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**SUBJECT:** Addendum to the Mitigated Negative Declaration for the Wastewater Treatment Plant Expansion – Phase II Project

**DEPARTMENT:** Public Works

**STAFF:** Casey Wichert, Director of Public Works  
Mark Huber, Wastewater Operations Manager  
Vatsal Patel, Engineering Manager

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### **TITLE/RECOMMENDATION**

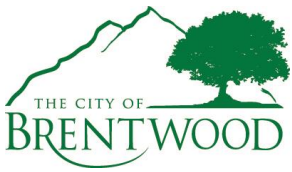
Adopt a Resolution approving the Addendum to the Mitigated Negative Declaration for the Wastewater Treatment Plant – Phase II Expansion Project, CIP Project No. 592-59140.

### **FISCAL IMPACT**

This is an administrative function with no fiscal impact associated with the approval of the Addendum.

The project is budgeted in the adopted 2025/26 – 2029/30 Capital Improvement Program (“CIP”), which includes the Wastewater Treatment Plant (“WWTP”) Expansion - Phase II Project, CIP Project No. 592-59140 (“Project”). Project funding is mainly from a State Revolving Fund (“SRF”) low-interest loan and Wastewater Development Impact Fees, Wastewater Enterprise Funds and Wastewater Replacement Funds. The SRF loan is financed over a 30-year period with future debt payments provided by the Wastewater Enterprise Fund and Wastewater Development Impact Fees.

If after receiving a report on the Wastewater Treatment Plant Expansion Cost Update and SB1383 Compliance Alternatives on a separate item on tonight’s agenda, Council wishes to continue moving forward with the installation of the biosolids pyrolysis system portion of the Project, approximately \$28.6M in additional funding would be required, and staff would return with more details related to how such funding would be secured. The additional funding, or loan repayments, would be split approximately 52% Wastewater Enterprise funds and 48% Wastewater Development Impact Fees.



## **BACKGROUND**

The City of Brentwood operates a wastewater treatment plant (“WWTP”), a 5.0 million gallon per day (MGD) extended aeration/activated sludge facility. The treatment plant discharges tertiary treated effluent into Marsh Creek. This effluent meets or exceeds applicable drinking water standards. The treatment plant was designed and built to facilitate an expansion to an average dry weather flow of 10 MGD.

The City developed a capital improvement project to expand the WWTP. The scope of the Project involved increasing the expand the capacity of the WWTP and included, among other things, 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. Those facilities were to be located within the existing footprint of the WWTP.

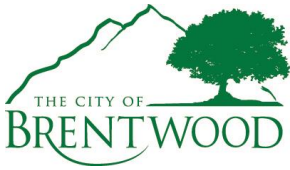
As required by the California Environmental Quality Act (“CEQA”), the City prepared an Initial Study (“IS”) to evaluate potential environmental impacts from construction and operation of the Project and adopted a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring and Reporting Program (“MMRP”) on August 9, 2016.

In 2023, the City decided to use different technology and proposed placing the biosolids drying facilities at a different location. 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. The City proposed a revised Project scope to construct these components on four (4) acres of City-owned property immediately adjacent to the east boundary of the current WWTP footprint. To analyze the revisions under CEQA, the City prepared a Supplemental IS and adopted a Supplemental MND and MMRP for the Project on November 14, 2023.

Based on estimated total cost of the revised Project scope, the City decided to revert to the original Project scope addressed in the 2016 IS/MND, which had all facilities located within the WWTP footprint, but with the biosolids drying and pyrolysis technology addressed in the 2023 IS/MND.

The proposed revisions to the Project required preparation of environmental documentation in accordance with CEQA. Staff determined that an Addendum to the previously adopted CEQA documents were appropriate, given that:

1. There are no substantial changes proposed to the project that require major revisions of the previous CEQA documents due to the involvement of new



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- significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. No substantial changes have occurred with respect to the circumstances under which the project is undertaken that require major revisions of the previous CEQA documents due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
  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 CEQA documents were adopted, shows any of the following:
    - a. The project will have one or more significant effects not discussed in the previous CEQA documents;
    - b. Significant effects previously examined will be substantially more severe than shown in the previous CEQA documents;
    - 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 City declines to adopt the mitigation measure or alternative; or
    - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous CEQA documents would substantially reduce one or more significant effects on the environment, but the City declines to adopt the mitigation measure or alternative.

The Addendum is provided as an attachment for review. The previous CEQA documents may be found online at:

- [2016 IS/MND](#)
- [2023 Supplemental IS/MND](#)

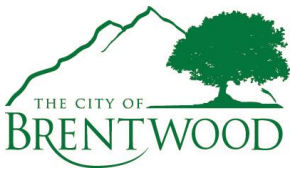
**The Council's approval of this Addendum would not approve any further construction or activities with regard to the Project; it simply satisfies the requirement under state law that environmental review for the revised Project be completed.**

#### **CITY COUNCIL STRATEGIC INITIATIVE**

Focus Area 1 - Goal 2: Water, Wastewater, and Solid Waste Services: Provide safe and sustainable water, wastewater, and solid waste services for the build-out of the City per the [City's General Plan](#).

#### **PREVIOUS ACTION**

Previous Action by the City Council is included on Attachment 1.



### **DATE OF NOTICE**

Not Applicable. There is no public review required for an addendum to an MND, therefore, no notification requirement ([14 CCR § 15164\(c\)](#)).

### **ENVIRONMENTAL DETERMINATION**

As documented throughout the Addendum, changing the Project to locate the biosolids drying and pyrolysis system components to be within the existing WWTP site would:

- not result in any new significant environmental effects, and
- not substantially increase the severity of previously identified significant effects.

In addition, no new information of substantial importance has arisen that shows that:

- the Project would have new significant effects,
- the Project would have substantially more severe effects,
- the mitigation measures previously found to be infeasible would in fact be feasible, or
- the mitigation measures that are considerably different from those analyzed in the 2016 IS/MND and 2023 Supplemental IS/MND would substantially reduce one or more significant effects on the environment.

Therefore, the differences between the Project as described in the 2016 IS/MND and 2023 Supplemental IS/MND constitute changes consistent with State CEQA Guidelines Section 15164. This Addendum demonstrates that no subsequent MND is required for the Project.

### **ALTERNATIVE OPTION(S)**

Alternative Options to the Staff Recommendation:

1. Do not approve staff's recommendation.
2. Modify staff's recommendation based on legally defensible findings.
3. Continue item with direction for staff to return with additional information.

### **ATTACHMENT(S)**

1. Previous Action
2. Resolution
3. Addendum to Mitigated Negative Declaration