



Midpeninsula Regional
Open Space District

R-20-23
Meeting 20-06
March 11, 2020

AGENDA ITEM 4

AGENDA ITEM

Addition of a new project to the Fiscal Year 2019-20 Capital Improvement and Action Plan and Award of Contract for Remediation Design of a ranch debris cleanup site at the former Madonna Creek Ranch located in Miramontes Ridge Open Space Preserve

GENERAL MANAGER'S RECOMMENDATIONS

1. Approve the addition of Madonna Creek Ranch Debris Clean Up project (MAA01-004), to the Fiscal Year 2019-20 Capital Improvement and Action Plan.
2. Authorize the General Manager to enter into a contract with Rincon Consultants Inc., for hazardous materials consulting services and remediation plan development to implement the Madonna Creek Ranch Debris Cleanup for a not-to-exceed base amount of \$63,365.
3. Authorize a 10% contingency of \$6,337 to be reserved for unanticipated issues, thus allowing the total contract amount not-to-exceed \$69,702.
4. Adopt a Resolution amending the Fiscal Year 2019-20 budget to fund the project, transferring funds from General Fund 10 to Measure AA Fund 30, for a net-zero adjustment.

SUMMARY

An approximately 0.025 acre (1,000 square foot) old ranch debris site located adjacent to Madonna Creek on the former Madonna Creek Ranch property within Miramontes Ridge Open Space Preserve requires cleanup and remediation. Car parts, household appliances, and other refuse were deposited along the creek between the 1960s and the 1980s prior to purchase of the property by Midpeninsula Regional Open Space District (District). Subsurface testing with Rincon Consultants Inc., ("Rincon") confirmed the presence of contaminants and some limited hazardous materials within the debris site that requires remediation. A new capital project is recommended to complete the remediation work, which is expected to span two fiscal years. A recommended contract will develop a remediation plan for the site and provide oversight of the regulatory cleanup process. The remediation plan will be used to solicit bids for a separate contract with a hazardous materials abatement firm to remove all debris. Funds for the contract in the budget period ending June 30, 2020 (FY20) requires a resolution amending the FY20 budget. Additional funds will be requested to complete the cleanup in the FY21 Budget and Action Plan development process.

DISCUSSION

The Madonna Creek Ranch property was acquired in 2012 and superficial debris was observed in a heavily vegetated area along a segment of Madonna Creek. Recent vegetation clearing, subsurface investigations, and hazardous materials testing quantified the extent of the debris site as well as the presence of contaminants, including lead, heavy metals, and petroleum products. Staff is recommending a cleanup and restoration of the entire site in order to best protect the environment in this sensitive riparian area.

Soil contamination occurs infrequently on District lands and has been occasionally found on parcels with a history of agricultural, industrial (such as oil extraction) or commercial land uses. Investigations of suspected contaminated sites are conducted by collecting soil and/or water samples to test for and delineate the extent of contaminated subsurface conditions. The sample results are used to assess health and safety risks to workers and the environment, and to determine whether remedial action or avoidance measures are warranted. Contaminant concentrations above regulatory thresholds can either be avoided (e.g. capped in place or fenced off) or fully remediated (e.g. excavated and off-hauled to a regulated landfill). The extent of the remediation effort is driven by many factors, including regulatory requirements, the risk to the environment, the chance of future disturbance, the risks to worker health and safety, remediation cost, and District policy. For this project, given the sensitive environmental area and connection to a stream system, a full cleanup of the site is warranted. If left in place, the stream could erode the site, transporting and redepositing contaminants and refuse downstream. Therefore, a new project addition (Madonna Creek Ranch Debris Clean Up, MAA01-004) is proposed for the current fiscal year.

The project is located directly adjacent to a stream reach supporting steelhead trout and near a small dam and instream pond used as a water supply for leased farmlands. Development of an alternative water supply and restoration of this stream reach is identified as a priority project for Miramontes Ridge Open Space Preserve in the 5-year Measure AA Project List approved by the Board on March 15, 2018 (R-18-24). Removal of the debris is the first step in the process to restore the stream.

On January 24, 2020, staff issued a Request for Proposals (RFP) for hazardous materials consulting services to a prequalified list of four (4) consultant firms in accordance with Board Policy 3.03, *Public Contract Bidding, Vendor and Professional Consultant Selection, and Purchasing*. Only one (1) proposal was received. Rincon has previously provided hazardous materials consulting services at Alma College in Bear Creeks Redwoods Preserve and performed preliminary subsurface testing at the Madonna Creek project site. Rincon is well qualified to perform the work at a fair and reasonable price.

The previous testing confirmed the presence of contaminants and some limited hazardous materials within the debris site. The site investigations results warrant a cleanup and restoration of the entire site in order to best protect the environment in this sensitive area. The recommended contract with Rincon will build on existing characterization to develop a remediation plan for the site and oversight of the regulatory cleanup process.

The remediation plan will be used to contract separately for the removal of the debris. Other project elements not included in this contract include special status species surveys, jurisdictional

delineation, environmental permits with California Department of Fish and Wildlife, and permits from San Mateo County.

FISCAL IMPACT

The scope of work included in the contract qualifies as an eligible project within Measure AA (MAA) Portfolio 01: *Miramontes Ridge: Gateway to the Coast Public Access, Stream Restoration and Agricultural Enhancement*.

The FY20 amended operating budget includes sufficient funds for the subsurface testing work completed to date (\$31,210 total). Work completed to date will be associated with the proposed project and is included in the proposed project budget table below. Note that staff is confirming with the District's auditor that the expenditures associated with the project are of a capital nature and therefore qualify as a Measure AA project; if it does not staff will bring a budget amendment back to the Board reallocating funds to the General Fund (Fund 10) in the near future.

Funding to complete the work for the proposed project requires a budget adjustment amending the FY20 budget (reducing the General Fund 10 operating budget by \$100,912 and increasing Measure AA Fund 30 budget by \$100,912) per Board Policy 3.04, Section IV.

Future construction costs for debris removal will be included in the FY21 Capital Improvement and Action Plan as part of the annual Budget and Action Plan development process. Estimated project costs are included in the table below.

Remediation Plan Development and Ranch Debris Clean Up - Madonna Creek Ranch (MAA01-004)	Prior Year Actuals	FY2019-20 Amended	FY2020-21 Projected	TOTAL
Budget	\$8,384	\$100,912	\$175,000	\$284,296
Spent-to-Date (as of 03/01/2020):	(\$8,384)	(\$29,985)		(\$38,369)
Encumbrances:		(\$1,225)		(\$1,225)
Proposed Contract Amendment:		(\$63,365)		(\$63,365)
10% Contingency:		(\$6,337)		(\$6,337)
Budget Remaining (Proposed):	\$0	\$0	\$175,000	\$175,000

The following table outlines the Measure AA Portfolio 01 *Miramontes Ridge: Gateway to the Coast Public Access, Stream Restoration and Agricultural Enhancement* allocation, costs-to-date, and the fiscal impact related to the proposed Remediation Plan Development and Ranch Debris Clean Up - Madonna Creek Ranch (MAA01-004) project.

MAA01 Miramontes Ridge: Gateway to the Coast Public Access, Stream Restoration and Agricultural Enhancement Portfolio Allocation:	\$27,774,000
Life-to-Date Spent (as of 03/01/2020):	\$0
Encumbrances:	\$0
MAA01-004 Remediation Plan Development & Ranch Debris Clean Up - Madonna Creek Ranch:	(\$284,296)
Portfolio Balance Remaining (Proposed):	\$27,489,705

The project is potentially eligible for a \$50,000 grant from CalRecycle's Farm and Ranch Solid Waste Cleanup and Abatement Grant Program. The grant application cycles are multiple times a year and the program can fund projects that were recently remediated (i.e. the grant could be

obtained after the project is complete). Staff will further evaluate this opportunity to ensure it meets the grants program criteria.

BOARD COMMITTEE REVIEW

This item has not been reviewed by a Board Committee.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Preparation of a remediation plan is not a project subject to the California Environmental Quality Act. Future implementation of the remediation plan may be categorically exempt under Section 15330 “Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances” and if this exemption is determined to apply, a notice of exemption will be filed under the General Manager’s authority prior to the implementation of the project.

NEXT STEPS

If the Board approves the contract amendment, Rincon will develop a remediation plan, conduct outreach to the Regional Water Quality Control Board, and assist staff in developing other project permits with San Mateo County and the Department of Fish and Wildlife. Pending regulatory permits and approvals, construction under a separate project is anticipated to be completed in the fall of 2020.

Attachments:

1. Resolution Amending the Budget for Fiscal Year 2019-20
2. Project Site Map and Photos

Responsible Department Head:

Kirk Lenington, Natural Resources Manager

Prepared by:

Aaron Hébert, Senior Resource Management Specialist

RESOLUTION 20-__

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT AMENDING THE BUDGET FOR
FISCAL YEAR 2019-2020**

The Board of Directors of Midpeninsula Regional Open Space District does hereby resolve as follows:

SECTION ONE. The Budget and Action Plan for the Midpeninsula Regional Open Space District for Fiscal Year 2019-20 is amended to approve a new Measure AA capital project (Remediation Plan Development and Ranch Debris Clean Up - Madonna Creek Ranch), decrease the District General Fund 10 operating budget by \$100,912, and increase the District Measure AA Capital budget in the amount of \$100,912 to fund the new project.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on _____, 2020, at a regular meeting thereof, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

Secretary
Board of Directors

President
Board of Directors

APPROVED AS TO FORM:

General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

District Clerk

Madonna Creek Ranch, Half Moon Bay, California
Limited Phase II Environmental Site Assessment



Imagery provided by ESRI and its licensors © 2019.
Base data from Midpeninsula Open Space District, 2019.

Site Map

Figure 2



Rincon Consultants, inc.



Madonna Creek Ranch DumpSite

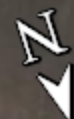
ATTACHMENT 2: Maps and Photos

Legend

-  Dump
-  Untitled Path

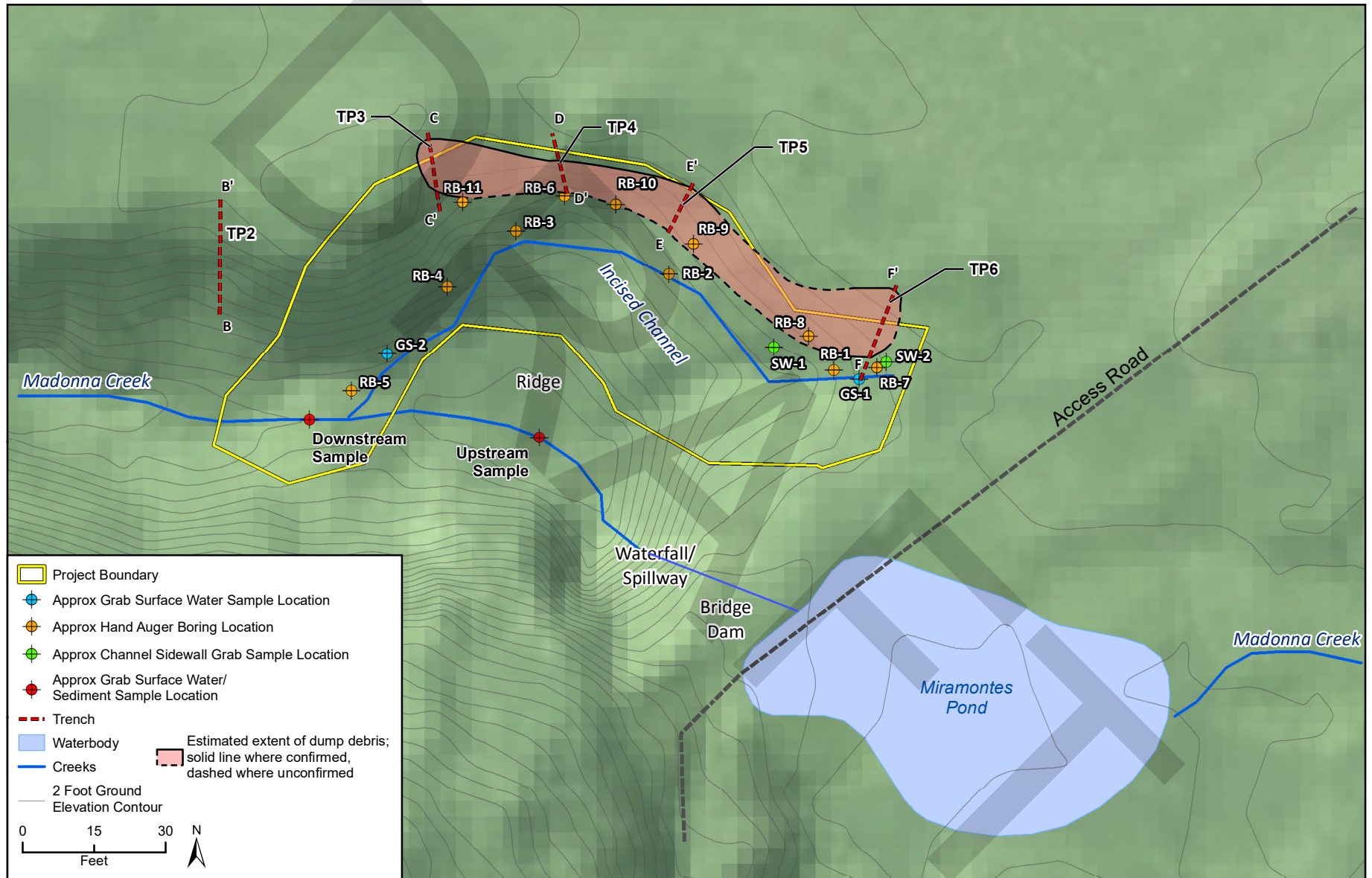


Google Earth



300 ft

Madonna Creek Ranch, Half Moon Bay, California
Phase II Environmental Site Assessment



Base data from Midpeninsula Open Space District, 2019.

Sample Location Map

Figure 3a

