



CITY OF ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT

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August 10, 2020

Ashley Gilreath
Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236

Re: No Legal Challenges Regarding Well 29 Project

Dear Ms. Gilreath:

This letter is intended to inform you that applicable statute of limitations period has expired and the City has received no legal challenges regarding the City's determination that the following Project is categorically exempt under CEQA: "Architectural and Landscape Design Services, Hydro-geological Services, Plans and Specifications, WQMP, Structural Calculations, Cost Estimates, and Construction Services for the Demolition of Existing Well 8 and Construction of a New Water Well (Designated Well 29) with PFOS and PFOA (Perfluorooctane Sulfonate and Perfluorooctanic Acid) Treatment Systems at the Corner of Struck Avenue and Katella Avenue."

On February 11, 2020, the City Council of the City of Orange approved the above-referenced Project based upon categorical exemptions under CEQA Guidelines Sections 15301, 15302 and 15303. The CEQA analysis is contained in the Agenda Item Staff Report, the pertinent excerpt of which is attached. The City did not file a Notice of Categorical Exemption, thereby commencing a 180-day limitations period for filing a challenge to the CEQA analysis, pursuant to 14 CCR 15062(d). That 180-day challenge period expired on August 9, 2020 and the exempt finding for the Project is now final.

Please let us know if you need anything further. Thank you.

Sincerely,

Chad Ortlieb
Senior Planner
City of Orange

Attachment: CEQA Determination

6. DISCUSSION AND BACKGROUND

Constructed in 1956 at the corner of Struck Avenue and Katella Avenue, existing Well 8 has seen greatly reduced production over recent years and has shown signs indicating that it has reached the end of its service life. In addition, water produced by this well had water quality issues causing the well to be shut down in the summer of 2018.

Well 29 is proposed to be constructed at the site of Well 8 and will be expected to produce approximately 3,000 gallons per minute (gpm) flow capacity. The scope of work includes site research, topographic survey, hydro-geological services, abandonment of existing Well 8, design of new Well 29, electrical services, structural calculations, pumping equipment, cost estimate, and construction support services. The project will also include a treatment system for Per and Polyfluoralkyl substances (PFAS).

The proposed structure for Well 29 will include a sound enclosure around the wellhead, a transformer, and a building containing a motor control room, chlorine storage, and electrical meters. Well 29 will be constructed in two phases: drilling and equipping. Drilling is scheduled to begin in early 2021 with the equipping and construction of treatment systems following immediately thereafter. The construction cost, and possibly operating and maintenance of the proposed treatment system, could be funded by the Orange County Water District (OCWD) via its effort to clean up contaminants in the ground water basins. Moreover, \$1.6 million of the well construction cost could be funded from OCWD Santa Ana River Conservation and Conjunction Use Program's grant should it be completed within the program's time frame.

The Request for Proposal (RFP 190-31) for the design services was distributed to five firms on November 4, 2019 and due on January 3, 2020. Three proposals were received while Michael Baker International and Geo-Science did not submit a proposal. Staff evaluated the three proposals based on the firms' experience with similar projects, quality of key and support staff, understanding of project scope work, and ability to follow the project schedule. The design fee schedule and labor rates were submitted in separate sealed envelopes and were reviewed after the rating process was completed.

Tetra Tech's proposal showed the most thorough understanding of the project scope and challenges involved. They have extensive experience in similar type of projects, having completed several well projects for public agencies such as Mesa Water District, Orange County Water District, City of Paramount, Irvine Ranch Water District, and the City of South Gate. In recent years, they have completed the design of Well 27 for the City of Orange, and are currently working on the design of Well 28. Tetra Tech's original fee was consistent with other top rank firms. Staff negotiated with Tetra Tech to reach an agreeable fee of \$746,000. Therefore, staff is recommending awarding the contract to Tetra Tech, Inc. in an amount not to exceed \$746,000.

Below is the summary of the firms that proposed including ranking and bid amounts:

<u>Firm</u>	<u>Rank</u>	<u>Proposed Fee</u>
Tetra Tech, Inc.	1	\$746,000
AKM	2	\$802,219
Stantec	3	\$1,148,139

The proposed project is categorically exempt (Classes 1, 2 and 3) from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Sections

15301, 15302 and 15303. CEQA Guidelines Section 15301 categorically exempts projects that involves the addition of safety or health protection devices in conjunction with existing facilities and involve negligible or no expansion of use. Section 15302 categorically exempts projects that consist of replacement or reconstruction of existing facilities where the facilities will be located on the same site as the facilities replaced and will have substantially the same purpose and capacity as the facilities replaced. Section 15303 categorically exempts projects that consist of the installation of small new equipment and facilities in small structures.

The project is exempt because it involves the replacement of an existing water well and improvements that will bring the new proposed well as well as Well 9 into compliance with State requirements. While the capacity of the well will be increased, the use of the site will not be substantially changed. Additionally, the project will not trigger an exception from CEQA Guidelines Section 15300.2 based on location, cumulative impacts, significant effects, location near a scenic highway, location on a hazardous waste site, or causing substantial adverse change to a historical resources because the project is not on an environmentally sensitive site, does not contribute to cumulative impacts, will not have a significant effect on the environment, is not near a scenic highway, is not on a hazardous waste site, and it not a historical resource site. The Notice of Exemption will be filed with the County Clerk-Recorder upon Council's approval of the plans and specifications.