

**STATEMENT OF EXEMPTION**

**FILE NO.**

ER20-208

**LOCATION OF PROPERTY**

700 Los Esteros Road, San José, CA 95002

**PROJECT DESCRIPTION**

A San José-Santa Clara Regional Wastewater Facility (Facility) project to conduct storm drainage and sanitary sewer infrastructure improvements within the 196-gross acre Main Operational Area of the Facility, including, but not limited to pipeline unclogging and/or replacement, storm drain inlet improvements, and Facility tunnel entrance waterproofing. Additional improvements both within and outside of the Main Operational Area to stormwater pump stations and associated infrastructure including, but not be limited to replacement and upsizing of stormwater pumps, replacement of three stormwater pump stations, inlet ditch upgrades, new lighting, restoration of walking surfaces and replacement of electrical cable to pump stations where needed. Approximately 2,800 feet of stormwater pipes would be replaced and approximately 5,500 feet of stormwater pipelines would be inspected, flushed, and cleaned. Approximately 1,000 feet of sanitary sewer pipelines would be replaced, while approximately 1,700 feet of sewer pipelines would be inspected, flushed, and cleaned. Approximately 6,000 sq. ft. of ground disturbance will result from storm drain and sanitary sewer pipeline replacement; less than 0.14-acres of ground will be disturbed.

**ASSESSOR'S PARCEL NUMBERS**

015-31-024 015-31-044, 015-30-070, 015-38-005, 015-31-051, 015-31-008, 015-30-098, and 015-31-008

**CERTIFICATION**

Under the provisions of Sections 15269(b) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), as stated below, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.

**SECTION 15269( b). EMERGENCY PROJECTS**

The following emergency projects are exempt from the requirements of CEQA.

(b) Emergency repairs to publicly or privately-owned service facilities necessary to maintain service essential to the public health, safety, or welfare. Emergency repairs include those that require a reasonable amount of planning to address an anticipated emergency.

## BACKGROUND

The San José-Santa Clara Regional Wastewater Facility (the Facility) treats domestic, industrial, and commercial wastewater from San José, Santa Clara, Campbell, Los Gatos, Monte Sereno, Cupertino, Milpitas, and Saratoga, and unincorporated Santa Clara County. The Facility is located at 700 Los Esteros Road in north San José, California, between State Route (SR) 237 and San Francisco Bay and flanked by the community of Alviso to the west and the City of Milpitas to the east.

While the City of San José (the City) and the City of Santa Clara co-own the Facility, the City manages the Facility and the surrounding Facility lands – totaling approximately 2,680 acres. The Main Operational Area of the Facility takes up about seven percent (approximately 196 acres) of the entire Facility lands. The main operational area is fenced off from other surrounding Facility locations and includes most of the Facility's activities for wastewater treatment operations, including the headworks, primary, secondary, filtration/disinfection, and site facilities such as operations and maintenance buildings. The City's Environmental Services Department (ESD) serves as the operator of the Facility and manages the implementation of the San José/Santa Clara Water Pollution Control Plant Master Plan, which includes but is not limited to; odor control, improvements to wastewater discharge quality, increased reliability in Facility operations, habitat restoration, flood control, economic development, and expanding recreational facilities to the public.

The Facility hired AECOM as their consultant to conduct a conditions assessment of storm drain and sanitary sewer pipes and stormwater pump stations. The results show that portions of these stormwater drainage and sanitary sewer systems infrastructure have passed their service life expectancy since they were constructed sometime between 1954 and the 1970s. Facility stormwater and sanitary sewer pipelines have been exposed to corrosive soil conditions and have sustained damage over the years. Due to these severe defects, pipes will likely fail within the next five to 10 years. The conditions assessment concluded that operations of the Facility may be disturbed due to storm drainage pipes that are either blocked, cracked, or otherwise have failed entirely. Additionally, the Facility's pump stations are not ready to function effectively in a heavy rainfall event. The current failed conditions of the subject Facility's pipes and pump stations may cause major disruptions to operations if flooding from a large storm event occurs in the process areas adjacent to damaged infrastructure.

The Facility experienced two 10-year El Niño winter storm events in 1982 and 2014 that resulted in mass flooding and consequent operational disruptions, including compromised Facility access and safety. The existing storm drain system could not handle the high volume and rate of the 10-year storm events. The Facility's Main Operational Area has a high percentage of impervious surfaces, which increases the rate of runoff to stormwater pipelines and pump stations. Operational staff were reportedly taken to the Facility via helicopter to maintain Facility services because the roads inside and outside the Facility were flooded and could hydroplane vehicles. Considering the current conditions of stormwater infrastructure at the Facility and potential climate change impacts of increased storm intensities, improvements are critical and urgent. Stormwater must flow through functional pipes and be pumped out of treatment process areas and internal roads to prevent flooding. Staff must be able to access treatment process areas of the Facility and operate the storm pump stations safely. The Storm Drain Systems Improvements Project (the Project) would avoid emergency disruption of critical services at the Facility, and therefore it is important to maintain service essential to the public health, safety, and welfare of approximately 2 million people. If a 10-year storm event were to occur in the 2023-2024 winter, the Facility will be prepared as a result of the proposed Project.

## PROJECT DESCRIPTION

The Storm Drain System Improvements Project's (the Project) objective is to address deficiencies in the existing internal storm drain system, and to restore the storm drain and sanitary sewer systems to their original condition to protect RWF's critical infrastructure, including equipment, tunnel entrances and buildings from flooding during 10-year 24-hour to 100-year 24-hour storm events. Post-project conditions would still likely include some flooding at the Facility, but in non-critical areas, such as stormwater treatment facilities, landscaped areas, and non-essential streets and parking lots.

The Project would require the rehabilitation, replacement and maintenance of storm drain and sanitary sewer systems and pump stations, further described below. Structurally compromised storm drain pipes and sanitary sewer pipes would be replaced with new Polyvinyl Chloride (PVC) or reinforced concrete pipes. Where higher load bearing capacity is required (i.e., less than 2 feet of cover in roadways), ductile iron pipes (DIP) would be used as replacement. All replacement pipe sections connect to manholes on both ends unless the pipe has an outflow into an existing ditch.

**The full project scope of work is available in Attachment H.**

### *Stormwater Drainage System*

The Project would restore and rehabilitate the storm drain system, including the replacement of Category 4 and Category 5 stormwater pipes (structurally deficient pipes), installation of new manholes, replacement of pipes with negative grades, upgrades and improvements to inlets with maintenance issues (e.g., Zanker pump station), and inspection, flushing, and cleaning of remaining stormwater pipes. No pipes would be rehabilitated. See Attachment B for the storm drainage areas of the RWF. See Attachment C for the storm drain pipes that will be replaced or maintained.

### *Sanitary Sewer System*

The Project would rehabilitate the sanitary sewer system, including the replacement of Category 4 and 5 sanitary sewer pipes (structurally deficient pipes), installation of new manholes, and inspection, flushing, and cleaning of remaining sanitary sewer pipes. Attachment D shows the sanitary sewer system pipes that will be replaced or maintained.

### *Pump Stations*

The Project would rehabilitate and correct issues with pump stations including erosion, wet wells, access, labeling, lighting, signage, trip hazards, vegetation control, catch basins, inlets, floats, electrical cabinets, and other appurtenances. Specifically, the Project would remove, replace and/or upsize existing HP pumps, remove an existing inlet rack and piping in an influent ditch, remove and replace head walls and line a ditch with shotcrete for a 50-foot culvert, install bollards to protect RSM and Paint Shop pump stations, remove dilapidated walkway pavement and restore pavement defects throughout the RWF, install shotcrete above the RSM Decant pump station influent ditch, install a new gravel path and vehicle back out, sand blast and coat pump station wet wells with epoxy, remove non-native grass vegetation growing on walkways, and replace electrical cable through the conduits that are in place. If sections of existing conduits cannot be used, shallow trenches may be required to install new sections of conduits for the new cables (see ground disturbance section below for more information). Additionally, the Project would install concrete supports for pipe on the side of the Lagoons pump station and support pipes at RSM pump station and install a single 10-foot-high pole with an LED light fixture (operated with a photocell) at each pump station to replace the existing lighting fixtures

that provide area lighting. Attachment E shows the location of the pump stations. See Attachment F for an example of improvements to stormwater pump stations.

### ***Tunnel Entrances***

The Project would waterproof tunnel entrances by installing a canopy or awning extension to the roofline. A top concrete step would be poured at the stop of the stairs to remove a drop in the stairway, and approximately 2-inches of concrete will be poured to raise the height of the entrance level with the doorway.

### ***Ground Disturbance***

The primary disturbance to the environment resulting from the Project will result from ground disturbance associated with replacing pipelines and work occurring to rehabilitate pump stations. Some storm drain pipes will be upsized. Pipe materials that will be removed consist of corrugated metal, vitrified clay pipes, and reinforced concrete pipes. These pipes will be replaced with PVC or reinforced concrete pipes. Most pipes are buried at a depth ranging from 2-feet to four-feet, and one pipe is buried at a depth of 6-feet. Excavation will extend down to the top of each pipe and approximately 4-inches on either side of the pipe, and then the pipe will be removed and replaced. Ground disturbance from pipeline replacement for storm drain and sanitary sewer pipelines will total approximately 6,000 sq. ft (1,200 sq. ft. in grassy areas and 4,800 sq. ft. in paved areas within the RWF facility). In addition to the pipeline replacement, ground disturbance would occur as a result of concrete repair at pump stations, construction of concrete abutments along culverts, replacement of culverts, stormwater inlet repairs and improvements, soil stabilization and filling of gaps in under asphalt. If sections of existing conduits cannot be used, shallow trenches may be required to install new sections of conduits for the new cables, which would potentially result in 3,800 sq. ft. or 350 cubic yards of ground disturbance. Approximately 900 cubic yards of soil will be excavated, and less than 0.14-acres of ground would be disturbed with the Project. None of these improvements or areas of ground disturbance are located within environmentally sensitive areas.

### ***Construction***

Most construction would be accomplished during dry months, although short pipeline sections could be repaired or replaced within a day or two during wetter months. Construction of the Project would occur at the RWF while other construction projects are taking place within the Facility. Coordination will occur with other construction projects to ensure that there are no conflicts with blocking off streets or other logistical issues. Approximately 75% of the excavated material may be used to backfill wherever possible. Unusable, clean soil may be stored onsite or sent to Newby Island Landfill. If any dirty soil is discovered, it will be sent to the nearest landfill that can safely accept it. All roadways, curb, sidewalk, and gutters will be returned to their pre-disturbance conditions. The roots of two trees are within the project area and will be pruned with an arborist present, and four trees are located over pipelines and will be removed and replaced adjacent to Zanker Road.

## **ENVIRONMENTAL ANALYSIS**

None of the pipelines to be replaced are located within seasonal drainage channels or in areas of jurisdiction of natural resource agencies. One pipeline to the west of the Filtration Influent Pump Station building is close to a drainage channel, but its replacement is not expected to adversely impact the nearby channel. Three of the seven pump stations are located outside of the RWF Operational Area, two of which are located adjacent to seasonal wetland areas, one of which is on a levee above a tidal wetland. The work to be accomplished at these pump stations will not cause any fill to be discharged into wetland areas. Contractors will obtain a Construction General stormwater permit and will follow construction specifications to protect water quality

and biological resources. The removal and replacement of the concrete walkway nearby the levees will take place using BMPs to protect sensitive areas near the levees.

The following sections discuss environmental protection-related protocols that the Project would implement during construction.

### ***Air Quality***

Project construction operations could result in temporary dust emissions due to ground disturbances related to pipeline work. As part of the Project's construction specifications, contractors would be required to minimize dust emissions by following air quality best management practices provided in the Bay Area Air Quality Management District's 2017 Clean Air Plan. With the implementation of the best management practices, the Project would not result in significant impacts to Air Quality from temporary dust emissions.

### ***Biological Resources***

The Project would include construction activities near Western Burrowing Owl (Burrowing Owl) habitat near the Facility's Main Operational Area (Attachments C, D, E and G). One of the Project pipelines would be replaced west of the Filter Building near the railroad tracks, which is located at western-most tip of the Facility's Main Operational Area. Although this pipe is just east of the Santa Clara Valley Habitat Agency's Western Burrowing Owl fee area, no impacts to Burrowing Owls are anticipated. The Burrowing Owls are primarily located in the Burrowing Owl Management Area Bufferlands, adjacent to the western and southwestern boundary of the Facility's Main Operational Area. The Project's staging area for construction access would be located in the Construction Enabling Area, a part of the Facility's Bufferlands, where owls are occasionally sighted.

Standard biological resources mitigation measures are required to be followed by the contractor as a part of the Project. Additionally, the Project's construction specifications include Facility standard protocols for Biological Resources protections that would not result in any significant impacts as it relates to the Western Burrowing Owl.

The Project, however, will result in tree root pruning and tree removal. Construction specifications require the Project to retain trees to the maximum extent possible, provide tree protection protocols during construction, and to replace removed trees. The roots of two trees located near pipelines will be pruned with an arborist present, and four trees will be removed to accommodate pipeline replacements. Four replacement trees will be planted with irrigation in a grassy area adjacent to Zanker Road, located away from stormwater and sanitary sewer underground infrastructure to avoid utility conflicts in the future.

### ***Hazards and Hazardous Materials***

The Facility has areas with naturally occurring asbestos (NOA) and legacy diesel contamination in its soils and groundwater. Naturally-occurring asbestos was identified in one area of the Facility near Headworks 1. Although hazardous materials are not anticipated to be encountered with changes made to the pump stations, there may be hazardous materials encountered if soil and groundwater contamination is found during the replacement of the pipelines. Prior to excavation of pipeline replacement, pre-construction hazardous materials sampling and analysis would be performed. The Hazardous Materials investigation was done as a part of this project to the inside the buildings and pump stations on March 2021. The environmental soil sampling for the areas Hazardous materials testing confirmed there is no asbestos or PCBs in the pump stations. The Project's construction specifications require the production and implementation of a Soil and Groundwater Management Plan and a Health and Safety Plan, and therefore, would not result in significant impacts related to Hazards

and Hazardous Materials related to worker safety and accidental release of hazardous materials to the environment. Moreover, the Project does not introduce new hazardous materials to the area and would not worsen the legacy contamination from prior underground storage tanks and lines or imported fill.

### ***Hydrology and Water Quality***

Construction activities would be limited to the dry season (approximately between May 1<sup>st</sup> and September 30<sup>th</sup>) to the maximum extent possible. The Project would be required to follow the following plans to manage dewatering and construction-related discharges, as part of the construction specifications: Soil and Groundwater Management Plan, Water Pollution Control Plan, and Stormwater Pollution Prevention Plan (California Construction General Permit). Hydrology and Water Quality impacts pertaining to groundwater dewatering and construction operations would not be significant with the implementation of the above listed plans.

### ***Other Resource Areas***

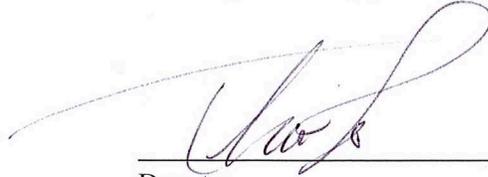
The project does not propose to impact any potential historic structures or buildings, would not result in an increase in trip generations to the area, and would not add any new residences to the area. The project would conform to construction standards set forth by the City and would not substantially degrade the environment or cause significant impacts.

## **CONCLUSION**

The Storm Drain Systems Improvements Project would include the maintenance, repairs, and replacement of stormwater and sanitary sewer infrastructure as discussed above. The Project activities are necessary to avoid emergency disruptions of critical Facility operations during large storm events that can cause massive flooding. Historically, the Facility experienced two 10-year, El Niño winter storm events in 1982 and 2014 that resulted in mass flooding, compromising essential operations, such as access and safety. Damage and defects to the stormwater and sanitary sewer system, caused by devaluation due to use, will likely fail within the next five to 10 years and would not be readily available to function in the next 10-year storm event, and therefore, disruptions to critical Facility operations would be imminent. The Storm Drain Systems Improvements Project would prevent safety and access concerns in order to maintain services essential to the public health, safety, and welfare of approximately two million people that the Facility serves. Moreover, the Project is anticipated to be completed at a reasonable timeline within the next two years. Project design was completed in mid-2021, while the Project would begin construction in the first half of 2022 and complete construction near the end of 2023. For these reasons, the Project as described in this document qualifies for a statutory exemption under CEQA Guidelines Sections 15269(b) from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.

Christopher Burton, Director  
Planning, Building and Code Enforcement

Date 03/04/2022



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Deputy

## ATTACHMENTS

- Attachment A – Existing Facilities at the Regional Wastewater Facility (modified from Plant Master Plan Environmental Impact Report)
- Attachment B – Stormwater Pump Station Drainage Areas
- Attachment C – Project Stormwater Drainage Pipeline Maintenance and Replacement Locations
- Attachment D – Project Sanitary Sewer Pipeline Maintenance and Replacement Locations
- Attachment E – Pump Station Rehabilitation and Pump Replacement
- Attachment F – Plan Sheet Photo Examples of Improvements to Stormwater Pump Stations
- Attachment G – Facility Land Use Map
- Attachment H – Storm Drain System Improvements Project Description