

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD ADOPTING THE SUPPLEMENTAL INITIAL STUDY AND SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION AND AMENDED MITIGATION MONITORING AND REPORTING PROGRAM FOR THE WASTEWATER TREATMENT PLANT EXPANSION – PHASE II PROJECT, CIP PROJECT NO. 592-59140.

WHEREAS, on August 9, 2016, by Resolution No. 2016-109, the City Council adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the City of Brentwood Wastewater Treatment Plant Expansion – Phase II Project, Capital Improvement Program (“CIP”) Project No. 592-59140 (“Project”); and

WHEREAS, wastewater treatment is the process of cleaning used water so it can be recycled and returned safely to the environment. One byproduct of wastewater treatment is the production of biosolids, which are currently off-hauled to a landfill for disposal; and

WHEREAS, the Project originally involved construction of a biosolids dryer building and storage silo as a means of producing Class A biosolids, thus facilitating additional uses or disposal methods for the biosolids; and

WHEREAS, based on the research conducted by staff, it was determined that a pyrolysis-based system was the best application for the City to meet current and future regulatory requirements for biosolids treatment and disposal; and

WHEREAS, on February 14, 2023, by Resolution No. 2023-17, the City Council approved the contract documents and authorized the City Manager or designee to execute an Agreement with the equipment supplier TW Associates LLC, dba MISCOWater LLC, for Biosolids Drying and Pyrolysis System equipment and services; and

WHEREAS, revisions to the Project for the pyrolysis-based biosolids treatment system required preparation of a Supplemental Initial Study and Supplemental Mitigated Negative Declaration (IS/MND), in accordance with the California Environmental Quality Act (“CEQA”), to identify potential environmental impacts and mitigation measures to reduce impacts to a less-than-significant level; and

WHEREAS, on September 7, 2023, as required by CEQA, notification of the Supplemental IS/MND was provided to the public and affected regulatory agencies, giving them 30 days for review and comment on the Supplemental Initial Study and Proposed Supplemental Mitigated Negative Declaration; and

WHEREAS, the City received comments on the Supplemental IS/MND from the Central Valley Regional Water Quality Control Board; and

WHEREAS, the 30 day public comment period closed on October 6, 2023; and

WHEREAS, it is not the purpose of the Supplemental IS/MND to either recommend approval or denial of the Project; and

WHEREAS, the City Council has considered the information provided to it by those testifying; has reviewed and considered the information provided in the staff report and staff presentation; has read and considered the report and supporting data; and has considered comments received.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Brentwood does hereby:

1. find that:
 - a. the Supplemental IS/MND was completed in accordance with the requirements of CEQA and the State CEQA Guidelines;
 - b. the Supplemental IS/MND was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, and the CEQA Guidelines, and constituted an adequate, accurate, objective and complete document addressing all issues relevant to the approval of the Project;
 - c. the Council reviewed and considered the information contained within the Supplemental IS/MND City prior to acting on the proposed Project, and finds that the Supplemental IS/MND reflects the independent judgment and analysis of the City;
 - d. the Supplemental IS/MND identified all potentially significant adverse environmental impacts and feasible mitigation measures or standard conditions of approval that would reduce these impacts to a less-than-significant level. All of the mitigation measures identified in the Supplemental IS/MND, including those in the Mitigation Monitoring and Reporting Program, are adopted and will be implemented as part of the Project. The City Council finds that on the basis of the whole record before it, there is no substantial evidence that the Project, as mitigated in the Supplemental IS/MND, will have a significant impact on the environment;
 - e. the monitoring and reporting of CEQA mitigation measures in connection with the Project will be conducted in accordance with the attached Mitigation Monitoring and Reporting Program incorporated into the Project. Adoption of the Mitigation Monitoring and Reporting Program will constitute fulfillment of the CEQA monitoring and/or reporting

requirement set forth in Section 21081.6 of CEQA. All proposed mitigation measures are capable of being fully implemented by the City;

- f. the record of proceedings is located at the offices of the Public Works Department, City of Brentwood, 150 City Park Way, Brentwood, California 94513. The custodian of records is Public Works Director Casey Wichert;
2. adopt the Supplemental IS/MND and Amended Mitigation Monitoring and Reporting Program for the Wastewater Treatment Plant Expansion – Phase II Project, CIP Project No. 592-59140.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Brentwood at a regular meeting held on the 14th day of November 2023 by the following vote: