

ADOPT A RESOLUTION TO CERTIFY THE REGIONAL WASTEWATER CONTROL FACILITY MODIFICATIONS PROJECT FINAL ENVIRONMENTAL IMPACT REPORT, ADOPT FINDINGS OF FACT, AND ADOPT MITIGATION MONITORING AND REPORTING PROGRAM

RECOMMENDATION

It is recommended that the City Council adopt a resolution to:

1. Certify that the Final Environmental Impact Report (EIR) prepared for the Project has been completed in compliance with the California Environmental Quality Act and finds the Final EIR (Exhibit 1) adequately addresses the environmental issues of the Project, and
2. Approve the Final EIR, that the Final EIR identifies no significant and unavoidable impacts, adopts the Findings of Facts (Exhibit 2) and adopts the Mitigation Monitoring and Reporting Program (MMRP) (Exhibit 3), and
3. Find that the Final EIR for the Project reflects the independent judgment of the City Council, as lead agency and

The City Manager is authorized to take such other actions as are appropriate to carry out the intent of this resolution.

Summary

The City's RWCF Modifications Project consists of key upgrades to the RWCF to comply with permit-required effluent limits along with replacing equipment and processes that are 40 to 70 years old and beyond their useful life. Upon the Project's completion, the RWCF is able to support the community through 2035, potentially expanding through 2045 and beyond.

The RWCF Modifications Project includes upgrades to:

1. increase the reliability of the liquid and solids treatment processes,
2. improve treatment reliability of existing and projected flows,
3. reduce energy costs and provide reliable renewable energy alternatives, and
4. reduce nitrate plus nitrite (N plus N) concentrations in the final effluent to comply with National Pollutant Discharge Elimination System (NPDES) limitations.

The modifications include the demolition of certain treatment process components and buildings, rehabilitation and repurposing of existing components and buildings, and construction of new treatment process components and buildings. Existing RWCF facilities would remain in operation during construction of new and rehabilitated facilities to ensure continual wastewater treatment services. The modifications would not involve any expansion of the RWCF treatment capacity.

On November 2, 2018, a Draft EIR was released for public review. The 45-day comment period ended on December 17, 2018. Public comments on the Draft EIR and responses are contained in the Final EIR. The Draft and Final EIR, and related Findings and MMRP can be viewed at <http://www.stocktonca.gov/mudprojects>.

DISCUSSION

Background

The City commissioned preparation of the Capital Improvements and Energy Management Plan (CIEMP) in 2010 to provide a strategy for planning and implementing improvement projects at the RWCF. The CIEMP, released in August 2011, identified and prioritized improvements needed at the RWCF through the year 2035, named energy development projects to reduce energy costs and provide reliable renewable energy alternatives, and estimated costs for each recommended component. The project was placed on hold in 2013 while the City negotiated an exit from bankruptcy. In 2014, a new NPDES permit was issued to the City's RWCF. The permit requires lower N plus N discharge limits to the San Joaquin River, which cannot be met by the current treatment processes. The new N plus N limitation is 10 mg/L nitrogen to be met on a monthly average basis, effective June 1, 2024. The CIEMP was revised to include treatment process modifications that can meet the lower limits by the compliance deadline.

To re-evaluate the necessary improvements at the RWCF and meet the new NPDES permit discharge limitations, in 2015 the City initiated the Progressive Design-Build Contract approach, a two-phase procurement process to prepare designs and construct the facility improvements at the RWCF. The outcome of Phase 1 of the Progressive Design-Build Contract is the RWCF Modifications Project, which retains some elements of the CIEMP, modifies or eliminates others, and includes components not recommended by the CIEMP but determined to be necessary for meeting the project purpose and objectives.

The specific objectives of the RWCF Modifications Project are to:

- replace or rehabilitate aging treatment facilities, thereby extending the RWCF's useful life;
- reduce or eliminate unnecessary treatment processes to enhance operations;
- comply with effluent limitations specified in the RWCF NPDES permit;
- improve working conditions and operations support facilities for increased efficiency;
- improve energy efficiency and reduce reliance on the external energy providers, and
- implement a project that reflects the City's priorities and funding capacity.

Upgrades and/or additions to the following unit processes are included in the project:

- Headworks
- Grit Removal
- Primary Clarification
- Secondary Treatment
- Tertiary Treatment
- Solids Handling
- Chemical Addition
- Flow Diversion and Storage
- Personnel Buildings

Construction activities are anticipated to begin in fall 2019 and conclude in spring 2023. Commissioning activities will be completed by the regulatory deadline in June 2024. Existing RWCF facilities would remain operational during construction activities to avoid an interruption in wastewater treatment service.

Previous Council Actions

On March 5, 2013, by Motion 2013-03-05-1203, the Council authorized the execution of an amendment to the Master Services Contract for the Preparation of Generalized & Specialized California Environmental Quality Act, National Environmental Policy Act, and Brownfields Remediation project documents with Robertson-Bryan, Inc. of Elk Grove, California, in the amount of \$319,757 to prepare an EIR for projects implemented under the CIEMP. The EIR effort was halted following the NPDES permit renewal in June 2014 and pending the RWCF Modifications Project development.

On November 15, 2016, by Resolution No. 2016-11-15-1503, the Council authorized the City Manager to award and execute a Progressive Design-Build Contract with the JV of AECOM/W.M. Lyles in the amount of \$5,349,000 to perform Phase 1 design services for the RWCF Modifications Project.

On May 15, 2018, by Resolution 2018-05-15-11, the Council authorized the execution of a second amendment to the Master Services Contract for the Preparation of Generalized & Specialized California Environmental Quality Act, National Environmental Policy Act, and Brownfields Remediation project documents with Robertson-Bryan, Inc. of Elk Grove, California, in the amount of \$209,000 to prepare the RWCF Modifications Project EIR.

Environmental Determination

The Draft EIR prepared for the project identifies less-than-significant impacts in the following categories: air quality, greenhouse gas emissions and climate change, energy, hydrology and water quality, aquatic biological resources, noise, and environmental justice. The Draft EIR identifies potentially significant impacts that can be mitigated to a less-than-significant level for the following categories: terrestrial biological resources,

cultural and tribal cultural resources, and transportation and circulation. The MMRP details the mitigation measures to be taken during the construction of this project. There would be no significant and unavoidable impacts. The Project is in conformance with the City's General Plan, pursuant to California Government Code section 654020.

Present Situation

The RWCF NPDES permit requires lower N plus N discharge limits to the San Joaquin River by June 1, 2024. The current treatment processes cannot meet the new lower discharge limitations. The RWCF Modifications Project's new treatment processes will sufficiently remove N plus N, meeting the permit's requirement.

AECOM/W.M. Lyles, JV has completed the RWCF Modifications Project's scope of work for Phase 1 and developed a preliminary guaranteed maximum price for the Phase 2 work. The Phase 1 engineering services advanced the design to the 65 percent completion level and provided estimates for equipment vendor supply and subcontractors. Phase 2 services are being considered in two stages, Phase 2A and Phase 2B. Phase 2 services would consist of completing design, permitting, construction and engineering services during construction.

FINANCIAL SUMMARY

There are sufficient funds available in Account No. 437-7709-670 (CIP – Wastewater/Sanitary Sewer RWCF Modification & Replacement) to pay for the CIP Project No. M12019 RWCF Modifications EIR and staff expenses.

Any costs associated with the required mitigation measures and permit fees have been budgeted in the adopted 2018/19 Capital Improvement Program (CIP) and will be budgeted in Future CIP, which includes the RWCF Modifications Project, CIP Project No. M16022.

There is no impact to the City's General Fund or any other unrestricted fund as a result of taking the recommended action.