



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 9, 2010

TO: Mayor and Councilmembers

FROM: Environmental Services Division, Finance Department

SUBJECT: GeoSyntec Contract For Research Into Landfill Area At Garden And Montecito Streets

RECOMMENDATION:

That Council authorize the Finance Director to approve a change order in the amount of \$12,700, for a contract total of \$36,400 with Geosyntec Consultants, Inc., for the development of a final report on the old landfill area at Garden and Montecito Streets as requested by the Central Coast Regional Water Quality Control Board.

DISCUSSION:

On February 6, 2004, the Central Coast Regional Water Quality Control Board (Water Board) adopted a General Order designed to more closely regulate closed, inactive or abandoned landfills in the State of California. The General Order's general discharge requirements stated that owners/operators of landfills on this list were required to perform regular monitoring of their respective sites to determine whether and to what extent a closed, inactive or abandoned landfill might be impacting surface and/or groundwater. Contained on the 2004 General Order list of landfill sites is an area formerly owned by Southern Pacific Transportation Company in the area south of the 101 freeway, near Montecito and Garden Streets.

In response to the General Order, the City hired Padre Associates (Padre) to conduct an investigation of the area and to determine whether and the extent to which the fill in this area had any impacts on surface or groundwater. On March 1, 2004, after researching the site, Padre Associates requested a waiver on behalf of the City to the General Discharge Requirements. Padre asserted that any remaining fill at the site primarily consists of inert soil and debris associated with the 1925 earthquake and, as a result, does not contain significant quantities of decomposable waste. Padre also cited the County Environmental Health Services Department's annual monitoring and reporting program for the site that has been in place since 1992. The results of County's monitoring and reporting program have not indicated the presence or evidence of leachate from the fill or any potential degradation to surface or groundwater.

On July 31, 2007, Water Board staff responded, stating that they were unable to grant a waiver without first receiving a Report of Waste Discharge (ROWD) from the City and, with it, a more compelling explanation of why the fill material poses no threat to surface or groundwater.

In response, the City hired Padre again to develop a ROWD. On June 12, 2008, Padre submitted the ROWD on behalf of the City and reiterated that the fill material contained within the area does not appear to be a threat to the environment or human health. They also reiterated the findings of the county Environmental Health Services Department's monitoring and reporting program indicating no evidence of leachate from the site or any potential degradation of surface and/or groundwater. In their response to the ROWD, the Water Board staff requested that the City submit several additional reports, including a: 1) Wet Weather Preparedness Report; 2) Sampling and Analysis Plan; 3) Existing Monitoring Data Report; 4) Proposed Deed Notice or similar mechanism.

Before spending additional taxpayer funds to create additional reports and plans, staff felt it was prudent to first determine, without a doubt, whether the City actually owned or operated a landfill operation in the area at any time, and what the true boundaries of such a landfill were. If it was determined that the City did own or operate a landfill in the area, additional research would be conducted to determine if there are real threats to surface and/or groundwater and the requested reports would be prepared. Staff believes this prudent approach satisfies dual interests of being good stewards of public funds while taking responsibility for the assessment of environmental contamination if the City is determined to be responsible.

To accomplish these objectives the City hired Geosyntec Consultants (Geosyntec) at a cost of \$23,700 in October, 2009 to determine historical ownership and land uses of the site and to analyze all existing groundwater monitoring data. Geosyntec is a national firm that specializes in the design and construction of solid waste disposal facilities, and has prior experience working on local landfill projects, including those at Elings Park.

On December 9, 2009, after the bulk of Geosyntec's research had been conducted, City staff and Geosyntec met with Water Board staff to discuss their preliminary findings and the next steps for the site. One of the major topics of discussion at the meeting was the fact that, while it is clear that landfilling occurred throughout the lower eastside area, it does not appear that the City ever owned or operated a landfill in the area in question. Water Board staff have now requested a summary report from the City demonstrating Geosyntec's findings.

Because staff did not know whether or in what format a report to the Water Board might be required at the time, a formal summary report of Geosyntec's research was not a part of their original scope of work. As a result, they have requested additional funds of \$12,700 to develop and revise a final written report documenting all of their findings for the Water Board. Of this total amount, \$7,500 is for the initial written report and staff expects that the remaining \$5,200 will only be used in or part or full, as needed, if revisions are necessary.

In the meeting of December 9, 2009, Water Board staff also requested that City staff work to develop a mechanism by which the City could educate developers in the proper handling and disposal of any debris-impacted soils in the City. To that end, Environmental Services staff has been working with Community Development to develop educational materials that will be included in all ministerial and discretionary permit packages. Water Board staff have indicated satisfaction with these actions.

BUDGET/FINANCIAL INFORMATION:

If approved, the cost of this change order would be \$12,700 with a revised contract total of \$36,400 paid with Solid Waste Funds. There is no impact on the General Fund.

PREPARED BY: Stephen MacIntosh, Environmental Services Supervisor

SUBMITTED BY: Robert Samario, Interim Finance Director

APPROVED BY: City Administrator's Office