

Legislation Text

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Consider recommendation from the Permits/Enforcement Committee and staff to approve Agricultural Secondary Containment Assistance Program Agreements with Rancho La Cochina Minerals, Ltd. and George D. Koch.

RECOMMENDED MOTION:

Move the board approve Agricultural Secondary Containment Assistance Program Agreements with Rancho La Cochina Minerals, Ltd. and George D. Koch, and authorize the General Manager to execute the agreement.

SUMMARY

The purpose of this agenda item is for the board to consider a Permits/Enforcement Committee and EAA staff recommendation to approve Agricultural Secondary Containment Assistance Program (AgSCAP) Agreements with Rancho La Cochina Minerals, Ltd. and George D. Koch. Under EAA rules, certain above ground storage tank (AST) systems associated with agricultural activities and located within the Edwards Aquifer Recharge Zone (EARZ) are regulated by the EAA and must achieve a certain level of secondary containment. AgSCAP was developed to provide owners and operators of AST systems technical and financial assistance to meet EAA rule requirements, or to otherwise remedy potential non-compliant situations.

In April 2018, the EAA Board voted to authorize staff to contract with Baer Engineering and Environmental Consulting, Inc. ("Baer Engineering"), to provide assessment and consulting services related to these assistance services. Baer Engineering submitted a final report in October 2018, which outlined observations, identified various compliance options, and provided general cost estimates for each site.

As outlined by Baer Engineering and selected by EAA staff, general services offered under AgSCAP include *Tank Removal* to permanently remove the tank from the EARZ; installation of *Steel Containment Boxes* to provide secondary containment for existing and serviceable tanks; installation of *New Tanks* if technical analysis did not permit the re-use of existing tanks in a secondary containment system; and installation of *Spill, Over-flow protection and Security* as needed to provide additional protective measures to the EARZ. EAA staff also committed to working with individual applicants to provide partial assistance if they wanted to upgrade their systems that exceeded our minimum requirements.

EAA staff enrolled 11 applicants into AgSCAP. Seven applicants returned signed agreements that were approved by the board at the March 12 board meeting. The AgSCAP Agreements, signed by Rancho La Cochina Minerals, Ltd. and George D. Koch, are attached to this item. Two applications remain under review.

At the March 26 meeting, the Permits/Enforcement Committee voted to recommend the board approve the Agricultural Secondary Containment Assistance Program Agreement with Rancho La Cochina Minerals, Ltd., and authorize the General Manager to execute the agreement. The George D. Koch agreement was received after the committee meeting and is being included in this board item to facilitate the timely execution of the agreement.

M/WBE PARTICIPATION:

While this agenda item describes the procurement of goods or services by the EAA, the procurements are performed under this authorization, and therefore, this section is not applicable.

STRATEGIC PLAN REFERENCE:

This agenda item supports the EAA's policy direction as set forth in the EAA 2016-20 Strategic Plan: Goal D. Prevent the Pollution of the Aquifer.

FISCAL IMPACT:

Funding for the AgSCAP is available in the 2019 operating budget based on Baer Engineering cost estimates for the enrolled applicants. The actual fiscal impacts for each of the specific sites is not known at this time.