

## 2. Comments and Responses

# 2.1 Master Responses



## 2.1.1 Master Response on Program- and Project-Level Distinctions

Commenters raised questions about the program/project level distinctions in EBMUD’s Water Treatment and Transmission Improvements Program (WTTIP). This Master Response focuses on issues concerning the adequacy of the program-level analysis and appropriateness of the program-versus project-level analytic approach raised in comments on the DEIR and the project, and responds to all or part of the following comments:

ORIN-19	ORIN-22	WC-6	AS-1	RCW-8
ORIN-20	ORIN-23	WC-7	CB-1	
ORIN-21	WC-5	DJB-1	BM-5	

The WTTIP EIR serves as both a program and a project EIR for the WTTIP, which is proposed upgrades to the water treatment and transmission system encompassing different elements throughout a large section of EBMUD’s service area. (DEIR Sections S.3.1, 2.13, and 3.1.4.) As a *program* EIR, the WTTIP EIR evaluates, to the extent feasible, the environmental impacts of certain improvements that will be carried out in pursuit of common objectives. (See CEQA Guidelines §15168.) Until it is known whether or how EBMUD will proceed with these elements, project-level review is inappropriate and would be speculative. This is the reason they are discussed programmatically. These elements will undergo additional environmental review when they are ready for implementation. (See DEIR Sections S.3.1, S.6, 2.7, 3.1.4.) The advantage of this approach is to allow earlier and more comprehensive evaluation of all elements of the WTTIP, even though the implementation of some elements may depend upon a number of factors which cannot be estimated with certainty at this time. As a *project* EIR, the WTTIP EIR evaluates at a greater level of detail the environmental impacts of those elements of the WTTIP for which implementation is presently being considered and for which EBMUD anticipates that no further environmental document will be required under CEQA, following certification of the WTTIP EIR by the EBMUD Board of Directors. (See DEIR Sections S.3.1, S.6, and 3.1.4.)

By including the program-level elements along with the project-level elements in the WTTIP EIR, EBMUD has provided the public and the EBMUD Board of Directors with an opportunity to review and consider the reasonably foreseeable environmental impacts of the WTTIP as a whole, prior to Board decisions on any portion of the program. In doing so, EBMUD is fulfilling two important goals of the CEQA process: (1) providing for environmental review and long-range planning disclosure at the earliest feasible time, and (2) avoiding “piecemeal” review that could underestimate the environmental impacts of a project as large, and complex as the WTTIP. EBMUD is also identifying issues of concern to agencies and other interested persons early in the review process to help scope subsequent environmental documentation on program-level elements. This is consistent with CEQA Guidelines §15168 which allows for lead agency to prepare a program EIR on a series or group of actions that are carried out in this manner.

EBMUD’s intent is to present to the public, as early in the planning process as possible, a comprehensive understanding of how the individual system improvements that may be necessary

in their areas fit into EBMUD's water treatment, storage, and distribution operations. This is consistent with both the spirit and letter of CEQA, which calls for EIRs to "be prepared as early as feasible in the planning process" to consider the "whole of the action," and to provide a "good faith effort at full disclosure." (See CEQA Guidelines §§15004(b), 15003(h)-(i)).

As noted above and at the public meetings, the improvements discussed at a program level will not be implemented by EBMUD without further environmental review under CEQA once a determination regarding implementation of these improvements is made and the resulting design is known. The WTTIP EIR is therefore properly a program EIR from which EBMUD will "tier" its later environmental review of specific activities that may be implemented as part of the WTTIP, if certain factors are present in the future. (See DEIR Section S.3.1.)

Some comments have raised concerns that the activities evaluated at a program level in the DEIR are not "programs" within the meaning of the CEQA Guidelines. It is important to distinguish the overall program addressed in the DEIR—improving the EBMUD water treatment and transmission system—from the individual improvement elements that are discussed at a programmatic level. The program-level elements are just that: elements of the WTTIP discussed at a programmatic level. The WTTIP resulted from earlier studies and plans<sup>1</sup> to address water treatment, transmission and storage needs, primarily in the Walnut Creek/Lamorinda area. In this case, the actions discussed at a programmatic level in the EIR are part of a series of actions that can be characterized as one large project and, overall, are parts of a chain of contemplated actions that will result in improvements to the EBMUD system for treating and delivering water. The WTTIP is quite large (involving actions at 5 water treatment plants and 19 related actions), and the elements involved are related improvements to EBMUD's drinking water transmission and distribution system. (DEIR at §§ S.2, S.3, 2.2, 2.7.) The use of the term "program" in relation to certain elements is not being invoked as an excuse for less detailed analysis of projects, but rather is part of EBMUD's effort to provide its customers, other members of the public, and EBMUD's Board as comprehensive a view as possible of the water system, necessary improvements and ways of implementing those improvements over an extended period of time.

The WTTIP EIR is consistent with the tiering principles in CEQA. It also follows an approach that has been used for other complex water projects to accommodate the unique nature of these projects. In this document, EBMUD has analyzed the environmental impacts of the treatment and transmission system improvements, including the elements discussed at a programmatic level, with as much specificity as is feasible – that is, to the extent such impacts are reasonably foreseeable and non-speculative at this time. Mitigation measures for such impacts are also included where appropriate and feasible at this stage. With respect to the program-level elements, this analysis may be found in the DEIR on the following pages:

- Pp. 2-40, 2-44 through 47, 2-50, 2-61, 2-85 through 87 (describing activities);
- Pp. 3.2-19 through 22 (analysis and mitigation of land use impacts);

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<sup>1</sup> The projects were originally identified as part of EBMUD water facilities planning efforts, namely the Water Treatment and Transmission Master Plan, Lamorinda Water System Improvements Program Facilities Plan, and the pressure zone planning studies for the Walnut Creek/Lamorinda area. See DEIR pp. 2-89 and 2-90 for full references.

- Pp. 3.3-48 through 50 (analysis and mitigation of visual quality impacts);
- Pp. 3.4-33 through 36 (analysis and mitigation of geology, soils, and seismicity impacts);
- Pp. 3.5-46 through 51 (analysis and mitigation of hydrology and water quality impacts);
- Pp. 3.6-70 through 79 (analysis and mitigation of biological resource impacts);
- Pp. 3.7-32 through 35 (analysis and mitigation of cultural resource impacts);
- Pp. 3.8-23 through 26 (analysis and mitigation of traffic and circulation impacts);
- Pp. 3.9-33 through 35 (analysis and mitigation of air quality impacts);
- Pp. 3.10-51 through 56 (analysis and mitigation of noise and vibration impacts);
- Pp. 3.11-38 through 41 (analysis and mitigation of hazards and hazardous materials impacts);
- Pp. 3.12-21 through 22 (analysis and mitigation of public services and utilities impacts);
- Chapter 4 (growth-inducement potential and secondary effects of WTTIP project, including all program-level elements);
- Chapter 5 (cumulative impacts of WTTIP project, including all program-level elements).

For all of the elements discussed at a programmatic level, the WTTIP EIR is not the final environmental document. Additional environmental review by EBMUD, as well as approval by the EBMUD Board, will take place prior to issuance of any design and/or construction contracts for program-level WTTIP elements (see DEIR Section 2.7). At the time of this subsequent environmental review, EBMUD will undertake a more specific and detailed analysis of impacts, in compliance with CEQA. (DEIR Sections S.3.1, S.6, 2.7, 3.1.2, 3.1.4.).

## 2.1.2 Master Response on Benefits to Orinda

Based on the presence of Orinda WTP and the improvements proposed to the plant, numerous comments questioned the extent to which the City of Orinda will benefit from implementation of the WTTIP as a whole, and in particular with respect to specific projects proposed within Orinda. This responds to all or part of the following comments:

ORIN-2	ORIN-3	ORIN-6	ORIN-9	ORIN-119	AS-2
AS-3	BM-3	BV-1	BW1-7	BW1-17	CA-13
CB-2	CB-3	DJB-2	DJB-10	DS-2	DS-10
KLLJS-2	RCW-4	RCW-9	RJ-2	VC-3	VEEC-3

This response addresses the following:

- General Benefits Associated with the WTTIP
- Benefits to Orinda from the Orinda WTP
- Benefits to Orinda from the Ardith Reservoir
- Benefits to Orinda from Improvements to the Donald Pumping Plant
- Benefits to Orinda from WTTIP Projects Located Outside the City of Orinda

Regarding the Happy Valley Pumping Plant, please refer to Section 2.1.4, Master Response on the Need for and Alternatives to the Happy Valley Pumping Plant.

### General Benefits Associated with the WTTIP

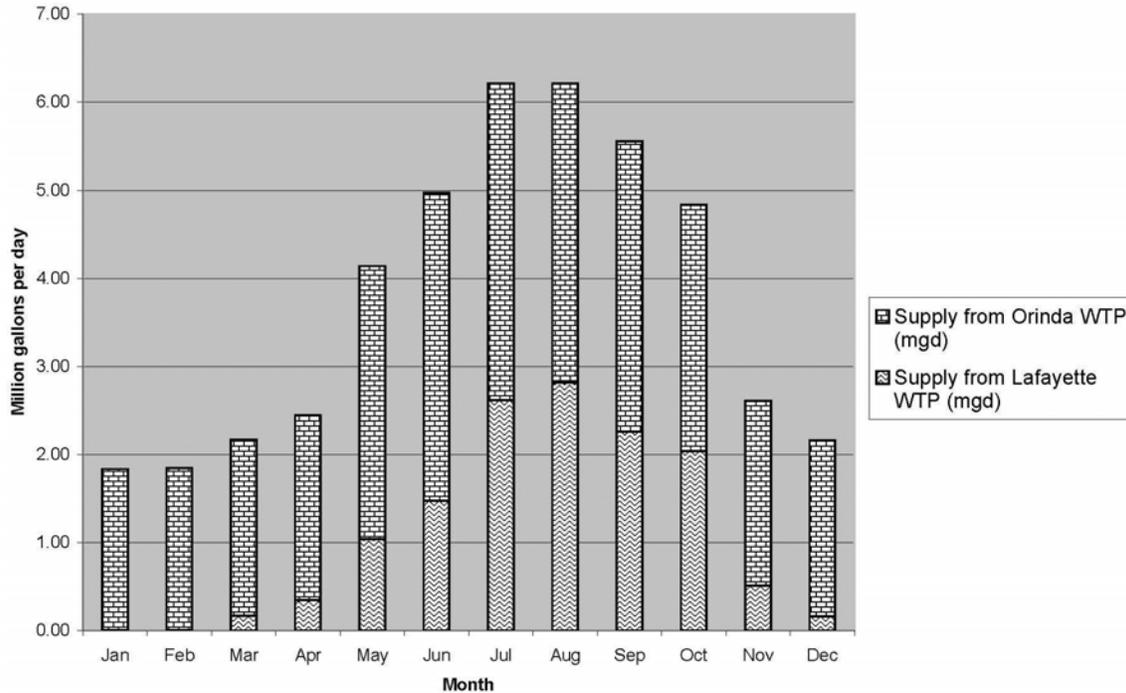
The overall benefits of the WTTIP are described briefly on DEIR p. 2-23. All of the WTTIP improvements would make the EBMUD system more reliable, which would benefit all District customers. The improvements to address existing capacity deficiencies, to meet projected increases in demand, and to address existing hydraulic constraints and aging infrastructure would benefit customers in the Lamorinda/Walnut Creek area by ensuring that supplies continue to meet demand. These improvements would also maintain or increase the amount of water available for firefighting during warm weather and reduce pressure fluctuation problems. Water quality benefits specifically associated with proposed improvements at the Orinda WTP and the Ardith and Moraga Reservoirs are discussed below.

### Benefits to Orinda from the Orinda WTP

#### Communities Receiving Water from the Orinda WTP

The bar graph (Figure 1) on the next page indicates the quantity of water provided to customers in Orinda<sup>1</sup> by the Lafayette WTP and the Orinda WTP on a monthly basis. As the graph indicates, depending on the time of the year, the City of Orinda receives between 60 percent and 100 percent of its treated water supply from the Orinda WTP. A small portion of the treated water

<sup>1</sup> Includes the Bryant Pressure Zone and Bryant Pressure Zone Cascades.



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**Figure 1**  
Typical City of Orinda Water Supply

produced at the Orinda WTP during the summer serves the Lamorinda area, and during the winter months, all of the Lamorinda area is served by the Orinda WTP.

### **Benefits to Orinda from Improvements at the Orinda WTP**

Proposed improvements at the Orinda WTP would directly benefit Orinda residents during the months when that WTP serves Orinda.

The project-level improvements at the Orinda WTP would improve the recovery of the backwash water produced in the water treatment process. Treating the backwash water and returning the water to the head of the water treatment plant would eliminate discharges that are potentially harmful to aquatic species in San Pablo Creek, improving water quality in a natural stream within the City of Orinda. The high-rate sedimentation basins, ultra-violet light system, chlorine contact basin and clearwell included at the program level would also improve the water quality and reliability of the treated water at the plant and therefore the quality of water served to the citizens of Orinda, as well as the citizens of a large part of the EBMUD service area.

## Benefits to Orinda from the Ardith Reservoir

The new Ardith Reservoir would benefit those who rely on the existing Moraga Reservoir for their water supply. This is the area of Moraga and southern Orinda between 450 and 650 feet elevation.

As described on DEIR p. 2-67, the new 2.0 mg Ardith Reservoir is required in order to replace the existing Moraga Reservoir. The Moraga Reservoir serves Moraga and southern Orinda between the elevations of 450 feet msl and 650 feet msl (the southern portion of the Bryant Pressure Zone). The open-cut Moraga Reservoir has a liner design that is prone to leakage. Although there is no significant leakage occurring at the Moraga Reservoir, this type of liner design (referred to as “panel craft”) has been known to leak, requires special maintenance, and must eventually be removed from service. The Ardith Reservoir must be brought on line (in addition to improvements in treatment production and pumping capacity and Moraga Pipeline) to provide water to customers currently served by the Moraga Reservoir before the latter can be replaced.

## Benefits to Orinda from Improvements to the Donald Pumping Plant

The new Donald Pumping Plant would benefit those who rely on the existing Donald Pumping Plant for their water: customers in Moraga and Orinda south of Highway 24.

The existing Donald Pumping Plant (at the site proposed for the Ardith Reservoir) would be relocated to a lower elevation at the same site. The Donald Pumping Plant supplies water from the Bryant Pressure Zone to the Baseline Pressure Zone. There are some pressure problems with the existing pumping plant that currently constrain its operation. In addition, the elevation of the existing pumping plant is too high and the pumping plant does not have adequate inlet pressure during summertime demand periods. Relocating the Donald Pumping Plant to a lower elevation at the site and reconfiguring its pumping operations would provide additional inlet pressure to the pumping plant.

## Benefits to Orinda from WTTIP Projects Outside of Orinda

The water facilities serving Orinda are in many locations outside the City, and extend eastward to the Pardee Reservoir in the Sierra foothills. Numerous WTTIP improvements that are not located within the City of Orinda’s boundaries would directly benefit Orinda. The most obvious example is proposed improvements to the Lafayette WTP under Alternative 1. Other examples follow:

<b>Project</b>	<b>Who Benefits</b>
Glen Pipeline Improvements	Residences between 650 and 850 feet elevation south of Happy Valley Road and on Happy Valley Road.
Moraga Road Pipeline	Residences between 450 and 650 feet elevation in Moraga and southern Orinda.
Moraga Reservoir	Residences between 450 and 650 feet elevation in Moraga and southern Orinda.
Sunnyside Pumping Plant	Residences between 850 and 1,050 feet elevation in Orinda and parts of Lafayette south of Miner Road and north of Highway 24, and another area north of Sundown Terrace.

## 2.1.3 Master Response on EBMUD Obligations to Comply with Local Ordinances, Obtain Local Agency Approvals and Permits, and Pay Local Agency Fees

A number of commenters have requested that the District consider all local agency permit and other requirements. The following discussion explains the District's standing practice with respect to coordinating with local agencies within whose boundaries EBMUD projects are proposed, as well as EBMUD's legal obligations to obtain local approvals for its water projects.

This Master Response focuses on those issues and responds to all or part of the following comments:

ORIN-27	ORIN-62	LAF-3	MOR-12	WC-64	RS-7
ORIN-41	ORIN-63	LAF-11	MOR-13	VEEC-5	MJ-4
ORIN-43	ORIN-93	MOR-2	WC-9	C3FC-1	DTSC-4
ORIN-44	ORIN-98	MOR-3	WC-26	C3FC-2	CCCSD-1
ORIN-48	ORIN-106	MOR-5	WC-36	C3FC-3	
ORIN-52	ORIN-118	MOR-6	WC-48	C3FC-4	
ORIN-53	ORIN-138	MOR-10	WC-53	C3FC-8	
ORIN-60	ORIN-154	MOR-11	WC-54	C3FC-12	

As noted in the DEIR (p. 3.2-12), it is EBMUD's long-standing practice to work closely with host jurisdictions and the neighborhood community during project planning and to conform to local land use plans and policies to the extent possible. In furtherance of this practice, EBMUD has held or attended numerous public meetings in the project area during the WTTIP planning process. These have included city council meetings and workshops, design review board meetings, and meetings with local homeowner's groups and committees. EBMUD has also met on a number of occasions with local agency representatives and elected officials throughout the planning process. These meetings have involved EBMUD staff at all levels as well as EBMUD Board members.

As the WTTIP project proceeds, EBMUD will continue to consult with local entities on issues, including design, road closures and work hours. A new mitigation measure (Measure C-7) has also been added to ensure regular, ongoing notification and communication with local jurisdictions (see **Response ORIN-111**). To further local agency coordination, EBMUD also typically assigns a community affairs representative to projects.

It should be noted, however, that California Government Code section 53091(d) specifies that "Building ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, treatment, or transmission of water, wastewater, or electrical energy by a local agency." Subsection (e) further states that "Zoning ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, treatment, or transmission of water...." Consequently, the District is not

subject to certain local ordinances and permit requirements. Nonetheless it is EBMUD's practice to always coordinate closely with host jurisdictions and the neighboring community during project planning, and to implement its projects consistent with local requirements and in the interest of minimizing any adverse environmental effects, to the extent feasible.

EBMUD will obtain encroachment permits from local agencies for projects that involve substantial work in public roadways and will comply with reasonable conditions that are incorporated into those permits. Moreover, while EBMUD is not required to pay certain fees to local agencies for its projects, it may choose to do so on a case-by-case basis.

EBMUD is also subject to applicable state and federal environmental and resource protection requirements in implementing its projects. These include streambed alteration agreements with the California Department of Fish and Game, Section 404 permits from the U.S Army Corps of Engineers for any potential impacts to wetlands or waterways, Clean Water Act stormwater discharge authorizations, and Clean Water Act section 401 water quality certifications from the Regional Water Quality Control Board for any discharges to waterways, among others.

EBMUD is a municipal utility district as defined by the Municipal Utility District Act. Public Utilities Code Section 12801 sets forth the broad authority under which municipal utility districts such as EBMUD can construct, own, operate, control or use works or parts of works for supplying the inhabitants of the district with water. The District also has the authority to construct works along streets and public highways (Pub. Utilities Code § 12808). Although EBMUD has the authority to exercise the right of eminent domain (condemnation), it has a policy of seeking to acquire property from willing sellers. EBMUD therefore only employs this power as a last resort when necessary to support its overall water supply and distribution mission.

Certain areas near proposed facility upgrades, including the Sugarloaf Open Space near the New Leland Pressure Zone Reservoir, are subject to State laws, including the provisions of the Municipal Park Abandonment Law. In certain circumstances, Government Code section 38502 places restrictions on the abandonment of all or part of a park and the sale or conveyance of the land. This section may require a public vote prior to sale or conveyance.

## 2.1.4 Draft Master Response on the Need for and Alternatives to the Happy Valley Pumping Plant and Pipeline

A number of comments questioned the need for and benefits of the proposed Happy Valley Pumping Plant and Pipeline. The DEIR provides a description of the need for this project on pp. 2-18 and 2-74. This master response provides an expanded discussion of the need for the Happy Valley Pumping Plant and Pipeline in response to the following comments:

BJT-4	DS-2	JC-10	JC-8	RCW-2	RCW-4
RCW-6	RCW-12	RCW-13	RCW-14	RCW-15	RCW-16
RCW-56	RCW-64	RCW-66	RCW-67	SMR1-1	SMR1-4

The purpose of the new Happy Valley Pumping Plant and associated 16-inch pipeline is to increase the water supply to the Las Aromas Pressure Zone, located north of Hwy 24 within Orinda and Lafayette (see Figure 2). Over the years, residential growth in this pressure zone has rendered the pumping plants and associated pipelines too small to meet current demands. Customer accounts in the Las Aromas Pressure Zone have a relatively high rate of water usage, averaging 730 gallons/day in 2005. (By comparison, customer accounts in Moraga [Mulholland Pressure Zone] average 500 gallons/day, and customer accounts in Berkeley [Shasta Pressure Zone] average 290 gallons/day.) During sustained periods of hot weather EBMUD has difficulty supplying the water to customers in the Las Aromas Pressure Zone because of the size of the pumps and pipelines serving the zone (three pumping plants – Valory, Sleepy Hollow and Las Aromas – pump water uphill to the zone via small diameter [6 to 8-inch] pipelines). At times the water tanks in the neighborhood have drained to dangerously low levels of about 33 percent full, and have taken days to recover to full capacity. EBMUD’s standard is to keep its storage reservoirs greater than 70 percent full at all times in order to provide emergency storage for the downgradient pressure zone such as fire flow and to maintain adequate pressure for the users. As the local water demands are projected to increase slightly through the year 2030, this existing water supply deficiency within the Las Aromas Pressure Zone will worsen without the proposed improvements.

While EBMUD is not required to supply a minimum firefighting flow rate,<sup>1</sup> a large fire during a typical hot, summer day would exacerbate the water-shortage risk in the Orinda area. The proposed Happy Valley Pumping Plant and 16-inch pipeline were sized to meet the projected demand for domestic supply; however, any surplus capacity (in addition to standard emergency capacity) resulting from these proposed improvements would be diverted to fight fires in the Orinda area as necessary.

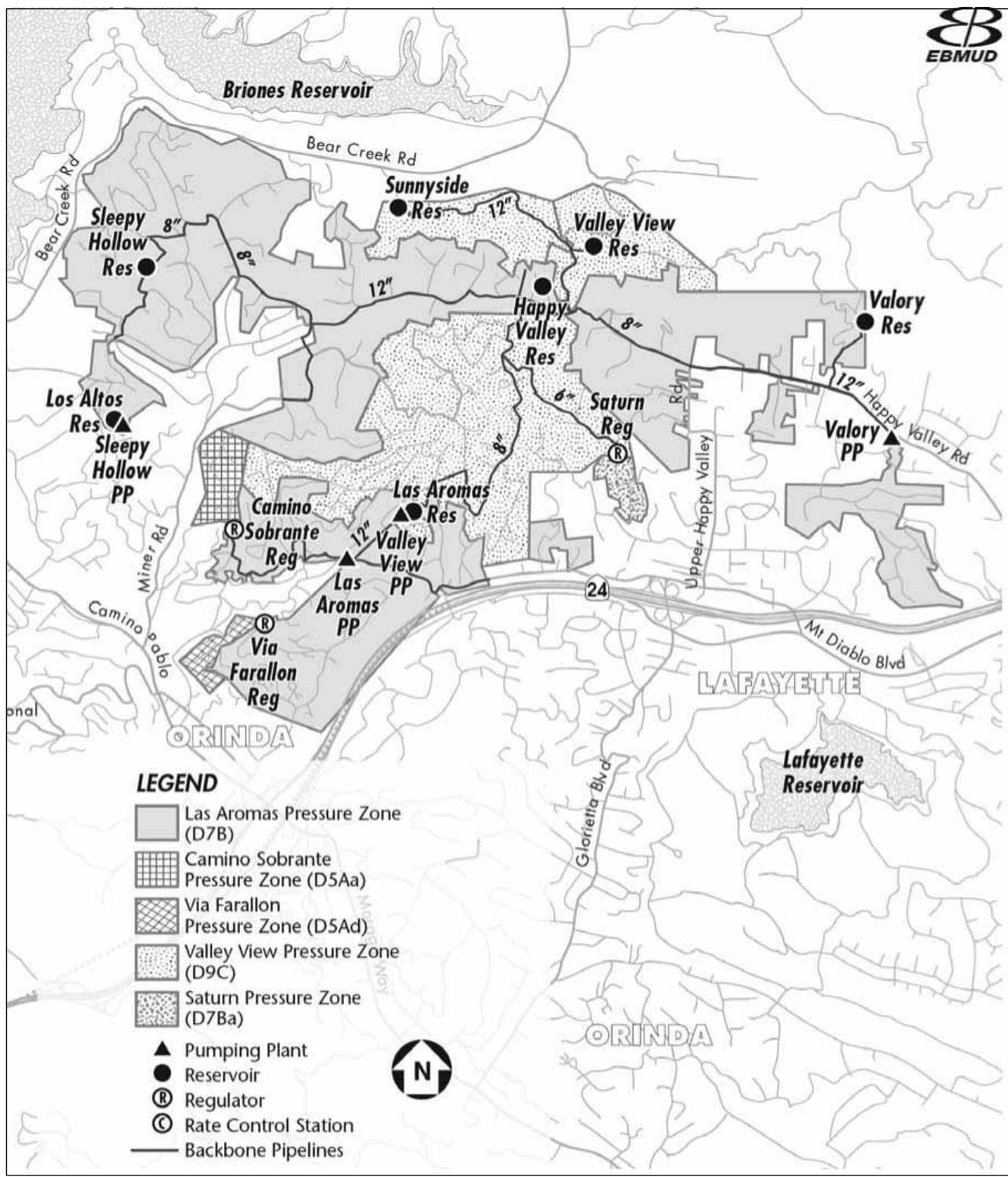
<sup>1</sup> The WTTIP projects were developed separately from the firefighting improvements contained within the recently defeated City of Orinda public infrastructure improvement ballot Measure Q, or the previous Orinda Fire Safety Committee Measure N, which was also narrowly defeated in November 2002. The firefighting improvement details of these two measures were developed by a committee formed with members of the Orinda City Council, Moraga-Orinda Fire District and EBMUD.

The Las Aromas Pressure Zone is currently served by three pumping plants (Valory, Sleepy Hollow and Las Aromas) and four reservoirs (Valory, Sleepy Hollow, Las Aromas and Happy Valley) within Orinda and Lafayette. As shown on Figure 2, the Valory, Sleepy Hollow, and Las Aromas Pumping Plants fill the reservoir of the same name (e.g., the Valory Pumping Plant primarily fills the Valory Reservoir). The Happy Valley Reservoir is the primary water tank for the community as it provides over fifty percent of the storage capacity (1.5 million gallons) for the entire pressure zone. The Happy Valley Reservoir is filled to varying degrees by the three pumping plants. The new Happy Valley Pumping Plant would primarily supply the Happy Valley Reservoir.

EBMUD has examined the possibility of upgrading these existing facilities; however due to limited available space at each site, no one plant can be expanded to supply the additional pumping capacity needed. The pipelines attached to these pumping plants are relatively undersized as well. Thus, in order to meet the current and projected water demands, two or more of the existing Las Aromas Pressure Zone pumping plants would need to be expanded along with thousands of feet of distribution piping within existing paved streets. Based on a comparison of the environmental impacts including construction-phase disruption and project costs between upgrading these existing plants and pipelines, versus building one new pumping plant and a shorter (but larger diameter) pipeline, EBMUD has selected the latter.

New pumping plants are generally sited within or near the communities (and water tanks) served in order to keep the size, power requirements and costs of the pumps to a minimum. The farther away from the pressure zone that one builds the facility, the bigger the pumping plant, the longer (and often larger) the transmission pipeline and the greater the energy losses within the system. These items all result in larger construction, operation and maintenance costs and greater energy requirements to keep the pumps running. Longer pipelines also result in greater construction costs and environmental impacts. As such, when evaluating locations for a new pumping plant, EBMUD looked at vacant properties within the Las Aromas Pressure Zone in the vicinity of the Happy Valley Reservoir off Sundown Terrace.

In conclusion, the construction of the Happy Valley Pumping Plant and new pipeline will directly benefit Orinda residents, particularly those living in the neighborhoods surrounding Miner Road and Lombardy Lane (Figure 2). The reliability of the water supply and firefighting storage will be greatly increased in the vicinity of the improvements. EBMUD acknowledges that there will be temporary construction impacts (traffic delays, dust, noise, etc.) and potential long term impacts (visual and occasional pumping plant noise) resulting from this new project within an established residential neighborhood. However, EBMUD will mitigate these impacts to the extent feasible, so as to minimize the environmental impacts on the immediate neighborhood while continuing to meet the current and long term water supply needs of the surrounding community.



## 2.1.5 Master Response on Social and Economic Costs

Some commenters expressed concerns that property values may decline as a result of many of the WTTIP projects. Several commenters also cited a number of issues regarding the potential for a degradation of their quality of life.

This Master Response focuses on social and economic issues raised in comments on the DEIR and the project, and responds to all or part of the following comments:

AH-5	AL-2	AS-10	BJT-3	BJT-10	BM-2
CA-14	CB-11	CN-4	DJB-11	DMA-6	DS-10
GF-9	GF1-2	HOA-13	KH1-5	KL1-3	KL2-6
RC-12	RJ-10	SMR-1	SP-11	WEH-12	

The DEIR evaluates the potential for the WTTIP to degrade the environment. Economic and social impacts of a proposed project by themselves are not treated as significant impacts on the environment (CEQA Guidelines §15131(a)). Nonetheless, to the extent that a perceived diminution in property values or decline in quality of life would be caused by or result in a degradation in the physical environment, the DEIR discusses measures that will be adopted as conditions of project approval to mitigate environmental impacts. For an examination of these impacts and mitigation measures, please refer to pertinent sections of the DEIR (3.2, Land Use, Planning, and Recreation; 3.3, Visual Quality; 3.4, Geology, Soils, and Seismicity; 3.5, Hydrology and Water Quality; 3.6, Biological Resources; 3.7, Cultural Resources; 3.8, Traffic and Circulation; 3.9, Air Quality; 3.10, Noise and Vibration; 3.11, Hazards and Hazardous Materials; 3.12, Public Services and Utilities).

As defined by the California Environmental Quality Act (CEQA), the purpose of an EIR is to analyze physical impacts on the environment (Pub. Res. Code §21082.2). Issues pertaining to property values or quality of life are considered social or economic issues and as such, are not addressed as significant effects on the environment in an environmental impact report (EIR). See CEQA Guidelines §15131(a) stating that “economic or social effects of a project shall not be treated as significant effects on the environment.”

Regarding impacts to businesses resulting from road closures, as stated on DEIR p. 3.8-16, the pace of open-trench work for proposed pipeline improvements in paved areas is estimated to average 80 feet per day, and the work schedule would be 8:30 a.m. to 4:30 p.m., Monday through Friday. Based on that estimated work pace, construction in front of an individual property would typically take about two days. As stated on DEIR p. 3.8-20, employees and customers would continue to have access to the business establishments; only parking (on- or off-street) adjacent to the business would be affected, and truck deliveries could be made difficult. With sufficient advance notice, this short-term inconvenience would have a less-than-significant impact.

## 2.1.6 Master Response on New Leland Pressure Zone Reservoir Alternatives

A number of comments raise questions and concerns about the site that has been identified in the DEIR as the potential preferred site for the proposed New Leland Pressure Zone Reservoir. Some of these comments also raise questions about the process used to identify and evaluate alternatives to this site. This master response applies to the following comment letters:

WC	DCAY	DG	DM	EE	FAP
HME	JB	JW	KL	KS	LG
LS	MT	RS	RSY	TS	WBP

The primary purpose of the program-level analysis presented in the WTTIP EIR for the proposed New Leland Pressure Zone Reservoir is to provide the public with the analysis regarding siting and possible impacts known at this stage in the planning process. The analysis contains a limited number of feasible reservoir sites because of geographic and other site constraints identified at this time. As noted in the DEIR, however, this element of the WTTIP is examined at the program-level in the WTTIP EIR, and EBMUD has committed to a more in-depth project-level EIR at an appropriate date in the future. See DEIR Sections S.3.1, S.6, 2.7, and 3.1.4 and Section 2.1.1, Master Response on Program- and Project-Level Distinctions (in this Response to Comments document), for more detail on the process that is to be used for program-level elements.

In addition, because several commenters have asked about the process, the District would like to clarify that EBMUD has not yet chosen a specific site for the proposed reservoir, and the EBMUD Board will not be eliminating any potential sites by certifying the WTTIP EIR. In light of the significant concerns raised by the City of Walnut Creek and others concerning Site 3, EBMUD will undertake a full examination of siting and design alternatives in a subsequent, project-level EIR, as part of the conceptual design planning and evaluation process. That subsequent EIR will examine any potentially feasible sites that are identified by EBMUD – or brought to EBMUD’s attention by the City of Walnut Creek or other persons or agencies – along with any new information or changed circumstances relevant to the feasibility and potential impacts of the sites that have been identified to date. Throughout this process, EBMUD will welcome suggestions from the public regarding an appropriate site for the reservoir.

As the responses to the individual comments note, the DEIR provides a sufficient program-level analysis of the New Leland Pressure Zone Reservoir and describes the project alternatives and potential impacts with as much specificity as is feasible at this time.