



## Legislation Text

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**File #:** 20-520, **Version:** 1

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*Report Prepared by: Joseph D. Angulo, Acting Deputy Director Public Works*

**SUBJECT:** Approving the First Amendment to the Agreement for Professional Services with LSA Associates, Inc., in the Amount of \$11,555.06, for Environmental Compliance Services, Including the Preparation of a Mitigated Negative Declaration, for the Proposed Well Site No. 22, Project No. 116020

### REPORT IN BRIEF

Authorizes an amendment to a contract for environmental compliance services with LSA Associates, Inc., to prepare a Mitigated Negative Declaration document for the proposed Municipal Well 22 at 3987 North Hatch Road.

### RECOMMENDATION

**City Council** - Adopt a motion approving the first amendment to an agreement for professional services with LSA Associates, Inc., in the amount of \$11,555.06 and authorizing the Interim City Manager to execute the necessary documents.

### ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to modifications as conditioned by City Council; or,
3. Refer to staff for reconsideration of specific items; or,
4. Deny.

### AUTHORITY

Charter of the City of Merced, Section 200, et seq.

Services with an estimated value greater than \$33,000 are made by written contract in accordance with Merced Municipal Code, Title 3 - Revenue and Finance, Chapter 3.04.

### CITY COUNCIL PRIORITIES

As provided for in the 2020-21 Adopted Budget.

### DISCUSSION

#### Municipal Well Site 22

The City of Merced utilizes groundwater as the sole source for the City's water supply system. Existing Municipal Well No. 7B, located at 3362 McKee Road, has contained nitrate concentrations above the California Maximum Contaminant Level for drinking water supplies. Due to this condition, it

was taken out of service in April 2009.

A new Well No. 22 is proposed to serve as a replacement for Well No. 7B. The City Engineer and Public Works Director have recommended that a new water well be located on a 4-acre City-owned parcel at the intersection of Hatch and Cardella Roads (approximately 1.4 miles north of Well No. 7B). This location is outside of the current City limits and in the unincorporated area of Merced County.

The Well No. 22 pump station project generally consists of the installation of a groundwater well, pump station building, electrical service, emergency backup generator, and associated plumbing to connect the site to the existing water system. The installation of the new groundwater well outside of the City limits will require a permit from the Merced County Department of Public Health, Division of Environmental Health.

In 2015, Merced County adopted a new ordinance pertaining to groundwater supply wells and associated permitting - *Merced County Groundwater Mining and Export Ordinance No. 1930*. This ordinance requires that new well permitting conform to the California Environmental Quality Act (CEQA).

#### California Environmental Quality Act (CEQA)

Staff expected that a CEQA Focused Environmental Impact Report (EIR) would be applicable to the new well site project and solicited proposals from consulting firms with relevant environmental compliance experience. The City Council awarded a contract to LSA Associates, Inc. (LSA) on July 15, 2019, to perform the Well 22 CEQA effort.

LSA, on behalf of the City, drafted a Notice of Preparation - Initial Study with an issuance date of January 9, 2020. The City received multiple responses for the proposed Well 22 project during the 30-day public comment period. These primarily focused on hydrology, water quality, and decreasing groundwater supplies.

As anticipated, Merced County submitted comments on the Initial Study. The County is the permitting agency for the proposed new well and they are a responsible agency for the CEQA review process. Their comments include a reference to the above cited County ordinance, and that the City would need to provide an analysis of the project's effects on the "*local and/or regional groundwater system*".

Upon consideration of the results of the Initial Study, LSA recommended to staff that a Mitigated Negative Declaration, rather than an EIR, would be the appropriate CEQA document to prepare. Staff concurred on the basis that groundwater issues are the primary environmental concern for the project and an extensive EIR is not required.

#### LSA Associates, Inc. Scope of Work

In their original contract, LSA included the services of a subcontractor, MKN & Associates, for water distribution and groundwater associated evaluations. In order to address the groundwater concerns

identified in the Merced County response, MKN & Associates will hire a groundwater quality consultant, Kenneth D. Schmidt & Associates, to assist with the CEQA work. Kenneth D. Schmidt & Associates previously assisted the City with the installation of Merced Well No. 17 and its associated CEQA studies at the UC Merced campus. They will conduct an evaluation of private wells near the proposed Well 22 site and perform a groundwater pumping test on an existing Merced well (if required). These analyses are intended to demonstrate that the installation and operation of the proposed Well No. 22 will not negatively affect groundwater supplies, in general, and the private wells in the vicinity of the proposed well site.

The proposed LSA \$11,555.06 contract amendment under consideration includes the above groundwater studies, and the preparation of an updated Initial Study in anticipation of issuing a Mitigated Negative Declaration for the project.

### **IMPACT ON CITY RESOURCES**

This project was established as a Capital Improvement Project and account 556-1118-637.65-00-116020 contains sufficient funding to complete the project.

### **ATTACHMENTS**

1. Vicinity Map
2. Site Map
3. Contract Amendment
4. Merced County Comments