



AGENDA NO.
MEETING DATE

19.
June 28, 2011

TITLE CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MAIN WASTEWATER TREATMENT PLANT LAND USE MASTER PLAN AND APPROVE THE MASTER PLAN

MOTION RESOLUTION ORDINANCE

RECOMMENDED ACTION

Certify the Final Environmental Impact Report (EIR) for the Main Wastewater Treatment Plant (MWWTP) Land Use Master Plan, make findings in accordance with CEQA, adopt the mitigation monitoring and reporting program, and approve the master plan.

SUMMARY

The District's MWWTP Land Use Master Plan (Master Plan) has been prepared to serve as a high-level planning tool to guide development of the existing 48-acre MWWTP site and the newly-acquired, adjacent 15.9-acre West End property (former U.S. Army Reserve Center) over a 30-year time horizon. The Master Plan includes a proposal for long-term land uses including several regulatory-driven projects and short-term land uses including two revenue-enhancing renewable energy projects under land-lease agreements – a biodiesel production facility and a food waste preprocessing facility. A Draft EIR was prepared to analyze the environmental impacts of the Master Plan at a program level as well as the impacts of the two renewable energy projects at a project level. The Draft EIR was published on February 7, 2011. The comment period closed on March 28, 2011. Responses to comments have been prepared and are included in the Final EIR, which was transmitted to the Board on June 9, 2011.

DISCUSSION

The Master Plan pertains to the MWWTP, which is located at 2020 Wake Avenue in Oakland. The Master Plan coordinates near-term land uses with potential plans for future expansion to maintain an efficient plant layout and minimize building demolition and facility relocation requirements. Short- and long-term layouts were developed with recommended locations for identified projects given available land at the MWWTP, which now includes the West End property.

Short- and long-term actions that may be implemented at the MWWTP in the future have been identified. Many of the potential actions would not be undertaken until the facilities are needed to meet a specific

Funds Available: FY11		Budget Code: WWC/926/79999/2004840	
DEPARTMENT SUBMITTING	DEPARTMENT MANAGER or DIRECTOR	APPROVED	
Wastewater	<i>David R. Williams</i> David R. Williams	<i>Steven J. ...</i> General Manager	

Contact the Office of the District Secretary with questions about completing or submitting this form.

future regulatory requirement. The purpose of the EIR is to evaluate the range of potential projects that could be developed as part of the Master Plan. The two renewable energy projects that are being considered for implementation in the near future would help the District to meet sustainability goals by increasing on-site power generation and/or keep rates low by generating additional revenues. One project (i.e., food waste pre-processing) involves contracting with a private company under a land-lease agreement to construct and operate a facility at the MWWTP. The other project (i.e., biodiesel) involves a simple land lease.

Draft EIR Circulation

The Draft EIR was provided to the State Clearinghouse, and Notice of Availability of the Draft EIR was provided to all responsible agencies, all owners and occupants of property contiguous to the project site, and those requesting such notification. The Draft EIR was also made available to the public through the District's website and hard copies were available for review at District offices at 375 Eleventh Street, Oakland, California, as well as at the West Oakland Branch Library and Main Oakland Library. The public comment period began on February 7, 2011, and closed on March 28, 2011. A public meeting was held on March 9, 2011.

Findings and Mitigation, Monitoring and Reporting Program

The Draft EIR analysis concluded that the Master Plan would not have any direct significant unavoidable impacts. All direct impacts of the project can be mitigated to less than significant. However, cumulative impacts related to community risks and hazards have been determined to be significant and unavoidable because of existing circumstances in the project area. Impacts from projects identified in the proposed Master Plan were determined to be less than significant with mitigation, but cumulative emissions of diesel particulate matter from existing sources (primarily freeways adjacent to the MWWTP) are substantial. Thus, even though the impact from the Master Plan is less than significant with mitigation, cumulative community risk and hazard impacts within 1,000 feet of the project site have been determined to be significant because they exceed the Bay Area Air Quality Management District (BAAQMD) thresholds of significance. The impact would be significant with or without implementation of the Master Plan.

Findings, detailing all impacts, are provided in Exhibit A to the Board Resolution for the recommended action. Impacts are categorized as follows:

- Significant and unavoidable;
- Significant or potentially significant but mitigated to a less-than-significant level; or
- Less than significant.

The majority of the findings describe impacts that are less than significant or can be avoided or mitigated to a less-than-significant level. All of the mitigation measures are summarized in a Mitigation Monitoring and Reporting Plan (MMRP), which is included as Exhibit B to the Board Resolution for the recommended action.

Comments and Responses

Three comment letters were received (from a state agency, a local agency and a non-governmental organization [NGO]), as well as a letter from the State Clearinghouse acknowledging compliance with review requirements. The two agency letters requested clarifications or additional information regarding the food waste preprocessing and biodiesel projects, while also providing information regarding solid waste permit regulations. The NGO letter requested information regarding analyses related to both environmental and socio-economic impacts of the project. A Response to Comments (RTC) document that included responses to each question or request for additional information was prepared. The comments did not present any new significant information requiring recirculation of the document. Two minor edits were made to the text of the EIR for further clarification.

The RTC and notice of the Board of Directors meeting were mailed to those who commented on the Draft EIR more than ten days prior to the June 28, 2011 Board of Directors meeting date. Copies of the Final EIR (Draft EIR and RTC) were also posted on the District's website on June 13, 2011.

ALTERNATIVE

Do Not Certify the Final EIR or Approve the Project – This alternative is not recommended because the Final EIR meets CEQA requirements and the proposed project was evaluated against several alternatives that either had equal or greater environmental impacts or failed to achieve project objectives.