Rincon Consultants, Inc.
209 East Victoria Street
Santa Barbara, California 93101

805 319 4092 OFFICE AND FAX

info@rinconconsultants.com
www.rinconconsultants.com

November 11, 2020
Project No. 18-06506

Justin Van Mullem
Project Planner
City of Santa Barbara, Parks & Recreation Department
PO Box 1990
Santa Barbara, California 93102
Via Email: JVanMullem@SantaBarbaraCA.gov

Subject: Response to Heal the Ocean Comments – Ortega Park, 604 East Ortega Street, Santa Barbara, California

Dear Mr. Van Mullem:

Pursuant to your request, **Rincon Consultants, Inc.** (Rincon) has prepared this response to a November 8, 2020 letter from Heal the Ocean containing comments on the Draft Mitigated Negative Declaration (MND) prepared by the City of Santa Barbara for the Ortega Park Master Plan. Ortega Park is a City of Santa Barbara owned park located at 604 East Ortega Street in Santa Barbara, California. It is our understanding that the site was used as a municipal waste dump from at least 1902 until at least 1927. Between 1927 and 1930, the site was developed to its current use as a City park. The City of Santa Barbara plans to improve the park with the construction of an aquatics facility, a splash pad, a skate park, stormwater management systems, and playing fields. Ortega Park is an open site in the County of Santa Barbara Public Health Department, Environmental Health Services (EHS) Division, Site Mitigation Unit (SMU) Program. The park improvements will be performed in accordance with the June 10, 2020 Corrective Action Plan and Soil Management Plan (CAP/SMP) prepared by Rincon, the approvals of EHS including the June 29, 2020 conditional CAP/SMP approval letter, requirements of the Santa Barbara County Air Pollution Control District (APCD) and federal, state and local regulations.

The November 8, 2020 letter from Heal the Ocean is organized by comments on (I) contaminated soils, (II) groundwater, (III) stormwater, (IV) artificial turf, and (V) learning lessons from the desalination plant reactivation project. Heal the Ocean's concerns for the community's and environment's protection are appreciated. The following responds to comments pertaining to contaminated soils and groundwater. It is our understanding that the City and the City's consultants will respond to comments pertaining to stormwater and artificial turf.

The CAP/SMP, as described in the CAP/SMP, was prepared based on preliminary plans for the site improvements and will be refined as plans are finalized and permits issued. Excavation depths and locations could change based on geotechnical testing, other design processes, and regulatory agency permits and approvals. Additional soil and groundwater sampling and analyses may be performed prior to the commencement of excavation for landfill acceptance, dewatering permitting, and project planning purposes.

I. Contaminated Soils

Environmental site assessment activities and remedial planning have been performed with the approval and under the oversight of EHS. The proposed park improvements present an opportunity to cost effectively decrease contaminant concentrations at the site. The primary constituents of concern (COCs) in the soil are heavy range total petroleum hydrocarbons (TPH), polycyclic aromatic hydrocarbons (PAHs), and metals consisting primarily of lead. Excavation and disposal are proven to be an effective remedial approach for the COCs at the site. Excavation and disposal are protective of human health and the environment, able to achieve cleanup objectives and goals, and able to control or remediate sources of releases.

The following responds to specific comments in the letter.

Heal the Ocean Letter, page 3:

> *The total percentages are the basis for the recommendation of the phase approach – that the most economical way for the City to proceed with the project is not to first remediate the grounds before starting construction, but to "test as you go along." After studying the procedure outlined in the CAP/SMP, Heal the Ocean disagrees mightily with the phase/"test as you go along" approach. Here is the description of the process that is to happen when/if contaminated soils are discovered:*

As described above, the most feasible remedial approach for the COCs at the site is excavation and disposal.

The passage cited after the Heal the Ocean comment is from page 10 of the CAP/SMP in the Identification of Impacted Soil section. The first sentence of the cited passage indicates that work should stop in areas of "**unidentified** soil contamination…" to ensure that unanticipated soil impacts are properly managed. Twenty borings have been advanced at the site and 30 soil samples and 4 groundwater samples have been collected and analyzed from the borings. The site is approximately 5.35 acres which equals approximately 3.7 borings per acre. The site has been assessed and soil impacts are characterized. Regardless of the results of pre-construction environmental assessment, when performing an excavation, unanticipated soil impacts remain possible and should be planned for.

The methodology for the management of known soil impacts is different and described in the CAP/SMP. The excavation areas by proposed park improvement are described in the Ortega Park Renovations section that begins on page 5 of the CAP/SMP. The Waste Profiling section on page 9 of the CAP/SMP describes the likely need for additional sampling and analysis for landfill acceptance of the waste.

Heal the Ocean Letter, page 3:

> *This process is lengthy, cumbersome, but more problematic is how contaminated soils "should be segregated and managed." According to the SMP the contaminated soils are to be, wrapped "Burrito-like" (their language) by plastic tarps in an area of the property that won't come into contact with groundwater. In discussion of the Air Pollution Control District (APCD) regulations for soil storage, the SMP says this:*

The passage cited after the comment is from page 11 of the CAP/SMP in the Soil Storage section. The Soil Storage section describes the proper storage of contaminated soil in accordance with the requirements of EHS and the APCD. During the excavation of the contaminated material, there will likely

be the need for temporary stockpiles to store waste pending loading for offsite disposal or for verification sampling.

Heal the Ocean Letter, page 4:

> *The APCD permitting of the project, as well as handling of hazardous materials, is highly important, because the project is in the middle of a high-density neighborhood. There are family homes around the project site, which can be seen in the maps in the SMP for Lead (SMP p. 24) and TPH (SMP p. 25).*

Permitting requirements are described on page 8 of the CAP/SMP. Rincon concurs with the above statement.

Heal the Ocean Letter, page 4:

> *"Sensitive site areas or…areas containing inlets to storm drains and other water ways" are not specifically identified in the SMP;*

Prior to the commencement of excavation activities, the sensitive site areas will be identified.

Heal the Ocean Letter, page 4:

> *"Properly containerized," and "tested" – is described in the SMP, but so cumbersome that the delay in construction while testing is done, would greatly impact the time – and cost – of the project, which could lead to its failure: Here are the requirements for testing:*

The passage cited after the comment is from page 12 of the CAP/SMP in the Soil Sample Analysis section. The preceding Soil Sampling section in the CAP/SMP and the quoted Soil Sample Analysis sections describe the purposes of collecting soil samples for waste profile verification and for the delineation of left in place soil impacts. Soil sample analyses with the purpose of documenting left in place impacts will not affect the project schedule as the analytical data is not needed to complete the excavation and install the park improvement feature. Soil sample analyses for the purposes of waste profile verification can be performed on a rush turnaround time and as needed. The soil sampling and analytical programs are in general accordance with the Test Methods for Evaluating Solid Waste also known as SW-846.

Heal the Ocean Letter, page 4:

> ***Disposal sites.*** *The SMP includes a list of hazardous disposal sites, but it appears that the hunt for the site begins at the moment of discovery of contamination. Heal the Ocean believes the disposal site should be identified before the project starts. The SMP only lists possible destinations:*

The passage cited after the comment is on page 14 of the SMP in the Disposal of Impacted Soil Section. As described on page 9 of the CAP/SMP, the APCD requires that landfill acceptance letters are submitted with the permit application.

Heal the Ocean Letter, page 5:

> *Considering all of the above measures described in the SMP, the most urgent issue emerges: the City is not given much time to act on the problem of contaminated soil, because such soil cannot be stored on-site longer than 24 hours (SMP p. 10).*
>
> *Furthermore, multiple agencies must be contacted if contaminated soils are encountered – which they will be – and work will be stopped. Nailor's June 29, 2020 letter to the City says this:*

> *As the planned renovation activities will encounter hazardous materials, multiple work agencies will likely have restrictions on how and when work will be allowed to proceed. The agencies most likely with restrictions include but are not limited to:*
> *a. SBCo-EHS - requires all excavated impacted soils, above cleanup goals (appropriate ESLs), to be properly disposed of offsite and not used for fill onsite or anywhere else. Any fill necessary shall be clean imported fill tested in accordance with the October 2001 document titled DTSC Information Advisory Clean Imported Fill.*

As discussed previously in this letter, temporary onsite storage of soil would be for waste disposal profile verification purposes or due to project logistics. This CAP/SMP, EHS approvals and the APCD permit are part of the planning for the management of contaminated soil at the site such that a cost-effective soil remediation can be performed. The current project planning is being performed and the CAP/SMP presents a methodology designed to minimize the potential for work stoppages and project delays.

The passage from the June 29, 2020 EHS letter is correct and consistent with the CAP/SMP. The APCD and City of Santa Barbara have restrictions on when work can be performed, EHS requires that all excavated soils impacted with constituents above appropriate Environmental Screening Levels be properly disposed offsite, and EHS requires the use of clean imported fill.

Heal the Ocean Letter, page 5:

> *Other issues with contaminated soils on the Ortega Park property include:*
>
> - *Boring samples have been taken to a maximum depth of 10 feet (encountering contaminants), but the planned swimming pool is to be dug to a depth of 11 feet, so there is no idea what contractors will run into below the boring depths.*
> - *Contractors must be certified in hazmat training:*
>   - *Excavation work in areas with known contamination will be performed by a contractor with an active General A contractor's license with a hazardous waste endorsement from the State of California. (SMP p. 8).*

Borings HP1 and HP2 were advanced to 10 feet below grade in the vicinity of the proposed swimming pools. TPH and PAHs were not detected above method detection limits and lead was detected at low concentrations in the soil samples collected from 10 feet below grade in borings HP1 and HP2. Groundwater was not encountered in boring HP1 and groundwater was encountered at approximately 5 feet below grade in boring HP2. TPH and VOCs were not detected above EHS Investigation Levels and Maximum Contaminant Levels for drinking water in the groundwater sample collected from boring HP2. Soil and groundwater impacts were not identified in the vicinity of the swimming pool locations. Additional sampling and analyses could be performed to determine if the soil and groundwater at the proposed swimming pool locations is impacted.

II. Groundwater

As described in the CAP/SMP, impacted groundwater should be properly managed if dewatering is performed.

Heal the Ocean Letter, page 6:

> *The OEC report notes that the thickness of cover material at the site is unknown, that it might vary throughout the site. In other words, contractors working at the site may not know exactly*

> *when they will run into contaminated groundwater. The report also states that based on information from this and other nearby sites, the local groundwater flow direction in the shallow zone is toward the east, and the regional groundwater flow direction in the shallow zone is toward the ocean (south to southeast). During the current assessment, groundwater was encountered in the southwest portion of the site* ***at 5 feet below grade,*** *and also that groundwater has been encountered at depths ranging from* ***less than 1 foot below grade to approximately 6 feet below grade.***
>
> ***NOTE: the new swimming pool is to be dug to a depth of 11 feet. It is not known what lies underneath****.*

For clarification, Oilfield Environmental and Compliance, Inc. (OEC) operated the Geoprobe direct push drill rig and performed the laboratory analyses of the soil and groundwater samples. Boring locations, sample depths and the analytical program performed by OEC were as directed by Rincon. OEC did not comment on thickness of cover material and groundwater flow direction.

The thickness of cover material at the site is unknown and could vary throughout the site. Cover material refers to soil overlying the buried waste. In other words, how thick the soil is from ground surface to the top of the buried waste. The thickness of the cover material is not related to the depth to groundwater.

Conclusion

Soil contamination was not planned for during the Desalination Plant Reactivation Project. However, performing the remedial activities during the project was the most cost-effective approach. Soil contamination is planned for at the Ortega Park site. The proposed park improvements present an opportunity to reduce soil contamination at the park by the removal of contaminated soil during the park improvements. The site has been a park for greater than 90 years and is not under any orders to be remediated. The buried wastes are below the park surface, and so in its current configuration there is no exposure to landfill related wastes to users of the park. Further, the assessment has shown that the contaminants are primarily heavy end hydrocarbons, metals, and PAHs. The current project of improving the park will result in excavation below the overlying cover, and as a result, contaminated material will be encountered. The contamination is best managed through the CAP/SMP that was prepared by Rincon and approved by the County. Remediating the entirety of the park, beyond what is to be disturbed during construction, will result in a delay in the project, result in having to manage more waste, result in potentially more dust exposure to the neighborhood, and be a lot more expensive. As far as park user and neighborhood health risk, reducing the amount of soil disturbance to only what is necessary to build the park improvements, is the most protective of health risk.

Please do not hesitate to contact us with any questions or comments regarding this letter or this project.

Sincerely,
Rincon Consultants, Inc.

Shawn Decker, MESM, LEED AP
Senior Program Manager

Walt Hamann, PG, CEG
Vice President