



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: May 9, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department
Director Scott D. McGolpin, Public Works Director, (805) 568-3010
Contact
Info: Walter Rubalcava, Deputy Director-Water Resources, (805) 568-3436
SUBJECT: Amendment to the 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

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve, ratify, and authorize the Public Works Director or designee to execute an amendment to the 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), increasing the amount from \$393,000 to a not to exceed amount of \$538,477, an increase of \$145,477;
- b) Authorize the Public Works Director or designee to make amendments to the Agreement for Services of Independent Contractor with Geosyntec Consultants for any additional work that may be needed to complete the project and approve an increase of \$14,547.70 to the contingency amount of \$39,300 for a total contingency amount of \$53,847.70; and
- c) 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, ratify, and authorize the Public Works Director or designee to execute an amendment to the current agreement with Geosyntec Consultants for design and environmental permitting for the replacement of the Toro Canyon Oil Water Separator Facility in the 1st Supervisorial District; County Project No. WA8231.

The amendment provides additional budget for updates to the scope as a result of winter storms, including revisions to the design, new survey work, and engineering support for emergency response.

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.

The record rainfall this winter created saturated watershed conditions in the Thomas Fire burn area. High-intensity, long-duration rainfall resulted in heavy runoff and debris flows that inundated and damaged the Oil Separator system and surrounding area, and created unprecedented hydraulic loading to the separator. Emergency response began on Jan 1, 2023 under the direction of a Unified Command, which concluded on Jan 6, 2023 once the system was stabilized. Construction to repair damages occurred in March, 2023 with engineering support from Geosyntec Consultants.

The runoff substantially changed the prior elevations and channel configuration. Changes in the streambed will require new field surveys of the 100-year floodplain as well as aquatic resources. Additional elements will be added to the design for structural protection from high water and debris flows.

In summary, the agreement and amendment addresses:

- Engineering and construction support for emergency repairs completed in March, 2023
- Resurvey of sections substantially altered during the winter storms of 2022-23
- Update the design to accommodate future high water and debris flows

Fiscal and Facilities Impacts:

Budgeted: Yes

<u>Funding Sources</u>	<u>FY Cost for Geosyntec Agreement)</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund	\$ 592,324.70		
State			
Federal			
Fees			
Other			
Total	\$ 592,324.70	\$ -	\$ -

Narrative:

The Board approved appropriations of \$1,500,000 on July 12, 2022, in the Public Works Project Clean Water General Fund for professional design, environmental services, construction, and project management for the replacement of the Toro Canyon Oil Water Separator Facility. This amendment amount of \$160,024.70 (\$145,477 plus a contingency of \$14,547.70) increases the total agreement amount to not to exceed \$592,324.70.

Special Instructions:

Direct the Clerk of the Board to call or email Christina Lopez at x83436 or clopez@countyofsb.org to pick up an original signature page of the amendment and a copy of the minute order of these actions.

Attachments:

- Attachment A - Copy of Amendment No. 1 to the Agreement for Services of Independent Contractor with Geosyntec Consultants for Design and Environmental Services for the replacement of the Toro Canyon Oil Water Separator Facility Project (included BC summary)
- Attachment B - Copy of original Agreement for Services of Independent Contractor with Geosyntec Consultants for Design and Environmental Services for the replacement of the Toro Canyon Oil Water Separator Facility Project (BC 22-063)

Authored by:

Cathleen Garnand, Project Manager, (805) 568-3561