

CHAPTER 1

Introduction

This chapter contains the following sections:

- 1.1 Purpose of the EIR
- 1.2 CEQA EIR Process

1.1 Purpose of the EIR

The East Bay Municipal Utility District (EBMUD), as the lead agency, has prepared this Draft Environmental Impact Report (EIR) for the Water Treatment and Transmission Improvements Program (WTTIP) in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The EIR is a public document for use by EBMUD, other governmental agencies and the public in identifying and evaluating the potential environmental consequences of a project, identifying mitigation measures to lessen or eliminate adverse impacts, and examining feasible alternatives to the project. The impact analyses in this report are based on a variety of sources; references for these sources are listed at the end of each technical section. The information contained in this EIR will be reviewed and considered by the EBMUD Board of Directors prior to the ultimate decision to approve, disapprove, or modify the proposed project.

1.2 CEQA EIR Process

1.2.1 Notice of Preparation and Scoping

In accordance with Sections 15063 and 15082 of the CEQA Guidelines, EBMUD prepared a Notice of Preparation (NOP) for this EIR. The NOP was circulated to local, state, and federal agencies on August 31, 2005. Comments were requested by October 7, 2005. In response to some of these comments, EBMUD clarified certain aspects of the project description and issued a Revised NOP on December 15, 2005; comments were requested by January 18, 2006. The NOP and Revised NOP provided a general description of the proposed action, a review of the sites being considered for proposed facilities, and a preliminary list of potential environmental impacts.

Throughout the EIR process to date, EBMUD has conducted six public and agency meetings to discuss the project and to solicit public input as to the scope and content of this EIR. In addition, Appendix A of this Draft EIR presents a description of public outreach efforts to date.

A variety of issues have been raised in response to the NOP and at community and agency meetings. Table 1-1 at the end of this chapter lists issues raised that pertain to the scope and content of this EIR and indicates the EIR section in which the issue is addressed.

1.2.2 Draft EIR

This Draft EIR will be available to local, state, and federal agencies and to interested organizations and individuals who may want to review and comment on the report. Notice of this Draft EIR will also be sent directly to every agency, person, or organization that commented on the NOP. The publication of the Draft EIR marks the beginning of a 60-day public review period. During the 60-day review period, written comments should be mailed or hand delivered to:

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1.2.3 Final EIR

Written and oral comments received on this Draft EIR will be addressed in a Response to Comments document which, together with this Draft EIR, will constitute the Final EIR. The Response to Comments document will also stipulate any changes to the Draft EIR resulting from public and agency input.

After the Final EIR has been completed, the EBMUD Board of Directors will then consider EIR certification at a regularly scheduled Board meeting. Upon EIR certification, EBMUD may proceed with project approval actions. CEQA requires that the lead agency neither approve nor implement a project unless the project's significant environmental effects have been reduced to less-than-significant levels, essentially "eliminating, avoiding, or substantially lessening" the expected impacts unless specific findings are made. If the lead agency approves the project despite residual significant adverse impacts that cannot be mitigated to less-than-significant levels, the agency must state the reasons for its action in writing. This Statement of Overriding Considerations must be included in the record of project approval.

1.2.4 Mitigation Monitoring and Reporting

State law requires lead agencies to adopt a mitigation monitoring and reporting program for those changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The CEQA Guidelines do not require that the specific reporting or monitoring program be included in the EIR. Throughout this EIR, however, proposed mitigation measures have been clearly identified and presented in language that will facilitate establishment of a monitoring program. All adopted measures will be included in a mitigation monitoring and reporting program to verify compliance.

**TABLE 1-1
SUMMARY OF ISSUES RAISED IN COMMUNITY AND AGENCY MEETINGS PERTAINING TO THE
SCOPE AND CONTENT OF THE WTTIP EIR^a**

Issue	Chapter or Section Addressing These Issues
Describe project purpose and need	2 Project Description
Concern regarding continued construction at Walnut Creek WTP (e.g., visual appearance, landscaping)	3.3 Visual Quality; 5 Cumulative Impacts
Differentiate between project- and program-level components	Tables 2-1 and 2-2 in 2 Project Description
Use graphics and aerial photo montages to make plans understandable	Maps following 2 Project Description; 3.3 Visual Quality
List project start dates, construction schedule	Tables 2-6 through 2-9; 5 Cumulative Impacts
Identify areas impacted, areas served by projects	2 Project Description; 3 Setting, Impacts, and Mitigation Measures; 5 Cumulative Impacts
Future facility staffing levels	Staffing increase at WTPs will be negligible, and there will be no regular staff at pumping plants or reservoirs
Clarify differences between alternatives	2 Project Description; 6 Alternatives
Discuss Lafayette WTP under Alternative 2	Section 2.5.1 (p. 2-57) in 2 Project Description
Describe tunnel construction, portals	Section 2.5.3 (p. 2-61) in 2 Project Description
Describe pumping plant structure design	Table 2-11 (p. 2-70), D maps for Happy Valley, Sunnyside and Tice Pumping Plants
Describe process for acquiring private property for project sites; use of eminent domain	The District would acquire property for project sites on a willing seller basis if possible. ^b
How do WTTIP projects address fireflow issues?	2 Project Description (pp. 2-23, 2-29, 2-73, 2-75, 2-84)
Describe pipeline construction, including how street will be repaved	Figure 2-9 (p. 2-38) in 2 Project Description; Measure 3.8-7 (p. 3.8-23) in Section 3.8
Explain WTP processes	Figures 2-3 and 2-7 in 2 Project Description
Disclose long-term plans and future projects timing	2 Project Description; Tables 2-6 through 2-9
Discuss reasons for implementing ozonation at Walnut Creek WTP; noise issues with ozone systems	Ozonation will not be implemented at the Walnut Creek WTP
Consider land use impacts from Orinda-Lafayette Aqueduct	3.2 Land Use and Planning, Recreation; 3.9 Air Quality; 3.10 Noise and Vibration
Land use compatibility of EBMUD facilities with single-family residential uses	3.2 Land Use and Planning, Recreation; 3.3 Visual Quality; 3.9 Air Quality; 3.10 Noise and Vibration
Impacts to residences, schools, and recreational facilities	3.2 Land Use and Planning, Recreation; 3.8 Traffic; 3.9 Air Quality; 3.10 Noise and Vibration
Visual impacts of proposed above-ground structures	3.3 Visual Quality
Visual impacts of tank projects; request burial of all tanks	Tanks would be partially buried, constructed within existing basins, and/or screened with existing and proposed landscaping and vegetation. See 3.3 Visual Quality and cross-section drawings in D Map series.
Tree removal	3.3 Visual Quality; 3.6 Biological Resources
Noise and lighting impacts from construction	3.3 Visual Quality; 3.10 Noise and Vibration
Regional geologic and seismic issues related to tunnel construction	3.4 Geology, Soils and Seismicity
Seismic safety issues relating to water storage facilities	3.4 Geology, Soils and Seismicity
Water quality impacts and impacts to storm drains	3.5 Hydrology and Water Quality
Potential flooding and debris flow impacts	3.5 Hydrology and Water Quality

TABLE 1-1 (Continued)
SUMMARY OF ISSUES RAISED IN COMMUNITY AND AGENCY MEETINGS PERTAINING TO THE
SCOPE AND CONTENT OF THE WTTIP EIR^a

Issue	Chapter or Section Addressing These Issues
Impacts to streams or wetlands	3.5 Hydrology and Water Quality; 3.6 Biological Resources
Impacts to open space/watershed areas	3.3 Visual Quality; 3.5 Hydrology and Water Quality; 3.6 Biological Resources
Impacts to vegetation, drainage, and wildlife habitat and threatened or endangered species	3.6 Biological Resources
Consider historical importance of Orinda WTP	3.7 Cultural Resources
Consider presence of archaeological resources	3.7 Cultural Resources
Access issues at Walnut Creek WTP due to construction vehicles; consideration of alternative routes	3.8 Traffic and Circulation; 6.10.1 Alternatives Involving the Water Treatment Plants
Traffic and parking impacts during construction	3.8 Traffic and Circulation
Traffic impacts on Camino Pablo	3.8 Traffic and Circulation; 5 Cumulative Impacts
Dust and emissions from construction	3.9 Air Quality
Noise from pumping plants and ozone facilities	3.10 Noise and Vibration
Impacts associated with blasting if used during tunnel construction	3.10 Noise and Vibration (p. 3.10-39)
Presence of chemicals or other hazardous materials	3.11 Hazards and Hazardous Materials
Gas and power utilities in the project vicinity	Table 3.12-4 (3.12-8) in 3.12 Public Services and Utilities
Cumulative and growth inducing impacts	4 Growth Inducement; 5 Cumulative Impacts
Discuss all Lamorinda Water System Improvements Program Facilities Plan alternatives	6.10.1 Alternatives Involving the Water Treatment Plants
Consider an alternative involving decommissioning the Orinda WTP	6.10.1 Alternatives Involving the Water Treatment Plants
Consider different alternatives including changes to facilities west of hills	6.10.1 Alternatives Involving the Water Treatment Plants
Is a new clearwell in the Sports Field at Orinda WTP project level under both alternatives or just Alternative 2?	Program-level under Alternative 1 and Alternative 2 (tunnel entry shaft at ballfields is project-level under Alternative 2)
Has there been consideration of an alternative under which San Pablo WTP is re-commissioned?	6.10.1 Alternatives Involving the Water Treatment Plants
Consider an alternative that would construct a new WTP near Briones/Bear Creek Road	6.10.1 Alternatives Involving the Water Treatment Plants
Alternative timing of construction at Walnut Creek WTP to reduce cumulative impacts	Not considered due to current problems in the Leland Pressure Zone (see p. 2-47)
Construct alternative site for pumping plant now planned for Walnut Creek WTP	6.10.1 Alternatives Involving the Water Treatment Plants
Post-construction impacts of new facilities (noise, traffic)	3 Setting, Impacts and Mitigation Measures
Access for emergency vehicles during construction	Impact 3.8-5, 3.8 Traffic and Circulation
Alternative access routes for New Leland Reservoir	2.6.13 Other Program-Level Improvements
Provide detailed information about all WTTIP projects	2 Project Description
Provide parcel information for all WTTIP project sites and include specific design information	D Maps

TABLE 1-1 (Continued)
SUMMARY OF ISSUES RAISED IN COMMUNITY AND AGENCY MEETINGS PERTAINING TO THE
SCOPE AND CONTENT OF THE WTTIP EIR^a

Issue	Chapter or Section Addressing These Issues
A land use permit may be required from City of Lafayette	Table 2-13 lists permits required for WTTIP projects
Impacts to views from Highway 24 due to the project at Lafayette WTP	3.3 Visual Quality (see simulations in Figures 3.3-LWTP-5 and 3.3-LWTP-6 following Section 3.3)
Visual impacts of construction to surrounding community	3.3 Visual Quality
Request 3D rendering of changes at Walnut Creek WTP	3.3 Visual Quality presents simulations of proposed facilities at the Walnut Creek WTP
Request aesthetic improvements to front gate and fencing at Walnut Creek WTP	Not proposed as part of the WTTIP
An application must be filed for any alteration or removal of dams and reservoirs currently under state jurisdiction – Leland Dam and Reservoir and Moraga Dam and Reservoir	3.4 Geology, Soils, and Seismicity
Drainage issues associated with project construction	3.5 Hydrology and Water Quality
Potential fill impacts	3.5 Hydrology and Water Quality; 3.6 Biological Resources
Protect beneficial uses of waterways	3.5 Hydrology and Water Quality; 3.6 Biological Resources
Increased stormwater runoff due to increase in impervious surfaces	3.5 Hydrology and Water Quality (p. 3.5-41)
Stormwater management during construction	3.5 Hydrology and Water Quality (p. 3.5-14)
Contaminated water from dewatering	3.5 Hydrology and Water Quality (p. 3.5-32)
Cumulative and indirect wetland impacts	3.6 Biological Resources; 5 Cumulative Impacts
Request sidewalks on Larkey Lane adjacent to Walnut Creek WTP	Not proposed as part of the WTTIP
Impacts from vehicles used for ongoing maintenance of new facilities	3.8 Traffic and Circulation
Include information on potential traffic impacts including trip generation, distribution, and assignment	3.8 Traffic and Circulation
Include average daily traffic and peak hour volume information for significantly affected roadways	Table 3.8-1 (p. 3.8-3), 3.8 Traffic and Circulation
Include schematics for existing, existing plus project, and cumulative traffic conditions	3.8 Traffic and Circulation and 5, Cumulative Impacts discuss existing, existing plus project, and cumulative traffic conditions
Long-term traffic impacts to roadways from WTTIP projects	3.8 Traffic and Circulation
Potential impacts to State Highway facilities	3.8 Traffic and Circulation
Consider highway and non-highway improvements and services in mitigation measures	3.8 Traffic and Circulation
Discussion of mitigation measures should include financing, scheduling, implementation responsibilities, and lead agency monitoring	The Mitigation Monitoring and Reporting Programs for WTTIP projects will include scheduling, implementation responsibilities, and lead agency monitoring activities
Noise associated with operations at the southeast portion of the Lafayette WTP	3.10 Noise
Noise associated with pumping plant operations	Impact 3.10-4 (p. 3.10-40), 3.10 Noise
Existing and estimated with project wind readings at Walnut Creek WTP	3.9 Air Quality describes general meteorological conditions
Potential leaks associated with ozonation systems	3.9 Air Quality (p. 3.9-32)

TABLE 1-1 (Continued)
SUMMARY OF ISSUES RAISED IN COMMUNITY AND AGENCY MEETINGS PERTAINING TO THE
SCOPE AND CONTENT OF THE WTTIP EIR^a

Issue	Chapter or Section Addressing These Issues
Would EBMUD need to acquire new easements for Orinda-Lafayette Tunnel/Pipeline?	Yes. See Appendix C.
If Lafayette WTP is decommissioned, what would happen to it?	The District would retain the Lafayette WTP. The plant would retain some disinfection and water transmission functions (see p. 2-57).
Alternatives to the Happy Valley Pumping Plant.	6 Alternatives (pp. 6-33 and 6-61)
EIR should include purpose of each component; be specific about the need for the Walnut Creek WTP.	Section 2.2 in 2 Project Description (p. 2-47)
How can you analyze something that won't happen for years?	See Section 3.1 regarding requirements for additional CEQA evaluation.
New Leland Pressure Zone Reservoir: Rudgear Drive access road is narrow and windy. Concern for traffic safety due to trucks.	2.6.13 Other Program-Level Improvements describes alternative access routes under consideration. Detailed evaluation of the New Leland Pressure Zone Reservoir will occur in a subsequent CEQA document.

^a Sources include written responses to the NOP and oral comments made at public meetings held for the proposed project.

^b EBMUD would compensate property owners for easement or property acquisition. The acquisition of property or easements *per se* would not cause a physical environmental impact. The physical environmental impacts of constructing proposed WTTIP projects are evaluated in this EIR.