

# NOVATO SANITARY DISTRICT

July 27, 2009

**A regular meeting of the Board of Directors of the Novato Sanitary District will be held at 6:30 p.m., Monday, July 27, 2009, preceded by a closed session beginning at 5:30 PM at the Hill Community Room, Margaret Todd Senior Center, 1560 Hill Road, Novato.**

*Materials related to items on this agenda are available for public inspection in the District Office, 500 Davidson Street, Novato, during normal business hours.*

## **AGENDA**

**1. PLEDGE OF ALLEGIANCE:**

**2. AGENDA APPROVAL:**

The Board will take public comment on the closed session item only. The Board will then recess into closed session.

**3. CLOSED SESSION:**

CONFERENCE WITH LABOR NEGOTIATORS – Government Code Section 54957.6.

- Confer with District's labor negotiators regarding meet and confer with District's "General" bargaining unit, represented by Teamsters Local 315.

**4. RECONVENE IN OPEN SESSION AT 6:30 PM**

- a. Report on closed session.

**5. PUBLIC COMMENT (Please observe a three-minute time limit):**

This item is to allow anyone present to comment on any subject not on the agenda, or to request consideration to place an item on a future agenda. Individuals will be limited to a three-minute presentation. No action will be taken by the Board at this time as a result of any public comments made.

**6. BOARD MEMBER REPORTS:**

**7. REVIEW OF MINUTES:**

- a. Consider approval of minutes of July 13, 2009 meeting.

**8. CONSENT CALENDAR:**

The Manager-Engineer has reviewed the following items. To her knowledge, there is no opposition to the action. The items can be acted on in one consolidated motion as recommended or may be removed from the Consent Calendar and separately considered at the request of any person.

- a. Meeting schedule – August 10<sup>th</sup> and 24<sup>th</sup>, September 14<sup>th</sup> and 28<sup>th</sup>, October 12<sup>th</sup> and 26<sup>th</sup>.
- b. Approve disbursements.

**9. COLLECTION SYSTEM IMPROVEMENTS: PROJECT 72706, PHASE B – STATE ACCESS ROAD SEWER PROJECT:**

- a. Consider making CEQA findings, approving plans and specifications, and authorizing advertising for bids.

**10. STAFF REPORTS:**

- a. Update on fraudulent internet access to the District's bank accounts.
- b. North Bay Water Reuse Meeting.
- c. State Proposition 1A suspension.

**11. WASTEWATER TREATMENT PLANT UPGRADE PROJECT 72609B:**

- a. Consider making CEQA findings and adoption of an Addendum regarding contracting for the operation and maintenance of the treatment facilities.
- b. Consider authorizing District staff to negotiate an agreement with Veolia Water North America Operating Services to operate, manage, and maintain the District's wastewater treatment facilities

**12. LIABILITY CLAIM:**

- a. Consider rejection of claim from Deva Sherman, 113 Caribe Isle, Novato.

**13. BEL MARIN KEYS PUMP STATIONS REHABILITATION PROJECT 72403:**

- a. Consider approval of a contract amendment for construction management services.

**14. MANAGER'S ANNOUNCEMENTS:**

**15. ADJOURNMENT:**

Next resolution no. 3007

AGENDA/Board of Directors  
July 27, 2009

***In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District at (415) 892-1694 at least 24 hours prior to the meeting. Notification prior to the meeting will enable the District to make reasonable accommodation to help ensure accessibility to this meeting.***

July 13, 2009

A regular meeting of the Board of Directors of the Novato Sanitary District was held at 4:30 p.m., Monday, July 13, 2009, at the District Office, 500 Davidson Street, Novato.

BOARD MEMBERS PRESENT: President Michael Di Giorgio, Members James D. Fritz, William C. Long and George C. Quesada.

BOARD MEMBERS ABSENT: Member Arthur T. Knutson.

STAFF PRESENT: Deputy Manager- Engineer Sandeep Karkal and Administrative Secretary Julie Borda.

STAFF ABSENT: Manager-Engineer-Secretary Beverly James.

ALSO PRESENT: Colleen Rose, Novato resident  
Dee Johnson, Solid Waste Committee  
Art and Pat Ribbel, Novato resident  
Suzanne Brown Crow, Novato resident  
Dean L. Heffelfinger, Novato resident  
Phil Tucker  
Dennis Welsh, former NSD employee, Novato resident  
Tom Pierce

PLEDGE OF ALLEGIANCE:

AGENDA APPROVAL:

*On motion of Member Fritz, seconded by Member Quesada, and carried unanimously by those members present, the Agenda was approved as mailed.*

PUBLIC COMMENT:

Tom Pierce stated that he had worked in manufacturing and discussed the cost of outsourcing. He felt the Board did not realize that the District may lose reliability if the new operators are not living within thirty minutes of the District office. He stated the Board was not analyzing the risk potential when it came to outsourcing the treatment plants operations.

Art Ribbel, Novato resident, requested that audio transcripts be made available to the public at their request. He stated he was misquoted at the June 22<sup>nd</sup> Board Meeting by the Manager-Engineer-Secretary, Beverly James. He requested the current minutes show he did not request HDR Engineering Inc. to do a peer review on the Eisenhardt Report. He had requested any qualified, unbiased firm to perform the review. Mr. Ribbel briefly discussed the Eisenhardt report and disputed the report's reliability. He stated Mr. Eisenhardt will profit from his report if the District moves forward with a

private contract operator. Mr. Ribbel felt that EMA Inc., the second independent firm to review the Eisenhardt Report, did not address the same issues as the Eisenhardt Report.

Dennis Welsh asked when the bids received from the contract operators will be made available to the public. The Deputy Manager-Engineer responded that at the recommendation of District counsel and in the public's best interest, the bid results would not be released until after a Board decision. Mr. Welsh commented on the commercials on television and asked who had paid for the ads and how much was spent. The Deputy Manager-Engineer stated the ads were paid for by the District's public outreach fund.

Norm Stone, Novato resident, requested clarification for the Board meeting on July 20<sup>th</sup>. The Deputy Manager-Engineer explained that the meeting would include a detailed presentation with a financial evaluation of the bids received.

Phil Tucker, Sustainable Novato, stated he would like to see the details of the bids as they are responded to in the RFP (Request for Participation) document.

#### BOARD MEMBER REPORTS:

Member Long referenced a letter he received on behalf of the North Bay Water Reuse Authority from the United States Department of the Interior, Bureau of Reclamation. In the letter, the Bureau expressed their support of the North Bay Water Reuse Authority.

Member Fritz stated that on June 25<sup>th</sup> he had the pleasure of flying over the Novato Sanitary District treatment facility with Mr. Sam Renati, former Board Member.

President Di Giorgio invited the public to attend a scheduled tour of the District's treatment plant operations on Saturday, July 18<sup>th</sup> at 9AM. He noted there will be another tour on July 25<sup>th</sup>, also at 9AM.

#### REVIEW OF MINUTES:

Consider approval of minutes of the June 22, 2009 Regular Board meeting:

*On motion of Member Quesada, seconded by Member Long, and carried unanimously by those members present, the minutes of the June 22<sup>nd</sup> regular Board meeting were approved.*

#### PUBLIC HEARING:

Consider the collection of Sewer Service Charges on the tax rolls of the County of Marin pursuant to Section 5473 of the Health and Safety Code of the State of California.

President Di Giorgio opened the Public Hearing at 4:53 p.m. The Deputy Manager-Engineer briefly discussed the District's sewer service charges and stated the public hearing was noticed in the Marin Independent Journal on June 25<sup>th</sup> and July 2<sup>nd</sup>. He pointed out that the District's Information Systems Specialist, Robin Merrill, was in attendance and would answer any questions from the public regarding their specific sewer service charges.

Dennis Welsh, Novato resident, asked if the sewer service charges could be collected monthly instead of the current method of semi-annually.

President Di Giorgio discussed the method the District uses to collect the funds on the tax roll and explained that monthly collection was not possible due to the prohibitive additional costs which would be involved. He expressed his concern regarding the State budget crisis and the possibility of the District losing some of their funding.

The public hearing was closed at 4:56 p.m.

- Consider adoption of Resolution No. 3005, a Resolution prescribing and providing for the collection of sewer service charges for Novato Sanitary District on the tax rolls of the County of Marin for the fiscal year 2009/2010.

*On motion of Member Quesada, seconded by Member Fritz, and carried unanimously by those members present, Resolution No. 3005 was adopted.*

#### CONSENT CALENDAR:

Member Quesada requested item 7a. be removed from the consent calendar to be discussed in further detail.

*On motion of Member Quesada, seconded by Member Long, and carried unanimously by those members present, the following Consent Calendar Items were approved:*

- b. Consider approval of a contract for consulting services for the Household Hazardous Waste and AB 939 programs.
- c. Schedule July 27<sup>th</sup> Board meeting for 6:30 p.m. at Hill Community Room, Margaret Todd Senior Center.
- d. Approval of regular disbursements in the amount of \$378,644.37, and upgrade project disbursements in the amount of \$2,065,889.62.

Item 7a.: Consider acceptance of a proposal by Custom Tractor Service (CTS) to inject waste biosolids into the Dedicated Land Disposal Area at the Reclamation Facility.

The Deputy Manager-Engineer noted CTS has been performing biosolid injection satisfactorily for the Las Gallinas Valley Sanitary District and had performed the same services for the Novato Sanitary District last season. This season, CTS has been asked

to perform a full-scale injection at a cost of 0.033 cents per gallon plus a one time setup fee of \$2,500. The setup fee will be waived if one million gallons are injected this season and he noted that staff estimates that close to 1.75 million gallons will be injected. The Deputy Manager-Engineer stated that staff recommends accepting the CTS proposal and authorizing the Manager-Engineer to enter into an agreement with CTS for a not-to-exceed amount of \$70,000.

Member Quesada questioned the advantage of using the injection method over the surface spread and disc method for the disposal of digested biosolids. Deputy Manager-Engineer discussed the injection method and stated it was comparable in cost and lasting effect to the surface spreading method. He stated he would set up a cost comparison for review at a later Board meeting.

Member Long stated he believes the Board should make a decision at this time, but requested the issue be revisited at a later Board meeting for further discussion and review. He stated he would like a report to determine how the two methods affect the site.

*On motion of Member Long, seconded by Member Fritz, and carried with the following vote, Custom Tractor Service (CTS) of Petaluma was contracted to inject waste biosolids into the Dedicated Land Disposal Area at the Reclamation Facility: Ayes: Di Giorgio, Long and Fritz. Noes: Quesada. Absent: Knutson*

#### BOARD OF DIRECTORS:

Consider Committee appointments for 2009-10. President Di Giorgio appointed the committee members as follows:

#### **Current Committees:**

Standing Joint City/District Solid Waste Committee: George C. Quesada, Arthur T. Knutson, Michael Di Giorgio, Alternate

California Association of Sanitation Agencies: Michael Di Giorgio, Delegate, William Long, Alternate

California Sanitation Risk Management Authority: Beverly B. James, Delegate, Michael Di Giorgio, Alternate

North Bay Regional Water Reuse Authority: Beverly B. James, Delegate, William C. Long, Alternate

North Bay Watershed Association: Beverly B. James, Delegate, George C. Quesada, Alternate

North Bay Watershed Association, Lateral Committee: Michael Di Giorgio, Delegate

***Adhoc Committees***

Adhoc Solid Waste Rates: William C. Long, Michael Di Giorgio

Adhoc Personnel: William C. Long, Michael Di Giorgio

Adhoc Wastewater Facility Upgrade: James D. Fritz, William C. Long

Adhoc Recycled Water: James D. Fritz, William C. Long

Adhoc Collection System: Michael Di Giorgio, James D. Fritz

**COLLECTION SYSTEM IMPROVEMENTS: PROJECT 72706, PHASE A- CENTER ROAD/WILSON AVE. SEWER PROJECT:**

Consider adoption of a resolution making CEQA findings, approving plans and specifications, and authorizing advertising for bids. The Deputy Manager-Engineer stated that the purpose of this project is to relieve surcharge conditions in the existing sewer which runs in easements behind the homes along Center Road through to Monte Vista. He stated this portion is Phase A and believes there may be three more phases to the project before completion. He stated the Engineer's estimate for this work is \$777,002.00 but in consideration of the current economic climate, felt the bids may be considerably lower.

Member Quesada questioned the additional line. The Deputy Manager-Engineer stated the line will be an 18" diameter pipe in the public right-of-way (street) and will be the relief system to the main.

Member Fritz questioned how this bypass will affect the flow of wastewater. The Deputy Manager-Engineer stated that the upstream flows will be diverted during high flow periods such as wet weather seasons.

*On motion of Member Long, seconded by Member Fritz and carried unanimously by those members present, Resolution No. 3006, a Resolution approving plans and specifications, making determinations on environmental impact, establishing prevailing wage scale, calling for proposals, and providing for notice thereof: Collection System Improvements: Project 72706, Phase A-Center Road/Wilson Avenue Sewer Project, was approved.*

MANAGER'S ANNOUNCEMENTS:

The Deputy Manager-Engineer discussed his attendance at the North Bay Watershed Association meeting on July 10<sup>th</sup>. He noted their next meeting will be held on September 11<sup>th</sup> at the Marin Community Foundation.

ADJOURNMENT: There being no further business to come before the Board, President Di Giorgio adjourned the meeting at 5:24 p.m.

Respectfully submitted,

Beverly B. James  
Secretary

Julie Borda, Recording

DRAFT

# Novato Sanitary District Check Register

July 27, 2009

Date	Num	Name	Credit
<b>Jul 27, 09</b>			
7/27/2009	42711	JMB Construction Inc.	197,460.00
7/27/2009	42730	Nute Engineering Inc.	70,959.00
7/27/2009	42736	PSC	17,295.01
7/27/2009	42717	Maggiora & Ghilotti Inc.	8,248.28
7/27/2009	42720	Meyers, Nave, Riback, Silver &...	8,169.06
7/27/2009	42731	Olin Chlor Alkali Products	8,115.06
7/27/2009	42742	Sideman & Bancroft, LLP	7,143.26
7/27/2009	42729	Novato, City	6,475.27
7/27/2009	42695	Caltest Analytical Lab Inc.	6,151.45
7/27/2009	42697	CED Santa Rosa, Inc	5,793.12
7/27/2009	42703	East Bay Muni Utility District	4,904.00
7/27/2009	42692	American Express-21007	3,870.20
7/27/2009	42741	Royal Petroleum Company	3,854.12
7/27/2009	42750	Whitley Burchett & Associates	3,731.00
7/27/2009	42699	Clarence & Dyer LLP	3,723.50
7/27/2009	42707	G & K Services	2,536.97
7/27/2009	42701	Control Systems West, Inc.	2,227.27
7/27/2009	42705	Environmental Resource Assoc	2,219.80
7/27/2009	42713	Kaiser Permanente	2,072.76
7/27/2009	42725	North Bay Truck Service	1,938.88
7/27/2009	42721	Monterey Mechanical, Inc.	1,433.77
7/27/2009	42745	Tamor & Tamor	1,170.00
7/27/2009	42746	Underground Service Alert	1,087.20
7/27/2009	42749	Water Components & Building	1,074.04
7/27/2009	42723	Nextel Communications	963.43
7/27/2009	42739	Reliable Crane & Rigging	880.00
7/27/2009	42693	AT&T-SAC	621.96
7/27/2009	42712	Johnson Controls, Inc.	598.00
7/27/2009	42716	Long, William C.	541.00
7/27/2009	42715	Labworks Equipment	527.04
7/27/2009	42687	Alhambra	315.86
7/27/2009	42698	Claremont EAP	295.00
7/27/2009	42740	Rotary Club of Novato	275.00
7/27/2009	42696	Cantarutti Electric, Inc	264.00
7/27/2009	42751	Will Raffs Glass	257.60
7/27/2009	42748	VWR International Inc.	232.13
7/27/2009	42694	Cagwin & Dorward Inc.	229.00
7/27/2009	42743	Siemens Water Tech Corp.	219.70
7/27/2009	42733	Oratech Controls, Inc.	218.69
7/27/2009	42702	Datco Billing Inc.	191.10
7/27/2009	42708	Grainger	180.15
7/27/2009	42737	Quill Corporation	169.19
7/27/2009	42718	Maselli & Sons Inc.	163.02
7/27/2009	42735	Pacific, Gas & Electric	152.12
7/27/2009	42714	Lab Safety Supply	140.32
7/27/2009	42747	Verizon California	131.21
7/27/2009	42724	North Bay Gas & Weld	129.56
7/27/2009	42704	Edd Clark & Associates, Inc.	117.50
7/27/2009	42686	3T Equipment Company Inc.	110.18
7/27/2009	42732	One Stop Auto Service Inc.	100.04
7/27/2009	42726	North Marin Auto Parts	84.19
7/27/2009	42700	ColorFast	83.44
7/27/2009	42734	Orkin Pest Control	75.90
7/27/2009	42738	Radio Shack	71.55
7/27/2009	42706	Federal Express	65.70
7/27/2009	42728	Novato Brushless Car Wash	62.36
7/27/2009	42710	International Code Council Inc	60.00
7/27/2009	42722	National Notary Association	52.00
7/27/2009	42727	North Marin Water District	49.68
7/27/2009	42719	Matt & Jeff's Hand Car Wash	39.98
7/27/2009	42688	All Star Rents LLP	25.87
7/27/2009	42744	T-Mobile	22.27
7/27/2009	42709	Hertz Corporation	7.16
<b>Jul 27, 09</b>			<b>380,375.92</b>

07/24/09

# Novato Sanitary District Check Register

July 27, 2009

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Credit</u>
<b>Jul 27, 09</b>			
7/27/2009	1388	Eisenhardt Group, Inc.	62,461.39
7/27/2009	1387	Black John Ranch, LLC	5,046.00
7/27/2009	1392	HDR Engineering Inc	4,027.30
7/27/2009	1391	Harmony Press	2,870.00
7/27/2009	1393	Verizon California Inc	1,100.00
7/27/2009	1390	Guarantee Mailing Services, Inc.	1,067.54
7/27/2009	1389	Empire Mini Storage - Novato	730.00
<b>Jul 27, 09</b>			<b><u>77,302.23</u></b>

# NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

<b>TITLE: Collection System Improvements; Project 72706, Phase B – State Access Road Sewer Project</b>	<b>MEETING DATE: July 27, 2009</b>  <b>AGENDA ITEM NO.: 9 a</b>
<b>RECOMMENDED ACTION: Consider making CEQA findings, approving plans and specifications and authorizing advertising for bids.</b>	
<b>SUMMARY AND DISCUSSION:</b>  Nute Engineering has completed the plans and specifications for this project and the project is ready for bid. This project is the second of four expected to be bid this year and consists of installing approximately 1,100 feet of sewer main in State Access Road. The purpose of this project is to replace 959 feet of vitrified clay and corrugated metal pipe sewers located in the District's State Access Road easement.  The Engineer's Estimate for this work is \$434,000.00. District staff has completed the California Environmental Quality Act (CEQA) documentation and determined that the project is categorically exempt. This determination is made because the work consists of reconstruction of an existing facility where the new facility will be located on the same site as the facility replaced and will have substantially the same purpose and capacity of the facility replaced.  Staff recommends making CEQA findings, approving plans and specifications and authorizing advertising for bids. Bids are expected to be received on August 20, 2009 and be presented to the Board at the August 24 <sup>th</sup> meeting.	
<b>ALTERNATIVES: Do not bid the project.</b>	
<b>BUDGET INFORMATION: The FY 09-10 Preliminary Budget for this work is \$4,000,000.00.</b>	
<b>DEPT.MGR.:</b>	<b>MANAGER:</b>



# ***CALIFORNIA ASSOCIATION of SANITATION AGENCIES***

1215 K Street, Suite 2290, Sacramento, CA 95814 PH: (916) 446-0388 – FX: (916) 231-2141 [www.casaweb.org](http://www.casaweb.org)

VIA ELECTRONIC MAIL

July 24, 2009

TO: CASA Member Agencies  
CASA Associates  
CASA Legislative Committee  
CASA Executive Board  
CASA Attorneys

FROM: Mike Dillon, Lobbyist  
Christina DiCaro, Lobbyist

RE: **News From the Capitol**

## **ALL-NIGHTER AT THE CAPITOL PRODUCES A BUDGET**

Last night, Senate President pro Tempore Darrell Steinberg joked about bringing “in a cot” in order to endure, what he predicted, could be a long night of Budget deliberations in the State Senate. He was correct, as the Senate pulled an “all-nighter,” commencing business around 8 p.m. last night, and stretching the votes on 32 Budget-related different bills to 6:45 a.m. today. In the early hours this morning, the Senate was hung up on a measure to repay K-12 schools, once the economy improves, as well as the controversial proposal to borrow property taxes from local government.

The property tax measure, AB 15 (4X)-Gaines, authorizes \$1.935 billion to be borrowed from local governments through the suspension of Proposition 1A (of 2004). Counties, cities, and special districts will have 8 percent of their property tax revenues, received in 2008-09, shifted through a local mechanism to schools, and other services, thereby saving the state a like amount to help balance the Budget. AB 15 (4X) also contains provisions that will allow local governments to participate in a newly established joint powers authority, created by the state for the purpose of “securitizing” a temporary loan to offset the state’s borrowing action. The Assembly Democrats’ briefing document includes this additional language regarding AB 15 (4X), “As an alternative to participating in the joint securitization, local agencies may choose to take their property tax reduction in 2009-10, and then be repaid by the state directly at an interest rate that will be set by the Department of Finance, subject to a cap of 6 percent. This option is intended to provide an incentive for local agencies that have adequate resources of their own or that have better credit than the state to finance their suspension amount on their own, rather than as part of the joint securitization, which essentially will be a state credit and probably will be expensive given the state’s poor credit rating.” (*Assembly Budget Committee: Budget Briefing document*) AB 15 (4X) also contains language to

provide “extreme hardship” waivers for local agencies currently in, or in danger of bankruptcy, etc. to qualify for a reduction or waiver of their property tax borrowing obligation. AB 15 (4X) passed by the bare minimum votes required for passage in the Senate.

Meanwhile, in the Assembly, talks had broken down during the night over three major issues: the K-12 education repayment bill, the Proposition 1A measure, and a controversial bill authorizing oil drilling off of Tranquillon Ridge, off the shores of Santa Barbara. At 7:15 a.m., Assembly Speaker Karen Bass said to members of the press corps, “We’re going to be here awhile.” For several hours the house met intermittently and then both parties caucused, as votes were still uncertain on the three key bills remaining.

At 1:30 p.m., Assembly Speaker Bass called the session back to order and announced, “Members, we have been in session almost 24 hours. We are ready to finish.” Subsequent to that announcement, Assembly Democrat Floor Leader Alberto Torrico announced that the Assembly was shelving a bill, detrimental to local governments, to raid the local share of the Highway Users Tax, known as “HUTA.” (This action creates an immediate \$1 billion hole in the Budget.) While the Senate passed the bill earlier this morning, the Assembly placed the bill on its so-called “Inactive File.” It appears this action by the Assembly was in response to a deal that was cut to mitigate some of the overall Budget impacts on local government. In essence, the Assembly had no options with regard to this measure or any of the other measures before them – they could not amend the bills because the Senate had already adjourned, so their choices were to drop a bill (place it on the Inactive File) or pass the bill as is.

At 1:45 p.m., the Assembly took up AB 15 (4X)-Gaines, with Assembly Budget Committee Chair Noreen Evans presenting on the measure, and noting that repayment to local government under the bill would be the “state’s highest priority after bonded indebtedness and schools.” The measure ultimately passed on a vote of 57 “ayes” to 12 “noes.” Subsequently, AB 14 (4X), a companion measure, that authorizes the actual suspension of Proposition 1A, was passed after some obvious arm-twisting by the leadership.

## **LEGISLATURE TAKES A BREAK – MORE WORK TO BE DONE**

As Senate President pro Tem Steinberg closed down the Senate at 6:45 a.m., he cautioned that the Budget difficulties may not be totally behind the Legislature, if the economy does not begin improving. He noted, “We don’t know whether we will be back at this. We probably will. Let’s come back after a little bit of rest....Let’s turn this place around.” At 3:10 this afternoon, as Assembly Speaker Karen Bass closed down the session, she thanked the Budget staff and fellow legislators for all of their hard work and commented, “I’m sure you all feel like I do, which is ‘fried’.”

Both houses will return from their summer break on Monday, August 17, 2009 to conclude the first half of the 2009-10 session, which is scheduled to adjourn on Friday, September 11, 2009.

Notes:

AB 15 (4X) or AB 15XXXX = AB 15 in the 4<sup>th</sup> Extraordinary Session (Prop 1A Budget Trailer bill)  
AB 14 (4X) or AB 14XXXX = AB 14 in the 4<sup>th</sup> Extraordinary Session (Prop 1A Budget Trailer bill)  
AB 1 (4X) or AB 1XXX is the main Budget bill.

# NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

**TITLE:** Addendum to 2005 EIR for the Novato Sanitary District Wastewater Facility Plan Project

**MEETING DATE:** July 27, 2009

**AGENDA ITEM NO.:** 11 a

**RECOMMENDED ACTION:** Adoption of an Addendum to the 2005 Environmental Impact Report for the Novato Sanitary District Wastewater Facility Plan Project

## **SUMMARY AND DISCUSSION:**

On May 23, 2005, the Board approved Resolution No. 2908 certifying an Environmental Impact Report for the Novato Sanitary District Wastewater Facility Plan Project (SCH No. 200407203) ("2005 EIR") and adopting findings concerning significant impacts and alternatives, a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations. The 2005 EIR evaluated the potential environmental impacts of proposed upgrades and modifications to the Novato Wastewater Treatment Plant ("WWTP") and the Ignacio WWTP.

Concurrently with, and based upon, certification of the 2005 EIR, the District approved the Novato Combined WWTP Alternative ("Project"). The Project consists of expanding the capacity of the Novato WWTP, consolidating the Novato WWTP and the Ignacio WWTP, modifying existing treatment facilities at the Novato WWTP, constructing new facilities at the Novato WWTP, converting the Ignacio WWTP to a pumping facility, constructing a new pipeline for the Ignacio pump station to the Novato WWTP, and operating and maintaining the existing, transitional and new facilities which are comprehended in the Project ("Project Facilities").

Following approval of the Project, the District identified the need to augment existing staff and resources with staff and resources experienced with the startup and operation of wastewater facilities similar to the Project Facilities. Accordingly, the District issued a Request for Qualifications ("RFQ") for wastewater treatment facility operation, maintenance and management services and then invited three qualified firms to respond to a Request for Proposal ("RFP"). The District is now considering negotiating an Operations, Maintenance and Management Service Agreement ("Service Agreement") with Veolia Water North America Operating Services, LLC ("Contractor").

District Staff analyzed whether the proposed operation, maintenance and management of the Project Facilities by Contractor requires additional environmental review under the California Environmental Quality Act ("CEQA"). Staff determined that the operation, maintenance and management of the Project Facilities by Contractor falls within the existing facilities exemption set forth in CEQA Guidelines section 15301 because the Project has been finally approved based on the 2005 EIR. Moreover, the operation, maintenance and management of the Project Facilities by Contractor involves no expansion of use beyond that considered in the 2005 EIR.

Notwithstanding Staff's determination that Contractor's proposed operation, maintenance and management of the Project Facilities fall within the existing facilities exemption, in an abundance of caution, District Staff also reviewed the 2005 EIR and the criteria in section 15162 of the CEQA Guidelines to determine whether the proposed operation, maintenance and management of the Project Facilities by Contractor is a modification to the Project requiring a subsequent or supplemental EIR. Pursuant to section 15162, where an EIR has been certified for a project, no supplemental or subsequent EIR shall be prepared unless the agency determines, based on substantial evidence that one or more of the following criteria are satisfied:

*(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

*(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:*

*(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*

*(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*

*(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*

*(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

An agency may include an explanation of its decision not to prepare a subsequent EIR pursuant to section 15162 in an addendum. (CEQA Guidelines § 15164.)

District Staff determined that the proposed operation, maintenance and management of the Project Facilities by Contractor does not satisfy any of the criteria in CEQA Guidelines section 15162. First, the proposed transfer of responsibility for the operation, maintenance and management of the Project Facilities to Contractor is not a substantial change to the Project involving new or more severe significant impacts. The proposed transfer will not change the physical capacity, design, configuration, construction, or operation of the Project Facilities.

Moreover, the operation, maintenance and management of the Project Facilities by Contractor would result in the same environmental impacts as the operation, maintenance and management of the Project Facilities by the District, all of which were previously identified and analyzed in the 2005 EIR. Furthermore, the mitigation measures identified in the 2005 EIR and adopted by the District will continue to apply to the Project.

Second, there are no substantial changes in the circumstances under which the Project will be undertaken. The proposed operation, maintenance and management of the treatment facilities by Contractor does not involve any changes to the physical design, construction, or operation of the existing, transitional or new WWTP facilities comprehended in the Project. Moreover, the environmental setting and physical environmental conditions for the area have not changed from those anticipated in the 2005 EIR.

Third, there is no new information of substantial importance that was not known or could not have been known at the time the Project was approved.

Because none of the conditions in CEQA Guidelines section 15162 requiring preparation of a subsequent EIR have occurred, District Staff prepared an Addendum to the 2005 EIR in accordance with section 15164. Preparation of the Addendum was appropriate because the proposed transfer of responsibility for the operation, maintenance and management of the Project Facilities to Contractor is a minor change in the Project which will not result in any significant environmental impacts not previously considered in the 2005 EIR nor will it increase the severity of the previously-identified significant environmental impacts.

**Staff Recommendation**

Staff recommends that the Board adopt an Addendum to the 2005 EIR and authorizing Staff to file and post a Notice of Determination in accordance with CEQA Guidelines section 15094.

**ALTERNATIVES:**

**BUDGET INFORMATION:**

**DEPT.MGR.:**

**MANAGER:**

# CEQA ADDENDUM TO THE 2005 ENVIRONMENTAL IMPACT REPORT FOR THE NOVATO SANITARY DISTRICT WASTEWATER FACILITY PLAN PROJECT

July 27, 2009

This Addendum was prepared in accordance with the California Environmental Quality Act ("CEQA"), and the CEQA Guidelines and is intended to serve as an addendum to the previously certified Final Environmental Impact Report for the Novato Sanitary District Wastewater Facility Plan Project.

## A. Introduction

On May 23, 2005, the Novato Sanitary District ("District") adopted Resolution No. 2908 certifying a Final Environmental Impact Report ("2005 EIR") for the Novato Sanitary District Wastewater Facility Plan Project (SCH # 200407203). The 2005 EIR consists of a Draft EIR dated January 20, 2005 and a Response to Comments dated April 26, 2005. The 2005 EIR evaluated the potential environmental effects of the construction and operation of proposed improvements to the Novato Wastewater Treatment Plant ("WWTP") and the Ignacio WWTP. Specifically, the 2005 EIR analyzed the following four project alternatives:

- The Novato Combined WWTP Alternative – Improvements to the Novato WWTP to consolidate treatment processes and conversion of the Ignacio WWTP to a pumping facility.
- The Ignacio Combined WWTP Alternative - Improvements to the Ignacio WWTP to consolidate treatment processes and conversion of the Novato WWTP to a pumping facility.
- The Separate WWTP Alternative – Improvements to both the Novato WWTP and the Ignacio WWTP.
- No Project Alternative – No improvements to either the Novato WWTP or the Ignacio WWTP.

Concurrently with, and based upon, certification of the 2005 EIR, the District approved the Novato Combined WWTP Alternative ("Improvement Project"), and adopted findings concerning significant impacts and mitigation measures, findings regarding alternatives, a statement of overriding considerations and a mitigation monitoring plan. Subsequent to the adoption of the 2005 EIR, the District adopted two Addenda:

- Addendum #1 adopted in October 2005 covered a realignment of a portion of the Ignacio Force Main and a minor extension of the aeration basin access road,
- Addendum #2 adopted in January 2007 covered the realignment of a second section of the Ignacio Force Main.
- Addendum #3 staff level not at Board: Construction layout yard.

Construction of the Improvement Project is currently underway and treatment facilities are being brought online as completed.

Since approval of the Improvement Project, the District has identified the need to augment existing staff and resources with staff and resources experienced with the startup and operation of wastewater facilities similar to the existing, transitional and new facilities comprehended in the Improvement Project ("Project Facilities"). Accordingly, the District issued a Request for Qualifications ("RFQ") for wastewater treatment facility operation, maintenance and management services and then invited three qualified firms to respond to a Request for Proposal ("RFP"). The District is now considering negotiating an Operations, Maintenance and Management Service Agreement ("Service Agreement") with Veolia Water North America Operating Services, LLC ("Contractor"). The proposed terms of the Service Agreement are described in more detail below.

## **B. Improvement Project Description and Prior Approvals**

The District approved the Improvement Project by District Resolution 2908 on May 23, 2005. The Improvement Project consists of expanding the capacity of the Novato WWTP; consolidating the Novato WWTP and Ignacio WWTP; modifying existing treatment facilities at the Novato WWTP; constructing new treatment facilities at the Novato WWTP; converting the Ignacio WWTP to a pumping facility; constructing a new pipeline from the Ignacio pump station to the Novato WWTP; and operating and maintaining the Project Facilities. The approval included findings concerning significant impacts and mitigation measures, findings regarding alternatives, a statement of overriding consideration, and a mitigation monitoring plan.

## **C. Proposed Service Agreement**

The District proposes to negotiate a Service Agreement with Contractor for the contract operation, maintenance and management of the Project Facilities. Pursuant to the Service Agreement, Contractor would be responsible for operating, maintaining and managing the Project Facilities in accordance with all federal, State and local regulations and permits and the specific performance standards set forth in the Service Agreement. Contractor's duties would include, but not be limited to, day-to-day plant operations and monitoring; performing asset management functions; performing scheduled and unscheduled maintenance, repairs, and replacements as needed on infrastructure components; maintaining compliance with the Novato WWTP's National Pollutant Discharge Elimination System ("NPDES") permit and any other regulatory permits, laws, rules and regulations applicable to the operation of the Project Facilities; training and transitioning staff and maintaining records.

The District would retain responsibility for maintaining, cleaning, repairing and constructing the District's sewers and collection system; managing and enforcing the industrial pretreatment program, rate setting, performing meter reading and maintenance, performing outfall repairs and maintenance outside the District's WWTP facilities, performing long-term system and area-wide planning, reviewing and authorizing expenditures for repairs and replacements and capital replacements and upgrades for the Project Facilities.

The Service Agreement would provide the District with the right to review and inspect Contractor's operation, maintenance and management activities. Specifically, the District would have the right to conduct inspections of the Project Facilities at any time to assure that they are being properly operated and maintained in accordance with the Service Agreement. In the event Contractor fails to perform the required maintenance, the District would be permitted to withhold payment of the service fee and hire a third party to perform the required maintenance or may terminate the Service Agreement.

It is expected that the term of the Service Agreement would be five years. However, the District would have the option, in its sole discretion, to extend the Service Agreement for three additional three-year terms.

#### **D. Prior CEQA Analysis and Determinations**

The 2005 EIR analyzed the potential environmental impacts of the Improvement Project, including the operation of the Project Facilities. The 2005 EIR identified numerous short-term construction related impacts to geology and soils, water quality, dust generation, traffic, noise, and visual resources and determined that they could be reduced to a less than significant level by implementation of mitigation measures. In addition, the 2005 EIR identified the following long-term operational related impacts and determined that they would either be less than significant, requiring no mitigation beyond the existing regulatory framework (which includes compliance with all permits, laws, rules and regulations applicable to operation of the Project Facility), or could be reduced to a less than significant level by implementation of the mitigation measures described below:

##### **Water Quality**

**Impact 3.3-1:** Possible degradation of ambient water quality could result from increased effluent discharge via the District's existing outfall. (Less than Significant)

Mitigation Measures: None required.

**Impact 3.3-2:** The increased District effluent discharge would comply with existing NPDES effluent water quality limitations. (Less than Significant)

Mitigation Measures: None required.

**Impact 3.3-3:** Increased discharge to San Pablo Bay through the existing discharge would have the potential to result in temperature impacts. (Less than Significant)

Mitigation Measures: None required.

**Impact 3.3-4:** An increase in effluent discharge from the District may result in increased mass loadings to the Bay, with subsequent impacts to water quality. (Less than Significant)

Mitigation Measures: None required.

##### **Air Quality**

**Impact 3.7-2:** Operation of Proposed Project components would result in operational air emissions from pumps, testing and potential use of emergency generators. Emissions from these sources would not be substantial and would not exceed significance criteria of the BAAQMD. (Less than Significant)

Mitigation Measures: None required.

**Impact 3.7-3:** Project operation would result in odor emissions (Less than Significant with EIR Identified Mitigation)

Mitigation Measure 3.7.3: Consistent with the District's existing covered facilities, measures to eliminate odor from facility sources would be implemented in the design and operation of new equipment. As appropriate, this would include covering of facilities and filtering of air from odor sources prior to release. Additionally, emission points would be located as far as possible from the fresh air intake of adjacent buildings and other sensitive receptors.

**Impact 3.7-4:** Project operation could result in operational toxic air contaminant (TAC) emissions. (Less than Significant with EIR Identified Mitigation)

Mitigation Measure 3.7.4: Design and operation elements would be used to decrease TAC emissions as required to meet permit requirements. Emission sources would be located as far from any sensitive receptors as much as possible.

### Noise

**Impact 3.8-2:** Operational activities would generate noise levels above existing ambient levels in the project vicinity. (Less than Significant)

Mitigation Measures: None required.

### Hazardous Materials

**Impact 3.10-3:** Increased quantities of hazardous material stored onsite at the Novato and/or Ignacio treatment plants could impact public health in the event of a catastrophic spill or explosion. Adoption of updated Business Plans and compliance with applicable regulations would minimize potential risks. (Less than Significant)

Mitigation Measures: None required.

## **E. Basis for Decision to Prepare an Addendum**

The District analyzed whether the proposed operation, maintenance and management of the Project Facilities by Contractor requires additional environmental review under CEQA. District Staff determined that the operation, maintenance and management of the Project Facilities by Contractor falls within the existing facilities exemption set forth in CEQA Guidelines section 15301 because the existing facilities have been in operation for decades, and the Project which reconstructs and modernizes those facilities has been finally approved based on the 2005 EIR. Moreover, the operation, maintenance and management of the Project Facilities by Contractor involves no expansion of use beyond that considered in the 2005 EIR.

None-the-less, the District has determined that an Addendum is also an appropriate means CEQA review for Contractor's proposed operation, maintenance and management of the Project Facilities. Prior to making this determination, the District reviewed the 2005 EIR and the criteria in CEQA Guidelines Section 15162 to determine if any further environmental review is required. Section 15162 provides that, where an EIR has been certified for a project, no subsequent or supplemental EIR shall be prepared unless the agency determines, based on substantial evidence, that one or more of the following criteria are satisfied:

*(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

*(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:*

*(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*

*(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*

*(C) Mitigation measures or alternatives previously found not to be feasible in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*

*(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

As discussed in detail below, and in the attached Initial Study Checklist, the proposed operation, maintenance and management of the Project Facilities by Contractor does not satisfy any of the foregoing criteria.

**(a) There are No Substantial Changes Proposed to the Improvement Project**

The proposed operation, maintenance and management of the Project Facilities by Contractor is not a substantial change to the Improvement Project involving new or more severe significant impacts. The proposed transfer of the operation, maintenance and management of the Project Facilities to Contractor will not change the physical capacity, design, configuration, construction, or operation of the Project Facilities. The proposed operation, maintenance and management of the Project Facilities by Contractor would result in the same environmental impacts as the operation, maintenance and management of the Project Facilities by the District, which were previously identified and analyzed in the 2005 EIR. In addition, the mitigation measures identified in the 2005 EIR and adopted by the District as well as all existing Federal, State and local regulatory requirements, will continue to apply to the Improvement Project.

Moreover, the staff operating the plant will remain the same. The Service Agreement will require the Contractor to offer employment to existing District employees, so the skill of the current District employees will not decline and will be augmented with employees of the Contractor who are experienced in starting up and operating facilities similar to the Project Facilities. There is no effect because Contractor's proposal meets all applicable standards with regard to use of skilled and certified employees.

Furthermore, the procedures for maintenance and operation of the Project Facilities will not change. The Service Agreement will require Contractor to operate the Project Facilities pursuant to the same or similar operating and maintenance procedures adopted by the District. The Service Agreement will also require Contractor to comply with all permits, laws, rules and regulations applicable to operation of the Project Facilities.

Accordingly, the operation, maintenance and management of Project Facilities by the Contractor will not result in any new or more severe significant environmental impacts beyond those previously analyzed in the 2005 EIR.

**(b) There are No Substantial Changes in the Circumstances Under Which the Project is Undertaken**

There are no substantial changes in the circumstances under which the Improvement Project will be undertaken. The proposed operation, maintenance and management of the Project Facilities by Contractor does not involve any changes to the physical design, construction, or operation of the Project Facilities. Moreover, the environmental setting and physical environmental conditions for the area have not changed from those anticipated in the 2005 EIR. The Addenda (as noted above) have been prepared relating to minor construction modifications which became known as a result of preparation of final design documents. With exception of the issues addressed in those Addenda, the facility currently under construction, which is to be operated through contract operations, is the facility evaluated by the 2005 EIR with no substantial changes. There are no changes in the basic design, location or setting of the project, the flow characteristics of the waste stream, the treatment units, location of treatment units, odor control facilities, energy conservation measures or planned treatment plant capacity. The basic means of treatment of the wastewater, and operational activities required to process the wastewater, are unchanged from those contemplated in the 2005 EIR. The Improvement Project will be required to comply with the same environmental permit conditions, regulations and standards, regardless of the specific personnel that operate the facilities or whether operations are undertaken with public employees or by contract with private sector employees. There is no contemplated substantial change in the number of employees, number of vehicle trips required or other factors related to operation of the Improvement Project.

**(c) There is No New Information of Substantial Importance**

There is no new information of substantial importance that was not known or could not have been known at the time the Improvement Project was approved.

**F. Conclusion**

This Addendum was prepared pursuant to CEQA Guidelines Section 15164. Through the preparation of this Addendum, the District determines that any minor changes to the Improvement Project arising from operating

the facilities through contract operations, do not require a subsequent EIR under Guidelines Section 15162 because it does not result in new or substantially more severe impacts than those identified in the 2005 EIR.

As provided in Section 15164 of the Guidelines, the Addendum need not be circulated for public review, but the District shall consider the Addendum with the prior 2005 EIR before making a decision on negotiating a Service Agreement with Contractor.

The 2005 EIR and all resolutions cited above are incorporated herein by reference and are available for public review during normal business hours at the District's office located at 500 Davidson Street, Novato, California.

# ENVIRONMENTAL CHECKLIST

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## Initial Study

This Checklist has been adapted from California Environmental Quality Act (CEQA) Guidelines Appendix G.

1. **Project Title:** Novato Sanitary District Wastewater Facility Plan  
Project EIR Addendum
  
2. **Lead Agency Name and Address:** Novato Sanitary District  
Board of Supervisors  
500 Davidson Street  
Novato, CA 94945
  
3. **Contact Person and Phone Number:** Beverly James  
(415) 892-1694 x 111
  
4. **Project Location:** Novato Sanitary District Wastewater Treatment  
Plant
  
5. **Project Sponsor's Name and Address:** Beverly James  
Novato Sanitary District  
500 Davidson Street  
Novato, CA 94945
  
6. **Description of Project:** Please refer to Section B, Improvement Project Description and Prior Approvals, and Section C, Proposed Service Agreement above for a description of the Project.

7. **Surrounding Land Uses and Setting.**

The Novato Sanitary District Wastewater Treatment Plant (WWTP) is located in the City of Novato in Marin County California at approximately 38°05'57"N, 122°30'14" at the end of a cul-de-sac lined with single family residences. The north perimeter of the WWTP is adjacent to single family residences. The Novato Marsh exists to the south of the WWTP, and is bordered by District land and open space to the northeast. A full description of the existing setting is included in Chapter 2 of the Novato Sanitary District Wastewater Facilities Plan Project Environmental Impact Report (EIR).

## Environmental Factors Potentially Affected

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality                    |
| <input type="checkbox"/> Biological Resources            | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology, Soils and Seismicity  |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology and Water Quality        | <input type="checkbox"/> Land Use and Land Use Planning |
| <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population and Housing         |
| <input type="checkbox"/> Public Services                 | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation and Traffic     |
| <input type="checkbox"/> Utilities and Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

### DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

# Environmental Checklist

## Visual Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>1. AESTHETICS—Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway corridor?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe impacts to visual resources beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Section 3.12 of the Novato Sanitary District Wastewater Facility Plan Project EIR analyzed visual resource impacts associated with construction at the Novato WWTP. As noted in Section 3.12 of the EIR, impacts related to construction of the WWTP facilities would not substantially alter the visual character of the facilities. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities; therefore there would be no additional impact on scenic vistas, protected visual resources, or ambient light and dark sky conditions.

## Agricultural Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>2. AGRICULTURAL RESOURCES</b>				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.				
<b>Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland of Statewide Importance to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

There are no agricultural resources within the project area; therefore there is no impact.

## Air Quality

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>3. AIR QUALITY</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. <b>Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe impacts to air resources beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Section 3.7 of the Novato Sanitary District Wastewater Facility Plan Project EIR analyzed air quality impacts. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities; therefore the project would not violate or conflict with the Bay Area Air Quality Management District (BAAQMD) Air Quality Management Plan or result in any impacts beyond those identified in the EIR.

## Biological Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>4. BIOLOGICAL RESOURCES—</b> <b>Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe impacts to biological resources beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Section 3.4 of the Novato Sanitary District Wastewater Facility Plan Project EIR analyzed impacts to vegetation, wildlife, and wetlands. The EIR identified significant impacts including impacts to wetlands/waters of the U.S., disturbance of habitat for special status species, disturbance of nesting habitat, and impacts to common plant and animal species. The EIR identified appropriate mitigation methods for these impacts. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities; therefore there would be no additional impact on sensitive plant and wildlife species, or jurisdictional waters. In addition, the mitigation measures identified in the EIR and adopted by the District will continue to apply.

## Cultural Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
5. CULTURAL RESOURCES— Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe impacts to cultural resources beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Section 3.6 of the Novato Sanitary District Wastewater Facility Plan Project EIR analyzed impacts to cultural resources. An archival and literature search was conducted at the Northwest Information Center of the California Historical Resources Information System at Sonoma State University and was completed January 29, 2004 (File No. 03-527) (William Self Associates, Inc., *Cultural Resources Assessment of the Proposed Novato Sanitary District Wastewater Facility Plan Project, Marin County, California*, March 2005). This search consisted of a review of maps and site records for an area including the proposed facilities and one half-mile buffer of proposed alignments. Although Native American archaeological sites within ½ mile radius of the project were identified, these sites are not located within proximity of proposed facilities, or have been destroyed by previous development. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities; therefore, there would be no additional impact on sensitive historic, cultural, or paleontological resources. In addition, the mitigation measures identified in the EIR and adopted by the District will continue to apply.

## Geology, Soils, and Seismicity

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>6. GEOLOGY, SOILS, AND SEISMICITY—</b> <b>Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Section 3.1 of the Novato Sanitary District Wastewater Facility Plan Project EIR describes the geologic, seismic, and soil conditions within the project area. The EIR identified potentially significant impacts including soil erosion, potentially corrosive soils, intense groundshaking and liquefaction from earthquakes. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities; therefore no new or more severe impacts from geologic and soil hazards beyond those identified in the EIR would occur. In addition, the mitigation measures identified in the EIR and adopted by the District will continue to apply.

## Hazards and Hazardous Materials

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>7. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe impacts associated with hazardous materials beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Section 3.9 of the Novato Sanitary District Wastewater Facility Plan Project EIR analyzed hazardous materials impacts associated with implementation of Segment E

on Rowland Way and construction of the Novato WWTP. For the purposes of this EIR analysis, ESA retained Environmental Data Resources (EDR) of Southport, Connecticut to conduct a regulatory database search of sites adjacent to and in the vicinity of the project area that are listed on agency files for the documented use, storage, generation, or releases of hazardous materials or petroleum products. The database search process reviews several lists generated by federal, state, county, and/or city regulatory agencies for historically contaminated properties, businesses that use, generate, or dispose of hazardous materials or petroleum products in their operation. In addition, the EDR search reviews lists of active contaminated sites that are currently undergoing monitoring and remediation. The search consisted of a review of maps and site records for an area including the proposed facilities and 1/4-mile buffer of proposed alignments. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities, and would therefore not result in disturbance of known hazardous materials or change the use, storage, or transport of hazardous materials associated with plant operation. Therefore, no new or more severe impacts related to hazardous materials beyond those identified in the EIR would occur. In addition, the mitigation measures identified in the EIR and adopted by the District will continue to apply.

## Hydrology and Water Quality

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>8. HYDROLOGY AND WATER QUALITY— Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river or, by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe impacts beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Section 3.2 of the Novato Sanitary District Wastewater Facility Plan Project EIR analyzed impacts to hydrology and water resources. The EIR identified significant impacts to surface and groundwater, including erosion and sedimentation, dewatering of shallow groundwater resources, localized flooding, and potential secondary effects to shallow wells. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities; therefore there would be no impact on existing drainage patterns, groundwater, or the ability to comply with regulatory permits, including National Pollutant Discharge Effluent Standards (NPDES), Clean Water Act Section 401 Water Quality certification, and Title 22. In addition, the mitigation measures identified in the EIR and adopted by the District will continue to apply.

## Land Use, Planning, and Recreational Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>9. LAND USE AND LAND USE PLANNING—</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe impacts beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Section 3.5 of the Novato Sanitary District Wastewater Facility Plan Project EIR describes land uses and consistency with applicable plans and policies. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities; therefore the project would not physically divide an existing community or conflict with existing land uses. There are no applicable Habitat Conservation Plans (HCPs) or Natural Community Conservation Plans (NCCPs) in the WWTP area. The project would not conflict with plans and

policies identified in the Marin Countywide Plan or the City of Novato General Plan. In addition, the mitigation measures identified in the EIR and adopted by the District will continue to apply.

## Mineral Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>10. MINERAL RESOURCES—Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

There are no known mineral resources in the project area; therefore there is no impact.

## Noise

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>11. NOISE—Would the project:</b>				
a) Result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe noise impacts beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Section 3.8 of the Novato Sanitary District Wastewater Facility Plan Project

EIR analyzed noise impacts associated with project construction. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities; therefore the project would not contribute additional sources of excessive noise, generate groundborne vibration, or substantially increase ambient noise levels beyond the levels identified in the EIR. In addition, the mitigation measures identified in the EIR and adopted by the District will continue to apply.

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## Public Services and Utilities

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>13. PUBLIC SERVICES— Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe impacts beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Section 3.11 of the Novato Sanitary District Wastewater Facility Plan Project EIR analyzed public services and utilities impacts associated with construction at the Novato WWTP. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities; therefore, there would be no impact on existing police, fire, or emergency services, emergency response times, recreation and schools facilities. In addition, the mitigation measures identified in the EIR and adopted by the District will continue to apply.

## Traffic and Circulation

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>15. TRANSPORTATION AND TRAFFIC—</b> <b>Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., conflict with policies promoting bus turnouts, bicycle racks, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

**No Additional Impact.** Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe impacts beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Section 3.9 of the Novato Sanitary District Wastewater Facility Plan Project EIR analyzed traffic impacts associated with project implementation on Davison Street, which provides access to the Novato WWTP. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities. Therefore, no new or substantially more severe impacts associated with the project would occur. In addition, the mitigation measures identified in the EIR and adopted by the District will continue to apply.

## Utilities and Service Systems

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>16. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
a) Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Require or result in the construction of new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Under the proposed project, procedures for maintenance and operation of the WWTP facilities will not change. Therefore, no new or more severe impacts beyond those identified in the Novato Sanitary District Wastewater Facility Plan Project EIR would occur. Potential conflict with wastewater treatment requirements, stormwater drainage capacity, and future WWTP treatment capacity were analyzed in the EIR. The proposed transfer of the operation, maintenance and management of the project facilities to a Contractor will not change the physical capacity, design, configuration, construction, or operation of the project facilities; therefore there are no additional impacts to utilities and service systems. In addition, the mitigation measures identified in the EIR and adopted by the District will continue to apply.

## Mandatory Findings of Significance

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>17. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:</b>				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

On the basis of the evaluation presented above, the proposed project changes would not trigger any of the conditions requiring preparation of a subsequent of supplemental EIR. The proposed project change does not constitute a physical or operational change that would have significant environmental effects, or cumulatively considerable environmental effects, above and beyond those analyzed in the Wastewater Facility Plan Project EIR.

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To Better Serve Our Customers

*How Best to Prepare for and Operate the New Treatment Plant*

*Keys to a successful Start Up and Operations Program*

Novato Sanitary District  
July 20, 2009



*Tonight's Agenda*

1. Operation and Maintenance Management Alternatives
2. Short Break to Gather Questions
3. Public Question & Answer, Input
4. Board Comments/Questions
5. District Counsel report on Environmental Impact Analysis
6. Close



Novato Sanitary District 2

*Novato Sanitary District*

- Independent Public Agency with a Five Member Elected Board of Directors and 32 employees
- Serves about 60,000 residents
- Responsible for garbage and sewage service in City of Novato and surrounding area

Directors Jim Fritz and Bill Long inspect construction



Novato Sanitary District

*Novato Sanitary District breaks ground for a new plant September 2006*



Novato Sanitary District 4

*Sewage Facilities*

- New Treatment Plant under construction
- 820 acres of pasture irrigated with recycled water
- Forty pump stations
- 230 miles of public sewers
- Over 200 miles of private sewer laterals



Novato Sanitary District

*Needed New Treatment Facilities*

- Aging treatment plants unable to meet modern standards
  - Aging and Obsolete
- Decision to build single new treatment plant
- District mandated to start up to meet regulations



Novato Sanitary District

### *Plant Nearly Complete*

- **\$90 million treatment plant 66% complete and on schedule to phase-in operation by end of 2009**
- **Change orders less than 1%**
- **Question: how best to operate the plant**



Novato Sanitary District

### *New Facility Raises Challenges*

- **18 month startup: simultaneous operation of old and new plant**
- **Strict warranty maintenance requirements**
- **Develop 100+ detailed new procedures**
- **Additional staff, skills and training needed**

Novato Sanitary District

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### *Two Options Available*

- **Do it in house with additional consulting help**  
OR
- **Retain a single contractor to maintain and operate the plant**

Novato Sanitary District

9

### *Investigated the Options*

- **Retained nationally known experts in wastewater operations**
  - Analyzed the options
  - Ranked options
  - Peer-reviewed analysis

Novato Sanitary District

10

### *District Objectives*

- **Regulatory Compliance**
- **Staff Retention**
- **Cost control**
- **Protect equipment warranties**
- **Long term protection of equipment**
- **Accountability to Board and Public**
- **Maintain District rights and ownership**

### *Completed Due Diligence*

- **Detailed report on options**
- **Two independent peer reviews on costs from report**
- **Site visits by Board members to nine similar wastewater facilities**
  - Conferred with public agency staff and elected officials at 8 facilities on their experiences with plant start up and contract operations



Novato Sanitary District

12

### *Due Diligence cont.*

- ✓ Solicited, obtained and evaluated five Statements of Qualifications
- ✓ Solicited and evaluated two Proposals from pre-qualified firms
- ✓ Compared contract operation alternative to District+Consultants alternative
- ✓ Environmental Review

Novato Sanitary District 13

### *Extensive Public Process*

- Meetings with community leaders and civic groups
- Public facility tours
- Newspaper stories
- Advertisements
- Website updates
- TV notice
- Two newsletters mailed to all customers
- Ten public board meetings



Novato Sanitary District 14

### *Summarizing the Proposal Results*

- Solicited three bidders
- Received two proposals
  - Veolia
  - United Water
- Compared to staff + consulting team option

Novato Sanitary District 15

### *Options Compared*

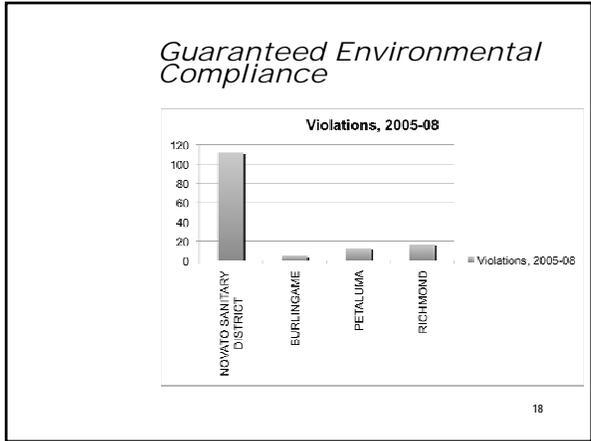
- Veolia significantly better than either:
  - United or NSD + consultants

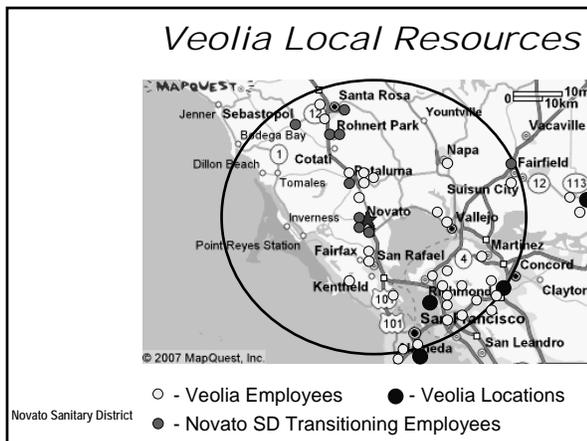
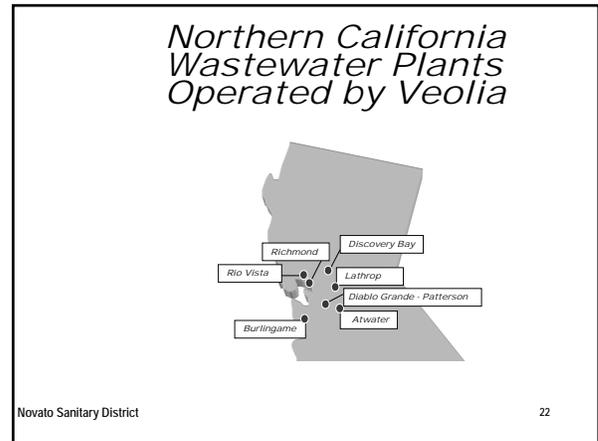
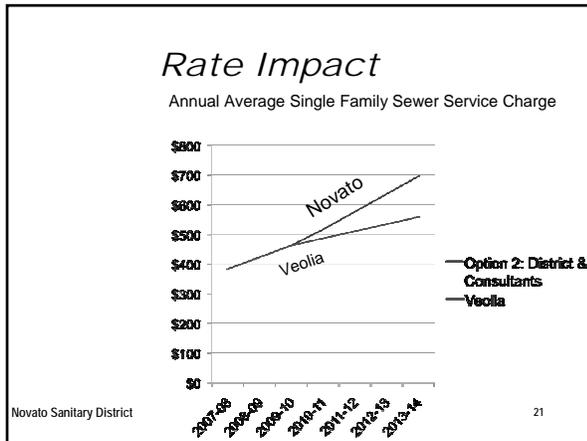
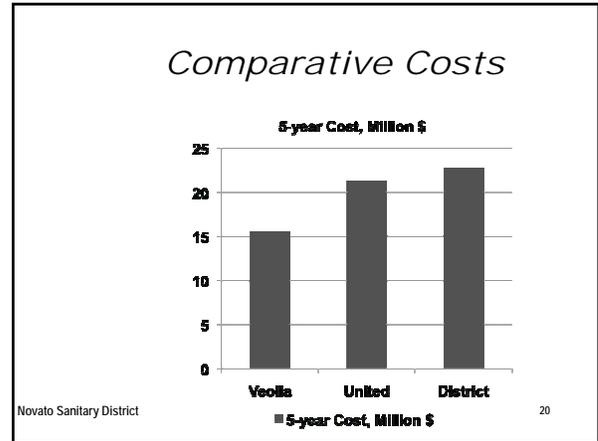
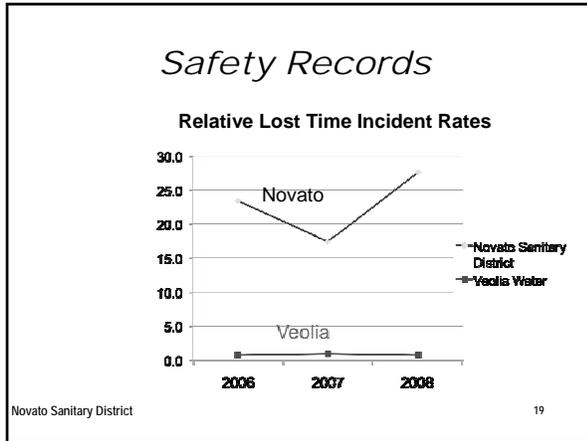
Novato Sanitary District 16

### *Comparison at a Glance*

FACTOR	VEOLIA	UNITED	DISTRICT + CONSULTANTS
5 year escalated costs	\$ 15.6 million	\$ 21.3 million	\$ 22.8 million
Cost guarantees	Yes	No	No
Environmental Permits	Yes	Yes	No
Compliance Guarantees			
Equipment Warranty	Yes	Yes	No
O&M Systems development completed in time for start up	Yes	Yes	Unlikely
\$30 million insurance coverage	Yes	Yes	No
Guaranteed jobs matching current total compensation	Yes	Yes	No
Continued PERS benefits for nine current employees	No	No	Yes

Novato Sanitary District 17





### Local Management Team

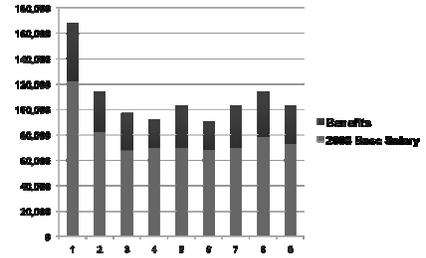
- John Bailey – Chief Plant Operator
- Chris McAuliffe – Startup & Transition Manager
- Ed Mann – Assistant Project Manager
- Jim Good – Area Manager

Novato Sanitary District 24

### Job Guarantees

- Teamsters recognition
- The 9 affected employees are guaranteed a job – they only need to pass a drug test and have a driver's license
- Matching pay and benefits
- Recognition of seniority

### Matching Pay & Benefits



### District Retains Control

Locally elected Board of Directors will:

- Maintain all governance
- Set rates and policies
- Monitor the operation
- Be able to cancel the contract
- Set the budget
- District remains owner of all facilities

### District Retains Control

All other functions remain with District:

- Monitor treatment plant O&M
- Perform laboratory analysis to verify compliance
- Operate the collection system
- Operate the recycled water irrigation system
- Run the pretreatment program
- Manage the capital program

### Veolia Water Proposal provides:

- 5-year cost savings of \$7.2 million
- Local management team
- Detailed transition plan
- Risk protection
- Regulatory compliance guarantees
- Equipment maintenance guarantees
- Accepts Memorandum of Agreement with Union
- District retains control



### Thank You

#### Board of Directors

Michael Di Giorgio, President  
 William C. Long, President Pro-Tem  
 James D. Fritz  
 George C. Quesada  
 Arthur T. Knutson

#### Manager-Engineer

Beverly B. James, P.E.

July 16, 2009

Memo to: Board of Directors

From: Beverly James, Manager-Engineer

Subject: **Novato Wastewater Treatment Plant Upgrade: Selecting the Best Start Up Operation and Maintenance Management Program**

### **Introduction**

The District Board recognized early that a solid plan for the startup, operation and maintenance of the new \$90 million pumping, equalization, and treatment facility is vital to meet water quality standards, regulatory requirements and energy efficiency/climate change goals. However, in light of the many regulatory, operational, and cost risks involved if the District were to simultaneously operate both old and new plants, the Board elected to consider other alternatives as well.

The District has now completed a thorough investigation into selecting the best way to obtain the necessary resources, systems and expertise to manage the operation and maintenance of this new treatment facility to protect the environment.

### **Due Diligence**

The District made an exhaustive investigation of the operation and maintenance management alternatives. Each of the elements of this investigation was discussed at least one of ten previous board meetings. To summarize, the process included the following actions:

- A team of recognized experts in wastewater treatment prepared an operation and maintenance management assessment and evaluated alternatives,
- Two separate, independent experts peer-reviewed the cost estimates for the alternatives identified,
- The District Board members and staff made site visits to 9 similar wastewater treatment facilities and met with their public agency staff and elected officials,
- The Board negotiated an agreement with the employee representative to guarantee jobs and compensation in the event the contract operations option was selected,
- Public outreach through news releases, newsletters, community group meetings, public board meetings, web page, and TV spots,
- Reviewed Statements of Qualifications from five firms and selected the three most qualified firms to request proposals for Contract Operations, Maintenance & Management ,
- Assembled a team to review the proposals received, check references, and conduct interviews.

## Alternatives

The investigation summarized above identified three alternatives that would enable the District to start up and operate the new treatment facility:

- Utilize District staff and hire additional staff and consultants.
- Negotiate a contract with Veolia Water.
- Negotiate a contract with United/Suez.

The District needs to move ahead now with this decision because the new treatment facility construction is 66% complete with new units scheduled to come online starting this fall.

**Cost Evaluation:** In addition to carefully evaluating the other critical factors, special care was taken to assure that costs were fairly identified, allocated, and compared. A highly qualified team of experts prepared the cost estimate for the option of using District staff augmented by additional staff and consultants. Two independent highly qualified experts then reviewed and confirmed these costs. The cost estimate was confirmed using nationally recognized databases for public treatment plant operation and consultant cost data from eleven consulting firms.

These alternatives have been evaluated on technical, environmental, risk, and financial factors as described in the attached report and briefly summarized below.

Factor	Veolia Water	United/Suez	District with Consultants
5 year escalated costs	\$ 15.6 million	\$ 21.3 million	\$ 22.8 million
Cost guarantees	Yes	No	No
Environmental Permits Compliance guarantees	Yes	Yes	No
Equipment Maintenance Guarantee	Yes	Yes	No
O&M Systems development completed in time for facility start up	Yes	Yes	Unlikely
\$30 million insurance coverage	Yes	Yes	Not included in cost
Guaranteed jobs matching current total compensation	Yes	Yes	Yes
Continued PERS benefits for nine current employees	No	No	Yes

It is apparent from the above chart that the Veolia proposal provides the best risk protection for the lowest cost while meeting all of the District's objectives for treatment plant operation and maintenance.

Both companies proposed to provide experienced managers with California Grade V certifications and to complete all of the systems development requested by the District. The Veolia team had a strong local presence and extensive experience in treatment plant start up and systems development and implementation, which allowed them to submit a more competitive proposal.

### **Staff Recommendation**

I recommend that the Board of Directors authorize the Manager-Engineer to negotiate an agreement with Veolia Water to manage the operation and maintenance of the District's wastewater treatment facilities including the Novato Treatment Plant, the Ignacio Treatment Plant, the sludge storage ponds, the Dechlorination Facility, and the Ignacio Transfer Pump Station and Equalization basins.

The District will retain overall control, rate setting, capital authorization, and ownership of facilities but will benefit from the significant risk transfers from the District and the rate payers to Veolia Water. Veolia Water has demonstrated that it has the capability to start up and maintain the new \$90 million treatment plant to meet strict environmental standards.

### **Budget Impact**

Selecting the Veolia Water proposal would save the District an estimated \$7.2 million over the five-year period while also obtaining significant risk transfer from the District and rate payers to Veolia Water.

# NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

<b>TITLE: Wastewater Facility Upgrade Project 72609: Authorizing Negotiations for Contract Operation and Maintenance</b>	<b>MEETING DATE: July 27, 2009</b>  <b>AGENDA ITEM NO.: 11 b</b>
<b>RECOMMENDED ACTION:</b> Authorize the District staff to negotiate an agreement with Veolia Water North America Operating Services to operate, manage, and maintain the wastewater treatment facilities.	
<b>SUMMARY AND DISCUSSION:</b> <p>The Board received a staff report, presentation, and public discussion at their meeting on July 20, 2009 on this issue. A copy of the staff report and the manager's presentation are attached as are the written communications received from the public subsequent to the meeting.</p> <p>There have been no new issues raised since the meeting of July 20<sup>th</sup>.</p> <p>The Manager-Engineer recommends that the Board of Directors authorize staff to negotiate an agreement with Veolia Water to manage the operation and maintenance of the District's wastewater treatment facilities including the Novato Treatment Plant, the Ignacio Treatment Plant, the sludge storage ponds, the Dechlorination Facility, and the Ignacio Transfer Pump Station and Equalization basins.</p> <p>The District will retain overall control, rate setting, capital authorization, and ownership of facilities but will benefit from the significant risk transfers from the District and the rate payers to Veolia Water. Veolia Water has demonstrated that it has the capability to start up and maintain the new \$90 million treatment plant to meet strict environmental standards.</p> <p>Selecting the Veolia Water proposal would save the District an estimated \$7.2 million over the five-year period while also obtaining significant risk transfer from the District and rate payers to Veolia Water.</p>	
<b>ALTERNATIVES:</b> Hire additional staff and consultants to start up the new treatment facilities at an estimated cost of \$22.8 million or \$7.2 million more than the guaranteed cost for Veolia.	
<b>BUDGET INFORMATION:</b> The escalated cost over the five-year proposed contract period is \$15.6 million. The 2009-10 cost is \$3,185,000 (pro-rated for 12 months) which is within the draft preliminary budget for 2009-10.	
<b>DEPT.MGR.:</b>	<b>MANAGER:</b>

# NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

<b>TITLE:</b> Liability Claim: Sherman	<b>MEETING DATE:</b> July 27, 2009
	<b>AGENDA ITEM NO.:</b> 12 a
<b>RECOMMENDED ACTION:</b> Reject claim from Deva Sherman.	
<b>SUMMARY AND DISCUSSION:</b>  Deva Sherman submitted a claim for damages at the JMB construction site on June 7, 2009. The District insurance claims adjuster advises the District to reject the claim and direct the claimant to JMB Construction.	
<b>ALTERNATIVES:</b> Do not reject claim	
<b>BUDGET INFORMATION:</b> NA	
<b>DEPT.MGR.:</b>	<b>MANAGER:</b>

# NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

<b>TITLE: Bel Marin Keys (BMK) Pump Stations Rehabilitation Project; Project 72403</b>	<b>MEETING DATE: July 27, 2009</b>  <b>AGENDA ITEM NO.: 13 a</b>
<b>RECOMMENDED ACTION:</b> Approve a contract amendment in the amount of \$65,000 with the Covello Group for construction management services on a time and materials basis.	
<b>SUMMARY AND DISCUSSION:</b>  <p>Last summer the Board approved a proposal from The Covello Group (TCG) to provide construction management services for the construction of the Bel Marin Keys Pump Stations Rehabilitation project. The Board also awarded the construction contract to JMB Construction (JMB) of South San Francisco in the "low bid" amount of \$1,894,525. Subsequent bids ranged from \$1,987,654 to \$2,951,600, and the engineer's estimate was \$2,872,000.</p> <p>At that time, it was felt that the reasonably responsive nature of JMB's bid in terms of the "low bid" provisions of the California Public Contract Code, did not provide a legally adequate basis to reject the JMB bid. However, the nature of the low bid, mainly the combination of: (a) the difference between the first and second low bids, (b) the wide spread between the low bid and the other bids, (c) the difference between the low bid and the engineer's estimate, and (d) JMB's lack of experience of working in Marin County, did raise the possibility in staff's mind that more intense construction management and oversight would be needed than would be typical for a project of this nature. This possibility has now been validated, and in combination with minor design changes that are typical during the course of a project of this nature, staff is recommending an amendment to The Covello Group's contract.</p>	
<b>ALTERNATIVES:</b> Do not approve the amendment.	
<b>BUDGET INFORMATION:</b> This work will be funded from the budget for the Pump Stations Rehabilitation Project, Project 72403, which has a FY2009-10 preliminary budget of \$4,000,000.	
<b>DEPT.MGR.:</b>	<b>MANAGER:</b>