



Contra Costa County
FLOOD CONTROL
& Water Conservation District

Maurice M. Shiu
ex officio Chief Engineer

255 Glacier Drive, Martinez, CA 94553-4825
Telephone: (925) 313-2000
FAX (925) 313-2333

July 17, 2006

Judy Zavadil
East Bay Municipal Utility District
375 Eleventh St., MS #701
Oakland, CA 94607-4240

WATER DISTRIBUTION

JUL 19 2006

PLANNING DIVISION

File: Utilities – 2003, EBMUD

Dear Ms. Zavadil:

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Water Treatment & Transmission Improvements Program. These comments are in addition to those found in our letter dated October 5, 2005 (see attached). We received the document on July 5, 2006, and offer the following comments:

1. The proposed project is located in several Drainage Areas that are unformed. Therefore there are no drainage area fees due in those project areas at this time.
2. The Tice Pumping Plant is located within Drainage Area 15A, for which a drainage fee is due in accordance with Flood Control Ordinance Number 85 - 19. By ordinance, all building permits or subdivision maps filed in this area are subject to the provisions of the drainage fee ordinance. Effective April 22, 1985, the current fee in this drainage area is \$0.35 per square foot of newly created impervious surface area.
3. The Walnut Creek WTP is located in Drainage Area 46, for which a drainage fee is due in accordance with Flood Control Ordinance Number 2002 - 43. By ordinance, all building permits or subdivision maps filed in this area are subject to the provisions of the drainage fee ordinance. Effective February 3, 2003, the current fee in this drainage area is \$0.57 per square foot of newly created impervious surface area.
4. Please submit dimensions for the impervious surfaces so we can calculate the drainage fees that are outlined above.
5. In section 3.5 of the Draft EIR, it is stated that the areas that are in danger of flooding will be improved to prevent flooding. This addresses the concerns about natural watercourses mentioned in our correspondence dated on October 5, 2005.
6. The Hydrology Section includes an analysis of the adequacy of the existing drainage facilities to handle the storm runoff from the project site, which address the County-owned drainage facilities comments.

Judy Zavadil
July 17, 2006
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Thank you for the opportunity to comment on this DEIR. Please contact Jon Suemnick at (925) 313-2352 or me at (925) 313- 2396 if you have questions.

Very truly yours,

A handwritten signature in black ink that reads "Bob Faraone". The signature is written in a cursive style with a large, stylized initial "B".

for Tim Jensen
Associate Civil Engineer
Flood Control Engineering

TJ:JS:kg
attachment

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c: Greg Connaughton, Flood Control
Bob Faraone, Flood Control



Contra Costa County
FLOOD CONTROL
& Water Conservation District

Maurice M. Shiu
ex officio Chief Engineer

255 Glacier Drive, Martinez, CA 94553-4825
Telephone: (925) 313-2000
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October 5, 2005

Jason Munkres
East Bay Municipal Utility District
375 Eleventh Street, MS701
Oakland, CA 94607-4240

File: Utilities – 2003, EBMUD

Dear Mr. Munkres:

We have reviewed the Notice of Preparation of an Environmental Impact Report for the Water Treatment and Transmission Improvements Program for Alameda and Contra Costa Counties of the East Bay Municipal Utility District.

- A. The following comments are from Contra Costa County Flood Control and Water Conservation District. Please contact Mario Consolacion at (925) 313-2283 or me at (925) 313-2396 if you have questions about these comments:
1. The Contra Costa County Flood Control and Water Conservation District (District) has properties and facilities in some of the proposed project sites. Please identify in the Draft EIR any District-owned rights of way or facilities that would be impacted by the improvement projects.
 2. Similarly, Contra Costa County owns and maintains drainage facilities at some of the project locations. County-owned drainage facilities that would be affected by the improvement projects should also be identified in the environmental document. A County Drainage Permit may be required for work affecting drainage facilities and watercourses located in the unincorporated County areas.
 3. Contra Costa County has jurisdiction over natural watercourses in the unincorporated County. Potential impacts to these watercourses should be addressed in the Draft EIR.
- B. The following comments are from the Maintenance Division of Contra Costa County Public Works Department. Please contact Rob Tavenier at (925) 313-7006 if you have questions about these comments:
1. If construction activities would impact roads located in the unincorporated Contra Costa County, we request that the Draft EIR identify those roads and recommend mitigation measures for adverse impacts.
 2. Scheduled road maintenance under the County's Pavement Management System in the vicinity of the project areas could also be impacted by this program's construction

activities. This schedule is a dynamic document that is updated yearly based on pavement condition and budget. We request the Draft EIR address conflicts in schedules and recommend mitigation measures. Information about the current schedule may be obtained by contacting Henry Finch, Contra Costa County Public Works Department, 2475 Waterbird Way, Martinez, CA 94553, (925) 313-7004.

C. The following comments are from the Transportation Division of Contra Costa County Public Works Department. Please contact Chris Lau at (925) 313-2293 if you have questions about these comments:

1. Transportation Engineering currently does not have planned improvement projects within the limits of this Program. Any future activity within the County right-of-way will require the issuance of an encroachment permit.
2. If EBMUD is required to provide vegetation mitigation as a result of this Program, Transportation Engineering would welcome the opportunity to discuss with EBMUD potential mitigation sites.

Thank you for giving us the opportunity to comment on the scope of the Draft EIR, and we look forward to seeing our comments addressed in the environmental document.

Very truly yours,



Tim Jensen
Associate Civil Engineer
Flood Control Engineering

TJ:MC:cw
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\EBMUD, WTTI Program\NOP comments.doc

c: Greg Connaughton, Flood Control
Bob Faraone, Flood Control
Rob Tavenier, Maintenance
Henry Finch, Maintenance
Chris Lau, Transportation

2.5 Contra Costa County Flood Control & Water Conservation District

- C3FC-1 Comment noted. Please refer to Section 2.1.3, Master Response on EBMUD Obligations to Comply with Local Ordinances, Obtain Local Agency Approvals and Permits, and Pay Local Agency Fees for additional response pertinent to this comment.
- C3FC-2 As a local agency and utility district serving a broad regional area, EBMUD is not subject to building and land use zoning ordinances of cities and counties when implementing projects that involve the storage, treatment, or transmission of water (California Government Code Sections 53091 and 53095). EBMUD will nevertheless coordinate closely with the County Flood Control District in order to minimize any adverse consequences of the WTTIP projects on the County's drainage system. Please also refer to Section 2.1.3, Master Response on EBMUD Obligations to Comply with Local Ordinances, Obtain Local Agency Approvals and Permits, and Pay Local Agency Fees for additional response pertinent to this comment.
- C3FC-3 See **Response C3FC-2** as well as Section 2.1.3, Master Response on EBMUD Obligations to Comply with Local Ordinances, Obtain Local Agency Approvals and Permits, and Pay Local Agency Fees for additional response pertinent to this comment.
- C3FC-4 See **Response C3FC-2**. Please also refer to Section 2.1.3, Master Response on EBMUD Obligations to Comply with Local Ordinances, Obtain Local Agency Approvals and Permits, and Pay Local Agency Fees for additional response pertinent to this comment.
- C3FC-5 Comment noted that Flood Control District's previously stated concern regarding natural water courses have been adequately addressed in the DEIR.
- C3FC-6 Comment noted that Flood Control District's previously stated concern regarding existing drainage system capacity impacts have been adequately addressed in the DEIR.
- C3FC-7 Comment noted. Comment C3FC-6 states that this comment is adequately addressed in Section 3.5 of the DEIR.
- C3FC-8 Comment noted. Comment C3FC-6 states that this comment is adequately addressed in Section 3.5 of the DEIR. Please also refer to Section 2.1.3, Master Response on EBMUD Obligations to Comply with Local Ordinances, Obtain Local Agency Approvals and Permits, and Pay Local Agency Fees for additional response pertinent to this comment.

- C3FC-9 Comment noted. Comment C3FC-5 states that this comment is adequately addressed in Section 3.5 of the DEIR.
- C3FC-10 Section 3.8 of the DEIR, Traffic and Circulation, identifies roads in the vicinity of WTTIP projects and impacts to those roads. Measures are prescribed to mitigate all significant impacts.
- C3FC-11 Upcoming projects planned by Contra Costa County are listed and analyzed in DEIR Chapter 5 Cumulative Impacts. Table 5-1 (DEIR pp. 5-13 through 5-32) identifies numerous pavement management and other road improvement projects throughout the WTTIP project area. Henry Finch, the contact person named in the comment letter, was contacted during preparation of the DEIR (p. 5-51). As stated on DEIR p. 5-38, the District has initiated coordination with other agencies regarding the timing of construction projects to minimize disruption to the same locations within the same timeframe.
- C3FC-12 Comment noted. As shown on Table 2-13 of the DEIR, the District anticipates applying to the County for an encroachment permit for the Tice Pumping Plant and Pipeline and the Withers Pumping Plant. Please also refer to Section 2.1.3, Master Response on EBMUD Obligations to Comply with Local Ordinances, Obtain Local Agency Approvals and Permits, and Pay Local Agency Fees for additional response pertinent to this comment.
- C3FC-13 Measure 3.6-1b would require a substantial amount of replacement trees and in addition other vegetation planting has been proposed. Most of the replacement trees will be planted either at the site where trees are removed or within EBMUD watershed lands. EBMUD will arrange a discussion with the Transportation Engineering Division of Contra Costa County to discuss possible mitigation sites.