# Appendix K:
# Utilities Supporting Information

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# K.1 - Water Supply Assessment

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# TWC Holdings, LLC
# Mr. Stephen Scanlon
# 2100 Broadway
# Walnut Creek, California 94596

Prepared for:
TWC Holdings, LLC

Prepared by:

Balance Hydrologics

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**A REPORT PREPARED FOR:**

**TWC Holdings, LLC**
Mr. Stephen Scanlon
2100 Broadway
Walnut Creek, California 94596

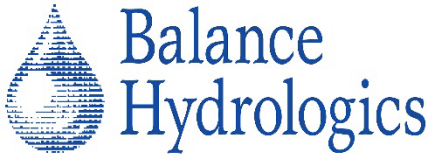
by

**ADMINISTRATIVE DRAFT**

Denise Tu, E.I.T.
Fluvial Geomorphologist/Engineer

**ADMINISTRATIVE DRAFT**

Scott Brown, P.G.
Principal Hydrologist/Geomorphologist





**Project Assignment: 221126**

800 Bancroft Way, Suite 101 ~ Berkeley, California 94710-2800 ~ (510) 704-1000 ~ office@balancehydro.com

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## ABBREVIATIONS

| | |
|---|---|
| Af | acre-feet |
| Afy | acre feet per year |
| CCWD | Contra Costa Water District |
| CEQA | California Environmental Quality Act |
| City | City of Walnut Creek |
| Demand Study | EBMUD 2040 Demand Study, published in 2012 |
| EBMUD | East Bay Municipal Utility District |
| EIR | Environmental Impact Report |
| General Plan | City of Walnut Creek's General Plan, published in 2006 with amendments in 2017 & 2020 |
| Mgd | million gallons per day |
| NDSP | North Downtown Specific Plan |
| Project | Toyota Walnut Creek Mixed Use Special District Project |
| Taf | thousand acre-feet |
| UWMP | Urban Water Management Plan |
| Walnut Creek area | City of Walnut Creek, small portion of Pleasant Hill, and unincorporated community of Seranap (aka Region H) as defined in the Demand Study |
| WSA | Water Supply Assessment |

# EXECUTIVE SUMMARY

The Toyota Walnut Creek Mixed Use Special District Project (Project) in the City of Walnut Creek (City) in Contra Costa County, California, is a proposed mixed-use project in the City's Core Downtown area. The Project would be developed on land that is bounded by Pine Street to the North, North Main Street to the West, and a variety of existing mixed-use commercial developments to the South and East. The Project is within the boundaries of the North Downtown Specific Plan (NDSP) area. The Project site totals approximately 8.4 acres; 10 parcels (approx. 6.2 acres of the Project) are within the proposed Mixed Use Special District (as described further below) and two parcels (approx. 2.2 acres of the Project Site) are outside of but near the proposed Mixed Use Special District. As explained more fully herein, EBMUD's total projected water availability system-wide during normal, single dry and multiple dry years over a 30-year period would meet the projected water demand associated with the Project, in addition to EBMUD's existing and other planned future uses.

The Applicant, Toyota Walnut Creek, has requested that the City amend a portion of the NDSP by, among other things, creating a new "Mixed Use Special District" to cover approximately 6.2 acres of the Project Site. Auto sales, service, and ancillary uses are already permitted within these 6.2 acres. However, to facilitate the retention and enhancement of automotive sales, service and ancillary uses in an economically viable manner, the Applicant is proposing to amend the NDSP such that other potential uses, including multi-family residential, hotel, and/or other compatible non-residential uses, could be developed within the 6.2-acre Mixed Use Special District—along with auto sales, service, and ancillary uses—as part of a mixed-use redevelopment.

This Water Supply Assessment (WSA) presents the proposed potable water use for the Project and assesses the potential impact to supply and demand projections through the year 2050. The City of Walnut Creek obtains its water supply from the East Bay Municipal Utility District (EBMUD) and, for a small portion of the City, from the Contra Costa Water District (CCWD). The Project is located within the EBMUD service area and therefore this WSA evaluates impacts to EBMUD supply and demand projections.

No specific individual development proposal has been formally submitted to the City by the Applicant at this time because the particular development parameters, including the allocation of the proposed mix of uses across the 6.2-acre Mixed Use Special District (as well as the remaining portions of the Project Site (referred to as Sites D and E)), and the ultimate size and scope of this future redevelopment are not currently known.

Under the California Environmental Quality Act (CEQA) Guidelines, the Draft Supplemental EIR, for which this WSA has been prepared, must evaluate the potential environmental impacts associated with the Project as compared to the impacts identified and disclosed in the certified 2019 NDSP EIR. Because the ultimate land uses and site plans are not currently known and there are various ways in which the subject lands could ultimately be developed under the NDSP (as amended), in order to conduct the required environmental review, this WSA, consistent with the methodology applied throughout the Project's Draft Supplemental EIR, evaluates the maximum reasonable development potential that could occur in light of reasonably available information, taking into consideration the size, potential mix of uses, and nature of the subject lands and other relevant factors.

As explained more fully herein and also in Appendix B of the Draft Supplemental EIR, Scenario 3 has been determined to be the most impactful from a CEQA perspective in terms of potential water supply impacts and thus is the development scenario evaluated in detail in this WSA.[1] Multi-family residential uses would generate the most potable water demand, as compared to other potential uses contemplated by the Project. Scenario 3 involves the most residential units (assumed 658 units as opposed to 132 residential units for Scenario 2 and no residential units for Scenario 1) and is estimated to use up to a total of 137 acre-feet per year (afy) of potable water (134 afy more than the existing water usage); because no recycled water is available or planned for the City of Walnut Creek, this WSA assumes that the Project's entire demand would be served by potable water.

EBMUD has adopted its 2020 Urban Water Management Plan (UWMP). Projected system-wide water demand for EBMUD ranges between approximately 207,003 acre feet per year (afy) in 2020 to approximately 243,967 afy in 2050. Pursuant to SB 610, this WSA evaluates the projected water demand associated with the Project in the context of EBMUD's system-wide projected water availability during normal, single dry and multiple dry years over a 30-year period, in addition to EBMUD's existing and other planned future uses. The UWMP concluded that EBMUD has sufficient supply to meet demand under the normal- and single-dry-year scenarios through at least 2050. Potential supply shortages were identified for the multi-year-drought scenario beginning in about 2035. EBMUD is working to diversify their supply portfolio in order to adapt to these potential constraints, investigating potential groundwater recharge/extraction and banking options, water

[1] Accordingly, for purposes of this analysis, references to the Project demand are for Scenario 3, as the most impactful scenario, consistent with the methodology used throughout the Project's Draft Supplemental EIR.

transfer agreements, and other regional partnerships. By pursuing these projects in tandem, EBMUD anticipates that the projected shortages can be minimized.

The basis for the 2020 UWMP system-wide water demand projections are detailed in the 2012 EBMUD's 2040 Demand Study (Demand Study) which calculates water demand for regions of the EBMUD service area, including the "Walnut Creek area" where the Project would be located. The Walnut Creek area is defined as the City of Walnut Creek, a small portion of Pleasant Hill and the unincorporated community of Seranap. High-density mixed-use growth projected in the Demand Study is also consistent with the growth projections and land use assumptions incorporated in the City of Walnut Creek's General Plan (General Plan) (City of Walnut Creek, 2020) and the NDSP. Specifically, the Demand Study anticipates an increase in total demand of 688 afy for the Walnut Creek area by 2030 (the year of peak forecasted demand for that area), 554 afy more than the maximum projected demand for the Project Site. As noted above and discussed more fully herein, this WSA utilizes the 2020 UWMP system-wide water demand projections in accordance with requirements under SB 610. However, to ensure a robust evaluation, this WSA also incorporates information, as relevant, from the Demand Study.

In summary, EBMUD's total projected water supplies available during normal, single-dry and multiple-dry water years during a 20-year projection are sufficient to meet the projected water demand associated with the Project, in addition to the EBMUD's existing and planned future uses, including agricultural and manufacturing uses. The Project Site is an already-developed infill site located within EBMUD's existing service area, and is in the urbanized, Core downtown area close to public transit where intensification of development has long been anticipated. As detailed more fully below, we conclude that the Project's water use would not significantly constrain EMBUD's supply over the long-term and can be assumed to be accounted for in the EBMUD demand projections with room for additional development by other entities based on the factors below:

- The Project's water demand projections are conservative in that the analysis utilizes EBMUD's 2005 base year demand factors (which do not account for recent improvements and state and local mandates in water-use efficiency and required water conservation). Thus, the Project water use factors used for this WSA can be assumed to be conservatively high water use estimates for new development.
- The Project's maximum anticipated water demand (134 afy) is well within the projected demand increase for the Walnut Creek area (688 afy) that was

calculated as part of the Demand Study. Because the EBMUD system-wide demand projections are based on the calculations in the Demand Study, it is reasonable to conclude that the Project's anticipated water demands are accounted for in the system-wide demand projections in the 2020 UWMP.

- Comparison of forecasted water demands from current and past UWMP documents demonstrate that water demand projections for a given year tend to decrease when UWMPs are updated. This highlights the fact that EBMUD's system-wide supply and demand projections are conservatively high or simply reflect lower-than-anticipated regional growth rates.[2] These (consistently) conservatively high system-wide demand projections provide an additional buffer to confirm that all of the Project's anticipated water demand is appropriately accounted for in the relevant EBMUD demand projections.

[2] In this analysis, use of conservatively high demand projections for the UWMP is appropriate and reasonable as a way to identify potential future supply constraints. We highlight this fact here simply as a way to demonstrate the potential magnitude of this conservatism, and how that amount relates to the proposed water demand of the Project.

# 1 INTRODUCTION

This Water Supply Assessment (WSA) analyzes the projected water supply and demand for the Toyota Walnut Creek Mixed Use Special District Project (Project) in the City of Walnut Creek in Contra Costa County, California. The WSA is intended to support environmental planning documentation for the Project.

## 1.1 Regulatory Background

Section 10910 of the California Water Code (as revised by Senate Bill 610, or SB610) requires: "The city or county, at the time that it determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration is required for any project subject to the California Environmental Quality Act, pursuant to Section 21080.1 of the Public Resources Code, "…[to] identify a water system…that may supply water for the project," and to prepare a WSA to address the increased water use over existing conditions. The WSA is intended to:

1. Identify the water system or systems that would (or may) supply water to the project;
2. Compare project water demands with those projections included in the most-recently adopted Urban Water Management Plan or Plans for those service providers; and
3. Assess whether the public water system's total projected water availability for the entire system(s) during normal, single dry, and multiple dry years over a 20-year period will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses (including agricultural and manufacturing uses).

Within this assessment, California Water Code Section 10910(4)(d) requires a discussion of existing water supply entitlements, water rights, or water service contracts relevant to the public water system(s). Also, Section 10910 (4)(f) requires that If a water supply for a proposed project includes groundwater, additional information shall be included in the water supply assessment, which includes, among other things, the following: (1) a review of any information contained in the urban water management plan relevant to the identified water supply for the proposed project, and (2)(A) a description of any groundwater basin or basins from which the proposed project will be supplied…"

Section 10912(a) of the California Water Code outlines the types of projects requiring a water supply assessment, as follows:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or other business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A proposed hotel or motel, or both, having more than 500 rooms;
- An industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects specified in this subdivision; or
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling-unit project.

The Applicant, Toyota Walnut Creek, has requested that the City amend a portion of the NDSP by, among other things, creating a new "Mixed Use Special District" to cover approximately 6.2 acres of the Project Site. Auto sales, service, and ancillary uses are already permitted within these 6.2 acres. However, to facilitate the retention and enhancement of automotive sales, service and ancillary uses in an economically viable manner, the Applicant is proposing to amend the NDSP such that other potential mixed uses, including multi-family residential, hotel, and/or other compatible non-residential uses, could be developed within the 6.2-acre Mixed Use Special District—along with auto sales, service, and ancillary uses—as part of a mixed-use redevelopment.

No specific individual development proposal has been formally submitted by the Applicant at this time because the particular development parameters, including the allocation of the proposed mix of uses across the 6.2-acre Mixed Use Special District (as well as the remaining portions of the Project Site (referred to as Sites D and E)), and the ultimate size and scope of this future redevelopment are not currently known. Therefore, to ensure a conservative analysis, the most impactful scenario, which has been identified as Scenario 3, is evaluated in this WSA. This Scenario involves the most residential units (658 units) along with non-residential uses. Accordingly, it is assumed that the Project

would likely exceed thresholds as outlined above. As such, the Project requires a WSA. See **Section 3.1** for a discussion of estimated water demand for the Project.

The Project is located within the existing service area of the East Bay Municipal Utility District (EBMUD); therefore, water supply for the proposed Project would be served by EBMUD. Water sources available to EBMUD are discussed in **Section 2**. EBMUD prepared and adopted a 2020 Urban Water Management (2020 UWMP) (EBMUD, 2021) that projects water supply and demand within its service area through 2050. While the Project was not explicitly named in the 2020 UWMP, the 2020 UWMP did generally account for projected increases associated with expected development within the city limits of Walnut Creek, specifically within the North Downtown Specific Plan (NDSP) (City of Walnut Creek, 2019) area, which includes the Project Site. **Section 4** compares the system-wide supply and demand for EBMUD to assess whether there is sufficient supply to support existing water uses, the Project, and other planned future uses through 2050.

## 1.2 Project Site Location

The Project Site is a total of approximately 8.4 acres and located in the City of Walnut Creek in Contra Costa County, California. Sites A through C consist of a total of 10 parcels (approx. 6.2 acres of the Project), which lie within the proposed Mixed Use Special District **Figure 1-1**. Sites D and E are outside of but near the proposed Mixed Use Special District and constitute the remaining approximately 2.2 acres of the Project (see **Figure 1-2**). The entirety of the Project Site falls within the NDSP area. The Project is bounded by Pine Street to the North, North Main Street to the West, along with a variety of existing mixed-use commercial uses to the South and East.

The NDSP area consists of a total of 191 acres of the City of Walnut Creek between California Blvd and Interstate 680 (I-680) to the West, Parkside Dr. to the North, and Civic Dr. and the Iron Horse Trail to the East and South. The NDSP, which sets forth the land use vision and guiding policies, development standards, and design guidelines for development in this mixed-use area and the associated NDSP Environmental Impact Report (EIR) were adopted and certified, respectively, by the City Council in 2019 (2019 NDSP EIR).

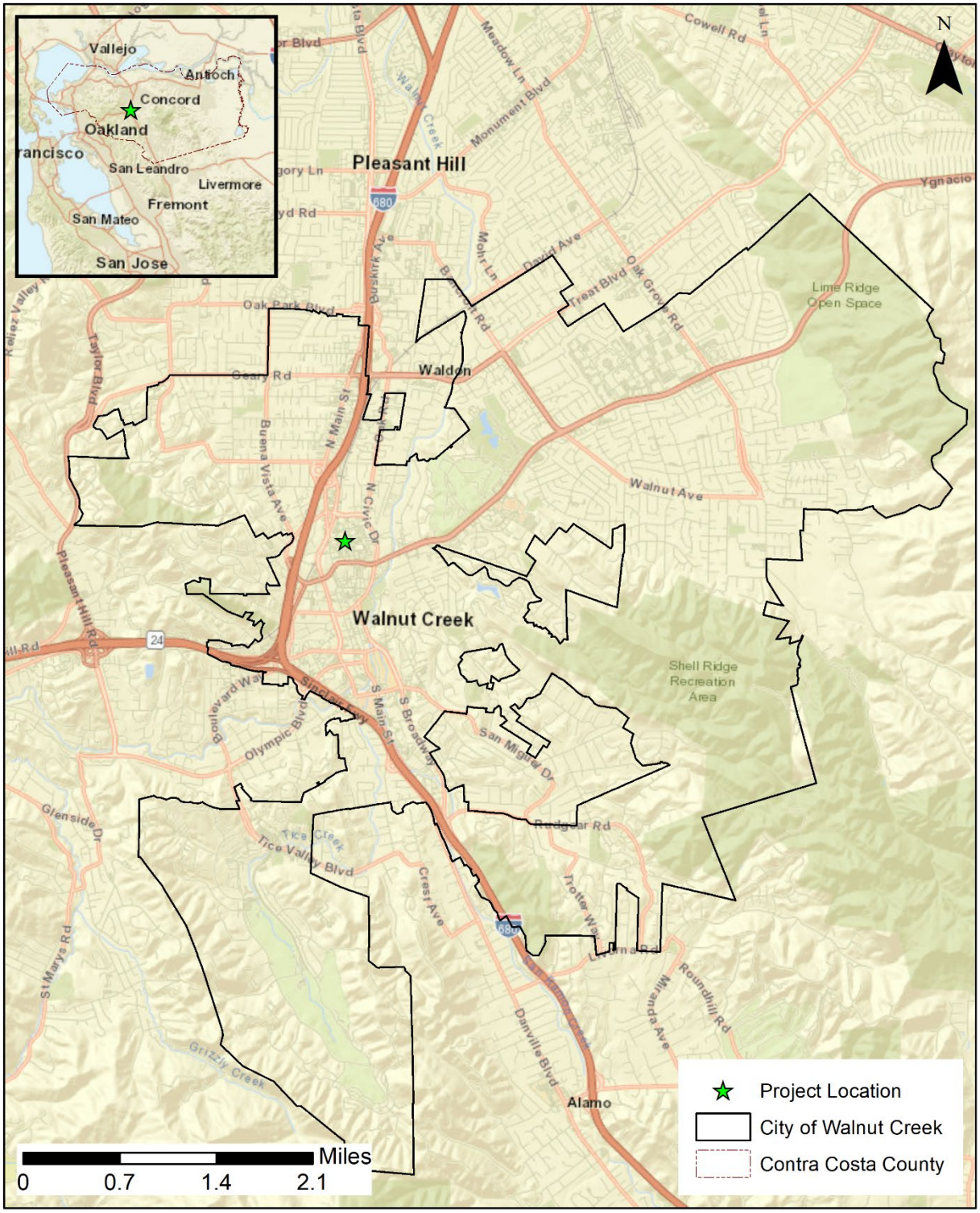


**Figure 1-1 Project Site location.**

## 1.3 Existing Conditions

The Project Site is a set of parcels totaling approximately 8.4 acres; for ease of reference, the Project Site is broken down further into Sites A through E. Most of the existing uses on the Project Site are parking lots and buildings associated with Toyota Walnut Creek's current automotive sales, service and ancillary uses. Sites A through C encompass 10 parcels including approximately 66,464 square feet of existing development. Site D includes the existing Toyota Walnut Creek dealership, consisting of approximately 14,729 square feet of development, and Site E contains an approximately 9,272 square foot commercial building. Existing uses for each site and parcel are detailed in **Table 1-1** and depicted in **Figure 1-2.**

### Table 1-1 Project Site existing uses.

| Site | District | APN | Description | APN Area (acre) | Developed Area (sq ft) |
|---|---|---|---|---|---|
| A | Mixed Use Special District | 173-131-042 | Building - formly a restaurant, parking lot | 0.41 | 9,304 |
| | | 173-131-043 | Surface Parking Lot | 0.36 | - |
| | | 173-131-055 | Building, parking lot - auto service | 0.75 | 6,950 |
| | | 173-131-056 | Surface parking lot | 0.57 | - |
| | | 173-131-057 | Building, parking lot - auto sales and service | 0.40 | 3,175 |
| | | 173-131-060 | Building, parking lot - auto sales and service | 0.28 | 4,058 |
| | | 173-131-062 | Building, parking lot - auto sales and service | 0.64 | 12,223 |
| | | 173-131-063 | Surface parking lot | 0.68 | 1,800 |
| B | Mixed Use Special District | 173-134-003 | Surface Parking Lot, Auto Services | 1.4 | 28,954 |
| C | Mixed Use Special District | 173-142-001 | Surface parking lot | 0.7 | - |
| | | | ***Mixed Use Special District Subtotal*** | ***6.19*** | ***66,464*** |
| D | Non-Special District | 173-134-001 | Dealership | 1.42 | 14,729 |
| E | Non-Special District | 173-131-031 | Commerical Building | 0.82 | 9,272 |
| | | | ***Non-Special District Subtotal*** | **2.24** | **24,001** |
| | | | **Project Total** | **8.43** | **90,465** |

*Notes:*

*Adapted from First Carbon Solutions.*

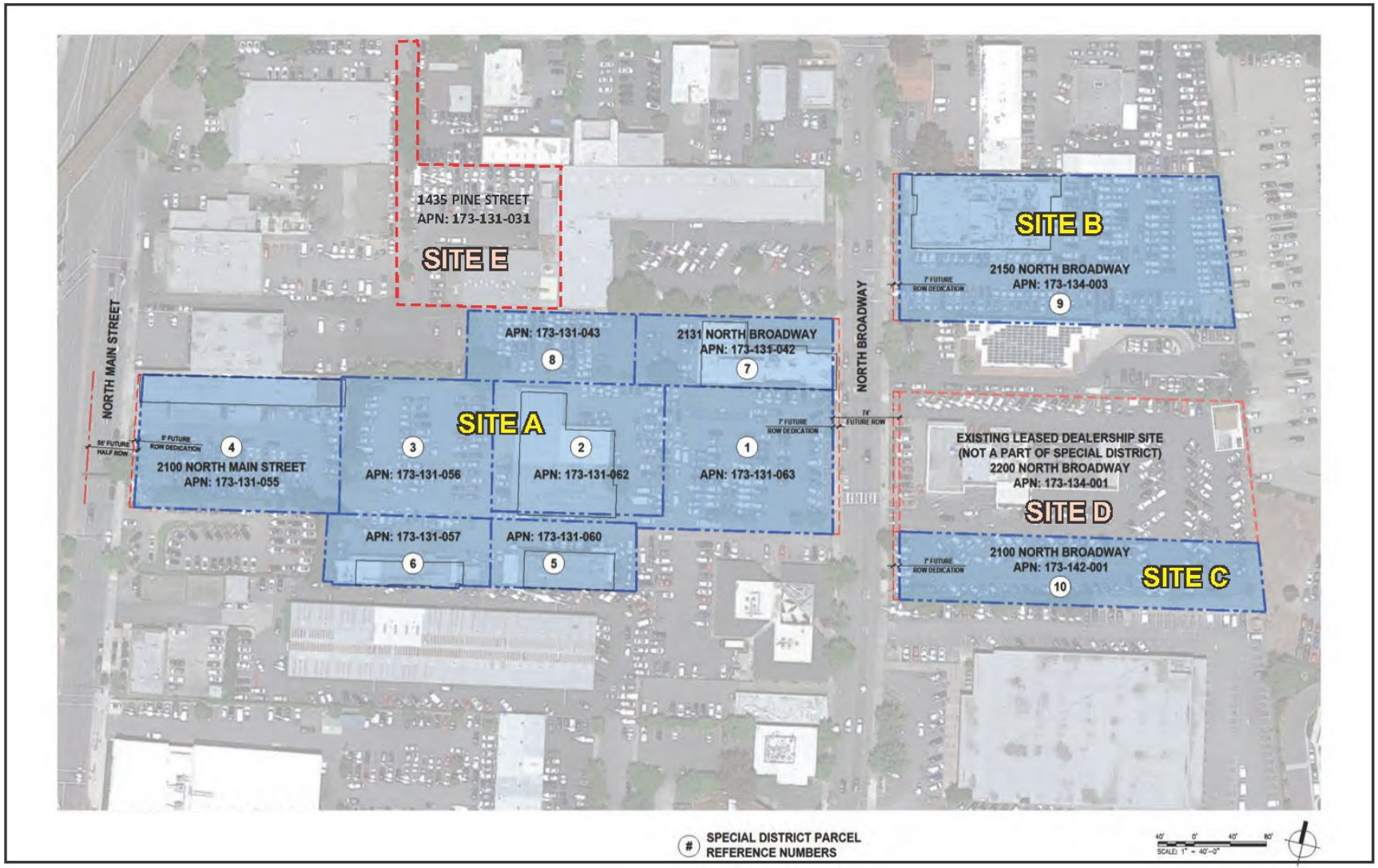


**Figure 1-2 Map showing existing Project Site conditions and parcel numbers.** Adapted from First Carbon Solutions.

## 1.4 Proposed Project

Toyota Walnut Creek proposes to create a new district within the NDSP: the Auto Sales-Custom Manufacturing Mixed Use Special District. This Mixed Use Special District would only apply to 6.2 acres of the Project (Sites A-C). This Project would include amendments to the NDSP (along with conforming amendments to the General Plan and Zoning Code to ensure consistency) to create the new Mixed Use Special District. Auto sales, service, and ancillary uses are already permitted as of right within these 6.2 acres. However, to facilitate the retention and enhancement of automotive sales, service and ancillary uses in an economically viable manner, the Applicant is proposing to amend the NDSP such that other potential uses, including multi-family residential, hotel, and/or other compatible non-residential uses, could be developed within the 6.2-acre Mixed Use Special District—along with auto sales, service, and ancillary uses—as part of a mixed-use redevelopment. Thus, a fundamental goal of the Project is to retain, enhance, and create long term sustainability of Toyota Walnut Creek auto sales, service and ancillary uses within the City of Walnut Creek. This would be achieved through redevelopment of the Project Site with a variety of mixed-use development alongside the enhanced automotive sales and services.

No specific individual development proposal has been formally submitted to the City by the Applicant at this time because the particular development parameters, including the allocation of the proposed mix of uses across the 6.2-acre Mixed Use Special District (as well as the remaining portions of the Project Site (referred to as Sites D and E)), and the ultimate size and scope of this future redevelopment are not currently known.

Under the California Environmental Quality Act (CEQA) Guidelines, the Draft Supplemental EIR for which this WSA has been prepared must evaluate the potential environmental impacts associated with the Project as compared to the impacts identified and disclosed in the NDSP EIR. Because the ultimate land uses and site plans are not currently known and there are various ways in which the subject lands could ultimately be developed under the NDSP (as amended), in order to conduct the required environmental review, this WSA, consistent with the methodology applied throughout the Project's Draft Supplemental EIR, evaluates the maximum reasonable development potential that could occur in light of reasonably available information, taking into consideration the size, potential mix of uses, and nature of the subject lands and other relevant factors. This is reflected in three different mixed-use redevelopment scenarios that are being considered in the Project's Draft Supplemental EIR with varying degrees of office/commercial, multi-family residential units, and/or hotel uses along with

automotive sales, service and ancillary uses (which would occur in all scenarios). These scenarios are outlined in **Table 1-2** and discussed in more detail in **Section 3.1.**

Multi-family residential uses would trigger the highest water demand compared to the other potential uses that could occur as part of the Project. Therefore, Scenario 3 has been determined to be the most impactful from a CEQA perspective in terms of potential water supply impacts and thus is the development scenario evaluated in detail in this WSA.[3] As shown in **Table 1-2**, Scenario 3 involves the most residential units (658 units as opposed to 132 residential units for Scenario 2 and no residential units for Scenario 1).

**Table 1-2 Proposed development scenarios.**

| Proposed Development | Description | Developed Area | | Maximum Building Height | |
|---|---|---|---|---|---|
| Scenario 1 | Auto Sales and Service | 142,094 | sq ft | 35 | ft |
| | Office | 40,546 | sq ft | 35 | ft |
| | Office | 97,221 | sq ft | 35 | ft |
| | Office | 375,727 | sq ft | 50 | ft |
| Scenario 2 | Auto Sales and Service | 142,094 | sq ft | 35 | ft |
| | Office | 40,546 | sq ft | 35 | ft |
| | Multi-Family Residential | 132 | units | 35 | ft |
| | Hotel | 723 | units | 50 | ft |
| Scenario 3 | Auto Sales and Service | 142,094 | sq ft | 35 | ft |
| | Office | 40,546 | sq ft | 35 | ft |
| | Multi-Family Residential | 132 | units | 35 | ft |
| | Multi-Family Residential | 526 | units | 50 | ft |

*Notes:*

*Adapted from First Carbon Solutions.*

[3] Accordingly, for purposes of this analysis, references to the Project demand are for Scenario 3, as the most impactful scenario, consistent with the methodology used throughout the Project's Draft Supplemental EIR.

# 2 WATER SUPPLY

The City of Walnut Creek obtains its water supply from EBMUD and, for a small portion of the City, from CCWD. The Project Site is located within the EBMUD service area and therefore this WSA evaluates Project impacts to EBMUD supply based on findings from the EBMUD's 2020 UWMP and Demand Study (Demand Study) (EBMUD, 2012). EBMUD has a variety of water supply sources that are generated outside of the City limits, and the following sections summarize the various sources of water for EBMUD (see **Table 2-1**).

**Table 2-1 EBMUD current sources of water supply.**

| Source | Contracted Volume/Capacity (mgd) | Contracted Volume/Capacity (afy) |
|---|---|---|
| Mokelumne River [1] | 325 | 364,047 |
| East Bay Watershed Runoff [2] | 23 | 25,763 |
| Emergency Standby [3] | 135 | 151,670 |
| USBR Central Valley Project Supply [4] | 119 | 133,000 |
| EBMUD Recycled Water [5] | 13 | 364,047 |

*Notes:*

*Adapted from 2020 UWMP*

*[1] EBMUD water rights allow for up to a maximum of 325 mgd per year.*

*[2] Local watershed runoff are stored in terminal reservoirs and vary depending on hydrologic conditions. 23 mgd is the average supply during a normal hydrologic year.*

*[3] Terminal reservoir storage provides approximately 6 months of emergency standby reserve. 151,670 acre-feet reflects the reservoir system total capacity.*

*[4] USBR contract provides up to 133,000 AF in a qualifying drought year, not to exceed 165,000 AF over three consecutive drought years.*

*[5] EBMUD's 2019 Recycled Water Master Plan shows a goal of generating 20 mgd of recycled water by 2040. However the 2020 UWMP uses 13 mgd of recycled water for water forecasting through 2050. While recycled water is part of EBMUD's total supply, it is not available in the vicinity of the project.*

## 2.1 Mokelumne River

EBMUD-owned Pardee and Camanche Dams on the Mokelumne River are operated together to provide flow releases for a variety of different water uses including agriculture, fisheries, hydropower, recreation, and municipal and industrial uses. Pardee Dam is primarily used for EBMUD municipal water and power generation. Municipal water is transported from Pardee Dam to EBMUD's service area through the Mokelumne Aqueduct which terminates in the City of Walnut Creek. Municipal water is then

transported throughout EBMUD's service area through water treatment plants, terminal reservoirs, and the Lafayette Aqueduct. Camanche Dam provides water releases for fisheries, recreation, and other water uses. The 1998 Joint Settlement Agreement among EBMUD, US Fish and Wildlife Service, and California Department of Fish and Wildlife provides in-stream flow releases below Camanche Dam to sustain and enhance spawning and rearing fisheries habitat. EBMUD has water rights for up to a maximum of 325 million gallons per day (mgd). Actual water available in any given year depends on Mokelumne River runoff and other water rights. Therefore, there is less supply during single-dry and multi-dry-year periods which are discussed in **Section 4** and shown in **Table 4-1**.

## 2.2 East Bay Watershed Runoff and Emergency Standby

EBMUD has five terminal reservoirs: Briones, Chabot, Lafayette, San Pablo, and Upper San Leandro Reservoirs. These five terminal reservoirs store runoff from local East Bay area watersheds and supplement Mokelumne River water supply. The terminal reservoirs provide a total capacity of 151,670 acre-feet (af) of storage, a portion of which is retained as emergency reserve storage (6-month supply) in the case of outages or failure of the Mokelumne supply aqueduct system. On average in a normal water year, local East Bay runoff provides EBMUD with 23 mgd.

## 2.3 USBR Central Valley Project

During drought years, local watershed runoff and Mokelumne River flows are supplemented with water from the US Bureau of Reclamation (USBR) from the Central Valley Project. EBMUD's 1970 contract with USBR allowed for water delivery from the American River. This contract was amended in 2000 to create a joint water supply intake from the Sacramento River (in lieu of water from the American River) through the construction of the Freeport Project. In 2006, the Long-Term Renewal contract provides 133,000 af of water for a single qualifying drought year, not to exceed a total of 165,000 af in three consecutive drought years. Qualifying years are determined by EBMUD monthly water supply forecasting starting March 1 through May 1. When forecasts project Mokelumne water supply to be below 500 thousand acre-feet (taf) on September 30, EBMUD qualifies to activate its USBR contract. In 2020, EBMUD updated its contract with USBR, replacing the Long-Term Renewal contract (set to expire in 2046) with a permanent repayment contract via the 2016 Water Infrastructure Improvements for the Nation Act.

## 2.4 Recycled Water

EBMUD has been using recycled water for irrigation projects and in-plant processes since the 1970s. In 2020, EBMUD provided an estimated 8.3 mgd of recycled water to a variety of customers. Currently EBMUD supplies recycled water generated from effluent of four wastewater treatment plants and treated secondary effluent from East Bayshore Recycled Water Project facilities. Existing and future recycled water lines are part of the East Bayshore Recycled Water Project which extends from the City of Albany to the northern portion of City of Alameda. Additional existing and future recycled water pipelines are in San Ramon Valley and serve portions of EBMUD, Dublin San Ramon Services District (DSRSD), and Pleasanton Water service areas. Existing and future Richmond recycled water projects provide the Chevron Richmond Refinery with recycled water and the Philips 66 Refinery in Rodeo will be provided recycled water in future recycled water endeavors.

EBMUD has policies in place to encourage use of recycled water. Policies require customers to use non-potable water for non-domestic purposes when the necessary quality and quantity are available at a reasonable cost and not harmful to public health or the environment. The 2019 Recycled Water Master Plan Update anticipates EBMUD to provide a total of 20 MGD of recycled water for appropriate customers within its service area by 2040. But, because of uncertainty of anticipated recycled water projects and recycled water forecasts, the Demand Study assumes 13 MGD for recycled water through 2050.

# 3 WATER DEMAND

The following section summarizes the anticipated potable- and recycled-water demand associated with implementation of the Project as detailed in **Section 3.1**. The basis for the 2020 UWMP system-wide water demand projections (**Section 3.2**) are derived from the Demand Study which calculates water demand for regions of the EBMUD service area, including the "Walnut Creek area" where the Project Site is located. Walnut Creek area water demand and projections are also detailed in **Section 3.3** below.

## 3.1 Project Demand

As described in **Section 1.4**, the proposed Project consists of the potential redevelopment of the approximately 8.4-acre Project Site, which consists of 12 parcels within the NDSP area, in the City of Walnut Creek. No specific individual development proposal has been formally submitted by the Applicant at this time. The particular development parameters, including the allocation of the proposed mix of uses across the 6.2-acre Mixed Use Special District (as well as the remaining portions of the Project referred to Sites D and E), and the ultimate size and scope of this future redevelopment are not currently known. As noted above, because the ultimate land uses and site plans are not currently known and there are various ways in which the subject lands could ultimately be developed under the NDSP (as amended), in order to conduct the required environmental review, this WSA, consistent with the methodology applied throughout the Project's Draft Supplemental EIR, evaluates the maximum reasonable development potential that could occur in light of reasonably available information, taking into consideration the size, potential mix of uses, and nature of the subject lands and other relevant factors. This is reflected in three different mixed-use redevelopment scenarios that are being considered in the Project's Draft Supplemental EIR with varying amounts of office/commercial, multi-family residential units, and/or hotel uses along with automotive sales and services (which would occur in all scenarios). Because no specific individual development proposal has been formally submitted, the scenario with the largest anticipated water demand will be used for assessment purposes within this WSA. This is a conservative approach for analyzing the Project and its impact on water supply and ensures that this WSA evaluates the maximum amount of water demand that could occur as a result of the Project.

### 3.1.1 POTABLE WATER

As a preliminary matter, **Table 3-1**compares anticipated potable water demand for each of the three potential development scenarios; this information is provided for purposes of documenting the basis for the conclusion that Scenario 3 represents the reasonable, worst case scenario for purposes of Project impacts on water supply. Water demand factors used for the estimates in **Table 3-1** are from a variety of sources:

- Retail and Industrial: EBMUD estimated the Retail and Industrial land use in the Walnut Creek Area[4] to have an average water usage rate of 2,410 gpd/ac.[5]
- Office and Industrial: EBMUD estimated the Office and Industrial land use in Walnut Creek area to have an average water usage rate of 1,514 gpd/ac.[6]
- High Density Office: EBMUD estimated the High Density Office land use in the Walnut Creek area to be an average water usage rate of 3,134 gpd/ac.[7]
- Multi-Family Residential: An average water use rate of 182 gallons per day per dwelling unit (gpd/du)[8] was used for the Multi-family residential land use. This was based on the "High-Density (ER5) residential" water usage category, as

[4] Walnut Creek area (aka Region H) in the Demand Study encompasses the City of Walnut Creek, a small portion of Pleasant Hill and the unincorporated community of Seranap.

[5] The Demand Study used 2005 as the 'existing' or 'base' year, and calculated 434 acres of Retail and Industrial land use in the Walnut Creek area with a total water demand of 1,045,914 gpd. This averages to a water rate of 2,410 gpd/ac.

[6] The Demand Study calculated 154 acres of Office and Industrial land use in the Walnut Creek area with a total water demand of 233,180 gpd. This averages to a water rate of 1,514 gpd/ac.

[7] EBMUD's Demand Study used 2005 as the base year, and calculated 66 acres of High Density Office land use in the Walnut Creek area with a total water demand of 206,838 gpd. This averages to a water rate of 3,134gpd/ac.

[8] The "High-Density Residential (ER5)" classification, as defined in the EBMUD Demand Study, is used herein for demand factors. In the absence of the "High-Density Residential (ER5)" land use in the Walnut Creek area, the average water rate was calculated from several different regions defined in the Demand Study. 1-24 acres (in Region AS, GC, GN) of High Density Residential (50 - 100 du/acre) land use generated a total water demand ranging from 65,302 to 360,344 gpd. This averages to a water rate of 182 gpd/du.

defined in the Demand Study with housing densities 50 -100 du/acre[9] which are most similar to the "Multifamily Downtown (MFD)" zoning typical of Downtown Walnut Creek.

- Hotel: This WSA uses an average water usage rate of 75 gpd/ hotel room.[10]

### Table 3-1 Potable water demand estimates for Project scenarios.

| Project | Description | Building Height | End Use Category | Developed Area (sq ft) | Developed Area (units) | Estimated Footprint Area [4] (sq ft) | (ac) | Water Use Units [5] | | Potable Water Use (afy) |
|---|---|---|---|---|---|---|---|---|---|---|
| Existing Condition | Site A: building - former restaurant | 2 story | Retail and Industrial [1] | 9,304 | | 4,652 | 0.1 | 2,409.9 | gpd/ac | 0.3 |
| | Site A: parking lot | | - | - | | | - | - | - | - |
| | Site A: building, parking lot - auto service | 1 story | Office and Industrial [1] | 6,950 | | 6,950 | 0.2 | 1,514.2 | gpd/ac | 0.3 |
| | Site A: parking lot | | - | - | | | - | - | - | - |
| | Site A: building, parking lot - auto sales and service | 1 story | Office and Industrial | 3,175 | | 3,175 | 0.1 | 1,514.2 | gpd/ac | 0.1 |
| | Site A: building, parking lot - auto sales and service | 1 story | Office and Industrial | 4,058 | | 4,058 | 0.1 | 1,514.2 | gpd/ac | 0.2 |
| | Site A: building, parking lot - auto sales and service | 1 story | Office and Industrial | 12,223 | | 12,223 | 0.3 | 1,514.2 | gpd/ac | 0.5 |
| | Site A: parking lot | | - | 1,800 | | 1,800 | 0.0 | 1,514.2 | gpd/ac | 0.1 |
| | Site B - Parking Lot, Auto Services | 2 story | Office and Industrial | 28,954 | | 14,477 | 0.3 | 1,514.2 | gpd/ac | 0.6 |
| | Site C - Parking Lot | | Office and Industrial | - | | | - | - | - | - |
| | Site D - Dealership | 1 story | Office and Industrial | 14,729 | | 14,729 | 0.3 | 1,514.2 | gpd/ac | 0.6 |
| | Site E - Commercial Building | 1 story | Office and Industrial | 9,272 | | 9,272 | 0.2 | 1,514.2 | gpd/ac | 0.4 |
| | | | | | | **Total** | **2** | | **Total** | **2.9** |
| Scenario 1 | Auto Sales and Service | 3 story | Office and Industrial | 142,094 | | 47,365 | 1.1 | 1,514.2 | gpd/ac | 1.8 |
| | Office | 3 story | High Density Office [1] | 40,546 | | 13,515 | 0.3 | 3,133.9 | gpd/ac | 1.1 |
| | Office | 3 story | High Density Office | 97,221 | | 32,407 | 0.7 | 3,133.9 | gpd/ac | 2.6 |
| | Office | 4 story | High Density Office | 375,727 | | 93,932 | 2.2 | 3,133.9 | gpd/ac | 7.6 |
| | | | | | | **Total** | **4.3** | | **Total** | **13.1** |
| | | | | | | | | | **Scenario 1 Net Demand** | **10.2** |
| Scenario 2 | Auto Sales and Service | 3 story | Office and Industrial | 142,094 | | 47,365 | 1.1 | 1,514.2 | gpd/ac | 1.8 |
| | Office | 3 story | High Density Office | 40,546 | | 13,515 | 0.3 | 3,133.9 | gpd/ac | 1.1 |
| | Multi-Family Residential | 3 story | Multi-Family Residential [2] | | 132 | | 1.3 | 182 | gpd/du | 26.9 |
| | Hotel | 4 story | Hotel [3] | | 723 | | 5.2 | 75 | gpd/du | 60.7 |
| | | | | | | **Total** | **7.9** | | **Total** | **90.6** |
| | | | | | | | | | **Scenario 2 Net Demand** | **87.7** |
| Scenario 3 | Auto Sales and Service | 3 story | Office and Industrial | 142,094 | | 47,365 | 1.1 | 1,514.2 | gpd/ac | 1.8 |
| | Office | 3 story | High Density Office | 40,546 | | 13,515 | 0.3 | 3,133.9 | gpd/ac | 1.1 |
| | Multi-Family Residential | 3 story | Multi-Family Residential | | 132 | | 1.32 | 182 | gpd/du | 26.9 |
| | Multi-Family Residential | 4 story | Multi-Family Residential | | 526 | | 5.26 | 182 | gpd/du | 107.3 |
| | | | | | | **Total** | **8.0** | | **Total** | **137.1** |
| | | | | | | | | | **Scenario 3 Net Demand** | **134.2** |

*Notes:*

*[1] Retail, office and industrial water demands were estimated from EBMUD 2040 Demand Study. Values from Table 3.2 and 4.4 were used to calculate water use factors in gallons per day per acre (gpd/ac).*

*[2] Muti-family residential, ER5, water demands estimated from EBMUD 2040 Demand Study. Values from Table 3.2 and 4.4 were used with an average density of 100 du/acre to calculate a water demand factor in units of gallons per day per dwelling unit (gpd/du). 100 du/ac also used estimate residential acreages.*

*[3] Hotel water demands estimated from Table 2 of the 2017 Water Supply Assessment for the Broadway District Specific Plan, water demand factor in units of gallons per day per dwelling unit (gpd/du).*

*[4] The Proposed floor square-footage (outlined in Table 2) was converted to an estimated parcel acreage by dividing proposed developed area (sq ft) by estimated building stories. Based on this conversion, Office and Industrial is estimated to be 1.1 ac and High Density Office is estimated to be 0.3 ac.*

[9] Average water use rates for the Multi-family Residential land use were calculated using a density of 50, 75, and 100 du/acres, and then compared to other demand factors presented in recent publications such as the 2007 City of Santa Clara Sewer Capacity Assessment, 2019 WSA for East Whisman Precise Plan Project (in City of Mountain View), and 2018 City of Brentwood: Priority Area 1 Specific Plan WSA. Based on this comparison, it was determined that 100 du/acre was an appropriate housing density to use to calculate average water rate for the Multi-family Residential land use.

[10] In the absence of hotel water rates in the Demand Study, the next best readily available hotel water rates are provided in recent WSA documents for projects in the vicinity. The hotel water rate of 75 gpd/hotel room was used in the 2017 WSA for the Broadway District Specific Plan (in the City of Vallejo) and 2016 WSA for Watson Ranch (in the City of American Canyon).

Using the water demand factors described above, **Table 3-1** details the estimated water demand for existing uses and each of the proposed development scenarios. As noted above, existing development on the Project Site consists mostly of parking lots and buildings associated with Toyota Walnut Creek automotive sales, service and ancillary uses and is estimated to use a total of approximately 2.9 afy of potable water. In contrast, potable water demand for the various development scenarios ranges between approximately 13.1 to 137.1 afy. This means the Project may increase water demand by approximately 10.2 to 134.2 afy as compared to existing conditions. Scenario 3, having the greatest number of residential units, is estimated to have the highest net potable water demand (at 134.2 afy) and thus is used as the basis of assessment for the potential Project demand moving forward in this WSA.

The 2005 water demand factors used to estimate future Project demand are likely conservatively high, as newer developments tend to include (and are often required to have, pursuant to applicable local and state laws and regulations) higher efficiency standards and water conservation mandates than those that were used in older developments, including features such as low-irrigation landscaping and low-flow plumbing fixtures. Many cities in EBMUD's service area, including the City of Walnut Creek, encourage the use of EBMUD rebate programs for water conservation in residential and commercial settings. Residential rebates include lawn conversion, irrigation upgrade, flowmeters, greywater, water saving devices, mulch and compost rebates and coupons. In a commercial setting, EBMUD provides landscape water use evaluations, equipment inspections, training, recommendations, water budget, and lawn conversion and irrigation equipment rebates. Additionally, SB 407/Civil Code Section 1101.5 provides guidance for multi-family residential properties and commercial buildings built or redeveloped after January 2014. When the building area is increased by 10% or the construction is more than $150,000, plumbing fixtures should be updated to water-saving plumbing fixtures. Given these factors, the Project's water usage will likely be even less of an increase relative to EBMUD project demand than stated above. However, as noted above, for purposes of a conservative analysis, this WSA utilizes demand factors consistent with EBMUD projections.

### 3.1.2 Recycled Water

EBMUD does not have existing recycled water infrastructure in the City of Walnut Creek and does not have plans to extend such infrastructure into Walnut Creek in the future. Therefore, the Project and this WSA do not anticipate the use of recycled water to serve the Project.

## 3.2 EBMUD System-Wide Demand

Pursuant to SB 610, this WSA evaluates Project water demand in the context of EBMUD's system-wide water supply and demand. The 2020 UWMP projected water demand for 2020 through 2050 is detailed in **Table 3-2** below. The demand projections included in the 2020 UWMP were based on water demand projections that were originally calculated in the Demand Study but were adjusted to match recent demand trends.[11]

**Table 3-2 EBMUD system-wide water demand projections.**

| | 2020 (mgd) | 2025 (mgd) | 2030 (mgd) | 2035 (mgd) | 2040 (mgd) | 2045 (mgd) | 2050 (mgd) |
|---|---|---|---|---|---|---|---|
| *Projected Potable Water Demand (UWMP)* | *238* | *245* | *254* | *264* | *277* | *287* | *297* |
| *Projected Water Conservation (UWMP)* | *-48* | *-53* | *-58* | *-61* | *-63* | *-65* | *-66* |
| *Water Conservation (%)* | *20.2%* | *21.6%* | *22.8%* | *23.1%* | *22.7%* | *22.6%* | *22.2%* |
| *Recycled Water Demand (UWMP)* | *-5* | *-6* | *-6* | *-9* | *-13* | *-13* | *-13* |
| *Raw Water (UWMP)* | *-0.2* | *-0.2* | *-0.2* | *-0.2* | *-0.2* | *-0.2* | *-0.2* |
| **Total Water Demand (UWMP)** | **185** | **186** | **190** | **194** | **201** | **209** | **218** |

*Notes:*

*From 2020 EBMUD UWMP, Tables 3-1*

## 3.3 Project Water Demand Compared to EBMUD's Demand Projections

The following section focuses on the Project in the context of EBMUD's system-wide demand projections (as summarized above in **Section 3.2**), which were derived from subregion demand calculations included in the Demand Study.

The Demand Study calculated the 2005 water demands by various regions throughout the service area and are considered the "existing" or "base year" water demands. The Demand Study also includes information about assumed growth in various regions throughout EBMUD's service area, including the "Walnut Creek area" (which is defined as Region H) where the Project Site is located.

The Demand Study used 2005 as the base year for water demand estimates for various land use categories and then used adjustment factors for anticipated changes to land use and consumption patterns in the future. Land use changes were obtained from

[11] See additional discussion of changes in demand estimates in Section 4.3.

general plans and consumption patterns were derived from information such as demographics and economic patterns and policies, unmetered water, and existing or new development to estimate future water demand through 2040. For the Walnut Creek area, the base year water demands were estimated at 8.5 mgd or approximately 4% of the total EBMUD service area water demands.[12]

Anticipated growth in the Walnut Creek area, as assessed in the Demand Study, included high density residential, commercial and mixed-use projects planned for downtown including the NDSP area,[13] which was estimated to increase water demand in the Walnut Creek area by approximately 0.5 mgd or 560 afy and increase to 9.0 mgd or 10,081 afy by 2030.[14] Because the projected 2030 water demand of 9.0 mgd includes an adjustment for system-wide water conservation efforts for existing users, a back calculation was used to estimate water demand based solely on the projected growth. Based on water conservation efforts of 22.8% (the assumed water conservation in 2030 as shown in **Table 3-2**), the 2030 water demand increases in the Walnut Creek area due to growth are 0.614 mgd or 688 afy. This increase is approximately 5 percent of the total water demand increase projected for the entire EBMUD service area by 2030 (**Table 3-2**).

The Project is estimated to increase water use at the Project Site by up to 134 afy of water, which is well within the expected range of increased water demand (688 afy increase) in the Walnut Creek area by 2030 (the assumed date of build-out, as detailed in the Demand Study). Because the Project Site is an already-developed infill site located within EBMUD's existing service area and is in an urbanized area in the Core Downtown near public transit where intensification of development has long been anticipated, it is reasonable to conclude that a portion, if not all, of the Project's water usage is accounted for in the Demand Study. Project water demand in relation to the Demand Study is detailed in **Table 3-3**.

[12] Adapted from Table 4.4 of the Demand Study.
[13] Adapted from Figure 3.3, Table 3.1 and 3.3 of the Demand Study
[14] Extrapolated from Figure 6.5 from the Demand Study.

**Table 3-3 Project water use in the context of the EBMUD Demand Study.**

| Project Scenario | Project Water Demand [1] *(afy)* | Walnut Creek Area Increased Demand [2] *(afy)* |
|---|---|---|
| 3 | 134.2 | 687.8 |

*Notes:*

[1] *from Table 4.*

[2] *Projected water demand in Walnut Creek area, 687.8 afy. Derived from the Demand Study.*

# 4 SUPPLY AND DEMAND COMPARISON

## 4.1 Water Supply and Demand System-wide

This section compares existing and future EBMUD water demand to anticipated available supply under 'normal year,' 'single dry year,' and 'multiple dry year' scenarios for the entirety of the EBMUD service area. Reliability of potable water varies by year, as shown in **Table 4-1** (as reported in the 2020 UWMP). The supply and demand for potable water under 'normal year,' 'single dry year,' and 'multiple dry year' scenarios are discussed below.

**Table 4-1 Projected water supply for EBMUD service area for various year types.**

| Year Type | Source (mgd) | 2020 | 2025 | 2030 | 2035 | 2040 | 2045 | 2050 |
|---|---|---|---|---|---|---|---|---|
| Normal Year | Mokelumne River [mgd] | 325 | 325 | 325 | 325 | 325 | 325 | 325 |
| | EBMUD Water Demand [mgd] | 181 | 186 | 190 | 194 | 201 | 209 | 218 |
| | **Difference [mgd]** | 144 | 139 | 135 | 131 | 124 | 116 | 107 |
| | **Difference [TAF][1]** | 161 | 156 | 151 | 147 | 139 | 130 | 120 |
| Dry Year 1 | Mokelumne River [mgd] | 121 | 126 | 129 | 132 | 138 | 144 | 151 |
| | Central Valley Project (CVP) [mgd] | 60 | 60 | 60 | 60 | 60 | 60 | 60 |
| | Total Water Supply [mgd] | 181 | 186 | 189 | 192 | 198 | 204 | 211 |
| | Voluntary Rationing [%] | 0 | 0 | 1 | 1 | 2 | 2 | 3 |
| | Water Demand After Rationing [mgd] | 181 | 186 | 188 | 192 | 197 | 205 | 211 |
| | **Difference [mgd]** | 0 | 0 | 1 | 0 | 1 | -1 | 0 |
| | **Difference [TAF]** | 0 | 0 | 1 | 0 | 1 | -1 | -1 |
| Dry Year 2 | Mokelumne River [mgd] | 82 | 86 | 89 | 92 | 98 | 104 | 111 |
| | CVP [mgd] | 74 | 74 | 74 | 74 | 74 | 74 | 74 |
| | Total Water Supply [mgd] | 156 | 160 | 163 | 166 | 172 | 178 | 185 |
| | Mandatory Rationing [%] | 13 | 13 | 13 | 14 | 14 | 14 | 15 |
| | Water Demand After Rationing [mgd] | 157 | 162 | 165 | 167 | 173 | 180 | 185 |
| | **Difference [mgd]** | -1 | -2 | -2 | -1 | -1 | -2 | 0 |
| | **Difference [TAF]** | -2 | -2 | -3 | -1 | -1 | -2 | 0 |
| Dry Year 3 | Mokelumne River [mgd] | 141 | 145 | 146 | 145 | 132 | 118 | 105 |
| | CVP [mgd] | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| | Total Water Supply [mgd] | 153 | 157 | 158 | 157 | 144 | 130 | 117 |
| | Mandatory Rationing [%] | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| | Water Demand After Rationing [mgd] | 154 | 158 | 162 | 165 | 171 | 178 | 185 |
| | **Difference [mgd]** | -1 | -1 | -4 | -8 | -27 | -48 | -68 |
| | **Difference [TAF]** | -1 | -1 | -4 | -9 | -30 | -53 | -77 |

*Notes:*

*Adapted from 2020 UWMP, Table W-3, it can be assumed that any deficiencies less than 5 TAF are within the error of the analysis and those water demands can be met by the water supply.*

[1] *USGS unit conversion of 1 MGD = 1.121 TAF. Differences between Table W-3 are due to differences in conversion factors and rounding differences.*

### 4.1.1 NORMAL YEAR

In a 'normal year', the 2020 UWMP assumes Mokelumne River water supply is available up to the maximum water right of 325 mgd and shows supply exceeding the water

demand within EBMUD's service area through the entire 2050 planning period. Excess supply during this period ranges between 120 and 156 taf/year.

### 4.1.2 Single Dry Year

Under the 'single-dry-year' scenario, the 2020 UWMP assumes Mokelumne River water supply is available at 37-46% of normal-year supply and is supplemented by the Central Valley Project contract (as detailed in **Section 2.3**). The 2020 UWMP also assumes voluntary water conservation practices are between 0 – 10%. Together, the two water supply sources and voluntary implementation of water conservation practices will sufficiently meet single-dry-year demand through 2050.

### 4.1.3 Multiple Dry Years

In the multiple-dry-year scenarios, the 2020 UWMP also assumes Mokelumne River water supply is supplemented by the Central Valley Project contract in each of the three drought years. Additionally, these multiple-dry-year scenarios assume mandatory water conservation practices (ranging between 10 to 15%) throughout the EBMUD service area to reduce the water demand.[15] By Year 3 of a drought, the 2020 UWMP predicts supply shortages starting in 2035. These shortages range from 9 taf (in 2035) to 77 taf (in 2050).

EBMUD is actively pursuing several options to address these shortfalls, as detailed in the 2020 UWMP and summarized in **Section 4.2** below.

## 4.2 Potable Water Deficiency Resolution

To address deficiencies projected in multi-year droughts (detailed in **Table 4-1**), the 2020 UWMP outlines EBMUD's plan to continue to meet water demand during drought years. EBMUD is in the process of diversifying its long-term water sources described in detail in the 2020 UWMP and summarized below.

### 4.2.1 Groundwater

Since 2010 with the completion of Phase 1 of the Bayside Groundwater Project, EBMUD has been exploring conjunctive use and groundwater banking through injection of

[15] For reference, during the recent 2013-2015 drought, 10% voluntary water conservation practices were achieved by February 2014 and were sustained through April 2014. By December 2014, 15% voluntary water conservation practices were achieved, and 20% mandatory water conservation practices were implemented by April, 2015.

potable water into deep aquifers of the East Bay Plain Subbasin and extraction of groundwater during drought years. Additionally, EBMUD is exploring groundwater banking outside of its service area. The Demonstration Recharge Extraction and Aquifer Management Pilot Project in eastern San Joaquin County will help inform EBMUD along with North San Joaquin Water Conservation District, San Joaquin County, and Eastern Water Alliance on future groundwater recharge/pumping projects.

### 4.2.2 Water Transfers

EBMUD plans to the use the Freeport Project to convey water transfers to the EBMUD service area to supplement dry-year water supplies. Future short-term and long-term water transfer contracts are in progress with Placer County Water Agency, Yuba County Water Agency, and Sycamore Mutual Water Company. These water transfers are important to the reliability of future EBMUD water supply during drought years.

### 4.2.3 Surface Water Storage Expansion

EBMUD is also considering the expansion of the Los Vasqueros Reservoir, which is being coordinated with the Contra Costa Water District. In surplus water years, EBMUD would provide water to Los Vasqueros Reservoir and in turn EBMUD could obtain water from the reservoir during droughts or regional emergencies. EBMUD would have the rights to up to 30 taf of the expanded reservoir capacity (an amount equivalent to 100 percent of the water supply deficiency in 2040 during multi-year droughts), and this potential water source could be available as soon as 2031.

### 4.2.4 Other Regional Partnerships

Additionally, EBMUD along with the 7 other of Bay Area's largest water suppliers participate in the Bay Area Regional Reliability (BARR) Project. In 2019, the BARR project facilitated water sharing and transfer among the partners during drought years and regional shortages by using existing infrastructure and agreements through the Bay Area Shared Water Access Program (SWAP). SWAP will continue to develop and will submit a Strategy Report to USBR in 2022.

### 4.2.5 Other Local and Regional Projects

Bay Area agencies are evaluating a regional desalination project. In addition, EBMUD has several infrastructure upgrade projects slated through 2032. These local and regional projects could improve the sustainability of local water supply.

## 4.3 Project Water Demand in the Context of EBMUD's Supply and Demand Projections

A comparison of projected water demands in current and past UWMP documents shows that long-term actual water usage is generally less than projected demand, especially during a normal year scenario. Additionally, in general, demand projections tend to decrease as the UWMPs are updated every five years, which suggests these projections are conservative in nature (as is appropriate for this type of planning study) or simply a result of lower-than-anticipated regional growth rates (**Table 4-2**). Therefore, **Table 4-2** suggests there is flexibility within the EBMUD's system-wide projections, and the Project's net water increases (134 afy) are well within the range of conservatism inherent in EBMUD's projections. It is important to note that a large portion, if not all, of the Project's anticipated demand is already accounted for in EBMUD's projections (see **Section 3.3**). **Table 4-2** simply highlights EBMUD's range of conservatism inherent in the UWMP analysis, and thus the ability to accommodate any portion of the Project's water demand that may not already accounted for in the Demand Study as part of its system-wide supply.

### Table 4-2 Actual water use compared to projected water demand for 2010-2020.

| Year | Actual Water Use [1] (afy) | Demand Projection: Normal year | | | Demand Projection: Dry Year 3 | | |
|---|---|---|---|---|---|---|---|
| | | 2010 UWMP [3] (afy) | 2015 UWMP [4] (afy) | 2020 UWMP [5] (afy) | 2010 UWMP (afy) | 2015 UWMP (afy) | 2020 UWMP (afy) |
| 2005 | 266,640 | - | - | - | - | - | - |
| 2010 | 227,079 | 242,112 | - | - | 205,122 | - | - |
| 2015 | 202,953 | 249,958 | 212,968 | - | 211,848 | 170,375 | - |
| 2020 [2] | 190,429 | 247,716 | 243,232 | 202,880 | 210,727 | 195,034 | 172,448 |
| 2025 | | 251,079 | 244,353 | 208,485 | 212,968 | 195,034 | 177,212 |
| 2030 | | 256,683 | 248,837 | 212,968 | 205,122 | 199,518 | 181,023 |
| 2035 | | 256,683 | 256,683 | 217,452 | 183,825 | 205,122 | 184,834 |
| 2040 | | 257,804 | 257,804 | 225,298 | 161,408 | 206,243 | 191,503 |
| 2045 | | - | - | 234,265 | - | - | 199,126 |
| 2050 | | - | - | 244,353 | - | - | 207,700 |

*Notes:*

[1] *Actual water use for service area from EBMUD report archives found: https://www.ebmud.com/about-us/publications/recurring-reports-archived/*

[2] *Actual water use for 2020 derived from 2020 UWMP, Table F-8 & Table 1-3*

[3] *Projected water demand from 2010 UWMP, Table 4-3. Normal year demand projections are the same as the Demand Study, Table 6.1*

[6] *Projected water demand from 2015 UWMP, Table 4-5*

[7] *From Table 8*

# 5 CONCLUSION

This Water Supply Assessment (WSA) is intended to support environmental planning documentation by analyzing the projected water usage for the Project in the context of EBMUD water supply and demand, the water supplier for the Project.

In general, the proposed redevelopment of the Project Site as contemplated by the Project would be considered consistent with well-established smart urban growth elements including opportunities to develop water-efficient high-density multi-family residential units, along with other mixed uses, centrally located near public transit and mixed-use commercial areas. The developed portion of the Project Site under existing conditions is estimated to use just under 3 afy. The Project (Scenario 3) would use up to an estimated 137 afy of potable water. This means that the Project may increase water demand by up to approximately 134 afy.

In summary, EBMUD's total projected water supplies available during normal, single-dry and multiple-dry water years during a 20-year projection are sufficient to meet the projected water demand associated with the Project, in addition to the EBMUD's existing and planned future uses, including agricultural and manufacturing uses. The Project's water use would not significantly constrain EMBUD's supply over the long-term and can be assumed to be accounted for in the EBMUD demand projections with room for additional development by other entities based on the factors below:

- The Project's water demand projections are conservative in that the analysis utilizes EBMUD's 2005 base year demand factors (which do not account for recent improvements and state and local mandates in water-use efficiency and required water conservation). Thus, the Project water use factors used for this WSA can be assumed to be conservatively high water use estimates for new development.
- The Project's maximum anticipated water demand (134 afy) is well within the projected demand increase for the Walnut Creek area (688 afy) that was calculated as part of the Demand Study. Because the EBMUD system-wide demand projections are based on the calculations in the Demand Study, it is reasonable to conclude that the Project's anticipated water demands are accounted for in the system-wide demand projections in the 2020 UWMP.
- Comparison of forecasted water demands from current and past UWMP documents demonstrate that water demand projections for a given year tend to

decrease when UWMPs are updated. This highlights the fact that EBMUD's system-wide supply and demand projections are conservatively high or simply reflects lower-than-anticipated regional growth rates.[16] These conservative system-wide demand projections provide an additional buffer to conclude that all of the Project's anticipated water demand is appropriately accounted for in the relevant EBMUD demand projections.

[16] In this case, use of conservatively high demand projections for the UWMP is appropriate and reasonable as a way to identify potential future supply constraints. We highlight this fact here simply as a way to demonstrate the potential magnitude of this conservatism, and how that amount relates to the proposed water demand of the Project.

# 6 LIMITATIONS

This technical report was prepared in general accordance with the accepted standard-of-practice existing in Northern California at the time the analyses were performed. No other warranty is made or implied. Readers are asked to contact us if they have additional relevant information or wish to propose revisions or modified descriptions of conditions, such that the best data can be applied at the earliest possible date.

# 7 REFERENCES

Balance Hydrologics, 2017. Water Supply Assessment for the Broadway District Specific Plan (in the City of Vallejo). Prepared for First Carbon Solutions, 54 p.

Brown, S., and Shaw, D., 2017. Water Supply Assessment for the Broadway District Specific Plan. Prepared by Balance Hydrologics, Inc. for First Carbon Solutions, 54 p.

City of Santa Clara, 2007. City of Santa Clara Sanitary Sewer Capacity Assessment: Chapter 2 Land Use and Flow Estimates.

City of Walnut Creek, 2020. City of Walnut Creek General Plan 2025. Adopted in 2006, including all amendments in 2017 & 2020, 242 p.

City of Walnut Creek, 2019. City of Walnut Creek North Downtown Specific Plan. Approved in 2019, 200 p.

EBMUD, 2006. EBMUD 2006 Annual Report: The EBMUD Way.

EBMUD, 2010. Urban Water Management Plan 2010.

EBMUD, 2011. Anticipating Change, Creating Stability. EBMUD 2010-2011 Biennial Report.

EBMUD, 2012. Water Supply Management Program 2040: Appendix C – 2040 Demand Study.

EBMUD, 2015a. Urban Water Management Plan 2015.

EBMUD, 2015b. Water: Rising to the Challenge. EBMUD 2014-2015 Biennial Report.

EBMUD, 2021. Urban Water Management Plan 2020.

Schaaf & Wheeler, 2019. Water Supply Assessment for East Whisman Precise Plan Project. Prepared for the City of Mountain View, 38 p.

West Yost Associates, 2016. City of American Canyon Water Supply Assessment for Watson Ranch. Prepared for City of American Canyon.

West Yost Associates, 2018. City of Brentwood: Priority Area 1 Specific Plan Water Supply Assessment. Prepared for the City of Brentwood, 58 p.

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# K.2 - EBMUD WSA Approval

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# BOARD OF DIRECTORS
# EAST BAY MUNICIPAL UTILITY DISTRICT

375 - 11th Street, Oakland, CA 94607 Office of the Secretary: (510) 287-0440

# AGENDA

## REGULAR CLOSED SESSION

**Tuesday, February 28, 2023**
**11:00 a.m.**
**Boardroom, 2nd Floor**
**375 11th Street**
**Oakland, CA 94607**

*****Please see appendix for public participation instructions*****

**ROLL CALL:**

**PUBLIC COMMENT:** The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

**ANNOUNCEMENT OF CLOSED SESSION AGENDA:**

1. Existing litigation pursuant to Government Code section 54956.9(a):

    a. *Saji Pierce, et al. v. East Bay Municipal Utility District*
    USDC, N.D. Cal., Case No. 3:21-cv-04325-AGT

    b. *AFSCME Local 444 v. East Bay Municipal Utility District*
    Public Employment Relations Board, Case No. SF-CE-1973-M

    c. *AFSCME Local 444 v. East Bay Municipal Utility District*
    Public Employment Relations Board, Case No. SF-CE-1975-M

2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one matter.

***(The Board will discuss Closed Session agenda items in the Training Resource Center.)***

# REGULAR BUSINESS MEETING
## 1:15 p.m.

## ***Please see appendix for public participation instructions***

**ROLL CALL:**

**BOARD OF DIRECTORS:**

- Pledge of Allegiance

**ANNOUNCEMENTS FROM CLOSED SESSION:**

**PUBLIC COMMENT:** The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

**CONSENT CALENDAR:** (Single motion and vote approving 10 recommendations, including 1 resolution.)

1. Approve the Regular Meeting Minutes of February 14, 2023.

2. File correspondence with the Board.

3. Award a contract to the lowest responsive/responsible bidder, Garney Pacific, Inc., in an amount not to exceed $276,500 for the construction of the Main Wastewater Treatment Plant Laboratory Media Room Improvements Project under Specification SD-441.

4. Authorize an agreement beginning on or after March 1, 2023 with Fishery Foundation of California in an amount not to exceed $280,000 over five years for the net pen acclimation and release of fall Chinook salmon smolts from the Mokelumne River Fish Hatchery.

5. Authorize an agreement beginning on or after February 28, 2023 with Sandis Civil Engineers Surveyors Planners in an amount not to exceed $159,428 for traffic engineering and design services for four large diameter pipeline replacement projects.

6. Authorize an agreement beginning on or after February 28, 2023 with Trimark Associates, Inc. for $145,000 for five years, with an option to renew for an additional five-year period for a total amount, including option years, not to exceed $300,000 for meter data management services and Qualified Reporting Entity services for the revenue meters located at the District's hydropower plants and biogas generation facilities and maintenance of the Remote Intelligent at the Pardee hydropower plant.

7. Approve the Water Supply Assessment requested by the City of Walnut Creek for the Toyota Walnut Creek Mixed-Use Special District Project pursuant to California Water Code, Sections 10910-10915.

8. Authorize the Office of General Counsel to continue the employment of the law firm of Meyers Nave for specialized legal services related to labor and employment matters.

9. Approve the January 2023 Monthly Investment Transactions Report.

**CONSENT CALENDAR:** (Continued)

10. Amend the Fiscal Year 2023 Wastewater System operating budget in the amount of $15,000,000 in order to pay Waste Management of Alameda County, Inc. (WMAC) pursuant to the terms of a settlement agreement with WMAC in the matter of *Waste Management of Alameda County, Inc. v. East Bay Municipal Utility District*, Alameda County Superior Court, Case No. RG21094336. (Resolution)

**DETERMINATION AND DISCUSSION:**

11. Adopt a resolution to recognize Lunar New Year. (Resolution)

12. General Manager's Report:
    - Water Supply Update: water production, precipitation to date, reservoir storage, and water supply forecasts

**REPORTS AND DIRECTOR COMMENTS:**

13. Committee Reports:
    - EBRPD/EBMUD Liaison
    - Planning
    - Finance/Administration

14. Other Items for Future Consideration.

15. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, March 14, 2023.***

**Disability Notice**

*If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.*

**Document Availability**

*Materials related to an item on this agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.*

# BOARD CALENDAR

***Meeting dates, times, and locations are subject to change***

| Date | Meeting | Time/Location | Topics |
|---|---|---|---|
| **Tuesday, February 28** | **Finance/Administration Committee** | 8:30 a.m. | • Monthly Investment Transactions Report<br>• FY 2023 Semi-Annual Budget Performance Report<br>• Semi-Annual Internal Audit Report |
| | **Long-Term Water Supply Workshop** | 9:00 a.m. | |
| | **Board of Directors** | 11:00 a.m.<br>Boardroom<br>1:15 p.m.<br>Boardroom | • Closed Session<br>• Regular Meeting |
| **Tuesday, March 14** | **Planning Committee** | TBD | |
| | **Legislative/Human Resources Committee** | TBD | |
| | **Board of Directors** | 11:00 a.m.<br>TBD<br>1:15 p.m.<br>TBD | • Closed Session<br>• Regular Meeting |
| **Tuesday, March 28** | **Finance/Administration Committee** | TBD | |
| | **FY 2024/2025 Budget Workshop No. 1** | TBD | |
| | **Board of Directors** | 11:00 a.m.<br>TBD<br>1:15 p.m.<br>TBD | |
| **Friday, March 31** | **Cesar Chavez Day** | | *District Offices Closed* |

**2023 Board Committee Members**

| | |
|---|---|
| Finance/Administration | Patterson {Chair}, Chan, Coleman |
| Legislative/Human Resources | McIntosh{Chair}, Coleman, Patterson |
| Planning | Linney {Chair}, McIntosh, Young |
| Sustainability/Energy | Young {Chair}, Katz, Linney |

EBMUD

# APPENDIX

## Closed Session and Regular Business Meetings
## Tuesday, February 28, 2023
## 11:00 a.m. and 1:15 p.m.

*EBMUD public Board meetings will be conducted in person in the Boardroom and accessible via Zoom. These meetings are recorded, live-streamed, and posted on the District's website.*

*Online**
https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDF2UDg2b0IyUT09
Webinar ID: 970 6508 6667
Passcode: 238500

*By Phone**
Telephone: 1 669 900 6833
Webinar ID: 970 6508 6667
Passcode: 238500
International numbers available: https://ebmud.zoom.us/u/adMXn1VnPp

*To familiarize yourself with Zoom, please visit https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting

**Providing public comment** - *The EBMUD Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.*

- Each speaker is allotted 3 minutes to speak; the Board President has the discretion to amend this time based on the number of speakers
- The Secretary will track time and inform each speaker when the allotted time has concluded
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- The Secretary will call each speaker in the order received

In person
- Fill out and submit a blue speaker card which is available in the foyer of the Boardroom

Via Zoom
- Use the raise hand feature in Zoom to indicate you wish to make a public comment https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar
- If you participate by phone, press *9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic

Submitting written comments or materials
- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com
- Please indicate the meeting date and agenda item number or non-agenda item in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting**; written comments and other materials submitted to the Board of Directors will be filed in the record.

**To view the livestream of meetings of the Board, please visit:**
https://www.ebmud.com/about-us/board-directors/board-meetings/

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EBMUD

# BOARD ACTION

| Agenda Number: | 7. | Meeting Date: | February 28, 2023 |
|---|---|---|---|

**TITLE** **WATER SUPPLY ASSESSMENT FOR THE TOYOTA WALNUT CREEK MIXED-USE SPECIAL DISTRICT PROJECT**

**ACTION** ☒ Motion: ☐ Resolution: ☐ Ordinance:

**RECOMMENDED ACTION** Approve the Water Supply Assessment (WSA) requested by the City of Walnut Creek (City) for the Toyota Walnut Creek Mixed-Use Special District Project pursuant to California Water Code, Sections 10910-10915.

**SUMMARY**

The Toyota Walnut Creek Mixed-Use Special District Project is generally bounded by North Main Street to the west, Pine Street to the north, Civic Drive to the east, and Ygnacio Valley Road to the south (see Attachment A). The project area consists of 10 parcels totaling approximately 6.1 acres. The City is considering three potential development scenarios for the project. The WSA analyzes the greatest water demand of all three development scenarios consisting of 658 multi-family residential dwelling units and 40,546 square feet of office space.

The existing land uses consist of surface parking lots and commercial buildings for automotive service and restaurant use with a historical water use of approximately 2,500 gallons per day (GPD). The estimated water demand for the Project at build-out is approximately 82,800 GPD. This demand is accounted for in the District's Urban Water Management Plan (UWMP) 2020. Approval of the WSA by the Board of Directors is required prior to its submittal to the City. The WSA is described in the attached letter (Attachment B) and, upon Board approval, will be sent to the City.

**DISCUSSION**

On December 14, 2022, the City submitted a formal request for a consultation between the District and the City regarding preparation of a WSA for the project, pursuant to California Environmental Quality Act Guidelines, Section 15155, and California Water Code, Sections 10910-10915. The project, for which a Supplemental Environmental Impact Report is being prepared, meets the threshold requirement for an assessment of water supply availability based on the amount of water the project would require, which is greater than the amount of water required by a 500-dwelling-unit project. The City is required to consult with the public water supplier to determine whether the water demand associated with the Project was included in its last UWMP and to assess whether its 20-year water supply (available during normal, single-dry and multiple-dry water years) will meet the water demand associated with the project.

| **Originating Department:** Engineering and Construction | **Department Director or Manager:** Olujimi O. Yoloye | **CEP Forms?** N/A | **Board Action Type:** Water Supply Assessment |
|---|---|---|---|
| **Funds Available:** N/A | **Budget Coding:** N/A | | **Approved:** |
| **Attachment(s):** Location Map; District's Response to WSA Request | | | |

| Title: | Water Supply Assessment for the Toyota Walnut Creek Mixed-Use Special District Project | Meeting Date: | February 28, 2023 |
|---|---|---|---|

The UWMP 2020 concludes that the District has, and will have, adequate water supplies to serve existing and projected demands within the Ultimate Service Boundary during normal and wet years but that deficits are projected for drought years. During multi-year droughts, the District may require significant customer water use reductions and may also need to acquire supplemental supplies to meet customer demand. Attachment 1 of the UWMP 2020, Water Shortage Contingency Plan (WSCP) 2020, includes Drought Management Program (DMP) Guidelines that establish the level of water use restrictions the District may implement under varying conditions. Applicability of this language will depend on the contents of DMP, which can/will change each time the Board adopts a new UWMP. Under the DMP Guidelines, water use restrictions may be determined based upon projected end-of-September Total System Storage (TSS) or water use restriction mandates from the State Water Resources Control Board. When state-mandated water use restrictions exceed the reductions that would otherwise be called for based upon the end-of-September TSS, the District's water use reduction requirements may be guided by the applicable state mandates. While the District strives to keep water use reductions at or below 15 percent, if the drought is severe, mandatory water use reductions could exceed 15 percent under either scenario.

The project will be subject to the same drought restrictions that apply to all District customers. In addition, the proposed Project will be subject to District regulations aimed at encouraging efficient water use, such as Sections 29 and 31 of the District's Regulations Governing Water Service. Section 29, "Water Use Restrictions," promotes efficient water use by District customers and prohibits certain uses of potable water. Section 31, "Water Efficiency Requirements," identifies the types of water efficiency requirements (i.e., maximum flow rates for flow control devices) for water service.

The WSA letter requests that the City comply with the California Code of Regulations concerning water-efficient landscapes and District water service regulations, including compliance with Sections 29 and 31, described above, in force at the time the application is made. The District also requests a meeting to discuss water conservation opportunities in the Project area, which will identify timely opportunities to maximize water conservation and identify District programs, as well as state and federal best management practices applicable to the project.

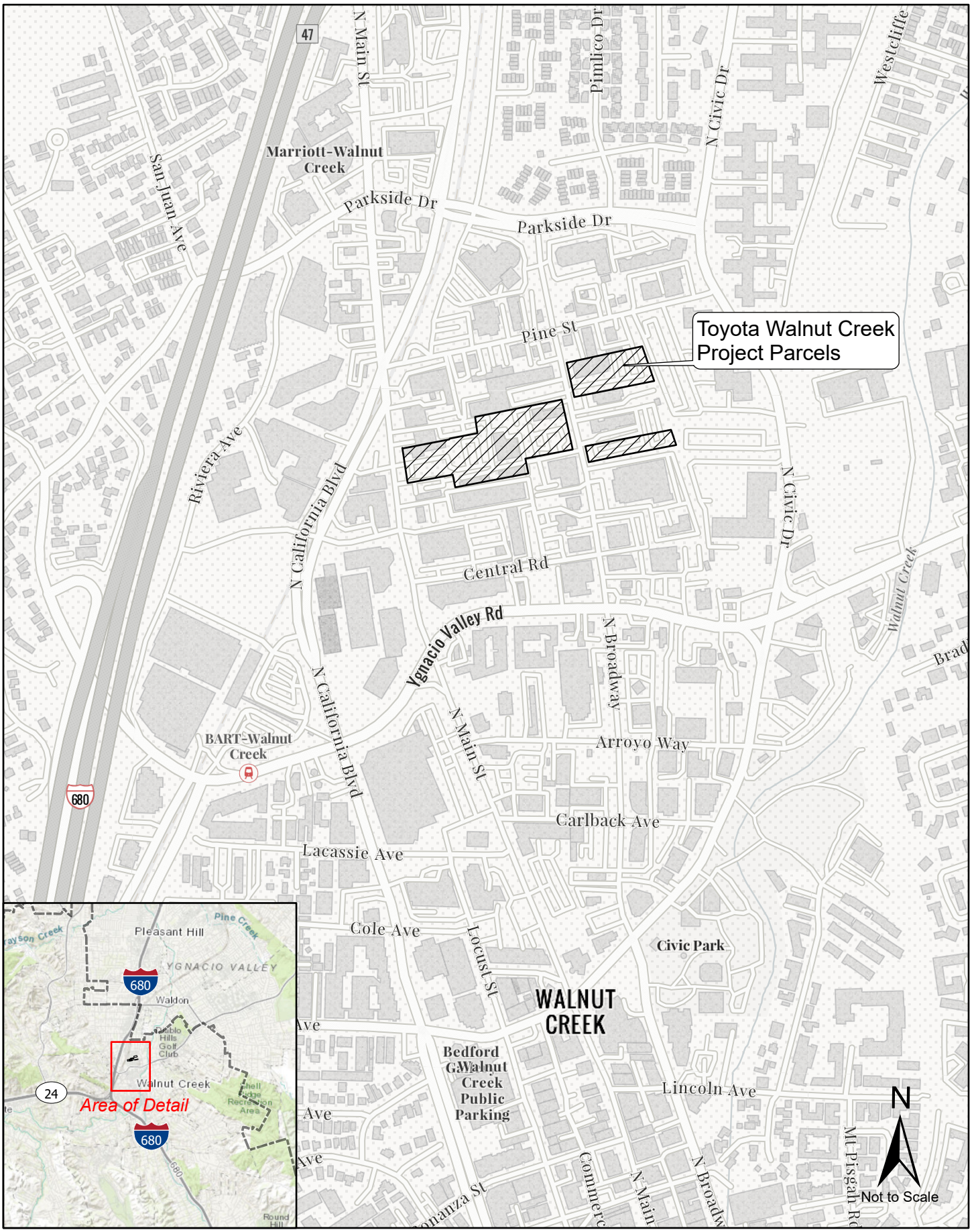
The project is located outside the boundaries of the District's recycled water project service area; therefore, recycled water is not currently available for the project. However, the feasibility of providing recycled water to this area may change in the future. The District encourages the City and their developers to continue to coordinate closely with the District during the planning of the project to further explore the options relating to recycled water.

**ALTERNATIVE**

**Do not approve and submit the WSA.** This alternative is not recommended because this assessment has been prepared pursuant to California Water Code, Sections 10910-10915, and the District has determined that the projected water demand associated with the proposed project has been accounted for in the most recently adopted UWMP. The WSA is consistent with the law and the District's past WSAs and must be provided in accordance with the law.

**Attachment A**

# Toyota Walnut Creek Mixed-Use Special District Project, Walnut Creek



EAST BAY
MUNICIPAL UTILITY DISTRICT

February 28, 2023

Heather Ballenger, Director of Public Works
City of Walnut Creek
1666 North Main Street
Walnut Creek, CA, 94596

Re: Water Supply Assessment – Toyota Walnut Creek Mixed-Use Special District Project

Dear Ms. Ballenger:

This letter is in response to your request made on December 14, 2022, for water agency consultation (Enclosure 1) concerning the Water Supply Assessment (WSA) for the Toyota Walnut Creek Mixed-Use Special District Project (Project), located in the City of Walnut Creek (City), which is within East Bay Municipal Utility District's (EBMUD's) Ultimate Service Boundary. EBMUD appreciates the opportunity to provide this response.

Pursuant to Sections 10910-10915 of the California Water Code, the Project meets the threshold requirement for an assessment of water supply availability based on the amount of water this Project would require, which is greater than the amount of water required by a 500-dwelling-unit project.

Please note this WSA addresses the issue of water supply only and is not a guarantee of service; future water service is subject to the rates and regulations in effect at that time.

**Project Demand**

The water demand for the Project is accounted for in EBMUD's water demand projections, as published in EBMUD's Urban Water Management Plan (UWMP) 2020 (see https://www.ebmud.com/water/about-your-water/water-supply/urban-water-management-plan/). EBMUD's water demand projections account for anticipated future water demands within EBMUD's service boundaries and for variations in demand-attributed changes in development patterns. The existing land uses consist of surface parking lots and commercial buildings for automotive service and restaurant use with a historical water use of approximately 2,500 gallons per day (GPD). The estimated water use at Project build-out is approximately 82,800 GPD.

EBMUD's demand projections indicate both densification and land use changes in a few existing land use classifications, including commercial and residential land use areas. These changes increase demand for EBMUD water. EBMUD's UWMP 2020 projects water demands over time, accounting for estimated variations in demand usage minus

conservation and recycled supply sources, as noted in the UWMP 2020, Table 3-1, 2050 Demand Projections (Table 1). Typically, EBMUD prepares a full demand study every ten years; the most recent version, the 2050 Demand Study, was completed in 2020, and the study results are incorporated into the UWMP 2020. For planning purposes, water demands are estimated in five-year increments, but it is recognized that actual incremental amounts may occur stepwise in shorter time increments. An increase in usage by one customer in a particular customer class does not require a strict gallon-for-gallon increase in conservation by other customers in that class, as, in actuality, the amount of potable demand, conservation and recycled water use EBMUD-wide will vary somewhat.

**Table 1**
**2050 Demand Projections (UWMP 2020, Table 3-1)**

TABLE 3-1

AVERAGE ANNUAL WATER DEMAND FORECAST
2050 DEMAND PROJECTIONS (MGD)

| | 2020 | 2025 | 2030 | 2035 | 2040 | 2045 | 2050 |
|---|---|---|---|---|---|---|---|
| FORECASTED WATER DEMAND | 238 | 245 | 254 | 264 | 277 | 287 | 297 |
| WATER CONSERVATION[1] | -48 | -53 | -58 | -61 | -63 | -65 | -66 |
| RECYCLED WATER[1] | -5 | -6 | -6 | -9 | -13 | -13 | -13 |
| RAW WATER | -0.2 | -0.2 | -0.2 | -0.2 | -0.2 | -0.2 | -0.2 |
| PLANNING LEVEL OF DEMAND (ROUNDED) | 181 | 186 | 190 | 194 | 201 | 209 | 218 |

1. See Chapters 6 and 5 for more specific program details on conservation and water recycling, respectively. The goals reflected in this table take into account uncertainty as described in Section 5.2.3 and Section 6.1.3.

## Project Area

The Project is located in the City of Walnut Creek and consists of 10 parcels totaling approximately 6.1 acres. The Project area is generally bounded by North Main Street to the west, Pine Street to the north, Civic Drive to the east, and Ygnacio Valley Road to the south. The City is considering three potential development scenarios for the Project. The WSA analyzes the greatest water demand of all three development scenarios (i.e., Scenario 3 of the Project's Notice of Preparation of a Supplemental Environmental Report) which consists of 658 multi-family residential dwelling units, and 40,546 square feet of office space.

## EBMUD Water Demand Projections

Since the 1970s, water demand within EBMUD's service area has ranged from 200 to 220 million gallons per day (MGD) in non-drought years. Section 3.1 of the UWMP 2020 outlines past and current EBMUD water demand, including Figure 3-1 which shows historic water use (including metered and unmetered demands) within EBMUD's service area, along with the number of customer accounts. The 2050 water demand forecast of 297 MGD for EBMUD's service area can be reduced to 218 MGD with the successful implementation of water recycling and conservation programs, as outlined in the UWMP 2020. Current demand is lower than estimated in the 2050 Demand Study as a result of the current drought and recent multi-year drought in 2014-2016. The difference is because the planning level of demand may differ from the actual demand in any given year due to

water use reductions that typically occur during droughts. After droughts, a rebound effect is expected wherein demand rises back to projected levels. Thus, the 2050 Demand Study still reflects a reasonable expectation for demands in future years, as the demands are expected to gradually increase back to 2050 projected demand levels as development and water use return to pre-drought and pre-recession conditions. The proposed Project's future development and operations will not change EBMUD's 2050 demand projection.

**EBMUD Water Supply, Water Rights and the UWMP 2020**

EBMUD has water right permits and licenses that allow for water delivery from the Mokelumne River to the East Bay, subject to the availability of Mokelumne River runoff and the senior water rights of other users. EBMUD's position in the hierarchy of Mokelumne River water users is determined by a variety of agreements between Mokelumne River water right holders and the terms of the appropriative water right permits and licenses.

Conditions that could, depending on hydrology, restrict EBMUD's ability to receive its full entitlement include:

- Upstream water use by senior water right holders.
- Downstream water use by riparian and senior appropriators and other downstream obligations, including protection of public trust resources.
- Variability in precipitation and runoff.
- Curtailments by State Water Resources Control Board.

During prolonged severe droughts, the Mokelumne River supply cannot meet EBMUD's projected customer demands. To address this, EBMUD has completed construction of the Freeport Regional Water Facility and is evaluating future local groundwater projects in the East Bay Plain Subbasin (EBP Subbasin) as part of a Groundwater Sustainability Plan (GSP), which are discussed below in the Supplemental Water Supply and Demand Management section of this assessment. EBMUD has obtained and continues to seek supplemental supplies.

The UWMP 2020, adopted on June 22, 2021, by EBMUD's Board of Directors under Resolution No. 35234-21, is a long-range planning document used to assess current and projected water usage, water supply planning, and conservation and recycling efforts. The Water Shortage Contingency Plan (WSCP) 2020, also adopted on July 22, 2021, by EBMUD's Board of Directors under Resolution No. 35235-21 for inclusion as Attachment 1 within the UWMP 2020, is a document used to develop a coordinated response for when water shortages occur (for example, due to drought, earthquakes, and other emergencies that could impact EBMUD's ability to supply water to customers), and to guide EBMUD's planning and response through thoughtful assessment and management of the water supply.

EBMUD's water supply sources are discussed in Section 1.4.3 of the UWMP 2020. EBMUD's main water supply is the Mokelumne River, and EBMUD has rights to receive up to 325 MGD of water from this source subject to the availability of runoff, senior water rights of other users, and downstream fishery flow requirements. EBMUD also has a Long-Term Renewal Contract (Contract No. 14-06-200-5183A-LTR1) with the United States (U.S.) Bureau of Reclamation to receive water from the Central Valley Project (CVP) through the Freeport Regional Water Facility in years when EBMUD's water supplies are relatively low (for more details, see Section 1.4.3 of the UWMP 2020). During some dry years, EBMUD may purchase water transfers to help meet customer demands. Section 4.2 of the UWMP 2020 discusses EBMUD's water transfer program.

EBMUD maintains a biennial budget and five-year capital improvement program to optimize investments and maximize drinking water quality, and the reliability, safety, flexibility, and overall efficiency of the water supply system. EBMUD's most recently adopted budget, which includes capital expenditures for the delivery of water supplies to its customers, can be found at http://www.ebmud.com/about-us/investors/budget-and-rates/.

EBMUD complies with applicable local, state, and federal regulations in the operation of its water supply system. Figure 1-4 of the UWMP 2020 illustrates the numerous local, state, and federal agencies that may regulate EBMUD's facilities and operations.

A summary of EBMUD's demand and supply projections, in five-year increments, for a 30-year planning horizon is provided in UWMP 2020 Attachment 1, WSCP, Table W-3, Supply and Demand Assessment, 2020-2050 (Table 2).

**Table 2**
**Supply and Demand Assessment, 2020-2050 (UWMP 2020, WSCP Table W-3)**

TABLE W-3 — SUPPLY & DEMAND ASSESSMENT, 2020-2050

| EBMUD PLANNING LEVEL OF DEMAND (PLOD) | | 2020 | 2025 | 2030 | 2035 | 2040 | 2045 | 2050 |
|---|---|---|---|---|---|---|---|---|
| NORMAL YEAR | MOKELUMNE SUPPLY (MGD ) | >181 | >186 | >190 | >194 | >201 | >209 | >218 |
| | EBMUD PLANNING LEVEL OF DEMAND (PLOD) (MGD) | 181 | 186 | 190 | 194 | 201 | 209 | 218 |
| | NEED FOR WATER (TAF) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SINGLE DRY YEAR | MOKELUMNE SUPPLY (MGD) | 121 | 126 | 129 | 132 | 138 | 144 | 151 |
| | CVP SUPPLIES (MGD) | 60 | 60 | 60 | 60 | 60 | 60 | 60 |
| | TOTAL SUPPLIES (MGD) | 181 | 186 | 189 | 192 | 198 | 204 | 211 |
| | VOLUNTARY RATIONING (%) | 0 | 0 | 1 | 1 | 2 | 2 | 3 |
| | NEED FOR WATER (TAF) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SECOND DRY YEAR | MOKELUMNE SUPPLY (MGD) | 82 | 86 | 89 | 92 | 98 | 104 | 111 |
| | CVP SUPPLIES (MGD) | 74 | 74 | 74 | 74 | 74 | 74 | 74 |
| | TOTAL SUPPLIES (MGD) | 156 | 161 | 164 | 167 | 172 | 178 | 185 |
| | MANDATORY RATIONING (%) | 13 | 13 | 13 | 14 | 14 | 14 | 15 |
| | NEED FOR WATER (TAF) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| THIRD DRY YEAR | MOKELUMNE SUPPLY (MGD) | 141 | 145 | 146 | 145 | 132 | 118 | 105 |
| | CVP SUPPLIES (MGD) | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| | TOTAL SUPPLIES (MGD) | 153 | 157 | 158 | 157 | 144 | 130 | 117 |
| | MANDATORY RATIONING (%) | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| | NEED FOR WATER - BASE CONDITION (TAF) | 0 | 0 | 0 | 0 | 28 | 52 | 75 |
| | NEED FOR WATER - HIGH DEMAND SCENARIO (TAF) | 0 | 0 | 21 | 35 | 60 | 97 | 125 |
| | NEED FOR WATER - EXTREME DROUGHT SCENARIO (TAF) | 0 | 0 | 0 | 13 | 32 | 55 | 84 |

EBMUD's evaluation of water supply availability accounts for the diversions of both upstream and downstream water right holders and fishery releases on the Mokelumne River. Fishery releases are based on the requirements of a 1998 Joint Settlement Agreement (JSA) between EBMUD, U.S. Fish and Wildlife Service, and the California Department of Fish and Wildlife. The JSA requires EBMUD to make minimum flow releases from its reservoirs to the lower Mokelumne River to protect and enhance the fishery resources and ecosystem of the river. As this water is released downriver, it is, therefore, not available for use by EBMUD's customers.

The available supply and demand shown in Table 2 were derived from EBMUD's baseline hydrologic model with the following assumptions:

- Customer demand values are based on the 2050 Demand Study, and planning-level demands account for projected savings from water recycling and conservation programs.
- EBMUD Drought Planning Sequence assumes water years 1976, 1977 and a modified 1978 hydrology.
- Total system storage is depleted by the end of the third year of the drought.
- EBMUD will implement its Drought Management Program (DMP) when necessary.
- The diversions by Amador and Calaveras Counties upstream of Pardee Reservoir will increase over time, eventually reaching the full extent of their senior rights.
- Releases are made to meet the requirements of senior downstream water right holders and fishery releases, as required by the JSA.
- EBMUD allocation of CVP supply, as available each drought year based on model results generated by the Department of Water Resources, is available the first year of a drought and subsequent drought years, according to the U.S. Bureau of Reclamation's (USBR) Municipal and Industrial Shortage Policy. However, in some severe dry years, USBR could make a determination of insufficient CVP water supplies and therefore limit further the allocation amounts that EBMUD would receive. During the 2014-2016 drought, EBMUD's CVP allocation went as low as 25 percent, and the extreme drought scenario in Table 2 reflects this reduced allocation.

The UWMP 2020 concludes that EBMUD has, and will have, adequate water supplies to serve existing and projected demand within the Ultimate Service Boundary during normal and wet years, but that deficits are projected for multi-year droughts. During multi-year droughts, EBMUD may require significant customer water use reductions and may also need to acquire supplemental supplies to meet customer demand.

As discussed in the UWMP 2020 WSCP, EBMUD's system storage generally allows EBMUD to continue serving its customers during dry-year events. EBMUD typically imposes water use restrictions based on the projected storage available at the end of September and may also implement water use restrictions in response to a State of

California mandate. By imposing water use restrictions in the first dry year of potential drought periods, EBMUD attempts to minimize water use restrictions in subsequent years if a drought persists. Throughout dry periods, EBMUD must continue to meet its current and subsequent-year fishery flow release requirements and obligations to downstream agencies.

The UWMP 2020 WSCP includes DMP Guidelines that establish the level of water use restrictions EBMUD may implement under varying conditions. Under the DMP Guidelines, water use restrictions may be determined based upon projected end-of-September Total System Storage (TSS). When state-mandated water use restrictions exceed the reductions that would otherwise be called for based upon end-of-September TSS, EBMUD's water use reduction requirements may be guided by the applicable state mandates. Under either scenario, while EBMUD strives to keep water use reductions at or below 15 percent, if the drought is severe, mandatory water use reductions could exceed 15 percent.

Despite water savings from EBMUD's aggressive conservation and recycling programs and water use restrictions called for in the DMP Guidelines, supplemental supplies are still needed in significant, severe, and critical droughts. The proposed Project will be subject to the same drought restrictions that apply to all EBMUD customers. In addition, the proposed Project will be subject to EBMUD's regulations aimed at encouraging efficient water use, such as Sections 29 and 31 of EBMUD's Regulations Governing Water Service. Section 29, "Water Use Restrictions," promotes efficient water use by EBMUD customers and prohibits certain uses of potable water. Section 31, "Water Efficiency Requirements," identifies the types of water efficiency requirements (i.e., maximum flow rates for flow control devices) for water service.

**Supplemental Water Supply and Demand Management**

The goals of meeting projected water needs, and increased water reliability rely on supplemental supplies, improving reliability of existing water supply facilities, water conservation, and recycled water programs. Chapter 4 of the UWMP 2020 describes potential supplemental water supply projects that could be implemented to meet projected long-term water demands during multi-year drought periods.

The Freeport Regional Water Facility became operational in February 2011. EBMUD's ability to take delivery of CVP water through the Freeport Regional Water Facility is based on its Long Term Renewal Contract (LTRC) with the U.S. Bureau of Reclamation. The LTRC provides for up to 133,000 acre feet of CVP supply in a single dry year, not to exceed a total of 165,000 acre feet in three consecutive dry years. Under the LTRC, the CVP supply is available to EBMUD only in dry years when EBMUD's total stored water supply is forecast to be below 500,000 total acre feet on September 30 of each year.

EBMUD is the Groundwater Sustainability Agency (GSA) for the portion of the East Bay Plain Subbasin underlying its service area, and as a GSA, is finalizing a Groundwater

Sustainability Plan (GSP) that includes the first phase of the Bayside Groundwater Project. Construction of the first phase (Bayside Groundwater Project Phase 1) was completed in 2010, allowing EBMUD to pilot injection of treated potable water into a deep aquifer in the South East Bay Plain Groundwater Basin for later extraction, treatment, and use during severe droughts. A permit from the Department of Public Health is required before groundwater extraction can be piloted for municipal use. Additional information on the Bayside Groundwater Project can be found in Section 4.1.1 and the WSCP of the UWMP 2020. As part of the GSP management actions, EBMUD will collect additional data and use science-based decision making to inform whether future expansion of Bayside or other groundwater projects are necessary.

Chapter 4 of the UWMP 2020 also lists other potential supplemental water projects, including Northern California water transfers, Bayside Groundwater Project Expansion, expansion of Contra Costa Water District's Los Vaqueros Reservoir, and others that could be implemented to meet the projected long-term water supplemental need during multi-year drought periods. The UWMP 2020 identifies a broad mix of projects, with inherent scalability and the ability to adjust implementation schedules for particular components, which will allow EBMUD to pursue the necessary supplemental supplies while minimizing the risks associated with future uncertainties, such as project implementation challenges, evolving regulatory requirements, and global climate change. The Environmental Impact Report that EBMUD certified for the Water Supply Management Program 2040 examined the impacts of pursuing these supplemental supply projects at a program level. Separate project-level environmental documentation will be prepared, as appropriate, for specific components as they are developed in further detail and implemented in accordance with EBMUD's water supply needs.

In addition to pursuing supplemental water supply sources, EBMUD also maximizes resources through continuous improvements in the delivery and transmission of available water supplies and investments in ensuring the safety of its existing water supply facilities. These programs, along with emergency interties and planned water recycling and conservation efforts, would ensure a reliable water supply to meet projected demands for current and future EBMUD customers within the current service area.

**Water Conservation and Recycled Water Considerations**

The Project presents opportunities to incorporate water conservation measures. Conditions of approval for the implementation of the proposed Project should require that the Project comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). EBMUD staff would appreciate the opportunity to meet with the City to discuss conservation measures. This meeting will explore early opportunities to expand water conservation via EBMUD's conservation programs and best management practices applicable to the Project.

Conservation strategies will be required to achieve water use reduction goals and restrictions, including compliance with Sections 29 and 31, described above, of EBMUD's

Regulations Governing Water Service, and all other legally mandated water conservation requirements. The State of California is developing a new regulatory framework for urban water conservation based on two policy bills, Senate Bill 606 and Assembly Bill 1668, passed in 2018. These bills direct the State to establish water use efficiency targets for urban water agencies based on indoor residential water use, outdoor water use, and distribution systems. EBMUD will continue to comply with State water conservation regulations as they are developed.

The Project is not currently a candidate for recycled water. The Project area is not located within the vicinity of any existing or future planned EBMUD recycled water supply pipeline. Based on the Project area, EBMUD currently does not anticipate providing recycled water to any of the Project's components; however, the feasibility of providing recycled water to this area may change in the future. EBMUD encourages the City and their developers to continue to coordinate closely with EBMUD during the planning of the project to further explore the options relating to recycled water.

The Project sponsor should contact Jennifer L. McGregor, Senior Civil Engineer, at (510) 287-1030 for further information.

Sincerely,

David J. Rehnstrom
Manager of Water Distribution Planning Division

DJR:JLM:kvv
wdpd23_001 Toyota Walnut Creek Project WSA - Letter

Enclosure: 1. Letter of Request for Water Supply Assessment dated December 14, 2022

cc: Board of Directors

**Enclosure**

CITY OF WALNUT CREEK

December 14, 2022

Mr. Dave Rehnstrom
Manager of Water Distribution Planning
East Bay Municipal Utility District
375 11th Street
Oakland, CA 94607

Re: SB 610 Water Supply Assessment Request for Toyota Walnut Creek Mixed-Use Special District Project

Dear Mr. Rehnstrom:

This correspondence is a request from the City of Walnut Creek (City) for EBMUD to prepare and approve a water supply assessment (WSA) pursuant to Water Code section 10910 for the proposed Toyota Walnut Creek Mixed-Use Special District Project ("proposed project"). The City is currently preparing a Supplemental Environmental Impact Report ("SEIR")[1] for proposed project. The approximately 6.1-acre infill project site is located in the Core Downtown area of the City of Walnut Creek and consists of a total of 10 parcels located entirely within the boundaries of the North Downtown Specific Plan ("NDSP") (see Attachment 1, Notice of Preparation (NOP), Table 1 and Exhibit 1 for additional information regarding the project site location). EBMUD is identified as the public water system serving the project area as the project site is entirely within EBMUD's existing service area. The 2019 NDSP EIR evaluated the full buildout of the NDSP, which assumed an additional 899 residential units, 817,988 square feet of office uses, 60,706 square feet of retail uses, 16,000 square feet of custom manufacturing uses, and 200 hotel rooms. The NDSP contains numerous policies supportive of auto sales and services uses. It also includes policies that encourage the consolidation of existing auto sales and service uses, and therefore the NDSP assumed the elimination of 37,087 square feet of existing auto sales and service uses.

The City is serving as the lead agency evaluating a request by the applicant, Toyota Walnut Creek (TWC) to amend the NDSP to create a new Mixed-Use Special District that would allow for auto sales and service uses as well as a range of additional potential commercial, office and/or multi-family residential uses. The goal of the proposed amendments is to facilitate the redevelopment of the project site with mixed uses including the primary auto sales and service

[1] The Supplemental EIR for the proposed project tiers from the 2019 North Downtown Specific Plan EIR (SCH No. 2018012020) ("2019 NDSP EIR"), which the City Council certified in October 2019.

uses, which would occur under any redevelopment scenario, as well as potential multi-family residential, hotel and/or other compatible non-residential uses.

No specific individual development proposal for the project site has been formally submitted to the City. Therefore, because there is no application setting forth details of a particular development proposal, the Draft SEIR will evaluate three potential development scenarios (see Attachment 1, NOP, Tables 2-4 for detailed information in this regard) that the proposed project could pursue as a result of the requested amendments to the NDSP (along with requested conforming amendments to the City's General Plan and Zoning Code). As explained more fully in the attached NOP, the Draft SEIR will evaluate the potential environmental impacts that could occur as a result of the proposed project based on reasonable worst-case assumptions that appropriately incorporates all reasonable available and relevant site-specific information, thereby publicly disclosing the range of uses that could potentially be developed within the Mixed-Use Special District.

By this letter, the City hereby requests that EBMUD, as the public water system identified to serve the proposed project, to prepare and approve a WSA pursuant to Water Code section 10910 and applicable CEQA provisions. The foregoing requires consultation with the appropriate water agency for proposals, such as the proposed project, which meet the definition of a "project" under Water Code section 10912. A copy of the NOP of the Supplemental Draft EIR is attached for your reference. The City further requests that EBMUD prepare and approve the necessary WSA pursuant to the applicable laws and regulations not later than 90 days from the date of this request. (*See* Water Code §10910(g)(1).)

If you have any questions, please do not hesitate to contact me at (925) 256-3593 or email me at Ballenger@walnut-creek.org. Thank you in advance for your prompt assistance in this matter.

Sincerely,

CITY OF WALNUT CREEK

Heather Ballenger
Director of Public Works

Attachment: Notice of Preparation

5250665.1

## City of Walnut Creek
## Notice of Preparation and Notice of Public Scoping Meeting
## Mixed Use Special District Project

**Date:** June 8, 2021

**To:** Public agencies and interested parties

**From:** Chip Griffin, Senior Planner, City of Walnut Creek

**Subject:** Notice of Preparation of a Draft Supplemental Environmental Impact Report and Public Scoping Meeting

The City of Walnut Creek (City) will be the Lead Agency evaluating a request by Toyota Walnut Creek (Applicant or TWC) to amend the North Downtown Specific Plan (NDSP) to create a new Mixed-Use Special District that would allow for auto sales and service uses as well as a range of additional uses such as commercial office, hotel, and multi-family residential. The City will prepare a Draft Supplemental Environmental Impact Report to the North Downtown Specific Plan EIR (Draft Supplemental EIR) for the project identified herein, which will tier off of the NDSP EIR certified by the City in 2019 (as described further below) to the extent permitted under the California Environmental Quality Act (CEQA). The Project Description, location, and probable environmental effects of the Mixed-Use Special District Project ("proposed project") are described in this NOP.

The City is soliciting comments from public agencies, organizations, and members of the public regarding the scope and content of the environmental information to be addressed in the Draft Supplemental EIR for the proposed project. Public agencies may need to rely on the Supplemental EIR when considering whether to issue discretionary permits or other approvals in connection with the proposed project.

Because of time limits mandated by California law, public agencies must submit any comments in response to this notice at the earliest possible date but no later than 30 days after receipt of this notice. The City will also accept comments from other interested parties regarding this notice during that same time period. Accordingly, please provide your written response, along with the name of the relevant contact person, to the address shown below by **5:00 p.m., July 8, 2021**. If you wish to be placed on the notification list for this proposed project, or if you have any questions or need additional information, please contact the person below.

Chip Griffin, Senior Planner
City of Walnut Creek
Community and Economic Development Department
1666 North Main Street
Walnut Creek, CA 94596
Phone: 925.943.5899
Email: Griffin@walnut-creek.org

### Public Scoping Meeting

A public scoping meeting will be held via Zoom, on **Thursday, June 24, 2021,** starting at **6 p.m.**

Join from a PC, Mac, iPad, iPhone or Android device:
Please click this URL to join.
https://zoom.us/j/99041806696?pwd=TnM4ZVY2NjRuMGhid2JSa1hiTFBiUT09
**Webinar ID: 990 4180 6696**
**Passcode: 267766**

Or One tap mobile:
+16699006833,,99041806696#,,,,*267766# US (San Jose)
+12532158782,,99041806696#,,,,*267766# US (Tacoma)

Or join by phone:
Dial(for higher quality, dial a number based on your current location):
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799
**Webinar ID: 990 4180 6696**
**Passcode: 267766**
International numbers available: https://zoom.us/u/ac9GZTZEYB

At this meeting, public agencies, organizations, and members of the public will be able to provide oral and written comments on the scope and content of the environmental information to be addressed in the Draft Supplemental EIR for the proposed project.

## WALNUT CREEK–MIXED USE SPECIAL DISTRICT PROJECT

### Project Location

The approximately 6.1-acre project site is located in the City of Walnut Creek, Contra Costa County, California; refer to Exhibit 1 (project site). The project site consists of a total of 10 parcels[1] (collectively referred to as 2100 North Broadway, 2150 North Broadway, and 2100 North Main), and is located entirely within the boundaries of the existing NDSP. This NDSP area is generally bounded by North Main Street (west), Pine Street (north), Civic Drive (east), and Ygnacio Valley Road (west); refer to Exhibit 2. The project site is located on the *Walnut Creek, California* United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle Map Township 1 North, Range 2 West, Unsectioned (Latitude 37° 54′ 32" North; Longitude 122° 3 43 West).

[1] The project site consists of 10 legal parcels. However, for ease of reference, the project site has been further delineated into several sub-areas, designated collectively by relevant street addresses as follows: 2100 N. Broadway (Site A), 2150 N. Broadway (Site B), and 2100 N. Main (Site C), See Table 1 for more information.

# Existing Conditions

## 1.1.1 - Land Use Activities

The Applicant currently leases multiple parcels along North Broadway and North Main Street, consisting of a total of approximately 8.4 acres, which is commonly referred to as 2200 North Broadway (Existing Dealership Site or Site D). TWC currently operates an auto dealership on the Existing Dealership Site, which is within the boundaries of the NDSP area, and is near but outside of the 6.1-acre project site.

The Applicant also owns the parcels that make up the 6.1-acre project site. Table 1 summarizes the 10 parcels that constitute the project site. Exhibit 3 depicts the parcels that constitute the project site.

Vehicular access to the 2100 North Broadway and 2150 North Broadway portions of the project site is from North Broadway and North Main Street. Vehicular access to the 2100 North Main portion is from both North Main Street and North Broadway.

Runoff from the project site drains into the municipal storm drainage system. The project site is served with potable water service provided by East Bay Municipal Utility District (EBMUD) and is served with wastewater collection and treatment service provided by Central Contra Costa Sanitary District (Central San). The project site's electricity service is provided by both Marin Clean Energy (MCE) and Pacific Gas and Electric Company (PG&E), and natural gas service to the project site is provided by PG&E.

**Table 1: Project Site Summary**

| Site | Assessor Parcel Number | Acreage | Notes* |
|---|---|---|---|
| 2100 N. Broadway (Site A) | 173-142-001 | 0.70 | Surface parking lot associated with the existing dealership site |
| 2150 N. Broadway (Site B) | 173-134-003 | 1.37 | Two-story building (28,954 square feet) used for automotive service. The building has a ramp in the rear that allows for vehicular access to the second level. Surface parking lot. |
| 2100 N. Main (Site C) | 173-131-042 | 0.40 | One-story building (7,672 square feet) used as restaurant. Surface parking lot. |
| | 173-131-043 | 0.33 | Surface parking lot. |
| | 173-131-055 | 0.75 | One-story building (6,950 square feet) used for automotive service. Surface parking lot. |
| | 173-131-056 | 0.59 | Surface parking lot. |
| | 173-131-057 | 0.33 | One-story building (3,175 square feet) used for automotive service. Surface parking lot. |
| | 173-131-060 | 0.28 | One-story building (4,058 square feet) used for automotive service. Surface parking lot. |

| Site | Assessor Parcel Number | Acreage | Notes* |
|---|---|---|---|
| | 173-131-062 | 0.63 | One-story building (12,223 square feet) used for automotive. Surface parking lot. |
| | 173-131-063 | 0.73 | Surface parking lot. |

Notes:
* 2200 North Broadway/Existing Dealership Site (Site D) is leased by Toyota Walnut Creek and is not included in the 6.1-acre project site. However, to ensure a conservative analysis, reasonable assumptions about potential future physical changes to the Existing Dealership Site that could occur in connection with the proposed project will be evaluated in the Draft Supplemental EIR.
All existing square footage values are approximate.
Source: Toyota Walnut Creek, 2021.

### 1.1.2 - Land Use Designations

The City of Walnut Creek General Plan designates the project site "Auto Sales and Service." The NDSP and the City Zoning Ordinance designate the project site "Auto Sales & Custom Manufacturing."

## Project Description

### 1.1.3 - Project Background

The NDSP area encompasses 191 acres and is bounded by California Boulevard and Interstate 680 (I-680) (west); Parkside Drive (north), and Civic Drive and the Iron Horse Trail (east and south). The Walnut Creek City Council adopted the NDSP on October 15, 2019, to guide the development of a vibrant mixed-use district with residential, commercial office, retail, restaurant, civic, hospitality, arts, and entertainment uses. In conjunction with adoption of the NDSP, the City Council certified an EIR for the North Downtown Specific Plan (State Clearinghouse No. 2018012020) (NDSP EIR).

The NDSP contemplates public plazas and streets that provide improved connections for all modes of transportation to the Traditional Downtown, the Walnut Creek Bay Area Rapid Transit (BART) station, Civic Park, the Iron Horse Trail, and surrounding neighborhoods. The NDSP EIR evaluated the full buildout of the NDSP, which assumed an additional 899 dwelling units, 817,988 square feet of office uses, 60,706 square feet of retail uses, 16,000 square feet of custom manufacturing uses, and 200 hotel rooms. The NDSP contains numerous policies supportive of auto sales and service uses. It also includes policies that encourage the consolidation of existing auto sales and service uses, and therefore the NDSP EIR assumed the elimination of 37,087 square feet of existing auto sales and service uses.

### 1.1.4 - Proposed Project

The Applicant is proposing to amend the NDSP to create a new Auto Sales–Custom Manufacturing Mixed Use Special District overlay that would apply only to the 6.1-acre project site. The Applicant is also proposing to make related conforming amendments to the City's General Plan and Zoning Ordinance to ensure consistency with the proposed NDSP amendments. The goal of the proposed amendments is to facilitate the redevelopment of the project site with mixed uses including the primary auto sales and service uses, which would be maintained as part of any redevelopment, as well

as potential multi-family residential, hotel, or other compatible non-residential uses. Exhibit 4 depicts the boundaries of the proposed Mixed Use Special District Overlay.

No specific individual development proposal for the project site has been formally submitted to the City. Therefore, because there is no application setting forth details of a particular development proposal, the Draft Supplemental EIR will evaluate three (3) potential development scenarios (see Tables 2 and 3) that the proposed project could pursue as a result of requested amendments to the General Plan, NDSP, and the Zoning Ordinance.

While the final specific allocation and mix of uses is not currently known, Scenario 1 incorporates a site-specific mix of uses and estimated size and scope of development that reasonably can be assumed to occur, which, if developed, would reflect a reasonable worst case scenario in terms of potential environmental impacts under most, if not all, environmental topic areas.[2] This approach to the environmental review therefore ensures an appropriately conservative and robust analysis that is sufficiently detailed to properly apprise the decision-makers, other agencies and the public of the project's scope and potential impacts based on reasonably available information and thus ensure meaningful opportunities for informed public participation and decision making. The Supplemental EIR will also analyze the differential environmental impacts between Scenario 1 (Table 2), Scenario 2 (Table 3), and Scenario 3 (Table 4). Development of any specific individual development proposal that is subsequently submitted to the City for consideration would be required to adhere to all applicable mandatory development standards and regulations set forth in the NDSP as well as all applicable design guidelines.

**Table 2: Scenario 1–Mixed-use Special District Overlay Buildout Potential**

| Site | New End Use | Development Potential | Maximum Height |
|---|---|---|---|
| 2100 North Broadway | Office | 40,546 square feet | 35 feet |
| 2150 North Broadway | Multi-Family Residential | 132 dwelling units | 35 feet |
| 2100 North Main | Hotel | 723 keys | 50 feet |

Notes:
All development potential values are approximate.
Key = Maximum number of rooms that can be used by hotel guests; (e.g., a suite with 4 bedrooms that can be 'keyed off' would count as 4 keys)
Source: Toyota Walnut Creek, 2021.

In addition, the Draft Supplemental EIR will consider two additional potential development scenarios (Scenarios 2 and 3) with respect to certain specific environmental topic areas including but not limited to municipal services, utilities, traffic, air quality and greenhouse gas emissions to ensure an appropriately conservative evaluation and meaningful disclosure of impacts.

[2] The basis upon which the City has determined what constitutes a reasonable worst case scenario for a specific environmental topic area will be reflected in an analysis attached as an appendix to the Draft Supplemental EIR.

**Table 3: Scenario 2–Mixed-use Special District Overlay Buildout Potentials**

| Site | New End Use | Development Potential | Maximum Height |
|---|---|---|---|
| 2100 N. Broadway | Office | 40,546 square feet | 35 feet |
| 2150 N. Broadway | Office | 97,221 square feet | 35 feet |
| 2100 N. Main | Office | 375,727 square feet | 50 feet |

Notes:
All development potential values are approximate.
Source: Toyota Walnut Creek, 2021.

**Table 4: Scenario 3–Mixed-use Special District Overlay Buildout Potentials**

| Site | New End Use | Development Potential | Maximum Height |
|---|---|---|---|
| 2100 N. Broadway | Office | 40,546 square feet | 35 feet |
| 2150 N. Broadway | Multi-Family Residential | 132 dwelling units | 35 feet |
| 2100 N. Main | Multi-Family Residential | 526 dwelling units | 50 feet |

Notes: All development potential values are approximate.
Source: Toyota Walnut Creek, 2021.

The ultimate specific mix and allocation of uses on the project site would be determined subsequent to the certification of the Supplemental EIR, at such time when a detailed development proposal is formally submitted to the City for consideration.[3] Under any scenario, auto sales and service uses would be required to remain as the anchor and primary use for redevelopment within the district, which would coexist with the other proposed uses in either a horizontal or vertical mixed-use development. In summary, the Draft Supplemental EIR will evaluate the potential environmental impacts that could occur as a result of the proposed project based on reasonable worst case assumptions that appropriately incorporates all reasonably available and relevant site-specific information, thereby publicly disclosing the range of uses that could potentially be developed within the Mixed Use Special District and thus facilitating meaningful agency review, public comment and disclosure.

## Vehicular Access

The project site would continue to take vehicular access from N. Broadway and/or N. Main Street.

## Storm Drainage

The proposed project would install on-site storm drainage facilities that would consist of bioswales, inlets, underground piping, and basins, and would be required to adhere to all applicable standards

[3] To ensure that all potential impacts are evaluated as mandated under CEQA, the City will be required to evaluate any subsequent application for a specific development proposal to confirm whether it would result in any new or more severe environmental effects that are evaluated and disclosed in the Supplemental EIR.

and requirements. Stormwater would be detained and released at a rate no greater than the pre-development condition of the project site pursuant to applicable laws and regulations.

### Utilities

The project site would continue to be served with potable water service provided by EBMUD, sewer service provided by Central San, electricity service provided by both MCE and PG&E, and natural gas service provided by PG&E.

### Potential Changes to Existing Dealership Site

The Applicant has not submitted to the City any specific development proposal for the Existing Dealership Site, and the ultimate use(s) for these lands are not currently known. Therefore, the Draft Supplemental EIR will assume the following as reasonably foreseeable activities, based on reasonable assumptions and currently available information, to ensure a conservative analysis.

Given the urban nature of the Existing Dealership Site, it is reasonable to assume that some type of reuse would occur; for example, potential future uses could involve utilization for display of inventory from the new TWC dealership (which could involve the demolition of the existing structure to allow for reconfiguration of surface parking), and/or the repurposing of the existing structure(s) with dealership uses. Because the ultimate re-use of the Existing Dealership Site is not currently known, to ensure a conservative analysis, the Draft Supplemental EIR will assume demolition of the building that houses the existing TWC dealership. In addition, it will not deduct existing trips, which means that the proposed project would be treated as representing net new auto sales square footage.

## 1.2 - Required Discretionary Approvals

The proposed project requires the certification of the Supplemental EIR and the following initial discretionary approvals from the City of Walnut Creek:

- General Plan Amendment
- Rezone
- Specific Plan Amendment
- Development Agreement

In addition, an application for a specific development proposal for the project site may require the following subsequent discretionary approvals from the City of Walnut Creek:

- Tentative Subdivision or Parcel Map
- Design Review
- Tree Removal Permit
- Sign Permit

# Environmental Review

## 1.2.1 - Potential Environmental Effects

The Draft Supplemental EIR will evaluate whether the proposed project (as described herein) may potentially result in one or more significant environmental effects, which will be evaluated in the relevant Draft Supplemental EIR sections listed below in accordance with the following sections.

- Aesthetics, Light, and Glare
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Geology, Soils, and Seismicity
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Population and Housing
- Public Services and Utilities
- Transportation

## 1.2.2 - Effects Found Not To Be Significant

Unless specific comments are received during the NOP public comment period that indicate a potential for the project to result in significant impacts, the following issues will be addressed in the Effects Found not to be Significant section of the EIR.

### Agricultural and Forest Resources

The project site is located in an urbanized area and has been developed for more than 60 years with urban uses. No agricultural or forest uses occur on-site. The project site is zoned "Auto Sales & Custom Manufacturing," a non-agricultural and non-forest zoning district. The proposed project would have no impact on agricultural or forest resources.

### Mineral Resources

The project site is located in an urbanized area and has been developed for more than 60 years with urban uses. No mineral extraction activities occur on-site. In addition, the project site is not a designated mineral resource zone by either the State of California or the City of Walnut Creek. The proposed project would have no impact on mineral resources.

### Wildfire

The project site is located in an urbanized area and has been developed for more than 60 years with urban uses. The project site is not located in a "Fire Hazard Severity Zone" in a State responsibility area or a "Very High Fire Hazard" in a local, State, or federal responsibility area. The proposed project would have no impact on wildfire hazards.

# Scoping Meeting

A public scoping meeting will be held on **Thursday, June 24, 2021,** starting at **6 p.m.**

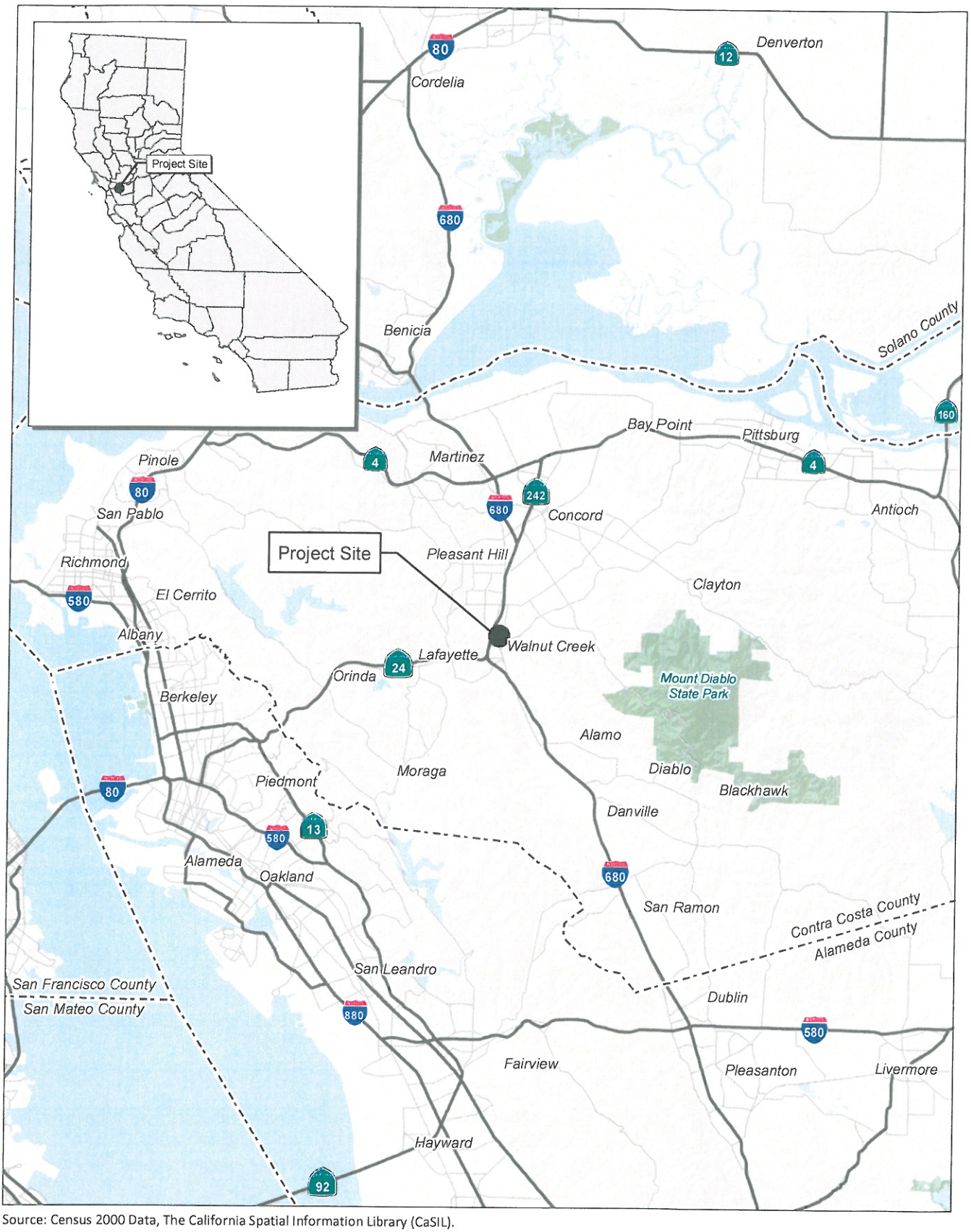
Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.
https://zoom.us/j/99041806696?pwd=TnM4ZVY2NjRuMGhid2JSa1hiTFBiUT09
**Webinar ID: 990 4180 6696**
**Passcode: 267766**

Or One tap mobile:
+16699006833,,99041806696#,,,,*267766# US (San Jose)
+12532158782,,99041806696#,,,,*267766# US (Tacoma)

Or join by phone:
Dial(for higher quality, dial a number based on your current location):
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799
**Webinar ID: 990 4180 6696**
**Passcode: 267766**
International numbers available: https://zoom.us/u/ac9GZTZEYB

At this meeting, agencies, organizations, and members of the public will be able to provide comments on the scope and content of the environmental information to be addressed in the Draft Supplemental EIR for the proposed project.




Source: Census 2000 Data, The California Spatial Information Library (CaSIL).

FIRSTCARBON SOLUTIONS™

5 2.5 0 5 Miles

# Exhibit 1
## Regional Location Map

24440011 • 04/2021 | 1_regional.mxd

CITY OF WALNUT CREEK
WALNUT CREEK MIXED USE SPECIAL DISTRICT PROJECT
NOTICE OF PREPARATION


Source: bing Aerial Imagery.

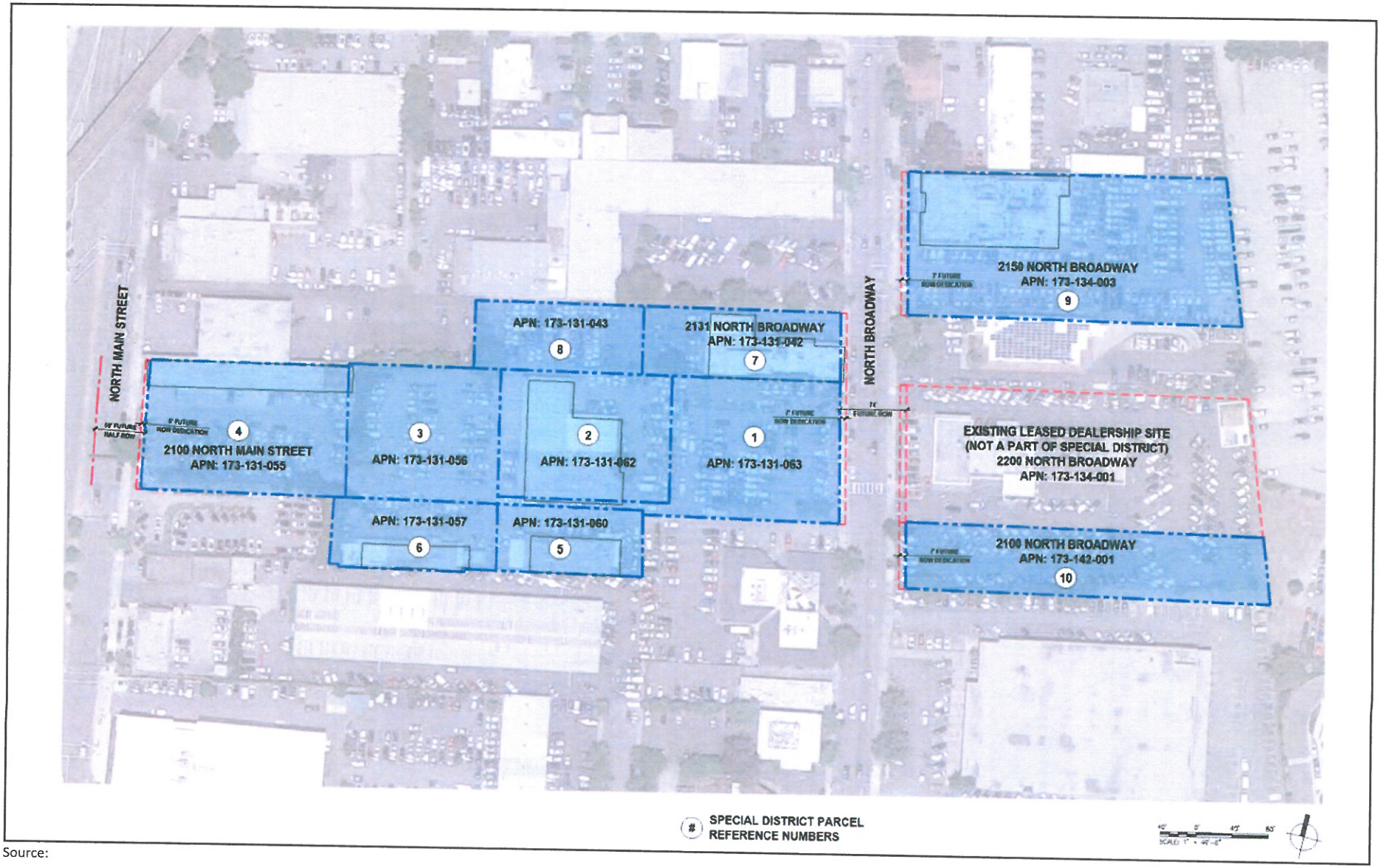
FIRSTCARBON SOLUTIONS™

1,000 500 0 1,000 Feet

# Exhibit 2
# Local Vicinity Map

24440011 • 04/2021 | 2_local_vicinity.mxd

CITY OF WALNUT CREEK
WALNUT CREEK MIXED USE SPECIAL DISTRICT PROJECT
NOTICE OF PREPARATION



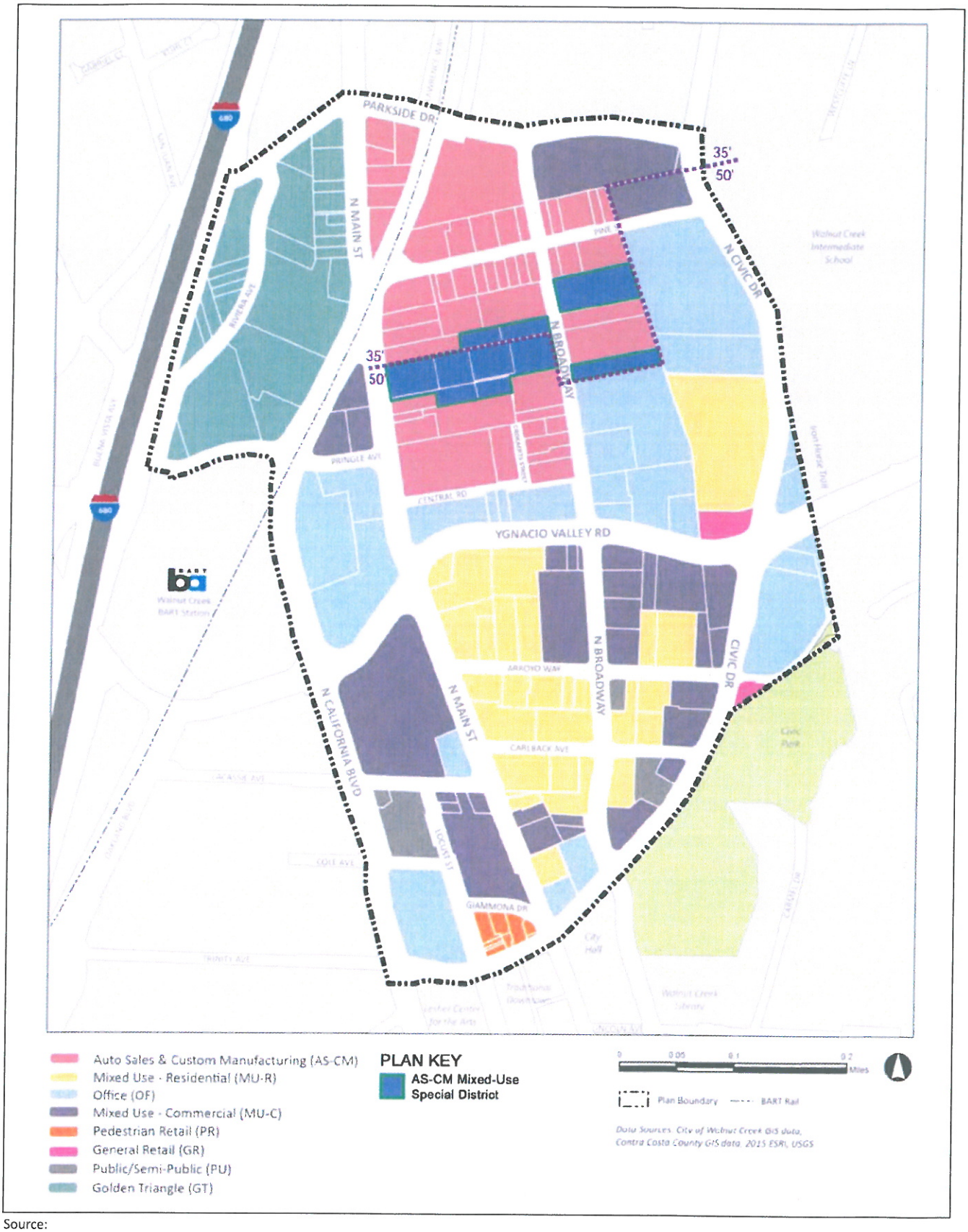

Source:

FIRSTCARBON SOLUTIONS™

24440011 • 04/2021 | 3_existing_site_info.cdr

## Exhibit 3
## Existing Site Information

CITY OF WALNUT CREEK
WALNUT CREEK MIXED USE SPECIAL DISTRICT PROJECT
NOTICE OF PREPARATION




Source:

FIRSTCARBON SOLUTIONS™

# Exhibit 4
# Proposed Mixed Use Special District

24440011 • 04/2021 | 4_proposed_MU_special_district.cdr

CITY OF WALNUT CREEK
WALNUT CREEK MIXED USE SPECIAL DISTRICT PROJECT
NOTICE OF PREPARATION