



# Town of Discovery Bay

*"A Community Services District"*

## STAFF REPORT

Meeting Date

May 6, 2020

**Prepared By:** Gregory Harris, District Engineer, HERWIT Engineering  
**Submitted By:** Mike Davies, General Manager

### Agenda Title

Discussion and Possible Action to Adopt the Initial Study and Mitigated Negative Declaration (ISMND) Related to Repairing the Damaged Diffuser Outfall in Old River.

### Recommended Action

Accept comments and response to comments on the ISMND for the outfall Diffuser Repairs and adopt the amended ISMND for outfall diffusers repairs. Authorize Staff to prepare and file the Notice of Determination with the State Clearing House. Some mitigation measures have changed in the revised ISMND. The changes are equivalent to, equal to, or better than the previously proposed mitigation specified in the Draft ISMND. A response has been sent to the commenting agency. They have concurred with the revised measures.

### Executive Summary

The Town's wastewater effluent leaving Treatment Plant No. 2 is pumped approximately one mile to Old River where it is discharged through diffusers with multiple diffuser ports to mix the effluent into Old River. The diffuser was constructed in December 2004 to comply with previous Notice of Violation by the Regional Water Quality Control Board.

A portion of the diffuser has become plugged and no longer operates properly.

Based on this information, the Town hired Advisian to prepare a report on options and costs to repair the diffuser. This report was completed in June 2018. From this report, Option 4 to repair the diffuser in place with a larger header pipe was selected as the best alternative going forward by Town Staff. The Town set a CIP budget cost of \$500,000 for the permits, engineering, and construction of the diffuser repairs.

The Town also hired Advisian to complete the CEQA and environmental work necessary to support a full permit application to the Army Corps. Advisian has completed the Initial Study and Mitigated Negative Declaration (ISMND). The ISMND was circulated for public comment and received one comment letter from the CA Department of Fish and Wildlife. Advisian prepared a response letter with changes to the project to address this comment and Advisian with Town Staff had a meeting with Fish and Wildlife to discuss their comments. Based on this meeting, Fish and Wildlife have accepted the response letter and recommended revisions to the ISMND, and Advisian has revised the ISMND to incorporate the changes proposed and accepted in the response letter.

Some mitigation measures have changed in the revised ISMND. The changes are equivalent to, equal to, or better than the previously proposed mitigation specified in the Draft ISMND. A response has been sent to the commenting agency. They have concurred with the revised measures.

The Town needs to adopt the ISMND and issue a Notice of Determination to complete the CEQA and processes and proceed with regulatory permitting.

A copy of the Comment letter from CA Fish and Wildlife, the Advisian Response letter, and the Final ISMND is attached to this report.

### Previous Relevant Board Actions for This Item -

Authorization for construction of outfall diffuser in 2004,

Authorization to hire Advisian to prepare a diffuser report October 2017.  
Authorized public notification and Notice of Intent with comment period to Adopt ISMND December 18, 2019.

**Attachments -**

**AGENDA ITEM:**