



## Agenda Report

---

File #: 2020-1377, Version: 1

---

**FROM:** James D. Herberg, General Manager  
Originator: Kathy Millea, Director of Engineering

**SUBJECT:**

**CEQA - FACILITIES MASTER PLAN, PROJECT NO. PS17-08**

**GENERAL MANAGER'S RECOMMENDATION**

RECOMMENDATION:

- A. Consider, receive, and certify the Final Program Environmental Impact Report for the CEQA - Facilities Master Plan, Project No. PS17-08; and
- B. Adopt Resolution No. OCSD 20-11, entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Certifying the Program Environmental Impact Report for the Facilities Master Plan, Project No. PS17-08; Adopting a Statement of Facts and Findings; Adopting a Statement of Overriding Considerations; and Adopting a Mitigation Monitoring and Reporting Program".

### **BACKGROUND**

As a tool for developing and managing the Capital Improvement Program, the Orange County Sanitation District (Sanitation District) prepares master plans. The Sanitation District completed a 2017 Facilities Master Plan (FMP), which identified 83 projects at the Sanitation District's Plant No.1, Plant No. 2, Joint Facilities, and Collection System. These Capital Projects are scheduled to be implemented over the next 20 years. The Sanitation District has prepared a Program Environmental Impact Report (PEIR) to analyze the potential impacts of the 2017 FMP pursuant to the California Environmental Quality Act (CEQA).

### **RELEVANT STANDARDS**

- Listen to and consider community input on environmental concerns
- Meet CEQA standards

### **PROBLEM**

To implement Capital Projects from the 2017 FMP, the Sanitation District is required to comply with CEQA.

## **PROPOSED SOLUTION**

Adopt Resolution No. OCSD 20-11 certifying the PEIR so future projects may proceed into design, construction, and eventual completion.

## **TIMING CONCERNS**

Some Capital Projects from the 2017 FMP are moving forward and require CEQA compliance before final design can begin.

## **RAMIFICATIONS OF NOT TAKING ACTION**

Capital Projects from the 2017 FMP cannot be completed before complying with CEQA.

## **PRIOR COMMITTEE/BOARD ACTIONS**

February 2019 - Approved a Professional Design Services Agreement with Dudek to provide professional services for CEQA - Facilities Master Plan, No, PS17-08.

December 2017 - Adopted a Resolution Adopting the 2017 Facilities Master Plan as the Orange County Sanitation District's New Master Plan for Future Capital Planning and Repealing Resolution No. OCSD 09-18.

## **ADDITIONAL INFORMATION**

Since 2017, projects from the 2017 FMP have been updated, combined, and new items have been added to the Capital Improvement Program. There are 75 projects addressed in the PEIR.

## **CEQA**

The Sanitation District, as lead agency, prepared an Initial Study analyzing the Facilities Master Plan's potential environmental impacts. Based on the Initial Study, the Sanitation District determined that a PEIR was the best way to proceed. The Sanitation District subsequently issued a Notice of Preparation (NOP) that was made available for a 30-day public review period from July 25, 2019 to August 23, 2019. The NOP was also submitted to the State Clearinghouse (SCH) (SCH No. 2019070998).

A Draft Program Environmental Impact Report (Draft EIR) was developed and distributed for a 45-day public review period from September 2, 2020 to October 16, 2020. A public hearing was held on September 16, 2020.

The Final PEIR (SCH No. 2019070998) found that the 2017 FMP's significant environmental impacts can be avoided or reduced to less than significant levels through the adoption of mitigation measures with the exception of the FMP's short-term Vehicle Miles Traveled (VMT) impacts. These conclusions are supported by additional findings by the Sanitation District that the proposed mitigation measures in the PEIR are feasible and will avoid or substantially reduce significant environmental effects of the 2017 FMP. These findings are described in the Findings of Fact for the FMP ("Findings of Fact") that

were prepared for this project and attached to Resolution No. OCSD 20-XX.

The proposed mitigation measures are identified in the Final PEIR, the Findings of Fact, and the Mitigation Monitoring and Reporting Program which is included in the Final PEIR. Because the project, as mitigated, still potentially results in significant environmental impacts, CEQA requires the Sanitation District to make additional findings regarding recommended project alternatives or to adopt a Statement of Overriding Considerations in relation to this project. A Statement of Overriding Considerations weighs the benefits of the project against its environmental risks. If adopted by the Board, the Statement of Overriding Considerations discloses that the Sanitation District is approving the project due to its overriding benefits and despite its potential environmental harm. The Statement of Overriding Considerations is included within the Findings of Fact document.

The Sanitation District received nine comments on the Draft Program EIR, which are included in the Final EIR. The comments were from two individuals and seven public agencies. One of the individuals was concerned about impacts from a Project where a sewer easement traverses their property. Several other comments were from City of Anaheim, Caltrans, and Orange County Transportation Authority where coordination was requested for proposed projects that will have impacts to traffic. None of the comments were against any of the proposed Projects and in general, were requesting and clarifying coordination efforts that will be required. Pursuant to CEQA Guidelines Section 15088(c), the Final PEIR includes written responses to those comments.

The proposed Resolution making the required CEQA findings and adopting the Final PEIR and Mitigation Monitoring and Reporting Program, is attached for the Board of Directors' consideration and approval.

## **FINANCIAL CONSIDERATIONS**

N/A

## **ATTACHMENT**

*The following attachment(s) may be viewed on-line at the OC San website ([www.ocsan.gov](http://www.ocsan.gov)) with the complete agenda package:*

- Resolution No. OCSD 20-11
- Draft PEIR
- Final PEIR, including the Mitigation Monitoring and Reporting Program
- 12/2/2020 Operations Committee PowerPoint Presentation

KH:sa:gc