



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

Notice of Time Change

PLANNING COMMITTEE

Tuesday, June 11, 2024

9:00 a.m.

Boardroom

375 11th Street

Oakland, CA 94607

Notice is hereby given that the Tuesday, June 11, 2024 Planning Committee meeting of the Board of Directors has been rescheduled from 9:15 a.m. to 9:00 a.m. The meeting will be held in the Administration Building Boardroom at 375 11th Street, Oakland, California.

Dated: June 6, 2024



Rischa S. Cole

Secretary of the District

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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Planning Committee
Tuesday, June 11, 2024
9:00 a.m.
Boardroom
375 11th Street
Oakland, CA 94607**

*Director April Chan will participate via teleconference
from the Anaheim Marriott
700 W Convention Way, Anaheim, CA 92802
Gold Key Room 3*

***** Please see appendix for public participation instructions*****

Committee Members: Marguerite Young {Chair}, April Chan and Doug A. Linney

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. Wastewater Control Ordinance Changes (Mutsuddy)
2. Walnut Creek Water Treatment Plant Pretreatment Project Update and Final Environmental Impact Report (Yoloye)

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.



APPENDIX

Planning Committee Meeting

*EBMUD Board committee meetings will be conducted in person and via Zoom.
These meetings are recorded and live-streamed.*

Online*

<https://ebmud.zoom.us/j/94576194030?pwd=dWZlc3hNU3JNUVBQYmNKWjJSNVZQdz09>

Webinar ID: 945 7619 4030

Passcode: 925293

By Phone

Telephone: 1 669 900 6833

Webinar ID: 945 7619 4030

Passcode: 925293

International numbers available: <https://ebmud.zoom.us/u/kdmpbwlg2>

*To familiarize yourself with Zoom, please visit <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

Providing public comment - *The EBMUD 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.*

- Each speaker is allotted 3 minutes to speak; the Committee Chair has the discretion to amend this time based on the number of speakers
- The Secretary will track time and inform each speaker when the allotted time has concluded
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- The Secretary will call each speaker in the order received

In person

- Fill out and submit a blue speaker card which is available in the meeting room

Via Zoom

- Use the raise hand feature in Zoom to indicate you wish to make a public comment
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
 - If you participate by phone, press *9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic

Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com
- Please indicate the meeting date and agenda item number or non-agenda item topic in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.

To observe the Planning Committee Meeting,
please visit: <https://www.ebmud.com/about-us/board-directors/board-meetings/>

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: June 6, 2024

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager *CCC*

FROM: Amit K. Mutsuddy, Director of Wastewater *AM*

SUBJECT: Wastewater Control Ordinance Changes

SUMMARY

The Wastewater Control Ordinance (Ordinance) establishes regulations for the collection, treatment, and disposal of wastewater and industrial wastes within the District's Special District Number One (SD-1) service area. The Ordinance includes general prohibitions and specific numeric limits, known as "local limits", for discharges to the collection system. The Ordinance was last amended in 2013. The District, with approval from the San Francisco Bay Regional Water Quality Control Board (Regional Board), is recommending changes to the local limits based on the findings from a 2023 local limits review. Additionally, changes are recommended to improve clarity, update terminology, and control introduction of non-wastewater materials. The recommended changes to the Ordinance will be presented at the June 11, 2024, Planning Committee meeting.

DISCUSSION

The Ordinance provides the authority for the District to operate its Pretreatment Program as required by federal regulations and specified in the National Pollutant Discharge Elimination System (NPDES) permit for the Main Wastewater Treatment Plant (MWWTP). The Ordinance includes general and specific prohibitions on the discharge of wastewater, permit terms and requirements, administrative authority, enforcement procedures and penalties, and terms related specifically to trucked-in wastes as part of the Resource Recovery Program. The U.S. Environmental Protection Agency (US EPA) and the Regional Board conduct periodic audits of pretreatment programs. The most recent audit identified several minor modifications to the Ordinance, which are included in the proposed changes.

The changes will enhance the District's ability to effectively control pollutants at their source to protect treatment staff, maintain treatment processes, and prevent contaminants from being discharged to the San Francisco Bay. The changes will also ensure the District continues to operate within the federal pretreatment program requirements and maintains its ability to effectively enforce the provisions of the Ordinance.

Local Limits

The local limits, first established in 1971, specify maximum concentrations for constituents of concern (e.g., toxic metals, pH, oil and grease, and chlorinated hydrocarbons). The local limits remained unchanged until 1990, when the limit for oil and grease was reduced. The MWWTP NPDES permit requires the District to conduct a local limits review every five years to ensure the local limits remain protective. The most recent review, completed in 2023, identified changes to improve clarity and enhance control of discharges. One change is to replace the limit on total identifiable chlorinated hydrocarbons, which is a grouping of chemicals more widely used in the 1970s, with a limit for total toxic organics (TTO), a better-defined category of chemicals more commonly used today. The proposed TTO limit consists of a defined list of constituents, which includes the toxic organics of concern. This grouping of chemicals is also defined in the federal pretreatment regulations.

The other proposed change would define the oil and grease limit of 100 milligrams per liter (mg/L) to pertain to only oil and grease of mineral origin and add a new limit of 300 mg/L for oil and grease from animal or vegetable sources, which are considered more biodegradable and less toxic. These changes would make the District's local limits consistent with other agencies and provide a better tool to control the type of oil and grease that leads to blockages in the sewer system and can exacerbate corrosive conditions in the interceptors.

In fall 2023, the District initiated a public comment period, published notifications of proposed changes to the Ordinance in local newspapers, and sent letters to the Regional Board and permitted industrial users. No objections were raised during the comment period. On March 28, 2024, the Regional Board approved the proposed changes and advised the District to proceed with modifying its Ordinance.

Permits

The District issues permits to certain commercial and industrial customers per federal regulations, such as metal plating facilities. In addition, the District issues permits to businesses that use materials that could harm the treatment process, collection system, or evade treatment. The District also issues permits for discharges of unmetered water (e.g., groundwater dewatering) for short-durations and ongoing projects. Requirements in these permits and the onsite inspections conducted by District staff ensure protection of the treatment plant and the environment and enable cost recovery. The proposed modifications to the Ordinance would provide increased clarity and specificity on the types of users that are required to obtain a permit, and which permit would be issued, resulting in more transparency for District customers.

Prohibitions Related to Stormwater and Dumping

The Ordinance already prohibits the discharge of stormwater or groundwater without approval by the District. The proposed modifications clarify when and how water that may otherwise be discharged to a storm drain or receiving waters may be discharged to the sanitary sewer. In

addition, the Ordinance stipulates that garbage may not be discharged to the sewer system. Proposed modifications will further state that waste may not be discharged to any maintenance holes in the sewer system, including interceptor maintenance holes.

Administration and Enforcement

The Ordinance specifies how the District enforces its requirements, including issuing enforcement orders, administrative civil liability, and criminal penalties. The proposed modifications would update the appeal procedures for enforcement orders. Specifically, the proposed modifications would provide more detailed requirements for submitting a written request for reconsideration of an enforcement order, add an additional layer of review by a manager designated by the Director of Wastewater, and clarify the circumstances in which a hearing may be held before the Director of Wastewater.

Additional Modifications

Various other minor modifications are proposed to clarify the language and intent of the Ordinance. For example, the term “side sewer” would be replaced with the more commonly used “sewer lateral” to describe the privately-owned pipe that conveys sewage from the structure to the community sewer. Additionally, changes were made to the section regarding permitted industries to clarify the application process, permit contents, and permit requirements based on feedback from the 2019 US EPA/Regional Board Audit.

NEXT STEPS

Staff will incorporate feedback from the Planning Committee and present the changes for the first reading of the Ordinance at the July 9, 2024 Board meeting, and the second reading thereafter. Once adopted, staff will notify the Regional Board and incorporate the changes to the local limits into all existing and new wastewater discharge permits. The changes will also be deemed incorporated into the NPDES permit for the MWWTP.


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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: June 6, 2024

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Olujimi O. Yoloje, Director of Engineering and Construction 

SUBJECT: Walnut Creek Water Treatment Plant Pretreatment Project Update and Final Environmental Impact Report

SUMMARY

The Walnut Creek Water Treatment Plant (WTP) Pretreatment Project (Project) will add pretreatment and ozone facilities at the Walnut Creek WTP to reliably treat a broader range of untreated water quality from various sources, increase the capacity to meet planned future demands, improve water system reliability and operational flexibility, and allow for the decommissioning of the aging Lafayette WTP. A Draft Environmental Impact Report (EIR), as required under the California Environmental Quality Act (CEQA), was prepared for the Project and released on September 28, 2023. The Final EIR was made available on May 30, 2024. This memo provides an update on the Project, including an overview of the public outreach process and comments received on the Draft EIR. Staff will provide a presentation at the June 11, 2024, Planning Committee meeting and request certification of the Final EIR and approval of the Project at the June 11, 2024 Board meeting.

DISCUSSION

Project Purpose and Description

The Project includes improvements at the Walnut Creek and Lafayette WTPs to support pretreatment and ozone facilities at the Walnut Creek WTP. The Walnut Creek WTP, located on an approximately 50-acre site in the City of Walnut Creek, is bounded by Alfred Avenue to the east, the Briones to Mt. Diablo Regional Trail to the north, and Acalanes Ridge Open Space to the south and west (see Figure 1). The Lafayette WTP, an approximately 24-acre site located in the City of Lafayette, is bounded by Mt. Diablo Boulevard to the south and west, Temple Isaiah to the east, and State Route 24 to the north (see Figure 2).

The Walnut Creek WTP serves approximately 225,000 customers in the District's East-of-Hills service area, which includes portions of Pleasant Hill and Walnut Creek, Alamo, Lafayette, Danville, Blackhawk, and San Ramon Valley communities. The Walnut Creek WTP primarily treats water from Pardee Reservoir and water stored locally in Briones Reservoir. The Walnut Creek WTP lacks pretreatment and ozone facilities that limit its ability to treat water from the Sacramento River or other

water transfers via the Freeport facility and from neighboring water agencies via interties during planned and unplanned outages, and during droughts.

The Project would add pretreatment facilities to the Walnut Creek WTP to reliably treat a broader range of Pardee and Briones Reservoir water impacted by high rainfall runoff, wildfires, algal blooms, climate change, and emerging contaminants; improve the ability to treat supplemental supplies from Freeport or the interties during planned and unplanned outages and during future droughts; and improve treated water taste and odor by removing organics and adding ozone treatment. The Project would increase the Walnut Creek WTP reliable capacity to meet planned future demands, improve water system reliability and operational flexibility, and allow for the potential decommissioning of the Lafayette WTP.

The Project includes construction of staging areas, removal of vegetation/trees; grading; construction of new pretreatment and ozone facilities, a consolidated maintenance building, buried pipelines, outdoor lighting, stormwater facilities, security fencing, retaining walls, paving, and redirected social footpaths; demolition of existing facilities and maintenance facilities; and site restoration, including new trees at the Walnut Creek WTP (see Figure 3). The Project also includes removal of vegetation/trees; grading; construction of new weir structures, buried pipelines, retaining walls and paving; demolition of an existing weir structure; and site restoration, including new trees, at the Lafayette WTP (see Figure 4).

The Project will be designed and constructed in two phases. Phase 1 improvements are scheduled to be constructed from 2027 to 2030; the construction of Phase 2 improvements would depend on future untreated water quality conditions and the timing of future demands.

Draft EIR Analysis and Mitigation Measures

The Draft EIR analysis concluded that there are potential impacts from construction noise that may exceed the City of Walnut Creek's nighttime (i.e., early morning) noise standards during extended work hours for days for concrete pours when ambient noise levels from haul truck traffic would be in excess of applicable standards along San Luis Road. Based on the duration of the concrete pours, noise levels would exceed the City of Walnut Creek's noise standard for approximately 40 days during Phase 1 construction and 15 days during Phase 2 construction. The noise impacts are significant and unavoidable and 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 mitigation. Key mitigation measures include:

- Requiring that the Project Noise Control and Monitoring Plan include sound barriers and planting of shrubs at specific sites and staging areas within the Walnut Creek WTP property to reduce on-site construction noise.
- Restricting soil and demolition off-haul and large equipment delivery trucks to the hours of 9:00 a.m. to 3:30 p.m. to and from the Walnut Creek WTP.
- Requiring radar speed feedback signs on Larkey Lane and San Luis Road for the entire Project duration to deter speeding by heavy construction vehicles.
- Requiring video documentation of pavement conditions along the haul route within the City of Walnut Creek pre- and post-construction.

- Providing traffic control flaggers on extended workdays with concrete pours and soil off-hauling at the intersections of Larkey Lane with Alvarado Avenue and San Luis Road during school start and dismissal times, including contractor coordination with local elementary schools.

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

Public Outreach

The Draft EIR was completed and circulated for a 45-day public review period from September 29 to November 13, 2023. Notices of Availability were sent to approximately 750 residents and 63 agencies and special interest stakeholders; posted at local park trailheads, the Contra Costa County Clerk Office, District's Administration Offices, and on Nextdoor; published in the East Bay Times Newspaper; emailed to all customers and residents registered in the District's Customer Management System in the cities of Lafayette and Walnut Creek totaling over 16,000; and provided two hard copies of the Draft EIR at two local libraries. Staff held a public meeting on October 19, 2023 to present findings of the Draft EIR and receive public comments. The District received 12 comment letters and emails containing 65 individual comments from the Contra Costa County Flood Control and Water Conservation District, East Bay Regional Park District, and Walnut Creek residents. In addition, staff recorded 21 verbal comments during the public meetings. After completion of the 45-day Draft EIR public review comment period, seven follow up meetings were held with the neighbors to clarify their comments and concerns prior to addressing them in the Final EIR. Key comments focused on construction-related traffic, noise, dust, air quality, parking, and staging area activities; temporary sound barriers; potential impacts of construction traffic crossing the East Bay Regional Park District trail; long-term operational traffic; chemical safety; seismic safety; wildfire potential; emergency evacuation; the visibility of new facilities from the Briones to Mt. Diablo Regional Trail; and Project alternatives. All comments are addressed in the Final EIR.

In addition to the public meetings held during and after the Draft EIR public review period, outreach meetings with staff from the City of Walnut Creek, City of Lafayette, East Bay Regional Park District, Temple Isaiah, Contra Costa Christian School, and Buena Vista Elementary School were held throughout 2021 and 2023. A community outreach and scoping meeting was held in March 2022 to present the conceptual site and landscape plans, discuss the potential environmental factors to be addressed in the Draft EIR, and receive community feedback. Issues and concerns raised by city and agency staff and the community at these meetings included construction-related traffic, noise, dust, air quality, parking, staging area activities, and temporary sound barriers; potential impacts of trucks crossing the East Bay Regional Park District trail; long-term operational traffic; chemical safety; seismic safety; wildfire potential; emergency evacuation; and the visibility of new facilities from the Briones to Mt. Diablo Regional Trail and are addressed in the Final EIR.

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 Board will consider certifying the Final EIR and approving the Project at its June 11, 2024 meeting. If the Board approves the Final EIR, design will occur from 2024 through 2026, followed by Phase 1 construction from 2027 through approximately 2030. Design and construction of Phase 2 would depend on future untreated water quality conditions and the timing of future demands.

CCC:OOY:djr

Attachments: Figure 1 – Walnut Creek WTP Project Location
Figure 2 – Lafayette WTP Project Location
Figure 3 – Walnut Creek WTP Site Plan
Figure 4 – Lafayette WTP Site Plan

Figure 1: Walnut Creek WTP Project Location

WALNUT CREEK WATER TREATMENT PLANT PRETREATMENT PROJECT WALNUT CREEK, CA

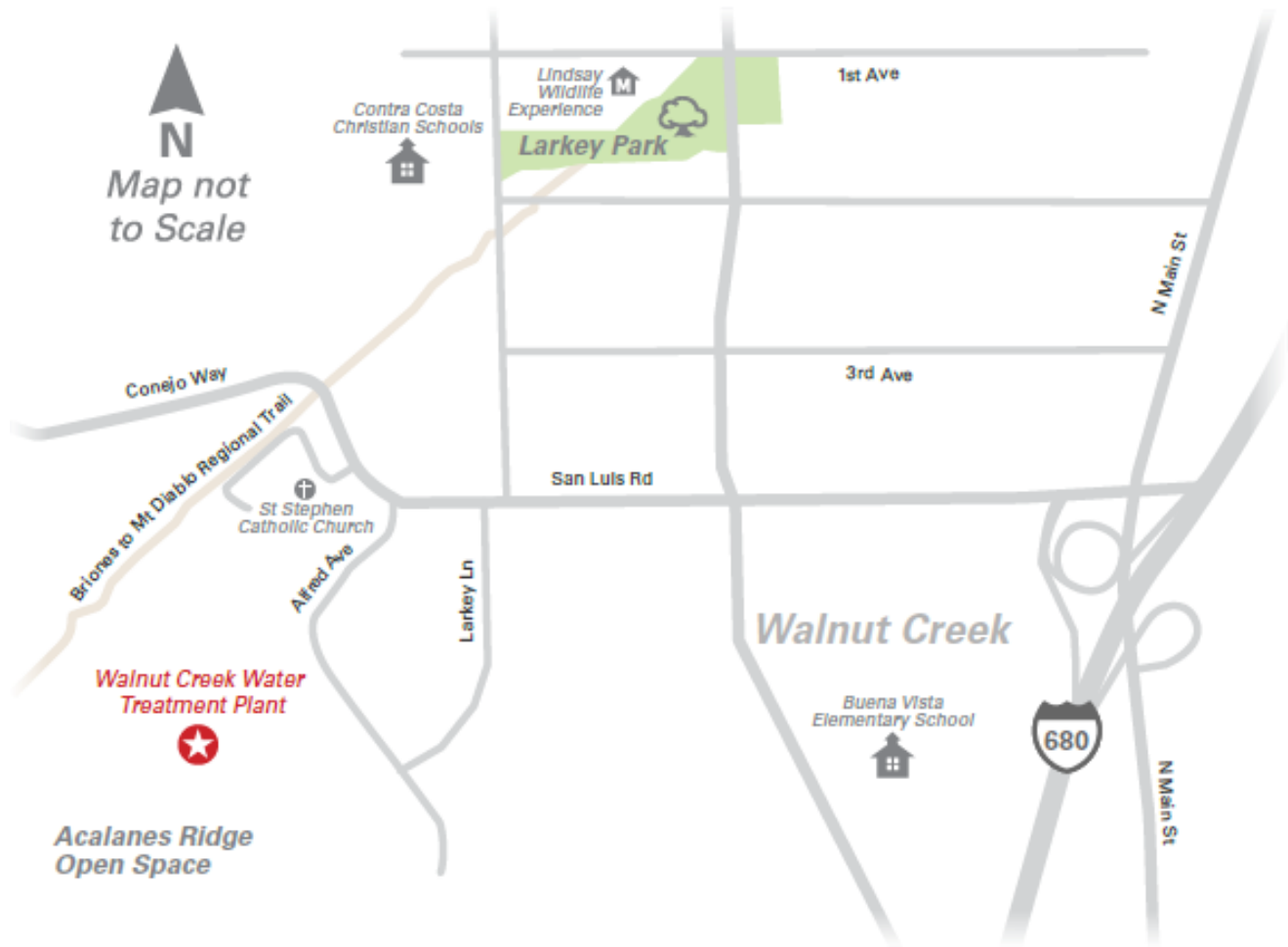


Figure 2: Lafayette WTP Project Location

WALNUT CREEK WATER TREATMENT
PLANT (WTP) PRETREATMENT PROJECT:
LAFAYETTE WTP MODIFICATIONS
LAFAYETTE, CA

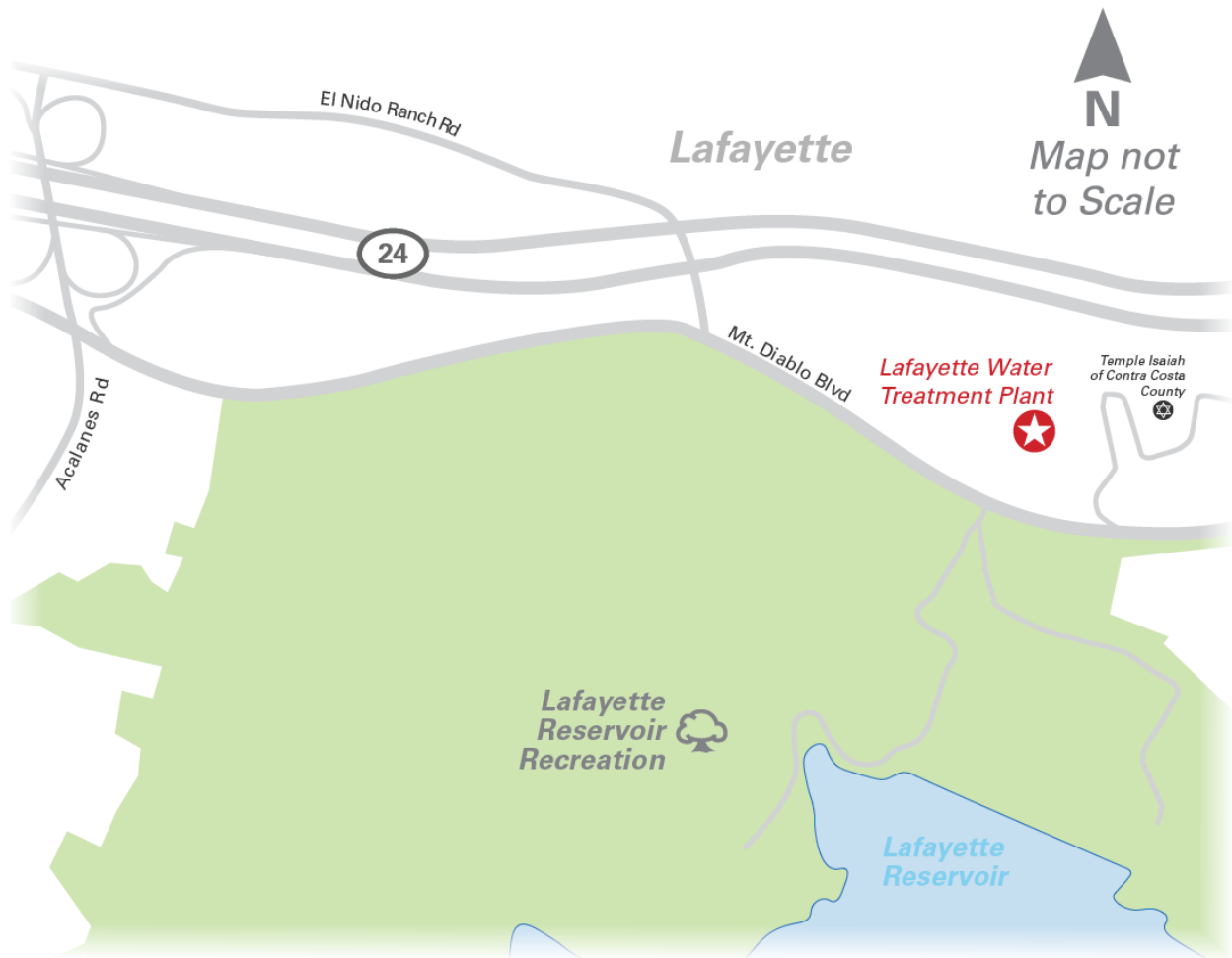
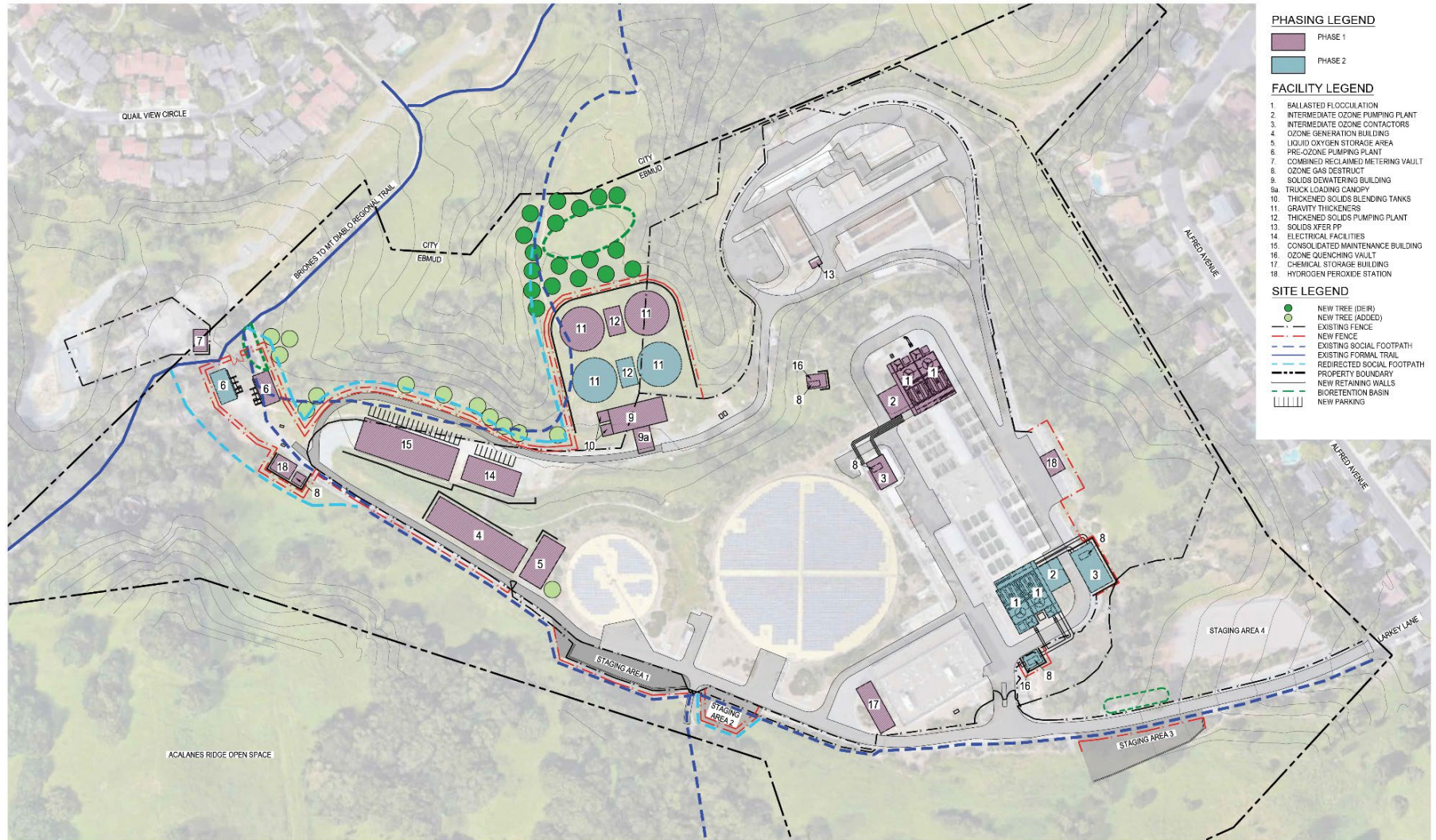


Figure 3: Walnut Creek WTP Site Plan

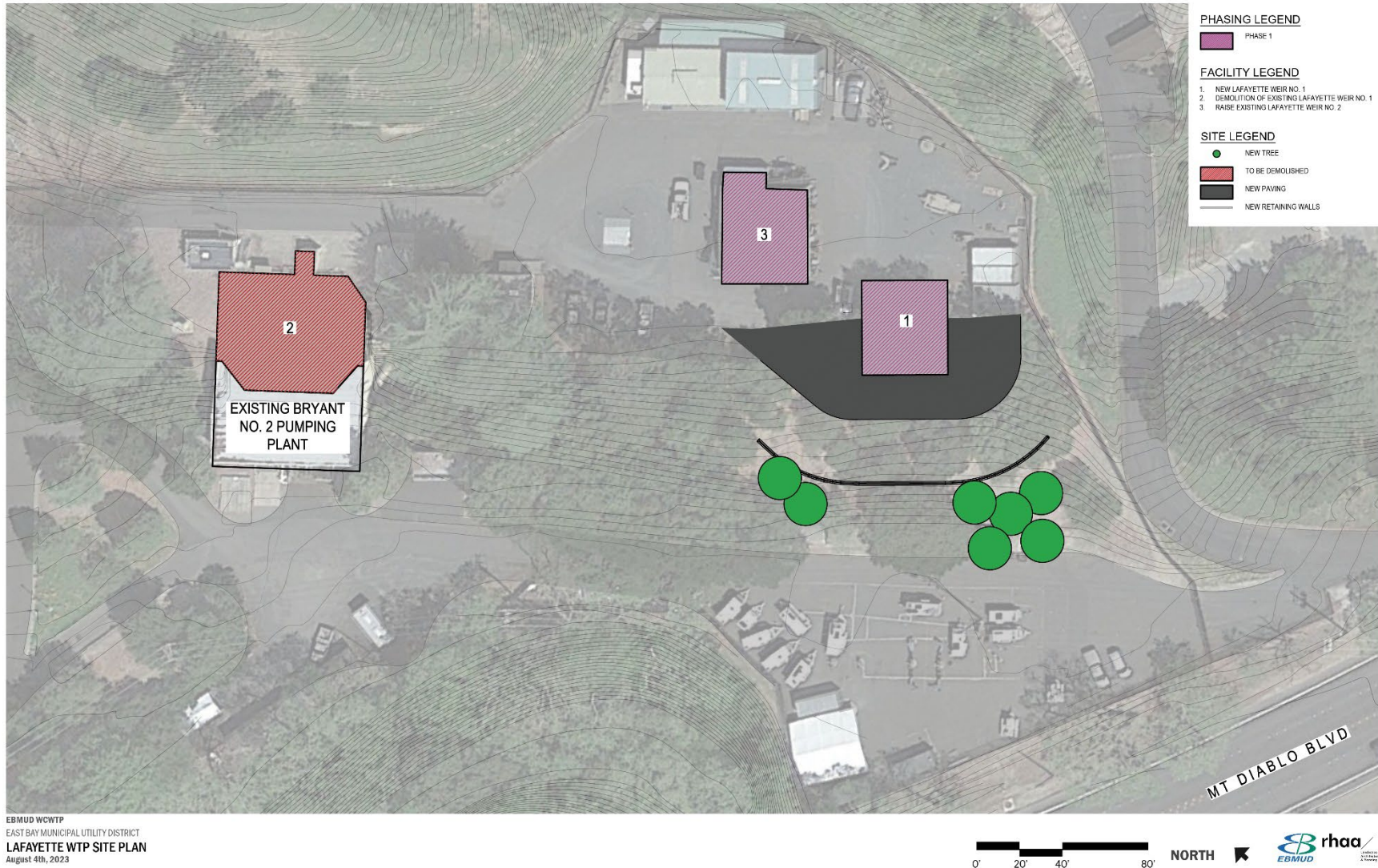


- PHASING LEGEND**
- PHASE 1
 - PHASE 2
- FACILITY LEGEND**
1. BALLASTED FLOCCULATION
 2. INTERMEDIATE OZONE PUMPING PLANT
 3. INTERMEDIATE OZONE CONTACTORS
 4. OZONE GENERATION BUILDING
 5. LIQUID OXYGEN STORAGE AREA
 6. PRE-OZONE PUMPING PLANT
 7. COMBINED RECLAIMED METERING VAULT
 8. OZONE GAS DESTRUCT
 9. SOLIDS DEWATERING BUILDING
 - 9a. TRUCK LOADING CANOPY
 10. THICKENED SOLIDS BLENDING TANKS
 11. GRAVITY THICKENERS
 12. THICKENED SOLIDS PUMPING PLANT
 13. SOLIDS XFER PP
 14. ELECTRICAL FACILITIES
 15. CONSOLIDATED MAINTENANCE BUILDING
 16. OZONE QUENCHING VAULT
 17. CHEMICAL STORAGE BUILDING
 18. HYDROGEN PEROXIDE STATION
- SITE LEGEND**
- NEW TREE (DEIR)
 - NEW TREE (ADDED)
 - EXISTING FENCE
 - NEW FENCE
 - EXISTING SOCIAL FOOTPATH
 - EXISTING FORMAL TRAIL
 - REDIRECTED SOCIAL FOOTPATH
 - PROPERTY BOUNDARY
 - NEW RETAINING WALLS
 - BIORETENTION BASIN
 - NEW PARKING

EBMUD WCWTP
 EAST BAY MUNICIPAL UTILITY DISTRICT
 WCWTP SITE PLAN
 April 12th, 2024



Figure 4: Lafayette WTP Site Plan



EBMUD WCWTP
 EAST BAY MUNICIPAL UTILITY DISTRICT
LAFAYETTE WTP SITE PLAN
 August 4th, 2023