Platform Plan and Support.

Following the second round of open houses in September 2018, the vast majority of GIS work was complete (which was reflected in the budget tracking document and balance of \$64 for this task). Since that time, PlaceWorks was asked to conduct additional GIS work to assist the County in responding to AG comments. This work includes the following items:

- Digitization of prohibited truck routes and relationship to unincorporated and incorporated environmental justice focus areas;
- Evaluation and mapping of AB 617 communities (years 1, 2, 3, and 5+), including coordination with South Coast Air Quality Management District (SCAQMD) and Mojave Desert Air Quality Management District (MDAQMD);
- Process, transform and analyze GIS data from Fehr & Peers; and
- Create maps for Final EIR in response to AG comments.

This work will also involve updates and quality control for the GIS data, PDF maps, and web maps and include the following items:

#### Land use changes

- Update land use maps to reflect general plan amendments processed since the 3rd cycle of 2017;
- California Desert Protection and Recreation Act (S.67/H.R. 376) enacted May 2019 - changes boundaries for Death Valley and Joshua Tree national park, and various BLM Wilderness Areas/Study Areas;
- National Conservation Lands layer added; and
- Individual parcel changes (e.g., APN 062923103 updated from RL to C)

### Task 2.3.3 Database Management and Support.

Consultant will provide technical assistance to make changes to the web-based maps in the following areas:

- Land use changes to in Pioneertown;

- Land use changes to reflect parcels with approved solar facilities (including substantial coordination and quality control on what should and should not be changed);
- Individual land use changes based on stakeholder or County staff input in June and July (e.g., APN 035711164, stakeholder input on June 13, 2019, asking to confirm change from RC to OS; inside San Bernardino National Forest, required data confirmation and documentation for response to property owner, such as evaluation of the RCIS conservation data to confirm how private lands treated inside National Forest);
- Other efforts including evaluating properties evaluated with truck stop concept and questions on designation for Mojave National Preserve;
- Support response to comment letter (Kate Kelly), including an evaluation of which DRECP data layers are already on CWP website, instructions for the public to access/parallel DRECP data, and an evaluation for options to post to CWP system; and
- Support response letter (LVEDA/Chuck Bell), including mapping and evaluation of DRECP dunes and sand transport paths

### **COMPONENT 3 – COUNTYWIDE OUTREACH**

#### **Task 3.2.4 PC/BOS Study Sessions and Public Hearings.**

The scope of work for Task 3.2.4 anticipated the need for briefings, study sessions, and/or hearings with the Planning Commission and Board of Supervisors. Based on direction from County staff, PlaceWorks conducted six rounds of briefings with individual Supervisors (27 briefings in total) between 2017 and 2019. Even after reducing the value of each individual briefing by half, PlaceWorks has exceeded the stated scope of work. As the Countywide Plan enters the adoption phase, the Consultant will attend and participate in one Planning Commission hearing and one Board of Supervisors hearing.

#### **Task 3.2.9 Project Website.**

The AG requested that the County conduct further outreach to distribute potential changes made to the draft Policy Plan regarding environmental justice. This effort will distribute another draft version of the Policy Plan and create additional text, graphics, maps, notices, etc. to distribute electronically through the project website and the County's social media resources.

#### **Task 3.3.1 Federal and State Agencies.**

Continue coordination with CALFIRE and make required updates to the Policy Plan and Implementation Plan. Provide specific verbal and any written comments or direction resulting from meetings with the AG and County staff. Prepare for, attend, and coordinate with others for meetings with the AG.

#### **Task 3.3.2 SCAG/SANBAG/LAFCO.**

Consultant will prepare for, attend, and participate in up to 14 meetings with SCAG, SBCTA, and/or LAFCO to discuss the CWP and PEIR and other related matters.

#### **Task 3.3.3 NGOs.**

The AG requested that the County conduct further outreach with formal NGOs and other stakeholder groups regarding potential changes made to the draft Policy Plan on environmental justice. This task will assist the County in communicating with such entities concerning draft changes being considered for the Draft Policy Plan. This may include attending in-person or telephone meetings, preparing response letter content, or preparing a summary of draft changes.

### **COMPONENT 5 – COUNTYWIDE PLAN**

#### **5.2.1 Unincorporated County Comprehensive Plan.**

Provide up to five rounds of edits to the draft policy changes regarding Environmental Justice pursuant to discussions with the AG. Prepare a revised draft Policy Plan for the public and for the adoption process.

## **COMPONENT 6 – ENVIRONMENTAL CLEARANCE**

### **Task 6.4.1 Revisions to Screencheck Draft PEIR.**

The Consultant will coordinate, produce, and review draft and final products for all additional work effort on the environmental documentation.

### **Task 6.5.1. Response to Comments.**

The Consultant will number, assign, respond to, and review/edit/format responses to all of the comments from responders to the Draft PEIR and expand their efforts to include response to non-CEQA related items including comments relative to the Policy Plan and its goals and policies.

While analysis of potential impacts through the topic of environmental justice is not required by CEQA, the AG submitted numerous pages of comments regarding the analysis and findings of potential air quality impacts on sensitive populations, with a particular focus on environmental justice communities. PlaceWorks and County staff discussed the County's approach to responding to these comments and conducted a number of meetings with representatives from the AG. All agreed that a more complete and thorough response would be prudent to minimize the risk of litigation. The following tasks will be completed by the Consultant:

**Health Risk Assessment.** In support of the County's response to comments from the AG, PlaceWorks will conduct a health risk assessment (HRA) to evaluate potential health risk impacts within unincorporated disadvantaged communities already affected by poor air quality (i.e., Muscoy and Bloomington) from diesel particulate matter (DPM) exposure.

**Step 1. General Evaluation.** PlaceWorks will conduct a qualitative HRA to evaluate potential health risk impacts to sensitive receptors within the Muscoy, Bloomington, and other Valley communities as a result of trucking activity generated from CWP implementation compared to the existing environmental setting. The analyses will focus on how increases in CWP generated truck volumes would impact health risks within disadvantaged communities for existing conditions and future horizon year conditions (both with and without the CWP). The analysis will be prepared in accordance with the latest South Coast Air Quality Management District (SCAQMD) and Office of Environmental Health Hazards Assessment (OEHHA) guidance for impacts of mobile sources on the environment.

Truck volumes will be provided by Fehr & Peers (F&P) along roadway segments within the CWP area (incorporated and unincorporated), including the fleet mix or percentage breakdown of light, medium, and heavy duty trucks for each segment (see Task 7.7 Transportation). Roadway segments with increased truck traffic will be mapped for the three disadvantaged communities, with an emphasis on trucks generated by CWP implementation. Existing and planned prohibited truck routes will be included in the evaluation and discussion. Health risks for the communities will be described qualitatively based on such factors as the change in truck values for CWP implementation compared to existing and future conditions without CWP implementation scenarios, the distance between high truck traffic roadways and nearby sensitive receptors (e.g., nearest residential areas, senior living facility, day-cares, and schools), and prevailing wind direction. Worst-case health risks impacts will be discussed based on recently prepared HRA's in the region for projects producing similar roadway volumes to the F&P provided segments.

**Step 2: Limited Modeling for Highest Impacted Areas.** Based on a review of the provided F&P data, air dispersion modeling and health risk calculations will be conducted if a substantial number of roadway segments are identified within each disadvantaged community that result in a 100 truck per day increase due to CWP implementation. The focus of the modeling areas will be limited to select areas within each disadvantaged community where "worst-case" impacts are anticipated based on the results of the first step.

Emission factors for on-road vehicles will be determined using the California Air Resources Board's (CARB) latest mobile source emissions inventory model (EMFAC 2017). Air dispersion modeling will be performed using a SCAQMD-accepted computer-based model (e.g., AERMOD) to determine concentrations of hazardous air pollutants for the nearest sensitive receptors within the Muscoy, Bloomington, and other Valley communities. Cancer and toxicity data published by Cal-EPA will be used to estimate long-term health risks for receptors within these areas. Based on the results for the top three communities, health risk impacts to other

sensitive receptors/environmental justice communities will be discussed qualitatively. Determined health risks from CWP implementation will be compared to existing and future no project health risks for the maximum exposed sensitive receptors.

#### Task 6.5.2. Revisions to Draft FEIR.

Consultant will supplement graphics and text to be included in Chapter 3 of the FEIR.

#### Task 6.7.1. EIR Project Management.

Consultant will provide day-to-day project management for the completion of the EIR process, including necessary revisions and coordination with the AG.

### **COMPONENT 7 – TECHNICAL STUDIES**

#### Task 7.2.1 Biological Resources.

Given the amount of comments and sensitivity related to biological resources, additional time is required for Dudek to address biological resource-related comments. Most of these comments, in particular comments by the Sierra Club and the Center for Biological Diversity, directly relate to the technical analysis and significance conclusion as provided in Dudek's technical reports. The Consultant will address the comments with thorough, technical responses which minimize the County's potential exposure to speculative litigation on the topic of biological resources. Dudek will draft responses, conduct one meeting with the County to review responses, and finalize responses for use in the Final EIR.

#### Task 7.7.1 Transportation.

Fehr & Peers will provide truck trip data associated with the build out of the Countywide Plan to be utilized to quantify environmental concerns related to environmental justice and assist PlaceWorks and the County in conducting the health risk assessment (see Task 6.5.1 Response to Comments). Fehr & Peers will extract truck traffic data from existing base and future model runs using the version of the San Bernardino Transportation Analysis Model (SBTAM) updated to be consistent with the County's proposed land use and circulation plans. Fehr & Peers will ensure that base year and future year shape files will have matching segments where future roadways don't change. This task will include:

- Data countywide (incorporated and unincorporated);
- Data by roadway segment for total daily trips (bi-directional) and for light, medium, heavy-duty truck trips;
- Symbolized segments where the "project" (CWP unincorporated growth) adds 100 or more truck trips; and
- Data will be provided for existing, existing + project, and existing + cumulative, and existing + project + cumulative scenarios.

**COUNTY OF SAN BERNARDINO**

► \_\_\_\_\_  
Curt Hagman, Chairman, Board of Directors

Dated: \_\_\_\_\_

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Lynna Monell, Secretary

By \_\_\_\_\_  
Deputy

PlaceWorks, Inc.

\_\_\_\_\_  
*(Print or type name of corporation, company, contractor, etc.)*

By ► \_\_\_\_\_  
*(Authorized signature - sign in blue ink)*

Name \_\_\_\_\_  
*(Print or type name of person signing contract)*

Title \_\_\_\_\_  
*(Print or Type)*

Dated: \_\_\_\_\_

Address \_\_\_\_\_

**FOR COUNTY USE ONLY**

Approved as to Legal Form

► \_\_\_\_\_  
Jason Searles, Deputy County Counsel

Date \_\_\_\_\_

Reviewed for Contract Compliance

► \_\_\_\_\_  
Nicholas Longo, Administrative Manager

Date \_\_\_\_\_

Reviewed/Approved by Department

► \_\_\_\_\_  
Terri Rahhal, Director

Date \_\_\_\_\_