



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2012

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Contract For Professional Services For El Estero Drain Project

RECOMMENDATION:

That Council authorize the Public Works Director to execute a Standard City Professional Services contract (in a form acceptable to the City Attorney) with Arcadis U.S., Inc., in the amount of \$73,935 to prepare a Biological Assessment/Survey Report, Remedial Action Plan and Restoration Plan for the El Estero Drain Project at the El Estero Wastewater Treatment Plant.

DISCUSSION:

BACKGROUND

In March 1999, the City's Public Works Department (Public Works) cleared vegetation and soils from a small manmade drainage (El Estero Drain) located on a City owned parcel south of the El Estero Wastewater Treatment Plant and west of Laguna Channel. Following these activities, it was determined that portions of the El Estero Drain, while highly disturbed, exhibited characteristics that qualified it to be considered a State and Federal wetland and an environmentally sensitive habitat area. In 1999, the Army Corps of Engineers (ACOE) and City's Planning Division notified Public Works that the clearance activities in the drain had been violations of the California Coastal Act and Federal Clean Water Act, and opened enforcement cases for the unpermitted work. Public Works agreed to restore and enhance wetland habitat at the El Estero Drain and obtained permits and issued a contract to do so. However, in the course of undergoing this restoration in 2002, contaminated soils were found and restoration activities were halted to conduct chemical analysis of the soils underlying the site.

Review of the site history has revealed that the site's contamination is most likely from the disposal of uncertified fill associated with the redevelopment of the El Estero Racetrack area in the 1940s and 1950s.

Due to the presence of contaminated soils, Public Works is required by State and Federal law to obtain clearance from the County of Santa Barbara Fire Prevention Division (County Fire) that 1) the site will not pose a threat to health and safety on or offsite and 2) the proposed uses for the site are compatible, from a human health perspective, with the condition of the site.

Since the contaminated soils were found in 2002, the City has worked with County Fire on several site investigations. In 2010, Public Works entered into a contract with Arcadis U.S., Inc. (Arcadis) to compile all existing soil and groundwater data for the site, update the human health risk assessment to comply with recently changed State and Federal standards, and complete the remaining risk assessment tasks that are required by the County Fire for their clearance (Site Characteristics and Risk Assessment Report). The report was finalized in November 2010 and was accepted by County Fire on February 7, 2011. The report concluded that the level of contamination at the site would not pose an unacceptable risk to maintenance workers or to future industrial workers on the site. However, County Fire will require completion of a Remedial Action Plan that includes stabilization of cut slopes, removal of a temporary plastic cover onsite, a soils management plan, and placement of deed restrictions on the property limiting the site to industrial and restoration uses. County Fire and the California Department of Fish and Game (CDFG) have also requested that Public Works voluntarily remove two hot spots containing high levels of benzo(a)pyrene and mercury as part of the Remedial Action Plan.

NEXT STEPS

A biological assessment of the site was conducted in 1999 as part of the original application to restore the site. The current contract with Arcadis U.S., Inc. would include preparation of an updated Biological Assessment/Survey Report at the request of CDFG, preparation of a Remedial Action Plan to address contaminated soils onsite, and preparation of a Restoration Plan. Consistent with previous requirements by the permitting agencies, the Restoration Plan would continue to include habitat enhancements for the Southwestern Pond Turtle, a sensitive species believed to be present in the vicinity, and restoration of riparian, wetland, and upland habitats in and directly adjacent to El Estero Drain. Other tasks include preparation of construction drawings and specifications, construction cost estimates, and obtaining state and federal permits.

Implementation of the project would lead to the remediation of contaminants to safe exposure levels, restoration of impacted wetlands in El Estero Drain, and closure of the enforcement cases on the parcel.

Method of Selection:

In 2010, Arcadis was chosen through the competitive selection process to prepare the Site Characterization and Risk Assessment. Arcadis has now been chosen as a sole source provider to prepare the Biological Assessment/Survey Report, Remedial Action Plan and Restoration Plan due to their involvement in the previous Site Characterization and Risk Assessment, previous restoration plans for the site, and previous project negotiations with County Fire, state, and federal agencies. They are also well staffed with risk assessment experts, restoration ecologists, toxicologists, and hydrogeologists who are capable of providing the wide range of expertise needed for the project. Therefore, Staff believes that Arcadis' specific knowledge of the site, previous involvement with the project, and specific expertise makes them uniquely qualified to successfully complete the current project in the most timely, cost effective, and professional manner possible.

BUDGET/FINANCIAL INFORMATION:

There are sufficient funds in the Wastewater Capital Fund to cover the cost of the abovementioned services. The construction project is currently identified in the CIP as unfunded; however, staff is actively seeking grant funds.

PREPARED BY: Christopher J. Toth, Wastewater System Manager/avb

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office