



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT
SDLF Platinum-Level of Governance



President – Bryon Gutow • Vice-President – Kevin Graves • Director – Ashley Porter • Director – Michael Callahan • Director – Carolyn Graham

TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
AGENDA PACKET

Regular Board Meeting
Wednesday, April 21, 2021

7:00 P.M. Regular Board Meeting

Community Center
1601 Discovery Bay Boulevard





TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

President – Bryon Gutow • Director – Kevin Graves • Director – Ashley Porter • Director – Michael Callahan • Director – Carolyn Graham

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday April 21, 2021
REGULAR MEETING 7:00 P.M.**

NOTICE
Coronavirus COVID-19

In accordance with the Governor's Executive Order N-33-20, and for the period in which the Order remains in effect, the Town of Discovery Bay Community Services District Board Chambers will be closed to the public.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically.

TO ATTEND BY TELECONFERENCE:
Toll-Free Dial-In Number: (877)778-1806
CONFERENCE CODE **891949**

Download Agenda Packet and Materials at <http://www.todb.ca.gov/>

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Pledge of Allegiance.
3. Roll Call.

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the Agenda. The public may comment on any item on the Agenda at the time the item is before the Board for consideration. Any person wishing to speak will have 3 minutes to make their comment. There will be no dialog between the Board and the commenter as the law strictly limits the ability of Board members to discuss matters not on the agenda. We ask that you refrain from personal attacks during comment, and that you address all comments to the Board only. Any clarifying questions from the Board must go through the President. Comments from the public do not necessarily reflect the viewpoint of the Directors.

C. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve April 7, 2021 Regular Board of Directors DRAFT Meeting minutes.
2. Approve Register of District Invoices.

D. AREA AGENCIES REPORTS / PRESENTATION

1. Assembly Member Jim Frazier, District 11.
2. Supervisor Diane Burgis, District III Report.
3. Sheriff's Office Report.
4. CHP Report.
5. East Contra Costa Fire Protection District Report.

E. LIAISON REPORTS**F. PRESENTATIONS**

1. Monthly Water and Wastewater Report from Veolia – February 2021 and March 2021.

G. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action to Send a Letter of Support for a Revised County Fireworks Ordinance.
2. Discussion and Possible Action to Update the Town's Mission, Vision, Goals and Values Statement.
3. Discussion and Possible Action to Adopt Resolution 2021-06 Approving the Mitigated Negative Declaration and Approving the Sewage Treatment Plants, Denitrification and Master Plan Upgrades Project.

H. MANAGER'S REPORT**I. GENERAL MANAGER'S REPORT****J. DIRECTORS' REPORTS****K. DIRECTOR'S TRAINING AND REGIONAL MEETING REPORTS**

1. Report of LAFCO Regular Board Meeting – April 14, 2021- Director Michael Callahan.
2. Report of Contra Costa County Aviation Advisory Committee – April 8, 2021- Vice President Kevin Graves.
3. Report of ECCFPD Board of Directors Meeting- April 14, 2021 – Vice President Kevin Graves.

L. CORRESPONDENCE RECEIVED**M. FUTURE AGENDA ITEMS****N. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA****O. CLOSED SESSION:****P. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION****Q. ADJOURNMENT**

1. Adjourn to the regular meeting on May 5, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



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PLATINUM LEVEL

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**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday April 7, 2021
REGULAR MEETING 7:00 P.M.**

**NOTICE
Coronavirus COVID-19**

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REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m. – By President Bryon Gutow.
2. Pledge of Allegiance – Led by Assistant General Manager Dina Breitstein.
3. Roll Call – All present.

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

Public comment regarding:

- Concerns of reckless driving and speeding on Regatta Drive. Petition has been started to request speed bumps.
- Request for direction to have speed bumps installed on Regatta Drive.
- Speeding near Regatta Drive.

C. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve March 17, 2021 Regular Board of Directors DRAFT Meeting minutes.
2. Approve Register of District Invoices.

Motion made by Vice President Kevin Graves to approve items on the Consent Calendar as presented.
Second by Director Ashley Porter.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT: 0

D. AREA AGENCIES REPORTS / PRESENTATION

1. Assembly Member Jim Frazier, District 11 - Not in Attendance.
2. Supervisor Diane Burgis, District III Report.

Lea Rodriguez, Deputy Chief of Staff for Diane Burgis, asked public with concerns about installing speed bumps to contact her, and she will help direct them to the Public Works Department, Traffic Safety Coordinator. Lea Rodriguez updated the Board on Governor Newsom's plan to open the state completely on June 15,

2021. In Contra Costa County hospitalizations are at their lowest since October 2020. There will be guardrail work Vasco Road April 7-15, 2021 from 9:00 a.m. – 4:00 p.m. Firework Ordinance will be updated. Draft will be presented to Board soon for adoption.

3. **Sheriff's Office Report.**

Sheriff Lieutenant Mark Johnson provided the Board an update of service calls and criminal activity in Discovery Bay. Local Sheriff Deputy Cody Castelluccio was nominated as Patrol Deputy of the Year. He's doing a fantastic job. Automated License Plate Readers (ALPR) continue to assist in identifying possible criminal activity. Catalytic convertor theft is still a concern. The Lieutenant provided a printout of statistics to compare this year's criminal activity to crime last year and in 2019.

4. **CHP Report - Not in Attendance.**

5. **East Contra Costa Fire Protection District Report.**

Fire Department Battalion Chief Ross Macumber gave the Board an update on service calls for the month of March 2021. Reported structural fires, vegetation fires and vehicle fire. The ECCFPD continues to move forward with the annexation with ConFire. Preliminary report is in process and will be available next month. Station 55 is scheduled to open March 2022. San Jose State University Fire Weather Laboratory reports moisture in this area is the lowest it's ever seen. This raises grave concerns and high possibilities of strong fires. Abatement of weeds will also be enforced and public is encouraged to call and report any weeds that might pose a fire threat.

E. LIAISON REPORTS

F. PRESENTATIONS

G. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action to Approve the Contract for HERWIT Engineering to Prepare the 2021-2022 Annual Assessment Report for the Ravenswood Improvement District, Discovery Bay Landscape & Lighting Zone #9 by Resolution No. 2021-05.

Finance Manager Julie Carter advised the Board that funding for Ravenswood Park is provided by information gathered and presented in the Annual Assessment Report for Ravenswood Improvement. Herwit Engineering has in depth knowledge and access to historical data which makes them a good choice for writing this annual report. Staff recommendation is to allow Herwit Engineering to proceed with the process of generating the 2021-2022 Annual Assessment Report for the Ravenswood Improvement District for an amount not to exceed \$1,800.

Motion made by Vice President Kevin Graves to accept Resolution 2021-05 permitting Herwit Engineering to prepare the 2021-2022 Annual Assessment Report for the Ravenswood Improvement District.

Second by Director Carolyn Graham.

Vote: Motion Carried – AYES: 5, NOES: 0, ABSTAINED: 0, ABSENT:0

H. MANAGER'S REPORT

1. Denitrification Update.

Water and Wastewater Manager Aaron Goldsworthy gave an update on the denitrification project. This project went out to bid on April 1, 2021. There are currently 14 interested contractors. All bids are due on May 6, 2021 and the bid will be awarded on May 19, 2021. Notice to Proceed will be issued June 7, 2021.

2. Water Projects Update.

Well 4A piping has been redone. Filter project on Newport Treatment Plant will be completed by end of April 2021. Underwater crossing project on Willow Lake and Laguna is currently being done by Northern Directional Drilling and will be completed before May 2021. Well 1B is refurbished, cleaning is done and capacity test is being performed. It should be back in operation by middle of May.

I. GENERAL MANAGER'S REPORT

General Manager Mike Davies updated the Board on letter to Cal Trans requesting a review of the intersection of Highway 4 and Discovery Bay Blvd. A letter was sent from Cal Trans to Town of Discovery Bay confirming receipt of request to review the intersection for safety.

General Manager Mike Davies advised the Board that Newport Pointe development has been approved by LAFCO and is within Town of Discovery Bay jurisdiction. New boundary map will be received next week and posted online.

J. DIRECTORS' REPORTS

1. Standing Committee Reports.

- a. Finance Committee Meeting (Committee Members Kevin Graves and Bryon Gutow) April 7, 2021. Chair Kevin Graves reported discussion of the Preliminary Draft Budget. There was a change to

the Committee Bylaws to change time of the Finance Committee meeting from 3:30 p.m. to 4:30 p.m.

- b. Internal Operations Committee Meeting (Committee Members Michael Callahan and Carolyn Graham) April 7, 2021

Chair Michael Callahan advised the Board of change to Committee Bylaws. Internal Operations Committee will now meet at 3:30 p.m. instead of 4:30 p.m. There was an update to the Town's Mission, Vision, Goals and Value Statement to incorporate diversity and inclusion.

- c. Water and Wastewater Committee Meeting (Committee Members Kevin Graves and Ashley Porter) April 7, 2021.

Vice-Chair Ashley Porter advised the Board there was an update on the denitrification project and the timeline of its expected progress.

2. Other Reportable Items.

K. DIRECTOR'S TRAINING AND REGIONAL MEETING REPORTS

1. Report of Tri Delta Transit Board of Directors Meeting – March 24, 2021- Director Carolyn Graham. Director Carolyn Graham advised she attended the Tri Delta Transit Board Meeting. There weren't any discussions of direct relevance to Town of Discovery Bay however the Tri Delta Transit Board was happy to have someone from Town of Discovery Bay on the phone during the meeting.

L. CORRESPONDENCE RECEIVED

M. FUTURE AGENDA ITEMS

N. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

O. CLOSED SESSION:

P. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION


Q. ADJOURNMENT

1. Adjourned at 7:34 p.m. to the regular meeting on April 21, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

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	<h1>Town of Discovery Bay</h1> <p><i>"A Community Services District"</i></p> <h2>STAFF REPORT</h2>	<p>Meeting Date</p> <p>April 21, 2021</p>
<p>Prepared By: Julie Carter, Finance Manager & Lesley Marable, Accountant Submitted By: Michael R. Davies, General Manager</p>		
<p>Agenda Title</p>		
<p>Approve Register of District Invoices.</p>		
<p>Recommended Action</p>		
<p>Staff recommends that the Board approve the listed invoices for payment.</p>		
<p>Executive Summary</p>		
<p>District invoices are paid on a regular basis, and must obtain Board authorization prior to payment. Staff recommends Board authorization in order that the District can continue to pay warrants in a timely manner.</p>		
<p>Fiscal Impact:</p>		
<p>Amount Requested \$ 435,863.63 Sufficient Budgeted Funds Available?: Yes (If no, see attached fiscal analysis) Prog/Fund # See listing of invoices. Category: Operating Expenses and Capital Improvements</p>		
<p>Previous Relevant Board Actions for This Item</p>		
<p>Attachments</p>		
<p>Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2020/2021</p>		

AGENDA ITEM: C-2

Request for Authorization to Pay Invoices
For The Meeting On April 21, 2021
Town of Discovery Bay CSD
Fiscal Year 7/20 - 6/21

Ross Recreation Equipment Co., Inc.	\$102,986.11
Adams Pool Solutions	\$98,894.17
Herwit Engineering	\$87,618.38
Town of Discovery Bay CSD	\$52,427.45
Empower Retirement	\$21,912.00
Precision IT Consulting	\$18,515.76
U.S. Bank Corporate Payment System	\$11,476.25
Badger Meter	\$5,458.37
Belcorp AG	\$5,195.00
J.W. Backhoe & Construction, Inc.	\$4,129.70
Freedom Mailing Service, Inc	\$3,011.36
SDRMA	\$2,884.00
County Clerk - CCC	\$2,530.25
Bill Brandt Ford	\$2,513.13
American Water Works Association	\$2,373.00
Express Employment Professionals	\$1,859.20
Brentwood Press & Publishing	\$1,604.00
Benefit Resources, Inc.	\$1,202.08
Paul E. Vaz Trucking, Inc.	\$1,067.18
Brentwood Ace Hardware	\$1,034.42
Mt. Diablo Resource Recovery	\$825.49
Ricoh USA, Inc	\$773.79
Carolyn Graham	\$690.00
Kevin Graves	\$690.00
Watersavers Irrigation Inc.	\$675.88
Verizon Wireless	\$591.44
Ashley Porter	\$575.00
Michael Callahan	\$575.00
Univar Solutions USA Inc.	\$566.04
Bryon Gutow	\$460.00
Denalect Alarm Company	\$223.50
Geotab USA, Inc.	\$177.75
Water Utility Refund Customer	\$139.15
UniFirst Corporation	\$103.78
Cintas	\$89.50
Brentwood Reprographics	\$15.50

\$435,863.63



Water and Waste Water Monthly Report Town of Discovery Bay

February 2021

Safety & Training

Safe Work Days: 4,203

JJ Keller/ VNA University:
Lockout Tagout

Weekly Safety Topics:

2/04 First aid and CPR.

2/11 Safety training calendar, Circle of Safety & GOAL.

2/18 Safe walking, EHS review sec.1, Safety committee & community.

2/25 Steel toe boots, EHS review sec. 2.

Water Well Status

Willow WTP

01

Inactive
(rehab)

02

Active

06

Active

Newport WTP

04

Inactive
(rehab)

05

Active
(Emergency)

07

Active

Water Production & Chemicals

Willow WTP	Production (MG) 21.4	Chemicals (gal) (Sodium Hypochlorite) 773
Newport WTP	Production (MG) 21	Chemicals (gal) (Sodium Hypochlorite) 987
TOTAL	Production (MG) 42.4	Chemicals (gal) (Sodium Hypochlorite) 1,760

Water Compliance

Coliform Samples Collected: 16

Coliform Positive Results: 0

Water Quality Complaints: 0

Hydrant Flushing: 65

Valve Exercising: 170

Lift Station Status

A

| Active

C

| Active

D

| Active

E

| Active

F

| Active

G

| Active

H

| Active

J

| Active

R

| Active

S

| Active

Newport

| Active

Lakeshore

| Active

Lakes

| Active

Lakes 4

| Active

Bixler

| Active

Wastewater Flow & Chemicals

WW Plant 1	Total Flow (MG)	Influent Flow avg. (MG)	Discharge Flow avg. (MG)
	0	0	0
WW Plant 2	Total Flow (MG)	Influent Flow avg. (MG)	Discharge Flow avg. (MG)
	31.46	1.25	1.12
	Polymer (gal)	Alum (gal)	PAC (gal)
	600	0	0

Wastewater Compliance

Effluent BOD₅, mg/L (10): 1.2

Effluent TSS, mg/L (10): 0.9

Total Coliform 7 day median (23): 2.0

Total Coliform daily max (240): 2.0

Eff NTU daily avg (2): ND

Eff Ammonia (N), mg/L (8.4): ND

Removal BOD₅, monthly (85%): 99.7%

Removal TTS, monthly (85%): 99.8%

Conductivity annual avg (2,400): 2,260

Maintenance & Improvements

SSOs: 0

Projects:

Customer Inquires: 0



Water and Waste Water Monthly Report Town of Discovery Bay

March 2021

Safety & Training

Safe Work Days: 4,234

JJ Keller/ VNA University:
Fire Prevention & Response
Fire Extinguisher Use

Weekly Safety Topics:

3/04 EHS review sec. 3, Spill Kits, Job Safety Analysis (JSA).

3/11 Low Hanging Objects & Hard Hats.

3/18 Sprains & Strains Prevention.

3/25 Near Miss Reporting, End of Quarter Review.

Water Well Status

Willow WTP

01

Inactive
(rehab)

02

Active

06

Active

Newport WTP

04

Inactive
(rehab)

05

Active
(Emergency)

07

Active

Water Production & Chemicals

Willow WTP	Production (MG) 30.1	Chemicals (gal) (Sodium Hypochlorite) 2,223
Newport WTP	Production (MG) 32.3	Chemicals (gal) (Sodium Hypochlorite) 1,739
TOTAL	Production (MG) 62.4	Chemicals (gal) (Sodium Hypochlorite) 3,962

Water Compliance

Coliform Samples Collected: 20

Coliform Positive Results: 0

Water Quality Complaints: 3

Hydrant Flushing: 0

Valve Exercising: 0

Lift Station Status

A

Active

C

Active

D

Active

E

Active

F

Active

G

Active

H

Active

J

Active

R

Active

S

Active

Newport

Active

Lakeshore

Active

Lakes

Active

Lakes 4

Active

Bixler

Active

Wastewater Flow & Chemicals

WW Plant 1	Total Flow (MG)	Influent Flow avg. (MG)	Discharge Flow avg. (MG)
	0	0	0
WW Plant 2	Total Flow (MG)	Influent Flow avg. (MG)	Discharge Flow avg. (MG)
	35.78	1.25	1.15
	Polymer (gal)	Alum (gal)	PAC (gal)
	650	0	0

Wastewater Compliance

Effluent BOD₅, mg/L (10): 1.4

Effluent TSS, mg/L (10): 1.2

Total Coliform 7 day median (23): ND

Total Coliform daily max (240): ND

Eff NTU daily avg (2): 1

Eff Ammonia (N), mg/L (8.4): ND

Removal BOD₅, monthly (85%): 99.4%

Removal TTS, monthly (85%): 98.7%

Conductivity annual avg (2,400): 2,333

Maintenance & Improvements

SSOs: 0

Customer Inquires: 0

Projects:

Well 1B rehab (in progress)

Well 4 drain replacement (in progress)

Filter rehab (in progress)

Potholing ¹WWP2 (completed), ²Water lines (in progress)

Radio Tower failure, and replacement/upgrade (in progress)

OxDitch 3 Rotor 1 repair (completed)



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

April 21, 2021

Prepared By: Michael R. Davies, General Manager

Submitted By: Michael R. Davies, General Manager

Agenda Title:

Discussion and Possible Action to Send a Letter of Support for a Revised County Fireworks Ordinance.

Recommended Action

Authorize the President of the Board to sign a letter of support for a revised county Fireworks Ordinance that would hold persons in control of private property liable for fireworks violations occurring on their property.

Executive Summary

The Contra Costa County Board of Supervisors will be considering a revised county Fireworks Ordinance that would hold persons in control of private property liable for fireworks violations occurring on their property. Fireworks displays during holiday celebrations are a common occurrence in Discovery Bay. In many cases, the fireworks are professional grade and pose a significant risk of danger to persons and properties. Supervisor Burgis' office is requesting a letter of support for the Ordinance, which is tentatively scheduled for adoption in May 2021.

Currently, the draft language for the proposed Ordinance is as follows:

44-2.002 Definitions. For purposes of this chapter, the following words and phrases have the following meanings:

1. (a) "Fireworks" has the meaning set forth in Health and Safety Code section 12511. The term "fireworks" includes "dangerous fireworks," as defined in Health and Safety Code section 12505, and "safe and sane fireworks," as defined in Health and Safety Code section 12529. The term "fireworks" excludes "exempt fireworks," as defined in Health and Safety Code section 12508.
2. (b) "Responsible party" means either of the following:
 1. (1) A person that owns, rents, leases, or otherwise has possession of, or is in immediate control of, a residence or other private property.
 2. (2) A person that organizes, supervises, sponsors, conducts, allows, controls, or controls access to, the possession, manufacture, sale, offer for sale, use, or discharge of fireworks at a residence or other private property.

If a residence or other private property is rented or leased, the landlord or lessor is not a responsible party unless the landlord or lessor: has possession of, or is in immediate control of, the residence or other private property; or has knowledge of the possession, manufacture, sale, offer for sale, use, or discharge of fireworks at the residence or other private property. (Ords. 2021-XX § 2, 72-19 § 1: prior code § 3220; Ord. 684.)

44-2.008 Responsible party liability. A responsible party shall maintain, manage, and supervise the residence or other private property for which they are responsible to prevent violations of this chapter. A responsible party violates this chapter if any person possesses, manufactures, sells, offers to sell, uses, or discharges, any fireworks at the residence or other private property for which the responsible party is responsible, regardless of whether the responsible party is present. (Ords. 2021-XX § 2.)

Attached is a draft letter prepared for Board President signature.

End.

Attachments

Letter of Support for a Revised County Fireworks Ordinance

AGENDA ITEM: G-1



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PLATINUM LEVEL

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April 21, 2021

Supervisor Diane Burgis
3361 Walnut Boulevard
Suite 140
Brentwood, California 94513

RE: Town of Discovery Bay Community Services District Support for Revised County Fireworks Ordinance

Dear Supervisor Burgis:

It has come to the attention of the Board of Directors of the Town of Discovery Bay Community Services District (“District”) that the Board of Supervisors is considering revisions to the county Fireworks Ordinance. The revisions, in essence, would hold persons in control or possession of private property responsible for fireworks violations occurring on their property.

The discharge of fireworks is a common problem in the District, especially during celebrations of Independence Day and New Years. In many cases, the fireworks are professional grade and pose a significant risk of danger to persons and properties. We support efforts to dissuade the use of illegal fireworks.

Sincerely,

Bryon Gutow
Board President



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

April 21, 2021

Prepared By: Michael R. Davies, General Manager
Submitted By: Michael R. Davies, General Manager

Agenda Title:

Discussion and Possible Action to Update the Town's Mission, Vision, Goals and Values Statement.

Recommended Action

Update the Town's Mission, Vision, Goals, and Values Statement to include "Champion diversity and inclusion" under Goals.

Executive Summary

At the Board's Special Annual Planning Meeting on March 4, 2021 the Town's Mission, Vision, Goals, and Values Statement ("Statement") was reviewed. It was suggested that wording focusing on diversity and inclusion should be added to the Statement.

On April 7, 2021, the Internal Operations Committee reviewed a draft updated Statement that adds the wording "Champion diversity and inclusion" under Goals.

The Internal Operations Committee recommends that the Board approved the updated Statement as attached (revision is in red).

End.

AGENDA ITEM: G-2

Mission, Vision, Goals, and Values Statement



The Town of Discovery Bay Board of Directors has adopted its Mission, Vision, Goals and Values.

These ideals serve as an important guide as the Town of Discovery Bay conducts its day-to-day business and interacts with the public.

Mission

Provide effective and fiscally responsible municipal services in a manner which promotes a high standard of community life with a focus on the environment and the Delta in partnership with the community.

Vision

- Maintain a full service and sustainable community.
- Grow in harmony with the environment and the Delta.
- Ensure assets and facilities are maintained, serviceable, and in compliance with all regulatory laws, regulations and rules.
- Promote practices that provide enhanced and sustainable life now and for future generations.

Goals

- Responsible management of public funds.
- Preservation of our neighborhoods and natural resources.
- Provide timely, effective and transparent communications between government and our citizens.
- Continually improve the quality of our services.

- Promote and protect the environment.
- Take pride in community assets.
- **Champion diversity and inclusion.**
- Provide leadership while considering all points of view, to ultimately set policy and make decisions based on what is in the best interest of the entire community.
- Recognize pioneers of the community.

Values

Innovation * Accountability * Respect * Integrity * Professionalism



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

April 21, 2021

Prepared By: Mike Yeraka, Projects Manager
Submitted By: Dina Breitstein, Assistant General Manager

Agenda Title

Discussion and Possible Action to Adopt Resolution 2021-06 Approving the Mitigated Negative Declaration and Approving the Sewage Treatment Plants, Denitrification and Master Plan Upgrades Project.

Recommended Action

Approve Resolution 2021-06 Adopting the Mitigated Negative Declaration and Approving the Sewage Treatment Plants, Denitrification and Master Plan Upgrades Project, (the "Project").

Executive Summary

The Town of Discovery Bay community Services District is making modifications to its wastewater treatment plants to comply with new National Pollution Discharge Elimination System (NPDES) permit changes. Changes include modifying the process to reduce effluent total nitrogen below 10 mg/l. Process improvements will take place within the existing fence line at Wastewater Treatment Plant No. 2 at 17501 Highway 4 Discovery Bay, CA 94505. Some minor piping modifications will take place at Plant No. 1 in order to accommodate the work at Plant No. 2

Staff completed the Initial Study and Mitigated Negative Declaration (IS/MND) for the Project. A Notice of Intent to adopt the IS/MND was posted to the Town's web site, Published in the East County Times, filed with the Contra Costa County Clerk and filed with the State Clearing House. The IS/MND was circulated with a public comment period from March 10 to April 8, 2021 and received two comments. One from the Confederated Villages of Lisjan Tribe and one from the Indian Canyon Band of Costanoan Ohlone People as noted on the attached matrix. We also received an email from the California Department of Fish and Wildlife indicating that the Department would be submitting comments on April 16, 2021 and will be distributed for consideration upon receipt with any other comments are received prior to the Board Meeting.

The IS/MND prepared for the Project contains a complete and accurate reporting of the environmental impacts associated with the Project. Additionally, the IS/MND has been completed in compliance with CEQA statute and guidelines and is otherwise certified as adequate and completed.

The Town needs to adopt the IS/MND and issue a Notice of Determination to complete the CEQA and processes.

Staff Recommends:

Approve Resolution 2021-06 Adopting the Mitigated Negative Declaration and Approving the Sewage Treatment Plants, Denitrification and Master Plan Upgrades Project, (the "Project").

Previous Relevant Board Actions for This Item

Approval of Project Funding in the FY 20/21 Budget,
 Informed the Board March 3, 2021, Regarding the IS/MND Notice of Intent Comment Period.

Fiscal Impact: Included in the budgeted for this fiscal year.

Amount Requested: \$2,530.25 County Clerk Filing Fees

Sufficient Budgeted Funds Available?: Yes

Prog/Fund # Category: TBD

Attachment

1. Email comments on IS/MND
2. Response to Comments
3. IS/MND
4. Resolution 2021-06

AGENDA ITEM: G-3

From: Corrina Gould <cvltribe@gmail.com>

Sent: Tuesday, March 16, 2021 10:53 PM

To: Mike Yeraka <myeraka@todb.ca.gov>

Subject: AB 52 Sewerage Treatment Plants in the Town of Discovery Bay

Thank you for reaching out to the Tribe about the proposed project. At this time the Tribe has no further information to supply about the proposed site for this plan. As always we encourage developers in our traditional territories to remain cognizant of the facts that our tribal people lived all over the Bay Area and because of colonization and genocidal practices that reached into the late 19th century and early 20th Century, it is not always possible to know for certain if you may find cultural resources or burials at sites where you anticipate ground disturbance. **The Tribe wishes to be contacted if there is any findings.**

'Uni (Respectfully),

Corrina Gould, Tribal Chair

Confederated Villages of Lisjan Tribe

From: KKLLC Admin <admin@kanyonkonsulting.com>

Sent: Tuesday, March 23, 2021 5:47 PM

To: Mike Yeraka <myeraka@toddb.ca.gov>

Subject: Sewage Treatment Plants Upgrades

To Whom it may concern,

My name is Kanyon Sayers-Roods. I am writing this on behalf of the Indian Canyon Band of Costanoan Ohlone People as requested, responding to your letter dated : Feb 26,2021

As this project's Area of Potential Effect (APE) overlaps or is near the management boundary of a recorded and potentially eligible cultural site, we recommend that a Native American Monitor and an Archaeologist be present on-site at all times. The presence of a monitor and archaeologist will help the project minimize potential effects on the cultural site and mitigate inadvertent issues.

Kanyon Konsulting, LLC has numerous Native Monitors available for projects such as this, if applicable, along with Cultural Sensitivity Training at the beginning of each project. This service is offered to aid those involved in the project to become more familiar with the indigenous history of the peoples of this land that is being worked on.

Kanyon Konsulting, LLC believes in having a strong proponent of honoring truth in history, when it comes to impacting cultural resources and potential ancestral remains. We have seen that projects like these tend to come into an area to consult/mitigate and move on shortly after. Doing so has the strong potential to impact cultural resources and disturb ancestral remains. Because of these possibilities, we highly recommend that you receive a specialized consultation provided by our company as the project commences.

As previously stated, our goal is to Honor Truth in History. And as such we want to ensure that there is an effort from the project organizer to take strategic steps in ways that #HonorTruthinHistory. This will make all involved aware of the history of the indigenous communities whom we acknowledge as the first stewards and land managers of these territories.

Potential Approaches to Ingenious Culture Awareness/History:

--Signs or messages to the audience or community of the territory being developed. (ex. A commerable plaque or as advantageous as an Educational/Cultural Center with information about the history of the land)

-- Commitment to consultation with the native peoples of the territory in regards to presenting messaging about the natives/Indigenous history of the land (Land Acknowledgement on website, written material about the space/org/building/business/etc)

-- Advocation of supporting indigenous lead movements and efforts. (informing one's audience and/or community about local present Indigenous community)

We look forward to working with you.

Best Regards,

Kanyon Sayers-Roods

Creative Director/Tribal Monitor

Kanyon Konsulting, LLC a

**Response to Comments Received on the Initial Study/ Mitigated Negative Declaration (IS/MND) for the
Sewage Treatment Plants, Denitrification and Master Plan Upgrades Project**

This document contains a list of agencies and persons that submitted comments on the IS/MND and the Town's responses to comments received on the IS/MND. The specific comments have been excerpted from the letter or email and are presented as "Comment" with each response directly following as "Response". Copies of the actual letters and email submitted to the Town are attached to this document.

No.	Date	From	Comment	Proposed Action in Response
1	3/16/2021	Corrina Gould, Tribal Chair, Confederated Villages of Lisjan Tribe	The Tribe wishes to be contacted if any cultural resources or burials at sites where you anticipate ground disturbance are found.	The Town will contact the Tribe if we come across any cultural resources or burial sites.
2	3/23/2021	Kanyon Sayers-Roods, Tribal Monitor, Indian Canyon Band of Costanoan Ohlone People	As this project's Area of Potential Effect (APE) overlaps or is near the management boundary of a recorded and potentially eligible cultural site, we recommend that a Native American Monitor and an Archaeologist be present on-site at all times.	The Town will research Registers of Historic Resources to confirm the presence of cultural resources and offer to conduct a consultation with the Tribe to develop mitigation measures that are in addition to those outlined in the IS/MND as may be required.



TOWN OF DISCOVERY BAY INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

PROJECT TITLE: Sewage Treatment Plants, Denitrification and Master Plan Upgrades Project

LEAD AGENCY NAME AND ADDRESS: Town of Discovery Bay Community Services District, 1800 Willow Lake Road, Discovery Bay, CA 94505.

CONTACT PERSON: Mike Yeraka, PE. Projects Manager myeraka@todb.ca.gov Ph: 925-775-5028

PROJECT LOCATION: 2500 Channel Rd. (Plant #1) and 17501 Highway 4 (Plant #2) Discovery Bay California 94505

PROJECT SPONSOR'S NAME and ADDRESS: Town of Discovery Bay, 1800 Willow Lake Rd. Discovery Bay, CA 94505

GENERAL PLAN DESIGNATION: The project locations are identified as Public/Semi Public on the Contra Costa County General Plan Land Use Element Map

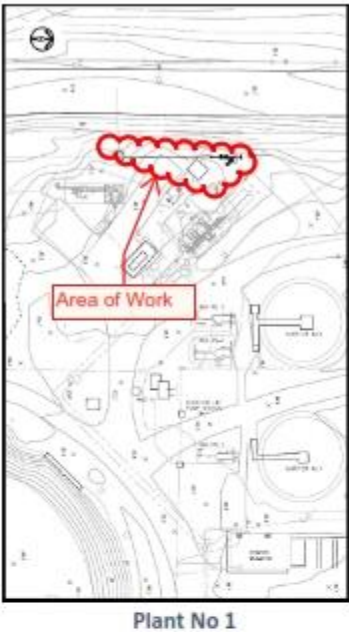
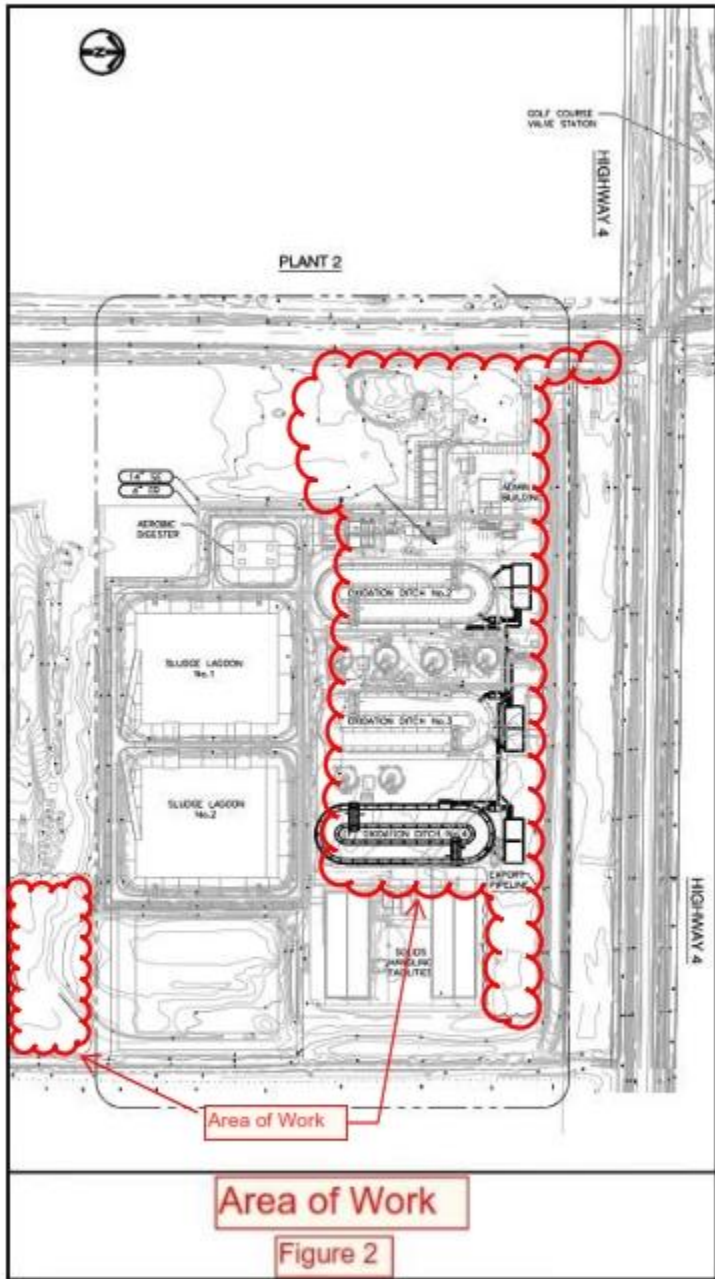
ZONING: P-1 for Plant #1 and A-3 for Plant #2.

DESCRIPTION of PROJECT:

The Town of Discovery Bay community Services District is making modifications to its wastewater treatment plants to comply with new National Pollution Discharge Elimination System (NPDES) permit changes. Changes include modifying the process to reduce effluent total nitrogen below 10 mg/l. Process improvements will take place within the existing fence line at Wastewater Treatment Plant No. 2 at 17501 Highway 4 Discovery Bay, CA 94505. Some minor piping modifications will take place at Plant No. 1 in order to accommodate the work at Plant No. 2.

Improvements will take place in areas of existing pavement and areas previously graded for future process improvements. Process improvements include adding an oxidation ditch and three new anoxic chambers in front of the existing and new oxidations ditch at Plant 2. See Figure 1. The process changes will not result in an increase of capacity for the Wastewater Treatment Plants. Other improvements include replacing the screen at the headworks, piping and pumping system changes to support the new process, and other maintenance items. Construction activities will include excavation to 16 feet deep, paving and grading of approximately 1.5 acres, construction of new concrete structures, modification of existing concrete structures, Civil and mechanical piping and pumping systems, and electrical support systems. All storm water for the facility is collected and treated on site. Excavations will follow approved Storm Water Pollution Prevention Plan (SWPPP) control procedures. Construction dust control will follow standard guidelines. Construction crew size will normally vary between 5 to 10 people. There will be occasional truck deliveries of process equipment, rock, asphalt, rebar, and concrete. Total construction period is estimated to take 18 to 24 months.





Plant No 1

SURROUNDING LAND USE AND SETTING: The land use to the North, South and East of Plant #1 are designated as A-3. The land use to the West of Plant #1 is a golf course with some residential. The land use around Plant #2 is designated as A-3.

OTHER PUBLIC AGENCIES WHOES APPROVAL IS REQUIRED: The California Regional Water Quality Control Board, Central Valley Region will be administering the National Pollution Discharge Elimination System (NPDES) permit changes for modifying the Treatment Plant process to reduce effluent total nitrogen below 10 mg/l as well as issuing a WDID number and monitoring the SWPPP for the project.

CALIFORNIA NATIVE AMERICAN TRIBES

The Lead Agency has sent letters to several tribes identified in Section XVII providing formal notification as required under AB 52 (Gatto, 2014) and is currently awaiting any formal requests for consultation.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities / Services Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

MIKE YERAXA

3/8/2021

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS.				
Except as provided in Public Resource Code Section 21009, would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

I Discussion:

(Sources 1 & 2)

Item a)

The project site is south and north of State Route 4, which is a designated scenic route by the Transportation Element of the Contra Costa County General Plan, and west of Old River. The existing Plant 2 facilities, and the undeveloped former agricultural land surrounding it, is set several feet below the level of State Route 4 and at least 300 feet from the highway. The Plant 2 site contains low buildings, open steel-beam superstructures and light standards surrounded by a chain-link fence. The surrounding agricultural fields are nearly level. No visual changes will occur at Plant #1.

Vistas are expansive in most directions with distant views of Mt. Diablo and its foothills to the west beyond the raised levees surrounding the project site. Immediate views on the north, south and west sides along the project

area vary from open agricultural fields, fences and power or telephone lines to common landscape trees and homes that are set back at various distances from State Route 4. Views to the east are limited by the Old River levee, but trees, power lines, the superstructure of the State Route 4 bridge across the river, and the existing Reclamation District 800 pumping station can be seen above the levee.

Neither existing distant nor immediate views would be affected by the proposed project because most of the elements would be at or below ground level or concealed by existing buildings. Consequently, the project would not have the potential to affect scenic views adversely in the State Route 4 scenic corridor, and impacts would be less than significant.

Item b)

The project site contains no scenic resources such as rock outcroppings, or historic buildings. No trees would be removed as part of the proposed project. Consequently, damage to scenic resources is not considered an impact of the project.

Item c)

The visual character of the existing wastewater treatment plant would not be significantly altered by the proposed project. Most of the area surrounding the project site has been designated for agriculture, recreation and infrastructure in the Contra Costa County General Plan Land Use Element. Consequently, adverse effects on the existing visual character of the project area are considered less than significant for the project.

Item d)

Security lighting is an integral part of the existing Plant 2 facilities. The lighting standards are mounted as low as is compatible with maintaining a secure site. Similar lighting standards would continue to be used at Plant 2 as part of the project, and therefore would not alter the lighting conditions. Because reflective materials would not be used in the construction of the new facilities, glare is not a significant impact and the proposed project would have a less-than significant effect on day or nighttime views in the area.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES.				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest us				X

II Discussion:

(Sources 2, 3, 4, & 5)

Items a & b)

The proposed project will occur on land that is identified as Public/Semi Public on the Contra Costa County General Plan Land Use Element Map and is consistent with the Land Use Element of the Contra Costa County General Plan. The project will be constructed within an existing wastewater treatment plant site that is completely fenced in and is not conducive to agricultural use. Although zoned for agricultural use, the project site has not been used for agriculture in decades and there are no Williamson Act lands in the project vicinity. Consequently, the proposed project's impact on existing zoning for agricultural use is less than significant.

Items c-e)

The project would not conflict with existing zoning for, or cause rezoning of farmland, timberland, or timberland zoned Timberland Production. The site does not contain forest land and there are no forestlands in the vicinity. The site is currently used as a wastewater treatment plant and would not result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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III. AIR QUALITY.

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | |
|---|--|---|---|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | | | X |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | | X | |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | | | X |
| d) Expose sensitive receptors to substantial pollutant concentrations? | | | X |
| e) Create objectionable odors affecting a substantial number of people? | | | X |

III Discussion:
(Sources 5 & 9)

Items a - e)

Because the proposed project will not increase Plant capacity and it will result in older less efficient equipment being taken out of service at Plant #1 and replaced with newer more efficient equipment at Plant #2, it will have the net effect of improving Air Quality. Plant #1 is currently located a few hundred feet from residences and Plant #2 is located over 1,000 feet from residences. By relocating all Plant #1 processes to Plant #2, the Project will therefore result in improving Air Quality for nearby residents.

Short term construction particulate emissions will be less than significant since they will be controlled by the contractor utilizing standard construction dust control measures such as covering haul trucks, limiting traffic speeds to 15 mph, watering demolition activities and exposed areas, use of water sweepers, daily clean up of mud and dirt carried onto paved areas and following standard SWPPP best management practices.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES:

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

X

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

IV Discussion:

(sources 10 & 11)

Item a)

Construction for the project will take place in paved areas on the project site as well as areas that are mowed once or twice a year in an operating wastewater treatment plant with no trees or wetlands that will be in the vicinity of the work. The District's wastewater engineer, Gregory Harris, recently stated that for the past 25 years he has never seen borrowing owls on the treatment plant site. The project would therefore have no impact on candidate, sensitive or special status species.

Item b)

There is no riparian habitat on the project site. Additionally, there are no sensitive vegetation communities within the project area. For these reasons, the proposed project will have no impact on these resources.

Item c)

There are no wetlands of any type where the work will be occurring. For that reason, the proposed project will have no impact on these resources.

Item d)

Since there are no waterways on the project site, the project will not interfere with any fish. The project site is completely fenced. The project will therefore not interfere with any migratory wildlife or impede the use of native wildlife nursery sites. For that reason, the proposed project will have no impact on these resources.

Item e)

There are no trees of any type in the project area. For that reason, the proposed project will have no impact on these resources or policies.

Item f)

A Habitat Conservation Plan (HCP) was prepared for eastern Contra Costa County to address preserving the rich landscape and rare species that reside in this area (East Contra Costa County Habitat Conservancy 2019). The nearest project designated for conservation to the Town of Discovery Bay is Kellogg Creek Basin, which is southwest of the town and approximately 2 miles west of the proposed project area. Therefore, the proposed project would not pose a threat to any HCP or a Natural Community Conservation Plan.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES.

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of dedicated cemeteries?		X		

V Discussion:
(Sources 5, & 6)

Item a)

A review of records and literature on file at the Northwest Information Center indicates that the Town of Discovery Bay and its immediate environs contain no recorded Native American or historic-period archaeological resources listed with the Historical Resources Information System. Also, a file check with the Native American Heritage Commission in February of 2003, as part of the 2003 Plant Upgrade Project Revealed no sacred lands on or near the Treatment plant site.

Construction will be taking place in an area of previously disturbed ground and in paved areas on the project site as well as areas that are mowed once or twice a year in an operating wastewater treatment plant with no trees or wetlands that will be affected by the project. The project area was surveyed in 1991 for cultural resources and none were found. During construction of the plant upgrade in 2003 no cultural resources were found while excavating for the oxidation ditch, pipelines and other structures.

Item b)

Native American archaeological sites in this portion of Contra Costa County tend to be situated near alluvial flats, near ecotones, and near sources of fresh water including springs. Based on the knowledge of the prehistory and history of the region, it may be concluded that the site has low sensitivity for the presence of prehistoric archaeological sites because of its location in a flat valley with no fresh water sources. Agricultural activities on the project site would have disturbed such resources, if extant and located near the surface. The most sensitive portion of the project area was surveyed in 1991 for cultural resources: none were identified. Although unlikely to occur, it is not possible to determine the existence of buried archaeological resources on the project site without excavation. Project-related ground disturbance may indirectly affect previously unknown archaeological resources significant under Section 15064.5 of the CEQA Guidelines.

PROPOSED MITIGATION MEASURES: Implementation of the standard mitigation measures (Mitigation Measure CR-1), to be included as part of the proposed project, pursuant to Section 15064.5(f) of the CEQA Guidelines and Public Resources Code Section 21082 would reduce potential impacts to unknown archaeological resources to a less-than-significant level.

Mitigation Measure CR-1. Cease Construction Work Upon the Discovery of Historic or Archaeological Resources: Evaluate Resources Before Continuing Construction. If potential historic or archaeological resources are discovered during construction, suspend all work in the immediate vicinity (within approximately 50 feet) and avoid altering the materials and their context pending site investigation by a qualified archaeological or cultural resource consultant retained by the project sponsor. Construction work shall not commence again until the archaeological or cultural resources consultant has been given an opportunity to examine the findings, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of and/or mitigation of adverse impacts to any potential historical resources or unique archaeological resources that have been encountered.

If the find is determined to be an historic or unique archaeological resource, and if avoidance of the resource would not be feasible, the archaeological or cultural resources consultant shall prepare a plan for the methodical excavation of those portions of the site that would be adversely affected. The plan shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The work shall be performed by the archaeological or cultural resources consultant and shall result in detailed technical reports. Such reports shall be deposited with Contra Costa County, the Town of Discovery Bay, and the California Historical Resources Regional Information Center. Construction in the vicinity of the find shall be accomplished in accordance with current professional standards and shall not recommence until this work is completed. The project sponsor shall assure that project personnel are informed that law prohibits collecting significant historical or unique archaeological resources discovered during development of the project. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles, or other items often found in refuse deposits.

Item c)

The surface of the site is a level alluvial plain similar to alluvial areas throughout the Sacramento-San Joaquin valley. Consequently, no unique geological features exist at or nearby to the project site. The alluvial deposits consist of material that has been reworked by the action of rivers in recent geologic history. Consequently, unique paleontological resources are unlikely to occur. As such, the project would have no impact on geologic or paleontological features.

Item d)

No human remains, including those interred outside of formal cemeteries, are known to exist at or near the project site. A file check with the Native American Heritage Commission revealed no sacred lands on or near the project alignment. Although unlikely to occur, it is not possible to determine the existence of buried human remains on the project site without excavation. Project related ground disturbance may indirectly affect previously unknown burials.

PROPOSED MITIGATION MEASURES: Implementation of the following standard mitigation measure (Mitigation Measure CR-2), to be included as part of the proposed project, pursuant to CEQA Section 15064.5(e) of and Health and Safety Code Section 7050.5 would reduce potential impacts to unknown burials to a less-than-significant level:

Mitigation Measure CR-2. Cease Work upon the Discovery of Human Remains: Evaluate Remains Before Continuing Construction.

In the event of discovery or recognition of any human remains on the project site, the contractor shall contact the Contra Costa County Coroner, pursuant to Section 7050.5(b) of the California Health and Safety Code. In this event, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner determines the origin of such remains. The coroner, upon recognizing the remains as being of Native American origin, shall contact the Native American Heritage Commission within 24 hours. No further disturbance of the site may be made except as authorized by the County coroner. The Commission has various powers and duties to provide for the ultimate disposition of any Native American remains, including the designation of a Native American Most Likely Descendant. Sections 5097.98 and 5097.99 of the Public Resources Code also call for “protection to Native American human burials and skeletal remains from vandalism and inadvertent destruction.” To achieve this goal, construction personnel on the project shall be instructed as to both the potential for discovery of cultural or human remains, and the need for proper and timely reporting of such finds, and the consequences of failure to do so.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS.

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

X

ii) Strong seismic ground shaking?

X

iii) Seismic-related ground failure, including liquefaction?

X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

VI Discussion:

(Sources 5, & 6)

Item a: i)

No known active faults are mapped within the project area and no faults mapped in an Alquist-Priolo Earthquake Fault Zone trend toward the site. The nearest State of California zoned, active faults are the Clayton-Marsh Creek-Greenville fault, about 13 miles southwest of the project area; the Pleasanton fault, about 19 miles southwest of the project area; the Green Valley-Concord fault, 23 miles west-northwest of the project area; and the Calaveras fault, 23 miles west-southwest of the project area. The Great Valley fault is mapped approximately 3.5 miles west of the project site. The Great Valley fault is considered a seismically active thrust fault, but because it does not extend to the ground surface, it is not in an Alquist-Priolo Earthquake Fault Zone. The Stockton fault is mapped approximately 9 miles east of the project site, where it is concealed by overlying sediments and is not in an Alquist-Priolo Earthquake Fault Zone.

Based on this information, surface rupture along an active fault is not considered a hazard associated with this project.

Item a: ii)

Because of the presence of active faults in the San Francisco Bay region, the Discovery Bay area is considered seismically active. An earthquake of moderate to high magnitude similar to those that have occurred would cause strong groundshaking in the project area (Modified Mercalli Intensity VII). The design earthquake for the project area is a Moment Magnitude (Mw) 6.9 earthquake on the Greenville fault. Higher magnitude earthquakes probably would occur along such major faults as the Hayward or San Andreas (35 and 52 miles west of the project site, respectively), but these would not cause more intense groundshaking than an Mw 6.9 earthquake on the Greenville fault. Based on historical evidence, it is probable that at least one such earthquake will occur during the life of the proposed facility. The proposed project would include structural elements that meet current building code requirements and as such would reduce potential impacts caused by ground shaking to a less than significant level.

Item a: iii)

Soil conditions in the area generally are of a fine-grained nature and composed of clay, silt, fine grained sand and organic material. These areas may be subject to liquefaction during a seismic event if perched groundwater conditions are present. The water table in the project vicinity generally is less than 5 feet below the ground surface, and can be as little as 18 inches below the ground surface where particularly clayey soils occur. The United States Geological Survey classifies the liquefaction susceptibility of the project area as high. Pursuant to the California Building Code (CBC), a site-specific analysis must be prepared by a registered engineer specializing in geotechnical assessments for sites lying in potential liquefaction areas (known as soil type SF). Type SF soils include highly expansive soils (Ref: CBC, Chapter 16, Division V – Soil Profile Types (Section 1636, 1997).

Consequently, the CBC requirements would reduce any potentially significant liquefaction or expansive soil impacts to less-than-significant levels.

Item a: iv)

The project area is nearly flat, sloping gently east, southeast, and south from about 8 feet below mean sea level to about 10 feet below mean sea level. The only substantial slopes adjacent to the site are the backslopes of the levees, which are constructed of compacted soil materials at gradients between 3:1 and 5:1, and, therefore, are very stable. Because the area is so nearly level and is not adjacent to unstable slopes, impacts from landslides at the project site are negligible.

Based on this information, landsliding is not considered an impact associated with this project.

Item b)

Portions of the project site would be trenched for pipelines and excavated for the new oxidation ditch and the anoxic basins. The surface material at the site consists of as much as 5 feet of naturally occurring peat and muck (the Kingile muck). Beneath the peat is unconsolidated, moderately to poorly sorted silt and clay, rich in organic material (probably the Egbert mucky clay loam). In their natural condition, the soils are expansive, but are not especially erosion-prone from flowing water because of their nearly level surface. They are moderately sensitive to wind erosion if tilled or otherwise exposed to drying. Erosion control and loss of topsoil would be controlled through the BMPs that would be specified in the SWPPP resulting in less than significant soil erosion or loss of

topsoil. The contractor for the project will be required to comply with the Construction General Permit and submit an NOI to the Water Board SMARTS website as well as a SWPPP for the project and meet all relate compliance requirements.

Item c)

The project would not involve permanent withdrawal of groundwater, oil, or natural gas from beneath the site. Therefore, the project would not contribute to regional subsidence. Structures on the site would have foundation designs incorporating the recommendations of existing site-specific geotechnical studies to reduce potential damage from settlement or lateral spreading to an acceptable level. See Section VI. a) iv) regarding land sliding not being considered an impact associated with this project. See Section VI. a) iii), regarding the potential for liquefaction being reduced to a less than significant level through the strict enforcement of building standards by the Town of Discovery Bay.

Based on this information, landslide, lateral spreading, subsidence, liquefaction or collapse are not considered significant impacts associated with this project.

Item d)

The soils at the project site have high expansion potential, either at the ground surface or within a few feet below the ground surface. These soils shrink and swell with moisture changes (the critical characteristics of expansive soil) sufficiently to damage pavements, slabs-on-grade, and structures supported on shallow foundations. Structures on the site would have foundation designs incorporating the recommendations of existing site-specific geotechnical studies to reduce potential damage from expansive soils to an acceptable level. See Section VI. a) iii), regarding the potential for damage caused by expansive soils being reduced to a less than significant level through the strict enforcement of building standards by the Town of Discovery Bay.

Item e)

The proposed project does not include septic tanks or on-site disposal of wastewater. Consequently, the capacity of the soils on the project site to support septic systems is not pertinent and is therefore not an impact.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. GREENHOUSE GAS EMISSIONS.

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

VII Discussion:

(Sources 7, 8, 9 & 12)

Items a & b)

There are no process at the WWTP that produce methane or release NOX to the atmosphere.

The new treatment process will remove NOX from the wastewater and convert it to N₂ prior to releasing it into the atmosphere. N₂ is not a greenhouse gas.

The existing and new process uses aerobic biological treatment. There is normal aspiration of the biology that will release CO₂. The amount of CO₂ released to the atmosphere is directly proportional to the biological oxygen demand in the wastewater as it is this demand that supports the growth of the biology. The biological oxygen demand after the project will match the current biological oxygen demand prior to the project. Therefore there should be no increase in CO₂ emissions from the process after the project.

The total increase in power demand as a result of the project is 44 hp over a 24 hour period which is equivalent to 787 kWh per day of energy consumption (44 x 24 x 0.7457).

Per the EPA GHG conversion website, this equates to 203 metric tons of GHG per year. Per the May 2010 BAAQMD Air Quality Guidelines, this is below the Threshold of Significance for stationary-source projects of 10,000 metric tons per year and would not conflict with a plan or policy of reducing GHG emissions since the increase of GHG emissions are less than the threshold of significance.

The California Air Resources Board (CARB) AB 32 Scoping Plan (updated May 2014) had several measures to reduce emissions from transportation fuels, which would indirectly reduce emissions from construction equipment. These include the Low Carbon Fuel Standard (LCFS), which became effective on January 12, 2010, which would reduce GHG emissions by reducing the full fuel- cycle carbon intensity of transportation fuels used in California.

The various plans, policies, and regulations at the state and local level do not directly require the reduction of GHG emissions from construction equipment; however, emissions will be indirectly reduced through programs like the LCFS and engine retrofits. Several rules adopted to reduce emissions of non-GHGs, such as CARB's In-Use Off-Road Diesel Vehicle Regulation (13 CCR 2449), could also reduce GHG emissions as a co-benefit. The Town recently contracted with Advisian in order to determine the GHG emissions during construction.

The GHG emissions during construction phase was quantified using CalEEMod Model Version 2016.3.2. The CalEEMod program uses the EMFAC2014 computer program to calculate the emission rates specific for Contra Costa County for employee, vendor and haul truck vehicle trips and the OFFROAD2011 computer program to calculate emission rates for heavy construction equipment operations. The project characteristics in the CalEEMod were set to a project location of Contra Costa County, a Climate Zone of 4, and an operating year of 2023.

The proposed construction activities would occur in four phases. Phase 1 of the proposed Project involves grading the site properly for the use by following phase; Phase 2 involves excavating to 16 feet deep and construction of a new oxidation ditch and three new anoxic chambers; Phase 3 involves paving the site after the construction; Phase 4 involves piping and pumping system changes as well as rotor and screen replacing. All construction operation would occur Monday through Friday between 6 am to 3 pm or 7 am to 4 pm depending on the time of the year.

The estimated construction duration is 24 months beginning June 1, 2021. Table 1 shows the construction schedule for each phase.

**Table 1 Anticipated Construction Schedule
(total 24 months)**

Construction Activity	Construction Phases	Construction Period			
		Start	End	Days/Week	Number of Working Days
Site Preparation & Grading	Grading	1-Jun-21	30-Sep-21	5	88
Addition of a New Oxidation Ditch and Three New Anoxic Chambers	Building (Structure) Construction	1-Oct-21	12-May-23	5	421
Paving	Paving	15-May-23	26-May-23	5	10
Piping, Pumping System Changes, Rotor and Screen Replacing	Demolition	1-Jun-21	12-May-23	5	509

The off-road construction equipment to be used in each phase is summarized in Table 2.

Table 2 Construction Equipment Mix

Construction Activity	Equipment	In CalEEMod	Number	HP	Load Factor	Hours Per Day	Note
Site Preparation and Grading (~ 4 month)	Skip Loader	Tractors/Loaders/Backhoes	1	97	0.37	7	Default in the model
	Front End Loader (4 yard bucket)	Rubber Tired Loader	1	203	0.36	8	Default in the model

heavy earth work)	Excavator (2 yard bucket)	Excavator	1	208	0.38	8	(Hitachi ex300 series provided by Client)
	Dozer	Rubber Tired Dozer	1	138	0.4	6	(Caterpillar D6M 138 provided by Client)
	Road Scraper	Scrapers	2	367	0.48	6	Default in the model
	Dump truck	Off-Highway Trucks	2	402	0.38	8	Default in the model
Addition of a New Oxidation Ditch and Three New Anoxic Chambers (~ 20.5 months)	Front End Loader (4 yard bucket)	Rubber Tired Loader	1	203	0.36	6	Default in the model
	Excavator (2 yard bucket)	Excavator	1	208	0.38	8	(Hitachi ex300 series provided by Client)
	Dump truck	Off-Highway Truck	1	402	0.38	8	Default in the model
	Pumper truck	Off-Highway Truck	1	402	0.38	8	Default in the model
Paving (~ 2 weeks)	Skip Loader	Tractors/Loaders/Backhoes	1	97	0.37	8	Default in the model
	Front End Loader (4 yard bucket)	Rubber Tired Loader	1	203	0.36	8	Default in the model
	Excavator (2 yard bucket)		1	208	0.38	8	(Hitachi ex300 series provided by Client)
	Road Scraper	Scrapers	2	367	0.48	8	Default in the model
	Dump truck	Off-Highway Trucks	1	402	0.38	6	Default in the model
Piping, Pumping System Changes, Rotor and Screen Replacing (~ 23.5 months)	Boom Lift	Other Material Handling Equipment	1	168	0.40	1	Default in the model

A summary of the GHG emissions from the model run is shown below in Table 3. The highest annual greenhouse gas emissions associated with construction is 529.20 metric tons per year, which will occur in 2022. Since the GHG emissions associated with construction-related activities are far below the most commonly used threshold of 10,000 metric tons per year, GHG emissions are therefore less than significant.

Table 3 Project Construction-Related Greenhouse Gas Annual Emissions

Air Pollutant	Estimated Emissions (metric tons/year)								
	2021			2022			2023		
	CO ₂	CH ₄	Total	CO ₂	CH ₄	Total	CO ₂	CH ₄	Total
Off-Road Construction Equipment	379.38	0.12	N/A	441.10	0.14	N/A	186.05	0.06	N/A
On-Road Vehicles	28.65	0.00	N/A	84.46	0.00	N/A	30.28	0.00	N/A
Total	408.02	0.12	N/A	525.55	0.15	N/A	216.33	0.06	N/A
Global Warming Potential	1.00	25.00	N/A	1.00	25.00	N/A	1.00	25.00	N/A
CO ₂ e Emissions	408.02	3.09	411.12	525.55	3.64	529.20	216.33	1.53	217.86

Since the construction equipment will operate in compliance with all applicable regulations for off-road equipment, the proposed project will not conflict with any plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Therefore, there would be a less than significant impact.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

X

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

VIII Discussion:

(Sources 5 & 10)

Items a - d)

The proposed project is not anticipated to transport, use or dispose of any hazardous materials, accidentally release hazardous materials, substance or waste, emit or handle hazardous waste within one- quarter mile of an existing or proposed school or be located on a site listed as a hazardous material site.

Items e & f)

The project is not within two miles of a public airport, public use airport or private air strip. The closest airport is Byron Airport, located approximately 10 miles to the northwest.

Item g)

The proposed project does not expand wastewater treatment capacity; therefore no impact is expected.

Item h)

The site and vicinity are not designated as “wildlands” in the current General Plan. The exposure of people or structures to a significant risk from wildland fires is not considered an impact associated with this project.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. HYDROLOGY AND WATER QUALITY.

Would the project:

a) Violate any water quality standards or waste discharge requirements?

X

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses or which permits have been granted)?

X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or offsite?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?				x

IX Discussion:

(Source 5)

Item a)

During construction the contractor will be required to comply with standard RWQCB Storm Water Pollution Prevention Plan (SWPPP) requirements. Best management practices will be installed to prevent pollutants from entering stormwater which is contained on site. The wastewater plant's discharge will be improved as a result of the project by reducing nitrogen levels in the wastewater.

Items b – f)

The project does not involve groundwater extraction and will therefore not deplete groundwater supplies or interfere with groundwater recharge. The project will not alter existing drainage patterns of the site or area. All drainage is contained on site. The project will not contribute run off water which would exceed the capacity of the plant's on site stormwater drainage system. No degradation in discharge water quality will occur. Discharge water quality will actually improve due to the reduction of Nitrogen in the discharge water.

Item g)

The project does not include housing.

Item h)

The project is in a 500-year flood zone as established by FEMA therefore structures will not be placed in a 100-year flood hazard area.

Item i)

FEMA considers the levees adequate protection from flooding and has classified the site as being in the 500-year flood zone. It is highly unlikely that such a failure of the Old River levee would occur without warning and the risk is considered extremely low. Therefore exposure to flood hazards is not considered a significant impact for the project.

Item j)

Old River is the closest major water body to the site, which the proposed project lies within. The river is about 160-yards wide, 10 to 20-feet deep, and contained by levees that rise to about 13 feet above mean sea level, at the point where it passes the project area, and 51 miles upstream from Carquinez Bridge. At this point, the river is too far inland, with channels that are too narrow and too sinuous to be affected substantially by a tsunami to enter the Golden Gate. The amount of water stored between the Old River levee at any given time would be sufficient to allow the generation of a seiche during a major earthquake (Mw 7.0 to 8.0). Such an earthquake is unlikely to affect the area, because the closest earthquake fault to the site (the Greenville fault) does not appear capable of producing a great earthquake, and the groundshaking even from a great earthquake (Mw 8.0 and higher) on the more distant Hayward and San Andreas faults would not be as intense as from the design earthquake on the Greenville fault. The natural terrain adjacent to the project on the site is flat, and the levees are constructed of compacted material of a

size, range and density to withstand flowing when wet: there is very little risk of mudflow at the project site. Based on this information, seiche, tsunami or mudflow hazards are not considered impacts associated with this project.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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X. LAND USE AND PLANNING.

Would the project:

- | | | | |
|---|--|---|---|
| a) Physically divide an established community? | | | X |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | | | X |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | | X | |

X Discussion:

(Sources 4, 5 & 11)

Item a)

The project will occur within an existing wastewater treatment plant site and will therefore not physically divide an established community.

Item b)

In accordance with the Contra Costa County Land Use Element Map, the site is designated for Public/Semi-Public use which is applicable to the wastewater treatment plant. In accordance with Government Code Section 53091 (d) & (e) wastewater treatment plant facilities and the collection system are exempt from land use permit or building permit requirements. Therefore, the proposed project would not conflict with any applicable land use plan, policy or regulation.

Item c)

A Habitat Conservation Plan (HCP) was prepared for eastern Contra Costa County to address preserving the rich landscape and rare species that reside in this area (East Contra Costa County Habitat Conservancy 2019). The nearest project designated for conservation to the Town of Discovery Bay is Kellogg Creek Basin, which is southwest of the town and approximately 2 miles west of the proposed project area. Therefore, the proposed project would not pose a threat to any HCP or a Natural Community Conservation Plan.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XI. MINERAL RESOURCES.

Would the project:

- | | |
|---|---|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | X |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | X |

XI Discussion:

(Source 5)

Items a & b)

The project area is classified by the California Division of Mines and Geology as MRZ-1, a Mineral Resource Zone for which there is adequate information to indicate there are no aggregate mineral resources present. The closest known mineral aggregate resource is an outcrop of Domingue Sandstone about 4 miles southwest of the site. According to the California Department of Conservation, Division of Oil, Gas and Geothermal Resources, the project vicinity is not a recognized methane problem area. The closest known oil or gas resource is the Brent Oil and Gas Field 10 miles west of the site. Completion and operation of the plant would not involve quarrying, mining, or extraction of any known regionally or locally important mineral, oil, or gas resources on site, nor would it deplete any nonrenewable natural resource. Consequently, there would be no impact on mineral resources.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. NOISE.

Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

X

b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

X

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

X

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

X

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

X

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

X

XII Discussion:

(Sources)

Items a & c & d)

The project is expected to last 18 – 24 months with all but a few days of work occurring at Plant 2 where there are no nearby sensitive receptors present. The Plant 2 site is bounded by agricultural lands to the south and west, State Route 4 to the north, and Old River to the east, none of which are sensitive receptors. There are sensitive receptors (residences) within the existing Discovery Bay community; however, the community is separated from the construction at Plant 2 and Plant 1 by a sound barrier north of State Route 4.

Ninety-eight percent of the construction activities will occur at Plant 2 which is at least 900 feet away from any residences, and Plant 2 is at least 5 feet lower than highway 4 with an 8 feet high soil Berm on the entire north side, all of which provides additional noise buffering. During the construction period daytime noise levels at Plant 2 could increase over the existing levels for an 18 -24 month period but would only occur 7:30 AM to 4:30 AM Monday through Friday with some Saturday work but would return to existing levels after 4:30 PM and after the completion of construction. Given the proximity of Plant 2 to the existing residences, it is not expected that these residences will experience any increase in noise levels as a result of the work at Plant 2 during the 18 -24 month period. The few days of construction that will be occurring at Plant 1 as part of the project is expected to generate less than significant noise levels no louder than routine maintenance that would occur at the Plant or during times that the Plant has been in full operation. In recognition of these anticipated noise levels, Plant 1 was originally built with a sound wall in order to attenuate the noise levels for the nearby residences to acceptable levels. Because of these existing sound walls and the proximity of 98% of the work being 900 feet from the residences, the project would not create a significant increase in ambient noise levels in the project vicinity and would be in compliance with any State, Local or Federal standards.

Item b)

Pile driving will be limited to the Plant 2 site which is 900 feet away from any residence. Activities associated with the movement of heavy-duty trucks and similar construction equipment would occur on a temporary basis. Consequently, ground borne noise or vibration impacts would be considered less than significant.

Items e & f)

The project site is not located within an airport land use plan or within two miles of a public airport. Consequently, airport-related noise impacts do not apply at this project site. Also see XII a, above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING.				
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

XIII Discussion:

(Source 5)

Item a)

The completion of this project does not represent an expansion of capacity or otherwise considered a growth project. The project is to improve and introduce plant process to reduce effluent nitrogen levels to 10 mg/l. The current project and proposed project do not include new housing, new businesses, or new infrastructure other than for the already permitted and approved usage and facility. Therefore, the proposed project would not promote growth beyond the limits of the approved General Plan and would have no impact on population and housing.

Items b &c)

The proposed project would not displace any existing housing or people as there is no housing on the project site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

XIV Discussion:

(Sources)

Fire Protection.

The proposed project would be constructed primarily of concrete and steel, most of the facilities would be below ground or open-air, and none of the structures would be used for human occupancy. The material treated by the wastewater treatment plant would not be flammable, no volatile chemicals would be used in treatment, and power would be provided by electricity rather than fossil fuels stored on-site. Consequently, the proposed project would not pose any special fire-fighting challenges and would not necessitate additional fire protection services.

Police Protection.

Because no unusual law enforcement problems are associated with the completion of the improvements, the proposed project would not necessitate additional police protection at the project site.

Schools

The proposed project is a wastewater treatment plant improvement project and does not involve residential uses. Consequently, the proposed project is not anticipated to result in new demand for schools.

Parks.

The demand for parks is directly linked to the residential population in Discovery Bay. The proposed project does not involve any parks and does not include new residential uses and, consequently, would not create a direct demand for parks.

Other public facilities.

Because the proposed project does not include residential uses, and does not increase plant capacity it would not create direct demands for other public services such as water facilities, libraries and recreational centers.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

X

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

X

XV Discussion:

(Source 5)

Items a & b)

The project does not include recreational facilities or residential housing that would generate an increase on existing neighborhood or regional parks.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI. TRANSPORTATION/TRAFFIC.

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

XVI Discussion:
(Sources 5 &10)

Items a & b)

During the construction phase of the project, additional vehicle movement and need for parking related to the project would be limited to transportation of workers, equipment, and material to and from the project site. It is anticipated that 5 to 10 people per day would need to be on the project site under ordinary circumstances. All personal vehicles, excavation and construction equipment would be left in designated parking and staging areas on the site, well off Highway 4. Even if a larger crew were needed at any time during the construction of the proposed project, there is adequate parking space on the site for extra vehicles.

Excavation and construction equipment would be driven onto the project site and would remain there until their tasks were completed, thus eliminating the need to move the equipment on and off the site more than once. None of these situations would add a statistically significant amount of traffic to Highway 4. Therefore, the proposed project would have no significant effect on traffic load or street capacity in the vicinity of the site or in the region.

Item c)

The proposed project is not near any air travel facility. The project does not include the construction of above-ground facilities that would be high enough to interfere with air travel.

Item d)

The proposed project would not alter any publicly traveled roads and would not increase transportation design hazards.

Item e)

There are no road closures associated with this project so there would not be an impact on emergency access.

Item f)

The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities because the project does not involve any permanent surface level alteration that would interfere with any mode of transportation.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. TRIBAL CULTURAL RESOURCES.

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

X

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

X

XVII Discussion: (Sources 5 & 13)

Items a & b)

A review of records and literature on file at the Northwest Information Center indicates that the Town of Discovery Bay and its immediate environs contain no recorded Native American or historic-period archaeological resources listed with the Historical Resources Information System. Also, a file check with the Native American Heritage Commission in February of 2003, as part of the 2003 Plant Upgrade Project Revealed no sacred lands on or near the Treatment plant site.

Construction will be taking place in an area of previously disturbed ground and in paved areas on the project site as well as areas that are mowed once or twice a year in an operating wastewater treatment plant with no trees or wetlands that will be affected by the project. The project area was surveyed in 1991 for cultural resources and none were found. During construction of the plant upgrade in 2003 no cultural resources were found while excavating for the oxidation ditch, pipelines and other structures.

In accordance with AB 52 (Gatto 2014), letters were sent to the following tribes notifying them of the proposed project on February 25 and 26, 2021. As of March 8, 2021, none the tribes had requested consultation:

1. Amah Mutsun Tribal Band of Mission San Juan Bautista
2. Indian Canyon Mutsun Band of Costanoan.
3. Muwekma Ohlno Indian Tribe of the SF Bay Area.
4. North Valley Yokuts Tribe.
5. The Ohlone Indian Tribe.
6. Wilton Rancheria.
7. Tule River Indian Tribe
8. Confederated Villages of Lisjan

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVIII. UTILITIES AND SERVICE SYSTEMS.

Would the project:

- | | | | |
|--|--|--|---|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | | | X |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | X |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | X |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | | | X |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

XVIII Discussion:

(Source 5)

Item a)

The project would not cause the exceedance of the Regional Water Quality Control Board requirements. The project is being constructed in order to meet the new nitrogen discharge permit requirements.

Item b)

The improvements being constructed will not expand treatment plant capacity and will not cause significant environmental effects.

Item c)

The project would utilize and extend the existing storm drain collection system on-site. There would be no construction of new storm drain facilities off-site.

Item d)

The project will not require an expansion of water supply entitlements or water supply requirements.

Item e)

The proposed project is for improvements at the existing plants and will not place additional demand on the plants.

Item f)

The proposed project would not produce any solid waste in excess of what is currently being disposed of by the existing treatment plants because the completion of the facilities would not change the treatment capacity.

Item g)

As discussed above in Section XVI. f) above, the existing wastewater treatment plants already receives solid waste disposal services which comply with federal, State, and local statues and regulations related to solid waste.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIX. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

X

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

X

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

X

XIX Discussion:**Item a)**

Impacts to the natural environment from the proposed Project are limited, and impacts which could potentially be significant will be mitigated as provided for herein; additional controls and standards of the SWRCB and the BAAQMD govern the Project and will be enforced. Project impacts will therefore, as mitigated, be less-than-significant.

Item b)

No; The proposed project will provide a benefit by reducing the levels of nitrogen in the effluent water down to 10 mg/l and as described throughout the Evaluation of Environmental Effects, potential impacts related to these resources would either be less than significant or less than significant with the implementation of appropriate mitigation measures and compliance with applicable building codes and proper engineering design of the project. There would be no long-term, operations-related significant impacts to any resource areas analyzed in this initial study. Given the limited extent and duration of potential impacts resulting from construction and operations of the proposed project, as described, the proposed project's contribution to potentially cumulatively considerable significant impacts from past, present and reasonably foreseeable projects would be less than significant.

Item c)

The project does not have environmental effects which will cause substantially adverse effects on human beings, either directly or indirectly.

SOURCES

Information used in the preparation of this document was gathered from the following documents:

<u>Reference No.</u>	<u>Description</u>
1	Scenic Highway Map, Contra Costa County Transportation and Circulation element to the Contra Costa County General Plan, Page 5-25 https://www.contracosta.ca.gov/DocumentCenter/View/30915/Ch5-Transportation-and-Circulation-Element?bidId=
2	California Department of Conservation website California Important Farmland Finder https://maps.conservation.ca.gov/DLRP/CIFF/
3	Zoning Layer from Contra Costa County CCMAP https://ccmap.cccounty.us/Html5/index.html?viewer=CCMAP
4	Contra Costa County General Plan Land Use Map with amendments through December 1, 2020. https://www.contracosta.ca.gov/DocumentCenter/View/30949/Land-Use-Element-Map?bidId=
5	Discovery Bay Wastewater Treatment Plant Upgrade Project, Mitigate Negative Declaration, September 3, 2003, SCH # 2003072160.
6	HERWIT, Gregory Harris email 12.10.2020 indicating that no Native American prehistoric archaeological sites were discovered during the Plant 2 upgrade in 2003.
7	HERWIT, Gregory Harris email 2-12-2021 Green House Gas Emissions as a result of project.
8	EPA website to calculate GHG as a result of energy use. https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator
9	BAAQMD Air Quality Guidelines May, 2010 https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/draft_baaqmd_ceqa_guidelines_may_2010_final.pdf
10	Contra Costa County General Plan. https://www.contracosta.ca.gov/4732/General-Plan
11	Eastern Contra Costa County Habitat Conservation Plan. https://www.contracosta.ca.gov/depart/cd/water/HCP/index.html
12	Advisian, Sheila Chang email report 3-5-2021, providing construction phase Green House Gas emissions modeling results.
13	Consultation letters sent to the tribes listed in Section XVII.



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2021-06

A RESOLUTION OF THE BOARD OF DIRECTORS, OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT TO ADOPT THE MITIGATED NEGATIVE DECLARATION AND APPROVE THE SEWAGE TREATMENT PLANTS, DENITRIFICATION AND MASTERPLAN UPGRADES PROJECT

WHEREAS, the Board of Directors of the Town of Discovery Bay Community Services District (the “Board” and “Town”, respectively) has received and reviewed the proposed Mitigated Negative Declaration, including the draft Initial Study/Mitigated Negative Declaration with appendices, and supporting information sources (collectively, the “IS/MND”), together with the staff report and any comments received and responded to during the public review and hearing process (collectively, the “Environmental Record”) for the proposed construction and operation of the Town’s Sewage Treatment Plants, Denitrification and Masterplan Upgrades Project (the “Project”), as described in the IS/MND; and

WHEREAS, the Town is the lead agency for purposes of environmental review of the Project under the California Environmental Quality Act (“CEQA”), pursuant to Public Resources Code § 21000 et seq., and the State “Guidelines for Implementation of the California Environmental Quality Act”; and

WHEREAS, the Project could, without mitigation, have resulted in a potential impact to certain areas of environmental concern, including Cultural Resources; and

WHEREAS, the Town has prepared mitigation measures to address and mitigate all potential environmental impacts to a “less than significant” level, which is a part of the Environmental Record reviewed and considered by the Town; and

WHEREAS, the Town has incorporated the mitigation measures described in the initial study for the Project (“Initial Study”) as conditions of approval by the Town; and

WHEREAS, with the exception of the potential impacts stated above, there are no other potentially significant environmental impacts resulting from the Project; and

WHEREAS, the Town submitted a Notice of Intent to Adopt a Mitigated Negative Declaration to the State Clearinghouse, the Contra Costa County Clerk’s Office and distributed it to those agencies which have jurisdiction by law with respect to the Project; published the Notice of Intent to Adopt a Mitigated Negative Declaration concerning the Project in the local newspaper; and

WHEREAS, the draft Initial Study/Mitigated Negative Declaration with appendices and supporting information sources were duly noticed for 30-day public review and comment from March 10, 2021 to April 8, 2021, as provided by law; and

WHEREAS, the Town received two comments. One from the Confederated Villages of Lisjan Tribe and one from the Indian Canyon Band of Costanoan Ohlone People in response to the draft MND and has prepared a proposed action plan in response; and

WHEREAS, the mitigation measures identified in Section 5 of the IS/MND shall be carried out, monitored and reviewed to ensure compliance during project implementation; and

WHEREAS, a hearing concerning the Town's intent to adopt a final IS/MND was duly noticed and held on April 21, 2021, at which time any interested parties were afforded an opportunity to be heard in addition to the public review and comment period referenced above as part of the Environmental Record; and

WHEREAS, the Town has considered, prior to adoption of the final MND, the Environmental Record in support of the final IS/MND.

THEREFORE, BE IT RESOLVED that the Board finds, determines and resolves as follows:

SECTION 1. The Board adopts the foregoing recitals as true and correct and are hereby incorporated by reference.

SECTION 2. The Board finds that the Initial Study and Mitigated Negative Declaration reflect the independent judgment of the Town as the lead agency for the Project.

SECTION 3. The Board finds that it has independently reviewed and considered the Environmental Record, including the Initial Study and proposed Mitigated Negative Declaration, as a final Mitigated Negative Declaration, prior to adopting the final Mitigated Negative Declaration.

SECTION 4. On the basis of the Environmental Record as the whole record before the Board, including the IS/MND and any comments received, the Board finds, in its independent judgment and analysis, that there is no substantial evidence the Project will have a significant effect on the environment.

SECTION 5. The Board confirms that the mitigation measures described in the IS/MND, have been incorporated into the Project and adopts a Mitigated Negative Declaration, as the final Mitigated Negative Declaration, which documents are a part of the Environmental Record before the Board for the Project. The documents and other material that constitute the record of the proceedings upon which this decision is based are maintained by the custodian of records, the Town's Project Manager, at 1800 Willow Lake Road, Discovery Bay, California 94505.

SECTION 6. The Board approves and adopts the findings set forth herein, and the Mitigated Negative Declaration, based on the Environmental Record.

SECTION 7. The Board hereby approves the Project.

SECTION 8. The Town of Discovery Bay Community Services District staff is authorized and directed to cause a Notice of Determination concerning the adoption of the Mitigated Negative Declaration for the Project to be filed in the office of the Contra Costa County Clerk and with the Office of Planning and Research in accordance with CEQA and State CEQA Guidelines.

SECTION 9. The Town of Discovery Bay General Manager, or his representative, is authorized to initiate such steps as appropriate and necessary to: (i) prepare final construction plans, specifications, and estimates; (ii) obtain necessary permits and approvals for the construction of the Project; (iii) take such other steps as may be necessary to construct the Project; and (iv) bring back to this Board any appropriate recommendations to further implement the foregoing.

This foregoing resolution is hereby approved and adopted at a regular meeting the Board of Directors of the Town of Discovery Bay Community Services District held on the 21st day of April, 2021, by the following vote:

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF APRIL, 2021.

Bryon Gutow
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on April 21, 2021, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Michael R. Davies
Board Secretary

NOTICE AND AGENDA FOR REGULAR MEETING

Wednesday, April 14, 2021, 1:30 PM

***** BY TELECONFERENCE ONLY *****

Consistent with the California Governor's Executive Order N-29-20 this meeting will be held by Zoom and teleconference. No physical location will be available for this meeting.

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS

To join the meeting click: <https://cccounty-us.zoom.us/j/95768795211>

Or call the number below. **As a courtesy to the other participants, please mute your device when not speaking.**

USA 214-765-0478

USA 888-278-0254 (US Toll Free)

Conference code: **525510**

LAFCO meetings are audio recorded and posted online at <http://contracostalafco.org/meetings-and-public-hearings/>. Audio recordings are available the day following the LAFCO meeting. LAFCO meeting materials and staff reports are available online at <http://contracostalafco.org/meetings-and-public-hearings/>.

PUBLIC COMMENT: The Commission will consider all verbal and written comments received. Comments may be emailed to LouAnn.Texeira@lafco.cccounty.us or by U.S. mail to Contra Costa LAFCO at 40 Muir Road 1st Floor, Martinez, CA 94553. Please indicate the agenda item number, if any. If you want your comments read into the record, please indicate so in the subject line. For public hearings, the Chair will announce the opening and closing of the public hearing. The Chair will call for verbal public comments.

NOTICE TO THE PUBLIC

Disclosable public records for a regular meeting agenda distributed to a majority of the members of the Commission less than 72 hours prior to that meeting will be made available on <http://contracostalafco.org/meetings>

Campaign Contribution Disclosure

If you are an applicant or an agent of an applicant on a matter to be heard by the Commission, and if you have made campaign contributions totaling \$250 or more to any Commissioner in the past 12 months, Government Code Section 84308 requires that you disclose the fact, either orally or in writing, for the official record of the proceedings.

Notice of Intent to Waive Protest Proceedings

In the case of a change of organization consisting of an annexation or detachment, or a reorganization consisting solely of annexations or detachments, or both, or the formation of a county service area, it is the intent of the Commission to waive subsequent protest and election proceedings provided that appropriate mailed notice has been given to landowners and registered voters within the affected territory pursuant to Gov. Code sections 56157 and 56663, and no written opposition from affected landowner or voters to the proposal is received before the conclusion of the commission proceedings on the proposal.

American Disabilities Act Compliance

LAFCO will provide reasonable accommodations for persons with disabilities planning to join the meeting. Please contact the LAFCO office at least 48 hours before the meeting at 925-313-7133.

APRIL 14, 2021 CONTRA COSTA LAFCO AGENDA

1. Call to Order
2. Roll Call
3. Adoption of Agenda
4. Approval of Minutes for the January 13, 2021 regular LAFCO meeting
5. Public Comment Period (please observe a three-minute time limit):

Members of the public are invited to address the Commission regarding any item that is not scheduled for discussion as part of this Agenda. No action will be taken by the Commission at this meeting as a result of items presented at this time.

OUT OF AGENCY SERVICE REQUESTS

6. *LAFCO 20-08 – City of Martinez – Bay’s Edge, Subdivision 9065* – consider a request by the City of Martinez to extend municipal water service outside its jurisdictional boundary to support development of 30 townhomes. The subject area includes two parcels (APNs 375-311-001/-003) located at 3128 Sycamore Street in unincorporated Martinez (Mt. View area). The Commission will also consider related actions per the California Environmental Quality Act (CEQA)

MUNICIPAL SERVICE REVIEWS (MSRs)/SOI UPDATES

7. *“Parks & Recreation Services” MSR/SOI Updates (2nd Round)* – receive overview of Public Review Draft MSR, public comments, and provide input. The MSR covers all 19 cities, four community services districts, three parks & recreation districts, one regional park district and eight county service areas **Public Hearing**

BUSINESS ITEMS

8. *Fiscal Year 2021-22 Proposed Budget and Work Plan* - consider approving the proposed budget and work plan for FY 2021-22 **Public Hearing**
9. *Legislative Update and Position Letters* – receive update and consider submitting position letters
10. *Call for Nominations – 2021 Special Districts Risk Management Authority (SDRMA) Board of Directors* receive SDRMA information and consider submitting a nomination
11. *FY 2020-21 Third Quarter Budget Report* - receive FY 2020-21 third quarter budget report
12. *Actuarial Evaluation – Post-Employment Medical Benefits Plan GASB 75 Supplemental Schedules - Reporting Period July 1, 2020 to June 30, 2021* – informational item – no action needed
13. *Update - Chang Property Reorganization – Annexations to the City of San Ramon, Central Contra Costa Sanitary District and East Bay Municipal Utility District and Detachment from County Service Area P-6* – informational item – no action needed

CORRESPONDENCE

14. Correspondence from Contra Costa County Employees’ Retirement Association (CCCERA)

INFORMATIONAL ITEMS

15. Commissioner Comments and Announcements
16. Staff Announcements (CALAFCO Updates, Pending Projects, Newspaper Articles)

ADJOURNMENT

Next regular LAFCO meeting is on May 12, 2021 at 1:30 pm.

LAFCO STAFF REPORTS AVAILABLE AT http://www.contracostalafco.org/meeting_archive.htm

**Contra Costa County
Aviation Advisory Committee
Meeting Agenda
550 Sally Ride Drive, Concord, CA 94520
Thursday, April 8, 2021, 10:00 a.m.**

**REMOTE
MEETING**

*The Aviation Advisory Committee (AAC) will provide reasonable accommodations
For persons with disabilities who plan to attend its scheduled meetings.
Call the Director of Airports Office at (844) 359-8687 at least 24 hours in advance.
Any disclosable public records related to this meeting are available for public inspection at the
Director of Airports Office, 550 Sally Ride Drive, Concord, during normal business hours.*

SIGN IN WITH THESE ZOOM INSTRUCTIONS:

- No registration is required
- Copy the link and paste into your browser to sign in from your computer or smartphone:
<https://zoom.us/j/95439755558?pwd=ZklkZkdNbk8wcmJlCOHMxdEJodmFWZz09>
- Follow the prompts to open Zoom and enable computer video and audio.
- Meeting ID: **954 3975 5558**
- Passcode: **099602**

To call in from mobile or landline phone (audio only, no video), call the following number and enter the meeting ID above: **1 669 900 6833**

1. Roll Call

2. Public Comment Period

3. Approval of the Aviation Advisory Committee's March 11, 2021 Meeting Minutes

4. Consider Consent Items

- a. Accept the airport Noise & Statistics Report for February 2021
- b. Accept relevant Board Orders (March 2021)

5. Discussion/Action Items

- a. Review and Discuss Byron General Plan Amendment Update
- b. Review and Discuss Airport Business/Development items
 - 4.14-Acre Phase 1 Development, Byron Airport
 - 0.86-Acre Development, Buchanan Field
 - Terminal Building, Buchanan Field
 - 3-Acre Light Industrial Development, Buchanan Field
 - 4.6-Acre Development, Buchanan Field
 - Fire Station 9, Buchanan Field
 - 16-Acre Light Industrial Development, Buchanan Field
 - Byron ARFF/Maintenance Storage Building Project
 - Center Ave/Marsh Drive Parking Agreement FedEx
- c. Discuss updates regarding BATS
- d. Discuss Airport Security Project
- e. AAC Officer Elections
- f. Discuss State Water Board Order WQ 2019-0005 - DWQ Relative to Use of Per- and Polyfluoroalkyl Substances (PFAS) at Buchanan Field
- g. Derek Mims Recognition

6. Future Agenda Items

7. Adjourn

Next AAC Meeting (tentative): May 13, 2021 at 10:00 am
Next Airport Committee Meeting (tentative): June 9, 2021 at 11:00 am



EAST CONTRA COSTA FIRE PROTECTION DISTRICT

BOARD OF DIRECTORS

Adam Langro

Carrie Nash
Vice President

Brian Oftedal
President

Stephen Smith

Joe Young

AGENDA

Board of Directors Regular Meeting

Due to COVID-19, this meeting will be conducted via teleconference only (no physical location) pursuant to the Governor's Executive Orders N-25-20 & N-29-20. Directors, staff and the public may participate remotely.

Call In Number: 1(872) 240-3212

Access Code: 490-316-781

<https://global.gotomeeting.com/join/490316781>

**** SPECIAL START TIME ****

Regular Board Meeting will start at 6:30 p.m.

6:32

Wednesday, April 14, 2021

3:00 PM

Members of the public are encouraged to attend remotely at the phone number or website listed above. Directions for providing public comment via teleconference will be provided at the beginning of the meeting. Public comments submitted to RRUBIER@ECCFPD.ORG prior to the meeting will be summarized during the meeting and posted on-line at:

<https://www.eccfpd.org/2021-04-14-eccfpd-board-of-directors-meeting>

Note: All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

Upon request, the District provides for written agenda materials in appropriate alternative formats or other disability-related modification or accommodation to enable individuals with disabilities to participate in and provide comments related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting. Requests should be emailed to RRUBIER@ECCFPD.ORG, or submitted by phone at 1(925) 634-3400. Requests made by mail (sent to Regina Rubier, 150 City Park Way, Brentwood, CA 94513) must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

1. Call to Order

2. Anti-Harassment Training

2.a. SB 1343 Anti-Harassment Training

Note: This training is required by law to last a minimum of 2 hours.

Recess until 6:30 p. m.

3. Pledge of Allegiance

4. Roll Call

5. Public Comment

Members of the public may address subject matters pertaining to District business listed on the Consent Calendar, Closed Session, Future Agenda Items, or items not listed on the agenda. Public comments by each individual speaker shall be limited to three minutes. While the District encourages your comments, State law prevents the Board from discussing items that are not set forth on this meeting agenda. The Board and staff take your comments very seriously and, if appropriate, will follow up on them.

6. Consent Calendar

Members of the Board may request that an item under the Consent Calendar be considered separately.

Note: All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

- 8.f. Annual Social Media Update
Annual Update on Social Media.pdf
- 8.g. Presentation on Land Use and Development Processes

9. Board Reports and Requests

9:42

10. Date and Place of Next Meeting:

May 12, 2021

6:30 p.m.

To Be Determined

Council Chambers or via teleconference

11. Adjourn

POSTING STATEMENT

A copy of this agenda was posted at the **East Contra Costa Fire Protection District Administrative Office, 150 City Park Way, Brentwood, CA 94513**. Pursuant to CA Government Code §54957.5, disclosable public records and writings related to an agenda item distributed to all or a majority of the Board of Directors including such records and writing distributed less than 72 hours prior to this meeting are available for public inspection at the East Contra Costa Fire Protection District Administrative Office, 150 City Park Way, Brentwood, CA 94513.

NOTICE In compliance with the Americans with Disabilities Act, any individuals requesting special accommodation to attend and/or participate in District Board meetings may contact the District Administrative Office at (925) 634-3400. Notification 48 hours prior to the meeting will enable the District to make reasonable accommodations.

- 6.a. Approve Minutes from March 10, 2021 Board Meeting
March 10 2021 Board of Directors Regular Meeting Minutes.pdf
 - 6.b. Authorize a Joint Exercise of Powers Agreement with Sourcewell, a Minnesota Service Corporation to Exercise the Common Power of Contracting.
Staff Report and Reso - Sourcewell JPA.pdf
 - 6.c. Authorize Use of Paid COVID-19 Leave for Vaccine and Vaccine-Related Symptoms, and Extending Use of Leave, Due to Senate Bill 95 (California Supplemental Paid Sick Leave)
StaffRep01t and Reso for Supplemental Paid Sick Leave SB 95.pdf
7. New Business

- J* Approve Agreement with the City of Brentwood to Accept Property at 2171 Empire Avenue and \$6.9 Million in Fire Development Impact Fees
Staff Report and Reso Accepting Empire Ave Property from the City of Brentwood.pdf
- Jdf.* Change Staffing Model to Staff One Engine Per Shift with Fourth Firefighter on Voluntary Basis
Succession Plan - FoU1h Person on Engine Staff Report a:l:difeso;P'df
- Jdf.* Public Hearing and Election to Establish Community Facilities District No. 2020-1 (Fire Protection and Emergency Response Services) and Future Annexation Area, and Introduce and Waive First Reading of Ordinance to Levy of a Special Tax Therein
1. Open Public Hearing
 2. Present Staff Report
 3. Hear Public Comment
 4. Close Public Hearing
 5. Board Discussion
- Staff Report re Formation of Districtwide CFD Levy of Tax April 14 meeting update.pdf
Attachment 1 - Reso Declaring Its Intention to Establish CFD No. 2020-1 w Exhibits.pdf
Attachment 2 - Canvass and Statement of Results Hearing.pdf
Attachment 3 - Certificate re Registered Voters and Landowners vFinal.pdf
Attachment 4 - Reso of Formation Hearing.pdf
Attachment 5 - Reso Call Election Hearing.pdf
Attachment 6 - Reso Declaring Results Hearing.pdf
Attachment 7 - Notice of Special Tax Lien Hearing.pdf
Attachment 8 - Ordinance Hearing.pdf
- J, /, c.* Report of the Fire Chief/ Informational Staff Reports
- 8.a. Consolidation Update
Fire District Annexation Study.pdf
 - a. b. / Legislative Update
Legislative Report - March 2021.pdf
 - a. c. Grants Update
Grants Rep01t - March 2021.pdf
 - z: d. Prevention Update
Prevention Report - March 2021.pdf
 - &tr:., Operations Update
Operational Report - March 2021.pdf

Note: All items appearing on the agenda are subject to action by the Board, Staff recommendations are subject to change by the Board,