

Volume III

# ORINDA WATER TREATMENT PLANT DISINFECTION IMPROVEMENTS PROJECT

Final Supplemental Environmental Impact Report  
SCH #2019080297

Prepared for  
East Bay Municipal Utility District

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180 Grand Avenue  
Suite 1050  
Oakland, CA 94612  
510.839.5066  
[www.esassoc.com](http://www.esassoc.com)



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# CHAPTER 7

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## Introduction to Final Supplemental EIR

### 7.1 Project Background

The East Bay Municipal Utility District (EBMUD), as a California Environmental Quality Act (CEQA) lead agency, prepared a Draft Supplemental Environmental Impact Report (EIR) for the Orinda Water Treatment Plant (WTP) Disinfection Improvements Project (Project). The Draft Supplemental EIR was developed to provide the public and the responsible and trustee agencies reviewing the Project with an analysis of the potential effects on the local and regional environment associated with construction and operation of the Project.

EBMUD is implementing a planned system of improvements as part of its Water Treatment and Transmission Improvements Program (WTTIP), which includes new facilities and upgrades to existing facilities primarily in the cities of Lafayette, Moraga, Orinda, and Walnut Creek. The improvements are needed to address systemwide water treatment and distribution needs to ensure a reliable water supply for current and future customers. Since certification of the WTTIP EIR in 2006 (State Clearinghouse No. 2005092019), the specific details of the design for improvements at the Orinda WTP have been developed (these details were not available when the WTTIP EIR was prepared). Thus, the Project-specific Draft Supplemental EIR was prepared to address the current Project.

The Project includes the demolition of an existing maintenance building and construction of a new disinfection facility composed of a new aboveground two-story Maintenance and Ultraviolet Electrical (MAUVE) Building with a below-grade Ultraviolet (UV) structure and below-grade Chlorine Contact Basin (collectively called the MAUVE/UV/CCB Structure), two electrical buildings, a standby generator, pipelines and vaults, and other supporting facilities. The existing maintenance building at the Project site would be demolished and its associated uses incorporated into the new facility and a new Grounds Maintenance Building at the Orinda WTP. The Project would also install landscaping, remove vegetation in various places within the Orinda WTP site, replace existing and install new security fencing, and restore the site following construction.

### 7.2 Draft Supplemental EIR Public Review Process

On July 24, 2020, EBMUD, as the CEQA lead agency, released the Draft Supplemental EIR for the Project for public review and filed a Notice of Completion (NOC) with the Governor's Office of Planning and Research to begin a 47-day public review period (Public Resources Code Section 21161). Concurrent with issuance of the NOC, the Draft

Supplemental EIR was made available to responsible and trustee agencies, other affected agencies, and interested parties, as well as all parties requesting a copy of the Draft Supplemental EIR in accordance with Public Resources Code Section 21092(b)(3). During the public review period, the Draft Supplemental EIR and technical appendices were available for review on EBMUD's website ([www.ebmud.com/orwtpimprovements](http://www.ebmud.com/orwtpimprovements)), and were also available for public review at EBMUD offices in downtown Oakland and at the Orinda Public Library in Orinda.

A public meeting was held on August 20, 2020, via the Zoom online meeting platform, to present the Project and the Draft Supplemental EIR findings to the public, and to receive comments on the Draft Supplemental EIR. The public review period ended on September 9, 2020.

### **7.3 Purpose of the Final Supplemental EIR**

This Responses to Comments document has been prepared to accompany the Draft Supplemental EIR and is being issued by EBMUD as part of the Final Supplemental EIR for the Project. CEQA requires lead agencies that have completed a Draft Supplemental EIR to consult with and request comments on the environmental document from responsible, trustee, and other agencies with jurisdiction over the resources that could be affected by the Project. The public must also be afforded the opportunity to comment on the Draft Supplemental EIR. This Final Supplemental EIR has been prepared to respond to comments on the Draft Supplemental EIR made by agencies and members of the public. The EBMUD Board of Directors will consider the Final Supplemental EIR before deciding whether to approve the Project.

### **7.4 CEQA Requirements**

EBMUD has prepared this document pursuant to Section 15132 of the *CEQA Guidelines*, which specifies that “*The Final EIR shall consist of:*

- a) *The Draft EIR or a revision of the draft.*
- b) *Comments and recommendations received on the Draft EIR either verbatim or in summary.*
- c) *A list of persons, organizations, and public agencies commenting on the Draft EIR.*
- d) *The responses of the Lead Agency to significant environmental points raised in the review and consultation process.*
- e) *Any other information added by the Lead Agency.”*



## 7.5 Consideration of Recirculation

If significant new information is added to an EIR after public review, the lead agency is required to recirculate the revised document (*CEQA Guidelines* Section 15088.5). Significant new information includes, for example, a new significant environmental impact or a substantial increase in the severity of an impact. New information is not considered significant unless the document is changed in a way that deprives the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Project or comment on feasible mitigation that the proponent has declined to implement.

No new impacts or substantial increases in the severity of impacts have been identified as a result of information presented in the comments on the Draft Supplemental EIR for the Project. Recirculation of the Draft Supplemental EIR was thus not deemed to be necessary.

## 7.6 Future Steps in Project Approval

The Draft Supplemental EIR was circulated for review, and opportunities for public and agency review and comments were made available in accordance with CEQA. The Final Supplemental EIR is being made available to commenters for a minimum 10-day period before its consideration for certification.

The EBMUD Board of Directors will consider Final Supplemental EIR certification and Project approval at the regularly scheduled Board Meeting on December 8, 2020. Due to COVID-19 and in accordance with Alameda County Health Orders and Governor's Executive Order N-29-20 (issued March 17, 2020, and which suspends portions of the Brown Act), EBMUD Board meetings will be conducted via teleconference, videoconference, or both. Links to view and participate in the EBMUD Board meeting are available at <https://www.ebmud.com/index.php/about-us/board-directors/board-meetings>.

## 7.7 Organization of This Document

This document is Volume III of the Supplemental EIR for the Project, and contains four chapters: Chapter 7 is the introduction to the Final Supplemental EIR; Chapter 8 presents the responses to comments on the Draft Supplemental EIR; Chapter 9 contains the complete comments; and Chapter 10 contains revisions that have been made to the Draft Supplemental EIR text arising from the public and agency review process.

Chapter 10 contains an expanded section (Section 10.3) describing and evaluating the newly proposed Settling Ponds staging area. EBMUD developed the Settling Ponds staging area in response to comments concerning the Manzanita East staging area. EBMUD proposes to approve the Settling Ponds staging area instead of the Manzanita East staging area.

Each comment received is listed in Table 7-1 and identified by comment title, comment author, and date. Submittals include letters, emails, and materials provided at the

August 20, 2020 public meeting on the Draft Supplemental EIR. The full text of all written comments is included in Chapter 9, following the responses to comments in Chapter 8. Each submittal is identified by an acronym of the agency or organization, or the last name of the individual commenter (as shown in Table 7-1), and each comment is identified by a comment number in the margin; responses use the same numbering system. For example, Comment 1 in the comment letter submitted by the City of Orinda is designated Comment Orinda-1 and is addressed in Response to Comment Orinda-1. In addition, there were several comments and questions related to the use of the Manzanita East staging area and associated impacts, so a Global Response has been prepared to provide additional information regarding the Manzanita East staging area.

In addition to the written comments received by EBMUD, staff noted questions and comments at the August 20, 2020 public meeting for the Project, and responses are provided in Section 8.4, Responses to Public Meeting Comments.

**TABLE 7-1  
LIST OF COMMENTERS**

<b>Comment Title</b>	<b>Comment Author</b>	<b>Date</b>
<b><i>Agency Comments</i></b>		
Orinda	Mayor Darlene K. Gee, City of Orinda	September 4, 2020
<b><i>Individual Comments</i></b>		
Akel	Jason Akel	September 5, 2020
Cohen	Marc Cohen	September 4, 2020
Fearon	Patrick Fearon	July 31, 2020
Froehlich	Winnie Froehlich	September 5, 2020
Gross	Sandy Gross	September 2, 2020
Hodess	Aram Hodess	September 1, 2020
Perez Laflamme	Ana Perez Laflamme	July 29, 2020
Phillips	Wayne Phillips	July 28, 2020
<b><i>Public Meeting Comments</i></b>		
PM	Public Meeting	August 20, 2020

# CHAPTER 8

## Responses to Comments

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### 8.1 Global Response on Manzanita East Staging Area

Some comments on the Draft Supplemental Environmental Impact Report (EIR) raised concerns or questions regarding the Manzanita East staging area. These comments are most appropriately addressed in one comprehensive, or “global,” response. This global response focuses on issues concerning the Manzanita East staging area and addresses all or part of the following comments:

Orinda-3      Orinda-4      Akel-2      Cohen-1      PM-6

These comments included requests that East Bay Municipal Utility District (EBMUD) consider alternative locations for the Manzanita East staging area and expressed concerns about its physical appearance in or adjacent to a residential neighborhood and proximity to a riparian corridor, vegetation removal, effects on wildlife and water quality (i.e., site drainage), vehicular ingress and egress, and noise.

In response to these concerns, EBMUD has removed the Manzanita East staging area from the Project and has chosen to relocate the construction staging activities that would have occurred there to a site within the existing fenced and paved area around the Orinda Water Treatment Plant (WTP) settling ponds north of Manzanita Drive and directly opposite the Orinda WTP north gate. The parcel containing the settling ponds is part of the Orinda WTP. Proposed uses at the new Settling Ponds staging area would be the same as those described for the Manzanita East staging area (Draft Supplemental EIR page 2-32): location for two construction office trailers and parking for five passenger vehicles.

The Settling Ponds staging area is described and evaluated in Section 10.3 of Chapter 10, *Draft Supplemental EIR Revisions*. To the extent that comments about the Manzanita East staging area address the activities inherent to any construction staging site, as opposed to the actual physical character and use of the Manzanita East staging area site, those comments are addressed in the Settling Ponds staging area evaluation in Final Supplemental EIR Section 10.3. As described in Section 10.3, inclusion of the Settling Ponds staging area in the Project would not result in any new significant impacts or a substantial increase in the severity of impacts compared to those disclosed in the Draft Supplemental EIR.

With relocation of the construction trailers and worker parking to the Settling Ponds staging area, impacts related to aesthetics, biological resources, water quality, traffic, and noise would not occur at the Manzanita East staging area and the site would not be altered by any Project-related activities. As noted in Chapter 10, any references and analyses specific to the Manzanita East staging area have been stricken from this Supplemental EIR.

## **8.2 Responses to Agency Comments**

### **8.2.1 City of Orinda**

#### **Response to Comment Orinda-1**

This comment providing background information and requesting that EBMUD address concerns and suggestions raised in the letter is acknowledged.

#### **Response to Comment Orinda-2**

As described in Draft Supplemental EIR Section 3.2, Aesthetics, and shown on Figures 3.2-2 through 3.2-6, due to the Project's location, and existing intervening topography, vegetation, and other items (e.g., fences and power boxes), there are very few discernible public views from outside of the Orinda WTP to within the site. Additionally, as shown by visual simulations presented on Draft Supplemental EIR Figures 2.3-7 through 2.3-10, vegetation would be planted as part of the Project to further screen the existing and proposed facilities.

The tallest Project component is the Maintenance and Ultraviolet (UV) Electrical (MAUVE) Building, which, as shown in Draft Supplemental EIR Table 2-2, would be approximately 40 feet above the existing grade. As indicated in the Draft Supplemental EIR (page 3.2-12), the ridgeline within Tilden Park is considered a scenic ridgeline. Due to the topography of the site and existing and proposed vegetation that screen the site, the MAUVE Building would not be readily visible and would not impede existing views of the ridgeline within Tilden Park from public vantage points, nor could any other Project component interrupt views of the ridgeline from public vantage points.

As noted in the discussion of Impact AES-1 on page 3.2-12 of the Draft Supplemental EIR, the Water Treatment and Transmission Improvements Program (WTTIP) EIR stated that WTTIP projects at the Orinda WTP would not be seen within the context of a scenic vista (i.e., a distant view encompassing valued natural or built landscape features such as ridgelines, water bodies, or landmark structures). Specifically, the WTTIP EIR analysis under Impact 3.3-4 stated that “[T]he majority of WTTIP projects would not be seen within the context of a scenic vista,” which included projects at the Orinda WTP.

**Response to Comment Orinda-3**

EBMUD acknowledges the City of Orinda's concern regarding the visual change to the Manzanita East staging area site attributable to the Project and the request for a visual simulation. Please refer to Section 8.1, Global Response on Manzanita East Staging Area, which indicates that in response to this and other comments, EBMUD has eliminated the Manzanita East staging area from the Project and has chosen to relocate the staging activities proposed for the Manzanita East staging area to the settling ponds north of Manzanita Drive and directly opposite the Orinda WTP north gate. No trees would be removed for the Settling Ponds staging area.

**Response to Comment Orinda-4**

EBMUD acknowledges the City of Orinda's concern regarding the effects to visual quality regarding use of the Manzanita East staging area site. Please refer to the previous response and to Section 8.1, Global Response on Manzanita East Staging Area. Refer to Section 10.3, Settling Ponds Staging Area, for analysis of the effects on scenic quality for use of the Settling Ponds staging area (which would be less than with the Manzanita East staging area).

**Response to Comment Orinda-5**

Consistent with the requirements of adopted WTTIP Mitigation Measure 3.3-2a, the conceptual landscaping plan shown on Figure 2-9 of the Draft Supplemental EIR was developed with community input prior to publication of the Draft Supplemental EIR. The preliminary palette was first shown to the community at a meeting on August 26, 2019. The landscaping plan was then revised pursuant to public input and shared again during public meetings held on October 21, 2019 and May 13, 2020, before publication of the Draft Supplemental EIR, as well as at the public meeting on August 20, 2020, during the Draft Supplemental EIR public and agency review period.

As shown in Draft Supplemental EIR Table 2-3, landscaping would be installed during the "Site Preparation, Demolition, and Landscaping" construction phase, which would allow landscaping to grow during Project construction. Additionally, pursuant to adopted WTTIP Mitigation Measure 3.3-2a, EBMUD will replace any landscaping that is removed or destroyed during construction, consistent with landscaping plans. Refer to Section 2.5.12, Screening and Landscaping, of the Draft Supplemental EIR for information regarding screening and landscaping at the Orinda WTP as part of the Project, and Draft Supplemental EIR Figure 2-9 for a conceptual landscaping plan.

**Response to Comment Orinda-6**

The evaluation of the Project's effects on biological resources is presented in the Draft Supplemental EIR in Section 3.4, Biological Resources. Effects to riparian habitat are presented under Impact BIO-2 on pages 3.4-23 through 3.4-28, effects to protected trees are presented under Impact BIO-4 on pages 3.4-29 and 3.4-30, and effects on wildlife are presented under Impact BIO-1 (with respect to candidate, sensitive, or special-status

species) on pages 3.4-17 through 3.4-22, and Impact BIO-3 (with respect to wildlife movement) on pages 3.4-28 and 3.4-29.

As indicated on page 3.4-23 of the Draft Supplemental EIR, the construction footprint of the MAUVE/UV/CCB Structure would be within and around mixed riparian woodland habitat. As indicated in Impact BIO-2, the aspects of construction that could adversely affect mixed riparian woodland include earthwork that could damage trees (from excavation, compaction, or installation of tie-backs), run-off from construction areas or frac-outs that could adversely affect water quality, or potential effects on scour contributing to creek bank instability. The Draft Supplemental EIR identifies eight mitigation measures to address these impacts: revised Mitigation Measures 3.6-2b-ORWTPDI and -2c-ORWTPDI; adopted WTTIP Mitigation Measures 3.6-2e, -2f, and -7a; and Mitigation Measures BIO-3, HYD-2, and HYD-3. Most of the impacts to riparian habitat are potential impacts that may or may not occur; it would be speculative to attempt to quantify the effects of these potential impacts on riparian habitat.

With regard to the potential for construction to adversely affect trees in the riparian corridor, the Draft Supplemental EIR includes in Appendix D the tree inventory and assessment report prepared for the Project. The tree inventory and assessment was conducted by certified arborists based on field conditions encountered at the time of survey (February and June, 2019) and based on Project details available at that time, which included information regarding the location and depth of the tie-back anchors. The results of that assessment are summarized under Impact BIO-4 beginning on page 3.4-29 of the Draft Supplemental EIR. The tree assessment was based on the City of Orinda Municipal Code which among other things includes a definition of a riparian tree (page 4 of Draft Supplemental EIR Appendix D). As indicated in the tree assessment (page 13), none of the trees surveyed that met the Orinda Municipal Code definition of a riparian tree would be removed as a result of the Project. Only one tree (#11, shown on tree assessment Figure 3) meeting the definition of a riparian tree under the Orinda Municipal Code was identified as being potentially within the Project construction footprint.

The comment correctly indicates that Impact BIO-2 does not address effects on wildlife use of the riparian corridor. As indicated above, impacts to wildlife are addressed under Impacts BIO-1 and BIO-3. Impact BIO-1 identifies the impacts to the following wildlife associated with the riparian corridor: nesting and foraging habitat for birds (beginning on page 3.4-18), special status bats (beginning on page 3.4-19), and dusky footed woodrat (beginning on page 3.4-20). Impact BIO-3 evaluates potential interference with the movement of wildlife due to Project implementation (page 3.4-28) and found that mixed riparian woodland habitat next to the Orinda WTP and outside the Orinda WTP fenceline would continue to facilitate wildlife movement through and along the Project site and maintain habitat connectivity for migratory wildlife.

With respect to the adequacy of the proposed 10-foot setback from top of creek bank, the 10-foot setback is evaluated throughout the Draft Supplemental EIR as part of the Project. Where significant impacts associated with the proximity of proposed facilities to

San Pablo Creek occur, mitigation measures are identified, including the eight mitigation measures referenced earlier in this response. In particular, Mitigation Measure 3.6-2c-ORWTPDI was expanded to include development and implementation by a certified arborist of a five-year riparian vegetation mitigation and monitoring program, which would include a riparian tree assessment/inventory, performance standards to be met in the event that riparian tree health changes, and revegetation pursuant to performance standards if determined necessary. Implementation of the riparian vegetation mitigation and monitoring program will ensure that the value of riparian habitat within the setback is maintained.

#### **Response to Comment Orinda-7**

As indicated on Draft Supplemental EIR page 2-45, the Project may require approvals from the Regional Water Quality Control Board (RWQCB). The RWQCB determines the scope of its jurisdictional authority over a project in accordance with its mandates under state law and EBMUD will comply with such requirements. Although subsurface shoring supports (i.e., tiebacks) for the MAUVE/UV/CCB Structure would extend beneath the west bank of San Pablo Creek, these Project components would not result in fill or excavation within the creek banks and channel. As there would also be at least 15 feet of overburden soil and bedrock above the tiebacks, there would not be any substantive changes in groundwater/surface water connections within the San Pablo Creek channel. For these reasons, it was determined that Project construction activities would not require a Section 401 Water Quality Certification under the federal Clean Water Act. However, it is noted that Mitigation Measure 3.6-2c-ORWTPDI, Jurisdictional Features and Riparian Vegetation, requires EBMUD to obtain appropriate regulatory approvals and comply with the conditions of those approvals for impacts on San Pablo Creek, which includes the RWQCB.

#### **Response to Comment Orinda-8**

EBMUD acknowledges the City of Orinda's concern regarding the potential effects to the riparian corridor along San Pablo Creek and the revegetation efforts required to mitigate for effects attributable to the Project. Mitigation Measure 3.6-2c-ORWTPDI, Jurisdictional Features and Riparian Vegetation, is a modification of adopted WTTIP Mitigation Measure 3.6-2c to require a 5-year riparian vegetation mitigation and monitoring program, and includes sufficiently prescriptive language for the preparation and implementation of that program. The 5-year riparian vegetation mitigation and monitoring program must be based on the actual – not estimated – impacts incurred by the Project to ensure an accurate calculation of vegetation replacement ratios. Mitigation Measure 3.6-2c-ORWTPDI provides a detailed schedule for the riparian tree assessment/inventory, clear performance and reporting standards, and follow-on actions in the event the performance standards are not met. The modifications brought forward in Mitigation Measure 3.6-2c-ORWTPDI also include an increase in the tree replacement ratio from 1:1 to 3:1 and require EBMUD to engage with the regulatory agencies that have jurisdiction over this resource to review and confirm that the revegetation effort meets specified performance standards and applicable regulatory requirements. Mitigation Measure 3.6-2c-ORWTPDI is sufficiently

prescriptive, as required in *CEQA Guidelines* Section 15126.4(a), by including clear identification of responsible parties, specific performances standards, and feasible mitigative actions to achieve the performance standards.

#### **Response to Comment Orinda-9**

EBMUD acknowledges the City of Orinda's concern regarding the potential effects to special-status plants attributable to the Project. As indicated in Mitigation Measure BIO-1, Preconstruction Surveys of Special-Status Plant Species, presence/absence surveys for special-status plant species are seasonally specific (i.e., spring). Also, Mitigation Measure BIO-1 specifies the presence/absence surveys to be conducted the spring prior to the start of construction and, specifically, during the period when the species are identifiable. Repeated seasonal surveys are also required, as needed, to procure a complete species list to provide the most accurate and timely information for review by the state and federal agencies that have jurisdiction over this resource. Conducting the presence/absence surveys during preparation of the Draft Supplemental EIR would not provide an accurate account of special-status species, as the data would be dated and would not accurately reflect actual conditions at the time of Project construction upon which to determine impact and effective mitigative actions.

Mitigation Measure BIO-2, Buffer Zone and Restoration Mitigation Plan for Impacted Special-Status Plant Species, provides clear guidance on mitigative actions to be implemented to avoid or minimize impacts on special-status plant communities found to be present within the Project site. Mitigation Measure BIO-2 identifies feasible and appropriate mitigation options, including off-site options. EBMUD is required to consult with the state and federal agencies that have jurisdiction over this resource to determine species-specific mitigation measures. Potential performance standards to be included in 5-year mitigation and monitoring are clearly presented.

Both Mitigation Measures BIO-1 and BIO-2 are sufficiently prescriptive, as required in *CEQA Guidelines* Section 15126.4(a), including clear identification of responsible parties, specific performances standards, and feasible mitigative actions to achieve the performance standards.

#### **Response to Comment Orinda-10**

EBMUD acknowledges the City of Orinda's concern regarding the potential effects to the San Francisco dusky-footed woodrat attributable to the Project. EBMUD also acknowledges the current standard regulatory mitigation in use to address impacts on this species (i.e., providing alternative shelter). Based on field experience, EBMUD finds adopted WTTIP Mitigation Measure 3.6-6, as written, is adequate for protection of this species. The current mitigation relies on the species actually taking up residence in an alternative shelter. The suggested revision to adopted WTTIP Mitigation Measure 3.6-6 would not result in any additional protection for this species that is not already provided. It is also noted that the area of San Francisco dusky-footed woodrat habitat within the Project site is reduced with the removal of the Manzanita East staging area from the Project.



**Response to Comment Orinda-11**

As indicated on Draft Supplemental EIR page 3.11-16, the WTTIP EIR identified that noise from the operation of Project equipment such as pumps, accounting for noise reduction from building enclosures, would not exceed the 45 A-weighted decibels (dBA) nighttime noise limit for mechanical equipment in the City of Orinda Municipal Code, and operational noise impacts would be less than significant.

The WTTIP EIR analyzed operational noise from two pumps in the Backwash Water Recycle System and a 200 kW emergency generator under Impact NOI-4 of the WTTIP EIR. Current analysis includes operational impacts from rain sump pumps within the MAUVE/UV/CCB structure, the emergency generator, and rooftop condensers and fan on the MAUVE building. Table 8-1 presents the estimated operational noise levels that are described under Impact NOI-1, similar to WTTIP EIR Table 3.10-8 under Impact NOI-4. Table 8-1 updates proposed operational noise sources and distances to the nearest receptors based on current Project information, and provides attenuated noise levels at the nearest receptors with and without enclosures, as applicable. As described on Draft Supplemental EIR pages 3.11-16 and 3.11-17, with the implementation of adopted WTTIP Mitigation Measure 3.10-4, external mechanical equipment at the MAUVE Building would be equipped with sound barriers to ensure that resulting noise levels at sensitive receptors would not exceed the 45 dBA threshold at the property-line threshold, which would be consistent with the noise standards for mechanical equipment specified by the City of Orinda Municipal Code, and noise impacts from operation of the Project would be less than significant.

**Response to Comment Orinda-12**

As the commenter notes, an analysis of Project-related construction noise is provided in the Draft Supplemental EIR. The commenter specifically cites noise levels or impacts as they relate to weekend construction activities, increased construction-related traffic, and the Manzanita East staging area, and whether the noise levels would exceed appropriate standards. The commenter requests a discussion identifying the expected noise levels attributable to the Project and demonstrating that noise levels would not exceed appropriate standards. The Draft Supplemental EIR does that, as summarized below.

With regard to appropriate standards, as noted in the discussion of methodology on Draft Supplemental EIR page 3.11-5, there are no local standards for assessing construction noise impacts. The City of Orinda Municipal Code restricts the days and hours when construction can occur, but provides no quantitative standards to apply for an analysis of construction-related noise. In the absence of appropriate local standards and to be consistent with the analysis conducted in the WTTIP EIR, a threshold for daytime speech interference of 70 dBA equivalent sound level ( $L_{eq}$ ) was applied to the construction noise analysis for the Project.

**TABLE 8-1  
ESTIMATED OPERATIONAL NOISE LEVELS AT THE NEAREST RECEPTORS AND CONSISTENCY  
WITH SIGNIFICANCE CRITERIA**

Project Component (Equipment)	Receptor	Highest Noise Level at Reference Distance (dBA)	Distance to Nearest Receptor (feet)	Attenuated Noise Level at Receptor without Enclosure (dBA)	Attenuated Noise Level at Receptor with Enclosure (dBA)	Significance Threshold Applied (dBA) <sup>a</sup>	Exceeds Threshold?
MAUVE Building (condensers and fans on rooftop)	Residences along Hacienda Circle north of the WTP	89 and 69 at 3 ft	260	50	43 <sup>b</sup>	45	No
South Standby Generator Building (emergency generator) <sup>c</sup>	Residences south of Camino Pablo across from the WTP south entrance	82 at 21 ft	170	64	44	N/A	N/A
MAUVE/UV/CCB Structure (drain sump pumps) <sup>d</sup>	Residences along Hacienda Circle north of the WTP	80 at 3 ft	230	42	N/A	45	No

## NOTES:

<sup>a</sup> 45 dBA is the property line standard for mechanical equipment in the City of Orinda Municipal Code.

<sup>b</sup> Conservatively assumes the minimum reduction resulting from the barrier breaking the line of sight between the noise source and the receptor, and an additional 1 dBA reduction for every 2 feet height of the barrier beyond the line of sight.

<sup>c</sup> Emergency generators are exempt from the City of Orinda Municipal Code standards for mechanical equipment.

<sup>d</sup> The drain sump pumps would be approximately 40 feet below ground within the UV Structure, which would provide further attenuation than shown in the table.

SOURCE: ESA, 2020.

Under the discussion of Impact NOI-1, expected noise levels resulting from weekend work occurring a total of five Saturdays over the 4.5-year Project construction period are assumed to be consistent with noise levels experienced on weekdays (i.e., there is no distinction of construction activities between weekday and weekend work periods). These construction-related noise levels at sensitive receptors adjacent to the Project site are identified in Table 3.11-7 of Draft Supplemental EIR Section 3.11, Noise. The analysis goes on to find that, even in a worst-case scenario with the two noisiest pieces of construction equipment used at the Project site (an excavator and a concrete saw), noise levels at the nearest sensitive receptors was estimated to be 70 dBA  $L_{eq}$ , which does not exceed the daytime speech interference threshold of 70 dBA  $L_{eq}$ .

Also under the discussion of Impact NOI-1, the Draft Supplement EIR acknowledges that the addition of Project-related traffic would increase ambient noise levels at sensitive receptors to the south of the Orinda WTP. The traffic noise analysis used the increase in average daily traffic due to Project vehicles as a percentage of existing average daily traffic based on data from the Project-specific traffic report included as Appendix G of the Draft Supplemental EIR, which found that average daily traffic would increase by as

much as approximately 18 percent on Manzanita Drive between Camino Pablo and the north gate to the Orinda WTP with traffic attributable to the Project during construction. The commenter correctly notes that Table 3.11-8 indicates that the maximum modeled increase in Project-related traffic would be 1.2 dBA over existing levels and less than the 5 dBA level adopted as a Project threshold from Section 17.15.2 of the City of Orinda Municipal Code.

As indicated in Section 8.1, Global Response on Manzanita East Staging Area, the Manzanita East staging area is no longer proposed for use during Project construction. Instead, EBMUD would use the Settling Ponds staging area described in Section 10.3 for two construction office trailers and parking for five passenger vehicles. Refer to Section 10.3, Settling Ponds Staging Area, for a discussion of noise impacts related to the Settling Ponds staging area.

Regarding enforcement of noise mitigation measures, as required in *CEQA Guidelines* Section 15097, as CEQA lead agency, EBMUD must adopt a program for monitoring or reporting on the mitigation measures included in the Project approval to ensure the measures are implemented. Under CEQA, EBMUD has the ultimate responsibility to see that the Project's Mitigation Monitoring and Reporting Program (MMRP) presented in Appendix C of the Draft Supplemental EIR is implemented. The MMRP will become part of the Project's construction contract, which will legally bind the construction contractor to comply with the requirements of the MMRP. This contractual obligation, coupled with EBMUD's responsibilities under CEQA, would ensure that the mitigation measures employed to avoid or lessen the Project's noise impacts would be implemented.

The commenter requests that a discussion regarding the noise expected from backup alarms be added to the discussion of noise impacts. Regarding noise from concrete truck backup alarms or beepers, the use of backup alarms would be minimized as these trucks would travel through the Project site in one direction, reducing the need to back up. Please also refer to Response to Comment Gross-1.

### **Response to Comment Orinda-13**

The comment does not assert that the Draft Supplemental EIR inadequately analyzes Project construction impacts related to transit, bicycle, and pedestrian safety, or that changes to the proposed mitigation measures in the Draft Supplemental EIR are necessary to ensure that impacts would be less than significant. Instead, the comment requests that EBMUD consider establishing an alternate pedestrian trail connection between the Orinda WTP settling ponds and San Pablo Creek. As an initial matter, as explained in the Draft Supplemental EIR, implementation of Mitigation Measures 3.8-1 and TRA-1 would ensure that impacts related to transit, bicycle, and pedestrian safety are less than significant, and no further mitigation is necessary. After consulting with Wagner Ranch Elementary school staff and Orinda Union School District administrators, EBMUD also determined that the City's requested pedestrian trail could create potential safety and security issues for schoolchildren due to lack of visibility of the trail from public roadways and its proximity to San Pablo Creek. Given that the requested

pedestrian trail connection would create new safety issues, cause construction-related environmental impacts that were not analyzed in the Draft Supplemental EIR, and is not necessary to mitigate Project impacts, EBMUD has determined not to construct the requested alternate trail connection.

#### **Response to Comment Orinda-14**

Figures 3, 4, 7, and 9 of the Traffic and Circulation Technical Report (Draft Supplemental EIR Appendix G) contained a printing error that made those figures difficult to read. The printing error was corrected and the figures were posted to the Project's website at <https://www.ebmud.com/orwtpimprovements> on September 3, 2020. The figures are also included in Chapter 10, Draft Supplemental EIR Revisions.

#### **Response to Comment Orinda-15**

The Highway Capacity Manual (HCM) 2010 was used for the Traffic and Circulation Technical Report because, at the time the analysis was conducted, Synchro software version 10 was malfunctioning and generated inaccurate results for certain traffic scenarios. Synchro software version 11, which was released after the traffic analysis for the Project was conducted, addresses the software's previous inability to accurately model five-legged intersections; however, it is expected that updated results using the newer version of Synchro software would be similar to those reported for HCM 2010, and a change in level of service (LOS) would not occur.

#### **Response to Comment Orinda-16**

Based on the analysis provided in the Traffic and Circulation Technical Report (Draft Supplemental EIR Appendix G), and Draft Supplemental EIR Section 3.13, Transportation, appropriate mitigation strategies were presented when necessary. The Project is responsible only for its contribution to traffic on surrounding roadways, not the existing traffic conditions. Mitigation strategies provided, including a Traffic Control Plan required by adopted WTTIP Mitigation Measure 3.8-1, would minimize the Project's impacts on traffic circulation on local streets, resulting in a less-than-significant impact. Further, pursuant to Public Resources Code Section 21099(b)(2) and *CEQA Guidelines* Section 15064.3(a), project effects on automobile delay may no longer be considered a significant environmental impact in CEQA analysis. (See *Citizens for Positive Growth & Preservation v. City of Sacramento* (2019) 43 Cal.App.5th 609, 626 [“Under section 21099, subdivision (b)(2), existing law is that ‘automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment’ under CEQA, except roadway capacity projects.”])

#### **Response to Comment Orinda-17**

The description of Project construction truck access to and from the Orinda WTP and the circulation pattern within the Project site on page 20 of the Traffic and Circulation Technical Report (Draft Supplemental EIR Appendix G) actually presents assumptions used for the traffic impact analysis. It does not put forth a requirement that Project traffic

must approach and move through the Project site in the manner described, but presents the most likely scenario based on the roadway network in the Project area.

Adopted WTTIP Mitigation Measure 3.8-1 (shown in Draft Supplemental EIR Table 3.13-5) requires a Traffic Control Plan, which would include “circulation and detour plans to minimize impacts on local street circulation.” The truck routing plan would show travel patterns for inbound and outbound trucks using regional and local facilities.

Adopted WTTIP Mitigation Measure 3.8-1 also includes requirements for EBMUD to control and monitor construction vehicle movements, comply with roadside safety protocols, and coordinate with local agencies (i.e., City of Orinda) to reduce the potential for traffic conflicts. Mitigation Measure TRA-1 also requires EBMUD to specifically monitor Project construction vehicle traffic, coordinate weekly with the Orinda Police Department, install or use traffic safety devices, limit queuing outside of work hours, and address any violation of these requirements. These mitigation measures provide EBMUD the flexibility needed to respond to real-time conditions during construction, while also requiring and ensuring that EBMUD implement the mitigative actions necessary to reduce any resulting impact to a less-than-significant level.

A traffic analysis was performed at the Camino Pablo/Manzanita Drive intersection (study intersection number 9) with and without construction truck trips using existing traffic volumes that were counted on November 5, 2019. This analysis is documented on Figures 4 (existing conditions) and 7 (existing with Project conditions) of the Traffic and Circulation Technical Report (Draft Supplemental EIR Appendix G); refer to Response to Comment Orinda-14 identifying the printing error for these figures and the posting of these figures on the Project website and inclusion of the figures in Chapter 10. This intersection analysis took into account the change in the number of traffic signal calls for traffic from Manzanita Drive. The analysis found that the addition of Project-generated construction traffic would not result in an increase in intersection delay large enough to exceed the LOS standard at any of the study intersections that operate at or above the LOS standards in any peak period under existing conditions which includes the Camino Pablo/Manzanita Drive intersection. Project-generated construction traffic also would not result in an increase in intersection delay large enough to degrade intersections already exceeding the LOS standard in any peak period under existing conditions. All of the study intersections that currently operate below the City of Orinda LOS standards based on the General Plan would continue to do so under Project conditions, including Camino Pablo and Manzanita Drive. If it is necessary to reconfigure Project truck access onto the Orinda WTP and Project site, EBMUD will reevaluate the effects of this reconfiguration and implement appropriate and adequate mitigative actions pursuant to adopted WTTIP Mitigation Measure 3.8-1 and Mitigation Measure TRA-2.

Regarding the comment “the expected new permanent employee vehicles using the parking lot for the new Maintenance Building,” there would be no new employees associated with operation of the Project. As stated on Draft Supplemental EIR page 2-44, maintenance activities would require the dedication of one or two Orinda WTP employees per week, which would be staffed by the existing crew. All long-term

maintenance activities would be conducted by staff already on site, so monthly maintenance truck trips to and from the Orinda WTP site would not change once the Project is operational.

### **Response to Comment Orinda-18**

Tables 12 and 13 of the Draft Supplemental EIR Appendix G, Traffic and Circulation Technical Report, show existing (recent pre-Project), existing plus Project, and cumulative projects plus Project truck and worker vehicle percentages along Project study roadways<sup>1</sup>. Only the Manzanita Drive roadway segment shows a potentially significant increase in truck and worker vehicle percentages due to estimated Project construction traffic. As described in Draft Supplemental EIR Section 3.13, Transportation, Mitigation Measure TRA-2, Pavement Monitoring, will require monitoring of and, if necessary, rehabilitation of pavement conditions on the portion of Manzanita Drive that would be used by Project-related vehicles.

Camino Pablo is designated as an arterial roadway in the City of Orinda 2017 Pavement Management Program Update Final Report (City of Orinda, 2017). As described in the Draft Supplemental EIR in Section 3.13, Transportation, the WTTIP EIR assumed that major arterials, such as Camino Pablo, were designed and constructed to handle a mix of vehicle types, including heavy trucks.

Table 12 of Appendix G of the Draft Supplemental EIR shows that Camino Pablo at Santa Maria Way has an existing average daily traffic volume of approximately 30,000 vehicles, of which 3 percent consists of heavy trucks; with Project trucks added, 3.4 percent of the average daily traffic volume would consist of trucks. Table 13 of Appendix G shows that the Project would result in a maximum increase of 0.5 percent in total average daily traffic volume (including both worker vehicle and truck traffic) on Camino Pablo at the Camino Pablo/Santa Maria Way intersection. These changes in average daily traffic volume would only occur when Project construction vehicles are using local roadways and are within the typical daily fluctuations experienced on arterial roadways (plus or minus 10 percent) and do not represent a substantial increase in traffic. Therefore, no additional analysis of truck traffic loading or pavement monitoring or maintenance of Camino Pablo is required as part of the Project.

Further, given the high daily traffic volumes on Camino Pablo, it is not feasible to accurately attribute any changed pavement conditions on Camino Pablo, a busy arterial roadway, to any specific traffic source.

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<sup>1</sup> Appendix A of Draft Supplemental EIR Appendix G, Traffic and Circulation Technical Report, shows the traffic count data for peak-hour periods, including truck counts, at the Project study intersections. The overall volume of trucks as a percentage of average daily traffic volumes shown in Tables 12 and 13 of the Traffic and Circulation Technical Report described in the response to comment Orinda-18 is sufficient to answer the comment.

## 8.3 Responses to Individual Comments

### 8.3.1 Jason Akel

#### Response to Comment Akel-1

As described in Draft Supplemental EIR Section 3.13, Transportation, Mitigation Measure TRA-2, Pavement Monitoring, will require monitoring of and, if necessary, rehabilitation of pavement conditions on the portion of Manzanita Drive that would be used by Project-related vehicles. Mitigation Measure TRA-2 requires the contractor to document pavement conditions pre- and post-construction and to structurally repair Manzanita Drive to pre-Project conditions in the event of any pavement deterioration due to Project construction traffic. To minimize increases in Project duration, no additional documentation of pavement conditions will be conducted, but the contractor will conduct visual inspections of Manzanita Drive during construction to ensure that no unsafe pavement conditions occur during the Project.

Please refer to Response to Comment Orinda-18 for a response that addresses monitoring and maintenance of Camino Pablo.

#### Response to Comment Akel-2

Please refer to Section 8.1, Global Response on Manzanita East Staging Area, which indicates that in response to this and other comments, EBMUD has eliminated the Manzanita East staging area from the Project. Refer to Section 10.3 for analysis of the effects on scenic quality for use of the Settling Ponds staging area (which would be less than with the Manzanita East staging area), and use of lighting during construction (which would be shielded to reduce the potential for light trespass onto neighboring properties). No new fencing would be installed for use of the Settling Ponds staging area because the area is currently fenced.

### 8.3.2 Marc Cohen

#### Response to Comment Cohen-1

Please refer to Section 8.1, Global Response on Manzanita East Staging Area, which indicates that in response to this and other comments, EBMUD has eliminated the Manzanita East staging area from the Project. Refer to Section 10.3 for analysis of impacts on aesthetics, transportation, biological resources, and water quality associated with use of the Settling Ponds staging area.

### 8.3.3 Patrick Fearon

#### Response to Comment Fearon-1

The North Orinda Sports Field and the undeveloped area south of the sports field are located on property owned by EBMUD and leased to the City of Orinda for recreational

purposes. In the recent past, the City and its contractors used the area south of the sports field parking spaces (the site) as a construction staging area. The City and its contractors vacated the site in the spring of 2020, and EBMUD installed security fencing to secure the site for EBMUD use only. EBMUD has since improved the site and is committed to maintaining a safe and clean work area. The site is currently being used by EBMUD contractors working on improvements to the water system serving the El Toyonal neighborhood in Orinda. During Project construction, the site will not be used for construction staging, and no Project construction activities will occur at the site. A limited number of EBMUD staff temporarily displaced from the Orinda WTP by Project construction will use the site. Use of the site during Project construction will be limited to the placement of temporary office trailers, storage, and vehicle parking to accommodate those displaced EBMUD staff members. This use of the site is anticipated to be lower intensity than use of the site for construction staging.

#### **Response to Comment Fearon-2**

The EBMUD staging area located on Bear Creek Road northwest of the Pacific Gas and Electric Company Sobrante Substation is used daily by EBMUD for material stockpiles, is fully occupied, and is not available for construction staging during Project construction. Further, as explained in Response to Comment Fearon-1, the North Orinda Sports Field site will not be used for construction staging for the Project, but will accommodate EBMUD staff temporarily displaced from the Orinda WTP by Project construction.

### **8.3.4 Winnie Froehlich**

#### **Response to Comment Froehlich-1**

EBMUD has chosen to remove the Manzanita East staging area from the Project. Please refer to Section 8.1, Global Response on Manzanita East Staging Area, for more details regarding this change. As indicated in Draft Supplemental EIR Section 2.6.3, Construction Schedule and Hours, construction personnel may arrive on site and depart approximately 1 hour prior to or after regular construction times (8:00 a.m. to 6:00 p.m., Monday through Friday). Additionally, concrete delivery trucks would be allowed to access the Orinda WTP site from 6:00 a.m. to 6:00 p.m., Monday through Friday to accommodate 12-hour concrete pours. As discussed in Draft Supplemental EIR Section 3.11, Noise, Project construction would have less-than-significant impacts related to increasing the ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, even at the earlier hours noted above (refer to Impact NOI-1).

During construction, a designated EBMUD community affairs representative can be contacted regarding construction noise or other construction-related concerns, and their phone number will be provided on signage outside of the Project site and on EBMUD's Project webpage.



### 8.3.5 Sandy Gross

#### Response to Comment Gross-1

Section 3.11 of the Draft Supplemental EIR addresses potential impacts from noise that could result from construction and operation of the Project, and includes mitigation measures to reduce the impact from construction and operational noise to less-than-significant levels, including a designated EBMUD contact to respond to resident concerns throughout Project construction.

EBMUD thoroughly investigated the potential for use of self-adjusting, white noise backup alarms (also known as “smart” backup alarms) and/or “spotters” rather than traditional “beeping” backup alarms or warning alarms. EBMUD determined that it cannot safely implement these options on the Project for the following reasons:

- Use of white noise backup alarms on contractor and subcontractor vehicles:*** While white noise backup alarms meet current California Occupational Safety and Health Administration (Cal/OSHA) requirements, requiring contractors to disable existing beeping backup alarms is unsafe. EBMUD cannot require modification to equipment that is not in accordance with manufacturer guidelines and/or could result in voiding the contractor’s equipment warranty. Beeping backup alarms are the current industry standard. EBMUD uses contractors and subcontractors for a variety of services on projects, and EBMUD jobs sometimes have multiple second- and third-tier trucking subcontractors. EBMUD cannot know exactly what equipment will be used on an EBMUD job day-to-day, and it would not be feasible to require all contractors and subcontractors to use white noise alarms on all EBMUD projects.
- Use of spotters in lieu of beeping warning alarms:*** Pursuant to California Code of Regulations Title 8, Section 1592, earth hauling vehicles of the capacity expected to be used during Project construction require beeping backup alarms, and spotters are a supplement to, not a substitute for, warning alarms on those vehicles. EBMUD determined that requiring contractors to disable existing warning alarms and use spotters instead would be unsafe. Replacing an automatic, default engineering control with administrative control increases the possibility of human error. Several EBMUD contractors have reported that disabling beeping backup alarms would violate company health and safety policies.

While EBMUD cannot safely implement the use of alternatives to traditional backup alarms on this Project, the use of backup alarms at the Project site will be minimized by the circulation of construction vehicles through the Project site. As stated on page 3.13-16 of the Draft Supplemental EIR, heavy construction traffic circulation at the Project site would be in one direction (“in a counter-clockwise fashion from the Lime Tower to the north gate of the Orinda WTP at Manzanita Drive”), thereby minimizing the need for construction vehicles to reverse direction (i.e., back up).

### Response to Comment Gross-2

Draft Supplemental EIR Section 2.6.3, Construction Schedule and Hours, identified Project construction work hours from 8:00 a.m. to 6:00 p.m., Monday through Friday. The Project also includes additional work hours for specific construction and hauling activities, as described in the Draft Supplemental EIR and in Table 8-2.

**TABLE 8-2  
PROJECT CONSTRUCTION WORK HOURS**

Project Construction Activity	Days	Hours
General Construction <sup>a</sup>	Monday through Friday	8:00 a.m. to 6:00 p.m.
Weekend Construction <sup>b</sup>	Saturday	10:00 a.m. to 5:00 p.m.
Soil/Demolition Off-Haul; Heavy Equipment Delivery	Monday through Friday	9:00 a.m. to 4:00 p.m.
Concrete Pours <sup>c</sup>	Monday through Friday	6:00 a.m. to 6:00 p.m.

NOTES:

<sup>a</sup> Construction personnel may arrive on site and depart approximately 1 hour prior to or after regular construction times.

<sup>b</sup> Weekend construction activities would be limited to five Saturdays during the winter of 2024-2025.

<sup>c</sup> To ensure structural integrity, 12-hour continuous concrete pours are required; therefore, concrete deliveries must begin prior to 8:00 a.m.

SOURCE: ESA, 2020.

As shown in Draft Supplemental EIR Table 3.11-8 in Section 3.11, Noise and Vibration, the maximum increase in traffic noise – from the temporary addition of Project construction traffic along all analyzed segments of Camino Pablo affected by Project construction traffic and adjacent to sensitive receptors (shown on Figure 3.11-1) – would be approximately 1.2 dBA over existing noise levels. Because construction traffic noise on roadway segments adds less than 5 dBA to existing traffic noise levels, the increase in traffic noise on local roadways from the temporary addition of Project construction traffic would be a less-than-significant impact (FHWA, 2017). Additionally, while concrete mixer trucks would operate from 6:00 a.m. to 8:00 a.m. (outside City of Orinda noise ordinance construction hours), the noise generated by these trucks would be less than the nighttime (10:00 p.m. to 7:00 a.m.) noise threshold of 55 dBA at the closest sensitive receptors (shown on Draft Supplemental EIR Figure 3.11-1). As the City’s threshold would be met, construction noise impacts from concrete deliveries would be less than significant.

### 8.3.6 Aram Hodess

#### Response to Comment Hodess-1

The Orinda WTP currently uses sodium hypochlorite for chlorination and will continue to use sodium hypochlorite once the Project is completed. Sodium hypochlorite has the same active ingredient as household bleach. EBMUD discontinued the use of gaseous chlorine and transitioned to the use of more stable liquid disinfectants such as sodium hypochlorite in 1997.

### 8.3.7 Ana Perez Laflamme

#### Response to Comment Perez Laflamme-1

Please refer to Responses to Comments Fearon-1 and Gross-1 for responses regarding use of the undeveloped area south of the North Orinda Sports Field and beeping backup alarms.

### 8.3.8 Wayne Phillips

#### Response to Comment Phillips-1

Comment noted.

## 8.4 Responses to Public Meeting Comments

### 8.4.1 Public Meeting – August 20, 2020

#### Response to Comment PM-1

As shown in Table 2-3 of the Draft Supplemental EIR, landscaping would be installed during the Site Preparation, Demolition, and Landscaping construction phase, prior to the start of Project construction. Additionally, pursuant to adopted WTTIP Mitigation Measure 3.3-2a, EBMUD will replace any landscaping that is removed or destroyed during construction consistent with landscaping plans. Refer to Draft Supplemental EIR Section 2.5.12, Screening and Landscaping, for information regarding screening and landscaping at the Orinda WTP as part of the Project, and Draft Supplemental EIR Figure 2-9 for a conceptual landscaping plan.

#### Response to Comment PM-2

Please refer to Response to Comment Gross-1 for response about beeping backup alarms.

#### Response to Comment PM-3

As described in Draft Supplemental EIR Section 2.6.3, Construction Schedule and Hours, trucks delivering concrete would be allowed to access the Orinda WTP site from 6:00 a.m. to 6:00 p.m., Monday through Friday, to accommodate concrete activities, which require 12-hour continuous concrete pours to ensure structural integrity. No concrete deliveries, soil off-haul, and large-construction-truck traffic would occur during any Saturday work.

Traffic counts taken for the Project indicate that there are between approximately 1,215 and 1,325 vehicles on Camino Pablo between 6:00 a.m. and 7:00 a.m., less than the approximately 1,720 to 2,153 vehicles on Camino Pablo shown in Draft Supplemental EIR Table 3.13-2 between the hours of 7:00 a.m. and 9:00 a.m. As discussed in Section 3.13, Transportation, approximately eight concrete delivery trucks per hour would access the Orinda WTP site for concrete pours. All concrete delivery, soil and demolition off-

haul, and heavy-equipment construction trucks are assumed to travel northbound on Camino Pablo from Highway 24 and to use the south gate to enter the Project site.

The temporary increase in Project-generated traffic would result in a minor increase in traffic volumes on Camino Pablo (less than 1 percent) and would not significantly disrupt traffic flow on these roadways. Refer to Response to Comment Gross-2 for more information related to concrete delivery trips.

#### **Response to Comment PM-4**

As described on Draft Supplemental EIR page 3.13-16, all concrete delivery, soil and demolition off-haul, and heavy-equipment construction trucks are assumed to travel northbound on Camino Pablo from Highway 24 and use the south gate to enter the Project site. Construction trucks hauling heavy equipment or concrete would exit from the north gate on Manzanita Drive. Refer to Draft Supplemental EIR Figure 3.13-4 for the assumed truck route plan.

#### **Response to Comment PM-5**

Please refer to Response to Comment Akel-1.

#### **Response to Comment PM-6**

EBMUD acknowledges the public meeting speakers' concerns regarding the use of the Manzanita East staging area (i.e., numbers of workers, ingress/egress, physical limits, timing), the potential for visual change, and the presence of wildlife, as well as the request for a visual simulation and consideration of other staging sites for use in lieu of the Manzanita East staging area. Please refer to Section 8.1, Global Response on Manzanita East Staging Area, which indicates that in response to this and other comments, EBMUD has eliminated the Manzanita East staging area from the Project and moved the staging area to EBMUD's settling ponds. Refer to Section 10.3 for analysis of impacts on aesthetics, transportation, and biological resources associated with use of the Settling Ponds staging area.

## **8.5 References**

City of Orinda, 2017. *PTAP-17, Pavement Management Program Update Final Report*, NCE Project No. 55.145.55.

Federal Highway Administration (FHWA), 2017. *Construction Noise Handbook*. August 2006, updated on August 24, 2017.

# CHAPTER 9

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## Comment Letters

The comment letters and other submittals received regarding the Draft Supplemental EIR are included in this chapter.

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September 4, 2020

East Bay Municipal Utility District (EBMUD)  
Attn: Chien Wang, Associate Civil Engineer  
375 Eleventh Street: M/S #701  
Oakland, CA 94607-4240  
Email: orwtp.improvements@ebmud.com

RE: Comments on Draft Supplemental Environmental Impact Report for the Orinda Water Treatment Plant Disinfection Improvements Project

Dear Ms. Wang:

The City of Orinda has reviewed the Draft Supplemental EIR document prepared by EBMUD for the Orinda Water Treatment Plant Disinfection Improvements Project. The draft EIR was discussed at two City Council meetings (August 18 and September 1, 2020) in which we received numerous public comments and specific input from our Councilmembers. Given the long duration and anticipated impacts to our residents, we would request that EBMUD address these concerns and consider our suggestions in order to minimize the overall impacts from the project. Our final comments are separated by the topic areas included in the environmental analysis. We have also encouraged our residents to submit their own comments directly to EBMUD in addition to the City’s official comments.

**AESTHETICS**  
**Scenic Vistas**

The SEIR provides an analysis of long-range vista views of the Orinda WTP site from Vollmer Peak within Tilden Regional Park, a Contra-Costa County designated scenic ridgeline, and concludes that the current project would not impact scenic vistas because visible project components would be visually consistent with the existing structures at the Orinda WTP.

Comment: In addition to views of the Orinda WTP from a scenic ridgeline, the SEIR should evaluate the potential for project components to impede existing views of scenic ridgelines from public vantage points. If this was already evaluated in the 2006 WTTIP EIR, a summary of this analysis should be provided in the SEIR.

**Visual Quality/Character**

Construction Staging. As stated in the SEIR, construction staging areas would be largely screened from existing public vantage points by existing landscaping and structures at the Orinda WTP and construction activities would be temporary. Adopted WTTIP Mitigation Measure 3.3-1 requires the contractor to ensure that construction-related activity is as clean and inconspicuous as practical by promptly removing construction debris and installing black fabric fence screening on fencing. The SEIR acknowledges that public views of the Manzanita East Staging Area “are readily accessible from vehicles and pedestrians traveling on Manzanita Drive and Acacia Drive.” Use of this staging area during construction would have an effect on the visual character of this site during project construction, which would last approximately 4.5 years.

Comment: Given the potential extent of tree removal/trimming required at this staging area, the duration of the construction period, and proximity to the public roadway, a visual simulation showing this area during construction, with implementation of Adopted WTTIP Mitigation Measure 3.3-1, would assist the public in understanding the visual change to this site during the construction period. 3 cont.

Comment: The City urges EBMUD to consider alternate locations, possibly within the treatment plant fenced perimeter, for the proposed two construction trailers (8' by 20') and five parking spaces near the Acacia/Manzanita Drives intersection. These trailers and parked cars will negatively impact the visual quality for pedestrians/cyclists/drivers and the residential homeowners directly across Acacia Drive of their current unobstructed view of San Pablo Creek and its riparian canopy. EBMUD will need to apply with the City Planning Department for a Use Permit for the extended temporary placement of the trailers. 4

Operation. The SEIR includes a thorough analysis of the visual changes associated with long-term operation of the project as seen from publicly accessible viewpoints, including visual simulations from four key viewpoints. Mitigation measures adopted as part of the WTTIP EIR (Adopted WTTIP Mitigation Measures 3.3-1, 3.3-2a, 3.3-2b, 3.3-2c, and 3.3-3) and incorporated into the current project description require planting of extensive landscaping to provide screening of proposed facilities and incorporation of design elements to enhance the appearance of proposed facilities and to integrate them with the existing visual environment. Further, Adopted WTTIP Mitigation Measure 3.3-2a requires that the District's coordinate with neighborhood representatives during the development of final landscaping plans. 5

Comment: The neighborhood and the City have a strong interest in the potential visual impacts of the project and the importance of the proposed landscaping in mitigating visual impacts. The coordination mentioned should be conducted now, rather than deferred to a later date. With implementation of these Adopted WTTIP Mitigation Measures, the SEIR concludes that operation of the project would not conflict with applicable zoning or other regulations governing scenic quality and the impact would be less than significant. EBMUD should plan to install screening landscaping along the fence perimeter adjacent to Manzanita Drive and Camino Pablo at the beginning of the four and half year project to ensure adequate screening growth occurs near the completion of the project. 6

**BIOLOGICAL RESOURCES**

As addressed in the SEIR, the primary project change that requires new analysis of biological resources is the proposed location of the Maintenance and UV Electrical/Ultraviolet/Chlorine Control Basin (MAUVE/UV/CCB) structure partially within the Mixed Riparian Habitat, which is present along the west bank of San Pablo Creek. Encroachment into the riparian zone was not addressed in the 2006 WTTIP EIR. 6

Comment: Impact BIO-2 properly recognizes that locating a portion of this structure in the riparian habitat is a significant impact but does not quantify the extent (acreage) of habitat loss, the effect this encroachment will have on wildlife use of this portion of the riparian corridor and the adequacy of the proposed 10-foot setback from top of creek bank for this portion of the structure.



The following comments address specific portions of the Biological Resources section:

- The report does not accurately state the extent of the Regional Water Quality Control Board (Water Board) jurisdiction. The Water Board’s jurisdiction extends to the top of stream bank or edge of riparian vegetation, whichever is greater. This is similar to California Department of Fish and Wildlife (CDFW) Section 1600 jurisdiction. The project needs to obtain water quality certification from the Water Board as well as a Streambed Alteration Agreement from CDFW. 7
- The proposed mitigation (Adopted WTTIP EIR Mitigation Measure 3.6-2c) for loss of riparian habitat describes several options but defers preparation of a riparian mitigation plan to a later date. There is no way to assess the adequacy of this future plan which prevents the ability to determine if this measure reduces the impact to riparian vegetation to a less-than-significant level. The preparation of a riparian mitigation plan should be prepared and not deferred to a later date. 8
- Mitigation Measure BIO-1 requires EBMUD to conduct a presence/absence survey for special status plants. This survey should have been conducted prior to issuing the SEIR so that if special-status plants are present, project impacts could be accurately determined. These surveys should be conducted, and the findings should be incorporated into the results of the Final EIR. This would allow for the identification of specific mitigation measures. Mitigation Measure BIO-2 suggests several options but there is no way to evaluate their adequacy. 9
- The SEIR acknowledges the presence of San Francisco dusky-footed woodrat in the project area and refers the reader to Adopted WTTIP Mitigation Measure 3.6-6. This measure requires conducting preconstruction surveys for woodrat houses and dismantling and relocating the sticks of houses that would be impacted, forcing the woodrats to find other shelter. This measure does not provide adequate mitigation for loss of a woodrat house. Current mitigation requirements call for placing a shelter with an access tunnel at a suitable location prior to covering it with the relocated sticks. 10

**NOISE**

One subsection that is difficult for the reader to reconcile with the previous EIR is the information in the Operation section (page 3.11-16) as compared to the information in Table 3.10-8 of the previous EIR. It appears by reading the SEIR that updated specifications may be presented but it is unclear. 11

Comment: It would be useful to explain where and why the equipment assumptions are different and possibly create a table in the SEIR similar to Table 3.10-8 of the previous EIR. 11

Orinda residents have expressed concerns related to construction noise, including the level of noise on weekends, measures that EBMUD will implement to ensure noise levels are within acceptable limits, noise associated with the 18 percent increase in Average Daily Traffic (ADT) and noise impacts associated with the Manzanita staging area. These concerns are addressed by EBMUD as follows: 12

Weekend Noise. As stated on page 3.11-12 of the SEIR, construction on Saturdays is expected to occur for up to five (5) Saturdays in the winter of 2024-2025. The construction activities will occur from 10:00 a.m. to 5:00 p.m. as allowed by the City of Orinda Municipal Code, Section 17.39.3. No construction work will occur on Sundays or Federal holidays. 12

Enforcement of Noise Measures. In order to confirm that noise impacts from both construction and operations would remain below the applicable standards, Mitigation Measures 3.10-1a, 3.10-1b, and 3.10-4 would ensure that the necessary noise reduction would be implemented. 12

Noise Related to ADT. While the increase of traffic noise related to construction activities would not be permanent, pages 3.11-15 and 3.11-15, address the noise increases along the construction routes. More specifically, Table 3.11-8 identifies that the maximum noise increase would be 1.2 dBA over existing noise levels. With an increase of less than 5 dBA, traffic noise impacts would be less than significant.

Manzanita Staging Area. The SEIR currently includes no information specific to potential impacts associated with operations or idling equipment at the Manzanita staging area.

Comment: Add a discussion identifying the expected noise levels and showing that noise levels would not exceed the appropriate standards. In particular, the noise expected from backup alarms from concrete trucks positioning themselves within the plant between 6:00 a.m. and 8:00 a.m. is compliance with the City’s Municipal Code.

12  
cont.

**RECREATION**

With implementation of the following Mitigation Measures, the SEIR concludes that impacts from project construction on the safety of transit, bicycle and pedestrian facilities would be less than significant.

The SEIR states that construction and staging activities associated with the project have the potential to generate noise, dust, construction traffic, and access disturbance, which could temporarily disrupt access to or enjoyment of existing recreational facilities in the project area, such as the sidewalk that runs along the south side of the WTP and the North Orinda Sports Field. However, the SEIR concludes that because these facilities would remain open and usable throughout the construction period, impacts to recreation would be less than significant. This section also references Section 3.13, Transportation, which addressed impacts to pedestrian and bicyclists during project construction. As stated in Section 3.13, Adopted WTTIP Mitigation Measure 3.8-1 requires a Traffic Control Plan and traffic safety devices (e.g., flaggers, etc.) be implemented to control construction-related traffic. In addition, Mitigation Measure TRA-1 requires monitoring of heavy construction vehicle traffic, including requiring the contractor to distribute written traffic safety requirements to all heavy construction vehicle drivers, obtain drivers’ written acknowledgement of the traffic safety requirements, provide radar speed feedback signs on Camino Pablo to reduce vehicle speeds, and coordinate with the Orinda Police Department (OPD) on the project construction schedule and OPD officer patrol car services along construction access routes within the City of Orinda.

Comment: The City of Orinda request EBMUD to consider establishing an alternate pedestrian trail connection between the existing settlement ponds (located northeast corner of Manzanita/Camino Pablo intersection) and San Pablo Creek to allow safer access to the Sports Field parking lot and eventually Wagner Ranch Elementary School. This will reduce the number of pedestrians (mostly students/parents) having to pass through the congested construction areas at the Manzanita and Sport Field intersections along Camino Pablo. This alternate pedestrian trail would be beneficially for the community if it remained permanently to provide a safer connection to the school and Sports Field for pedestrians in the Acacia neighborhood.

13

**TRANSPORTATION AND CIRCULATION**

EBMUD prepared a qualitative analysis of construction traffic using Vehicle Miles Traveled (VMT) as the basis for their traffic impact analysis.

Comment: Several of the traffic volume figures (e.g., Figures 3, 7, and 9) in the Traffic and Circulation Technical Report Orinda Water Treatment Plant Disinfection Improvements Project (Fehr

14

and Peers, April 2020) are illegible. Therefore, it is difficult to review and evaluate the adequacy of these figures. 14 cont.

The Traffic and Circulation Technical Report Orinda Water Treatment Plant Disinfection Improvements Project (Fehr and Peers, April 2020) explains the limitations of analysis software when it identifies why Highway Capacity Manual (HCM) 2000 methodology must be used at a 5-legged intersection. 15

Comment: The report does not explain why HCM 2010 methodology was selected over the more recent HCM 6th Edition for analysis of the remaining study intersections. 15

Analysis of intersection performance reveals that several intersections function at unsatisfactory level of service and construction traffic would increase delay at these intersections. 16

Comment: Analysis of intersection performance reveals that several intersections function at unsatisfactory level of service and construction traffic would increase delay at these intersections. The report should identify mitigation strategy or strategies to account for the additional construction traffic impacts. 16

On page 20 of the Traffic and Circulation Technical Report Orinda Water Treatment Plant Disinfection Improvements Project (Fehr and Peers, April 2020) it is made clear that the assumed truck route plan (i.e., trucks traveling northbound on Camino Pablo from SR-24 and using the South Entrance) is crucial to avoid impacts related to construction truck travel on smaller roadways. 17

Comment: This truck routing plan (illustrated on Figure 3.13-4) should therefore be included in Mitigation Measure 3.8-1. Based on EBMUD's anticipated truck hauling loop route (mentioned below) using the entrance off Camino Pablo near the Ardilla/North lane intersection, proceeding through the plant property and exiting onto Manzanita Drive (with flaggers), presumably there will be more signal calls (detected vehicles) for vehicles exiting Manzanita Drive which will cause more and/or longer red lights phases for traffic travelling along Camino Pablo. The anticipated 10-18 trucks (and for the expected new permanent employee vehicles using the parking lot for the new Maintenance Building) per hour exiting through the Manzanita Drive signal will likely significantly increase the existing signals calls from the typical neighborhood traffic. Perform a specific traffic analysis for the Manzanita/Camino Pablo signalized intersection, including performing pre-project traffic counts in each direction. Consider any necessary mitigation measures including modifications of hauling hours to avoid peak hour commutes, signal timing changes, or measures. 17

Comment: A breakdown of recent pre-project peak hour vehicle trips should be provided which includes the percentage and/or number of actual truck trips vs. passenger vehicles. The increase of 10-18 trucks trips compared to the overall volume of trips along Camino Pablo may be a very small percentage but it would important to understand the percentage increase of truck trips to better understand the traffic and pavement impacts. Also include an analysis that evaluates the increase in equivalent single axle loading of your heavy truck traffic compared to pre-project conditions on both Camino Pablo and Manzanita Drive since a heavy multiple axle construction truck has an exponentially higher impact to the pavement surface than a passenger vehicle. Manzanita Drive was recently repaved in 2019 and the section along Camino Pablo near the Water Treatment Plant will be repaved in 2020. The City will be monitoring the pavement surface for accelerated deterioration since both roads will be considered basically brand new. The City will seek pavement 18

Orinda

mitigation funds or remedies from EBMUD due to the additional damage to the new<sup>18</sup>  
pavement surface from this project. | cont.

If you have any questions, please feel free to contact Larry Theis, Assistant City Manager/Director of Public Works at (925) 253-4260 or via email [LTheis@cityoforinda.org](mailto:LTheis@cityoforinda.org).

Thank you for your consideration,

A handwritten signature in cursive script that reads "Darlene K. Gee".

Darlene K. Gee  
Mayor  
City of Orinda

**From:** [Jason Akai](#)  
**To:** [Orwtp Improvements](#)  
**Cc:** [Larry Theis](#); [Inga Miller](#)  
**Subject:** EBMUD DSEIR for WTP project - resident comments  
**Date:** Saturday, September 5, 2020 8:44:17 PM

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CAUTION – This email came from outside of EBMUD. Do not open attachments or click on links in suspicious emails.

Hello EBMUD team,

I am submitting here formal comments/requests that reiterate what I and others communicated on past community Zoom calls...

1. Roadway maintenance

EBMUD needs to continuously monitor public roadway asphalt on Camino Pablo and Manzanita Dr. that will be impacted by EBMUD vehicles and ensure proper maintenance throughout the duration of the project and NOT at the conclusion. These are essentially new roadways, particularly Manzanita. If EBMUD is not directly responsible for the maintenance, provide monies to the City of Orinda for maintenance; e.g. in an escrow account.

2. East of Manzanita Bridge staging area

- EBMUD should look into and work to secure **on-site placement of the trailers** and worker vehicles (west of the bridge) that are currently planned to be placed east of the Manzanita bridge alongside Acacia Drive.
- In addition, we request **renderings** from different angles of the trailers, parking and fencing in that current planned placement.
- Residents **do not want industrial security fencing** such as barb wire, razor wire, and chain link. Deer (with fawns), skunk, raccoon and the occasional coyote move through this area daily or weekly and must be accommodated to not disrupt their natural habitat. e.g. the absolute minimum area should be used, current barb wire should be removed to allow better freedom of movement around trailers.
- Absolutely **no security/flood lights** should be used that will disrupt residents and wildlife.

Thank you,

Jason Akai  
 c. 415.244.7770  
 Acacia Drive resident

**From:** [Marc Cohen](#)  
**To:** [Orwtp Improvements](#)  
**Cc:** [Larry Theis](#)  
**Subject:** Orinda Water Treatment Plant Project  
**Date:** Friday, September 4, 2020 11:48:34 AM

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Good afternoon.

I have attended the last 2 virtual meetings in addition to the in person meeting that took place in 2019.

I now understand the importance of the planned project. However, there are a number of concerns, one of which stands out. This is planned use of the space on the East Side of the Manzanita Bridge for 2 construction trailers and parking.

The meeting on August 20, 2020 commenced with the statement that EBMUD wants to be a good neighbor. Soon afterwards, though, we were advised that EBMUD continues with the idea of using a neighborhood as part of the construction project,

Here are some of my concerns:

1. The use of the nature area on the east side of the bridge will have a direct impact on the Manzanita/Acacia neighborhood. Though it has not been defined as to what type of fencing will be present or other details, at a minimum 2 construction trailers will be present along with parking. People entering and exiting the neighborhood on a daily basis will be exposed to this construction area.

Significantly, this area is well outside the bounds of the construction project taking place at the water treatment center.

2. The footprint will be well beyond just parking and the trailers. As Mr. Theis brought up, how will the cars exit and enter? Will there be a turn around area?

3. Though not discussed, there is the safety issue. Manzanita/Acacia is already an odd intersection with a narrow bend in the road just as you enter and exit Acacia. Now, there will be the addition of new cars with a new entrance/exit. This a safety hazard particularly for individuals and delivery trucks that do not frequently drive on Acacia.

4. The impact on wildlife. Spend a little time at this nature area being considered for the trailers and cars and you will see a great deal of wildlife that use the area as a thoroughfare. What will happen to the wildlife?

5. I am far from a drainage expert, but just as in much of Orinda; drainage is an issue in this area particularly during storms. How will the changed usage impact drainage?

6. The general quality of life with a sight of construction trailers; cars coming and going in what is now a tranquil area.

While the use of the nature area may be convenient for EBMUD, it is hoped that EBMUD will consider less intrusive alternatives in their quest to be a good neighbor.

↑  
1  
cont.

Thank you. If there are questions, I can also be reached by cell, 510-853-1602.

Marc Cohen  
Cohen & Associates  
653 11th Street  
Oakland, CA 94607  
p: 510-645-4680

**RE: Orinda Sports Field conversion to Construction Staging Area**

Patrick Fearon  
10 Los Amigos Court  
Orinda, CA. 94563

July 31, 2020

Chien Wang  
Associate Civil Engineer MS# 701  
357 Eleventh Street  
Oakland, CA. 94607-4240

Dear Mr. Wang,

I have lived uphill from the area identified at the crossroads off Camino Pablo signage in Orinda as "Los Amigos" / "Sports Field" for twenty five years; my front room looks directly down on the area -I have the dubious distinction of these physical / time vantages ...within that context please consider my observations and comments below.

In excess of twenty years the Orinda Sports Field operated as posted "*Joint Project by the City of Orinda and East Bay Municipal Utility District*". A very commendable shared land use that served as a convenience for EBMUD trucks during the week and youth sports parking lot on the weekends. About three years ago (*from memory*) this changed dramatically - apparently it was to accommodate an urgent local road / bridge repair. The activity on the property escalated into a constant hub of construction trucks spewing diesel, dust and noise.

This year that escalation culminated in the conversion of three fourths of the parking lot into a full on construction staging area. Behind ten feet high barb wired chain link fences a modular office manages; portable toilets, dump trucks, debris boxes, a few mounds of assorted gravel, a water wagon - the later no one seems to use here. I have seen dust clouds rise and drift over my neighbors homes...I have closed my own windows in response.

Considering this construction staging area is an island surrounded by residential property and a grade school - can't we expect the same courtesy / considerations of a good neighbor that we enjoyed for decades? What changed? One red light and one mile away there has been an established EBMUD staging area (*for decades*) off Bear Creek Road - isn't this the appropriate location for this operation?



Patrick Fearon  
fearonline@patrickfearon.com

Cc.



**From:** [WINNIE Froehlich](#)  
**To:** [Orwtp Improvements](#)  
**Subject:** Concerns about Manzanita Staging area for Water Filtration Plant Upgrade  
**Date:** Saturday, September 5, 2020 12:44:30 PM

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Hello, I am a long time resident of Orinda who lives directly across the street from the proposed Manzanita staging area. I am interested in hearing what guidelines will be developed for maintaining the noise level as the workers arrive each morning.

During previous projects, workers, wanting to beat the commute rush, would arrive very early for their shifts and would proceed to talk very loudly and turn on their radios showing no respect for those living in the near by neighborhood. I would like to know who we could contact via cell phone if there is an issue with loud noise early in the morning.

Best,

Winnie Froehlich

1

**From:** sandyfgross <sandyfgross@gmail.com>  
**Date:** September 2, 2020 at 7:58:35 PM PDT  
**To:** "Gonzalez, Rolando" <rolando.gonzalez@ebmud.com>  
**Subject: RE: Link to meeting**

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Rolando,

I have two questions that I would like you to pass on to the powers that be at EBMUD.

1. So the issue of noise seems to be in denial by EBMUD. They claim the backup beepers are essential for safety and can not be replaced with new quieter technology. So is EBMUD not planning to do anything to mitigate the awful noise.

1

2. I believe I saw in the SEIR (or somewhere) that hours for work will be from 9am-6pm each working day. Yet trucks delivering concrete can start delivering at 6 am. If EBMUD really cares about residents in proximity to their Water Treatment Plant, they would not allow deliveries until at least 8am. We deserve our quiet time, like any other neighborhood would demand.

2

Thank You,

Sandy Gross  
68 Stanton Avenue  
Orinda, CA 94563.

**From:** aram hodess <aramhodess@gmail.com>  
**Date:** September 1, 2020 at 2:40:25 PM PDT  
**To:** "Young, Marguerite" <marguerite.young@ebmud.com>  
**Subject:** Orinda WTP

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Hi Marguerite, Trust this finds you well. I had a question about current and future operation of the Orinda WTP.  
What is the plant currently using for chlorination- chlorine gas or sodium hypochlorite?  
Which will the plant use once the plant is updated? I'd appreciate your earliest response. Thanks

1

Aram Hodess  
925-519-2826

Sent from my iPhone

**Dr. Ana Perez Laflamme**  
**11 Los Amigos Court, Orinda, CA. 94563**  
**925-254-2250**  
[\*\*aperezchisti@gmail.com\*\*](mailto:aperezchisti@gmail.com)

Chien Wang  
Associate Civil Engineer MS# 701  
357 Eleventh Street  
Oakland, CA. 94607-4240  
July 29<sup>th</sup> 2020

Dear Mr. Wang,

In response to the Notice of Draft Supplemental Environments Impact Report that was sent out to all residents of the surrounding area of the EBMUD Water Treatment Plant on Camino Pablo, Orinda, California, I am responding with a serious request that I hope you will give due consideration.

For many years the EBMUD has used the property at the Orinda Sports Field , located next to the water treatment plant, for earth and debris storage for many years. Trucks and work equipment have inundated our community with serious degrees of pollution from dust, traffic, and noise from the pervasive back-up beeping systems. It has been a nightmare of abuse toward community well-being and an ethical breakdown by our entrenched representatives in the Orinda Council who did nothing when we appealed for correction. **Our request was to keep the earth and debris sprayed and use Broadband Backup Beepers, a communication system now used by OSHA in many cities and towns. Please see the following:** <https://brigade-electronics.com/products/reversing-and-warning-alarms/>

When the Camino Pablo Water Treatment Plant repair goes into place 2021-2025, it would be important to factor in the environmental impact of dust and noise especially from beeping trucks and heavy equipment that will negatively impact our surrounding community. In the event that we are requested to remain sheltered at home to work and do business due to COVID19 pandemic, and even if sheltering in place is released, it is an imperative that these considerations stated above are given full attention for the environment and health of our community.

Sincerely,

Dr. Ana Perez Laflamme  
cc. Honorable Baurer-Kahan, Orinda Neighbors, Kathryn Horn

**From:** [Big Wayne](#)  
**To:** [Orwtp Improvements](#)  
**Subject:** ever since chloramine  
**Date:** Tuesday, July 28, 2020 9:32:51 AM

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----- switched, my eyes sting in the shower. a guy came out and checked and said that my water was what it was supposed to be . nevertheless, my eyes still sting.

no response needed, just wanted to let you know . . .

wayne phillips  
58 bates blvd  
orinda

925) 317-3192

Big



# meeting notes

project Orinda Water Treatment Plant Disinfection Improvements project no. D171040  
 Project  
 date August 20, 2020 time 6:00 – 8:00 p.m.  
 present EBMUD: Dave Rehnstrom, Chien Wang, Jeni McGregor, Jeff route to  
 Bandy, Rolando Gonzalez, Marguerite Young, Michael  
 Hartlaub  
 ESA: Jill Hamilton, Alena Maudru  
 subject Draft EIR Public Meeting

1. Has EBMUD decided to landscape early during construction to screen the Project from the start? ] 1
2. Has EBMUD decided how to mitigate noise from backup beepers? Can backup lights be used instead of backup beepers? ] 2
3. If concrete trucks come to the Project site at 6 am, how will that not affect traffic? Traffic starts at 6 am on Camino Pablo, so the concrete trucks will affect traffic. ] 3
4. Will trucks hauling heavy equipment/concrete enter the south gate of the Water Treatment Plant on Camino Pablo and existing the Water Treatment Plant through the north gate on Manzanita Drive? ] 4
5. Will there be continuous evaluation of roads in the Project area (Manzanita Drive, Camino Pablo, Acacia Drive) to avoid potholes? The commenter hopes that EBMUD is thinking past technical responsibility, and will evaluate impacts along the way to care for the community. Will EBMUD fund roadway repairs during Project construction to keep a minimal impact to the community? ] 5
6. What kind of fencing will be used to screen the Manzanita East staging area? Can a rendering or example of the fence be presented? |
7. There are two groups of deer that graze at the Manzanita East staging area in the evening, and the commenter does not want staging activities to block the area or affect the deer. |
8. How many construction workers will park at/use the Manzanita East staging area? | 6
9. What is the exact area of the Manzanita East staging area that will be used? |
10. Can the construction office trailers go within the Water Treatment Plant area instead of the Manzanita East staging area? |
11. When will the trailers be at the Manzanita East staging area? | ↓

12. Can EBMUD explain the importance of the use of the Manzanita East staging area and why no other sites can be used for storing the construction office trailers?
13. How will cars enter and exit the Manzanita East staging area? Will there be a buffer to strengthen the entrance/exit from the roadway onto the staging area?

↑  
6 cont.





# CHAPTER 10

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## Draft Supplemental EIR Revisions

### 10.1 Introduction

This chapter presents revisions that have been made to the Draft Supplemental EIR text. These revisions provide corrections, additions, or clarifications as requested by specific comments. The text revisions are organized by chapter. Underlined text represents language that has been added to the Draft Supplemental EIR; text shown with ~~strikethrough~~ has been deleted from the Draft Supplemental EIR.

### 10.2 Text and Figure Revisions

As indicated in Section 8.1, Global Response on Manzanita East Staging Area, EBMUD has removed the Manzanita East staging area from the Project. The Manzanita East staging area will not be used during Project construction or altered by any Project-related activities. Any references and analyses specific to the Manzanita East staging area are hereby stricken from the Supplemental EIR. EBMUD is proposing to instead use the existing fenced and paved area around the Orinda Water Treatment Plant (WTP) settling ponds north of Manzanita Drive and directly opposite the Orinda WTP north gate (Settling Ponds staging area) in place of the Manzanita East staging area. Refer to Section 10.3 for a description and analysis of the new Settling Ponds staging area.

### Executive Summary

#### *Section S.1, Introduction*

Page S-1, the last sentence in the third paragraph has been revised as follows:

The Project would also install landscaping, remove vegetation in various places within the Orinda WTP site, replace existing and install new security fencing, and restore ~~and landscape~~ the site following construction.

Page S-1, the first sentence in the fourth paragraph has been revised as follows:

In addition to considering the Project as described above, the Supplemental EIR considers the following alternatives:

## Chapter 3, Environmental Setting, Impacts, and Mitigation Measures

### Section 3.4, Biological Resources

Page 3.4-25, the first sentence in the fourth paragraph has been revised as follows:

Adopted WTTIP Mitigation Measures 3.6-2e, 3.6-2f, and 3.6-7a would implement special construction techniques to allow the roots of riparian trees to breathe and obtain water, and excavate adjacent to or within the dripline of any riparian tree in a manner that causes only minimal root damage (adopted WTTIP Mitigation Measure 3.6-2e); require that equipment and materials be stored away from waterways to the extent feasible, provide proper and timely maintenance for vehicles and equipment used during construction, install silt fencing material at the edge of established buffer zones for riparian habitat, or at the edge of the creek where no riparian habitat is present, and minimize the removal of riparian and wetland vegetation (adopted WTTIP Mitigation Measure 3.6-2f); and implement practices to protect water quality for the benefit of fish and amphibians located downstream through the use of sediment curtains and silt fencing, preparation and implementation of a spill prevention plan, and ensure that equipment and hazardous materials are stored at least 50 feet away from waterways (adopted WTTIP Mitigation Measure 3.6-7a).

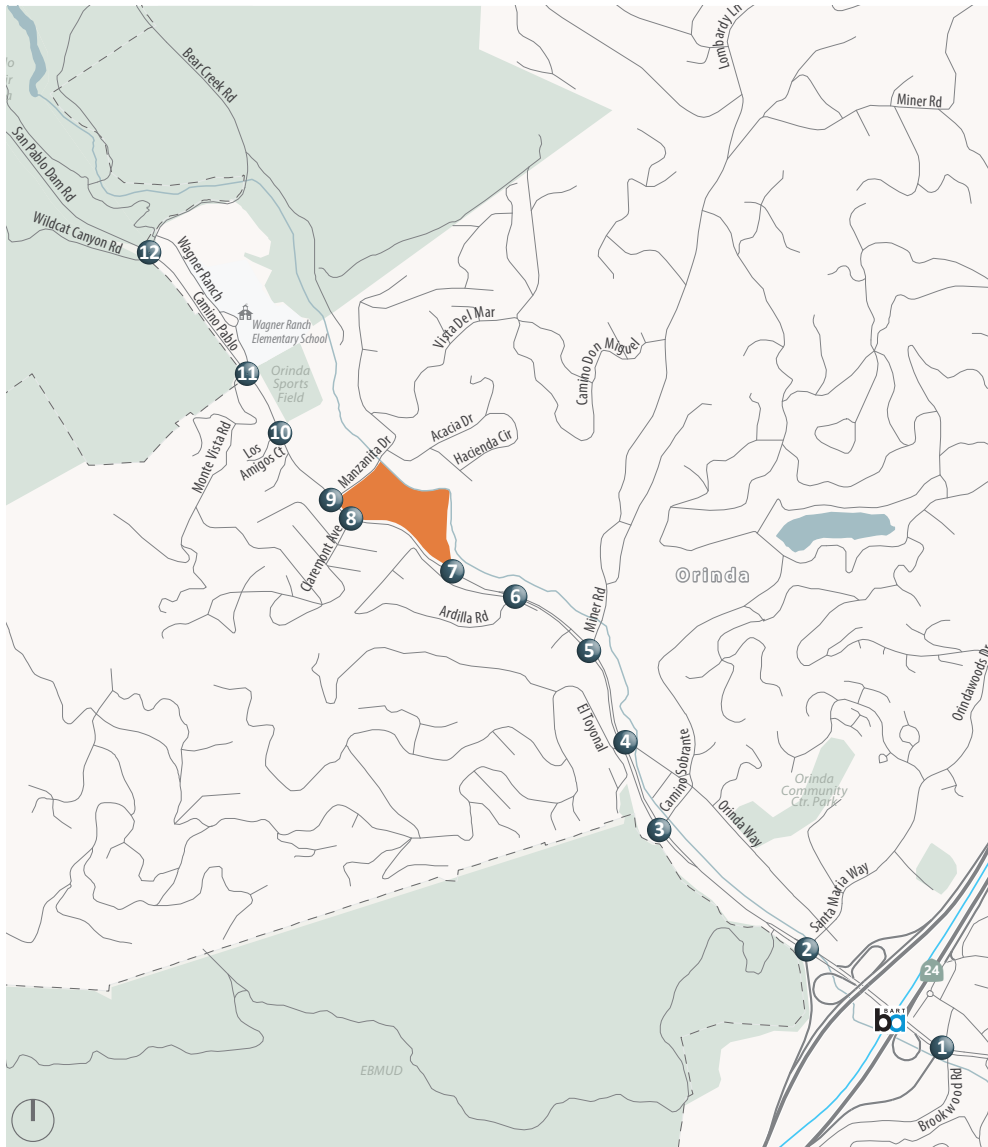
### Appendix G – Traffic and Circulation Technical Report

Figures 3, 4, 7, and 9 of the Traffic and Circulation Technical Report (Draft Supplemental EIR Appendix G) contained a printing error that made those figures difficult to read. The printing error was corrected and the figures were posted to the Project's website at <https://www.ebmud.com/orwtpimprovements> on September 3, 2020. The corrected figures are also included in this chapter.

## 10.3 Settling Ponds Staging Area

### 10.3.1 Description

As stated in Section 8.1, Global Response on Manzanita East Staging Area, in response to community concerns about use of the Manzanita East staging area for the Project, EBMUD has removed that staging area from the Project. The comments included request that EBMUD consider alternative locations for the Manzanita East staging area and expressed concerns about its physical appearance in or adjacent to a residential neighborhood and riparian corridor, vegetation removal, effects on wildlife and water quality (i.e., site drainage), Project-related traffic, and noise. In response to these concerns, EBMUD has removed the Manzanita East staging area from the Project and proposes to relocate construction staging to a site within the existing fenced and paved area around the Orinda WTP settling ponds north of Manzanita Drive and directly opposite the Orinda WTP north gate.



<p><b>1. Camino Pablo/SR-24 EB Off-Ramp/Brookwood Rd</b></p> <p>SR-24 EB On-Ramp 284 (328) [568] 88 (92) [104] 277 (311) [425]</p> <p>62 (45) [56] 468 (560) [796] 162 (186) [263]</p> <p>292 (189) [193] 4 (9) [8] 7 (27) [31]</p> <p>69 (48) [44] 43 (28) [31] 12 (11) [14]</p> <p>14 (27) [28] 14 (27) [28] 891 (649) [723]</p>	<p><b>2. Camino Pablo/SR-24 WB On-Ramp/Santa Maria Way</b></p> <p>760 (237) [337] 140 (268) [360] 90 (39) [64]</p> <p>33 (53) [52] 137 (133) [135] 170 (343) [323]</p> <p>690 (639) [1,397] 464 (427) [654]</p>	<p><b>3. Camino Pablo/ Camino Sobrante</b></p> <p>1,422 (683) [804] 47 (37) [47]</p> <p>19 (50) [52] 188 (177) [199]</p> <p>518 (663) [1,235] 135 (196) [214]</p>
<p><b>4. Camino Pablo/El Toyonal/Orinda Way</b></p> <p>34 (12) [8] 3 (35) [23] 111 (70) [62]</p> <p>87 (120) [166] 13 (11) [52] 5 (19) [9]</p> <p>41 (23) [13] 22 (10) [20] 106 (69) [77]</p> <p>36 (59) [49] 489 (674) [1,233] 12 (10) [5]</p>	<p><b>5. Camino Pablo/Miner Rd</b></p> <p>1,084 (539) [673] 36 (15) [42]</p> <p>31 (34) [38] 416 (185) [163]</p> <p>455 (638) [1,293] 162 (18) [1,298]</p>	<p><b>6. Camino Pablo/Ardilla Rd</b></p> <p>0 (0) [0] 1,114 (554) [715]</p> <p>0 (0) [0] 486 (670) [1,241]</p>
<p><b>7. Camino Pablo/Frontage Road/South Entrance</b></p> <p>4 (5) [4] 1,091 (640) [692]</p> <p>9 (3) [1] 0 (0) [0] 23 (14) [23]</p> <p>11 (13) [18] 472 (656) [1,223] 3 (1) [0]</p>	<p><b>8. Camino Pablo/Claremont Ave</b></p> <p>12 (3) [13] 1,025 (615) [664]</p> <p>16 (8) [6] 70 (30) [32]</p> <p>16 (29) [59] 465 (636) [1,174]</p>	<p><b>9. Camino Pablo/Manzanita Dr</b></p> <p>892 (488) [656] 16 (9) [8]</p> <p>16 (10) [4] 45 (30) [21]</p> <p>458 (613) [1,155] 23 (25) [25]</p>
<p><b>10. Camino Pablo/Los Amigos Ct</b></p> <p>3 (0) [5] 38 (13) [665] 0 (3) [0]</p> <p>1 (1) [2] 0 (0) [0] 9 (4) [0]</p> <p>0 (0) [45] 0 (0) [0] 7 (2) [5]</p> <p>3 (1) [5] 462 (619) [1,117] 9 (3) [37]</p>	<p><b>11. Camino Pablo/Monte Vista Rd</b></p> <p>2 (3) [3] 808 (479) [663]</p> <p>7 (10) [5] 2 (0) [0] 168 (5) [3]</p> <p>6 (80) [65] 1 (1) [0] 15 (10) [4]</p> <p>5 (10) [14] 458 (610) [1,156]</p>	<p><b>12. Camino Pablo/Wildcat Canyon Rd/Bear Creek Rd</b></p> <p>37 (12) [8] 386 (477) [464] 0 (9) [11]</p> <p>2 (9) [11] 90 (5) [8] 199 (20) [27]</p> <p>5 (23) [164] 6 (12) [104] 22 (45) [155]</p> <p>62 (40) [20] 194 (613) [1,090] 215 (147) [110]</p>

XX (YY) [ZZ] AM (Midday) [PM] Peak Hour Traffic Volumes Signalized Intersection

Project Site City Limits Study Intersection



Figure 3

## Existing Conditions Peak Hour Intersection Traffic Volumes, Lane Configurations and Traffic Controls

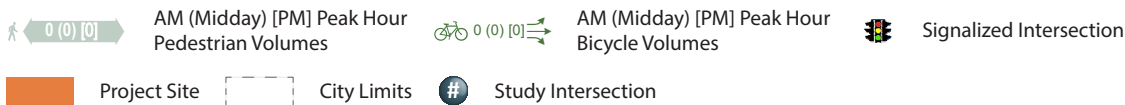
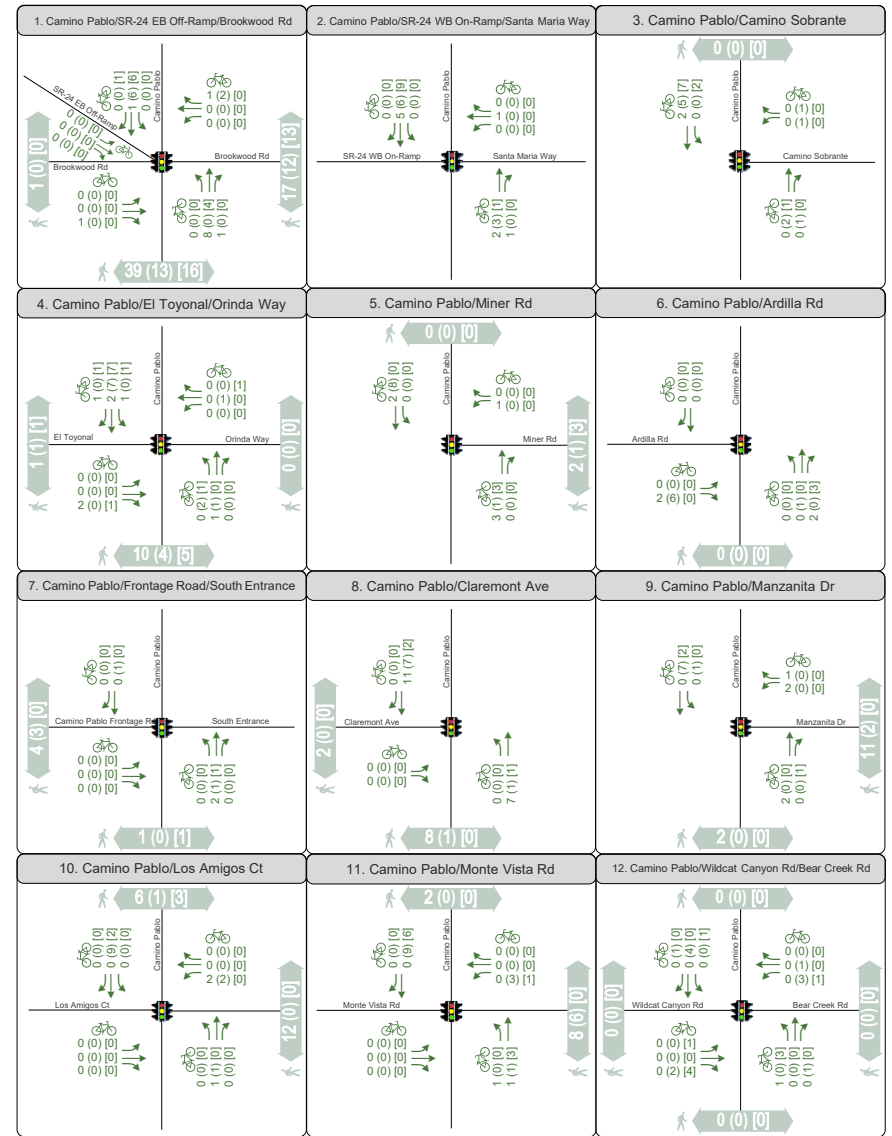
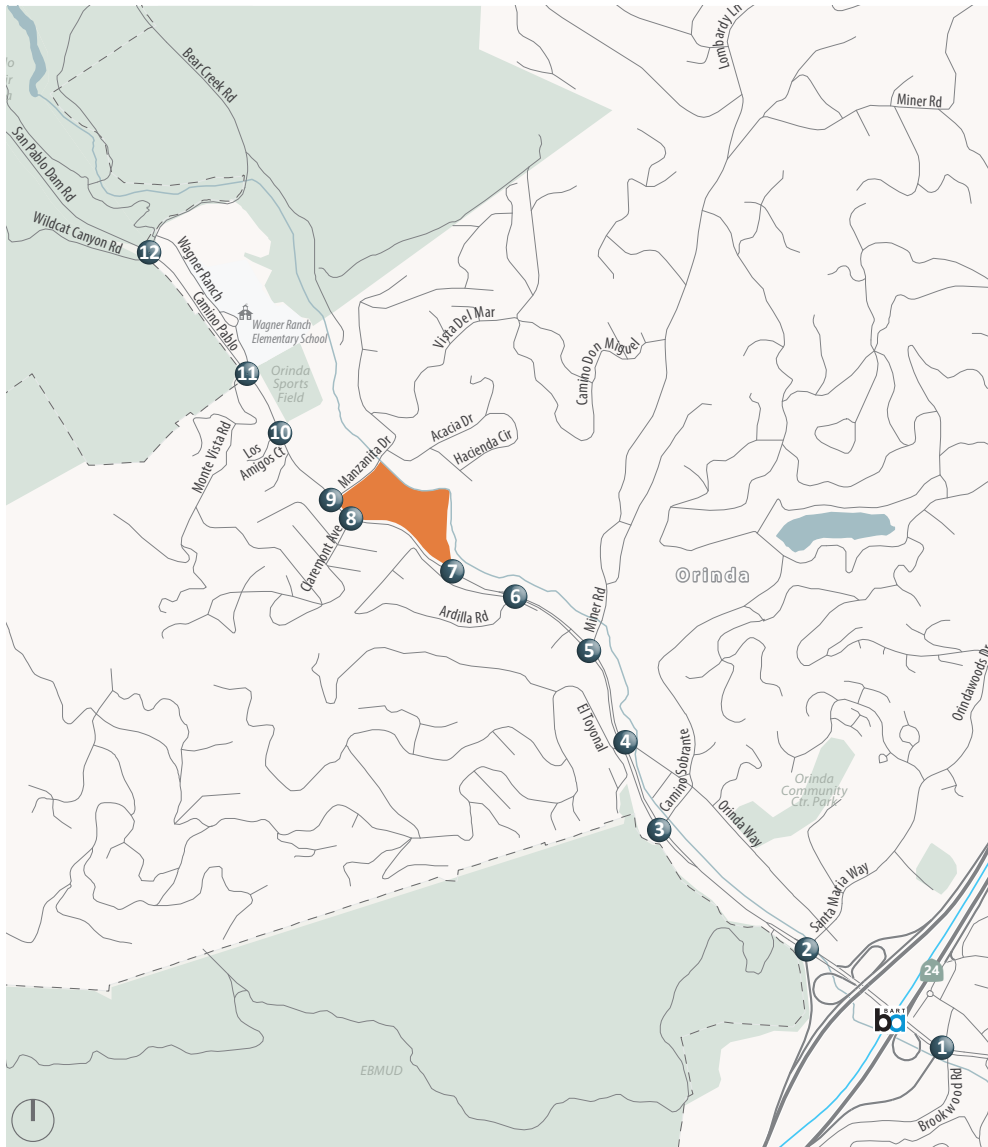
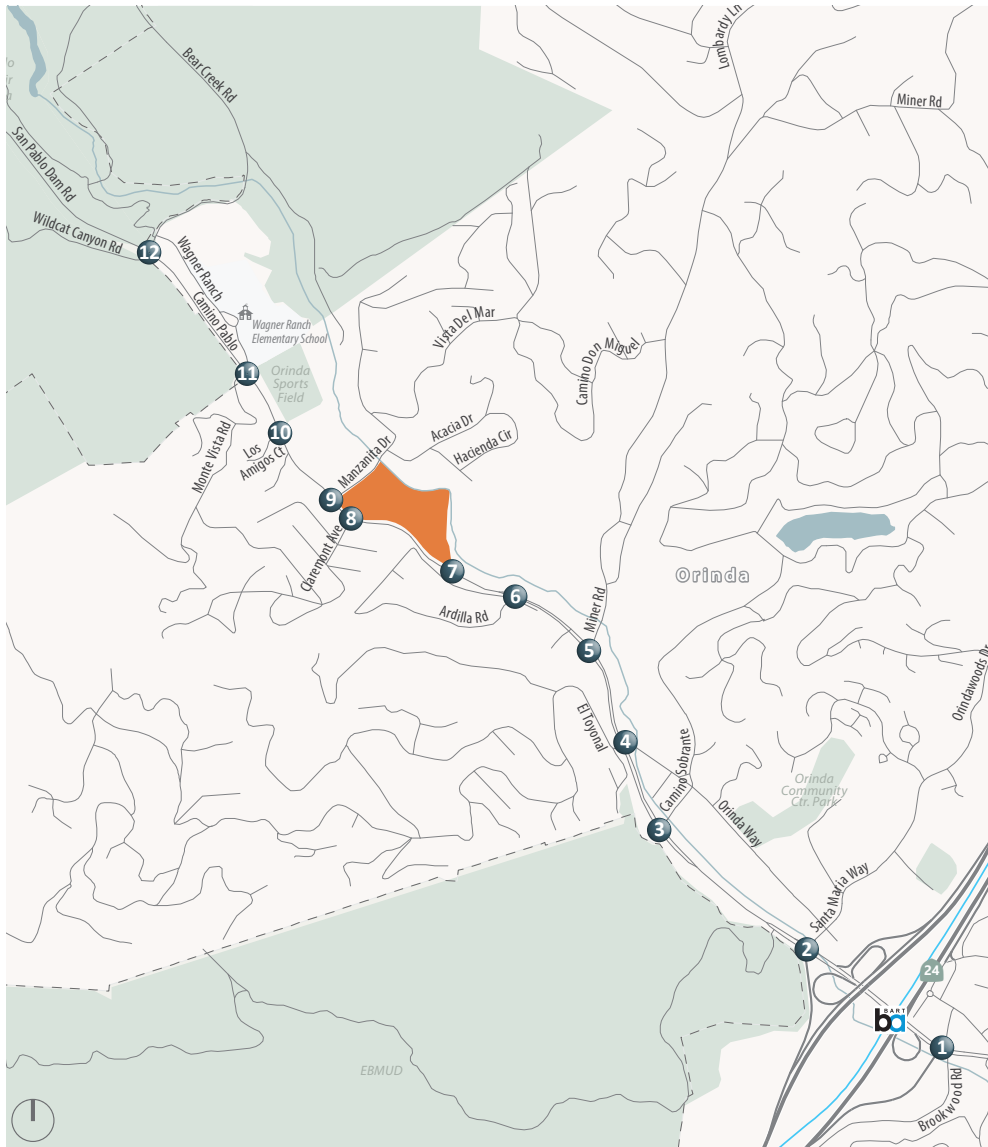


Figure 4  
Existing Conditions Peak Hour  
Pedestrian and Bicycle Volumes



1. Camino Pablo/SR-24 EB Off-Ramp/Brookwood Rd	2. Camino Pablo/SR-24 WB On-Ramp/Santa Maria Way	3. Camino Pablo/Camino Sobrante
<p>SR-24 EB On-Ramp 305 (338) [558] 86 (92) [104] 277 (311) [425]</p> <p>Camino Pablo 62 (45) [58] 468 (560) [796] 182 (186) [203]</p> <p>Brookwood Rd 292 (178) [193] 4 (9) [8] 7 (27) [31]</p> <p>Brookwood Rd 69 (48) [44] 43 (28) [31] 12 (11) [14]</p> <p>Camino Pablo 14 (10) [24] 14 (27) [23] 891 (684) [717]</p>	<p>Camino Pablo 784 (242) [354] 14 (26) [21] 90 (39) [64]</p> <p>SR-24 WB On-Ramp 33 (53) [52] 137 (133) [135] 170 (343) [323]</p> <p>Camino Pablo 1,428 (898) [834] 47 (37) [47]</p> <p>Santa Maria Way 664 (649) [1,405] 484 (427) [654]</p>	<p>Camino Pablo 19 (50) [52] 188 (177) [199]</p> <p>Camino Sobrante 582 (703) [1,243] 135 (196) [214]</p>
4. Camino Pablo/El Toyonal/Orinda Way	5. Camino Pablo/Miner Rd	6. Camino Pablo/Ardilla Rd
<p>Camino Pablo 34 (12) [8] 13 (36) [7] 111 (70) [62]</p> <p>El Toyonal 41 (23) [13] 22 (10) [20] 106 (69) [77]</p> <p>Orinda Way 87 (120) [166] 13 (11) [52] 5 (19) [9]</p> <p>Camino Pablo 36 (59) [49] 523 (894) [1,241] 12 (10) [5]</p>	<p>Camino Pablo 1,088 (544) [703] 30 (15) [42]</p> <p>Miner Rd 31 (34) [38] 416 (185) [163]</p> <p>Camino Pablo 489 (648) [1,211] 162 (18) [1,208]</p>	<p>Camino Pablo 0 (0) [0] 1,118 (599) [745]</p> <p>Ardilla Rd 0 (0) [0] 520 (680) [1,246]</p>
7. Camino Pablo/Frontage Road/South Entrance	8. Camino Pablo/Claremont Ave	9. Camino Pablo/Manzanita Dr
<p>Camino Pablo 4 (5) [4] 1,095 (645) [722]</p> <p>Camino Pablo Frontage Rd 9 (3) [1] 0 (0) [0] 23 (14) [23]</p> <p>South Entrance 11 (13) [18] 498 (656) [1,223] 11 (11) [8]</p>	<p>Camino Pablo 12 (3) [13] 1,029 (620) [894]</p> <p>Claremont Ave 16 (8) [6] 70 (30) [32]</p> <p>Camino Pablo 16 (29) [50] 491 (636) [1,174]</p>	<p>Camino Pablo 892 (488) [656] 30 (9) [8]</p> <p>Manzanita Dr 20 (15) [22] 49 (35) [51]</p> <p>Camino Pablo 458 (613) [1,155] 48 (25) [25]</p>
10. Camino Pablo/Los Amigos Ct	11. Camino Pablo/Monte Vista Rd	12. Camino Pablo/Wildcat Canyon Rd/Bear Creek Rd
<p>Camino Pablo 3 (0) [5] 10 (14) [16] 0 (3) [0]</p> <p>Los Amigos Ct 0 (0) [45] 0 (0) [0] 7 (2) [5]</p> <p>Camino Pablo 1 (1) [2] 0 (0) [0] 9 (4) [0]</p> <p>Camino Pablo 3 (1) [5] 466 (624) [1,135] 9 (3) [37]</p>	<p>Camino Pablo 2 (3) [3] 822 (479) [663]</p> <p>Monte Vista Rd 7 (10) [5] 2 (0) [0] 168 (5) [3]</p> <p>Camino Pablo 6 (80) [65] 1 (1) [0] 15 (10) [4]</p> <p>Camino Pablo 5 (10) [14] 482 (615) [1,168]</p>	<p>Camino Pablo 37 (12) [8] 603 (417) [464] 0 (9) [11]</p> <p>Wildcat Canyon Rd 5 (23) [164] 6 (12) [106] 22 (45) [155]</p> <p>Bear Creek Rd 2 (9) [11] 90 (5) [8] 199 (20) [27]</p> <p>Camino Pablo 62 (40) [20] 198 (618) [1,106] 215 (147) [110]</p>

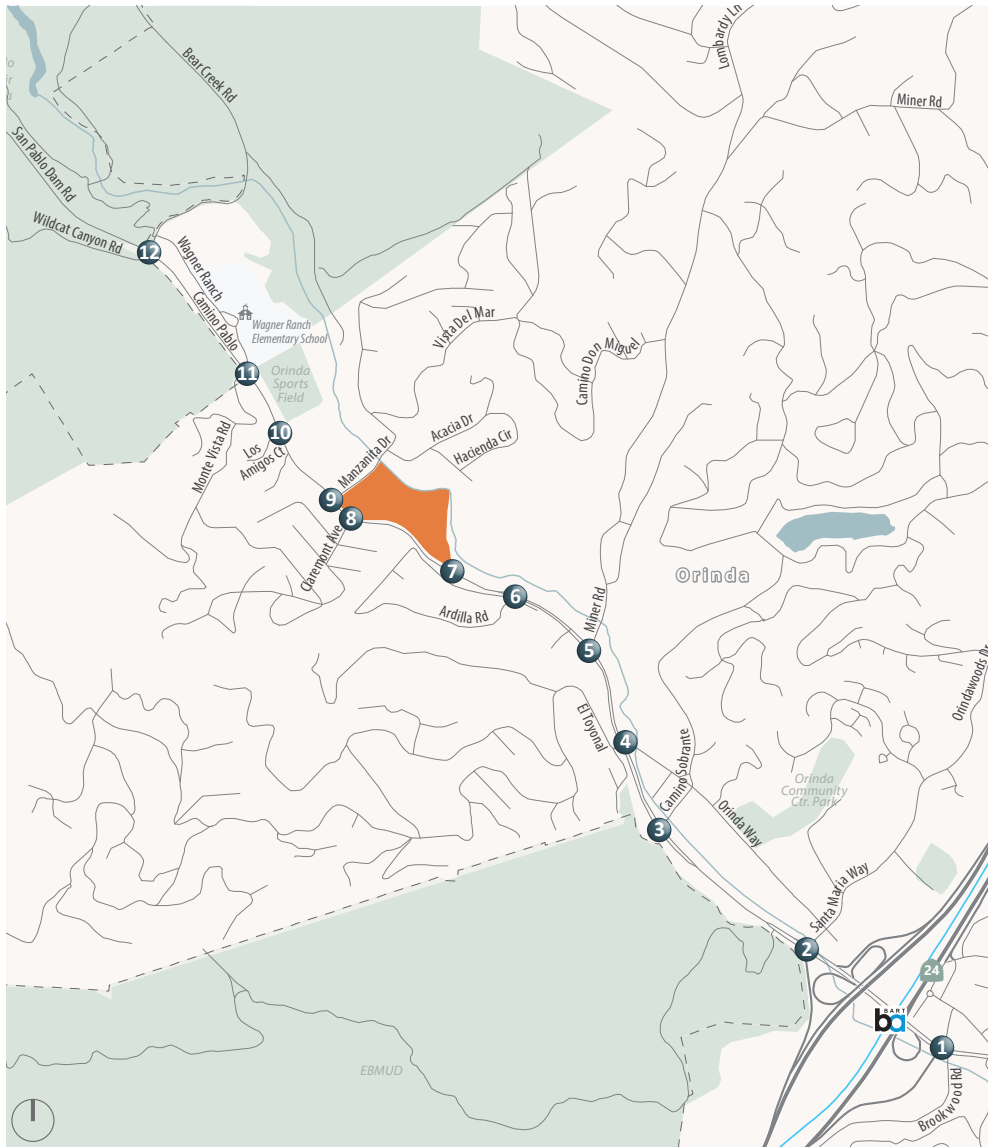
XX (YY) [ZZ] AM (Midday) [PM] Peak Hour Traffic Volumes Signalized Intersection

Project Site City Limits Study Intersection



Figure 7

## Existing with Project Conditions Peak Hour Intersection Traffic Volumes, Lane Configurations and Traffic Controls



<p><b>1. Camino Pablo/SR-24 EB Off-Ramp/Brookwood Rd</b></p> <p>SR-24 EB Off-Ramp 315 (345) [588] 88 (92) [104] 277 (311) [425]</p> <p>62 (45) [56] 468 (560) [796] 162 (186) [263]</p> <p>292 (178) [193] 4 (9) [8] 7 (27) [31]</p> <p>69 (48) [44] 43 (28) [31] 12 (11) [14]</p> <p>14 (10) [24] 14 (27) [23] 831 (687) [717]</p>	<p><b>2. Camino Pablo/SR-24 WB On-Ramp/Santa Maria Way</b></p> <p>767 (249) [364] 236 (262) 90 (35) [64]</p> <p>33 (53) [52] 137 (133) [135] 170 (343) [323]</p> <p>671 (627) [1,408] 464 (427) [654]</p> <p>1,429 (695) [851] 47 (37) [47]</p> <p>19 (50) [52] 188 (177) [199]</p> <p>568 (710) [1,246] 135 (196) [214]</p>	<p><b>3. Camino Pablo/Camino Sobrante</b></p> <p>1,429 (695) [851] 47 (37) [47]</p> <p>19 (50) [52] 188 (177) [199]</p> <p>568 (710) [1,246] 135 (196) [214]</p>
<p><b>4. Camino Pablo/El Toyonal/Orinda Way</b></p> <p>38 (16) [8] 65 (65) [66] 111 (70) [62]</p> <p>87 (120) [166] 13 (11) [52] 5 (19) [9]</p> <p>41 (27) [17] 22 (10) [20] 106 (63) [83]</p> <p>42 (63) [49] 534 (697) [1,244] 12 (10) [5]</p>	<p><b>5. Camino Pablo/Miner Rd</b></p> <p>1,092 (548) [703] 38 (18) [45]</p> <p>34 (37) [46] 419 (188) [174]</p> <p>469 (650) [1,215] 175 (164) [212]</p>	<p><b>6. Camino Pablo/Ardilla Rd</b></p> <p>0 (0) [0] 1,136 (566) [748]</p> <p>0 (0) [0] 523 (687) [1,261]</p>
<p><b>7. Camino Pablo/Frontage Road/South Entrance</b></p> <p>4 (5) [4] 1,107 (652) [725]</p> <p>9 (3) [1] 0 (0) [0] 23 (14) [23]</p> <p>11 (13) [18] 501 (683) [1,235] 11 (11) [8]</p>	<p><b>8. Camino Pablo/Claremont Ave</b></p> <p>12 (3) [13] 1,041 (627) [897]</p> <p>16 (8) [6] 70 (30) [32]</p> <p>16 (29) [53] 434 (637) [1,168]</p>	<p><b>9. Camino Pablo/Manzanita Dr</b></p> <p>1,004 (495) [659] 30 (9) [8]</p> <p>20 (15) [22] 49 (35) [51]</p> <p>461 (620) [1,167] 49 (25) [25]</p>
<p><b>10. Camino Pablo/Los Amigos Ct</b></p> <p>3 (0) [5] 10 (48) [66] 0 (3) [0]</p> <p>1 (1) [2] 0 (0) [0] 9 (4) [0]</p> <p>0 (0) [45] 0 (0) [0] 7 (2) [5]</p> <p>3 (1) [5] 469 (631) [1,147] 9 (3) [37]</p>	<p><b>11. Camino Pablo/Monte Vista Rd</b></p> <p>2 (3) [3] 834 (486) [666]</p> <p>7 (10) [5] 2 (0) [0] 168 (5) [3]</p> <p>6 (80) [65] 1 (1) [0] 15 (10) [4]</p> <p>5 (10) [14] 465 (622) [1,168]</p>	<p><b>12. Camino Pablo/Wildcat Canyon Rd/Bear Creek Rd</b></p> <p>37 (12) [8] 615 (224) [467] 6 (9) [11]</p> <p>2 (9) [11] 90 (5) [8] 199 (20) [27]</p> <p>5 (23) [164] 6 (12) [104] 22 (45) [155]</p> <p>62 (40) [20] 201 (625) [1,120] 215 (147) [110]</p>

XX (YY) [ZZ] AM (Midday) [PM] Peak Hour Traffic Volumes Signalized Intersection

Project Site City Limits Study Intersection



Figure 9

## Cumulative with Project Conditions Peak Hour Intersection Traffic Volumes, Lane Configurations and Traffic Controls

## Location and Access

The Settling Ponds staging area site is within the Orinda WTP property and located north of Manzanita Drive (refer to Figure 10-1). Specifically, the Settling Ponds staging area would be on the paved area around the northernmost settling pond (refer to Figure 10-2). Access to the staging area would be through the existing driveway and gate on Manzanita Drive, directly opposite the north gate into the main Orinda WTP area and the Project site.

## Site Characteristics and Use

The Settling Ponds staging area would be located within the fenced perimeter of the settling ponds parcel and away from San Pablo Creek (refer to Figure 10-2). The settling ponds are ringed by trees, other vegetation, and fencing, which obscure views into the site from Camino Pablo and Manzanita Drive.

Two construction office trailers and five construction employee parking spots for passenger vehicles would be located at the Settling Ponds staging area. Construction staging activities, including access, would be limited to the paved areas around the settling ponds; no undeveloped ground surface would be disturbed to accommodate staging activities. No vegetation trimming or other alteration would occur. No ground or paved surfaces would be altered and the existing drainage patterns on the site would not change. No additional fencing would be installed.

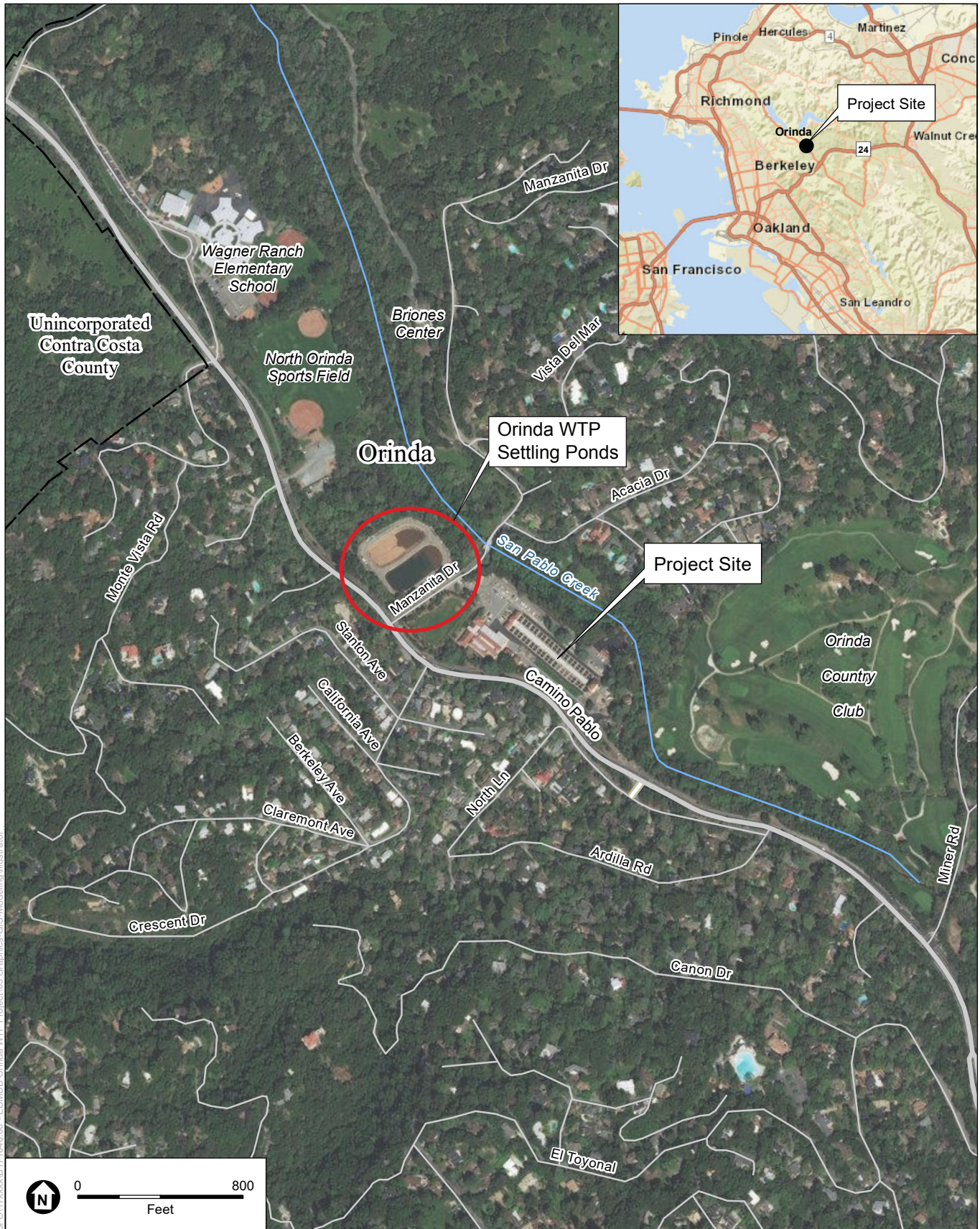
The use of the Settling Ponds staging area would not change the characteristics of Project construction described in Draft Supplemental EIR Section 2.6, Project Construction. The Project's construction schedule, equipment, trips, water usage, and waste generation and disposal would not change. As noted in Draft Supplemental EIR Section 2.6.6, Construction Lighting, the need for lighting would be infrequent and, when used, would be shielded to reduce the potential for light to trespass onto neighboring properties and sensitive receptors.

All Project-related construction trailers and vehicles would be removed from the Settling Ponds staging area after Project construction is completed. This staging area would be restored to pre-Project conditions and uses, including parking for EBMUD operations vehicles and equipment.

### 10.3.2 Environmental Impacts

Overall, none of the impacts identified in the Draft Supplemental EIR would become more severe based on using the Settling Ponds staging area instead of the Manzanita East staging area, and some would become less severe. The three key environmental resource areas – Aesthetics, Biological Resources, and Transportation – are discussed below. Table 10-1 at the end of this section indicates the severity and magnitude of the Project's impacts with use of the Settling Ponds staging area relative to the Project's impacts with use of the Manzanita East staging area presented in the Draft Supplemental EIR. Table 10-1 also specifies those measures to mitigate environmental impacts that EBMUD would adopt as conditions of approving the Settling Ponds staging area and the Project, as a whole.





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SOURCE: ESA, 2019; DSRI, 2019

EBMUD Orinda Water Treatment Plant Disinfection Improvements Project

**Figure 10-1**  
Settling Ponds Location







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SOURCE: ESA, 2020; Base - Google Earth, 2020

EBMUD Orinda Water Treatment Plant Disinfection Improvements Project

**Figure 10-2**  
Settling Ponds Staging Area





## Aesthetics

Moving Project construction staging activities to the Settling Ponds staging area would avoid visual changes and aesthetic impacts at the Manzanita East staging area. The appearance of the Manzanita East staging area would remain as shown on Draft Supplemental EIR Figure 2-11.

The settling ponds parcel is located on the northern corner of Camino Pablo and Manzanita Drive (refer to Figures 10-1 and 10-2). As noted in Section 10.3.1, Description, the perimeter of the settling ponds parcel is lined with trees, other vegetation, and fencing. The interior of the parcel is visually dominated by the two settling ponds. The settling ponds are lined with concrete, which gives them a lighter gray-tan color when not in use (i.e., filled). When the settling ponds are in use, they have the appearance of a constructed pond. The perimeter of the settling ponds is paved with asphalt and ranges in width from approximately 20 feet to 35 feet. The settling ponds parcel is not accessible to the public.

The Settling Ponds staging area is located in an urbanized area, as defined in the California Environmental Quality Act (CEQA) *Guidelines* Section 15387, and as mapped by the United States Census Bureau (U.S. Census Bureau, 2010); thus, impacts related to this staging area are considered in the context of the potential to conflict with applicable zoning and other regulations governing scenic quality (**Impact AES-3**).

The Settling Ponds staging area would be used temporarily and the public does not have access to the site. Any public views of the site would be from vehicles and pedestrians traveling on Camino Pablo and Manzanita Drive. There are limited low views from Camino Pablo into the site under tree canopy, although the view is broken by tree trunks. With the speed limit on this section of Camino Pablo being 30 miles per hour, motorists' views into the site would be fleeting and temporary. When northbound Camino Pablo traffic is stopped at the traffic light at Manzanita Drive, views toward the staging area site are obscured by trees and other vegetation. Pedestrians using the path along Camino Pablo would have more sustained views into the site, but the views would also be temporary. Along Manzanita Drive, the tree coverage is denser, almost completely obscuring views to the Settling Ponds staging area. The access gate from Manzanita Drive provides the only view into the site but is also obscured by the decorative metal on the access gate, from which the construction office trailers and parked vehicles would be visible. Motorists on Manzanita Drive would not have a view into the site, with the view from the access gate quite limited. Pedestrians would have a view into the settling ponds site from the sidewalk on the south side of Manzanita Drive opposite the access gate. As the pedestrians would be in motion, views into the site would be fleeting and temporary.

The Project would implement adopted WTTIP Mitigation Measure 3.3-1, which would ensure that construction-related activity is as clean and inconspicuous as practical at the Settling Ponds staging area. Refer to Draft Supplemental EIR Table 3.2-1 for the full text of adopted WTTIP Mitigation Measure 3.3-1. At the conclusion of construction, the Settling Ponds staging area would be restored to preconstruction conditions and uses, including parking for EBMUD operations vehicles and equipment. Coupled with the

limited viewing opportunities during construction, the Settling Ponds staging area (in an urbanized area) would not conflict with applicable zoning and other regulations governing scenic quality and the impact with respect to visual quality would be less than significant. Impacts on scenic quality associated with the Manzanita East staging area also could be mitigated to less-than-significant levels with implementation of adopted WTTIP mitigation measures; however, use of that staging area would still have an effect on current aesthetics because views of the site are readily accessible from Manzanita Drive and Acacia Drive (see Draft Supplemental EIR page 3.2-16). In comparison, effects on scenic quality from use of the Settling Ponds staging area would be less than with the Manzanita East staging area.

The Draft Supplemental EIR analyzed potential impacts on scenic vistas under **Impact AES-1**. The ridgeline within Tilden Regional Park is designated by the *Contra Costa County General Plan* as a scenic ridgeline (Contra Costa County, 2005) and a view from Tilden Regional Park (Viewpoint 9, Draft Supplemental EIR Figure 3.2-6) was evaluated for Project impact. The evaluation found that, while construction activities at staging areas may be visible in this view due to the movement of equipment, construction would not dominate or create a substantial visual contrast in the view due to the distance of the Project site from Vollmer Peak, and because vehicle movement is already seen within the Orinda WTP and on surrounding streets. The shift of construction staging from the Manzanita East staging area to the Settling Ponds staging area would not materially change the view from Tilden Regional Park. Therefore, the impact on scenic vistas would remain less than significant.

Highway 24 is the nearest designated California Scenic Highway to the Settling Ponds staging area, but the Settling Ponds staging area is not visible from Highway 24. Therefore, Project activities at this staging area would not impact or damage scenic resources within view of a state scenic highway (**Impact AES-2**).

Based on the construction schedule described in Draft Supplemental EIR Sections 2.6.3 and 2.6.6, the need for nighttime lighting would be infrequent (**Impact AES-4**). Construction activities would generally be limited to the daytime hours. When lighting is needed for construction purposes, shielded lighting would be used to reduce the potential for light trespass onto neighboring properties and sensitive receptors. The relocation of construction staging activities to the Settling Ponds staging area would move any associated lighting sources out of direct view sensitive receptors (i.e., residences). Visual impacts related to lighting would be less than significant.

## Biological Resources

Shifting Project construction staging activities from the Manzanita East staging area to the Settling Ponds staging area would move the activities away from the San Pablo Creek riparian corridor and onto existing paved surfaces within the fenced confines of the settling ponds parcel. As explained below, this shift would avoid potential impacts on biological resources at the Manzanita East staging area, including impacts on special-status plants,

sensitive natural communities, special-status wildlife and aquatic species, riparian vegetation and habitat, and wildlife movement and nurseries. Impacts on biological resources associated with the Manzanita East staging area could be mitigated to less-than-significant levels with implementation of adopted WTTIP mitigation measures and Project-specific mitigation measures, as noted in Draft Supplemental EIR Section 3.4, Biological Resources. As discussed below, by comparison, effects on biological resources from use of the Settling Ponds staging area would be less than with the Manzanita East staging area as it is not located adjacent to San Pablo Creek and its riparian corridor and within an existing fenced and active portion of the Orinda WTP.

At the Settling Ponds staging area, staging activities would be outside sensitive natural communities and have little to no potential for substantial adverse effects on any special-status species, being located in a developed facility and on paved surfaces (**Impact BIO-1**). Therefore, there would be no impact on special-status plants, sensitive natural communities and special-status wildlife and aquatic species.

Although the settling ponds parcel is adjacent to San Pablo Creek and its riparian corridor on the northeast, staging activities at the Settling Ponds staging area would be sited away from, and not within, the creek or riparian corridor (see Figure 10-2). The Settling Ponds staging area drains over land away from the settling ponds and San Pablo Creek west toward an existing vegetated area outside the fenceline on the Camino Pablo side of the settling ponds. The Settling Ponds staging area ultimately drains to a vegetated swale lined with filter rock to prevent erosion. Because staging activities would be in a developed, previously paved area, these activities would not affect protected wetlands or other protected aquatic resources, nor would they affect site drainage in a way that would impact protected aquatic or riparian resources (**Impact BIO-2**). Therefore, there would be no impacts attributable to Project staging activities on riparian habitat, other identified sensitive natural communities, or protected wetlands and other aquatic resources at the Settling Ponds staging area.

The Settling Ponds staging area would be located within the existing fenced confines of the settling ponds parcel (refer to Figure 10-2). The existing fencing precludes the use of this parcel by wildlife as a migratory corridor (**Impact BIO-3**). The settling ponds parcel is also an active component of the Orinda WTP, which would discourage the site's use as a nursery site. Therefore, the Settling Ponds staging area would not interfere with the movement of wildlife or disrupt the use of a migratory corridor or nursery site; there is no impact.

As staging activities would be located in a developed area and on previously paved surfaces, no alteration to trees would be necessary (**Impact BIO-4**). Therefore, use of the Settling Ponds staging area would not conflict with any local policies or ordinances protecting biological resources and there would be no impact.

The Settling Ponds staging area would not be located within the boundaries of EBMUD's Watershed Property and, therefore, would not be subject to EBMUD's Low Effect East

Bay Habitat Conservation Plan (EBMUD, 2008; **Impact BIO-5**). Likewise, the Settling Ponds staging area would not be located on land owned by the Pacific Gas & Electric Company and eligible for species conservation under its Bay Area Habitat Conservation Plan. Therefore, Project construction activities at the Settling Ponds staging area would not conflict with any adopted habitat conservation plan, natural conservation community plan, or other approved local, regional, or state habitat conservation plan; there would be no impact.

## Traffic

The use of the Orinda WTP settling ponds parcel for the Project construction staging activities that would have occurred at the Manzanita East staging area would eliminate Project-related traffic from the area of the intersection of Manzanita Drive and Acacia Drive. The Project-related traffic accessing the Settling Ponds staging area would do so through the long-established gated driveway into the settling ponds parcel located on the north side of Manzanita Drive and across Manzanita Drive from the north gate into the Orinda WTP facilities.

Residents in the Manzanita Drive and Acacia Drive neighborhoods walk past the Manzanita East staging to access the walking path/sidewalk along Camino Pablo. To get to Camino Pablo, pedestrians would use the sidewalk on the side south of Manzanita Drive that begins at the San Pablo Creek bridge. This would require pedestrians to cross the Manzanita East staging area access point. Additionally, Manzanita Drive is the primary vehicular access to these neighborhoods with all traffic passing through the intersection of Manzanita Drive and Acacia Drive, which is controlled by a stop sign on Acacia Drive. Although shifting construction staging activities from the Manzanita East staging area to the Settling Ponds staging area would not change the number of vehicle trips, it would shift the access point to the established and active driveway into the settling ponds parcel. There is also no sidewalk on the north side of Manzanita Drive at the settling ponds parcel; the sidewalk is on the south side of the street. Therefore, pedestrians accessing the Camino Pablo walking path/sidewalk would do so on the south side of Manzanita Drive, thereby avoiding potential conflict with Project vehicles accessing the Settling Ponds staging area. Effects on roadway and pedestrian circulation from use of the Settling Ponds staging area would be slightly less than with the Manzanita East staging area because the Settling Ponds staging area is not located adjacent to the intersection of Manzanita Drive and Acacia Drive, but at the established and active access to the settling ponds parcel, which does not have an active pedestrian crossing (**Impact TRA-1**). With implementation of adopted WTIP Mitigation Measures 3.8-1 and 3.8-4 and Mitigation Measure TRA-1, Project-related impacts from the use of the Settling Ponds staging area would remain the same.

As explained in Draft Supplemental EIR Section 3.13, Transportation, the Project minimizes the vehicle miles traveled (VMT) to the extent practicable by locating major construction areas on or within the walking district of the Project site, and by requiring carpooling of construction workers from the San Pablo Reservoir Staging Area to and from the Project site (**Impact TRA-2**). By moving construction staging activities from

the Manzanita East staging area to the Settling Ponds staging area, the distance traveled by Project-related traffic would be reduced by approximately 500 feet (i.e., from the gate of the Manzanita East staging area to the gate of the Settling Ponds staging area), and the volume of Project-related traffic would not change. Project worker vehicles (80 vehicles per day) would remain fewer than the Governor's Office of Planning and Research's (OPR) screening threshold for small projects (110 vehicles per day). Therefore, the construction impacts related to *CEQA Guidelines* Section 15064.3(b) would generally remain the same as those indicated in the Draft Supplemental EIR for the Manzanita East staging area.

Shifting the staging activities to the Settling Ponds staging area would eliminate construction-related traffic ingress/egress at the Manzanita East staging area, which would have been located at the intersection of Manzanita Drive and Acacia Drive. As noted above, Manzanita Drive is the primary vehicular and pedestrian access for the Manzanita Drive and Acacia Drive neighborhoods (**Impact TRA-3**). Access to/from the Settling Ponds staging area would use the existing gated driveway for the settling ponds parcel on Manzanita Drive. Also, pedestrians would use the sidewalk on the south side of Manzanita Drive, away from the Settling Ponds staging area access point. With construction staging traffic moved to the settling ponds parcel, which has an established access point and with the established sidewalk away from that access point, traffic hazard impacts would be reduced. However, the Project would still be responsible for implementing adopted WTTIP Mitigation Measures 3.8-1 and 3.8-4 requiring a Traffic Control Plan to avoid or minimize construction-related traffic hazards and Mitigation Measure TRA-1 addressing operation of heavy truck traffic and usage related to the Project.

Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would reduce the traffic use of approximately 500 feet of Manzanita Drive by Project construction employees (i.e., as measured from the gate of the Manzanita East staging area to the gate of the Settling Ponds staging area). The Project would still implement adopted WTTIP Mitigation Measures 3.8-1 and 3.8-4 requiring a Traffic Control Plan to avoid or minimize construction-related traffic conflicts with emergency access in the Project area (**Impact TRA-4**). Use of the Settling Ponds staging area would not constitute an appreciable change in Project-related traffic patterns and impacts would generally remain the same.

### 10.3.3 Alternatives

Draft Supplemental EIR Chapter 4, *Alternatives*, evaluated alternatives to the Project, as required under *CEQA Guidelines* Section 15126.6. These alternatives included the No Project Alternative and the Disinfection Improvements near Camino Pablo Alternative. In addition to facility location and design, a key distinction between the Project and the Disinfection Improvements near Camino Pablo Alternative was that the latter alternative did not include the Manzanita East staging area. The Disinfection Improvements near Camino Pablo Alternative assumed that the staging activities occurring at the Manzanita East staging area under the Project would be shifted to the San Pablo Reservoir Overflow

Parking Lots staging area approximately 2 miles to the northwest on Camino Pablo/San Pablo Dam Road.

Shifting Project construction staging activities from the Manzanita East staging area to the Settling Ponds staging area has minimal changes in the analysis of the Project and Disinfection Improvements near Camino Pablo Alternative. As noted in this section, foregoing the use of the Manzanita East staging area does not create new significant impacts, substantially worsen existing impacts, or require additional mitigation measures for the Project. In fact, Project impacts on Aesthetics, Biological Resources, Hydrology and Water Quality, and Noise would be reduced (refer to Table 10-1). When comparing the Project with the Disinfection Improvements near Camino Pablo Alternative, this change in the Project does not alter the findings of the alternatives analysis presented in Draft Supplemental EIR Chapter 4. For the reasons presented in Section 4.9, Environmentally Superior Alternative, the Project remains the environmentally superior alternative.

**TABLE 10-1  
COMPARISON OF DRAFT SUPPLEMENTAL EIR PROPOSED MANZANITA EAST STAGING AREA WITH SETTLING PONDS STAGING AREA**

<b>Impacts<sup>a</sup></b>	<b>Project including Manzanita East Staging Area<sup>b</sup></b>	<b>Project Including Settling Ponds Staging Area<sup>b</sup></b>	<b>Discussion</b>	<b>Mitigation Measures (as Revised in this Response to Comments Document)</b>
<b>Aesthetics</b>				
Impact AES-1: Effects on Scenic Vistas	LTS	LTS=	Refer to text in Section 10.3.2 of this Response to Comments document.	Implement adopted WTTIP Measure 3.3-2c
Impact AES-2: State Scenic Highways	NI	NI=		None required
Impact AES-3: Conflict with Scenic Quality Regulations	LTS	LTS-		Implement adopted WTTIP Measures 3.3-1, 3.3-2a, 3.3-2b, 3.3-2c, and 3.3-3
Impact AES-4: New Sources of Light and Glare	LTS	LTS=		Implement adopted WTTIP Measures 3.3-5b and 3.3-5c
<b>Air Quality</b>				
Impact AIR-1: Conflict with Air Quality Plan	LSM	LSM=	There would be no change in the usage of, or types of activities at the Settling Ponds staging area compared to the Manzanita East staging area. Consequently, the magnitude of air pollutant emissions would be the same, as would the potential to create a conflict with BAAQMD's 2017 Clean Air Plan.	Implement Mitigation Measure 3.9-1a-ORWTPDI and adopted WTTIP Mitigation Measures 3.9-1b and 3.9-1c
Impact AIR-2: Cumulatively Considerable Net Increase of Any Criteria Pollutant	LSM	LSM=	The would be no change in the usage of, or types of activities at the Settling Ponds staging area compared to the Manzanita East staging area. Consequently, the magnitude of air pollutant emissions and potential to exceed criteria pollutant thresholds would be the same.	Implement Mitigation Measure 3.9-1a-ORWTPDI and adopted WTTIP Mitigation Measures 3.9-1b and 3.9-1c

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**TABLE 10-1 (CONT.)  
COMPARISON OF DRAFT SUPPLEMENTAL EIR PROPOSED MANZANITA EAST STAGING AREA WITH SETTLING PONDS STAGING AREA**

<b>Impacts<sup>a</sup></b>	<b>Project including Manzanita East Staging Area<sup>b</sup></b>	<b>Project Including Settling Ponds Staging Area<sup>b</sup></b>	<b>Discussion</b>	<b>Mitigation Measures (as Revised in this Response to Comments Document)</b>
Impact AIR-3: Expose Sensitive Receptors to Substantial Pollutant Concentrations	LSM	LSM=	The shift in location of staging activities from the Manzanita East staging area to the Settling Ponds staging area would move these activities farther away from residential receptors. The Settling Ponds staging area would be approximately 1,300 feet from Wagner Ranch Elementary School property and outside the 1,000-foot radius considered by BAAQMD as the zone of influence for health risk impacts. Therefore, there would be no change in the Project's risk to expose sensitive receptors to substantial pollutant concentrations.	Implement Mitigation Measure AIR-1
<b>Biological Resources</b>				
Impact BIO-1: Disturbance/Loss of or Damage to Special-Status Plants and Wildlife	LSM	LSM-	Refer to text in Section 10.3.2 of this Response to Comments document.	Implement adopted WTTIP Mitigation Measures 3.6-3c, 3.6-4a, 3.6-5, and 3.6-6; Mitigation Measures BIO-1 and BIO-2
Impact BIO-2: Degradation to Streams, Wetlands, and Riparian Habitats	LSM	LSM-		Implement adopted WTTIP Mitigation Measures 3.6-2e, 3.6-2f, and 3.6-7a; Mitigation Measures 3.6-2b-ORWTPDI, 3.6-2c-ORWTPDI, BIO-3, HYD-2, and HYD-3
Impact BIO-3: Disruption to Wildlife Corridors	LTS	LTS-		None required
Impact BIO-4: Loss of or Damage to Protected Trees	LSM	LSM-		Implement adopted WTTIP Mitigation Measures 3.6-1a, 3.6-1c, and 3.6-1d; Mitigation Measure 3.6-1b-ORWTPDI
Impact BIO-5: Conflict with an adopted Habitat Conservation Plan	LTS	LTS=		None required

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**TABLE 10-1 (CONT.)  
COMPARISON OF DRAFT SUPPLEMENTAL EIR PROPOSED MANZANITA EAST STAGING AREA WITH SETTLING PONDS STAGING AREA**

Impacts <sup>a</sup>	Project including Manzanita East Staging Area <sup>b</sup>	Project Including Settling Ponds Staging Area <sup>b</sup>	Discussion	Mitigation Measures (as Revised in this Response to Comments Document)
<b>Cultural Resources</b>				
Impact CUL-1: Historical Resources	LSM	LSM=	There are no known historical resources at the Manzanita East staging area or Settling Ponds staging area. No adverse impacts on historical resources would be associated with moving staging activities, and the impact would therefore remain the same.	Implement Mitigation Measures CUL-1a and CUL-1b
Impact CUL-2: Archaeological Resources, including Unrecorded Cultural Resources	LTS	LTS=	While there are no known archaeological resources at the Manzanita East staging area or Settling Ponds staging area, the discovery of unrecorded resources cannot be ruled out for the Project as a whole. As no ground disturbance would be necessary, no adverse impacts on archaeological resources would be associated with the use of the Settling Ponds staging area.	Implement adopted WTTIP Mitigation Measure 3.7-1a
Impact CUL-3: Disturb Human Remains	LTS	LTS=	While, there are no known burials at the Manzanita East staging area or Settling Ponds staging areas, the inadvertent discovery of human remains cannot be ruled out. As no ground disturbance would be necessary, no adverse impacts related to human remains would be associated with the use of the Settling Ponds staging area.	Implement adopted WTTIP Mitigation Measure 3.7-1a
<b>Energy</b>				
Impact EN-1: Wasteful, inefficient, or unnecessary consumption of energy resources	LTS	LTS=	Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would reduce the travel of Project construction employees on Manzanita Drive by approximately 500 feet. This would not constitute an appreciable reduction in fuel consumption, and the impact would generally remain the same.	None required

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**TABLE 10-1 (CONT.)  
COMPARISON OF DRAFT SUPPLEMENTAL EIR PROPOSED MANZANITA EAST STAGING AREA WITH SETTLING PONDS STAGING AREA**

Impacts <sup>a</sup>	Project including Manzanita East Staging Area <sup>b</sup>	Project Including Settling Ponds Staging Area <sup>b</sup>	Discussion	Mitigation Measures (as Revised in this Response to Comments Document)
<p><b>Geology, Soils, Seismicity, and Paleontological Resources</b></p> <p>Impact GEO-1: Strong seismic groundshaking, seismic-related ground failure (liquefaction, lateral spreading), or landslides</p> <p>Impact GEO-2: Soil Erosion, Loss of Top Soil</p> <p>Impact GEO-3: Landslides, Lateral Spreading, Subsidence, Liquefaction, or Collapse</p> <p>Impact GEO-4: Expansive Soil</p>	<p>LTS</p> <p>LTS</p> <p>LSM</p> <p>LTS</p>	<p>LTS=</p> <p>LTS-</p> <p>LSM=</p> <p>LTS=</p>	<p>As with the Manzanita East staging area, the topography at the Settling Ponds staging area is relatively level. The Settling Ponds staging area would be approximately 700 feet west of the Manzanita East staging area (measured straight line distance between the actual locations of each staging area) and, therefore, unlikely to be situated on a geologic or soil unit with substantially different geological characteristics. Slope stability, groundshaking, and soils impacts would be similar at the Settling Ponds staging area.</p> <p>The staging activities at the Settling Ponds staging area would be located on existing paved areas. Although not substantive, this would reduce the risk of soil erosion or loss of top soil.</p> <p>The Settling Ponds staging area would be approximately 700 feet west of the Manzanita East staging area (measured straight line distance between the actual locations of each staging area) and, therefore, unlikely to be situated on a geologic or soil unit with substantially different geological characteristics. The risk of landslides, lateral spreading, subsidence, liquefaction, or collapse would therefore be similar to the Manzanita East staging area.</p> <p>Temporary staging activities would not have bearing on the effects of expansive or compressive soils on permanent Project components. Therefore, impacts at the Settling Ponds staging area would be the same as at the Manzanita East staging area.</p>	<p>Implement adopted WTTIP Mitigation Measures 3.4-2 and 3.4-4</p> <p>Implement adopted WTTIP Mitigation Measure 3.9-1b</p> <p>Implement adopted WTTIP Mitigation Measures 3.4-2, 3.4-3a, and 3.4-4; Mitigation Measure HYD-3</p> <p>Implement adopted WTTIP Mitigation Measures 3.4-3a and 3.4-3b</p>

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**TABLE 10-1 (CONT.)  
COMPARISON OF DRAFT SUPPLEMENTAL EIR PROPOSED MANZANITA EAST STAGING AREA WITH SETTLING PONDS STAGING AREA**

Impacts <sup>a</sup>	Project including Manzanita East Staging Area <sup>b</sup>	Project Including Settling Ponds Staging Area <sup>b</sup>	Discussion	Mitigation Measures (as Revised in this Response to Comments Document)
Impact GEO-5: Paleontological Resources	LTS	LTS=	The staging activities at the Settling Ponds staging area would be located on existing paved areas and would not require excavation. Therefore, the potential for discovery of paleontological resources would not be increased.	Implement adopted WTTIP Mitigation Measure 3.7-2
<b>Greenhouse Gases</b>  Impact GHG-1: Generate Greenhouse Gas (GHG) Emissions  Impact GHG-2: Applicable GHG Plan, Policy, or Regulation	LTS  LTS	LTS=  LTS=	Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would have no bearing on the overall generation of GHG emissions attributable to the Project because the magnitude of GHG emissions would be the same.  There would be no change in the usage of equipment or types of activities at the Settling Ponds staging area compared to the Manzanita East staging area that would create a conflict with any plans, policies, or regulations adopted for the purpose of reducing GHG emissions.	Implement adopted WTTIP Mitigation Measure 3.9-1c  Implement adopted WTTIP Mitigation Measure 3.9-1c, 3.12-4a, 3.12-4b, and 3.12-5
<b>Hazards and Hazardous Materials</b>  Impact HAZ-1: Routine transport, use, or disposal of hazardous materials  Impact HAZ-2: Reasonably foreseeable upset and accident conditions involving the release of hazardous materials	LSM  LSM	LSM=  LSM=	Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would not change the transport, use, or disposal of hazardous materials as characterized for the Manzanita East staging area. Other than fuel in employee vehicles, there would be no hazardous materials at the Settling Ponds staging area.  Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would not change the use or storage of hazardous materials from that characterized for the Manzanita East staging area. Other than fuel in employee vehicles, there would be no hazardous materials used or stored at the Settling Ponds staging area.	Implement adopted WTTIP Mitigation Measure 3.11-2 and Mitigation Measures HAZ-1a, HAZ-1b, HAZ-1c, and HAZ-1d  Implement adopted WTTIP Mitigation Measure 3.12-1c and Mitigation Measures HAZ-1a, HAZ-1b, HAZ-1c, and HAZ-1d

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**TABLE 10-1 (CONT.)**  
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Impacts <sup>a</sup>	Project including Manzanita East Staging Area <sup>b</sup>	Project Including Settling Ponds Staging Area <sup>b</sup>	Discussion	Mitigation Measures (as Revised in this Response to Comments Document)
Impact HAZ-3: Hazardous Materials within one-quarter-mile of a school.	LSM	LSM=	The Settling Ponds staging area would be one-quarter mile from Wagner Ranch Elementary School. Similar to staging activities at the North Orinda Sports Field staging area, any use of hazardous materials would be managed safely, in accordance with existing and future regulatory-approved hazardous materials business plans.	Implement Mitigation Measures HAZ-1a, HAZ-1b, HAZ-1c, and HAZ-1d
Impact HAZ-4: Cortese List (Government Code Section 65962.5)	LTS	LTS=	There is no known contamination at the Settling Ponds staging area. The Orinda WTP site was on a list of Cease and Desist Orders and Cleanup and Abatement Orders, a component of the Cortese List. The use of the Settling Ponds staging area would have no bearing on this record.	Implement adopted WTTIP Mitigation Measure 3.11-1
Impact HAZ-5: Adopted emergency response plan or emergency evacuation plan	LTS	LTS=	Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would reduce the traffic use of approximately 500 feet of Manzanita Drive by Project construction employees. This would not constitute an appreciable reduction in interference with emergency response or emergency evacuation plans, and the impact would remain generally the same.	Implement adopted WTTIP Mitigation Measures 3.8-1 and 3.8-4
Impact HAZ-6: Wildland Fires	LSM	LSM-	The staging activities at the Settling Ponds staging area would be located on existing paved areas. Although not substantive, this would reduce the risk of wildfire ignition due to parking employee vehicles on unpaved surfaces.	Implement Mitigation Measure WF-1

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**TABLE 10-1 (CONT.)  
COMPARISON OF DRAFT SUPPLEMENTAL EIR PROPOSED MANZANITA EAST STAGING AREA WITH SETTLING PONDS STAGING AREA**

Impacts <sup>a</sup>	Project including Manzanita East Staging Area <sup>b</sup>	Project Including Settling Ponds Staging Area <sup>b</sup>	Discussion	Mitigation Measures (as Revised in this Response to Comments Document)
<b>Hydrology and Water Quality</b>				
Impact HYD-1: Degradation of Water Quality or Violate Water Quality Standards	LSM	LSM-	The staging activities at the Settling Ponds staging area would be located on existing paved areas farther away from San Pablo Creek than at the Manzanita East staging area, reducing impacts related to degradation of water quality or violation of water quality standards. The Settling Ponds staging area drains over land away from the settling ponds and San Pablo Creek west toward an existing vegetated area outside the fence line on the Camino Pablo side of the settling ponds.	Implement adopted WTTIP Mitigation Measure 3.5-1a and Mitigation Measure HYD-1
Impact HYD-2: Decrease Groundwater Supplies or Recharge	LTS	LTS=	The staging activities at the Settling Ponds staging area would be located on existing paved areas and, similar to the Manzanita East staging area, would not require additional impervious surfaces that would have the potential to reduce groundwater recharge. Therefore the impact would remain the same.	None required
Impact HYD-3a: Substantial Erosion or Siltation	LSM	LSM-	The staging activities at the Settling Ponds staging area would be located on existing paved areas farther away from San Pablo Creek than the Manzanita East staging area, therefore reducing impact related to erosion. The Settling Ponds staging area ultimately drains to a vegetated swale lined with filter rock to prevent erosion.	Implement adopted WTTIP Mitigation Measure 3.5-1a and Mitigation Measure HYD-1
Impact HYD-3b: Alter Drainage or Add Impervious Surfaces Causing Flooding	LSM	LSM=	The staging activities at the Settling Ponds staging area would be located on existing paved areas and, like the Manzanita East staging area, would not require additional impervious surfaces that would have the potential to increase the likelihood of flooding. Therefore, impacts would remain the same.	Implement adopted WTTIP Mitigation Measure 3.5-1a and Mitigation Measure HYD-1

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Impact HYD-3c: Alter Drainage or Add Impervious Surfaces Increasing Stormwater Drainage Volume or Providing Additional Sources of Polluted Run-off	LSM	LSM=	The staging activities at the Settling Ponds staging area would be located on existing paved areas and, like the Manzanita East staging area, would not require additional impervious surfaces that would have the potential to increase the likelihood of stormwater run-off or generate polluted run-off. Therefore, impacts would remain the same.	Implement adopted WTTIP Mitigation Measure 3.5-1a and Mitigation Measures HYD-1 and HYD-2
Impact HYD-3d: Alter Drainage or Add Impervious Surfaces Redirecting Flood Flow	LSM	LSM=	The Settling Ponds staging area would be located on existing paved areas farther away from the San Pablo Creek floodway than the Manzanita East staging area. There would be no effect with regard to flood flow.	Implement adopted WTTIP Mitigation Measure 3.5-1a and Mitigation Measures HYD-1 and HYD-3
Impact HYD-4: Inundation Due to Flood Hazard, Tsunami, or Seiche	LSM	LSM=	The Settling Ponds staging area is not within a tsunami or seiche zone and would be located on existing paved areas farther away from the San Pablo Creek floodway. There would be no effect with regard to flood hazards.	Implement adopted WTTIP Mitigation Measure 3.5-1a and Mitigation Measure HYD-1
Impact HYD-5: Water Quality Control or Sustainable Groundwater Management Plan	LSM	LSM=	The Settling Ponds staging area would be located on existing paved areas farther away from the San Pablo Creek floodway than the Manzanita East staging area. Impacts related to conflicting with a water quality control or groundwater management plan would remain similar.	Implement adopted WTTIP Mitigation Measure 3.5-1a and Mitigation Measure HYD-1
<b>Noise and Vibration</b> Impact NOI-1: Temporary or Permanent Noise Increases	LTS	LTS-	Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would move staging activities away from sensitive receptors on Acacia Drive and within the active perimeter of the Orinda WTP. Consequently, the magnitude of construction-related noise and potential to exceed thresholds would be reduced.	Implement adopted WTTIP Mitigation Measures 3.10-1a, 3.10-1b, and 3.10-4

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COMPARISON OF DRAFT SUPPLEMENTAL EIR PROPOSED MANZANITA EAST STAGING AREA WITH SETTLING PONDS STAGING AREA**

<b>Impacts<sup>a</sup></b>	<b>Project including Manzanita East Staging Area<sup>b</sup></b>	<b>Project Including Settling Ponds Staging Area<sup>b</sup></b>	<b>Discussion</b>	<b>Mitigation Measures (as Revised in this Response to Comments Document)</b>
Impact NOI-2: Groundborne Vibration or Noise	LTS	LTS=	Consistent with staging activities at the Manzanita East staging area, staging activities at the Settling Ponds staging area would not generate groundborne vibration or noise, and the impact would remain the same.	None required
<b>Recreation</b> Impact REC-1: Increase Use of Existing Neighborhood or Regional Recreational Facilities	LTS	LTS=	Like the Manzanita East staging area, the Settling Ponds staging area is located on EBMUD-owned property and is not developed as an establish recreational facility. This shift in the location of staging activities would not change the number of construction staff and would not result in a permanent increase in the use of recreation facilities.	None required
<b>Transportation</b> Impact TRA-1: Conflict with transit, roadway, bicycle, and pedestrian circulation Impact TRA-2: <i>CEQA Guidelines</i> Section 15064.5(b) (Vehicle Miles Traveled) Impact TRA-3: Traffic Hazards Impact TRA-4: Inadequate Emergency Access	LSM	LSM=	Refer to text in Section 10.3.2 of this Response to Comments document.	Implement adopted WTTIP Mitigation Measures 3.8-1 and 3.8-4; Mitigation Measure TRA-1
LTS	LTS=	None required		
LSM	LSM-	Implement adopted WTTIP Mitigation Measures 3.8-1 and 3.8-4; Mitigation Measures TRA-1 and TRA-2		
LTS	LTS=	Implement adopted WTTIP Mitigation Measures 3.8-1 and 3.8-4		

**NOTES:**

- a Impact statements summarized; please see Draft Supplemental EIR Chapter 3 for details.
- b The acronym "LTS" is used to indicate that a potentially adverse environmental impact was identified, but that the impact would be less than significant, either because (1) previously adopted WTTIP mitigation measures incorporated into the Project minimize the impact, or (2) the impact is less than significant on its own, without any mitigation measures. In either case, for impacts denoted as "LTS," new project-specific mitigation measures are not required to ensure that impacts remain less than significant.

- NI No impact.
- LTS Less-than-significant impact.
- LSM Less-than-significant impact with mitigation measures identified in this Supplemental EIR.
  - Not analyzed.
- + Impact would be greater with the Settling Ponds staging area than the Manzanita East staging area.
- Impact would be less with the Settling Ponds staging area than the Manzanita East staging area.
- = Impact would be the same (or similar) with the Settling Ponds staging area than the Manzanita East staging area.



**TABLE 10-1 (CONT.)**  
**COMPARISON OF DRAFT SUPPLEMENTAL EIR PROPOSED MANZANITA EAST STAGING AREA WITH SETTLING PONDS STAGING AREA**

<b>Impacts<sup>a</sup></b>	<b>Project including Manzanita East Staging Area<sup>b</sup></b>	<b>Project Including Settling Ponds Staging Area<sup>b</sup></b>	<b>Discussion</b>	<b>Mitigation Measures (as Revised in this Response to Comments Document)</b>
<b>Tribal Cultural Resources</b> Impact TCR-1: Affect Tribal Cultural Resources	LTS	LTS=	EBMUD has not received requests for consultation related to the Project. There are no known tribal cultural resources at the Manzanita East staging area or Settling Ponds staging area, although the discovery of unrecorded resources cannot be ruled out for the Project, as a whole. As no ground disturbance would be necessary, no adverse impacts would be associated with the use of the Settling Ponds staging area.	Implement adopted WTTIP Mitigation Measure 3.7-1a
<b>Wildfire</b> Impact WF-1: Adopted emergency response plan or emergency evacuation plan	LTS	LTS=	The staging activities at the Settling Ponds staging area would be located on existing paved areas. Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would reduce the traffic use of approximately 500 feet of Manzanita Drive by Project construction employees. This would not constitute an appreciable change in Project-related traffic patterns that would affect the execution of adopted emergency response or emergency evacuation plans. Therefore, impact would generally remain the same.	Implement adopted WTTIP Mitigation Measures 3.8-1 and 3.8-4
Impact WF-2: Exacerbate Wildfire Risks	LSM	LSM-	The staging activities at the Settling Ponds staging area would be located on existing paved areas. Although not substantive, this would reduce the risk of wildfire ignition due to parking employee vehicles on unpaved surfaces.	Implement Mitigation Measure WF-1
Impact WF-3: Installation or Maintenance of Infrastructure Exacerbating Wildfire Risks	LTS	LTS-	The staging activities at the Settling Ponds staging area would be located on existing paved areas. Although not substantive, this would reduce the risk of wildfire ignition due to parking employee vehicles on unpaved surfaces. No other aspects of this water infrastructure Project would change.	None required

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COMPARISON OF DRAFT SUPPLEMENTAL EIR PROPOSED MANZANITA EAST STAGING AREA WITH SETTLING PONDS STAGING AREA**

<b>Impacts<sup>a</sup></b>	<b>Project including Manzanita East Staging Area<sup>b</sup></b>	<b>Project Including Settling Ponds Staging Area<sup>b</sup></b>	<b>Discussion</b>	<b>Mitigation Measures (as Revised in this Response to Comments Document)</b>
Impact WF-4: Post-Fire Run-off, Slope Instability, or Drainage Changes	LSM	LSM-	The staging activities at the Settling Ponds staging area would be located on existing paved areas. Although not substantive, this would reduce the risk of increased post-fire run-off, slope instability, or drainage changes.	Implement adopted WTTIP Mitigation Measure 3.5-1a and Mitigation Measures HYD-1 and WF-1
<b>Other Environmental Issues</b>				
Land Use	-	-	Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would have no bearing on the land use patterns, division of communities, or adherence to land use controls within the Project area.	None required
Public Services and Utilities	-	-	Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would have no bearing on the availability of, or access to, public uses. Staging activities would utilize utilities on the Settling Ponds parcel; there would be no need to extend existing utilities.	None required
<b>Other CEQA Considerations</b>				
Significant and Unavoidable Impacts	NI	NI	The use of the Settling Ponds staging area for Project staging activities would be the same as was evaluated for the Manzanita East staging area. As noted in Section 3.3.2 and in this table, Project-related activities at the Settling Ponds staging area would not create any significant and unavoidable impacts.	See above

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Impacts <sup>a</sup>	Project including Manzanita East Staging Area <sup>b</sup>	Project Including Settling Ponds Staging Area <sup>b</sup>	Discussion	Mitigation Measures (as Revised in this Response to Comments Document)
Irreversible and Irretrievable Commitment of Resources	NI	NI	The use of the Settling Ponds staging area for Project staging activities would be the same as was evaluated for the Manzanita East staging area. Shifting staging activities to the Settling Ponds staging area would reduce the travel of Project construction employees by less than 500 feet, which would not constitute an appreciable reduction in fuel consumption (i.e., irretrievable use of resource). The staging activities would be limited to existing paved areas which would be restored to preconstruction condition, requiring no ground disturbance or general irreversible environmental effects.	See above
Growth-Inducing Impacts	LTS	LTS	Shifting the use of the Manzanita East staging area to the Settling Ponds staging area would have no bearing on the Project's potential to indirectly or directly induce growth beyond that evaluated in the Draft Supplement EIR.	None required
Cumulative Impacts	See above	See above	As noted in Section 3.3.2 and in this table, shifting the use of the Manzanita East staging area to the Settling Ponds staging area would have no change in the Project's impacts such that they would be more cumulatively considerable than those evaluated in the Draft Supplemental EIR. In fact, in some cases such as Biological Resources for example, the shift in staging areas reduces the Project-specific impact and decreases the Project's contribution to cumulative impacts.	See above

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## 10.4 References

Contra Costa County, 2005. *Contra Costa County General Plan, 2005 – 2020*.  
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EBMUD (East Bay Municipal Utility District), 2008. *Low Effect East Bay Habitat  
Conservation Plan*. April 2008.

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