



COUNTY OF HUMBOLDT

For the meeting of: 8/26/2025

File #: 25-967

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

Vote Requirement: 4/5th

SUBJECT:

Resolution Proclaiming the Existence of a Public Facilities Emergency Pursuant to California Public Contract Code Section 22035 associated with the Leach Field at the Table Bluff Landfill (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt the attached resolution which proclaims that the current condition of the leach field at the Table Bluff Landfill constitutes a public facilities emergency under California Public Contract Code Section 22035 and authorizes the Humboldt County Department of Public Works to take any and all actions necessary to repair the leach field pursuant to California Public Contract Code Section 22050 (4/5 Vote Required); and
2. Direct Public Works to return to the Board at every regularly scheduled meeting to determine, by a four-fifths vote, that there is a need to continue the emergency action, until the action is terminated.

STRATEGIC PLAN:

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Safe & Healthy Communities

Strategic Plan Category: 1009 - Expand county infrastructure resilience

DISCUSSION:

Section 22035 of the California Public Contract Code provides that "in cases of emergency when repair or replacements are necessary, the governing body may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts" and that such "work may be done by day labor under the direction of the governing body, by contractor, or by a combination of the two." If notice for bids will not be given, the public agency must comply with the California Public Contract Code 22050, *et seq.*

Section 22050(a)(1) of the California Public Contract Code provides that "in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts." Before a governing body may take any action pursuant to California Public Contract Code Section 22050(a)(1), it must make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency. Section 22050(c) of the Public Contract Code requires the governing body to review the emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action.

The Table Bluff Landfill received uncontrolled dumping from the 1930's through 1972, when management of the site as a landfill began. In 1974, the County of Humboldt took over landfill operations. In 1979, the North Coast Regional Water Quality Control Board ("Regional Water Board") issued a closure order prohibiting further disposal of solid waste at the site. The order required that all waste be covered with a layer of compacted earthen fill material and that the discharge of leachate (water that contacts buried waste) to Humboldt Bay or its tributaries be limited to the maximum practicable extent. The landfill was subsequently capped with compacted fill and covered with a crown of unconsolidated topsoil. A system was installed to collect leachate in perforated pipes and route the leachate to an on-site leach field for land treatment.

In December 2024, ponded water was observed on the ground surface of the leach field, indicating that the capacity of the leach field was not sufficient for absorbing the volume of inflow. Immediate repair efforts were made to identify and remove blockages in the leach field's piping lines; however, water continued to back up and pond on the ground surface before infiltrating into the soil. When conditions were drier in the spring, a mini excavator was used to expose portions of the distribution system for inspection. One of the lateral lines was observed to be severely clogged with sediment and iron deposits and this condition is presumed to exist within all the lateral lines. The Department of Public Works retained SHN Engineers & Geologists to prepare a design study report to recommend repairs to the leach field, in consultation with the Division of Environmental Health of the Humboldt County Department of Health and Human Services. The report (dated July 31, 2025) recommended new subsurface disposal trenches to restore the absorption capacity of the leach field along with four new storage tanks and piping that improve the system's resilience to damage and provide features that facilitate ongoing operation and maintenance, including periodic removal of sediment and iron. These repairs can be made within the existing footprint of the leach field. The access road associated with the leach field will be improved to allow year-round access for maintenance. The Department of Public Works intends to retain a construction contractor to implement the leach field repair work prior to the winter wet season.

In parallel with the leach field repair work, Public Works has been coordinating with the California Department of Resources Recycling and Recovery ("CalRecycle") to implement repairs on the landfill cap. The landfill cap repair work includes re-grading the cap to eliminate flattened slopes that have developed due to waste settlement, replacing the subsurface drainage system and making localized surface drainage improvements. Collectively, these repairs are intended to reduce the volume of water contacting buried waste, restore the capture of leachate generated from the buried waste, and reduce the net volume of leachate entering the leach field. CalRecycle has retained a construction contractor to implement the cap repair work and will pay them directly with State funds.

Implementing the leach field repair and landfill cap repair work before the winter wet season is urgent to prevent discharges of leachate, avoid environmental impacts and maintain compliance with the Regional Water Board's order. The project involves immediate necessary actions needed to repair a publicly owned facility, maintain service essential to environmental health and prevent loss or damage to environmental resources.

For purposes of complying with the California Environmental Quality Act ("CEQA") and the Humboldt County Coastal Zoning Regulations, the leach field repair and landfill cap repair work are considered one project. The project is statutorily exempt from environmental review pursuant to the emergency project exemption of Section 15269(b) of the CEQA Guidelines and also categorically exempt from environmental review pursuant to the existing facilities exemption of Section 15301 of the CEQA Guidelines. On Jul. 29, 2025, Public Works filed a CEQA Notice of Exemption with the Humboldt County Clerk/Recorder and the State Clearinghouse. On Aug. 13, 2025, the Humboldt County Planning and Building Department approved an Emergency Coastal Development Permit for the project.

Based on the information provided herein, staff recommend that the Humboldt County Board of Supervisors adopt the attached resolution which proclaims that the current condition of the leach field at the Table Bluff Landfill constitutes a public facilities emergency and authorizes the Humboldt County Department of Public Works to take any and all actions necessary to repair the leach field pursuant to California Public Contract Code Section 22050.

SOURCE OF FUNDING:

Solid Waste (3691438-8060)

FINANCIAL IMPACT:

Expenditures (3691,438)	FY25-26
Budgeted Expenses	<u>362,665.00</u>
Additional Appropriation Requested	
Total Expenditures	<u>362,665.00</u>

**Projected amounts are estimates and are subject to change.*

Funding Sources (3691,438)	FY25-26
Fees/Other	<u>\$362,665.00</u>
Total Funding Sources	<u>\$362,665.00</u>

**Projected amounts are estimates and are subject to change.*

Narrative Explanation of Financial Impact:

The estimated cost to retain a construction contractor to implement the leach field repair work is \$362,665. The adopted Fiscal Year 2025-26 budget for Solid Waste (3691438-8060) contains sufficient funding for this work.

STAFFING IMPACT:

There is no impact to staffing.

OTHER AGENCY INVOLVEMENT:

Department of Health and Human Services, Division of Environmental Health; North Coast Regional Water Quality Control Board; CalRecycle

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to approve the attached resolution proclaiming a public facilities emergency associated with the leach field at the Table Bluff Landfill pursuant to California Public Contract Code Section 22035. This alternative is not recommended because the time required to advertise the proposed work for bids would preclude the work from being completed prior to the winter wet season, in which case the leach field would continue to have insufficient capacity to receive the inflowing leachate and unauthorized discharges would likely occur. In addition, the number of local contractors qualified to implement the work is very limited and the likelihood of receiving multiple bids for the work is low.

ATTACHMENTS:

1 - Resolution Proclaiming the Existence of a Public Facilities Emergency Pursuant to California Public Contract Code Section 22035 associated with the Leach Field at the Table Bluff Landfill

PREVIOUS ACTION/REFERRAL:

Meeting of: N/A

File No.: N/A