



BOARD OF PORT COMMISSIONERS

SEPTEMBER 28, 2016

CONSENT AGENDA ITEM E

**APPROVAL OF FIRST AMENDMENT
TO PROFESSIONAL SERVICES
AGREEMENT WITH DUDEK**

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM E
Meeting Date: September 28, 2016

TO: Board of Port Commissioners
FROM: Brian Pendleton, Business Operations Manager
SUBJECT: Approval of First Amendment to Professional Services Agreement with Dudek

RECOMMENDATION:

That the Board of Port Commissioners approve the First Amendment to Professional Services Agreement with *Dudek* in the total amount of \$202,550 to provide environmental consultant services for the Permitting Strategy for the Ventura Shellfish Enterprise Program (VSE) subject to final approval of the form of agreement by District staff and legal counsel.

SUMMARY:

The Ventura Port District has been awarded a two year, approximately \$300,000 Sea Grant fund (approximately \$265,000 to the District) to contract with qualified consultant(s) that will enable development of a permitting strategy, necessary permitting components, environmental reports and public outreach required for sustainably cultivated shellfish production to occur through Ventura Harbor.

Staff believes it is clearly in the District's best interest to ratify the amended agreement with *Dudek* to meet the objectives of the grant by providing environmental consultant services on the Task 1 - Strategic Permitting Analysis and Task 2 – Environmental Reports and Permitting as further detailed in the Sea Grant and Professional Services Agreements.

BACKGROUND:

Dudek will continue to work with the Ventura Port District and other VSE team members to identify and then clearly layout the most prudent and efficient permitting and review approach that also provides the greatest long-term benefits. The leases for mariculture activities and subsequent work proposed within navigable waters would be subject to a host of approvals from a variety of agencies, including federal (USFWS/NMFS, USACE), state (CA Coastal Commission, State Lands Commission, CDFW, RWQCB) and local agencies (Port of Ventura) for which the policy requirements must be met. By reviewing available materials and through pre-application meetings with the wildlife (NMFS, USFWS, CDFW) and other resource agencies such as USACE, the Coastal Commission and the California RWQCB, and by drawing from their combined experiences, *Dudek* will provide recommendations for successful environmental review and prepare the necessary State and Federal environmental documents.

Deliverables will include a Strategic Planning Document summarizing the path and timing of the necessary permits, data requirements, and reviews and necessary State and Federal environmental documents.

FISCAL IMPACTS:

The grant is for a two year period on a one-plus-one basis and is contingent upon funding availability. Funding for both years has been made available. Year 1 funding is in the amount not to exceed \$65,350 for environmental consultant services. Year 2 funding is in the amount of \$137,200 for environmental consultant services. . The combined Year 1 and Year 2 funding is \$202,550 for *Dudek* to provide the environmental consultant services. Of the \$202,550, \$184,320 (91%) will be reimbursable through the grant. \$18,230 (9%) will be paid with VPD funds.