MINUTE ITEM
This Calendar Item No. C20
was approved as Minute Item
No. 20 by the State Lands
Commission by a vote of 3
to 0 at its 3-8-94
meeting.

CALENDAR ITEM

C20

A 11

S 7

03/08/94
W 25046
M. Howe
PRC7742

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:
Central Contra Costa Sanitary District (CCCSD)
5019 Inhoff Place
Martinez, California 94553

AREA, TYPE LAND AND LOCATION:
A parcel of tide and submerged land, Grayson Creek, City of Martinez, Contra Costa County.

LAND USE:
The construction, operation and maintenance of a interceptor to convey wastewater. The pipeline will be constructed under the creek and drain inverts, the channel will be restored to its existing condition. The proposed pipeline on State lands will be concrete in the shape of a box, approximately 18 ft. wide X 10 ft. high, located about 4 feet below the bed of Grayson Creek.

PROPOSED LEASE TERMS:
Twenty-five years beginning March 8, 1994.

CONSIDERATION:
The public health and safety, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing and processing fees have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:
03/07/94

OTHER PERTINENT INFORMATION:

1. The pipeline will be constructed from the wastewater treatment plant, east across Grayson Creek, past the east bank of Grayson Creek to the adjacent CCCSD property. The properties adjacent to Grayson Creek are owned by CCCSD and are used for activities related to wastewater treatment. The State Highway 4 right-of-way is located immediately south of and parallel to the pipeline alignment through the creek channel. The area north of the site is owned by CCCSD for wastewater treatment purposes. Continuing north of the project site for approximately 4.5 miles is Suisun Bay, the outlet for Grayson Creek.

2. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Code Regs. 2954 is not applicable.

3. Certify that an EIR State Clearinghouse No. 90030204, was prepared for this project pursuant to the provisions of the CEQA and that the Commission has reviewed and considered the information contained therein.

4. A Mitigation Monitoring Plan has been prepared for this project in conformance with the provisions of the CEQA, see Exhibit "C".

APPROVALS OBTAINED:

U. S. Army Corps of Engineers, Department of Fish and Game, California Regional Quality Control Board, Contra Costa County Airport Land Use Commission and Federal Aviation Administration, and Contra Costa County Flood Control and Water Conservation District.

FURTHER APPROVALS REQUIRED:
State Lands Commission

EXHIBITS:
A. Land Description
B. Location Map
C. Mitigation Plan
D. Notice of Determination/CEQA Findings

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN EIR STATE CLEARINGHOUSE NO. 90030204, WAS PREPARED FOR THIS PROJECT BY THE CENTRAL CONTRA COSTA SANITARY DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

2. ADOPT THE FINDINGS, AND STATEMENT OF OVERRIDING CONSIDERATIONS MADE IN CONFORMANCE WITH SECTION 15096(h) AND SECTION 15093 OF THE STATE CEQA GUIDELINES, AS CONTAINED IN EXHIBIT "D", ATTACHED HERETO.

3. ADOPT THE MITIGATION MONITORING PLAN, AS CONTAINED IN EXHIBIT "C".

4. AUTHORIZE ISSUANCE TO CENTRAL CONTRA COSTA SANITARY DISTRICT OF A TWENTY FIVE YEAR GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING MARCH 8, 1994, IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS THAT SUCH ACTION TO BE IN THE STATE'S BEST INTEREST FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF A INTERCEPTOR TO CONVEY WASTEWATER ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT A

W 25046

REAL PROPERTY in the county of Contra Costa, state of California described as follows:

Portion of the parcel of land (Grayson Creek - Parcel 196) described in the deed from Central Contra Costa Sanitary District (CCCSD) to Contra Costa County Flood Control and Water Conservation District (CCCFC & WCD) recorded December 21, 1961 in Book 4020 of Official Records of said county at page 607 (4020 O.R. 607) described as follows:

A 35 foot wide strip of land the centerline of which is described as follows:

Commencing at the 1-1/4 inch iron pipe tagged 'CEN SAN' being the southwesterly corner of Parcel C as shown upon the Parcel Map filed on December 29, 1980 in Book 91 of Parcel Maps at page 41 (91 P.M. 41), said county records, being also a point on the easterly line of above referenced CCCFC & WCD parcel (4020 O.R. 607); thence along said easterly line north 21° 53' 44" east 518.55 feet (north 21° 53' 24" east 518.48 feet per 91 P.M. 41) to an angle point in said line, being a 2 inch iron pipe tagged 'CEN SAN'; thence along said easterly line south 21° 53' 44" west 474.44 feet to the POINT OF BEGINNING; thence from said POINT OF BEGINNING leaving said easterly line south 67° 42' 35" west 382.97 feet to a point on the easterly line of the 15 foot wide strip of land described in the deed from Contra Costa County Flood Control and Water Conservation District to Central Contra Costa Sanitary District recorded July 19, 1976 in Book 7943 of Official Records of said county at page 42 (7943 O.R. 42), said point bears north 21° 53' 24" east 58.96 feet from the northerly terminus of a curve in last said easterly line which is concave to the east and has a radius of 875.00 feet. The sidelines of said 35 foot strip of land shall be lengthened or shortened to terminate in the east at said easterly line of above referenced CCCFC & WCD parcel (4020 O.R. 607) and in the west at said easterly line of above referenced CCCSD parcel (7943 O.R. 42).

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Grayson Creek.

Bearings are based on the California State Plane Coordinate System (1927), Zone 3.

REVIEWED SEPTEMBER, 1993 BY SFBCC

LICENSED LAND SURVEYOR
ELIZABETH A. CHARLTON
No. 5265
exp 12/31/95
STATE OF CALIFORNIA

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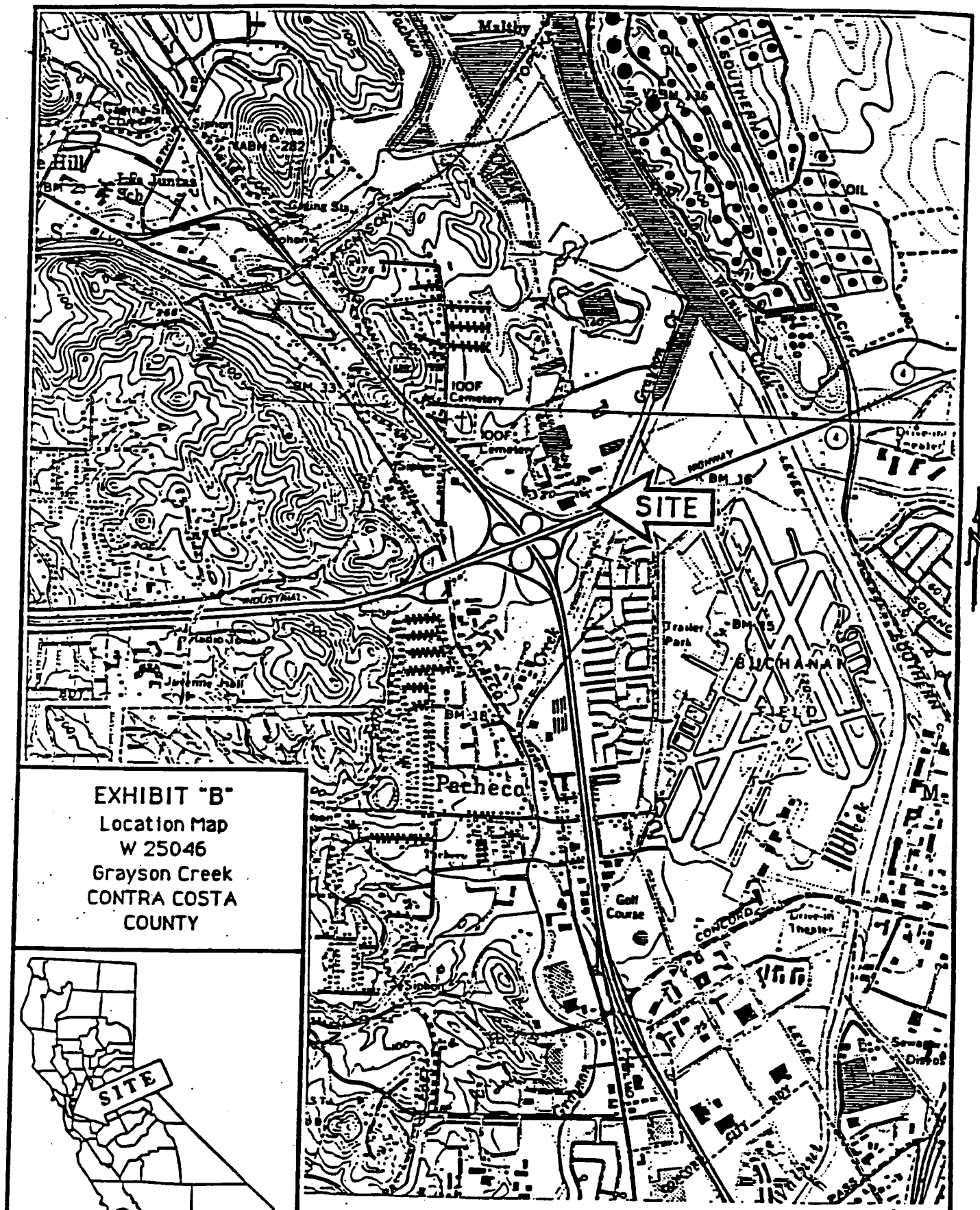

EXHIBIT "B"
Location Map
W 25046
Grayson Creek
CONTRA COSTA
COUNTY

NOTE:
THIS EXHIBIT IS NOT A SURVEY, NOR DOES ANY LINE APPEARING HEREON REPRESENT A BOUNDARY LINE.

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EXHIBIT B

EXHBIT "C"

and Notice of Determination

174
7

NOTICE OF DETERMINATION

FILED

JUL 2 1993

S.L. WEIR, County Clerk
CONTRA COSTA COUNTY
By K. GORDON

TO: Contra Costa County Clerk
725 Court Street
Martinez, CA 94553

FROM: Central Contra Costa Sanitary District (CCCSD)
5019 Imhoff Place, Martinez, CA 94553

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code

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PROJECT TITLE: Approval of Segment 14 of the Pleasant Hill Relief Interceptor and Consolidating Construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors

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STATE CLEARINGHOUSE NUMBER: 90030204

CONTACT PERSON: Russell Leavitt (510) 689-3890, ext. 255

PROJECT LOCATION: Pleasant Hill and unincorporated Contra Costa County (Pacheco)

This is to advise that the Central Contra Costa Sanitary District (Lead Agency) approved this project on July 1, 1993 and has made the following determinations:

1. The project will have a significant effect on the environment.
2. A Program Environmental Impact Report was prepared and certified on September 4, 1991 pursuant to the provisions of CEQA. An Addendum to the EIR was prepared in June, 1993.
3. This project is within the scope of the Program EIR.
4. Mitigation measures were made a condition of the approval of the project.
5. A Statement of Overriding Considerations was adopted for this project.

This is to certify that the Program EIR and Addendum with comments and responses and record of project approval is available to the general public during the 30-day statute of limitation period at the Central Contra Costa Sanitary District, 5019 Imhoff Place, Martinez, CA.

Signature (Public Agency)

Secretary of the District
Title

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STATE OF CALIFORNIA-THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL DOCUMENT APPLICATION/FILING FEE
CASH RECEIPT

№ 9002

Lead Agency: Central Contra Costa Sanitary District Date: 9/5/91
County/State Agency: Document No. SCH# 9003020
Project Title: Pleasant Hill Sewer Overflow Protection Project.
Project Applicant: Central Contra Costa Sanitary District

CHECK APPLICABLE FEES:

(X)	Environmental Impact Report	$850.00	$ 850.00
( )	Negative Declaration	$1,250.00	$
( )	Application Fee Water Diversion *(Water Resources Control Board Only)*	$850.00	$
( )	Projects Subject to Certified Regulatory Programs *(DFG & CDF Only)*	$850.00	$
(X)	County Administrative Fee	$25.00	$ 25.00
( )	Project that requires fee, not paid *(enter amount due)* $		
( )	Project that is exempt from fees		

TOTAL RECEIVED $ 875.00

Signature of person receiving payment [signature]

FIRST COPY-PROJECT APPLICANT SECOND COPY-DFG/CEAB THIRD COPY-LEAD AGENCY FOURTH COPY-COUNTY

STATE OF CALIFORNIA-THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT
DFG 753.5a (9-91)

15618

Lead Agency: CCC Sanitary District Date: 7-2-93
County/State Agency of Filing: Contra Costa Document No.:
Project Title: Approval, Pleasant Hill Relief Interceptor Segment HEIR
Project Applicant Name: CC Sanitary District Phone Number:
Project Applicant Address: 5019 Imhoff Place Martinez CA 94553
Project Applicant *(check appropriate box)*: Local Public Agency ☐ School District ☐ Other Special District ☑
State Agency ☐ Private Entity ☐

CHECK APPLICABLE FEES:

(✓)	Environmental Impact Report fee pd 9-5-91	$850.00	$ -0-
( )	Negative Declaration	$1,250.00	$
( )	Application Fee Water Diversion *(State Water Resources Control Board Only)*	$850.00	$
( )	Projects Subject to Certified Regulatory Programs	$850.00	$
(✓)	County Administrative Fee	$25.00	$ 25.00
( )	Project that is exempt from fees		

TOTAL RECEIVED $ 25.00

Signature and title of person receiving payment: K. Gordon

FIRST COPY-PROJECT APPLICANT SECOND COPY-DFG/FASB THIRD COPY-LEAD AGENCY [illegible]/STATE AGENCY FILING

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EXHIBIT 1

ADDENDUM TO THE 1991 FINAL EIR FOR THE PLEASANT HILL/A-LINE SEWER OVERFLOW PROTECTION PROJECT JUNE, 1993

This Addendum to the certified 1991 Final Program EIR for the Pleasant Hill/A-Line Sewer Overflow Protection Project has been prepared by the Central Contra Costa Sanitary District in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164. The purpose of this Addendum is to identify the 1991 EIR analysis applicable to approving Segment 14 of the Pleasant Hill Relief Interceptor and consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors and to apprise the public of the reasons for making these project approval recommendations.

BACKGROUND: At its September 4, 1991, meeting, the Board certified the Final Program EIR for the Pleasant Hill/A-Line Sewer Overflow Protection Project (the 1991 EIR) and approved several route segments for construction of the Pleasant Hill Relief Interceptor Protection Project (Segments 1, 3, 12, 16A, 19, 19A, and 20; see Figure 1). For two locations along the planned Pleasant Hill Relief Interceptor route, the Board directed staff to proceed with further right-of-way and design studies before recommending a final route selection: Segment 14 vs. 13/15 (Contra Costa Boulevard vs. Pleasant Hill Shopping Center); and 18 vs. 17 (Grayson Creek vs. Ruth Drive). Following these studies, staff was to examine whether there was adequate analysis of the recommended route in the EIR and notify the public of the recommendation. Additionally, at its October 2, 1991, meeting, the Board certified the same EIR to then approve the A-Line Relief Interceptor Project for the purpose of right-of-way acquisition.

At its March 4, 1993, meeting, the District Board of Directors received from staff a status update on the Pleasant Hill/A-Line Sewer Overflow Protection Project. The Board then provided staff with guidance for proceeding with final recommendations for certain project elements, including the routing of the Pleasant Hill Relief Interceptor near the Pleasant Hill Shopping Center on Contra Costa Boulevard, and the sizing of the Marsh Drive pipeline.

At this time, due to ongoing right-of-way negotiations with the County Flood Control District, staff is not prepared to make a final recommendation on Segment 18 vs 17, which would be constructed in a later phase of the project. At its July 1, 1991, meeting, however, the District Board of Directors will consider approving Segment 14 as part of the route for the Pleasant Hill Relief Interceptor Project. Board approval is being sought now so that this segment can be included in the first construction phase of the Pleasant Hill Relief Interceptor.

The District Board of Directors also will consider consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors. These segments are located immediately east and south of the District's wastewater treatment plant, beneath SR-4,

Marsh Drive, and a portion of the Buchanan Field Golf Course in Pacheco. Construction of the Pleasant Hill Relief Interceptor already has been approved for these segments; however, for the A-Line Relief Interceptor, the District Board has only approved these segments for right-of-way acquisition.

Consolidating construction of these segments for both interceptors results in accelerating construction of this portion of the A-Line Relief Interceptor by at least ten years. Where possible, such as beneath Marsh Drive, capacity for the two interceptors would be consolidated into one pipeline. In other locations, such as beneath SR-4 and Grayson Creek, dual pipeline or box culverts will be required.

The rationale for staff's recommendations regarding Segments 14, 1, and 3 is as follows:

Segment 14 vs. Segments 13/15

A portion of the Pleasant Hill Relief Interceptor could be constructed in Segment 14 by tunneling south from the median of Contra Costa Boulevard (opposite the Cal Spa driveway) to the northern right-turn lane at the Chilpancingo Parkway intersection, then using open trench construction from the right-turn lane to the west side of Grayson Creek, south of Chilpancingo Parkway (see Figure 2).

The use of Segment 14 has several benefits over using Segments 13/15 which lie within the parking lot and loading areas of the Pleasant Hill Shopping Center:

- Due to its shorter length (1,570 vs. 2,310 feet), Segment 14 would cost less to construct than Segments 13/15). The cost to construct Segment 14 would be approximately $2.12 million. The cost to construct Segments 13/15 would be $2.24 million for open cut or $2.53 million for tunneling.

- Construction within the Contra Costa Boulevard right-of-way avoids the need to acquire easements on private properties. The right-of-way cost for Segments 13/15 could be as much as an additional $0.75 million.

- During potholing, petroleum-contaminated soils were found at the Contra Costa Boulevard/Chilpancingo Parkway intersection along Segment 14. Even after considering the soil cleanup and removal costs (estimated to be $0.1 million), Segment 14 is still less costly than Segments 13/15 by about $0.77 to $1.06 million.

- Since Segment 14 requires fewer bends in the pipeline and is of shorter length, it would have better flow velocities, less turbulence, and a lower potential for corrosion and odors than Segments 13/15.

Staff is recommending tunneling vs. open trench construction of the pipeline beneath Contra Costa Boulevard primarily to satisfy City of Pleasant Hill concerns regarding potential traffic congestion, safety, and community disruption along one of its busiest streets. Tunneling most of Segment 14 would produce less disruption for nearby

commercial and residential areas due to its limited surface disturbance (i.e., noise, traffic congestion, and dust). In general, tunneling also is safer (for motorists, pedestrians, and construction workers) than deep, open trench construction as less excavation is needed Despite its benefits as compared to open trench construction, however, the use of tunneling is being limited to only the most essential locations because of its relatively higher cost.

The District currently is studying whether to construct a recycled water distribution pipeline in conjunction with the Pleasant Hill Relief Interceptor project. In locations where the interceptor project will be installed using open trench construction, the recycled water pipeline could be placed in the same trench, above the interceptor. If open trench construction were to be used for interceptor installation beneath Contra Costa Boulevard, then the potential recycled water pipeline could share the trench. A decision to tunnel this portion of the interceptor, however, neither precludes nor requires that Segment 14 be used for the recycled water pipeline.

Options still available for constructing the potential 18- to 24-inch diameter recycled water pipeline include tunneling beneath Contra Costa Boulevard (above the interceptor), shallower and narrower trenching along Contra Costa Boulevard (still likely to be opposed by the City of Pleasant Hill), or tunneling or open trenching through the Pleasant Hill Shopping Center along Segments 13 and 15 without the interceptor (reuniting with the interceptor south of Chilpancingo Parkway). A discussion of these options will be presented in the environmental evaluation currently being prepared for the potential recycled water pipeline, which will require a separate District Board approval.

Property owners along Segment 14 and 13/15 (including the Pleasant Hill Shopping Center) have been informed of staff's preference for Segment 14 by telephone or mail. No adverse comments from the public have been received to date.

Consolidating Construction of Segments 1 and 3

As previously stated, the District Board has approved construction of Pleasant Hill Interceptor Segments 1 and 3 beginning in 1993. The Board also has approved initiating A-Line Relief Interceptor right-of-way acquisition along the same segments (beginning in 1992) with construction anticipated in the year 2004. A subsequent Value Engineering Workshop on these projects recommended that staff pursue combining construction of the two projects within Segments 1 and 3 due to a present worth cost saving of $4.0 million. District operating costs also would be less if only one pipe would need to be maintained, rather than two.

Based on the potential cost savings and the elimination of disruption associated with a second large project ten years later in the same alignment, staff is recommending that the District proceed with the combined pipe option along these segments of the Pleasant Hill Relief Interceptor route that could be common to the A-Line Relief Interceptor route. The option to install a single pipe (Pleasant Hill and A-Line) or two parallel pipes was discussed in the 1991 EIR (see "Project Description," p. III-20).

Consolidating construction of Segment 3 of the Pleasant Hill and A-Line Relief Interceptors eliminates Segment 2 of the A-Line Relief Interceptor from further consideration. Segment 2 is located on the north side of SR 4, from the east side of Grayson Creek to the west side of Walnut Creek, then crosses beneath SR 4 and continues along the west side of Walnut Creek to Willow Way. Segment 2 is eliminated because it does not allow for the reduced construction cost and lessened community disruption of a consolidated Segment 3.

Additionally, due to its shorter length in conjunction with Segments 4/4A or 4/4B (10,500 feet), Segment 3 would cost less to construct and have better flow velocities and less turbulence than Segment 2 (12,700 feet). Also, Segment 2 is closer to the Walnut Creek channel and the ends of Buchanan Field Airport runways, making construction more costly to minimize biological impacts and avoid aircraft hazards. Segment 2 also may be closer to the Concord Fault than Segment 3 and could be more susceptible to seismic hazards. For all these reasons, therefore, the District concludes that the alternative Segment 2 route is less feasible than Segment 3.

CEQA REVIEW: Use of the 1991 EIR is appropriate for approval of these project elements for the following reasons:

1. There are no new significant environmental impacts that were not considered in the Program EIR (Guidelines Section 15162). Environmental impacts associated with Segments 1, 3, and 14 are summarized in the Draft Program EIR on pages V-3 to V-10.

2. There is no change proposed in the project which will require important revisions to the previous Program EIR (Guidelines Section 15162(c)(1)). Segment 14 is to be constructed beneath the southbound lanes of Contra Costa Boulevard (between the median and the eastern edge) rather than along the eastern edge (as described in the Program EIR). However, no important revisions of the Program EIR are necessary because the impacts will remain the same.

   Regarding the sizing of Segments 1 and 3, the 1991 EIR addressed construction of a combined Pleasant Hill/A-Line pipeline of up to approximately 120 inches in diameter in this right-of-way (p. II-20 & II-23). Thus, approval of a consolidated, 102-inch diameter pipeline in Marsh Drive is allowable as a lesser-and-included version of the combined pipeline concept addressed in the EIR. Likewise, District design criteria and the requirements of other agencies dictate that the crossings beneath SR 4 and Grayson Creek must consist of two smaller diameter pipelines or box culverts. These facilities also may have greater capacity than needed to meet the 1991 EIR's projected demand, although their useful and, therefore, actual capacity would be limited to the upstream capacity of the 102-inch diameter Marsh Drive pipeline.

   Furthermore, the 1991 EIR identified that "isolated segments" of the A-Line Relief Interceptor may be constructed ahead of schedule, "in order to coordinate with the construction of other projects, avoiding a second disruption of the community.

Constructed portions of the project may or may not become operational as they are completed" (p. II-21).

3. No substantial changes have occurred with respect to the circumstances under which the project is undertaken, such as a substantial deterioration to the project area environment, that would require important revisions to the Program EIR due to new significant environmental impacts not previously considered (Guidelines Section 15162(c)(2)). The District currently is studying whether to construct a recycled water distribution pipeline in conjunction with the Pleasant Hill Relief Interceptor. However, a decision approving Segment 14 and consolidating construction of Segments 1 and 3 neither approves nor precludes construction of the potential recycled water distribution line. The potential recycled water pipeline project, which will undergo its own environmental evaluation and approval process prior to award of a construction contract for Segments 1, 3, and 14, is not expected to alter the environmental impacts of the interceptor projects nor substantially change the circumstances under which the project elements are being undertaken.

4. No new information of substantial importance to the project has become available regarding new significant impacts, the severity of previously identified significant impacts, or the feasibility or availability of mitigation measures or alternatives (Guidelines Section 15162(c)(3)). It should be noted that based on an existing capacity of 140 mgd in the A-Line, a combined pipeline in Segments 1 and 3 would need to carry 208 mgd (the difference between the 1991 EIR's 348 mgd of projected demand and the existing 140 mgd of capacity). Given the physical constraints of the pipeline routes, the limitations of concrete pipe suppliers, and the design requirements of the District, CALTRANS, and other agencies, Segments 1 and 3 incidently will have a physical capacity which exceeds the 1991 EIR's projected capacity need.

   For example, since pre-cast, reinforced concrete pipe in the size range anticipated is commercially available in standard size increments of only six inches, a 102-inch diameter pipe in Marsh Drive is the smallest standard size available that can meet the projected capacity need of 208 mgd. The actual capacity of the 102-inch diameter pipe in Marsh Drive, however, would be 219 mgd, 11 mgd greater than needed to meet the projected demand.

   Likewise, District design criteria and the requirements of other agencies dictate that the crossings beneath SR 4 and Grayson Creek must consist of two smaller diameter pipelines or box culverts. These facilities also may have greater capacity than needed to meet the 1991 EIR's projected demand, although their useful and, therefore, actual capacity would be limited to the upstream capacity of the 102-inch diameter Marsh Drive pipeline.

   No additional, potentially significant operational impacts could result from the incidental availability of pipeline capacity in excess of that needed to meet the projected demand addressed in the 1991 EIR. The ultimate capacity of these facilities could not be put into service until the remaining six miles of the A-Line Relief Interceptor is environmentally reviewed, approved, designed, and constructed

between Buchanan Field Golf Course and Ygnacio Valley Road. The remainder of the A-Line Relief Interceptor is scheduled for subsequent environmental review and design in the year 2003 with construction between the years 2004 and 2009 (unless constructed earlier in conjunction with other public works projects). If the remainder of the A-Line Relief Interceptor is proposed to accommodate development beyond the planned growth identified in the 1991 EIR, the environmental review for the remaining portion would need to address the impacts of serving that additional development, as well as update the environmental conditions under which the pipeline would be built.

Finally, consolidating construction of Segments 1 and 3 would not allow the District to provide service to areas excluded from analysis in the 1991 EIR, such as Dougherty Valley, Tassajara Valley, and the Tri-Valley Wastewater Authority (TWA). Before sewer service to such areas could be provided, further environmental review by the District (as a Lead or Responsible Agency under CEQA) and a separate approval of the District Board of Directors would be required. This position is consistent with the commitment made in the 1991 EIR with regard to growth-inducing impacts (p. IV-7 & IV-8).

For these reasons, the District Board of Directors can approve Segment 14 of the Pleasant Hill Relief Interceptor and consolidate construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors. These project elements are within the scope of the project covered by the 1991 EIR.

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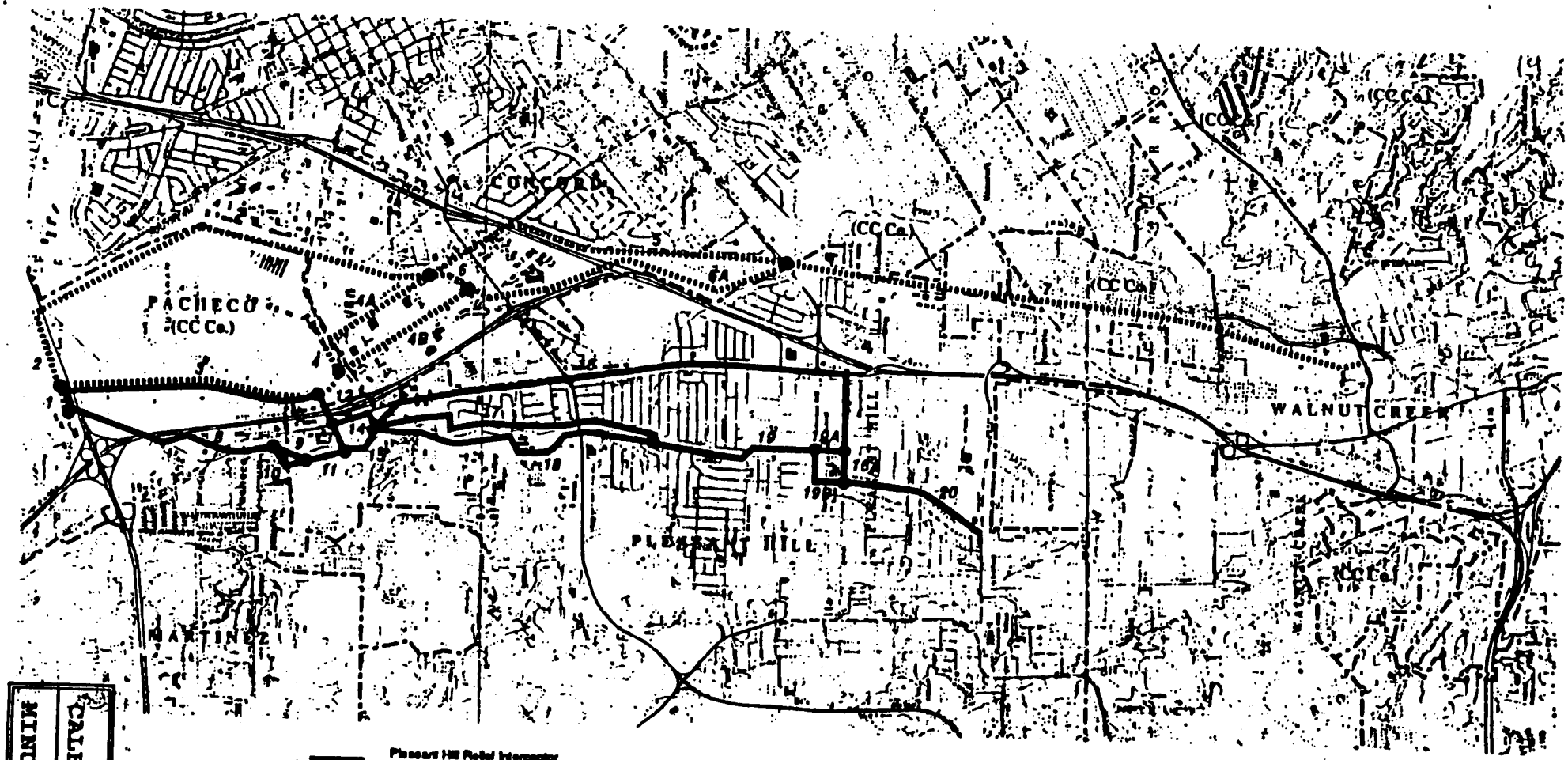

CCC SD Pleasant Hill / A Line Relief Interceptors / ©DMC ©

Proposed Pipeline Alignment Alternatives - Segment Overview

Figure 1

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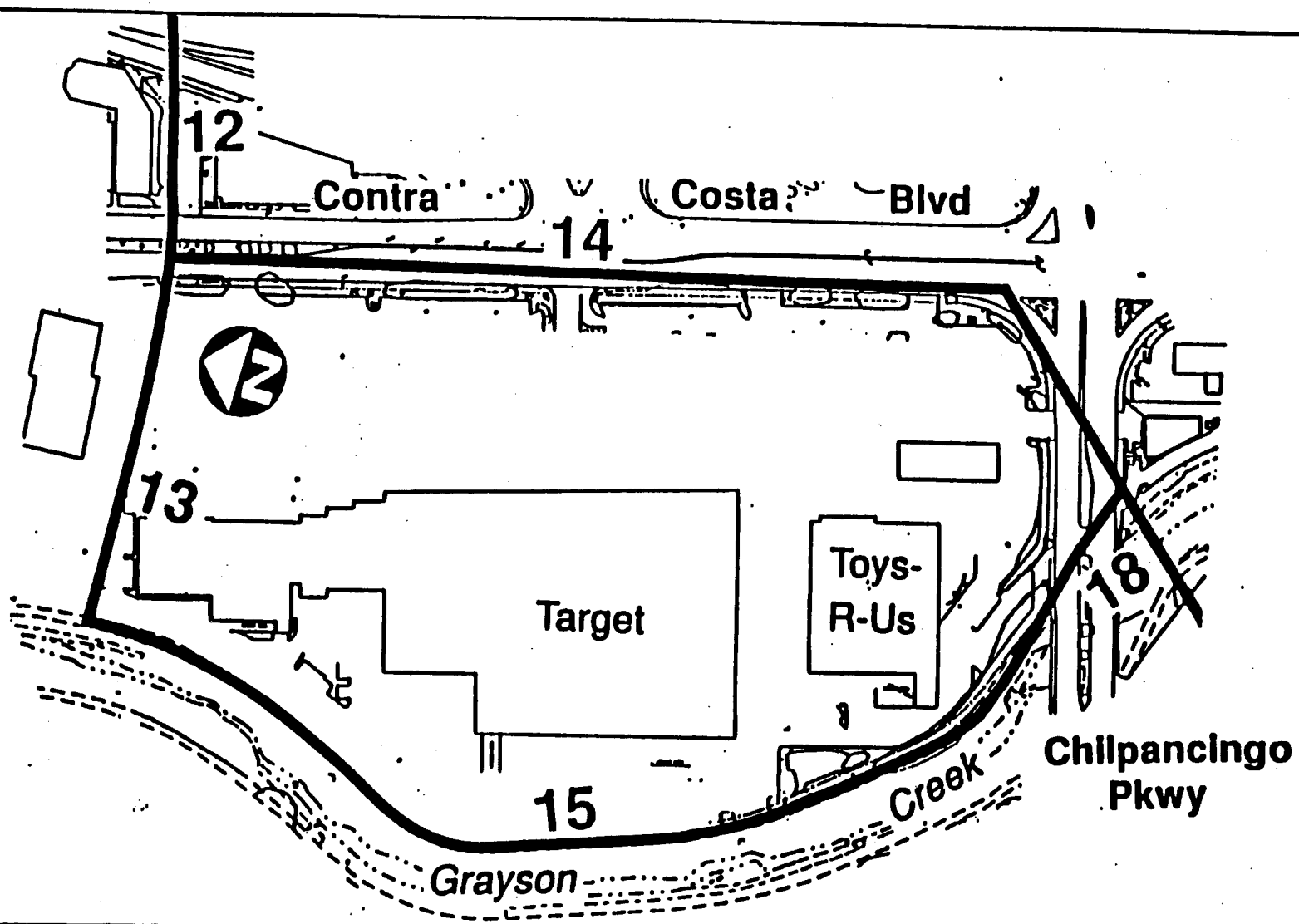

Central Contra Costa Sanitary District

Pleasant Hill/A-Line Sewer Overflow Protection Project

Figure 2

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Exhibit 2

RESOLUTION NO. 93-067

RESOLUTION APPROVING SEGMENT 14 OF THE PLEASANT HILL RELIEF INTERCEPTOR AND CONSOLIDATING CONSTRUCTION OF SEGMENTS 1 AND 3 OF THE PLEASANT HILL AND A-LINE RELIEF INTERCEPTORS

WHEREAS, the District Board of Directors, on September 4, 1991, certified a Final Program EIR for the Pleasant Hill/A-Line Sewer Overflow Protection Project ("the 1991 EIR") as being legally adequate for consideration of the Pleasant Hill Relief Interceptor; and

WHEREAS, the District Board of Directors, on September 4, 1991, approved the Pleasant Hill Relief Interceptor, approving several route segments (Segments 1, 3, 12, 16A, 19, 19A, and 20) and required further study to determine the final route with regard to Segments 14 vs. 13 and 15; and

WHEREAS, the District Board of Directors, on October 2, 1991, certified the 1991 EIR as also being legally adequate for consideration of right-of-way acquisition for the A-Line Relief Interceptor; and

WHEREAS, the District Board of Directors, on October 2, 1991, approved the A-Line Relief Interceptor for the purpose of right-of-way-acquisition; and

WHEREAS, the District Board of Directors has independently reviewed and considered the 1991 EIR and its June, 1993 Addendum; and

WHEREAS, the environmental effects of approving Segment 14 and consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors (the "project elements") are adequately covered in the 1991 EIR; and

WHEREAS, there are no changes to the project elements of the Pleasant Hill and A-Line Relief Interceptors which require important revisions in the 1991 EIR due to the involvement of new significant environmental impacts not considered in the 1991 EIR; and

WHEREAS, there are no substantial changes which have occurred with respect to the circumstances under which these project elements of the Pleasant Hill and A-Line Relief Interceptors will be undertaken; and

WHEREAS, there is no new information of substantial importance which has become available with regard to these project elements of the Pleasant Hill and A-Line Relief Interceptors; and

WHEREAS, approval of these project elements would not allow the District to provide service to areas excluded from analysis in the 1991 EIR, such as Dougherty Valley, Tassajara Valley, and the Tri-Valley Wastewater Authority (TWA); before sewer service to such areas could be provided, further environmental review by the District (as a Lead or Responsible Agency under CEQA) and a separate approval of the District Board of Directors would be required; and

WHEREAS, the District Board of Directors has considered all available information for these project elements, including information contained in the 1991 EIR, the June, 1993 Addendum, and testimony from the public made at a public hearing on July 1, 1993; and

WHEREAS, the District Board of Directors has independently reviewed and considered the proposed Conditions of Approval, Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for these project elements of the Pleasant Hill and A-Line Relief Interceptors;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Central Contra Costa Sanitary District hereby finds using its independent judgment that approving Segment 14 of the Pleasant Hill Relief Interceptor and consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors are within the scope of the 1991 EIR as no new effects can occur and no additional mitigation measures are necessary other than those identified in the 1991 EIR, and does hereby approve these project elements of the Pleasant Hill and A-Line Relief Interceptors, and adopts the attached Conditions of Approval, Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program.

FURTHERMORE, the Board of Directors directs the General Manager-Chief Engineer to prepare a Notice of Determination for the project and submit the notice to the appropriate government agencies.

PASSED AND ADOPTED by the Central Contra Costa Sanitary District Board of Directors this 1st day of July, 1993, by the following vote:

AYES:	Members:	Dalton, Hockett, Menesini, Rainey, Clausen
NOES:	Members:	None
ABSENT:	Members:	None

President of the District Board of
Central Contra Costa Sanitary District,
County of Contra Costa, State of California

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COUNTERSIGNED:

Joyce E. Murphy

Secretary of the Central Contra Costa Sanitary District, County of Contra Costa, State of California

APPROVED AS TO FORM:

Kenton L. Alm, District Counsel

EXHIBIT 3

CONDITIONS OF APPROVAL FOR SEGMENT 14 OF THE PLEASANT HILL RELIEF INTERCEPTOR AND CONSOLIDATING CONSTRUCTION OF SEGMENTS 1 AND 3 OF THE PLEASANT HILL AND A-LINE RELIEF INTERCEPTORS

The following mitigation measures will be implemented as conditions of approval of Segment 14 of the Pleasant Hill Relief Interceptor and consolidation of construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors. The mitigation measures referenced in Condition No. 1 (below) and contained in the Mitigation Monitoring and Reporting Program are needed to reduce or eliminate potentially significant impacts.

Each of these mitigation measures and the Mitigation Monitoring Program were also adopted on September 4, 1991, when the District approved the Pleasant Hill Sewer Overflow Project (also known as the "Pleasant Hill Relief Interceptor"). Although not required by the California Environmental Quality Act (CEQA), the remaining conditions will further reduce impacts which were considered to be "less-than-significant" in the EIR.

General

1. The mitigation measures identified in the Pleasant Hill Sewer Overflow Protection Project Mitigation Monitoring and Reporting Program, dated August 1991, and adopted on September 4, 1991, will be implemented.

Project Coordination

2. The District will continue to inform and discuss with local government planning agencies their plans for projects within the project area. The District will endeavor to coordinate design and construction of projects to the greatest extent possible in order to avoid design conflicts and minimize construction disruption.

Traffic

3. Limit where possible the transport of construction equipment and materials to off-peak traffic periods.

4. Require the contractor to use haul routes that minimize truck traffic on local, two-lane streets (i.e., use freeway and major roadways to the extent feasible).

5. Require contractor to locate staging areas throughout the project area so as to minimize the hauling distances for construction equipment and materials.

6. If simultaneous construction is planned at two or more sites along the project route, develop circulation and detour plans to minimize impacts to local traffic circulation.

7. In areas where construction worker parking availability is limited, require the contractor to establish a centralized worker staging area with adequate parking for workers' cars. Workers would then be transported to and from the construction site each day by shuttle van.

Landscaping Replacement

8. Revegetate disrupted areas to the extent practical. Revegetation will occur in locations near to where the vegetation was removed. Trees, which are situated directly over the alignment will be replanted near their original location; however, due to operational, safety, and maintenance factors, it is the District's policy not to plant trees directly over pipelines.

Air Quality

9. All construction equipment will be maintained and operated in such a manner as is to minimize exhaust emissions. Equipment will be turned off when not in use.

10. Implement the Bay Area Air Quality Management District's Regulation 8, Rule 15, which deals with hydrocarbon emissions caused by the use of asphalt in paving materials.

Noise

11. To mitigate construction-generated noise near sensitive receptors, construction equipment will be fitted with state-of-the-art shielding and muffling devices. Impact tools will be shielded or shrouded, and electric-powered construction equipment will be used wherever feasible. Delaying the starting time for noisy construction activities in residential neighborhoods until 7 a.m. will reduce the chances for interrupting the sleep patterns of most residents living near the project pathways.

12. The District will notify nearby residents and other sensitive receptors of the dates and times that project construction will be in their area.

Pleasant Hill Relief Interceptor Project
an "A-Line" project - PRR.

EXHIBIT 4.

BEFORE THE CENTRAL CONTRA COSTA SANITARY DISTRICT

RE: CENTRAL CONTRA COSTA COUNTY SANITARY DISTRICT Approval of Segment 14 of the Pleasant Hill Relief Interceptor and Consolidating -- Construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

I.
DESCRIPTION OF THE PROJECT

On September 4, 1991, the Central Contra Costa Sanitary District (the "District") certified a program environmental impact report (the "1991 EIR") and approved the Pleasant Hill Sewer Overflow Protection Project (also known as the "Pleasant Hill Relief Interceptor"). The Pleasant Hill project involved obtaining right-of-way and construction of a new relief interceptor sewer which would extend approximately six miles, through the city of Pleasant Hill, the Town of Pacheco, and unincorporated parts of Contra Costa County to the District's wastewater treatment plan immediately northeast of the I-680 and SR4 interchange. This project was necessary because the existing Contra Costa Boulevard Line (CC-Line) interceptor sewer could no longer contain all the water that extraneously enters the pipeline during a major rainstorm and overflow of the sewer system was occurring.

Additionally, on October 2, the District certified the "1991 EIR" to then approve right-of-way acquisition for the A-Line Sewer Overflow Protection Project (also known as the "A-Line Relief Interceptor"). The A-Line project involved obtaining right-of-way to construct a new relief interceptor sewer which will extend approximately six miles, through the cities of Walnut Creek, Pleasant Hill, Concord, and unincorporated parts of Contra Costa County to the District's wastewater treatment plan immediately northeast of the I-680 and SR4 interchange. The existing A-Line sewer interceptor, which transports most of Central Contra Costa's sewage to the treatment plant, is expected to reach its wet-weather design capacity by 2010. In order to be ready to install a new relief sewer pipeline when it is needed, the District needs to secure the necessary right-of-way (ROW) for a new pipeline now. The District has already obtained ROW between Ygnacio Valley Road and Monument Blvd., and has approved acquisition of right-of-way along all other alternative alignments evaluated in the 1991 EIR. A final route determination will be made closer to the design year of 2003 with construction between the years 2004 and 2009 (except for portions which may be constructed earlier in conjunction with other public works projects).

When the District approved the Pleasant Hill project, it approved several route segments for construction: Segments 1, 3, 12, 16A, 19, 19A, and 20. For two locations along the Pleasant Hill Relief Interceptor route, the District Board of Directors required staff to undertake further right-of-way and design studies before recommending a final route selection: Segment 14 versus 13/15 (Contra Costa County Boulevard vs. Pleasant Hill Shopping Center); and Segment 18 versus 17 (Grayson Creek vs. Ruth Drive). Following these studies, staff was to examine

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whether there was adequate analysis of the recommended route in the 1991 EIR and notify the public of the recommendation.

The District makes these findings for the final approval of Segment 14 of the Pleasant Hill project. Segment 14 is to be constructed by tunneling south from the median of Contra Costa Boulevard (opposite the Cal Spa driveway) to the northern right-turn lane at the Chilpancingo Parkway intersection, then using open trench construction from the right-turn lane to the west side of Grayson Creek, south of Chilpancingo Parkway. Due to ongoing right-of-way negotiations with the County Flood Control District, the District is not yet prepared to make a final decision on Segment 18 vs 17, which would be constructed in a later phase of the project.

The District also makes these findings to approve consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors. These segments are located immediately east and south of the District's wastewater treatment plant, beneath SR-4, Marsh Drive, and a portion of the Buchanan Field Golf Course in Pacheco. Construction of the Pleasant Hill Relief Interceptor already has been approved for these segments; however, for the A-Line Relief Interceptor, the District Board has only approved these segments for right-of-way acquisition.

Consolidating construction of these segments for both interceptors results in accelerating construction of this portion of the A-Line Relief Interceptor by at least ten years. Where possible, such as beneath Marsh Drive, capacity for the two interceptors would be consolidated into one pipeline. In other locations, such as beneath SR-4 and Grayson Creek, dual pipeline or box culverts will be required. These

segments will be included in the first construction phase of the Pleasant Hill Relief Interceptor.

The District's Collection System Program, as described in the 1993 Ten-Year Capital Improvement Plan, has a ten-year (2003) and a twenty-year (2013) goal. The goals are long-term because the magnitude of the overflow problem is so large and costly that it will take an ambitious and extended program to resolve. The specific goals include the following:

1. To upgrade the collection system by the year 2003 so that capacity-related sewer overflows occur no more often than once every five years.
2. To upgrade the collection system by the year 2013 so that capacity-related sewer overflows occur no more often than once every 20 years.

In order to relieve the existing interceptor sewers and resolve projected future wet-weather capacity deficiencies, additional system capacity must be provided by the project. This increase in sewer capacity could be accomplished by constructing the Pleasant Hill Relief Interceptor and A-Line Relief Interceptors to relieve the existing CC-Line and A-Line Interceptors.

For the Pleasant Hill Relief Interceptor, selection of Segment 14 will allow this segment to be included in the first construction phase of the project, which is scheduled for construction contract award in October, 1993. Construction of this first phase will begin to relieve existing wet-weather capacity problems caused by infiltration and inflow. This is demonstrated by repeated wet-weather sewage overflows from the existing CC-Line during heavy storms in 1982, 1983, 1986, and 1993. The District's NPDES permit and the Water Quality Control Plan for the San

Francisco Bay Region both prohibit any overflow of wastewater from the collection system.

Construction of the entire A-Line Relief Interceptor is not needed immediately. The existing A-Line currently meets the first goal described above, but to meet the second goal, the District anticipates that a new A-Line Relief Interceptor will be needed to relieve wet-weather capacity problems in approximately 10-20 years. At this time, however, by consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors, the District has the opportunity to realize a present value savings of $4.0 million and eliminate the repeated community disruption associated with constructing a second pipeline in the same alignment in the future. The option to install a single pipe (Pleasant Hill and A-Line) or two parallel pipes in Segments 1 and 3 was discussed in the 1991 EIR (see "Project Description," p. III-20).

II.
USE OF THE 1991 EIR FOR THIS PROJECT

California Environmental Quality Act (CEQA) Guidelines Section 15168 allows the use of a program EIR with later activities if certain conditions are met. First, the environmental effects of the later activity must be covered by the Program EIR. Second, there must be no changes in the project which require important revisions in the previous program EIR due to the involvement of new significant environmental impacts not considered in the previous program EIR. Third, there must be no substantial changes which have occurred with respect to the circumstances under which the project is undertaken. Finally, there must be no new information of

substantial importance which has become available with regard to the project. If r of the above conditions are met, a lead agency can conclude that no new effects will occur, no new mitigation measures are required, and that the program EIR is adequate for the later activity.

Pursuant to CEQA Guidelines Section 15164, an addendum has been prepared to identify the 1991 EIR analysis applicable to these project elements and to apprise the public of the reasons for approving these project elements. In conjunction with the addendum, the District Board of Directors has independently reviewed and considered the 1991 EIR and, using its independent judgment, has determined that the environmental effects of approving Segment 14 of the Pleasant Hill Relief Interceptor and consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors (the "project elements") are covered in the 1991 EIR (see, e.g., 1991 EIR, Draft, pp. S-10 to -22; II-13 to -15, -17 to -23, -28 to -32; III-3 to -5, -8 to -11, -17 to -20, -23 to -24, -26, –32 to -44, -49, -52 to 55, -57 to -66, -73 to -74, -76, -87 to -88, -90 to -91, -93 to -94, -96, -103 to -105, -109, -111, -113, -116 to -119, -122, -124 to -125, -128 to -130, -137, -139 to -141, -144, -146, -149 to -151; V-2 to V-10, -12 to -16; Final, p. 15, 43, 45, 108-110, 116).

The District also has determined that there are no changes in the project which require important revisions in the 1991 EIR due to the involvement of new significant environmental impacts not considered in the 1991 EIR. Segment 14 is to be constructed beneath the southbound lanes of Contra Costa Boulevard (between the median and the eastern edge) rather than along the eastern edge (as described in the

Program EIR). However, no important revisions of the Program EIR are necessary because the impacts will remain the same.

The District will construct the pipeline by tunneling beneath Contra Costa Boulevard (rather than using open trench construction) primarily to satisfy City of Pleasant Hill concerns regarding potential traffic congestion, safety, and community disruption along one of its busiest streets. Tunneling most of Segment 14 would produce less disruption for nearby commercial and residential areas due to its limited surface disturbance (i.e., noise, traffic congestion, and dust). In general, tunneling also is safer (for motorists, pedestrians, and construction workers) than deep, open trench construction as less excavation is needed. Despite its benefits as compared to open trench construction, however, the use of tunneling is being limited to only the most essential locations because of its relatively higher cost.

The District currently is studying whether to construct a recycled water distribution pipeline in conjunction with the Pleasant Hill Relief Interceptor project. In locations where the interceptor project will be installed using open trench construction, the recycled water pipeline could be placed in the same trench, above the interceptor. If open trench construction were to be used for interceptor installation beneath Contra Costa Boulevard, then the potential recycled water pipeline could share the trench. A decision to tunnel this portion of the interceptor, however, neither precludes nor requires that Segment 14 be used for the recycled water pipeline.

Options still available for constructing the potential 18- to 24-inch diameter recycled water pipeline include tunneling beneath Contra Costa Boulevard (above the

interceptor), shallower and narrower trenching along Contra Costa Boulevard (st likely to be opposed by the City of Pleasant Hill), or tunneling or open trenching through the Pleasant Hill Shopping Center along Segments 13 and 15 without the interceptor (reuniting with the interceptor south of Chilpancingo Parkway). A discussion of these options will be presented in the environmental evaluation currently being prepared for the potential recycled water pipeline, which will require a separate District Board approval.

Regarding the sizing of Segments 1 and 3, the 1991 EIR addressed construction of a combined Pleasant Hill/A-Line pipeline of up to approximately 120 inches in diameter in this right-of-way (Draft EIR, p. II-20 & II-23). Thus, approval of a consolidated, 102-inch diameter pipeline in Marsh Drive is allowable as a lesser-and-included version of the combined pipeline concept addressed in the EIR. Likewise, the 1991 EIR addressed the scenario of constructing two pipelines in the same right-of-way at the same time (Draft EIR, p. II-22), so approving two smaller diameter pipelines or box culverts beneath SR-4 and Grayson Creek also are addressed in the EIR. Furthermore, the 1991 EIR identified that "isolated segments" of the A-Line Relief Interceptor may be constructed ahead of schedule, "in order to coordinate with the construction of other projects, avoiding [a second] disruption of the community. Constructed portions of the project may or may not become operational as they are completed" (Draft EIR, p. II-21).

The District has also determined that there are no substantial changes which have occurred with respect to the circumstances under which the project is being undertaken.

The District currently is studying whether to construct a recycled water distribution pipeline in conjunction with the Pleasant Hill Relief Interceptor. However, a decision approving Segment 14 and consolidating construction of Segments 1 and 3 neither approves nor precludes construction of the potential recycled water distribution line. The potential recycled water pipeline project, which will undergo its own environmental evaluation and approval process prior to award of a construction contract for Segments 1, 3, and 14, is not expected to alter the environmental impacts of the interceptor projects nor substantially change the circumstances under which the project elements are being undertaken.

Finally, there is no new information of substantial importance which has become available regarding new significant impacts, the severity of previously identified significant impacts, or the feasibility or availability of mitigation measures or alternatives.

It should be noted that based on an existing capacity of 140 mgd in the A-Line, a combined pipeline in Segments 1 and 3 would need to carry 208 mgd (the difference between the 1991 EIR's 348 mgd of projected demand and the existing 140 mgd of capacity). Given the physical constraints of the pipeline routes, the limitations of concrete pipe suppliers, and the design requirements of the District, CALTRANS, and other agencies, consolidated Segments 1 and 3 will have a physical capacity which exceeds the 1991 EIR's projected capacity need.

For example, since pre-cast, reinforced concrete pipe in the size range anticipated is commercially available in standard size increments of only six inches, a 102-inch diameter pipe size in Marsh Drive is the smallest standard size available

that can meet the projected capacity need of 208 mgd. The actual capacity of the 102-inch diameter pipe in Marsh Drive, however, would be 219 mgd, 11 mgd greater than needed to meet the projected demand.

Likewise, District design criteria and the requirements of other agencies dictate that the crossings beneath SR 4 and Grayson Creek must consist of two smaller diameter pipelines or box culverts. These facilities also may have greater capacity than needed to meet the 1991 EIR's projected demand, although their useful and, therefore, actual capacity would be limited to the upstream capacity of the 102-inch diameter Marsh Drive pipeline.

No additional, potentially significant operational impacts could result from the incidental availability of pipeline capacity in excess of that needed to meet the projected demand addressed in the 1991 EIR. The ultimate capacity of these facilities could not be put into service until the remaining six miles of the A-Line Relief Interceptor is environmentally reviewed, approved, designed, and constructed between Buchanan Field Golf Course and Ygnacio Valley Road. The remainder of the A-Line Relief Interceptor is scheduled for subsequent environmental review and design in the year 2003 with construction between the years 2004 and 2009 (unless constructed earlier in conjunction with other public works projects). If the remainder of the A-Line Relief Interceptor is proposed to accommodate development beyond the planned growth identified in the 1991 EIR, the environmental review for the remaining portion would need to address the impacts of serving that additional development, as well as update the environmental conditions under which the pipeline would be built.

Finally, consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors would not allow the District to provide service to areas excluded from analysis in the 1991 EIR, such as Dougherty Valley, Tassajara Valley, and the Tri-Valley Wastewater Authority (TWA). Before sewer service to such areas could be provided, further environmental review by the District (as a Lead or Responsible Agency under CEQA) and a separate approval of the District Board of Directors would be required. This position is consistent with the commitment made in the 1991 EIR with regard to growth-inducing impacts (Draft EIR, p. IV-7 & IV-8).

The District finds that approving Segment 14 of the Pleasant Hill Relief Interceptor and consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors are within the scope of the project covered by the 1991 EIR as no new effects can occur and no additional mitigation measures are necessary beyond those identified in the 1991 EIR. Those effects and mitigation measures are discussed, in Section VII, below.

III.

ADMINISTRATIVE RECORD

For purposes of CEQA and the findings set forth below, the administrative record of the District decision on this project shall consist of, at a minimum, the following:

1. the 1991 Draft and Final Program EIR for the Pleasant Hill/A-Line Sewer Overflow Protection Project;

2. the June, 1993, Addendum to the 1991 Final EIR for the Pleasant Hill/A-Line Sewer Overflow Protection Project;

3. all reports, memoranda, maps, letters and other documents prepared by the District and its planning, engineering, and right-of-way consultants that are matters of public record as defined in Government Code § 6250 et seq.;

4. all documents submitted by members of the public, City and County departments and public agencies in connection with the proposed project elements;

5. minutes and verbatim transcripts, if any, of all workshops, public meetings and public hearings held by the District;

6. any documentary or other evidence submitted at such workshops, public meetings and public hearings; and

7. Matters of common knowledge to the District, which it considers, including but not limited to, the following:

   a. the Contra Costa County General Plan;
   b. the Buchanan Field Airport Master Plan;
   c. the City of Pleasant Hill General Plan;
   d. the City of Concord General Plan;
   e. the City of Walnut Creek General Plan;
   f. the City of Lafayette General Plan;
   g. the City of Orinda General Plan;
   h. the Town of Moraga General Plan;
   i. the Town of Danville General Plan; and
   j. the City of San Ramon General Plan.

IV.
TERMINOLOGY/THE PURPOSE OF FINDINGS UNDER CEQA

Section 15091 of the CEQA Guidelines requires that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of the three allowable conclusions. The first is that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (Emphasis added.) The second potential finding is that

"[s]uch changes or alternations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." The third permissible conclusion is that "[s]pecific economic, social or other considerations make infeasible the mitigation measures or project alternative identified in the final EIR."

As regards the first of the three potential findings, the CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and "substantially lessening" such an effect. The meaning of these terms therefore must be gleaned from the other contexts in which they are used. Public Resources Code Section 21081, on which CEQA Guidelines Section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with Public Resources Code Section 21002, which declares the Legislatures's policy disfavoring the approval of projects with significant environmental effects where there are feasible mitigation measures or alternatives that could "avoid or substantially lessen" such significant effects.

For purposes of these findings, the term "avoid" will refer to the ability of one or more mitigation measures to reduce an otherwise significant effect to a <u>less-than-significant level</u>. In contrast, the term "substantially lessen" will refer to the ability of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a level of insignificance. Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a

particular significant effect is "avoid[ed] or substantially lessen[ed]," these findings, for purposes of clarity, in each case will specify whether the effect in question has been fully avoided (and thus reduced to a level of insignificance) or has been substantially lessened (and thus remains significant).

Moreover, although Section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as "potentially significant," these findings will nevertheless fully account for all such effects identified in the 1991 EIR.

V.
LEGAL EFFECT OF FINDINGS

To the extent that these findings conclude that various proposed mitigation measures outlined in the 1991 EIR are feasible and have not been modified, superseded or withdrawn, the Central Contra Costa Sanitary District hereby binds itself and will bind its contractors to implement those measures. These findings, in other words, are not merely informational or hortatory, but constitute a binding set of obligations that will come into effect when the District adopts a resolution approving the project elements.

The District has incorporated all of the feasible mitigation measures and feasible alternatives developed in the 1991 EIR. Many of the adopted mitigation measures have been made express conditions of approval. Other measures are referenced in the mitigation monitoring program adopted concurrently with these findings, and will be effectuated through the process of constructing and implementing the project.

VI.
MITIGATION MONITORING PROGRAM

As required by Public Resources Code Section 21081.6, the Central Contra Costa Sanitary District, in adopting these findings, also adopts a mitigation monitoring program for the project elements. The program is designed to ensure that, during project implementation, the District and its contractors will comply with the feasible mitigation measures identified below. The monitoring program is described in the "Pleasant Hill Sewer Overflow Protection Project Mitigation Monitoring and Reporting Program," dated August, 1991, (Exhibit 5) and previously approved by the District in September, 1991. This monitoring program is adequate for consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors since no additional mitigation measures would be required for such a consolidation beyond those already identified for Segments 1 and 3 of the Pleasant Hill Relief Interceptor alone.

VII.
SIGNIFICANT AND POTENTIALLY SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The 1991 EIR identified a number of significant or potentially significant environmental effects (or "impacts") that use of Segments 1, 3, and 14 will cause, of which some could be fully avoided through the adoption of feasible mitigation measures, while others could not be avoided. The District hereby incorporates the following feasible mitigation measures and feasible alternatives developed in the 1991 EIR.

Cumulative effects from the project could result if construction activities fo other major projects in the area coincide with project construction or occur just before or after project construction (e.g., within a year). In general, in areas where construction of other projects occurs simultaneously with that of the project, the local community would experience the cumulative impacts caused by short-term construction disruption such as increased traffic congestion, increased noise and dust, potential safety hazards and disruption of access to adjacent land uses. In areas where construction of other projects occurs just before or after project construction, the local community would experience disruption impacts for extended periods of time. (1991 EIR, Draft, p. V-17 and V-18.)

The following environmental effects, which would be significant or potentially significant in the absence of mitigation measures, can be avoided through implementation of such measures. Page numbers of the 1991 EIR where the impacts are discussed follow each impact; all page numbers are refer to pages in Chapter III, Environmental Setting, Impacts and Mitigation of the Draft 1991 EIR.)

- short-term disruption of land use due to construction (16-21)
- permanent land use changes (22-26)
- potential incompatibility with planned transportation, recreational trail and utility projects (29-30)
- short-term disruption of pedestrian movement (63-64)
- increased wear on roadways (66)
- short-term disruption of utility services (73-75)
- short-term disruption to emergency, delivery and collection services (76)
- risk to public safety from construction hazards (79-81)
- trench excavation hazards (90-91)
- ground settlement and vibration (92)
- poor quality soils (93-94)
- potential soil contamination (94)
- potential surface fault rupture (95-96)
- soil liquefaction hazards (96-97)

- potential interference with flood protection (103-104)
- potential flooding hazards (104-105)
- potential for increased degradation of surface water quality from soil erosion (105)
- potential groundwater impacts (106)
- potential creekbed and riparian habitat disruption (126-129)
- special status species habitat damage (130)
- generation of construction dust (138-140)

The project will result in the following irreversible environmental changes. All page numbers following the impacts refer to pages from the Draft 1991 EIR:

- short-term disruption of traffic flows (III-41-55; V-19)
- short-term restriction of vehicle access (III-57-59; V-19)
- short-term disruption of bus service (III-61-62)
- short-term noise impacts (III-147-152; V-19)
- potential disturbance to cultural sites (III-155; V-20)
- secondary effects of growth inducement (IV-17-25)
- cumulative community disruption (V-16-18)

These impacts cannot be substantially lessened or avoided; but, as described in the Statement of Overriding Considerations in Section VIII below, the District has determined that the impacts are acceptable because of overriding economic, social and other considerations.

The sub-sections below will explore each of the above-described impact issues in detail, setting forth the reasons why they are significant and unavoidable (even if somewhat mitigable) or the mitigation measures adopted to substantially lessen or avoid them.

A. LAND USE

Significant Effect: The project would cause short-term disruption of land use within and adjacent to the project routes due to construction activities. (1991 EIR, Draft, pp. III-16 through III-21)

Finding: Changes or alterations have been required in or incorporated into, the Project which avoid the significant effect identified in the 1991 EIR. Other mitigation measures designed to address specific construction impacts are discussed below in Sections B. Traffic and Circulation; C. Public Services and Utilities; D. Public Health and Safety; H. Air Quality; and I. Noise. The mitigation measures below address overall public information and project construction scheduling requirements which will avoid community impacts and disruption. (1991 EIR, Draft, p. III-21)

Mitigation Measures: The following mitigation measures have been found be feasible, and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Advance notice of the construction activities scheduled will be provided to the affected community members (e.g., residences, property owners, schools and businesses), including posting of signs in the project area.

b. The District will coordinate with school districts and park departments to ensure that construction near school and recreational facilities be done during months when attendance and use is lowest in order to minimize impacts.

c. The District will incorporate mitigation measures in construction contract documents (e.g., in terms of schedule or access conditions, or technical requirements). The District and its contractor(s) will coordinate with local jurisdictions and obtain all necessary permits (e.g., encroachment permits, utility excavation permits), will comply with permit conditions established to minimize construction impacts, and will assign an inspector to the project to oversee construction activities.

d. The District will survey and inventory preconstruction conditions along routes and within structures near the route. Land uses and facilities will be restored to their preconstruction (or similar) condition as soon as possible after construction.

e. During working hours, pedestrian access to homes, schools, and businesses and access to neighborhoods, although at times inconvenient, will be maintained. During non-working hours, convenient access will be restored.

f. Construction activities will take place during normal working hours, 7:00 a.m. to 7:00 p.m., Monday through Friday unless otherwise specified as a permit condition.

g. The District will convene construction review meetings twice a month with District inspectors, contractors, and local agency representatives to discuss construction progress and review community concerns. (1991 EIR, Draft, p. III-22; Final, p. 54)

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Significant Effect: The project would result in permanent land use changes or restrictions of future land use in a few areas. (1991 EIR, Draft, pp. III-22 through III-25)

Finding: Most of the pipeline segment routes are located in public rights-of-way (ROWs). However, a few segments cross private property and would require the acquisition of permanent pipeline easements and temporary construction easements. In most cases where the pipelines are proposed for installation across private or publicly-owned property, the area is open and free of structures and pipeline installation would not permanently disrupt existing land uses. Uses such as driveways and recreation areas would be restored after pipeline installation.

In a few cases, pipeline installation on private or publicly-owned property may require permanent relocation of existing land uses. Generally this would involve relocation of a fence of other minor property structure (e.g., storage shed).

Temporary or permanent displacement of those types of minor property features considered a significant impact which is mitigable to below a level of significance.

Mitigation Measures: The following mitigation measures have been found to be feasible, and have been required either as conditions of approval or have been made binding on the District through these findings.

a. The District will minimize the amount of permanent easement required for pipeline construction. Easement locations w be selected in consultation with private property owners to minimize property disruption and fragmentation. In cases where easements are needed for construction only, the District will restore the easement to its former land use promptly after construction. The District will compensate property owners for acquisition of permanent and construction easements.

b. The District will need to coordinate pipeline placement with MDUSD in order to coordinate the location of the permanent easements across school properties with the school district's plans for future expansion of facilities on the site. (1991 EIR, Draft, p. III-27)

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Less-than-Significant Effect: The project is consistent with applicable land use plans of local jurisdictions. (1991 EIR, Draft, pp. III-27 through III-29)

Finding: Although not required by CEQA, changes or alterations have been required in, or incorporated into, the project which will further reduce this less-than-significant environmental effect as identified in the 1991 EIR. The pipeline routes are primarily located in public ROWs. The use of public ROWs for utility installation is consistent with applicable land use plans of local jurisdictions. Each of the project area land use planning jurisdictions acknowledges utility installation as a legitimate use of the public ROW. Although there would be no significant effects associated with

compatibility with local plans and policies, the District adopts the following mitigation measure to further reduce any less-than-significant impacts associated with the project's compatibility with local plans and policies. (1991 EIR, Draft, pp. III-27 through III-29.)

Mitigation Measure: The following mitigation measure has been found to be feasible and has been required either as a condition of approval or has been made binding on the District through these findings.

a. The District will continue to inform and discuss with local government planning agencies their plans for projects within the Pleasant Hill and A-Line Relief Interceptors' project areas. The District will endeavor to coordinate design and construction of projects to the greatest extent possible in order to avoid design conflicts and minimize construction disruption. (1991 EIR, Draft, p. III-29)

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Potentially Significant Effect: The project is generally compatible with planned transportation, recreational trail, and utility projects, but coordination is required to minimize design and construction conflicts. (1991 EIR, Draft, pp. III-29 through III-30)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR. Many of the segments follow existing transportation corridors, and throughout the project area there are various plans for developing new roadways, improving existing roadways and developing light rail lines. In general, installation of the relief interceptor pipes in transportation corridors would represent a compatible land use. However, siting and design of the road projects and the relief interceptor project needs to be coordinated to ensure that both are compatible uses in the shared ROWs. Further, where possible, construction schedules for the pipeline and roadway

projects will be coordinated to avoid duplicative construction efforts and community disruption. The District adopts the following mitigation measure to reduce potentially significant impacts associated with the project to a less-than-significant level.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. The District will continue to inform and discuss with local government planning agencies their plans for projects within the Pleasant Hill and A-Line Relief Interceptors' project areas. The District will endeavor to coordinate design and construction of projects to the greatest extent possible in order to avoid design conflicts and minimize construction disruption (1991 EIR, Draft, p. III-30).

b. The District will consider coordinating construction of portions of some A-Line Relief Interceptor segments when the opportunity for concurrent construction with other projects arises.

B. TRAFFIC AND CIRCULATION

Significant Effect: Pipeline installation within and across streets would reduce the number of, or the available width of, travel lanes on roads and result in temporary disruption of traffic flows and increases in traffic congestion. (1991 EIR, Draft, pp. III-41 through III-55)

Finding: Changes or alterations have been required in, or incorporated into, the project which will substantially lessen, although not to a less-than-significant level, the significant, unavoidable environmental effects identified in Tables 5 and 6 of the 1991 EIR, Draft, pp. III-43 to -51. These measures will be incorporated into the construction contract specification documents. The District will also implement these measures in some areas where traffic impacts are identified as less-than-significant

but would still cause adverse traffic conditions which could be minimized. (1991 EIR, Draft, p. III-56) As described in the Statement of Overriding Considerations in Section X below, the District has determined that the remaining significant impact is acceptable because of overriding economic, social and other considerations.

Mitigation Measures: The following mitigation measures have been found to be feasible, and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Limit construction hours to off-peak traffic periods on commute streets and as established in encroachment permits.

b. Require the contractor to prepare traffic control plans to show specific methods for maintaining traffic flows. Examples of traffic control measures to be considered include: (1) use of flaggers to maintain alternating one-way traffic while working on one-half of the street, then placing a steel plate over the open trench during non-working hours to provide uncontrolled two-way traffic flow; (2) paving a temporary additional travel lane when sufficient width exists; (3) tunnelling or jacking under the roadway if (1) and (2) are not possible; (4) use of advance construction signs and other public notices to alert drivers of activity in the area; and (5) use of "positive guidance" detour signing on alternate access streets to minimize inconvenience to the driving public. (Such traffic control plans will likely be required by Cities and the County as a condition of encroachment permit approval.)

c. Provide advanced public notification of construction activity and street/access closures, including any applicable detour routing. Notification, at a minimum, will consist of placing signs in the affected neighborhood one week in advance of construction activity.

d. Schedule work on street crossings to minimize obstruction of local circulation. Since the use of two work crews will increase the rate of construction and could increase the number of street crossings under construction at any one time, pipeline construction must be scheduled such that alternate access routes to be used by affected traffic are not blocked by concurrent construction.

e. Coordinate construction schedules with school districts; schedule work around all schools when school is not in session or during summer session, to extent possible. If not possible, construction activities will at least be scheduled during the off-peak hours of student arrival and departure.

f. To minimize disruption of emergency vehicle access, the District will require contractors to maintain steel trench plates at the construction sites to rest access across open trenches. The amount of open trench at one time will be limited to 300 feet. Also, police, fire, and emergency services will be notified of the timing, location, and duration of construction activities throughout the project. (1991 EIR, Draft, p. III-56)

g. The District will use a construction method or schedule which will reduce the business disruption impact below a level of significance. This can be accomplished by a combination of the following measures: consultation with business managers and City and County staff regarding construction schedules, consideration of nighttime construction and restoration of access during daytime hours, using bore-and-jack construction, accelerating construction schedules near primary business access points, and/or scheduling construction to avoid peak retail business periods (such as Christmas). (1991 EIR, Final, p. 109)

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Significant Effect: Construction activities would restrict vehicle access to adjacent land uses. (1991 EIR, Draft, p. III-57 through III-59)

Finding: The 1991 EIR concluded that, with adoption of the mitigati measures set forth below, the impacts from temporary access disruption could be minimized, but that the significant unavoidable impacts on vehicle access would remain significant. (1991 EIR, Draft, pp. III-57 through III-59) As described in the Statement of Overriding Considerations in Section X below, however, the District has determined that this significant impact is acceptable because of overriding economic, social and other considerations.

Mitigation Measures: The following mitigation measures have been found to be feasible, and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Require adequate public notification of construction activity, including any applicable detour routing to alternate access and/or parking for affected land uses.

b. Schedule construction near schools during the summer, when school is not in session, if possible. If not possible, access will not be disrupted by construction during peak hours for student arrival and departure. The District will coordinate construction scheduling with the appropriate school districts.

c. In consultation with the appropriate local agencies (i.e., city and county Public Works Department), the District will identify areas where night construction would be appropriate). (1991 EIR, Draft, p. III-59)

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Less-than-Significant Effect: An increase in vehicle trips in the project vicinity would occur as a result of construction activities. (1991 EIR, Draft, pp. III-59 through III-60)

Finding: Although not required by CEQA, changes or alterations have been required in, or incorporated into, the project which will further reduce this less-than-significant environmental effect as identified in the 1991 EIR. Although this effect is not considered to be significant, there would be some adverse effect on traffic flow in the project area and the District will implement the following measures to lessen the effect. (1991 EIR, Draft, p. III-61)

Mitigation Measures: The following mitigation measures have been found to be feasible, and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Limit transport of construction equipment and materials of off-peak traffic periods.

b. Require the contractor to use haul routes that minimize truck traffic on local, two-lane streets (i.e., use freeway and major roadways to the extent feasible).

c. Require the contractor to locate staging areas throughout the project area so as to minimize the hauling distances for construction equipment and materials.

d. If simultaneous construction is planned at two or more sites along the project route, develop circulation and detour plans to minimize impacts to local traffic circulation.

e. Require contractor to establish a centralized worker staging area with adequate parking for workers' cars. Workers will be transported to and from the construction site each day by shuttle van. (1991 EIR, Draft, p. III-61)

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Significant Effect: Construction activities will disrupt bus service. (1991 EIR, Draft, p. III-61 through III-62)

Finding: The 1991 EIR concluded that while not all segments of the pipeline alignment will affect bus lines, for those areas where disruption will occur, the impact even though it could be lessened with implementation of the mitigation measures outlined below, must be considered significant and unavoidable. (1991 EIR, Draft, p. III-61) As described in the Statement of Overriding Considerations in Section X below, however, the District has determined that this significant impact is acceptable because of overriding economic, social and other considerations.

Mitigation Measure: The following mitigation measure has been found to be feasible, and has been required either as a condition of approval or has been made binding on the District through these findings.

a. Limit construction hours to off-peak periods, and use construction techniques that maximize access on roads carrying transit buses. Also, coordinate with Contra Costa Transit Authority for temporary relocation of routes or bus stops in work zones, where necessary. (1991 EIR, Draft, p. III-64)

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Less-Than-Significant Effect: Construction activities would impede pedestrian movements in the project area. (1991 EIR, Draft, p. III-63 through III-64)

Finding: The 1991 EIR explained that while the project would require temporary sidewalk closure on some pipeline segments, alternate pedestrian routes are available. Thus impacts to pedestrians would be adverse but not significant.

Mitigation Measures: No mitigation measures are required.

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Less-Than-Significant Effect: Construction activities would increase demand for, and reduce supply of, parking spaces in the project area. (1991 EIR, Draft, p. III-64 through III-66)

Finding: Parking is not generally allowed along Segments 1, 3, and 14, so impacts to parking as a result of the project would be non-existent or less-than-significant with mitigation.

Mitigation Measures: The following mitigation measures have been found to be feasible, and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Provide adequate off-street parking locations for workers' vehicles and construction equipment in those areas where on-street parking availability is insufficient.

b. Limit disruption of parking lots by restricting materials storage to the pipeline construction easement area.

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Potentially Significant Effect: An increase in roadway wear in the project vicinity would occur as a result of heavy truck and construction equipment movements. (1991 EIR, Draft, p. III-66)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measure: The following mitigation measure has been found to be feasible and has been required either as a condition of approval or has been made binding on the District through these findings.

a. Conduct a preconstruction survey of the road condition on key access routes to the project sites. Monitor the pavement condition of local streets and designate roads judged to be in good condition for use by heavy truck traffic (1991 EIR, Draft, p. III-66)

C. PUBLIC SERVICES AND UTILITIES

Potentially Significant Effect: The project could result in the temporary, planned or accidental disruption to utility services. (1991 EIR, Draft, p. III-73 through III-75)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Utility excavation permits will be acquired from appropriate agencies. These permits include measures to minimize utility disruption. The District will comply

with permit conditions. The construction contract specifications will include compliance with permit requirements.

b. Utility locations will be verified through field survey (pot-holing) and use of the USA service.

c. Residents and businesses in the project area will be notified of planned utility service disruption (2-4 days in advance).

d. Disconnected cables and lines will be reconnected promptly.

e. A detailed utility coordination and relocation plan will be prepared as part of the design plans and specifications. This plan will include procedures for the excavation and filling of areas around cables and pipes. All affected utility services will be notified of the District's construction plans and schedule. Arrangements will be made with these entities regarding protection, relocation or temporary disconnection of services.

f. The District will employ special construction techniques in areas where the interceptors will parallel water mains. These special measures, will include the following:

- Trench wall support measures to guard against trench wall failure and possible resulting loss of structural support for the water main. The District has and will continue to consult with EBMUD and CCWD regarding the proposed interceptor construction.

- The District will observe California Department of Health Services standards which require 1) a ten-foot horizontal separation between parallel sewer and water mains (gravity or force mains), 2) a one foot separation between perpendicular sewer and water line crossing, 3) encasing sewer mains in protective sleeves when a new sewer force-main crosses under an existing water main, 4) a minimum rated working pressure of 200 pounds per square inch when a new water force-main crosses an existing sewer main. Additionally, East Bay Municipal Utility District requires a vertical separation of at least two feet between perpendicular crossings of water and sewer pipelines.

- The District must submit final construction plans to the various water agencies involved (i.e., EBMUD and CCWD) for review. (1991 EIR, Draft, pp. III-75 through III-76; Final, p. 71)

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Potentially Significant Effect: The project could result in temporary disruptio to police, fire, emergency, delivery, and garbage collection services. (1991 EIR, Draft, p. III-76)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect identified in the 1991 EIR.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Police, fire, and emergency services will be notified and updated of the District's construction plans and schedule so that response routes can be planned accordingly.

b. District will require contractor(s) to maintain steel trench plates at the construction site to restore emergency access.

c. District will coordinate temporary access plans or other special arrangements with providers of garbage collection and mail and package delivery services in order to avoid disruption of essential services. (1991 EIR, Draft, p. III-77)

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Potentially Significant Effect: Construction activities pose a general public hazard. (1991 EIR, Draft, pp. III-79 through III-81)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measures: The following mitigation measures have been found to be feasible, and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Limit the amount of trench open at any one time to 300 linear feet. At the end of each work day, all open trenches within streets will be covered with steel plates or backfilled to street grade level. Sign all streets from both directions visible day and night, to indicate street is under construction. For off-street construction, trenches will be barricaded at both ends and along the sides. The ROW will be temporarily closed to the public during construction and signed as such, giving approximate closure and reopen dates when use will be allowed to resume.

b. To reduce exposure of school children to potential construction hazards, schedule construction past school sites during summer vacation months (June to August). During these months, most schools are not in session, or have much reduced enrollment and half day session programs. The District plans to do much of the construction which is in or near school sites during the summer, in order to minimize noise and use conflicts with schools in the MDUSD and Diablo Valley College.

c. The District will require contractors to place fences around jacking pits.

d. The District will require contractors to secure the construction site as required through implementation of a site security plan and procedures. This may involve provision of security personnel in some instances.

e. Hauling truck trips and movement of big equipment will be restricted to off-peak traffic hours on commute streets and as specified in encroachment permits. Trucks will be required to maintain safe, slow speeds on local streets. Contracts will require that haul trucks not be overfilled and be covered. Any spills will be cleaned up quickly. All equipment stored on site or nearby will be securely parked and locked.

f. Project construction occurring at two or more places within a local area will be scheduled so as to minimize disruption to local traffic circulation and maintain detour streets around construction zones (e.g., do not disrupt consecutive intersections). Encroachment permit conditions regarding maintenance of traffic circulation will be followed.

g. The District will notify neighborhoods of upcoming construction in their immediate area in advance, both via direct contact (e.g., mail notice) and signs posted in public areas along the construction route.

h. Detailed traffic plans along the construction route will be required of the Distr by the County and cities as part of the encroachment permit process. The District will consult with the Traffic Coordination Control Staff at appropriate police/sheriff Departments prior to construction start up and arrange for any necessary traffic control assistance.

i. The District will consult with appropriate emergency service agencies (e.g., police, fire, EMS) regarding construction plans and will provide these agencies with a construction timetable keyed to specific locations and street crossings along the routes.

j. Some level of access (adequate for passage of emergency vehicles) will be maintained on all roads at all times. (1991 EIR, Draft, pp. III-81 through III-82)

k. All plans for construction near Buchanan Field Airport will be submitted to the County Airport Manager's Office to ensure that construction activities are coordinated with airport activities to ensure aircraft safety. (1991 EIR, Final, p. 66.)

E. GEOLOGY, SOILS AND SEISMICITY

Potentially Significant Effect: Project construction would involve substanti excavation of soil material and replacement with imported fill. Trenches would be susceptible to wall collapse hazards. (1991 EIR, Draft, pp. III-90 through III-91)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measure: The following mitigation measure has been found to be feasible and has been required either as a condition of approval or been made binding on the District through these findings.

a. CCCSD will require contractor(s) to use trench wall support systems During construction specified in accordance with soil conditions and the level of support required to prevent wall collapse. All trench supports will be designed by an engineer registered in the state of California. (1991 EIR, Draft, p. III-91)

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Potentially Significant Effect: Trench excavation could result in ground settlement and vibration which could affect adjacent structures. (1991 EIR, Draft, p. III-92)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Trench excavation and trench wall support systems will be designed by a registered engineer to protect against settlement and vibration impacts where structures or other utilities are in close proximity to the proposed pipeline in accordance with OSHA standards. A temporary shoring system will provide support for the excavation while maintaining the integrity of the adjacent structures.

b. The District will conduct a pre-construction survey of structures along the pipeline route within approximately 60 feet from the centerline of the pipe ROW. The survey will allow the District to document the existing condition of structures, and establish a baseline for evaluating any damage claims associated with the pipeline construction. The District's survey program will include the placement of survey monuments at regular intervals along the alignment above existing subsurface utilities and on surface structures that may be affected by the excavation. Surveys of the monuments will be made before and after construction to measure horizontal and vertical movement resulting from deformation of the shoring system. Should significant settlement be detected, remedial action will be taken to prevent damage to the pipeline and adjacent structures.

c. The District will require the contractor(s) to comply with compaction standards for trench backfill; these standards will be incorporated into contract specifications. (1991 EIR, Draft, p. III-93)

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Potentially Significant Effect: Project area soils have high corrosivity and hi shrink-swell potential. (1991 EIR, Draft, pp. III-93 through III-94)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measure: The following mitigation measure has been found to be feasible and has been required either as a condition of approval or has been made binding on the District through these findings.

a. Project plans to remove native soils and backfill excavations with imported, engineered fill will eliminate the potentially adverse impacts of soils with high corrosivity and high shrink-swell potential. (1991 EIR, Draft, p. III-94)

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Potentially Significant Effect: Trench excavation may uncover soils contan nated with hazardous materials. (1991 EIR, Draft, p. III-94) Petroleum-contaminated soils have been found during potholing in Segment 14.

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measure: The following mitigation measure has been found to be feasible and has been required either as a condition of approval or has been made binding on the District through these findings.

a. Excavation and disposal of contaminated soils will be conducted in accordance with applicable federal, state and local laws regulating the handling, storage, transportation and disposal of hazardous wastes. All projects activities which relate to hazardous waste must comply with regulations and permit provisions of the County Department s

Environmental Health, Cal OSHA and the State Department of Toxic Substances Control (DTSC). (1991 EIR, Draft, p. III-94)

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Less-Than-Significant Effect: The pipelines would be subject to earthquake hazard. (1991 EIR, Draft, pp. III-95 through III-96)

Finding: Generally, large, non-pressurized pipes such as those proposed for the interceptor project are not likely to fail catastrophically during an earthquake. Severe surface faulting, however, may cause sewer pipes to rupture and fill with soil, which in turn could cause system failure. The impact from seismic shaking would be less-than-significant.

Mitigation Measure: No mitigation measures are required.

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Potentially Significant Effect: Pipelines could be placed in soils prone to liquefaction during strong ground shaking from an earthquake. (1991 EIR, Draft, pp. III-96 through III-97)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measure: The following mitigation measure has been found to be feasible and has been required either as a condition of approval or has been made binding on the District through these findings.

a. The project design will be reviewed by a registered geotechnical engineer to ensure that the pipeline will withstand some permanent displacement. (1991 EIR, Draft, p. III-97)

E. DRAINAGE AND WATER QUALITY

Potentially Significant Effect: Construction activities in creekbeds and along banks could interfere with flood protection. (1991 EIR, Draft, pp. III-103 through III-104)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measure: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Temporary bypass pipes or channels will be maintained to keep channel free-flowing around the construction site. Schedule construction for creek chann segments during the dry months of the year (May through October). This w... decrease the likelihood of flooding during the construction process. Adhere to all applicable construction and grading ordinances and established ABAG grading guidelines.

b. Consult with FCD regarding construction plans within the creek channel and conform to established guidelines.

c. Insure that the integrity of the concrete channels is restored after construction.

d. Survey the creek banks and bed conditions and restore the creek channels to the original contours as nearly as possible after pipeline construction. (1991 EIR, Draft, p. III-104)

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Potentially Significant Effect: Construction within creeks would be subject to flooding. (1991 EIR, Draft, p. III-104)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measure: The following mitigation measure has been found to be feasible and has been required either as a condition of approval or has been made binding on the District through these findings.

a. Schedule construction for creek channel segments during the dry months of the year (May through October). This will decrease the likelihood of flooding during the construction process. Adhere to all applicable construction and grading ordinances and established ABAG grading guidelines. (1991 EIR, Draft, p. III-105)

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Potentially Significant Effect: Construction activities within the creek could result in increased soil erosion and subsequent degradation of surface water quality. (1991 EIR, Draft, p. III-105)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Schedule construction for creek channel segments during the dry months of the year (May through October). This will decrease the likelihood and severity of soil erosion and protect surface water from sedimentation and other water quality impacts.

b. Develop an erosion control plan to minimize increased sedimentation of the creeks. Adhere to all applicable construction and grading ordinances and established ABAG grading guidelines.

c. Restore creek vegetation as soon as possible after construction activities. (1991 EIR, Draft, p. III-105)

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Potentially Significant Effect: Pipeline construction could affect groundwater and local uses. (1991 EIR, Draft, p. III-106)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Determine the location of all wells in the vicinity of the projects. Identify those wells which are within 500 feet of the proposed projects' alignments. Inform residents of the nature of the projects and the potential for decline in drinking water quality. Monitor well water quality for any decline in water quality. If a significant decline in water quality were attributable to pipeline installation, the District will contribute to the development of an alternative water supply for affected residences.

b. In order to meet requirements of the Regional Water Quality Board that no sediment is to be discharged to storm drainage systems, settlement basins may be required in certain parts of the route during dewatering operations.

c. Maintain bypasses for storm flows around construction area in creek channels. (1991 EIR, Draft, pp. III-106 through III-107)

G. VEGETATION AND WILDLIFE

Less-Than-Significant Effect: The project would result in the removal of and/or damage to mature trees, including native, non-native and Heritage trees. (1991 EIR, Draft, pp. III-121 through III-125)

Finding: In accordance with the 1991 EIR, the District's route selection has been based, in part, upon the location of important natural resources. An arborist was consulted beginning at the preliminary design stage for the selected route, in order to identify areas where trees could be affected. Where possible, the location of the pipeline has been changed based on these findings. The 1991 EIR concluded that Segments 1, 3, and 14 support small- and medium-sized trees and/or individual trees which are not protected by local ordinances. The removal of or damage to trees along these segments would be an adverse impact, but would not be considered significant.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. The project will be designed and located so that trees are avoided where feasible. An arborist will identify areas where trees will need to be removed or could be damaged.

- For trees which will require removal, tree removal permits will need to be obtained from the appropriate jurisdiction (i.e., city, county, CDFG). Depending upon the jurisdiction and the type and size of the tree, specific information may need to be supplied as a condition of approval for a tree removal permit.

- For areas where the arborist has determined that trees could potentially be damaged, a construction plan will be devised, in which measures for the protection of tree limbs, roots and trunks are described. The plan will include protective measures which will be implemented prior to and during construction. These measures will include 1) identifying and

marking potentially threatened trees, their driplines and the extent of their root systems, 2) avoiding the use of construction equipment within the designated dripline, and 3) employing appropriate pruning techniques.

The plan will also include segment-specific construction strategies and procedures for the minimization of damage to specific trees and tree stands. Alternate construction techniques and scenarios will be formulated and prioritized prior to beginning construction and will be based on segment-specific characteristics and engineering feasibility. Examples of alternate construction techniques include bank enlargement to accommodate pipeline installation, boring, and hand excavation. An arborist will be consulted in the creation of this plan and will be present during construction of pipeline which could damage trees.

b. The construction contract specifications will require the contractor to consult and coordinate work with an arborist and will specify that contractors is to comply with the tree-protection construction plan.

c. In riparian areas (creekside areas) regulated by CDFG through the Streamside Alteration Agreement, in accordance with CDFG standards, all trees removed will be replaced with the same species as removed, except that non-native trees will be replaced with native species, if feasible. In other areas, tree replacement will be consistent with the requirements of the applicable city and county ordinances. In general, the form and size of planting stock will be appropriate for the region and revegetation will occur in locations near to where the vegetation was removed. As District policy does not allow placement of trees directly over pipelines for maintenance reasons, replacement trees will be planted as near to the original location as possible. Native species for revegetation will be obtained from locally collected native seedstock, where available.

d. Implement a two year monitoring program (starting from the date of tree planting) to check the health of planted trees and implement remedial actions as necessary (e.g., watering) to support survival. Initially, monitoring will be conducted every two weeks for the first two months, then once every month for the first year. Monitoring inspections will be conducted quarterly, during the second year. Efforts will be made as needed to achieve at least 70 percent survival rate of planted trees; these efforts may include irrigation, physical protection (fencing) or replacement as appropriate. (1991 EIR, Draft, pp. III-125 through III-126; Final, p. 100)

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Potentially Significant Effect: Project construction would disrupt creeks, riparian habitat and associated wildlife. (1991 EIR, Draft, pp. III-126 through III-129)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. The District will consult with DFG and COE and obtain any required permits (Streambed Alteration Agreement and/or 404 permit). Additional information on potential wetland areas may be required by COE. Permit conditions will likely include many of the measures presented below and perhaps be more detailed. The District will comply with all permit conditions.

b. Construction in and adjacent to creeks will be scheduled between April and November when the waterflow is lowest.

c. Only the minimum amount of vegetation necessary will be cleared for pipeline installation. Creekflows will be diverted around construction zone.

d. The bypass system will be designed to ensure that the flow of water is not interrupted and that fish are transported around the construction area unharmed.

e. Creek banks and channels will be restored to their preconstruction conditions and contours.

f. Erosion control measures will be implemented to reduce sedimentation of the creek. Soil along the creeks will be seeded and mulched in June in order to insure that the roots have taken before the rainy season. Silt fences will be used during bank re-establishment. (1991 EIR, Draft, p. III-129)

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Less-Than-Significant Effect: The project would result in the removal of and damage to ornamental landscaping. (1991 EIR, Draft, pp. III-129 through III-130)

Finding: Pipeline installation along Segments 3 and 14 could damage or result in the removal of ornamental landscaping on public and private property. Because this vegetation is ornamental and would be replaced, impacts resulting from the removal of or damage to ornamental landscaping would be adverse, but would not be considered significant.

Mitigation Measure: The following mitigation measure has been found to be feasible and has been required either as a condition of approval or has been made binding on the District through these findings.

a. Revegetate disrupted landscaping in-kind or with plants selected by the private property owners. Revegetation will occur in locations near to where the vegetation was removed. Trees, which are situated directly over the alignment will be replaced near their original location; however, due to operational, safety and maintenance factors, it is the District's policy not to plant trees directly over pipelines. (1991 EIR, Draft, p. III-130)

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Potentially Significant Effect: The project would result in the loss of or disturbance to special status species. (1991 EIR, Draft, p. III-130)

Finding: Changes or alterations have been required in, or incorporated into, the project which will avoid the potentially significant environmental effect as identified in the 1991 EIR.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. The District will consult with DFG and COE and obtain any required permits (Streambed Alteration Agreement and/or 404 permit). Additional information on potential wetland areas may be required by ~~COE. Permit conditions will~~

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likely include many of the measures presented below and perhaps be more detailed. The District will comply with all permit conditions.

b. Construction in and adjacent to creeks will be scheduled between April and November when the waterflow is lowest.

c. Only the minimum amount of vegetation necessary will be cleared for pipeline installation. Creek flows will be diverted around construction zone.

d. The by-pass system will be designed to ensure that the flow of water is not interrupted and that fish are transported around the construction area unharmed.

e. Creek banks and channels will be restored to their preconstruction conditions and contours.

f. Erosion control measures will be implemented to reduce sedimentation of the creek. Soil along the creeks will be seeded and mulched in June in order to insure that the roots have taken before the rainy season. Silt fences will be used during bank re-establishment. (1991 EIR, Draft, p. III-130 and p. III-129)

H. AIR QUALITY

Significant Effect: Construction of the proposed sewer lines would generate short-term emissions of particulate matter (dust). (1991 EIR, Draft, pp. III-138 through III-140)

Finding: As noted in the 1991 EIR, even with implementation of the following mitigation measures, the project has the potential to generate significant, unavoidable short-term increases in emissions of particulate matter (dust). Despite the fact that changes or alterations have been required in, or incorporated into, the project which substantially lessen the potentially significant environmental effect as identified in the 1991 EIR, the District considers the potential for short-term dust emission increases a significant, unavoidable impact. (1991 EIR, Draft, p. V-20) As described in the Statement of Overriding Considerations in Section XI below, however, the District has

determined that this significant impact is acceptable because of overriding economic, social and other considerations.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. To reduce dust emissions during construction, construction contract specifications will stipulate that exposed surfaces will be watered as necessary to keep soil visibly damp. Paving of exposed dirt surfaces will be done as quickly as possible, and uncovered soil will be bound (by grass or similar groundcover) as soon as is reasonably possible. Streets affected by fugitive dust will be swept regularly during construction.

b. The District will notify nearby residents of the dates and times that project construction will be in their area. They will be informed that potential health ramifications can be mitigated by remaining indoors and keeping the windows closed. This mitigation measure will be particularly appropriate for Segments 17-20 because of health and day care facilities along these segments.

c. Construction near schools will be scheduled during the summer to minimize the exposure of children to air quality impacts. (1991 EIR, Draft, p. III-140 through III-141)

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Less-than-Significant Effect: Other criteria pollutants would be generated during construction of the proposed pipeline through operation of construction equipment and haul trucks. (1991 EIR, Draft, p. III-141)

Finding: Although not required by CEQA, changes or alterations have been required in, or incorporated into, the project which will further reduce this less-than-significant environmental effect as identified in the 1991 EIR.

Mitigation Measure: The following mitigation measure has been found to be feasible and has been required either as a condition of approval or has been made binding on the District through these findings.

a. All construction equipment will be maintained and operated in a manner which will minimize exhaust emissions. Equipment will be turned off when not in use. (1991 EIR, Draft, p. III-141)

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Less-than Significant Effect: Reconstruction of paved roadway surfaces would require the use of types of asphalt which emit hydrocarbons (HC), criteria pollutant precursors to ozone. (1991 EIR, Draft, p. III-141)

Finding: Although not required by CEQA, changes or alterations have been required in, or incorporated into, the project which will further reduce this less-than-significant environmental effect as identified in the 1991 EIR.

Mitigation Measure: The following mitigation measure has been found to be feasible and has been required either as a condition of approval or has been made binding on the District through these findings.

a. The Bay Area Air Quality Management District's Regulation 8, Rule 15 specifies standards to limit HC emissions caused by the use of asphalt in paving materials. The projects are bound by law to adhere to this rule. (1991 EIR, Draft, p. III-141)

L. NOISE

Significant Effect: Construction activities would result in short-term noise and vibration impacts. (1991 EIR, Draft, pp. III-147 through III-152)

Finding: As noted in the 1991 EIR, even with implementation of the followi mitigation measures, the project has the potential to generate significant, unavoidable short-term increases in noise and vibration levels. Despite the fact that changes or alterations have been required in, or incorporated into, the project which substantially lessen the potentially significant environmental effect as identified in the 1991 EIR, the District considers the potential for short-term noise increases a significant, unavoidable impact. (1991 EIR, Draft, p. V-19) As described in the Statement of Overriding Considerations in Section X below, however, the District has determined that this significant impact is acceptable because of overriding economic, social and other considerations.

Mitigation Measure: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been mad binding on the District through these findings.

a. To mitigate construction-generated noise near sensitive receptors, construction equipment will be fitted with state-of-the-art shielding and muffing devices. Impact tools will be shielded or shrouded, and electric-powered construction equipment will be used whenever feasible. Delaying the starting time for noisy construction activities in residential neighborhoods until 7 a.m. will reduce the chances for interrupting the sleep patterns of most residents living near the project pathways.

b. The District will notify nearby residents and other sensitive receptors of the dates and times that project construction will be in the area. They will be informed that potential health ramifications can be mitigated by remaining indoors and keeping the windows closed.

c. Several educational facilities line various proposed segments. Project construction near these schools will be scheduled around the academic year to minimize noise impacts on students and educational processes. (1991 EIR, Draft, p. III-152)

J. HISTORICAL AND ARCHAEOLOGICAL RESOURCES

Significant Effect: The project area has the potential to contain archaeologically significant sites. (1991 EIR, Draft, p. III-155)

Finding: As noted in the 1991 EIR, even with implementation of the following mitigation measures, the project has the potential to disturb significant cultural resources. Despite the fact that changes or alterations have been required in, or incorporated into, the project which will at least substantially lessen the potentially significant environmental effect as identified in the 1991 EIR, the District considers the potential to disturb cultural sites a significant, unavoidable impact. (1991 EIR, Draft, p. V-20) As described in the Statement of Overriding Considerations in Section X below, however, the District has determined that this significant impact is acceptable because of overriding economic, social and other considerations.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Identify areas of known archaeological sensitivity on project construction plans to alert the contractor and the District's construction inspectors.

b. Prior to construction, the contractor and District staff will receive an archaeological orientation from a professional archaeologist regarding the types of resources which may be uncovered and how to identify these resources during construction activities. The orientation will also cover procedures to follow in the case of any archaeological discovery.

c. In the event that unknown archaeological resources are encountered during subsurface construction, land alteration work in the vicinity of the discovery site will come to a halt and a qualified archaeologist(s) will be consulted. Prompt evaluation will then be made regarding the discovery and a course of action acceptable to all concerned parties will be adopted in accordance with Appendix K of the California Environmental Quality Act. If human remains are

encountered, excavation will be halted, the County coroner will be notified, and a Native American representative will be consulted.

K. CUMULATIVELY SIGNIFICANT EFFECTS

Cumulatively Significant Effect: Project construction activities would result in short-term adverse impacts such as noise, dust, traffic and access disruption, which cumulatively would cause significant community disruption. (1991 EIR, Draft, p. S-3, Table S-1)

Finding: As noted in the 1991 EIR, even with implementation of the following mitigation measures, project construction activities have the potential to create significant adverse short-term impacts, which in turn would cause significant community disruption. Despite the fact that changes or alterations have been required in, or incorporated into, the project which may avoid the potentially significant environmental effect as identified in the 1991 EIR, the District considers the potential to cause community disruption a significant, unavoidable cumulative impact. (1991 EIR, Draft, p. S-3, Table S-1) As described in the Statement of Overriding Considerations in Section X below, however, the District has determined that this significant impact is acceptable because of overriding economic, social and other considerations.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Advance notice of the construction activities scheduled will be provided to the affected community members (e.g., residences, property owners, schools and businesses), including posting of signs in the project area.

b. The District will coordinate with school districts and park departments to ensure that construction near school and recreational facilities be done during months when attendance and use is lowest in order to minimize impacts.

c. The District will incorporate mitigation measures in construction contract documents (e.g., in terms of schedule or access conditions, or technical requirements). The District and its contractor(s) will coordinate with local jurisdictions and obtain all necessary permits (e.g., encroachment permit, utility excavation permit), will comply with permit conditions established to minimize construction impacts, and will assign an inspector to the project to oversee construction activities.

d. The District will survey and inventory preconstruction conditions along routes and within structures near the route. Land uses and facilities will be restored to their preconstruction (or similar) condition as soon as possible after construction.

e. During working hours, pedestrian access to homes, schools, and businesses and access to neighborhoods, although at times inconvenient, will be maintained. During non-working hours, convenient access will be restored.

f. Construction activities will take place during normal working hours, 7:00 a.m. to 7:00 p.m., Monday through Friday unless otherwise specified as a permit condition. (1991 EIR, Draft, Table S-1)

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Cumulatively Significant Effect: Construction of the relief interceptors plus construction of other proposed projects in the vicinity would result in cumulatively significant community disruption. (1991 EIR, Draft, p. S-3, Table S-1)

Finding: As noted in the 1991 EIR, even with implementation of the following mitigation measures, project construction activities have the potential to result in cumulatively significant community disruption. Despite the fact that changes or alterations have been required in, or incorporated into, the project which will at least substantially lessen the potentially significant environmental effect as identified in the 1991 EIR, the District considers the potential to cause community disruption a

significant, unavoidable cumulative impact. (1991 EIR, Draft, p. S-3, Table S-1) As described in the Statement of Overriding Considerations in Section X below, however, the District has determined that this significant impact is acceptable because of overriding economic, social and other considerations.

Mitigation Measures: The following mitigation measures have been found to be feasible and have been required either as conditions of approval or have been made binding on the District through these findings.

a. Advance notice of the construction activities scheduled will be provided to the affected community members (e.g., residences, property owners, schools and businesses), including posting of signs in the project area.

b. The District will coordinate with school districts and park departments to ensure that construction near school and recreational facilities be done during months when attendance and use is lowest in order to minimize impacts.

c. The District will incorporate mitigation measures in construction contract documents (e.g., in terms of schedule or access conditions, or technical requirements). The District and its contractor(s) will coordinate with local jurisdictions and obtain all necessary permits (e.g., encroachment permit, utility excavation permit), will comply with permit conditions established to minimize construction impacts, and will assign an inspector to the project to oversee construction activities.

d. The District will survey and inventory preconstruction conditions along routes and within structures near the route. Land uses and facilities will be restored to their preconstruction (or similar) condition as soon as possible after construction.

e. During working hours, pedestrian access to homes, schools, and businesses and access to neighborhoods, although at times inconvenient, will be maintained. During non-working hours, convenient access will be restored.

f. Construction activities will take place during normal working hours, 7:00 a.m. to 7:00 p.m., Monday through Friday unless otherwise specified as a permit condition.

g. CCCSD will coordinate construction activities with other public agencies conducting or authorizing construction; coordination requirements will be established in encroachment permits. (1991 EIR, Draft, Table S-1)

L. GROWTH-INDUCING EFFECTS

Environmental Issue: The 1991 EIR concluded that, "The planned growth supported by the projects could have potentially significant secondary effects in terms of: increased demand on public services, loss of agricultural and open space land, exposure of the public to increased natural hazards (geologic and seismic, flooding), degradation of air quality, visual quality, water quality, vegetation and wildlife habitat, increased traffic congestion, and impacts to cultural resources." (1991 EIR, Draft, Table S-1) While right-of-way acquisition and construction of the project elements will not directly induce growth, construction and operation of the relief interceptor indirectly will be growth-inducing as defined by CEQA because the pipeline will provide some additional capacity for sewage flows from additional development.

With respect to the total amount of that potential growth, the District will size the relief interceptor so that the collection system can accommodate a level of population and development that is consistent with buildout of current, approved land-use plans. In terms of development timing, the project would not provide sewer capacity to the service area prematurely and thereby foster accelerated growth. The Pleasant Hill Relief Interceptor portion of the project elements is needed immediately for wet-weather flow relief. Recent sewer overflows during rainstorms are evidence of this need. The project will provide adequate service to existing development as well as to any future planned growth. With the relief interceptor in place, growth

could continue at the rate permitted by the Cities of Pleasant Hill and Walnut Creek, and Contra Costa County (for unincorporated areas).

The pipeline in Segments 1 and 3 could not be utilized to its ultimate capacity until the remaining six miles of the A-Line Relief Interceptor is environmentally reviewed, approved, designed, and constructed between Buchanan Field Golf Course and Ygnacio Valley Road. The remainder of the A-Line Relief Interceptor is scheduled for subsequent environmental review and design in the year 2003 with construction between the years 2004 and 2009 (unless constructed earlier in conjunction with other public works projects).

If the remainder of the A-Line Relief Interceptor is proposed to accommodate development beyond the planned growth identified in the 1991 EIR, the environmental review for the remaining portion would need to address the impacts of serving that additional development, as well as update the environmental conditions under which the pipeline would be built.

Specifically, consolidating construction of Segments 1 and 3 would not allow the District to provide service to areas excluded from analysis in the 1991 EIR, such as Dougherty Valley, Tassajara Valley, and the Tri-Valley Wastewater Authority (TWA). Before sewer service to such areas could be provided, further environmental review by the District (as a Lead or Responsible Agency under CEQA) and a separate approval of the District Board of Directors would be required. This position is consistent with the commitment made in the 1991 EIR with regard to growth-inducing impacts (Draft EIR, p. IV-7 & IV-8).

With respect to the project's effect on the location of growth, the project does not extend sewer service into new areas and will not affect the location of growth by directing it to one part of the service area over another or by encouraging development in areas where growth is not currently planned. Further discretionary action by local land use agencies and CCCSD would be required to allow growth in new areas and to extend sewer service to new developments.

In conclusion, although the relief interceptor project would not be directly growth-inducing, the project would support additional population and housing growth within its respective service areas. Although the level of growth the project would support is consistent with "planned growth," which is the growth allowed under the land-use designations and policies of the current, approved General Plans of the County and cities with the CCCSD service area, that "planned growth" within the project area will have secondary environmental effects. The key secondary environmental effects of planned housing and population growth include impacts to public services and supporting infrastructure, increases in traffic and associated air pollution and noise, and conversion of agricultural/open space to other uses. These secondary effects of planned growth are addressed in the city and county General Plans and associated Environmental Impact Reports. (1991 EIR, Draft, Table S-1; pp. IV-1 through IV-8; pp. IV-16 through IV-25)

Finding: Although growth-inducement remains a potentially significant effect, the CCCSD does not have the authority to control growth within its service area nor to implement mitigation measures to address the secondary effects of growth. The CCCSD finds that authority to implement such mitigation measures lies with the land

use/project permitting agencies, primarily the County and cities which enforce local, state and federal regulations through the permit process. Other agencies with authority to implement or with responsibility for mitigation measures include regional and state agencies such as BAAMQD, MTC, DFG. DTSC, Caltrans and federal agencies including U.S. Army Corps of Engineers and the EPA. (1991 EIR, Draft, Table S-1; pp. IV-1 through IV-4; pp. IV-16 through IV-25)

VIII.

FEASIBILITY OF POTENTIAL PROJECT ALTERNATIVES

Because the project elements will cause some unavoidable significant environmental effects, as outlined above, the District was required to consider the feasibility of any project alternatives that could avoid or substantially lessen those effects. Only after determining that any such alternatives were infeasible could the District adopt a statement of overriding considerations and approve the project. (Citizens for Quality Growth v. City of Mount Shasta (1988) 198 Cal.App.3d 433, 443-445 [243 Cal.Rptr. 727]; see also Pub. Res. Code, Section 21002.)

The 1991 EIR evaluated six alternatives to the Pleasant Hill and A-Line Relief Interceptor projects: no project, alternative alignments that were eliminated from further consideration, an I/I reduction program, construction of a smaller pipe, construction of a larger pipe, and upstream storage. The District has already found these alternatives to be infeasible at a project-level, so they need not be considered further, with the exception of the No Project alternative which will be considered for this limited project.

As will be explained below, the District concluded that the No Project alternative at a segment-level could not feasibly meet the project's objectives while at the same time eliminating or substantially lessening the environmental effects of the project as described in Section VI above, and thus has decided to approve the project elements as proposed with all feasible mitigation measures outlined above.

NO PROJECT ALTERNATIVE

The No Project alternative assumes that Segment 14 of the Pleasant Hill Relief Interceptor is not constructed and consolidation of construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors does not occur. For the reasons set forth below, this alternative was determined to be infeasible.

If Segment 14 is not constructed, either an alternate route could be chosen or the entire Pleasant Hill Relief Interceptor project would be made infeasible due to a missing segment.

If Segment 14 is not constructed in favor of using other alignments (Segments 13 and 15), many of the impacts of using Segment 14 would be avoided. These impacts are mainly short-term, construction-related impacts and include traffic disruption; loss of business and residential access; increased levels of noise and dust; increased public safety hazards; and disruption of short-term land use. These and other impacts, however, would occur elsewhere. For a discussion of the feasibility of potential route segment alternatives to Segment 14, see Section IX.

If the Pleasant Hill Relief Interceptor is made infeasible, wet-weather sewage overflows would continue to be a problem in the project area. Further, the overflow problem would worsen with time because inflow and infiltration increases as the

system ages and deteriorates. Without expanding the collection system, the existing interceptor system would continue to have adequate capacity for dry-weather flow. The system would not have adequate capacity for wet-weather flow, though. Sewer overflows result in raw sewage entering homes and buildings, city streets, residential yards and creeks.

Adverse impacts of the No Project alternative would include increased public health risk, increased degradation of water quality resulting from sewage spills in creeks, increased violations of the District's NPDES operating permit, as well as a possible moratorium on new development hookups to the collection system in the project area. Because of these impacts, in addition to the fact that it will not allow the District to obtain its objective of providing adequate capacity for overflow protection, the No Project alternative could not be said to be environmentally superior to the proposed project. (1991 EIR, Draft, p. VI-1)

If construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors is not consolidated, Segments 1 and 3 of the Pleasant Hill Relief Interceptor still could be constructed (as approved in September, 1991). The District, however, will have lost an opportunity to save $4 million in construction costs (present value) and eliminate the disruption associated with construction of a second large project ten years later in the same alignment.

IX.

FEASIBILITY OF POTENTIAL ROUTE SEGMENT ALTERNATIVES

As described in Section VIII.B, the 1991 EIR addressed in thorough detail the environmental impacts of constructing the proposed Pleasant Hill Relief Interceptor along any one of 18 route segments. Within these 18 segments were several sets of competing alternatives which may have been feasible. It has been the intention of the District to eventually narrow these 18 segments down to one continuous pipeline route, based on the results of the EIR analysis, public participation process, right-of-way negotiations, and further design engineering work. When the District approved the Pleasant Hill Project on September 4, 1992, the following route segments were eliminated from further consideration because each has worse environmental impacts, less public support, and less favorable constructability factors than its competing, alternative route(s): 8, 9, 10, 11, 16, and 19B. (1991 EIR, Draft, p. V-1 through V-21; Draft Summary Report, Pleasant Hill and A-Line Relief Interceptors Proposed Alignment; letters in the 1991 EIR Response to Comments Addendum.)

With regard to one of the remaining routes (14 vs. 13/15), the District has eliminated Segments 13 and 15 from consideration for interceptor construction. These routes are being eliminated from further consideration because they entail more community disruption, are more costly, and have less favorable constructability factors than the competing Segment 14.

Specifically, due to its shorter length (1,570 vs. 2,310 feet), Segment 14 would cost less to construct than Segments 13/15). The cost to construct Segment 14 would be approximately $2.12 million. The cost to construct Segments 13/15

would be $2.24 million for open cut or $2.53 million for tunneling. Construction within the Contra Costa Boulevard right-of-way avoids the need to acquire easements on private properties. The right-of-way cost for Segments 13/15 could be as much as an additional $0.75 million.

During potholing, petroleum-contaminated soils were found at the Contra Costa Boulevard/Chilpancingo Parkway intersection along Segment 14. Even after considering the soil cleanup and removal costs (estimated to be $0.1 million), Segment 14 is still less costly than Segments 13/15 by about $0.77 to $1.06 million. Since Segment 14 requires fewer bends in the pipeline and is of shorter length, it would have better flow velocities, less turbulence, and a lower potential for corrosion and odors than Segments 13/15. For these reasons, therefore, the District concludes that the proposed alternative routes are less feasible in comparison to Segment 14.

Consolidating construction of Segment 3 of the Pleasant Hill and A-Line Relief Interceptors eliminates Segment 2 of the A-Line Relief Interceptor from further consideration. Segment 2 is located on the north side of SR 4, from the east side of Grayson Creek to the west side of Walnut Creek, then crosses beneath SR 4 and continues along the west side of Walnut Creek to Willow Way. Segment 2 is eliminated because it does not allow for the reduced construction cost and community disruption of a consolidated Segment 3.

Additionally, due to its shorter length in conjunction with Segments 4/4A or 4/4B (10,500 feet), Segment 3 would cost less to construct and have better flow velocities and less turbulence than Segment 2 (12,700 feet). Also, Segment 2 is closer to Walnut Creek and the ends of Buchanan Field Airport runways, making

construction more costly to minimize biological impacts and avoid aircraft hazards. For all these reasons, therefore, the District concludes that the alternative Segment 2 route is less feasible than Segment 3.

X.

STATEMENT OF OVERRIDING CONSIDERATIONS

As explained in Section VII above, the project elements will or may cause significant unavoidable environmental effects in a number of impact areas, including land use, traffic and circulation, geology, soils and seismicity, vegetation, and cumulative short-term construction-related community disruption. CEQA Guidelines Section 15043, subdivision (b), and 15093 allow agencies to approve projects with significant unavoidable environmental effects such as those set forth above when the benefits of the projects outweigh those significant effects, and thus render then "acceptable."

Despite the occurrence of these significant effects, the District chooses to approve the project elements because, in its view, the economic, social and other benefits that they will produce will render those significant effects acceptable. The benefit of approving Segment 14 of the Pleasant Hill Relief Interceptor is chiefly the ability of the District to construct more of the Pleasant Hill Relief Interceptor in its first construction phase, thus helping to more quickly relieve existing and projected future wet-weather overflow problems in the interceptor system. Approval of Segment 14 will enable the District to meet the ten-year (2003) and twenty-year (2013) goals of its Collection System Program, set forth in the District's 1993 Ten-Year Capital

Improvement Plan, between the District's wastewater treatment plant and Chilpancingo Parkway in Pleasant Hill. As stated above, the specific goals are:

1. To upgrade the collection system by the year 2003 so that capacity-related sewer overflows occur no more often than once every five years.

2. To upgrade the collection system by the year 2013 so that capacity-related sewer overflows occur no more often than once every 20 years.

The project also will assist the District toward improved compliance with its National Pollution Discharge Elimination System (NPDES) permit and the Water Quality Control Plan for the San Francisco Bay Region, both of which prohibit any overflow of wastewater from the collection system.

In order to relieve the existing interceptor sewers and resolve projected future wet-weather capacity deficiencies, additional system capacity must be provided. Construction of Segment 14 would help solve some of the District's existing and future capacity problems with fewer significant unavoidable environmental impacts, less community disruption and at a lower cost than any alternative considered in the 1991 EIR.

The benefits of consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors include a $4 million savings in construction costs (present value) and the elimination of disruption associated with construction of a second large project ten years later in the same alignment. District operating costs also would be less if only one pipe would need to be maintained, rather than two.

EXHIBIT 5

MITIGATION MONITORING AND REPORTING PROGRAM FOR SEGMENT 14 OF THE PLEASANT HILL RELIEF INTERCEPTOR AND CONSOLIDATING CONSTRUCTION OF SEGMENTS 1 AND 3 OF THE PLEASANT HILL AND A-LINE RELIEF INTERCEPTORS

As required by Public Resources Code Section 21081.6, the Central Contra Costa Sanitary District must adopt a mitigation monitoring program for the project elements. The program is designed to ensure that, during project implementation, the District and any other responsible parties comply with the feasible mitigation measures identified below. The monitoring program is described in the attached "Pleasant Hill Sewer Overflow Protection Project Mitigation Monitoring and Reporting Program," dated August, 1991, and previously approved by the District on September 4, 1991.

This monitoring program is adequate for consolidating construction of Segments 1 and 3 of the Pleasant Hill and A-Line Relief Interceptors since no additional mitigation measures would be required for such a consolidation beyond those already identified for Segments 1 and 3 of the Pleasant Hill Relief Interceptor alone.