

August 31, 2020



Andrew Thomas, Planning, Building, and Transportation Director
City of Alameda, Planning, Building, and Transportation Department
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501

Re: Notice of Intent to adopt a Mitigated Negative Declaration for the 2350 5th Street
(Bottle Parcel) Rezoning, Alameda

Dear Mr. Thomas:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration for the 2350 5th Street (Bottle Parcel) Rezoning (project), in the City of Alameda (City). EBMUD has the following comments.

WATER SERVICE

Effective January 1, 2018, water service for new multi-unit structures shall be individually metered or sub-metered in compliance with State Senate Bill 7 (SB-7). SB-7 encourages conservation of water in multi-family residential and mixed-use multi-family and commercial buildings through metering infrastructure for each dwelling unit, including appropriate water billing safeguards for both tenants and landlords. EBMUD water services shall be conditioned for all development projects that are subject to SB-7 requirements and will be released only after the project sponsor has satisfied all requirements and provided evidence of conformance with SB-7.

EBMUD's Central Pressure Zone, with a service elevation range between 0 and 100 feet, will serve the proposed project. A water main extension, at the project sponsor's expense, may be required to serve the property depending on EBMUD's metering requirements and fire flow requirements set by the local fire department. The project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine the costs and conditions of providing additional water service to the proposed development. Engineering and installation of water mains and services require substantial lead time, which should be provided for in the project sponsor's development schedule.

A minimum 20-foot wide right-of-way is required for installation of new and replacement water mains. Utilities to be installed in the right-of-way with the water mains must be located such that the new water mains meet the minimum horizontal and vertical separation distances with other utilities as set forth in the California (Waterworks Standards) Code of Regulations, Title 22, Section 64572 (Water Main Separation) and EBMUD requirements for placement of water mains within a right-of-way. These minimum horizontal separation distance requirements include, but are not limited to, 10

feet between the water main and sewer, 5 feet between the water main and storm drain, 7 feet from the face of curb, and 5 feet from the edge of the right-of-way. In addition, water mains must be vertically located a minimum of one foot above sewers and storm drains.

WASTEWATER SERVICE

EBMUD's Main Wastewater Treatment Plant (MWWTP) and interceptor system are anticipated to have adequate dry weather capacity to accommodate the proposed wastewater flows from this project and to treat such flows provided that the wastewater generated by the project meets the requirements of the EBMUD Wastewater Control Ordinance. However, wet weather flows are a concern. The East Bay regional wastewater collection system experiences exceptionally high peak flows during storms due to excessive infiltration and inflow (I/I) that enters the system through cracks and misconnections in both public and private sewer lines. EBMUD has historically operated three Wet Weather Facilities (WWFs) to provide primary treatment and disinfection for peak wet weather flows that exceed the treatment capacity of the MWWTP. Due to reinterpretation of applicable law, EBMUD's National Pollutant Discharge Elimination System (NPDES) permit now prohibits discharges from EBMUD's WWFs. Additionally, the seven wastewater collection system agencies that discharge to the EBMUD wastewater interceptor system ("Satellite Agencies") hold NPDES permits that prohibit them from causing or contributing to WWF discharges. These NPDES permits have removed the regulatory coverage the East Bay wastewater agencies once relied upon to manage peak wet weather flows.

A federal consent decree, negotiated among EBMUD, the Satellite Agencies, the Environmental Protection Agency (EPA), the State Water Resources Control Board (SWRCB), and the Regional Water Quality Control Board (RWQCB), requires EBMUD and the Satellite Agencies to eliminate WWF discharges by 2036. To meet this requirement, actions will need to be taken over time to reduce I/I in the system. The consent decree requires EBMUD to continue implementation of its Regional Private Sewer Lateral Ordinance (www.eastbaypsl.com), construct various improvements to its interceptor system, and identify key areas of inflow and rapid infiltration over a 22-year period. Over the same time period, the consent decree requires the Satellite Agencies to perform I/I reduction work including sewer main rehabilitation and elimination of inflow sources. EBMUD and the Satellite Agencies must jointly demonstrate at specified intervals that this work has resulted in a sufficient, pre-determined level of reduction in WWF discharges. If sufficient I/I reductions are not achieved, additional investment into the region's wastewater infrastructure would be required, which may result in significant financial implications for East Bay residents.

To ensure that the proposed project contributes to these legally required I/I reductions, the City should comply with EBMUD's Regional Private Sewer Lateral Ordinance. Additionally, it would be prudent for the City to follow mitigation measures for the proposed project: (1) replace or rehabilitate any existing sanitary sewer collection systems, including sewer lateral lines to ensure that such systems and lines are free from defects or,

alternatively, disconnected from the sanitary sewer system, and (2) ensure any new wastewater collection systems, including sewer lateral lines, for the project are constructed to prevent I/I to the maximum extent feasible while meeting all requirements contained in the Regional Private Sewer Lateral Ordinance and applicable municipal codes or Satellite Agency ordinances.

WATER RECYCLING

EBMUD's Policy 9.05 requires that customers use non-potable water, including recycled water, for non-domestic purposes when it is of adequate quality and quantity, available at reasonable cost, not detrimental to public health, and not injurious to plant, fish and wildlife to offset demand on EBMUD's limited potable water supply. Appropriate recycled water uses include landscape irrigation, commercial and industrial process uses, toilet and urinal flushing in non-residential buildings, and other applications.

The proposed project location lies in the vicinity of EBMUD's future planned recycled water pipeline expansion to the City. Although the development is residential in nature, there could be irrigation demands that are suitable for recycled water use. Once the irrigation demand estimates are available, EBMUD will assess the recycled water necessity for the project. EBMUD recommends that the City and the project sponsor continue to coordinate closely with EBMUD during the planning of the project to further explore the options and requirements relating to recycled water use.

WATER CONSERVATION

The proposed project presents an opportunity to incorporate water conservation measures. EBMUD requests that the City include in its conditions of approval a requirement that the project sponsor comply with Assembly Bill 325, "Model Water Efficient Landscape Ordinance," (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

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