

**RINCONADA WATER TREATMENT PLANT
RELIABILITY IMPROVEMENT PROJECT
Third Addendum to the Final Environmental Impact Report**

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1. Background

The Santa Clara Valley Water District (District), lead agency for the Rinconada Water Treatment Plant Reliability Improvement Project (Project), is in the process of constructing improvements at the Rinconada Water Treatment Plant (RWTP). The RWTP is the oldest of the District's water treatment plants and has numerous plant components nearing the end of their useful lives. Water quality and code requirements for potable water treatment have become more stringent, requiring that the RWTP be upgraded to ensure the reliability of its operation and water quality. The District has started construction to improve water treatment processes and facilities at the RWTP through four principal modifications:

- 1) Addition of raw water ozonation facilities and processes;
- 2) Replacement of the existing water clarification process/facilities with conventional flocculation and sedimentation processes with plate settlers;
- 3) Removal and replacement of the water process filters; and
- 4) Increase in plant capacity from 80 million gallons per day (mgd) to a maximum of 100 mgd to provide an increase in peaking capacity for plant reliability.

Environmental impacts of the Project were evaluated in a Final EIR that was certified by the District Board of Directors in January 2015. A detailed discussion of project elements can be found in Chapter 3 of the certified Environmental Impact Report (EIR).

The first Addendum to the EIR was prepared in June 2016 to extend the hours of construction to allow work at the site to begin earlier and end later during weekdays. The objective of the change was to provide greater efficiencies in the daily scheduling of work and expedite the overall construction schedule. Construction hours were limited in the EIR from 8:00 a.m. to 5:00 p.m. on weekdays and were expanded to 7:00 a.m. to 6:00 p.m. Monday through Friday. This change went into effect in July 2016.

The second Addendum was prepared in January 2017 to expand the hours that trucking is allowed to occur and to allow greater use of the Granada Way entrance. This was done to streamline work activities and allow completion of the project in a timely manner. The route for all project-related traffic goes through the intersection of Pollard and More Avenue, where the Rolling Hills Middle School is located. All construction truck trips were originally restricted during the hours of morning pick-up and afternoon drop-off times from Rolling Hills Middle School, in response to Los Gatos' comment on the draft EIR. Hours for all construction truck trips were not allowed are as follows:

- 8 a.m. to 9 a.m.
- 2:30 p.m. to 3:30 p.m. (excluding Wednesday)
- 1:30 p.m. to 2:30 p.m. (only Wednesday)

The revised hours for all construction trucks was change to between 7 a.m. to 6 p.m. on workdays, with the following school-related restrictions:

- 8:15 a.m. to 8:45 a.m.
- 2:45 p.m. to 3:15 p.m. (excluding Wednesday)
- 1:45 p.m. to 2:15 p.m. (only Wednesday)

This change went into effect in January 2017.

2. CEQA Considerations

Once the environmental review for a project has been conducted and the lead agency has adopted its findings with respect to impacts and proposed mitigation, these decisions need no additional review. The lead agency's role has been fulfilled unless there are changes to the project and further actions are necessary that involve the exercise of the lead agency's discretion regarding the project.

When there are changes to a project, and the lead agency is taking a discretionary action in regard to that change, California Environmental Quality Act (CEQA [Public Resources Code §21000 et seq. & 14 CCR §15000 et seq.]) provides various levels of documentation to indicate that the lead agency has adequately considered the environmental effects of the changes in making its decisions. The appropriate level of review is based on whether proposed changes to the project, changes to circumstances under which the project is undertaken, or new information not known at the time of approval of the project, would create or show new significant effects or a substantial increase in the severity of previously identified significant effects.

If proposed changes would result in new significant environmental effects or a substantial increase in severity of previously identified significant effects, CEQA Guidelines §15162 requires preparation of a Subsequent EIR. If none of the conditions specified in §15162 calling for preparation of a Subsequent EIR have occurred, CEQA Guidelines §15164(a) provides for the use of an Addendum. The lead agency's decision to use an Addendum must be supported by substantial evidence that the conditions that would trigger the preparation of a Subsequent EIR are not present.

As described in the analysis below, the proposal to allow construction outside of structures on Saturdays would not result in new significant impacts or a substantial increase in the severity of significant impacts identified in the certified EIR.

3. Description of Proposed Changes to the Project

In order to complete the project in a timely manner the District is considering allowing construction to occur outside of structures on Saturdays to streamline work activities.

To reduce the potential impacts from construction noise, the certified EIR included Mitigation Measure NSE-3, which limits weekend construction activities as follows:

- No Sunday construction permitted.
- No construction except within buildings on Saturdays.
- No construction truck or tractor work on the outside of buildings on Saturdays (dump trucks, backhoes, jackhammers, or any motorized equipment, etc.).
- No outside construction lighting or outside generators to operate on Saturdays (except regular security lighting or regular safety lighting).

The District proposes to allow additional construction activities on Saturday with the following restrictions:

- No Sunday construction permitted

- Construction on Saturday is limited to the hours of 9:00 a.m. to 7:00 p.m., consistent with the Town of Los Gatos Noise Ordinance
- Work is not permitted within 200 feet of the perimeter fence or at the lower sludge drying beds
- Demolition work is not permitted
- Delivers of equipment or materials is not permitted
- Construction workers accessing the site will use the upper and lower More Avenue gates (use of the Granada Way gate is prohibited) and be encouraged to remain on-site during the day

All of the measures identified in Mitigation Measure NSE-2 will remain in effect to reduce noise impacts associated with construction.

4. Environmental Analysis

Allowing construction to occur on Saturdays will allow more work to occur on a weekly basis, but the proposal does not alter the work to be completed or the ultimate operation of the RWTP. As such, the only resource areas that may be affected are air quality, noise, and traffic.

The proposal will not impact the following resource areas and they are not discussed further:

- Aesthetics
- Agricultural and Forest Resources
- Biological Resources
- Cultural Resources
- Geotechnical and Geological Hazards
- Greenhouse Gases
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Public Services
- Utilities and Service Systems

These sections remained unchanged from the certified EIR.

AIR QUALITY

Allowing additional work to occur on Saturday would not affect the Project's consistency with adopted Air Quality Plans or with operational emissions; there is no change to the analysis in these areas.

Since there is no change to the work to be performed, the overall estimated construction emissions in Table 4.3-9 of the certified EIR would not change.

The analysis in the Final EIR assumed 264 working days per year of 9 hours each. The District extended daily working hours for the project to 11 hours per day (this change was analyzed in the First Addendum). The District is now proposing to allow work on Saturdays for up to 10 hours per Saturday (9 a.m. to 7 p.m.). Between the two extensions in working hours this would expand total working hours per year from 2,376 to 3,424, a 44% increase.

This would increase the estimated daily emissions reported in Table 4.3-9 of the Final EIR. Updated daily emissions are estimated in Table 1 below, which conservatively assumes a 44% increase in daily emissions consistent with the increase in work hours. This is considered a conservative estimate since some work is already permitted on Saturday and it is unlikely that the contractor will work a full 10 hours each Saturday.

TABLE 1	Estimated Construction Emissions Pounds per Day						
	ROG	NOx	PM ₁₀	PM _{2.5}	CO	SOx	CO _{2e} (metric tons)
Phase 1	2.45	25.20	4.65	3.04	18.22	0.02	2,459
Phase 2	5.11	29.91	1.97	1.41	15.41	0.03	3,228
Phase 3	1.79	18.33	1.77	1.08	12.76	0.02	2,256
Phase 4	3.34	7.21	0.88	0.52	6.97	0.01	1,248
Phase 5	1.56	7.26	0.71	0.40	6.06	0.01	1,260
BAAQMD Threshold	54	54	82	54	N/A	N/A	N/A
Exceed Threshold?	No	No	No	No	N/A	N/A	N/A

Daily emissions are still well below the significant thresholds, so the impact is still less than significant.

The EIR determined that uncontrolled PM_{2.5} emissions from dust generated during demolition, excavation, grading, and building activities would exceed the BAAQMD PM_{2.5} concentration based significance threshold of 0.3 ug/m³ during Phase 1, which means sensitive receptors would be exposed to substantial fine particle pollutant concentrations. With the implementation of **Mitigation Measure AIR-1** the concentration is reduced to a less than significant level, even with extended hours. Phase 1 is completed and the remaining phases will have less PM_{2.5} emissions. With the continued implementation of Mitigation Measure AIR-1 impacts from fine particle pollutants will be less than significant.

Construction equipment and heavy-duty truck traffic generates diesel particulate matter (DPM), which is a toxic air contaminant. These contaminants can result in excess cancer risk. The significance threshold for DPM is 10 in one million incremental cancer risk. The EIR determined that the maximally exposed individual from the Project would have an incremental cancer risk of 6.47 in one million for a young child and 0.62 in one million for an adult. The maximum exposure is based on total emissions over the entire project. The change in working times will not change the total amount or nature of work being performed, so additional work on Saturday will not alter this conclusion.

Increased construction activities on Saturdays would not result in any new significant impacts to air quality beyond those identified in the Final EIR or a substantial increase in the severity of a significant impact, and no new mitigation measures would be required.

NOISE

The expansion of construction activities on Saturdays would not affect operational noise, potential vibrations from construction, or impacts from aircraft noise; there is no change to the analysis in these areas.

Government Code Section 53091(d) states that building ordinances of a city shall not apply to the location or construction of facilities for the production, generation, storage, treatment, or transmission of water, wastewater, or electrical energy by a local agency. Los Gatos has recognized that the limit to construction hours in the Town's code does not apply to this project.¹

Although not bound to the noise restrictions in the Town of Los Gatos Noise Ordinance, they were used as the threshold of significance for environmental impact review. The proposed hours of construction for Saturday are consistent with the hours for construction permitted in the Noise Ordinance. Noise is considered significant if an individual piece of equipment exceeds 85 dBA L_{max} at 25 feet from the piece of equipment, or the noise level at any point outside of the property plane (boundary) exceeds 85 dBA L_{max} . Noise produced on Saturdays will be similar to that produced weekdays, although exceptionally noisy elements such as demolition and hauling of materials are not permitted.

The EIR includes **Mitigation Measure NSE-2** to reduce construction related noise which requires an acoustical consultant to develop a Construction Noise Mitigation Plan and be on-call during construction to assist in complying and adaptively reposing to any noise issues that may arise. The measure also requires the installation of temporary noise barriers to meet the Town standard and other practices to minimize noise impacts. This measure would be in place for work on Saturdays and would reduce resulting noise impacts to a less than significant level.

Increased construction on Saturdays would not result in any new significant impacts to noise beyond those identified in the certified EIR or a substantial increase in the severity of a significant impact, and no new mitigation measures would be required.

TRAFFIC AND CIRCULATION

The extension of construction work hours would not affect operational traffic, emergency access, air traffic, alternative transportation, traffic hazards, and parking (the number of workers / employees would not change); there is no change to the analysis in these areas.

Since hauling of materials will not be permitted on Saturdays there will be no increase in the number of construction trucks coming and going to the Project site, and will not alter the total number of truck trips over the entire Project. Work inside of structures is already permitted on Saturdays in the Final EIR, so the number of workers / employees accessing the site on Saturdays is not likely to increase.

Increased construction on Saturdays would not result in any new significant impacts to traffic beyond those identified in the certified EIR or a substantial increase in the severity of a significant impact, and no new mitigation measures would be required.

5. Conclusion

Based on review of the proposed extension of work allowed on Saturdays, none of the conditions described in CEQA Guidelines §15162 would occur. Extending the work allowed would not create new impacts or increase the severity of previously identified impacts.

¹ Matt Morley, Town of Los Gatos Public Works Director, personal communication April 4, 2016