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Title: Actions pertaining to groundwater monitoring and reporting for the Fresno Sanitary Landfill (FSL) (Citywide) (Council District 3):
 1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15308 (Class 8) and Section 15309 (Class 9) of the CEQA guidelines for monitoring and reporting on groundwater remediation at FSL
 2. Approve an agreement with CDM Smith, Inc., in the amount of \$781,120 for monitoring and reporting requirements for groundwater remedial actions for the FSL

Sponsors: Department of Public Utilities

Indexes:

Code sections:

Attachments: 1. Agreement.pdf, 2. 2016-03-03 CDM Certificate of Insurance.pdf, 3. 2016-03-03 Fresno Landfill Consent Decree.pdf, 4. Notice for Consultant Services.pdf

Date	Ver.	Action By	Action	Result
3/3/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

March 3, 2016

FROM: THOMAS C. ESQUEDA, Director
Department of Public Utilities

THROUGH: JERRY L. SCHUBER, SR., Assistant Director
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BY: ROSA LAU-STAGGS, Wastewater Manager-Environmental Services
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SUBJECT

Actions pertaining to groundwater monitoring and reporting for the Fresno Sanitary Landfill (FSL) (Citywide) (Council District 3):

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15308 (Class 8) and Section 15309 (Class 9) of the CEQA guidelines for monitoring and reporting on groundwater remediation at FSL
2. Approve an agreement with CDM Smith, Inc., in the amount of \$781,120 for monitoring and

reporting requirements for groundwater remedial actions for the FSL

RECOMMENDATION

Approve an agreement with CDM Smith, Inc. (CDM), in the amount of \$781,120 for four years of consulting services provided for monitoring and reporting requirements for groundwater remedial actions for the Fresno Sanitary Landfill and authorize the Director of Public Utilities or his designee to execute the agreement and subsequent extensions on behalf of the City.

EXECUTIVE SUMMARY

In June 1998, the City of Fresno entered into an agreement with the United State Environmental Protection Agency (US EPA) to conduct the final cleanup of the Fresno Sanitary Landfill (FSL). As part of the cleanup efforts, groundwater monitoring and testing are required and quarterly and annual reports are prepared for US EPA. This proposed agreement is for ongoing groundwater monitoring and reporting to US EPA.

BACKGROUND

Since 1998 the City has undertaken ongoing cleanup of the FSL as required by its agreement with the US EPA, with the goal of the FSL being removed from the National Priorities List, the list of hazardous waste sites in the United States eligible for long-term remedial action (cleanup) financed under the federal Superfund program. The cleanup entails operation and maintenance activities at the groundwater extraction and treatment facility, groundwater monitoring and reporting to US EPA, and allocating adequate funds to finance groundwater remedial actions and maintenance of the FSL during the delisting process. The goal of this project is removal of the FSL from the National Priorities List. The City is currently wrapping up the final phase (Phase 3), including installing the last set of extraction wells to demonstrate enough pollutant removal for delisting of the FSL.

On June 26, 2000, the City began constructing a Landfill Cap and installing extraction and monitoring wells. The construction included a groundwater treatment facility and a landfill gas flare. Since that time, the City has monitored the groundwater plume using the monitoring wells in the area and wells installed on-site.

On September 29, 2011, Council approved an agreement with CDM for monitoring and testing the FSL's for groundwater contaminants, specifically, volatile organic compounds and performance monitoring and reporting to US EPA of the remediation system treating those contaminants. The agreement with its various extensions ended December 31, 2015.

On September 3, 2015, a Request for Consulting Services was released inviting professional groundwater remedial actions consultants to submit Statements of Qualifications for Groundwater Remedial Action Services for the FSL. The City received three responses from Applied Engineering and Geology, Inc., CDM Smith, Inc. and Stantec. Of the three responding firms, CDM was selected as the most qualified and best value for the City based upon their knowledge and experience working on the FSL since 1989, their superfund delisting experience, and their current involvement on the final phase (Phase 3) of the remedial action.

The groundwater monitoring program currently underway will continue as a way of quantifying the

impacts and/or improvements associated with the remedial actions already implemented. The proposed monitoring program is comprised of the following tasks:

- Task 1- Performance Monitoring Program
- Task 2- Groundwater Remedial Action Operations Assistance
- Task 3- Superfund Delisting Pathway
- Task 4- Phase 3 Groundwater Remedial Action Evaluation Report
- Task 5- Project Management

Staff is requesting approval of this new four-year agreement with CDM, with an option for three (3) one-year extensions and to allow the Director of Public Utilities or his designee to execute the agreement and future extensions.

The total cost for this four-year agreement for monitoring and reporting for groundwater remedial actions of the FSL is \$781,120 for the period starting January 2016 to December 31, 2019. The prior four years' appropriations (2012 through 2015) to comply with the requirements of the City's agreement with US EPA totaled \$995,700. The cost of each extension, if the City chose to continue with the selected Consultant, would be determined on a yearly basis depending of the monitoring and reporting projects not yet completed.

ENVIRONMENTAL FINDINGS

Staff has determined that a Categorical Exemption is appropriate, based on Class 8 Section 15308 of the CEQA Guidelines. This section exempts actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. This project involves compliance with requirements set forth by a regulatory agency for protection of the environment. Staff has determined that a Categorical Exemption is appropriate, based on Class 9 Section 15309 of the CEQA Guidelines. This section exempts actions activities limited entirely to inspections, to check for performance of an operation, or quality, health, or safety of a project. This project involves inspecting groundwater wells and reporting on the findings.

Furthermore, staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Staff recommends that the Council, based upon its own independent judgment, adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15308, Class 8, and 15309, Class 9, CEQA guidelines for the proposed groundwater monitoring and reporting.

LOCAL PREFERENCE

Local preference was not considered because the agreement does not include a bid or award of a construction or services contract.

FISCAL IMPACT

The cost of this agreement will be proportionally funded by the Landfill Enterprise Fund and the General Fund.

Attachments:

Attachment 1: Monitoring and Reporting Agreement with CDM, Inc. for Groundwater Remedial Actions - Fresno Sanitary Landfill.

Attachment 2: Certificate of Liability Insurance

Attachment 3: United States of America v. City of Fresno, Consent Decree.

Attachment 4: Notice for Consulting Services, Statement of Qualifications and Consultant Evaluation for Groundwater Remedial Action Services for Fresno Sanitary Landfill.