



Midpeninsula Regional
Open Space District

R-20-119
Meeting 20-25
October 28, 2020

AGENDA ITEM 5

AGENDA ITEM

Award of Contract with Ascent Environmental to provide an Archeological Assessment and Environmental Review (CEQA) Services for the Purisima Upland Demolition and Site Cleanup Project at the Purisima Creek Redwoods Open Space Preserve

GENERAL MANAGER'S RECOMMENDATIONS

1. Authorize the General Manager to enter into a contract with Ascent Environmental to provide services to support the Purisima Upland Demolition and Site Cleanup Project for a base amount not to exceed \$80,831.
2. Authorize a 10% contingency of \$8,083 to be awarded if necessary, to cover unforeseen conditions, for a total contract amount not-to-exceed \$88,914.

SUMMARY

Midpeninsula Regional Open Space District (District) seeks assistance from a qualified consultant to conduct an archaeological assessment and environmental review to comply with the California Environmental Quality Act (CEQA) for the Purisima Uplands Demolition and Site Cleanup Project (Project). The full Project includes demolition and removal of abandoned oil facilities (which is an element of the Project that also requires engineering analysis – refer to a separate Agenda Item for the October 28, 2020 meeting), removal of an 1970s unpermitted prefabricated, modular hunting cabin and septic system, removal and disposal of contaminated soil, and site restoration.

A Request for Proposals (RFP) was issued on August 24, 2020, and three firms submitted proposals on September 24, 2020. Based on the RFP results, the General Manager recommends awarding a contract to Ascent Environmental for a base amount of \$80,831 and authorizing a 10% contingency of \$8,083. The contract amount accounts for the analysis of impacts to special status species, an expert archaeological assessment given the likely presence of prehistoric resources, and an expedited timeline. CEQA certification must be complete by May/June to ensure permits are secured by fall of 2021 in order to complete the onsite field investigations using heavy equipment in 2021 – otherwise, this work will need to be delayed by one year (allowable window for onsite disturbance is limited from September to the start of heavy rains of each year). Field investigations will inform the decommissioning plans that are needed to bid out the project. Award of bid and cleanup activities are subsequently scheduled to occur between September and November of 2022. There are sufficient funds in the adopted FY21 budget to fund this contract.

BACKGROUND

In 2019, the District accepted the transfer of the 240-acre Purisima Upland Property (Upland Property) as an addition to Purisima Creek Redwoods Open Space Preserve (R-19-70). The Upland Property is located on Verde Road, approximately three miles south of the City of Half Moon Bay, in unincorporated San Mateo County (County). The Upland Property connects public lands between the Bay Area Ridge Trail and California Coastal Trail, and provides opportunities to pursue the Purisima-to-the-Sea Trail. The Board-approved Preliminary Use and Management Plan for the property directed the District to proceed with cleanup of the former oil facilities, removal of the prefabricated, modular hunting cabin site, and land restoration.

The Purisima Upland Demolition and Site Cleanup Project, approved as part of the FY21 Budget and Capital Improvement and Action Plan, includes the following (see also Attachment 1):

- Demolition and removal of abandoned oil facilities, including above-ground storage tanks, oil wells, oil production piping, and oil processing facilities and structures;
- Removal and disposal of 3,000 gallons of light crude oil;
- Removal of an unpermitted hunting cabin and septic tank;
- Removal and proper disposal of approximately 140 cubic yards of contaminated soil;
- Regrading and revegetation of all disturbed areas to match the surrounding environment.

In 2019, the District initiated environmental review and permitting for the proposed Project. Initially, the Project was found to be categorically exempt under CEQA. The scope of work anticipated at that time was consistent with the following classes of projects that pose no significant effects on the environment: 15301 (Demolition and Removal of Individual Small Structures and Improvements), 15304(f) (Minor Alterations to Land), 15330 (Minor Actions to Eliminate the Release or Threat of Release of Hazardous Substances). The District filed a Notice of Exemption (NOE) in December 2019, and the County issued a Coastal Development Permit (CDP) in January 2020 based on this Categorical Exemption.

In June 2020, the District released a Request for Bid (RFB) to complete the Project. During the bidding process, it became apparent that additional information was needed to properly decommission the oil wells. In addition, during the pre-bid site walk, staff unexpectedly observed two special-status plants (*Plagiobothrys chorisianus* var. *hickmanii* - Hickman's popcorn flower and *Lupinus arboreus* var. *eximius* - San Mateo tree lupine) within the project site. Given these two issues, the RFB was canceled to gather further information on the oil wells and to conduct a higher level of environmental review for CEQA compliance document (anticipated to be an Initial Study and Mitigated Negative Declaration [IS/MND]).

DISCUSSION

CEQA review under the recommended contract will evaluate a range of oil well decommissioning options, review all project elements for potential impacts to sensitive biological and cultural resources, potential environmental impacts associated with hazardous materials abatement, and develop an appropriate CEQA document on an expedited schedule.

The scope of work under the proposed contract includes:

- **Environmental Review** – Within six months, expeditiously develop draft CEQA document and circulate for public review to meet critical permitting and construction timelines.

Due to necessary grading work to access the oil wells, and the recently discovered existence of special-status species, the District must complete a higher level of environmental review to secure a Grading Permit and a Coastal Development Permit (CDP) Amendment from the County before commencing construction activities. Field work and construction cannot start until the end of rare plant blooming season and must be completed before heavy rains begin, limiting the work window to two to three month per year from September to November. Any work that is not completed during this window will need to be postponed until the following year. Therefore, the CEQA document will need to be prepared within six months (November 2020 to April 2021) to secure necessary permits by the fall of 2021 and complete the field investigation by end of 2021. In addition, the IS/MND will need to evaluate a range of alternatives for oil well decommissioning and analyze the potential impacts to special-status species (e.g., Hickman’s popcorn flower, San Mateo tree lupine, San Francisco dusky-footed woodrat, California red-legged frog) and other identified biological resources (e.g., nesting birds, bat maternity roosts, and wetlands/waters). Impacts associated with the demolition and remediation of hazardous materials will also be evaluated. The District will be the CEQA lead agency and will coordinate with the County for their review of the IS/MND as a responsible agency.

- **Archaeological Assessment** – Conduct an archaeological assessment to complete the CEQA review and address County permit requirements given the likelihood of prehistoric resources.

Based on the proximity to known prehistoric sites and natural resource areas like Purisima Creek, there is a potential for unrecorded Native American and prehistoric-period resources to be encountered in the proposed project area. The archaeological assessment will include a historical and paleontological resources records search and a site survey to identify and record resources. This assessment will be used to analyze the potential impacts of the Project on these resources under CEQA and will be included as part of the CDP amendment application to the County.

Based on recent knowledge of the site conditions, an IS/MND is anticipated. If a higher level of environmental review is determined to be necessary during the IS review, the scope (and the contract, if necessary) would need to be amended.

Please see below for the schedule for the overall Project:

Milestones	Tentative Timeline
Archaeological Assessment and Environmental Review*	November 2020 to April 2021
Board certification of CEQA*	May/June 2021
Obtain Permits^	November 2020 to September 2021
Engineering Assessment and Coordination with CalGEM^	November 2020 to September 2021
Oil Well Field Investigations and Preparation of Decommissioning Plans^	September 2021 to November 2021
Bidding and Contract Award for Oil Well Decommissioning and Site Cleanup Project	November 2021 to July 2022
Onsite Oil Well Decommissioning and Site Cleanup	August 2022 to November 2022

* Items are part of the Ascent contract that the Board is considering for October 28, 2020.

^ Items are part of the Bonkowski contract that the Board is separately considering on October 28, 2020.

Consultant Selection

On December 11, 2019, the Board awarded contracts to two qualified environmental consultants on an on-call basis (R-19-158). In addition to recommending two on-call contracts for CEQA related services, the District also leverage this RFQP process to establish a pre-qualified list of 13 consultants for future reference.

On August 24, 2020, staff issued an RFP via email to four pre-qualified firms. An optional pre-proposal site tour was held on September 8, 2020 that was attended by representatives from Ascent Environmental and LSA Associates, Inc. The following three firms submitted proposals by the September 24, 2020 deadline.

Firm	Location	Proposed Fees
AECOM	Sacramento, CA	\$85,655
Ascent Environmental	Sacramento, CA	\$80,831*
LSA Associates, Inc	Richmond, CA	\$47,211

*Ascent's cost reflects a negotiated 5% reduction.

Evaluation criteria were determined prior to the release of the RFP that included the quality of proposal and implementation approach. After a thorough review of all proposals, a consultant selection team comprised of staff from Planning and Engineering & Construction deemed Ascent Environmental as most qualified and best suited for the project at a fair and reasonable price. Ascent Environmental demonstrated a clear understanding of the project and proposed a cost savings approach and an expedited schedule to meet the specific project timeline. They also have experience working on similar District projects, including preparation of an IS/MND for the Almaden Air Force Station Structure Abatement Project and an Environmental Impact Report for the Mt. Umunhum Site Plan and Restoration Project. During contract negotiations, staff and Ascent Environmental identified areas of cost savings, reducing Ascent Environmental's fees by approximately 5%. Comparably, while LSA's fee proposal came in at the lowest cost of the three firms, their proposed schedule and approach did not meet Project goals. Additionally, they did not demonstrate adequate experience on hazardous materials remediation which is critical to this project.

To cover potential unforeseen costs, the General Manager recommends a 10% contingency of \$8,083, for a total contract amount of \$88,914, to be expended only if necessary. This contingency would be used for completing additional technical analysis if needed, addressing unanticipated complex or high quantities of public comments, and any schedule or scope changes resulting from unexpected findings of the oil well decommissioning investigation.

FISCAL IMPACT

The FY21 adopted budget includes \$473,433 for the Purisima Upland Site Cleanup and Soil Remediation project MAA03-002. There are sufficient funds in the project budget to cover the recommended action and expenditures.

Purisima Upland Site Cleanup and Soil Remediation MAA03-002	Prior Year Actuals	FY21 Adopted	FY22 Projected	FY23 Projected	TOTAL
MAA03-002 Total Budget:	\$110,584	\$473,433	\$27,000	\$0	\$611,017
Spent-to-Date (as of 09/24/2020):	(\$110,584)	(\$8,585)	\$0	\$0	(\$119,169)
Encumbrances:	\$0	(\$7,640)	\$0	\$0	(\$7,640)
Ascent Environmental contract:	\$0	(\$80,831)	\$0	\$0	(\$80,831)
10% Contingency:	\$0	(\$8,083)	\$0	\$0	(\$8,083)
*Bonkowski & Associates, Inc., Contract including 15% Contingency:	\$0	(\$41,344)	(\$26,886)	\$0	(\$68,230)
Budget Remaining (Proposed):	\$0	\$326,950	\$114	\$0	\$327,064

**Bonkowski & Associates, Inc., Contract is concurrently going to the Board for approval at the 10/28/2020 meeting*

The following table outlines the Measure AA Portfolio 03 Purisima Creek Redwoods: Purisima-to-the-Sea Trail, Watershed Protection and Conservation Grazing allocation, costs-to-date, projected future project expenditures and projected portfolio balance remaining.

MAA03 Purisima Creek Redwoods: Purisima-to-Sea Trail, Watershed Protection and Conservation Grazing Portfolio Allocation:	\$7,608,000
Life-to-Date Spent (as of 09/24/2020):	(\$1,386,519)
Encumbrances:	(\$8,146)
*South Cowell Upland Land Conservation:	(\$4,750,000)
*MAA03-006 Title Insurance, Escrow Fees, and Other Miscellaneous Project Costs:	(\$50,000)
Remaining FY21 Project Budgets:	(\$326,950)
Future MAA03 project costs (projected through FY23):	(\$156,752)
Total Portfolio Expenditures:	(\$6,678,367)
Portfolio Balance Remaining (Proposed):	\$929,633

** South Cowell Upland Land Conservation is concurrently going to the Board for approval at the 10/28/2020 meeting.*

The following table outlines the Measure AA Portfolio 03 allocation, projected life of project expenditures and project portfolio balance remaining.

MAA03 Purisima Creek Redwoods: Purisima-to-Sea Trail, Watershed Protection and Conservation Grazing Portfolio Allocation:	\$7,608,000
Projected Project Expenditures (life of project):	
MAA03-001 Purisima Uplands Lot Line Adjustment and Property Transfer	(\$425,114)
MAA03-002 Purisima Uplands Site Cleanup and Soil Remediation Assessment	(\$611,017)
MAA03-003 Purisima Creek Fence Construction	(\$169,190)
MAA03-004 Harkins Bridge Replacement	(\$516,916)
MAA03-005 Purisima Uplands Parking Area and Trail Connections	(\$156,130)
*MAA03-006 South Cowell Upland Land Conservation	(\$4,800,000)
Total Portfolio Expenditures:	(\$6,678,367)
Portfolio Balance Remaining (Proposed):	\$929,633

** South Cowell Upland Land Conservation is concurrently going to the Board for approval at the 10/28/2020 meeting.*

BOARD COMMITTEE REVIEW

The Board of Directors (Board) approved the acquisition of the Purisima Upland property at the May 22, 2019 meeting (R-19-70). The Site Cleanup Project was approved as part of the annual Budget and Action Plan on June 24, 2020 (R-20-68).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

The contract scope includes completion of the necessary environmental review under CEQA for the implementation of the Project. The Board will have the opportunity to review and consider the findings related to CEQA at a future Board Meeting.

NEXT STEPS

Following Board approval, the General Manager will execute a contract with Ascent Environmental to complete the archaeological assessment and environmental review as required under CEQA.

Attachments

1. Project Map

Responsible Department Head:

Jane Mark, Planning Manager, Planning Department

Prepared by:

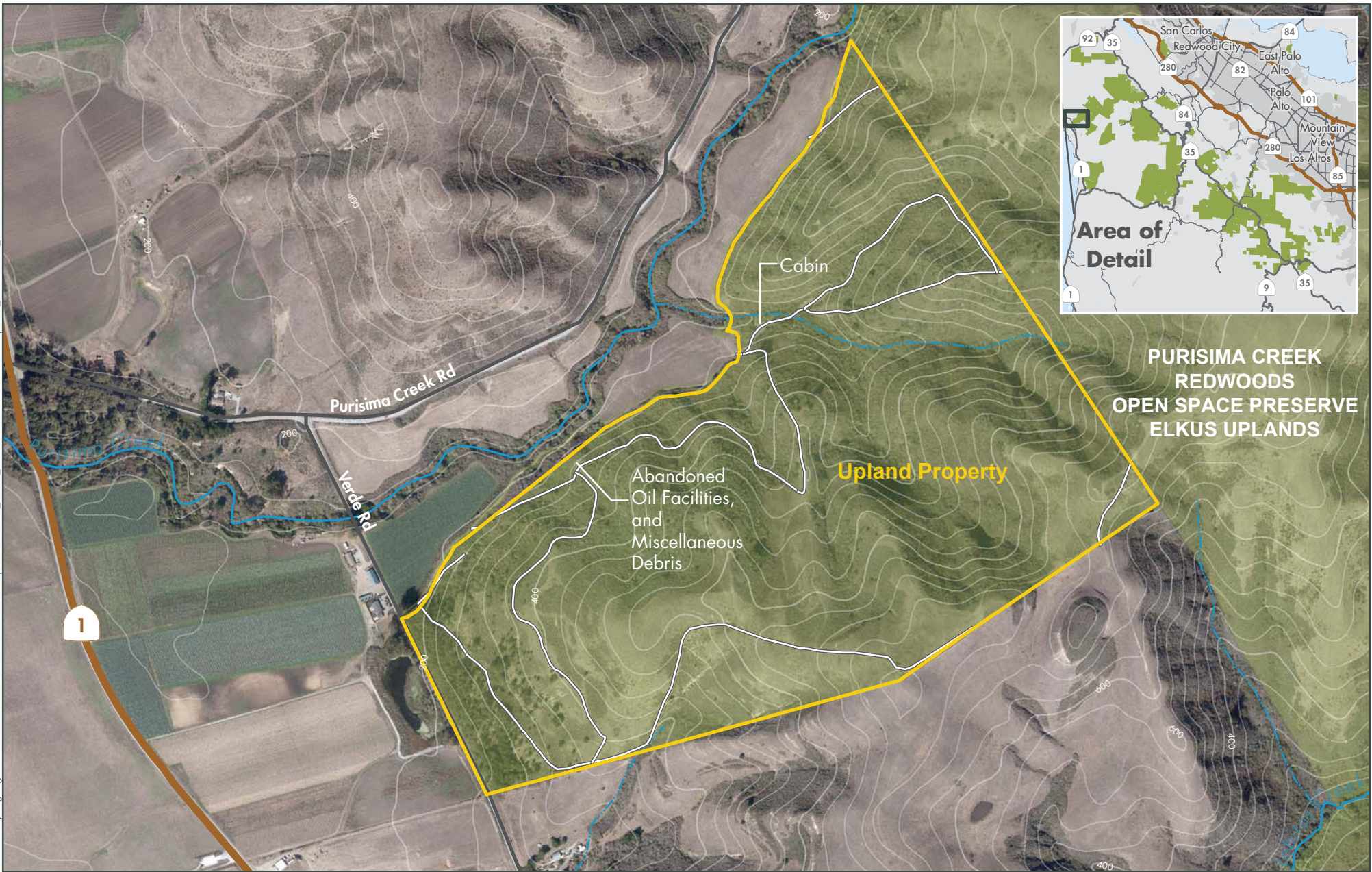
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Purisima Upland Site Cleanup and Demolition Project

-  Upland Property
-  Unpaved Road
-  Purisima Creek Redwoods Open Space Preserve

Midpeninsula Regional
Open Space District
(Midpen)
10/20/2020



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