

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, November 15, 2022

D. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- e. Authorization to Execute a Professional Services Contract with Impact Sciences, Inc. in the Amount of \$64,914 for the Remediate Borel Property Project: Las Trampas Wilderness Regional Preserve (Bates/Goorjian)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize executing a professional services contract with Impact Sciences, Inc. (Impact Sciences) of Oakland, California, in the amount of \$64,914 for the Remediate Borel Property Project (Project) (No. 538000) at Las Trampas Wilderness Regional Preserve (Las Trampas).

REVENUE/COST

The Project has a remaining balance of \$269,382 for this recommended action that proposes to authorize a new contract with Impact Sciences in the amount of \$64,914 for California Environmental Quality Act (CEQA) support services. Table I shows the use of funds and the available balance remaining after this action if approved by the Board of Directors.

Table I Remediate Borel Property Project Current Funding Sources
SOURCE OF FUNDS

Remediate Borel Property (CIP No. 538000)	\$ 300,000
Encumbrances and Expenditures to Date	<u>(30,619)</u>
AVAILABLE BALANCE	\$ 269,382

USE OF FUNDS

Contract with Impact Sciences, Inc. Inc. CEQA Support Services	\$ <u>64,914</u>
BALANCE REMAINING	\$ 204,468

BACKGROUND

The project site is approximately 7 acres, located at 3020 Fostoria Way, Danville, California, and is known as the Borel Property (APN 218-090-033). The East Bay Regional Park District(Park District) acquired the property through a donation in 2014 (Board Resolution No. 2014-05-120).

The property is the last remaining patch of walnut orchard farmed by the Borel's in the Danville area and was also the site of their home. The property contains several buildings and structures, such as the former Borel residence, a water tower, a walnut processing barn, a car barn, associated outbuildings and garages, and a walnut tree orchard. Many of these buildings are eligible, as a district, to the California Register of Historical Resources (CRHR). The Park District currently manages the property under land bank status and, as such, is not open to the public.

The property includes an underground storage tank (UST) used by the previous owner to fuel cars and farming equipment. A Phase II investigation on the property was completed in August 2021, confirming the presence of the leaking UST and surrounding contaminated soil. In December 2021, the Park District issued an unauthorized release report as required to the San Francisco Regional Water Quality Board (RWQB), the regulatory agency governing the remediation of these soils. The RWQB issued a deadline for the Park District to complete the removal and soil remediation by the end of July 2023.

The removal of UST and remediation of the contaminated soil is typically a categorically exempt project from CEQA under the Class 30 Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances. However, in this case, the plume of contaminated soil extends underneath a circa 1923 two-car, wooden garage, which is eligible for listing in the CRHR as part of a historic district. This garage must be demolished to remediate / remove the impacted soils. However, due to the garage's recommended eligibility to the CRHR, the Project is no longer categorically exempt, and further CEQA analysis is required. It has been determined that an Environmental Impact Report (EIR) is the appropriate level of CEQA analysis due to the required demolition of the historic garage.

The current Project proposes demolishing the two-car garage and an attached arbor to remediate the impacted soils thoroughly. All other structures on the property, whether eligible for listing to the CRHR or not, will be protected and preserved. The RWQB has approved the Park District's timeline to perform the necessary CEQA analysis, followed by soil remediation work by the end of July 2023.

In October 2022, the Park District issued a Request for Proposals (RFP) for CEQA support services for the removal, demolition, and remediation Project. One firm, Impact Sciences Inc, submitted a qualifying proposal that demonstrated their relevant experience in providing CEQA services for complex remediation projects in the San Francisco Bay Area.

Impact Science Inc.'s scope of services will include focused technical studies, preparation of the EIR, and compilation of the administrative record. Contract terms and conditions have been negotiated with Impact Science inc. and staff recommends Board authorization of the contract in the amount of \$64,914.

This Board action will authorize a contract with Impact Sciences, Inc. for a contract value of \$64,914 to provide CEQA support services.

This Board action is an initial step in addressing the soil remediation at the Borel Property and will be followed by a Board Resolution for the adoption of the focused Environmental Impact Report (EIR) Declaration for demolishing those specific eligible wood structures.

ALTERNATIVES

No alternatives are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2022 – 11 -

November 15, 2022

AUTHORIZATION TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH
IMPACT SCIENCES, INC. IN THE AMOUNT OF \$64,914
FOR THE REMEDIATE BOREL PROPERTY PROJECT:
LAS TRAMPAS WILDERNESS REGIONAL PRESERVE

WHEREAS, the East Bay Regional Park District (Park District) acquired the property through a donation in 2014 and is currently managed by the Park District under land bank status (RESO 2014-05-120); and

WHEREAS, several resources on the property have previously been recorded and recommended eligible, as a district, to the California Register of Historical Resources (CRHR); and

WHEREAS, the August 2021 Phase II investigation confirmed the presence of a leaking underground storage tank (UST) and surrounding impacted soil plume that extends underneath an eligible CRHR structure; and

WHEREAS, the Park District is committed to the completion of the soil remediation work by the end of July 2023 as mandated by the San Francisco Regional Water Quality Board (RWQB); and

WHEREAS, the Park District proposes to demolish the structure, remove the UST and remediate impacted soils to remediate the environmental hazard effectively; and

WHEREAS, the Park District is committed to the completion of the soil remediation work by the end of July 2023, as mandated by the San Francisco Regional Water Quality Board (RWQB); and

WHEREAS, demolition of an eligible structure requires California Environmental Quality Act (CEQA) analysis; and

WHEREAS, the Park District issued a Request for Proposals (RFP) for CEQA support services for the removal, demolition, and remediation project in October 2022, and one firm, Impact Sciences, Inc., submitted a qualifying proposal that demonstrates relevant experience; and

WHEREAS, it is necessary to contract with Impact Sciences, Inc. of Oakland, California, for a contract value of \$64,914 to provide CEQA support services for a focused Environmental Impact Report; and

WHEREAS, there are funds available in the Remediate Borel Property Project (No. 538000) for the associated contract;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby authorizes a professional services contract with Impact Sciences, Inc. of Oakland, California, by \$64,914 to have the consultant to provide CEQA support services to enable soil remediation; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed, on behalf of the Park District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____ and approved the 15th day of November 2022 by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

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