



**BOARD OF DIRECTORS  
EAST BAY MUNICIPAL UTILITY DISTRICT**

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375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

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**Notice of Time Change**


**PLANNING COMMITTEE  
MEETING**

**9:45 a.m.**

**Tuesday, December 11, 2018**

Notice is hereby given that the Tuesday, December 11, 2018 Planning Committee Meeting of the Board of Directors has been rescheduled from 9:15 a.m. to 9:45 a.m. The meeting will be held in the Training Resource Center of the Administration Building, 375 - 11th Street, Oakland, California.

Dated: December 6, 2018

  
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Rischa S. Cole  
Secretary of the District





**BOARD OF DIRECTORS  
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 – 11<sup>th</sup> Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA**

**Planning Committee  
Tuesday, December 11, 2018  
9:45 a.m.  
Training Resource Center**

**(Committee Members: Directors Mellon {Chair}, Linney and Young)**

**ROLL CALL:**

**PUBLIC COMMENT:** The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

**DETERMINATION AND DISCUSSION:**

1. Westside Pumping Plant Replacement Project Update (Irias)
2. Leland Reservoir Replacement Project Update and Final Environmental Impact Report (Irias)
3. Main Wastewater Treatment Plant Yerba Buena Access Road Acquisition – Initiation of Eminent Domain Proceedings (Lee)

**ADJOURNMENT:**

**Disability Notice**

*If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.*

**Document Availability**

*Materials related to an item on this agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at [www.ebmud.com](http://www.ebmud.com).*



## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: December 6, 2018

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager *ARC*

FROM: Xavier J. Irias, Director of Engineering and Construction *XJI*

SUBJECT: Westside Pumping Plant Replacement Project Update

### INTRODUCTION

The Westside Pumping Plant (PP) Replacement Project (Project) will replace the existing Encinal and Westside PPs with a new Westside PP and replace the existing Encinal Reservoir with a new Encinal Regulator. In addition, approximately 6,900 feet of pipeline will be installed. The Project is located in the El Toyonal neighborhood in the City of Orinda (City). The Project was a recommendation from a regional study on the Encinal, Westside and Dos Osos Pressure Zones Cascade (Encinal Cascade Study), and the 2008 Infrastructure Rehabilitation Master Plan for Distribution Pumping Plants ranked the Encinal PP as a high priority for replacement. This memo provides an update on the Project, including a review of the environmental documentation, an overview of the public outreach process, and the Project schedule. Staff will provide a presentation to the Planning Committee on December 11, 2018.

### DISCUSSION

#### Project Description and Purpose

The Project will address three facilities located at two District-owned sites in the City of Orinda:

- Westside PP, a 0.3-million-gallons-per-day (mgd) pumping plant constructed in 1962, located at the end of El Rincon;
- Encinal Reservoir, a 0.21-million-gallon redwood tank constructed in 1955, also located at the end of El Rincon; and
- Encinal PP, a 0.5 mgd pumping plant constructed in 1941, located at 4 Madera Lane.

The Project will demolish the existing Encinal and Westside PPs and construct a new 0.6 mgd Westside PP at 4 Madera Lane, and a new pressure regulator (Encinal Regulator) will be installed within the new Westside PP structure allowing the demolition of the redwood Encinal Reservoir. The Project also includes approximately 6,600 feet of 12-inch pipeline in El Toyonal and La Encinal and approximately 300 feet of two-inch pipeline in Madera Lane. All Project element locations are shown on Attachment A. The conceptual site plan for the Westside PP site is shown on Attachment B.

The Project will replace critical aging water distribution facilities that have reached the end of their useful lives, improve both system reliability and operating efficiency, and improve water quality operations. The Project also has the benefit of eliminating a pumping plant and replacing existing pipelines with a high potential for failure. Consistent with District Policy 3.03, Community Fire Flow Improvement Program, the new pipelines are sized to meet current fire flow standards, resulting in improved fire flows at hydrants within the Project area.

The District intends to contract out the construction. Staff provided notification and met with Local 444 in August 2018 to review the Project scope. Local 444 understands the logistical constraints of the Project and that all pipeline construction crews are currently committed to high-priority planned work. Local 444 does not object to contracting out the work.

### **Environmental Documentation**

Based on a review of the Project, it was determined that the Project is categorically exempt under California Environmental Quality Act Guidelines, because the Project consists of the decommissioning and replacement of existing utility systems and/or facilities involving negligible or no expansion of use or capacity, the construction of limited numbers of new, small facilities, and water main utility extensions of reasonable length to serve such construction. A number of District standard construction specifications, standard practices from the District's Environmental Compliance Manual, and Engineering Standard Practices will also be incorporated into the Project. These standard specifications and standard practices are designed to address typical characteristics of District construction projects and reflect generally applicable District standard operating procedures.

A Notice of Exemption (NOE) for the Project was filed August 31, 2018 and posted for the required 30 days with the Contra Costa County Clerk.

### **Public Outreach**

In early September 2018, during the NOE posting period, staff met with City and Moraga-Orinda Fire District (MOFD) staff to present and discuss the Project elements and schedule for the NOE and community outreach. City staff had questions related to traffic, noise, coordinating with the City's paving program, fire flows, and the new Westside PP site plan details; staff provided responses and follow-up information to all of the City's questions.

In October 2018, staff had a follow-up meeting with MOFD to discuss neighborhood access, evacuation and notification requirements during construction of the pipeline improvements. MOFD had questions related to emergency access response times, Project phasing schedule, and communication linkages between MOFD and the District. Staff provided responses and will work with MOFD to provide more details as the pipeline design progresses. Staff will also continue to coordinate with MOFD to ensure the Project will have the needed emergency access during construction.

Project postcards will be sent to the neighbors in December 2018; staff will conduct a neighborhood public meeting in January 2019. Staff will also present the Project at a future Orinda City Council meeting as part of the public outreach process. During construction, the District will communicate with residents via updates on the District's website, emails, signs, and/or text/SMS service.

## **NEXT STEPS**

Design and construction of the Project will be completed in phases, because the pipeline needs to be installed prior to the construction of the facilities. Design for the pipeline is underway and will be completed by fall 2019 followed by construction. Facilities design and construction will begin in 2020 and 2021, respectively.

ARC:DJR:dks

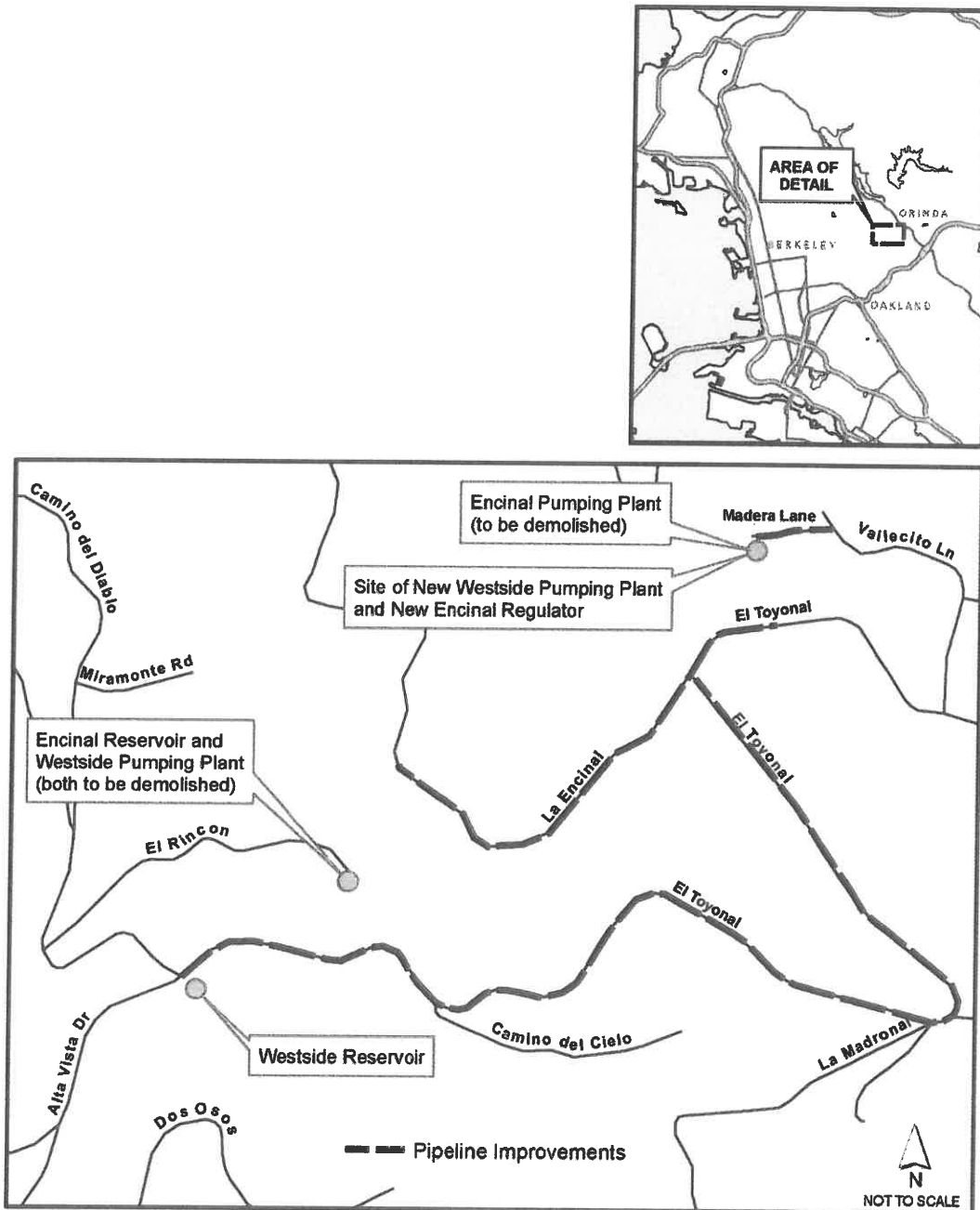
I:\SEC\2018 Board Related Items\Committee 2018\2018\_planning ctte\121118 planning ctte\E&C – Westside PP Replacement Project Update.docx

Attachments: A – Westside Pumping Plant Replacement Project Location Map  
B – Westside Pumping Plant Replacement Conceptual Site Plan

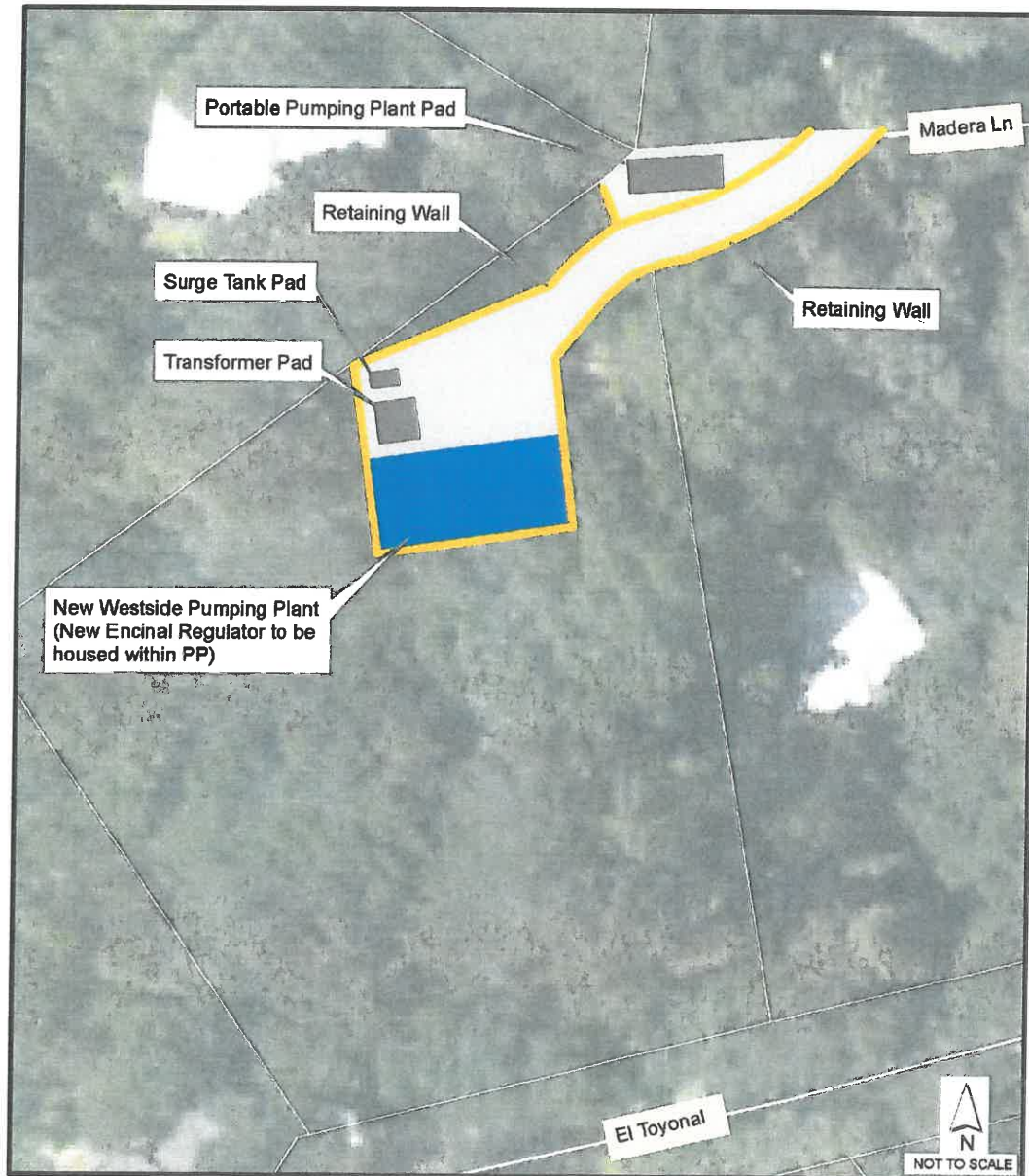




**WESTSIDE PUMPING PLANT REPLACEMENT PROJECT**  
**Location Map**



**WESTSIDE PUMPING PLANT REPLACEMENT PROJECT**  
**New Westside Pumping Plant Site Plan**



## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: December 6, 2018

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager *ARC*

FROM: Xavier J. Irias, Director of Engineering and Construction *XJI*

SUBJECT: Leland Reservoir Replacement Project Update and Final Environmental Impact Report

### INTRODUCTION

The Leland Reservoir Replacement Project (Project) was identified in the 2006 Water Treatment and Transmission Improvements Program Environmental Impact Report (EIR), and the 2012 Reservoir Infrastructure Rehabilitation Plan ranked Leland Reservoir as a high-priority, open-cut reservoir for replacement. The Leland Reservoir Replacement Facilities Plan, completed in March 2014, determined the preferred project is to replace the existing open-cut reservoir with two new prestressed concrete tanks and replace the existing transmission pipeline that traverses under the existing reservoir with a new pipeline in city streets.

A Draft EIR was prepared for the Project in support of the Facilities Plan recommendations. The Final EIR was made available on November 29, 2018. This memo provides an update on the Project, including an overview of the public outreach process and comments received on the Draft EIR, in advance of the Board's consideration of the Final EIR for certification and approval of the Project. Staff will provide a presentation to the Planning Committee on December 11, 2018. Project presentations were previously provided to the Planning Committee on February 10, 2015 and January 9, 2018.

### DISCUSSION

#### Project Purpose and Description

The existing 18-million-gallon (MG), open-cut Leland Reservoir, constructed in 1955 opposite 1050 Leland Drive in the City of Lafayette, will be replaced with two new 8 MG prestressed concrete tanks in the existing open-cut basin. The 36-inch pipeline that traverses under the existing reservoir will be replaced with a total of approximately 3,650 linear feet of 36-inch pipeline in Windsor Drive, Condit Road, a short section of Leland Drive from Condit Road to Meek Place, and within the Leland Reservoir site. A new 30-inch storm drain pipeline will be installed on site and connect to the City of Lafayette's existing storm drain system at the intersection of Leland Drive and Patty Way. All Project element locations are shown on

Attachment A. The proposed site plan and landscape plan presented in the Final EIR are shown on Attachment B. The reservoir is at the end of its useful service life, and its replacement is necessary due to the deteriorated condition of the pre-cast concrete roof (including rainwater ponding), mature trees growing in the earthen embankment, obsolete mechanical and electrical equipment, and the reservoir's criticality in serving the Leland Pressure Zone which serves portions of Lafayette, Pleasant Hill and Walnut Creek. The Project will replace aging infrastructure, improve water quality operations efficiency, and improve domestic and emergency water service reliability with an optimally sized facility at the existing location.

This Project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

### **Draft EIR Analysis and Mitigation Measures**

Staff completed and circulated the Draft EIR for the Project for a 45-day agency and public review period from January 25 through March 12, 2018. Staff sent Notices of Availability to approximately 210 residents, businesses and responsible agencies, and also placed notices on the District's website and in the Contra Costa Times. Staff held a community meeting to discuss the Draft EIR on February 8, 2018. The District received seventeen comment letters, emails, and other submittals containing 97 individual comments during the Draft EIR comment period by the City of Lafayette, the State of California Governor's Office of Planning and Research State Clearinghouse and Planning Unit, and 36 residents. In addition, staff recorded 30 verbal comments during the community meeting. Key comments focused on visual impacts, tree removal and planting, construction hours and noise, temporary road closures, notification in advance of construction, and construction truck routes.

The Draft EIR analysis concluded that there are potential impacts from construction noise from limited night work for two pipeline construction tie-ins that require one 24-hour time period for each tie-in and construction noise during concrete foundation and roof pour activities. The concrete foundation and roof will require a 6:00 a.m. start time to minimize interruptions of the concrete pour activities, over an approximate 16-day period. The noise impacts are significant and unavoidable, and will require the District to approve a Statement of Overriding Considerations when approving the Project. The remaining potential impacts are either less than significant or would be less than significant with mitigations.

Key mitigation measures include:

- Nighttime lighting controls for the duration of nighttime construction;
- Preconstruction surveys for special status species;
- Species-specific avoidance and minimization measures during construction;
- Advance public noticing of partial and complete road closures;
- Maintenance of emergency access during full or partial roadway closures;
- Noise source control measures;
- Alternative lodging for residents affected by night work, if requested; and

- Traffic control measures for traffic circulation, including pedestrians, bicycles, and school bus access.

The District will also incorporate a number of its standard construction specifications, standard practices from the Environmental Compliance Manual, Procedures, Design Guides, and Engineering Standard Practices into the Project. These standard specifications and standard practices are designed to address typical characteristics of District construction projects and reflect generally applicable District standard operating procedures.

### **Public Outreach**

In June 2016, staff met with City of Lafayette staff and presented the proposed Project elements and schedule for the EIR to solicit input early in the planning phase. Staff held three neighborhood outreach and scoping meetings on August 3, September 15, and September 28, 2016 in Lafayette. Staff also presented the Project to the Lafayette City Council on November 28, 2016. The meetings were convened to present the conceptual site plans and landscape plans, to discuss the potential environmental factors to be addressed in the EIR, and to receive community input and feedback.

The District's website features a Project page with information including the proposed schedule and Project-related documents. This page will be updated throughout construction.

### **NEXT STEPS**

The Final EIR will be submitted to the Board for consideration of certification and Project approval on December 11, 2018. Assuming Board approval of the Final EIR, design and construction of the Project will begin in 2022 and 2024, respectively.

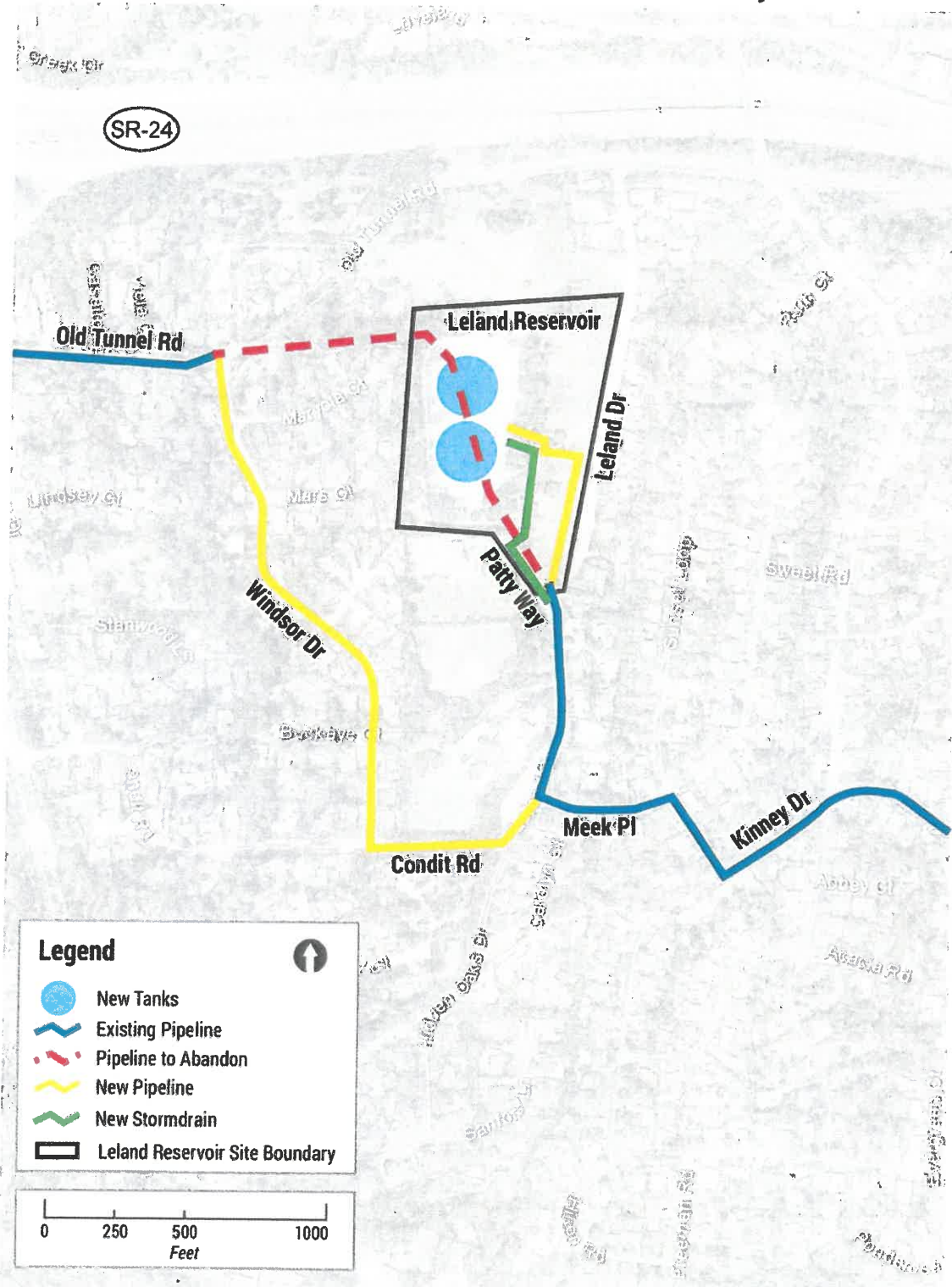
ARC:DJR:dks

Attachments: A – Leland Reservoir Replacement Project Location and Overview Map  
B – Leland Reservoir Replacement Project Site Plan and Landscape Plan



**Leland Reservoir Replacement Project Location and Overview Map**

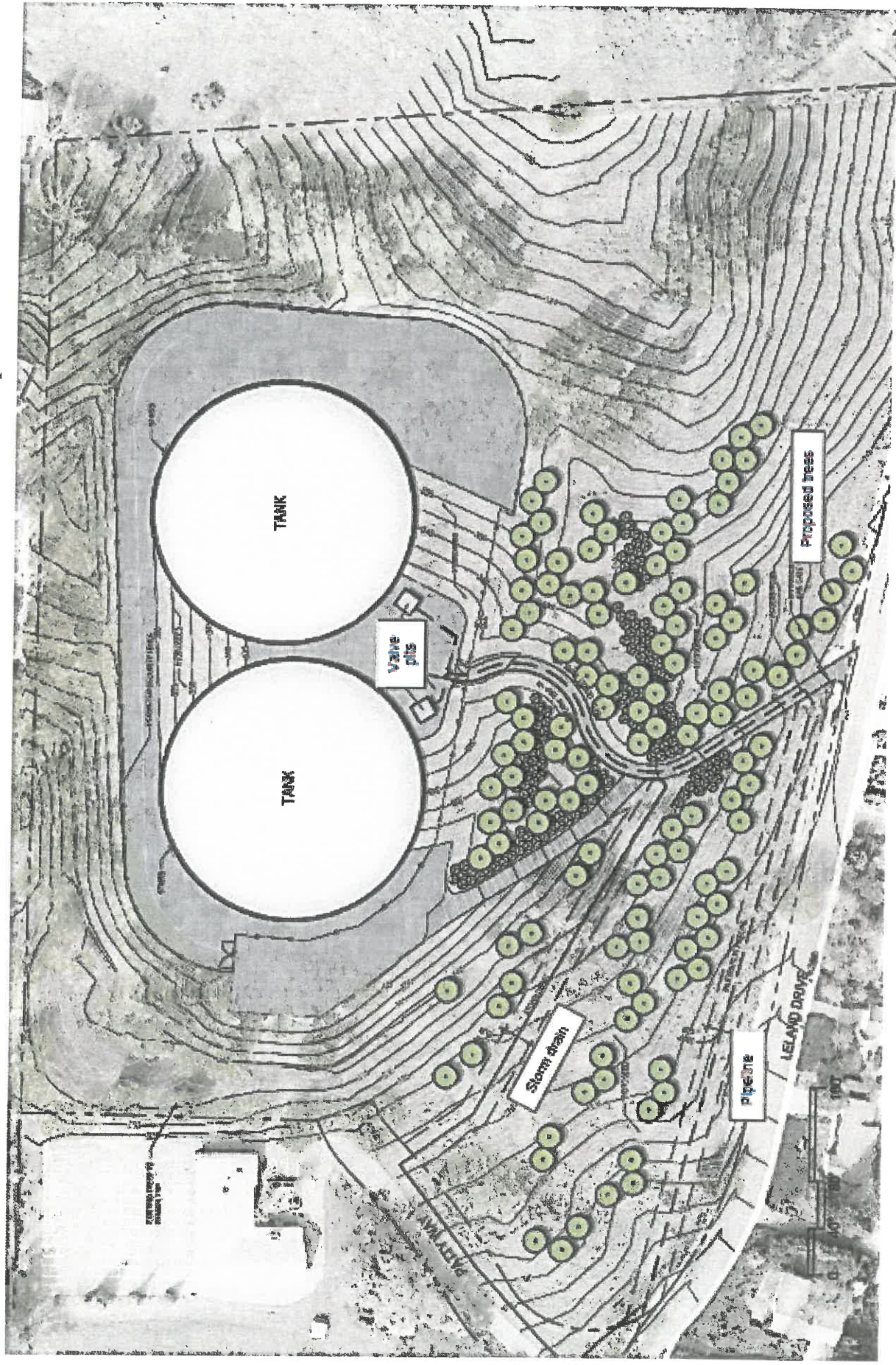
**Leland Reservoir Replacement Project**



Source: Compiled by RMC, a Woodard & Curran company, November 2018



# Leland Reservoir Replacement Project Proposed Site Plan and Landscape Plan



Source: RHAA Landscape Architects, June 2018



## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: December 6, 2018

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager *ARC*

FROM: Andrew L. Lee, Manager of Customer and Community Services *[Signature]*

SUBJECT: Main Wastewater Treatment Plant Yerba Buena Access Road Acquisition  
– Initiation of Eminent Domain Proceedings

### INTRODUCTION

The Main Wastewater Treatment Plant (MWWTP) is situated at the foot of the Bay Bridge and adjacent to the Port of Oakland. It has three access gates for all employees, contractors, and emergency service personnel. The two main access gates to the MWWTP are located off Wake Avenue and Engineers Road, on the western side of the MWWTP. The District utilizes a third access gate from the eastern side of the MWWTP through the Yerba Buena Access Road, which is located just off of Mandela Parkway on the Emeryville/Oakland border. This access road was developed between 1959 and 1961 through various acquisitions by the District and through an informal understanding with the City of Oakland (Oakland). The District relies on the access road to provide secondary and emergency vehicle access to the MWWTP when the two gates on the western side of the MWWTP are blocked.

Oakland is in the process of redeveloping the North Gateway area immediately to the south of the MWWTP, which includes new rail infrastructure and heavy trucking activities. The increased traffic activities from the North Gateway redevelopment are having a significant impact to the District's ability to access the MWWTP's main gates located at Wake Avenue and Engineers Road. During all hours of the day, access to the MWWTP from these two main gates can see delays of up to thirty minutes caused by traffic from the bridge and to the Port. In order to maintain unconstrained ingress and egress to the MWWTP, the District must secure unimpeded access to the MWWTP through the Yerba Buena Access Road.

### DISCUSSION

The Yerba Buena Access Road to the MWWTP consists of three sections (see Attachment). The first section, which extends from the MWWTP to the railroad tracks to the east, was originally part of the Key System, a streetcar system that traveled from the East Bay to San Francisco. The fee property rights for this section were purchased by the District on August 7, 1961.

The second section consists of the tunnel area underneath the railroad tracks. The District acquired rights to this portion by purchasing a permanent easement on August 1, 1961, from the Southern Pacific Company, now Union Pacific Railroad. As part of the easement acquisition from the railroad company, the District constructed a bridge for the railroad which protects the tunnel area within the easement.

The third section starts east of the railroad bridge to the Mandela Parkway Gate. This section of the Yerba Buena Access Road is what remains of the original Yerba Buena Avenue. The District currently has no formal property rights to use the Yerba Buena Access Road and operates under a 1961 letter from Oakland that allows the District to use the portion of Yerba Buena as an entrance into the MWWTP. The letter stipulates the District's use of this portion of the road is temporary, subject to revocation by Oakland's Engineer. With the development of Mandela Parkway and the East Bay Bridge Shopping Center, Oakland has abandoned the use of this portion of Yerba Buena Avenue, and it has been closed off from public use. This section of abandoned road is fenced and used only by the District to access the MWWTP.

While the existing arrangement for using this road section may not pose immediate impact to the District, it does not guarantee future access to the MWWTP, and the District has no property rights to this section of Yerba Buena Avenue. Without formal property rights, the District is at risk of losing a vital access point. Furthermore, in order to ensure that the road and gate stay in usable condition, the District must have the right to make improvements and repairs on the road as necessary. Acquiring the underlying fee property rights from the East Bay Bridge Retail, LLC, will allow the District to begin working with Oakland to vacate the street and make the necessary improvements.

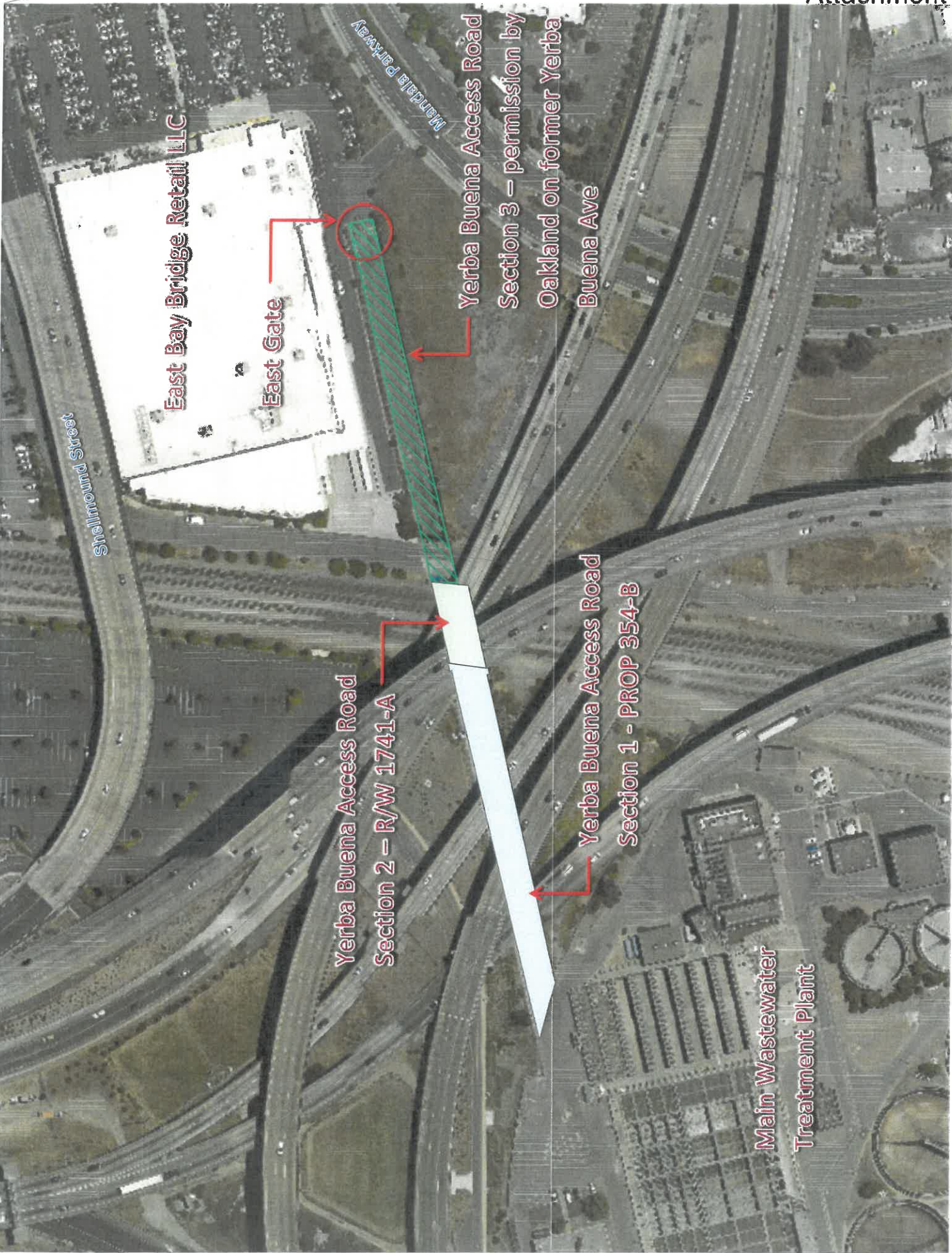
On May 2, 2018, the District, by Federal Express, provided a written offer to the owner for underlying fee ownership of the property. This offer was based on a fair market value. The owner has not been cooperative, not in opposition of selling the property, but because the owner views the transaction as un-economical given the value of the underlying land. Therefore, condemnation is the District's only alternative to secure permanent access to the MWWTP. Once ownership of the underlying land is secured, the District will file with Oakland to vacate the street.

## **NEXT STEPS**

To acquire the fee property rights through the eminent domain process, the District will conduct a public hearing during the December 11, 2018 Board of Directors meeting, where the owner will have an opportunity to address the Board regarding the necessity findings for the condemnation. At this meeting, staff will request the Board to adopt a Resolution of Necessity for eminent domain proceedings for the acquisition of fee property rights from East Bay Bridge Retail, LLC; and authorize the General Counsel to file eminent domain actions in Alameda County Superior Court. Notification of the public hearing and the Board's consideration of initiating condemnation were sent by Federal Express to East Bay Bridge Retail, LLC, on November 21, 2018.

ARC:ALL:dlb

Attachment



East Bay Bridge Retail LLC

East Gate

Yerba Buena Access Road  
Section 2 - R/W 1741-A

Yerba Buena Access Road  
Section 3 - permission by  
Oakland on former Yerba  
Buena Ave

Yerba Buena Access Road  
Section 1 - PROP 354-B

Main Wastewater  
Treatment Plant

Shellmound Street

Mandala Parkway

