



Environmental Science Associates Contract

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FEBRUARY 10, 2022

Tonight's Presentation

- Background: SEPA Purpose and Process
- Zenith Properties LLC Proposal: History and Status
- City's Role
- Environmental Science Associates (ESA)
- Motion

State Environmental Policy Act - Purpose

- SEPA process - identifies and analyzes environmental impacts associated with governmental decisions
- Helps agency decision-makers, applicants, and the public understand how the proposal will affect the environment
- Utilizes a systematic, interdisciplinary approach
- Ensures that environmental amenities and values will be given consideration in decision making

SEPA - Process

- After review of the proposal, lead agency issues either:
 - Determination of Nonsignificance (DNS)**, which may include mitigation (MDNS)
 - OR
 - Determination of Significance (DS)**, if the proposal is likely to have significant adverse environmental impacts
 - Requires an Environmental Impact Statement (EIS)
- The EIS process - a tool for identifying and analyzing probable adverse environmental impacts, reasonable alternatives and possible mitigation measures to reduce environmental impacts
- Provides for other agencies and the public to participate

Environmental Impact Statement - Process

SCOPING

- The scoping process allows the public and other agencies to comment on the EIS scope - alternatives to be evaluated, assists in identifying issues and concerns
- Determines what will be included in the Draft EIS "the Scope"
- Will inform subsequent contract scope

DRAFT EIS

- Analysis of environmental impacts, alternatives, another opportunity for agency and public involvement

FINAL EIS

- Environmental analysis to be considered in decision-making

Zenith Properties LLC Proposal

- Zenith Properties has applied for a demolition permit for structures located at 23660 Marine View Drive S (formerly known as Landmark on the Sound)
- City is required to process and review the application in accordance with applicable regulations
- State Environmental Policy Act (SEPA) review is required for the proposal
- City reviewed application and requested additional information, primarily related to cultural resources
- City is preparing to issue a Determination of Significance (DS) requiring an Environmental Impact Statement

City's Role

Administrative review process for the permit application

- City Council tonight: to approve resources for consultant services
 - The action tonight is not a decision on the permit application
- City is in a regulatory role
- Review proposal for code compliance
- Conduct appropriate environmental review, EIS
 - Public involvement process
- Permit decision will not be made until completion of the EIS process

City's Role – EIS

Administrative Process prescribed by Des Moines Municipal Code

DMMC 16.05.160(1)

- Preparation and content of draft and final EISs (DEIS and FEIS)...is the responsibility of the Planning, Building and Public Works Department under the direction of the responsible official.

DMMC 16.05.160(2)

- The Planning, Building and Public Works Department shall contract with consultants as necessary for the preparation of an EIS. The cost of preparing an EIS shall be borne entirely by the applicant.

DMMC 16.05.160(4)

- The Planning, Building and Public Works Department shall interview the candidate consultants, select the most qualified consultant and negotiate a contract for services.

Environmental Science Associates - About

- ESA has been on City's on-call roster for at least a decade
- Experienced specialist in environmental consulting
- In-house technical experts and sub-consultants
- In business for 50 years, 21 offices
- *ESA: "Our clients continue to choose ESA because we provide expert technical capabilities coupled with defensible scientific analysis—this formula has sustained the company for 50 years and raised standards across the industry. In addition to employing the best and the brightest in their respective fields, ESA also adheres to a rigorous process for preparing and reviewing technical documents, resulting in the highest quality work products."*

Environmental Science Associates - Contract

- Most qualified firm, relevant experience
- Adds specialty expertise to City staff to assure rigorous analysis
- Public involvement plan and implementation
- Applicant is responsible for the costs of the application processing, including the SEPA process and EIS
- Consultant will work at the direction of the City not the applicant
 - Sub-consultant experts will complete technical analysis and/or peer review of applicant-supplied information
 - Examples: Cultural and structural reports, archaeological survey, cost analysis, outreach materials

Summary

The City is required to review the application and complete Environmental Review

The action tonight is not a decision on the permit application

- Approve the contract for consultant experts to assure a rigorous environmental analysis and robust public involvement process
 - Subject matter experts - sub-consultants

OR

- City staff will complete the EIS without ESA expert consultant assistance

Motion

"I move to approve the agreement with Environmental Science Associates for the purpose of preparing an Environmental Impact Statement for a proposal by Zenith Properties LLC as required by the State Environmental Policy Act, and authorize the City Manager to sign the contract substantially in the form as submitted."