



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Public Works  
**Department No.:** 054  
**For Agenda Of:** July 12, 2022  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5<sup>th</sup> Vote

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**TO:** Board of Supervisors  
**FROM:** Department Scott D. McGolpin, Public Works Director, (805) 568-3010  
Director(S)  
Contact Info: Walter Rubalcava, Deputy Public Works Director, (805) 568-3436  
**SUBJECT:** Agreement for Services of Independent Contractor for Design and  
Environmental Permitting for the Replacement of the Toro Canyon Oil Water  
Separator Facility, First Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the attached Agreement for Services of Independent Contractor with Geosyntec Consultants, (tri-county vendor) for Design and Environmental Permitting for the replacement of the Toro Canyon Oil Water Separator Facility (Project No. WA8231); with a period of July 12, 2022 through September 30, 2023 in the amount of \$393,000;
- b) Authorize the Public Works Director, or designee, to make immaterial changes in accordance with Section 33 of the Agreement, make amendments to the professional services agreement with Geosyntec Consultants in the amount of not to exceed \$39,300 for a total not to exceed amount of \$432,300, and to extend the term of the Agreement by up to one year to complete the work within the scope of the Agreement;
- c) Approve the Budget Revision Request (BJE No. 0008266), to increase appropriations of \$1,500,000 in Public Works Project Clean Water General Fund for Capital Assets. Funding will be used to pay for professional design, environmental services, construction, and project management for the replacement of the Toro Canyon Oil Water Separator Facility (4/5<sup>th</sup> vote required); and

- d) Find that the proposed contract approval, does not constitute a “Project” within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378 (b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment).

**Summary Text:**

This item is on the agenda to approve and authorize the Chair to execute a professional design and environmental permitting agreement with Geosyntec Consultants for the replacement of the Toro Canyon Oil Water Separator in the 1<sup>st</sup> Supervisorial District; County Project No. WA8231.

A Request for Proposals (RFP) was issued for Design and Environmental Permitting for the replacement of the Toro Canyon Oil Water Separator (OWS), two proposals were received. Public Works evaluated the proposals based upon the selection criteria defined in the RFP. Staff determined that Geosyntec Consultants was responsive, met the required qualifications and experience, and was the highest ranked proposer. Geosyntec Consultants will provide Preliminary Design, Environmental Permitting and Detailed Design for replacement of the Toro Canyon OWS. Pursuant to the successful negotiations, Public Works recommends awarding this contract to Geosyntec Consultants base upon Staff’s findings from the review of the proposals.

**Background:**

Records of the Toro Canyon Seep date back to 1882, when Occidental Mining and Petroleum Corporation dug a horizontal tunnel in the Toro Canyon hillside, at the site of a long-established and well-known oil seep. The intention of the tunnel was to collect the crude oil for commercial purposes. After digging the tunnel to a depth of over 210 feet, the company inadvertently opened a large water seep. At this point, they shifted their development plans to focus on production of water, to serve the needs of the nearby Summerland community. An Oil Water Separator (OWS) was installed to clarify the water.

Over time, the original OWS fell into disrepair resulting in oil seeping directly into the creek. In 1997, the OWS was vandalized and resulted in a spill of over 3,000 gallons of oil into Toro Creek. The California Department of Fish and Game (now named California Department of Fish and Wildlife) and the U.S. Environmental Protection Agency (EPA) responded jointly under Unified Command. In response to this event the EPA assumed the lead role to stop the release of oil into the creek which it accomplished by installing a new flow interceptor box and concrete separator. Additionally, they installed a double-wall oil pipeline to transport the separated oil to the EPA installed 6,000-gallon double wall underground storage tank.

The EPA operated the system for 10 years until federal funds were no longer available as an emergency response. At the EPA’s request in 2009, the County became the oversight agency for the system in coordination with the State Water Resources Control Board.

In November 2021, an Engineering Planning Study was prepared to evaluate replacement options for the system. The outcome of the Study determined that the entire system needed replacement.

**Fiscal and Facilities Impacts:**

Budgeted: No

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund			\$ 1,500,000.00
State			
Federal			
Fees			
Other			
<b>Total</b>	\$ -	\$ -	\$ 1,500,000.00

Narrative:

Approval of Budget Revision Request (BJE No. 0008266) will allocate funding for the total estimated project costs for the replacement of the Toro Canyon Oil Water Separator Facility.

**Special Instructions:**

Direct the Clerk of the Board to call Christina Lopez at x83436 to pick up an original of the Agreement with Geosyntec Consultants, Inc. and a copy of the minute order of these actions.

**Attachments:**

- Attachment A - Agreement for Services of Independent Contractor with Geosyntec Consultants (2 originals and includes the contract summary)
- Attachment B - Budget Request Revision (BJE No. 0008266)

**Authored by:**

Charlie Elbert, Project Manager, (805) 568-3123