Contra Costa County, Department of Conservation and Development,
Current Planning Division

FINAL
Environmental Impact Report
Scannell Properties Project
Contra Costa County, California
County File #CDDP17-03045

State Clearinghouse Number 2019110186

Prepared for:
Contra Costa County
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Martinez, CA 94553
925.674.7774

Contact: Francisco Avila, Principal Planner
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Contact: Mary Bean, Project Director
Lisa Davison, Project Manager

Date: September 10, 2021

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SECTION 1: INTRODUCTION

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15088, Contra Costa County (Lead Agency) has evaluated the comments received on the proposed Scannell Properties Project Draft Environmental Impact Report (Draft EIR). Pursuant to CEQA Guidelines Section 15132, this Final EIR includes a list of persons, organizations, and agencies that provided comments on the Draft EIR; responses to the comments received regarding the Draft EIR; and errata, or revisions to the Draft EIR; as well as a Mitigation Monitoring and Reporting Program (MMRP) for use by Contra Costa County during its review.

This document is organized into three sections:

- **Section 1—Introduction.** Provides an introduction to the Final EIR.
- **Section 2—Responses to Written Comments.** Provides a list of the agencies, organizations, and individuals who commented on the Draft EIR. Copies of all of the letters received regarding the Draft EIR and responses thereto are included in this section.
- **Section 3—Errata.** Includes an addendum listing refinements and clarifications on the Draft EIR, which have been incorporated.

The Final EIR includes the following contents:

- Draft EIR (provided under separate cover)
- Draft EIR Appendices (provided under separate cover)
- Responses to Written Comments on the Draft EIR and Errata (Sections 2 and 3 of this document)
- Mitigation Monitoring and Reporting Program (provided under separate cover)

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SECTION 2: RESPONSES TO WRITTEN COMMENTS

2.1 - List of Authors

A list of public agencies, organizations, and individuals that provided comments on the Scannell Properties Project Draft Environmental Impact Report (Draft EIR) is presented below. Each comment has been assigned a code. Individual comments within each communication have been numbered so comments can be crossed-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

Author **Author Code**

State Agencies

California Department of Fish and Wildlife, Bay Delta Region ..... CDFW

Local Agencies

Bay Area Air Quality Management District, Letter 1 ..... BAAQMD.1
Bay Area Air Quality Management District, Letter 2 ..... BAAQMD.2
Local Agency Formation Commission, Contra Costa ..... LAFCO

Organizations

Contra Costa Building and Construction Trades Council ..... CCBCTC
Laborers International Union of North America, Local Union #324 ..... LIUNA

2.2 - Responses to Comments

2.2.1 - Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, Contra Costa County, as the Lead Agency, evaluated the comments received on the Draft EIR (State Clearinghouse No. 2019110186) for the Scannell Properties Project, and has prepared the following responses to the comments received. This Response to Comments document becomes part of the Final EIR for the proposed project in accordance with CEQA Guidelines Section 15132.

2.2.2 - Comment Letters and Responses

The comment letters reproduced in the following pages follow the same organization as used in the List of Authors.

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

August 12, 2021

Mr. Francisco Avila
Contra Costa County
30 Muir Road
Martinez, CA 94553
Francisco.Avila@dcd.cccounty.us

Subject: Scannell Properties Project, Draft Environmental Impact Report, SCH No. 2019110186, Contra Costa County

Dear Mr. Avila:

The California Department of Fish and Wildlife (CDFW) received a draft Environmental Impact Report (EIR) from Contra Costa County (County) for the Scannell Properties Project (Project) pursuant the California Environmental Quality Act (CEQA).

CDFW is submitting comments on the draft EIR to inform the County, as the Lead Agency, of our concerns regarding potentially significant impacts to sensitive resources associated with the proposed Project. CDFW is providing these comments and recommendations regarding those activities involved in the Project that are within CDFW's area of expertise and relevant to its statutory responsibilities (Fish and Game Code, § 1802), and/or which are required to be approved by CDFW (CEQA Guidelines, §§ 15086, 15096 and 15204).

CDFW ROLE

CDFW is a Trustee Agency with responsibility under CEQA (Pub. Resources Code, § 21000 et seq.) pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as a California Endangered Species Act (CESA) Permit, a Lake and Streambed Alteration (LSA) Agreement, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources. 1

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. Issuance of a CESA Permit is subject

to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c), 21083; CEQA Guidelines, §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code section 2080.

Lake and Streambed Alteration

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et. seq., for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW will consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement (or ITP) until it has complied with CEQA as a Responsible Agency.

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PROJECT DESCRIPTION SUMMARY

Proponent: Scannell Properties

Description and Location: The Project would build two warehouse fulfillment buildings totaling approximately 325,000 square feet on a 29.4-acre site in unincorporated Contra Costa County in the North Richmond area. The Project includes the removal of existing vegetation, fill of 0.145 acre of existing wetlands/waters of the United States, and the creation of new wetland areas on-site. The proposed Project would include installation of approximately 425,000 square feet of landscaped areas (including bioretention areas and wetland mitigation sites); construction of approximately 546 auto parking spaces, 16 tractor parking spaces, and 194 trailer parking spaces; construction of roadway improvements, sidewalks, curbs, gutters, landscaping, bioretention swales, utility connections, and traffic calming features offsite; removal of five local code protected trees; and annexation into the West County Wastewater District.

COMMENTS AND RECOMMENDATIONS

CDFW offers the below comments and recommendations to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

Nesting Birds

Mitigation Measure BIO-1a requires that nesting bird surveys be conducted 5 days prior to the commencement of Project activities for all activities conducted during the nesting bird season. Surveys should be conducted again in the event that there is a lapse in Project activities for 5 days or more. The measure also indicates that CDFW recommends a 250-foot construction exclusion zone around the nests of passerines, and a 500-foot buffer for nesting raptors. Buffers should be determined based upon factors such as topography, line of sight, activities being conducted, and species. In some cases, a 500-foot buffer may be insufficient to adequately protect raptor nests. If nests are found on or near the Project area, CDFW can provide guidance on establishing appropriate buffers to minimize the potential for take and to reduce potential impacts to less-than-significant. As such, CDFW recommends BIO-1a be revised to require nest buffer approval from an on-site qualified biologist with extensive training in bird nest surveys prior to Project construction. 2

Roosting Bats

Mitigation Measure BIO-1b addresses the assessment and removal of trees with potential to support nesting bats. In addition to the actions prescribed in BIO-1b, CDFW recommends that the following measure be incorporated into the EIR to mitigate impacts to bats to less-than-significant:

Removal of Roost Trees. Trees that are 12-inches or greater at diameter at breast height should be considered bat roost trees and when slated for removal shall be removed over the course of two days. On the first day, limbs from the identified trees shall be removed in the late afternoon to encourage bats to seek alternative roosts during nighttime foraging. The remaining portions of the tree shall be removed on the second day as late in the afternoon as feasible. Tree limbing or removal shall not be performed under any conditions which may lead to bats seeking refuge, including, *but not limited to*: during any precipitation event, when ambient temperatures are below 4.5 degrees Celsius, when windspeeds exceed 11 miles per hour. CDFW shall be notified immediately if bats are found injured, or if bat mortality occurs during the course of tree removal. 3

Special-Status Plants 4

The draft EIR notes that 90 federal and State special-status plant species have been documented in the area, but concludes that the Project site does not provide suitable habitat for special-status species due to the disturbed and ruderal nature of the Project site. It is unclear from the Biological Resource assessment if protocol surveys for special-status plants were conducted, and if they were conducted during the appropriate bloom period of the species with potential to occur onsite. Be advised that some special-status plant species can thrive in disturbed environments. CDFW recommends that the Project area be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities," which can be found online at https://wildlife.ca.gov/Conservation/Survey-Protocols. The Lead Agency should also require all the reporting elements outlined in the CDFW protocols and provide them to the public in either a recirculated draft EIR or the Final EIR so that the Lead Agency, the public, and any Trustee or Responsible agencies can determine the sufficiency of the surveys. This protocol, which is intended to maximize detectability, includes identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary. 4 CONT

If a state-listed or state Rare[1] plant is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, acquisition of take authorization through an ITP issued by CDFW pursuant to Fish and Game Code Sections 2081(b) and/or Section 1900 et seq is necessary to comply with Fish and Game Code CESA and the Native Plant Protection Act.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs., tit. 14, § 753.5; Fish and Game Code, § 711.4; Pub. Resources Code, § 21089). 5

CONCLUSION

To ensure significant impacts are adequately mitigated to a level less-than-significant, the feasible mitigation measures described above should be incorporated as enforceable conditions into the final CEQA document for the Project. CDFW appreciates

[1] In this context, "Rare" means listed under the California Native Plant Protection Act.

the opportunity to comment on the draft EIR to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Jennifer Rippert, Environmental Scientist, at (707) 428-2069 or Jennifer.Rippert@wildlife.ca.gov; or Mr. Andrew Chambers, Environmental Scientist, at (707) 266-2878 or Andrew.Chambers@wildlife.ca.gov.

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Sincerely,

DocuSigned by:
Stacy Sherman
692D021D81CA4F7...

Stacy Sherman
Acting Regional Manager
Bay Delta Region

cc: State Clearinghouse No. 2019110186

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State Agencies

California Department of Fish and Wildlife, Bay Delta Region (CDFW)

Response to CDFW-1
The commenter provides introductory statements, describes California Department of Fish and Wildlife's (CDFW's) role in the CEQA process, and provides information contained in the Draft EIR. The comment is noted, and no further response is required.

The commenter also states that a California Endangered Species Act (CESA) permit is required if the proposed project has the potential to result in "take" of plants or animals listed under CESA. The commenter states that early consultation is recommended because mitigation measures may be required in order to obtain a CESA permit. The commenter states that CEQA requires a mandatory finding of significance if a project is likely to significantly impact threatened or endangered species. The commenter states that impacts must be reduced to less than significant unless the Lead Agency issues a Findings of Overriding Considerations. Finally, the commenter summarizes requirements for a Lake and Streambed Alteration Agreement for project activities affecting lakes or streams and associated riparian habitat.

These comments are noted, and provide a summary of legal and regulatory requirements.

The proposed project will comply with the federal and State laws and regulations that protect special-status plant and animal species, including the Federal Endangered Species Act (FESA), CESA, and Fish and Game Code Section 1600 et. seq. regarding lakes or streams and riparian habitat.

As described on page 3.3-24 in Section 3.3, Biological Resources, of the Draft EIR, there is no riparian habitat on the project site. However, the project site contains a CDFW sensitive natural community, red willow scrub wetland. The proposed project would result in the fill of this sensitive natural community. As detailed in Mitigation Measure (MM) BIO-3, impacts to this community and other wetland communities found on-site would be required to be offset through the provision of compensatory mitigation for wetland habitats, as detailed in the Conceptual Wetland Mitigation and Monitoring Program and revised Wetland Mitigation Monitoring Plan for the proposed project. As concluded in the Draft EIR, impacts to the red willow scrub wetland would be less significant with the incorporation of MM BIO-3.

The applicant notified the CDFW on October 15, 2018, of its intent to carry out the proposed project. On July 29, 2020, the CDFW issued a draft Streambed Alteration Agreement authorizing the proposed project, which will be finalized after the CEQA process is complete and all applicable Fish and Game Code fees are paid.

Response to CDFW-2
The commenter recommends specific edits to MM BIO-1a (Nesting Bird Surveys).

This comment is noted. MM BIO-1a in Section 3.3, Biological Resources, of the Draft EIR has been revised to include the changes recommended by the CDFW (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications, which will further ensure that biology impacts remain less than significant. None of these changes would result in a new significant environmental impact.

Response to CDFW-3
The commenter recommends that MM BIO-1b (Roosting Bat Surveys) be modified to create different tree removal requirements for trees that are greater than 12 inches at diameter at breast height, to impose weather-related restrictions on tree limbing and removal at times that bats could be expected to seek refuge, and to create a CDFW notification requirement for bat injuries or mortalities.

This comment is noted. MM BIO-1b in Section 3.3, Biological Resources, of the Draft EIR has been revised to include the changes recommended by the CDFW (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications, which will further ensure that biology impacts remain less than significant. None of these changes would result in a new significant environmental impact.

Response to CDFW-4
The commenter expresses concern for State special-status plant species in the project area. The commenter recommends the project area be surveyed for special-status plants by a qualified Botanist and that the Final EIR include the results of the survey. If a State-listed or State Rare plant is identified during botanical surveys, the commenter states that consultation with the CDFW is warranted to determine whether the proposed project can avoid take.

The comment is noted. In response to this comment, Olberding Environmental, Inc. (Olberding) conducted a follow-up pre-construction survey to detect the presence/absence of special-status plant species within the project site (see Attachment E). A single survey was conducted on August 25, 2021, in order to document the presence of special-status plant species. This survey is the seventh botanical survey performed on the project site since September 2018. The dates for all seven special-status plant surveys conducted by Olberding are as follows:

- September 28, 2018
- January 30, 2019
- July 31, 2019
- March 17, 2020
- June 9, 2020
- November 9, 2020
- August 25, 2021

The focal species of the August 25, 2021, survey included late season plants that have been identified as having a potential to occur in the vicinity of the project site based on Olberding's review of information contained in the California Natural Diversity Data Base (CNDDB). While the survey was performed for all identifiable special-status plants, the survey focused on two plants in particular:

- Congdon's tarplant *(Centromadia parryi spp. congdonii)*
- San Joaquin spearscale *(Extriplex joaquinana)*

Both of these plants were identified as having a higher potential to occur on-site based on habitat requirements and historic CNDDB occurrence information from the surrounding region. The survey was scheduled to coincide with the blooming period for both species; Congdon's tarplant blooms between May and October, and San Joaquin spearscale blooms between April and September.

No special-status plant species were observed during the August 25, 2021, survey. Similarly, no special-status plants were detected during any of the previous six surveys performed since the fall of 2018. The disturbed nature of property has resulted in a site dominated by non-native ruderal and weed species. For additional details regarding the rare plant survey conducted on August 25, 2021, please see Attachment E.

Response to CDFW-5
The commenter provides a statement explaining the necessary filing fees due to the CDFW. The commenter states their appreciation for the ability to comment on the Draft EIR and provides contact information.

The comment is noted, and no further response is required.

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August 12, 2021

Francisco Avila
Principal Planner
Contra Costa County
30 Muir Road
Martinez, CA 94553

RE: Scannell Properties Project Draft Environmental Impact Report

Dear Mr. Avila,

Bay Area Air Quality Management District (Air District) staff have reviewed the Draft Environmental Impact Report (DEIR) for the Scannell Properties Project (Project). The Project proposes to build two warehouse fulfillment buildings totaling approximately 325,000 square feet on a 29.4-acre site, including the installation of approximately 546 auto parking spaces, 16 tractor parking spaces, 194 trailer parking spaces, off-site improvements, as well as annexation into the West County Wastewater District, in unincorporated Contra Costa County in the North Richmond area.

The North Richmond community is disproportionately impacted by air pollution. The Air District has worked for many years to improve air quality and reduce health risks in this area, including current efforts to develop a community-led Richmond-North Richmond-San Pablo Area Community Emissions Reduction Plan as part of the AB 617 Program. The County should require the Project proponents to implement all feasible measures to minimize additional air quality impacts, as the Project is proposed to be located in an already overburdened community. 1

The Air District commends Contra Costa County for the inclusion of Construction Best Management Practices (BMPs), vehicle electrification and a transition to a zero-emission fleet, and a Transportation Demand Management (TDM) plan. Air District staff recommends the Project demonstrate consistency with the State's climate goals beyond 2030 and consider opportunities to further reduce air pollutant and greenhouse gas (GHG) emissions associated with the significant and unavoidable transportation impacts.

Consistency with State Policies for Greenhouse Gas Emissions and Climate Change

State Policy Consistency: The DEIR does not mention Executive Order B-55-18, nor does it evaluate, disclose, nor discuss the Project's consistency with State policies requiring long-term (i.e., 2045 and 2050) reductions in 2

emissions of GHGs. See *Cleveland Nat'l Forest Foundation v. San Diego Ass'n of Governments* (2017) 3 Cal.5th 497, 516 (CEQA analysis should "compare the [project's] projected greenhouse gas emissions ... from 2020 through 2050 with the Executive Order's goal of reducing emissions to 80 percent below 1990 levels by 2050."). Air District staff recommends that the GHG analysis be augmented to include an evaluation, disclosure, and discussion of whether the Project will be consistent with the State's policies beyond 2030. 2 CONT

Elimination of Natural Gas: In Air District staff review of the Administrative Draft EIR, there was a Mitigation Measure, MM GHG-1f, to Eliminate Natural Gas Consumption, however the current DEIR no longer includes this measure. Many local governments in the Bay Area and throughout California are moving swiftly to eliminate use of natural gas in new buildings, as such use is a significant source of GHGs and air pollutant emissions. The Air District encourages the County to require that the Project implement alternatives to natural gas and require the Project to be 100% electric. For resources on building electrification, please see the Air District's Clean Building Compass website: https://www.buildingdecarb.org/compass.html. 3

Significant and Unavoidable Transportation Impacts:

As noted in the DEIR, both Impact TRANS-1 and the Cumulative Vehicle Miles Traveled (VMT) Impact would be significant and unavoidable, and the Project's VMT does not meet the regional goal to achieve VMT at least 15% below the regional, nine-county average as required by SB 743 via the Metropolitan Transportation Commission (MTC). Transportation is one of the largest sources of air pollutants and GHGs in the Bay Area, and transportation emissions affect local communities. As such, we recommend that the County require all feasible measures to minimize transportation emissions. To this end, the Air District recommends:

- Expansion of the (MM TRANS-1 (TDM plan) and MM TRANS-4b (bicycle parking): Air District staff recommends the inclusion of additional TDM measures, listed below, to further reduce VMT:
    - Expansion of the current measure "End of Trip Facilities" and the addition of Last Mile Services:
        - Comprehensive and safe bicycle and pedestrian route and path connections with nearby activity centers and transit facilities;
        - Build on MM TRANS-4b, short- and long-term bicycle parking, by expanding bike share and bike share membership, bicycle repair station and maintenance services, a fleet of bicycles, and bicycle valet parking;
        - Consider creating an ebike program (similar to the City of Richmond's ebike Program linked here: https://blog.bayareametro.gov/posts/richmond-launches-first-ever-bikeshare-program), and/or provide ebike rebates, (such as those linked here: https://511contracosta.org/biking/electric-bicycle-rebate/);
    - For the employer-sponsored vanpool/shuttle: 4

- Connect to AC Transit lines 71, 76 and 376 and/or to the nearest bus stop to the project site at the intersection of Fred Jackson Way and Market Avenue; and/or
- Connect or provide service to and from the Bay Area Rapid Transit (BART) Station.

- Parking Supply Limits:
  - Reduce current proposed parking in accordance with Contra Costa County's Ordinance No. 2012-12 for Off-Street Parking (https://www.contracosta.ca.gov/DocumentCenter/View/8843/off-street-parking-ord---final?bidId=) which requires "warehouses and other storage buildings: one space per every 1,000 square feet of gross floor area," equal to 325 parking spots for the approximately 325,000 square foot project.
- Provide unbundled parking for building tenants, parking cash-out, and transit fare subsidy for bus or BART.

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Compliance with BAAQMD Rules and Regulations:

Air District recommends that the DEIR discuss measures that would be taken to ensure compliance with the following Air District Rules and Regulations that may pertain to the Project:

- Regulation 6, Rule 6, Prohibition of Trackout for construction sites where the total land area covered by construction activities and/or disturbed surfaces at the site are one acre or larger.
- Regulation 6, Rule 1, Visible Emissions from construction activities such as demolition and excavation.
- Regulation 2, Rule 1, Permits. Equipment at the Project that could potentially require an Air District permit include boilers and back up generators.
- Regulation 9, Rule 8 Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines.
- Regulation 8, Rule 3 Limiting quantity of volatile organic compounds in architectural coatings.
- Regulation 11, Rule 2, Asbestos Demolition, Renovation and Manufacturing, which entails, but is not limited to, a thorough asbestos survey by a certified asbestos consultant, removal of all regulated asbestos if present, and renovation and/or demolition notification.
- The Portable Equipment Registration Program (PERP) Air Toxic Control Measure (ATCM), which is enforced for California Air Resources Board (CARB) by the Air District.

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We encourage the County to contact Air District staff with any questions and/or to request assistance during the environmental review process. If you have any questions regarding these comments, please contact Kelly Malinowski, Senior Environmental Planner, 415-749-8673 kmalinowski@baaqmd.gov. 6

Sincerely,

Greg Nudd
Deputy Air Pollution Control Officer

cc: BAAQMD Vice Chair Karen Mitchoff
BAAQMD Director John Gioia
BAAQMD Director David Hudson
BAAQMD Director Mark Ross

Local Agencies

Bay Area Air Quality Management District, Letter 1 (BAAQMD.1)

Response to BAAQMD.1-1

The commenter acknowledges that the proposed project has been reviewed by the Bay Area Air Quality Management District (BAAQMD) and that the communities surrounding the proposed project are disproportionately impacted by air pollution. The commenter commends the County for the various project components that incorporate clean air measures and best management practices. The commenter further recommends that the proposed project demonstrate consistency with the State's climate goals beyond 2030 and consider opportunities to further reduce air pollution and greenhouse gas (GHG) emissions associated with the significant and unavoidable transportation impacts.

This comment is noted. In response to this comment (and other comments made by the BAAQMD in Letter 1 and Letter 2) the Draft EIR has been revised to incorporate the discussion, analysis, and mitigation recommended by the BAAQMD associated with project consistency with the State's climate goals beyond 2030, such as carbon neutrality goals established by Executive Order B-55-18 (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications, which will further ensure that impacts remain less than significant. None of these changes would result in a new significant environmental impact.

Please refer to Response to BAAQMD.2-5 for project consistency with Executive Order B-55-18.

Moreover, while the Draft EIR has determined that there would be significant and unavoidable transportation impacts, the Draft EIR also concluded that air quality and GHG emission impacts would be less than significant with the incorporation of identified mitigation.

Response to BAAQMD.1-2

The commenter states that the Draft EIR does not discuss Executive Order B-55-18 or evaluate the proposed project's consistency with long-term State GHG emission reduction policies. The commenter recommends that the GHG analysis be augmented to include an evaluation of project consistency with post-2030 policies.

This comment is noted. In response to this comment, the Draft EIR has been revised to incorporate the discussion, analysis, and mitigation associated with project consistency with the State's climate goals beyond 2030, such as carbon neutrality goals established by Executive Order B-55-18 (see Section 3, Errata, of the Final EIR).

Please refer to Response to BAAQMD.2-5 for project consistency with Executive Order B-55-18.

Response to BAAQMD.1-3

The commenter states that the Draft EIR does not contain a mitigation measure to eliminate the on-site combustion of natural gas that was present when the BAAQMD reviewed the Administrative Draft EIR. The commenter encourages the County to require that the project eliminate natural gas uses and require that the proposed project be 100 percent electric.

This comment is noted. The mitigation measure referenced by the BAAQMD was included in the Administrative Draft EIR prior to confirming its feasibility with the project applicant. Following discussion with the applicant on this measure's feasibility, it was determined that the applicable equipment that will require natural gas fuel and it is not feasible to substitute this equipment for electric equivalents. Therefore, the applicant is not able to remove natural gas use from the project. Moreover, the applicable mitigation measures for the potentially significant GHG impact (Impact GHG-1) are sufficient to reduce the impact to less than significant, and the operational air quality criteria air pollutant impacts (Impact AIR-2) are less than significant without mitigation. No changes were made to the Draft EIR in response to this comment.

Response to BAAQMD.1-4

The commenter recommends specific edits to MM TRANS-1 (Transportation Demand Management Plan) and MM TRANS-4b (bicycle parking). The commenter also requests that the current number of parking spaces be reduced in accordance with Contra Costa County's Ordinance No. 2012-12.

This comment is noted. Table 3.13-3: Menu of Vehicle Miles Traveled (VMT)-reducing Transportation Demand Management Strategies and MM TRANS-1 in Section 3.13, Transportation, of the Draft EIR have been revised to include changes recommended by the BAAQMD (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications. None of these changes would result in a new significant environmental impact.

Implementation of new bicycle lanes and other features to support bicycle travel around the project site and in the North Richmond area at large have been discussed with the County. However, many such improvements would require street widening and acquisition of additional rights-of-way from a large number of private property owners, and accordingly are best addressed via the proposed project's fair share contribution to the County's Road Trust Account (8192). This contribution, along with contributions from other developers, could be used to fund multimodal corridor improvements along Richmond Parkway and parallel routes, at the Lead Agency's discretion.

Regarding parking supply limits, Section 82-16.406 of the Contra Costa County Ordinance Code establishes the minimum number of off-street parking spaces that must be provided for a particular land use. For warehouses, applicants are required to provide at least one space for every one thousand square feet of gross floor area. As the proposed project includes 325,000 square feet of warehouse uses, at least 325 off-street parking spaces must be provided. As the proposed project includes 546 off-street parking spaces for automobiles, the proposed project complies with Section 82-16.406 of the Ordinance Code. However, the comment is noted and will be forwarded to decision-makers for their consideration.

Response to BAAQMD.1-5

The commenter recommends that the Draft EIR include additional Air District Rules and discuss measures that would be taken to ensure compliance with the additional Air District Rules provided in the comment.

In response to this comment, Section 3.2, Air Quality, of the Draft EIR has been revised to include the additional Air District Rules recommended by the BAAQMD (see Section 3, Errata, of the Final EIR).

These changes represent minor clarifications and amplifications, which will further ensure that impacts remain less than significant. None of these changes would result in a new significant environmental impact.

The proposed project would comply with the Air District Rules added to the Draft EIR as they are existing regulations and would be enforced through Air District permits and inspection programs as well as through plan set review with County Building and Planning Departments.

Response to BAAQMD.1-6
The commenter encourages the County to contact the BAAQMD with any questions concerning the comments they provided.

This comment is noted, and no further response is required.

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From: Kelly Malinowski <kmalinowski@baaqmd.gov>
Sent: Friday, August 13, 2021 12:33 PM
To: Francisco Avila <Francisco.Avila@dcd.cccounty.us>
Cc: Wendy Goodfriend <wgoodfriend@baaqmd.gov>
Subject: Suggestions for Scannell Properties Project

Hi Francisco,

While these are not part of our CEQA letter, and should not be considered official recommendations to that end, we did want to pass along the below additional suggestions for the Scannell Properties Project, as helpful (below).

Please let me know if you have any questions or want to discuss these on a call, and I am happy to set something up. 1

Best,
Kelly

Enforcement of Vehicle Electrification and Clarification around the Transition to a Zero-Emission Fleet:

- Vehicle Electrification Enforcement: How this requirement will be enforced is unclear and the Air District would like to understand the details of how compliance will be determined and what steps will be taken should compliance not be met. The applicant should consider applying the vehicle electrification requirements to common carriers operating under their own authority. This is within the applicant's authority to embed such requirements into contracting documents. Absent EV requirements, the applicant could include other provisions to encourage vehicle electrification, such as facility entrance surcharges for internal combustion engine (ICE) vehicles. 2
- Clarification Around Truck Docks: Clarify if "infrastructure for future electric charging stations" means EV Capable or EV Ready. Given the Project's fleet transition to 100% zero-emission vehicles, as well as Air District and State climate goals, it is critical that the Project accommodate the EV charging infrastructure necessary to support the anticipated EV fleet. 3

- Clarification Around Solar Installation: The project applicant is encouraged to specify the definition of base power and to ensure that base power includes maximum loads associated with vehicle charging. In addition, it is encouraged that the applicant to consider installation of battery storage systems. 4
- Carbon Credit Calculations:
    - MM GHG-1 states that the estimated emissions to mitigate over the lifetime of the project are 62,900 MT CO2e. This figure is based on a calculation found in Appendix B. The applicant should double check the arithmetic and reconcile the Appendix B figures to the DEIR. Specifically, Appendix B notes that year 3 and 4 (corresponding to 2023 and 2024) carbon credit requirements are 4,079 for each year, yet the DEIR states that they are 4,097 MT CO2e for each year, (see table 3.7-6 of DEIR). 5
    - In addition, it appears that the calculation from 3.7-8 for carbon credit requirements for 2027-2050 is based on the Contra Costa County established

threshold of 660 MTCO2e. However, the 660 MTCO2e threshold appears to be based on the SB 32 GHG reduction target for 2030. As such, the Contra Costa County threshold beyond 2030 should reflect State policy beyond 2030. The County should consider augmentation of the threshold to ensure carbon neutrality as soon as possible, and no later than 2045, is used as the basis for its calculation, as opposed to relying on the SB 32 target for 2030 to calculate carbon credit requirements in 2050. 5 CONT

- BAAQMD's Bright Line Threshold: The DEIR establishes a GHG mass emission threshold of significance of 660 MT CO2e per year based on the 2030 SB 32 GHG reduction target. However, the DEIR incorrectly states that this threshold is the "BAAQMD Bright-Line Threshold." This is not the Air District's threshold, and it is requested that the DEIR be modified to correctly label this newly established threshold and to disassociate the Air District from the Contra Costa County established bright-line threshold. 6

- Clarification Around EV Parking Spaces: The DEIR states that approximately 546 auto parking spaces will be constructed and that 20 charging stations for passenger vehicles will be provided. Yet the DEIR also states that 20 percent of total parking spaces will be EV charging space, (e.g., "parking shall be designed to accommodate a number of EV charging stations equal the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.3.2"). The applicant should clarify the number and type of parking spaces (i.e., the quantity of each type that will be EV-Capable, EV-Ready, and EVSE-Installed). 7

Health Risk Assessment:

In addition to the two sources listed and included in the Section 4.4 Cumulative Impacts of the Health Risk Analysis, Appendix B to the DEIR, the cumulative analysis for the Health Risk Assessment (HRA) should also include the West County Wastewater District facility, and an analysis of the Project's workers at the fenceline, or a demonstration that the risks to fenceline workers are below the Maximum Exposed Individual (MEI) resident, since the Project is surrounded by other heavy industries. The applicant should also consider the inclusion of significant truck and transport refrigeration unit (TRU) activity or idling at nearby facilities, including but not limited to, the docking stations at 2589 Goodrick Ave, and two NorCal Perlite sites northeast of the Project site. 8

Regarding Expansion of MM-TRANS-1 (TDM plan) and MM TRANS-4b (bike parking), and specifically: Comprehensive and safe bicycle and pedestrian route and path connections with nearby activity centers and transit facilities, **consider specifically:** 9

- Installation of bike lanes on Fred Jackson Way and Parr Boulevard; and/or
- Connection to the Wildcat Creek Trail along Richmond Parkway and/or to the trail 300 feet to the south of Parr Boulevard, (which connects to the Bay Trail).

Implementation of additional projects to build on MM TRANS-2a and MM TRANS-2b, via Area of Benefit (AOB) fees collected: 10

10
CONT

- Further traffic-calming efforts, and prevention of truck traffic in North Richmond neighborhoods, by implementing additional projects via AOB funding in the near-term, (such as additional signage, bulb outs, speed tables, etc.)

Kelly Malinowski, MPA | Senior Environmental Planner

Planning and Climate Protection Division

Bay Area Air Quality Management District

Office: 415-749-8673

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Local Agencies

Bay Area Air Quality Management District, Letter 2 (BAAQMD.2)

Response to BAAQMD.2-1
The commenter states that the comments contained in this letter should not be considered official recommendations. The commenter also states that these comments are passed along for the Scannell Project, as helpful, and that the commenter is available for questions.

This comment is noted, and no further response is required.

Response to BAAQMD.2-2
The commenter states that the enforcement of the project's transition to a zero-emission fleet is unclear and that the BAAQMD would like to understand the details of how compliance will be determined and what steps will be taken should compliance not be achieved. The commenter also states that the project applicant should consider applying the vehicle electrification requirements to common carriers operating under their own authority.

This comment is noted. Contra Costa County, as the Lead Agency, will enforce the project's transition to a zero-emission fleet. In accordance with Section 84-66.1204 of the Contra Costa County Ordinance Code, the planning commission will impose conditions of approval to carry out the purpose of the P-1 Zoning District when approving the final development plan. The conditions of approval will include the requirements for the phasing-in of zero-emission vehicles as specified on pages 2-9 and 2-10 of Section 2, Project Description. Should the project applicant be in violation of the conditions of approval related to the transition to a zero-emission fleet, the County can take code enforcement actions, including permit revocation or the initiation of revocation proceedings for the final development plan.

As discussed in the Executive Summary, Section 2, Project Description, Section 3.2, Air Quality, and Section 3.7, Greenhouse Gas Emissions, of the Draft EIR, the proposed project will phase-in the electrification of delivery vans and trucks domiciled at the project site that are utilized for project operation. Specifically, for Class 2 through 6 vehicles, the proposed project will electrify no less than 33 percent of delivery vans and trucks at the start of operations; increasing to 65 percent by December 31, 2023; increasing to 80 percent by December 31, 2025; and increasing to 100 percent by December 31, 2027. For Class 7 and 8 heavy-duty trucks, all such trucks must be model year 2014 or later from the start of operations, and must transition to zero-emission vehicles by December 31, 2025, or when commercially available, whichever date is later. Application of the vehicle electrification requirements to common carriers operating under their own authority, and not domiciled at the project site, is not required to reduce any impacts to a less than significant level. However, the comment is noted and will be forwarded to decision-makers for their consideration.

Response to BAAQMD.2-3
The commenter requests clarification on "infrastructure for future electric charging stations" with respect to truck docks.

This comment is noted. The proposed project would include electric vehicle supply equipment, such as pre-wiring raceways at truck docks, to support the future installation of electric vehicle charging

stations. In response to this comment, clarifying edits have been made to Section 3.5, Energy (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications, which will further ensure that impacts remain less than significant. None of these changes would result in a new significant environmental impact.

Response to BAAQMD.2-4
The commenter encourages the project applicant to specify the definition of base power and to ensure that base power includes maximum loads associated with vehicle charging. In addition, the commenter encourages the applicant to consider the installation of battery storage systems.

This comment is noted. As provided by the project applicant, the proposed rooftop solar is anticipated to satisfy 100 percent of the electricity demand generated by the buildings of the proposed project, which is estimated to be approximately 1,394,896 kilowatt-hour (kWh)/year. Due to the variability of potential maximum load demand and the limited rooftop space capable of supporting a rooftop solar system, MM GHG-1f was included to ensure that any electricity demand which cannot be satisfied by the rooftop solar system would utilize electricity generated from renewable sources.

Response to BAAQMD.2-5
The commenter states that MM GHG-1 contains an arithmetic error and should be corrected. Specifically, the carbon credits that would be required to be purchased in years 2023 and 2024 read 4,079 metric tons (MT) of carbon dioxide equivalent (CO_2e) and should match the Draft EIR which requires 4,097 MT CO_2e for each year.

The commenter also states that the carbon credits calculated in the Draft EIR and required by MM GHG-1 are established utilizing compliance with the 2030 legislative GHG reduction targets codified in Senate Bill (SB) 32. The commenter states that the carbon credit requirements should be adjusted to reflect the State's carbon neutrality goals for 2045.

In response to this comment, Appendix B of the Draft EIR has been updated to contain the correct emission value of MT CO_2e for years 2023 and 2024, as reflected in the Draft EIR (see Section 3, Errata, of the Final EIR).

In addition, to address project consistency with post-2030 GHG reduction targets, a discussion was added regarding the project's contribution to the 2045 carbon neutrality goal established by Executive Order B-55-18 and the 2050 GHG reduction goal by 80 percent below 1990 levels established by Executive Order S-3-05. The analysis of the project's annual GHG emissions was adjusted to also evaluate consistency with these reduction targets and applies the appropriate significance thresholds to demonstrate contribution to the State's GHG reduction goals.

As a result, changes have been made to Section 3.7, Greenhouse Gas Emissions, to address the BAAQMD's comments, correct grammatical errors, and remove extraneous information (see Section 3, Errata, of the Final EIR).

Response to BAAQMD.2-6
The commenter states that the Draft EIR establishes a GHG mass emissions threshold for 2030 based on the SB 32 GHG reduction target. The commenter states that the Draft EIR incorrectly labels this 2030 emissions threshold as "BAAQMD Bright-Line Threshold" and that this threshold is not the BAAQMD's threshold and should be modified to disassociate the BAAQMD from the County's established threshold.

This comment is noted. In response to this comment, text and tables on pages 3.7-43 through 3.7-47, Section 3.7, Greenhouse Gas Emissions, of the Draft EIR have been revised to address the BAAQMD's comments (see Section 3, Errata, of the Final EIR).

Response to BAAQMD.2-7
The commenter references statements in the Draft EIR that approximately 546 auto parking spaces will be constructed and that 20 charging stations for passenger vehicle will be provided. The commenter references statements in the Draft EIR that 20 percent of total parking spaces will be electric vehicle (EV) charging spaces. The commenter states that the project applicant should clarify the number and type of parking spaces.

This comment is noted. As proposed, the project would include 20 EV charging stations intended for passenger EV charging. As the proposed project is constructing approximately 546 parking spaces and will accommodate an increasingly electric vehicle fleet through 2027, MM GHG-1b was included to require the proposed project to meet the EV charging station standards contained in the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.3.2. As contained therein, a development which includes 201 or more parking spaces would be required to include EV charging stations equal to 20 percent of the total proposed parking spaces. As such, the proposed project would be required to increase the number of EV charging stations from 20 total charging stations to 20 percent of total parking, or approximately 110 total charging stations, with incorporation of MM GHG-1b upon first operation.

Response to BAAQMD.2-8
The commenter recommends that the Health Risk Assessment (HRA) also include the West County Wastewater District (WCWD) facility, an analysis of the proposed project's workers at the fence line, or a demonstration that the risks to fence line workers are below the maximally exposed individual resident. The commenter also asks the applicant to consider the inclusion of significant truck and transport refrigeration unit activity or idling at nearby facilities.

The comment is noted. The HRA incorporated into the Draft EIR utilized the BAAQMD's Permitted Stationary Sources Risk and Hazards online screening tool to identify permitted stationary sources within 1,000 feet of the project site, consistent with the BAAQMD's current CEQA Air Quality Guidelines (May 2017). As contained on the BAAQMD's Permitted Stationary Sources Risk and Hazards screening tool, no permitted stationary sources at the WCWD facility are within 1,000 feet of the project site.

Response to BAAQMD.2-9
The commenter recommends specific edits to MM TRANS-1 (Transportation Demand Management Plan) and MM TRANS-4b (bicycle parking).

The comment is noted. As part of the Fred Jackson Way First Mile/Last Mile Project (State Clearinghouse No. 2019069019, certified October 17, 2019), a new 5-foot-wide pedestrian path and new buffered bike lanes would be constructed along both sides of Fred Jackson Way. See also Response to BAAQMD.1-4.

Response to BAAQMD.2-10
The commenter recommends the implementation of additional traffic calming projects to build on MM TRANS-2a and MM TRANS-2b via Area of Benefit fees collected.

The comment is noted and will be forwarded to decision-makers for their consideration.

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
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August 12, 2021

Francisco Avila, Principal Planner
Contra Costa County
Department of Conservation and Development Community Development Division
30 Muir Road
Martinez, CA 94553

SUBJECT: Comments on DRAFT Environmental Impact Report
Scannell Properties Project, State Clearinghouse Number 2019110186

Dear Mr. Avila:

Thank you for sending Contra Costa LAFCO the notice of availability for the *DRAFT Environmental Impact Report - Scannell Properties* project . Contra Costa LAFCO appreciates the opportunity to review and comment on the Draft EIR pursuant to the California Environmental Quality Act (Pub. Res. Code § 21000 et seq.: "CEQA") and the State CEQA Guidelines (14 C.C.R. § 15000 set seq.). Also, thank you for including in the DEIR information regarding wastewater demand and capacity which is relevant and useful for the future annexation.

LAFCO staff has reviewed relevant section of the DEIR offers the comments below.

Comments

1

Responsible Agency - LAFCO is an independent, regulatory agency with discretion to approve, wholly, partially or conditionally, or disapprove, changes of organization or reorganizations. In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act"), LAFCO is required to consider various factors when evaluating a proposal, including, but not limited to, impacts to agricultural and open space lands, the provision of municipal services and infrastructure to the project site, timely and available supply of water, fair share of regional housing, consistency with regional plans, and other factors.

The factors relating to boundary changes are contained in Government Code ("GC") §56668. Including an assessment of these factors in the County's environmental document will facilitate LAFCO's review and the LAFCO process. Deficiencies in the environmental document as required by LAFCO may result in the need for additional CEQA compliance work.

As a Responsible Agency pursuant to the CEQA, LAFCO would like to rely on the County's EIR in consideration of any local agency boundary change required for the project. Given that LAFCO's approvals will be a fundamental part of the entitlements required for this project, the EIR should specifically address the following: 1 CONT

Project Description - The "Project Description" in the Final EIR must clearly identify annexation of the project site to the West County Wastewater District (WCWD) requiring LAFCO review and approval. The Final EIR should also discuss the timing of annexation relative to timing of the proposed development plans. 2

Project Objectives - "Project Objectives" listed on page ES-3 must include discussion of the eventual annexation of the project site to the WCWD. (See State CEQA Guidelines § 15124(b) ["[t]he statement of objectives should include the underlying purposes of the project"].)

Public Utilities - The EIR's "Utilities and Service Systems" (Section 3.14,) should discuss municipal services required by the development and the timing of those services to the project area. Government Code section 56653 requires that each application for a change of organization include a "plan for providing services within the affected territory." Among other things, the plan for services must indicate "when those services can feasibly be extended to the affected territory" (Gov't Code 56653(b)(3)). In conjunction with the future annexation of the Scannell property to WCWD, the EIR should provide a timeframe for extending wastewater services to the project area. 3

Water Service - Water supply and demand is enumerated in the DEIR. The DEIR's data relies on EBMUD's 2015 UWMP. However, EBMUD's 2020 UWMP was formally approved and is available on DWR's website: https://wuedata.water.ca.gov/uwmp_plans.asp?cmd=2020. We recommend you utilize the more recent data available in the 2020 UWMP to assess water supply and demand. The timing of any future annexation is unknown at this time. LAFCO will need to rely on the most current information available at the time of annexation. 4

Army Core of Engineers (ACOE) Wetlands Restoration Area - Page 2-2 of the EIR states that "Drainage pathways cross through the central and northern portions of the project site and there are several small, isolated wetland features on-site, representing a combination of fresh water from runoff and segments of brackish waters adjacent to Richmond Parkway". Page 2-4 of the EIR states that "The proposed project includes the removal of existing vegetation, fill of 0.145 acre of existing wetlands/water of the United States, creation of new wetland areas on-site." The EIR should identify the long-term funding mechanism and landowner(s) responsible for the sustained maintenance of the proposed wetland restoration areas. (Pub. Res. Code § 21081.6; State CEQA Guidelines § 15097.) The "Project Description" should be amended to address this consideration. 5

Regulatory Framework – The "Regulatory Framework" in the EIR's Section 3-14.13 should be updated to include the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, given annexation into the WCWD is required. 6

Financing - The project would be funded from private sources, and therefore is not subject to unsecured financing". In order to meet the financing information requirements under the Plan for Services, please provide a preliminary cost estimate for backbone infrastructure improvements (water, wastewater, streets, and storm drainage) for both on- and off-site costs. 7

Annexation Boundary - It would be useful if the EIR could include a map showing the annexation area in relation to the WCWD boundaries. Please note that the annexation of the subject area to WCWD should include surrounding roadways and ROW to avoid the creation of islands and/or illogical boundaries. This includes annexation boundary, roadways and ROW, in accordance with LAFCO law. LAFCO discourages boundaries that split lines of assessment or legal parcel lines, or create islands, strips, or corridors. Boundaries which follow existing political boundaries and natural or manmade features such as rivers, lakes, railroad tracks, roads and freeways are preferred. Boundary lines of areas proposed for annexation, which include, where possible, land abutting both sides of a given street or right of way within the same entity are favored. When a boundary must follow a street or highway, the boundary will include the complete right of way for the entire street or highway. The annexation of the subject area to WCWD should include surrounding roadways and ROW to avoid the creation of islands and/or illogical boundaries. 8

Spheres of Influence - It would be useful if the EIR could include a map showing the project site in relation to the Spheres of Influence of affected cities and special districts. 9

Thank you for the opportunity to comment on the Scannell Properties DEIR. Please contact the LAFCO office if you have any questions.

Sincerely,

Lou Ann Texeira
Executive Officer

c: LAFCO Environmental Planners

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Local Agencies

Local Agency Formation Commission, Contra Costa (LAFCO)

Response to LAFCO-1

The commenter provides introductory statements and describes the Contra Costa Local Agency Formation Commission's (LAFCo's) role in the CEQA process. The commenter states that LAFCo's approvals will be a fundamental part of the entitlements required for the proposed project and relies on the County's Draft EIR in consideration of any local agency boundary change required for the proposed project.

The comment is noted. The County has identified LAFCo as a Responsible Agency, which may be required to grant approvals or coordinate with other agencies, as part of project implementation (see page 2-12, Section 2, Project Description, of the Draft EIR). The County acknowledges that LAFCo's approvals will be fundamental part of the entitlements for the proposed project and that LAFCo intends to rely on the environmental information contained in the Draft EIR.

Response to LAFCO-2

The commenter recommends the Project Description clearly identify annexation of the project site to the WCWD and discuss the timing of annexation relative to timing of the proposed development plans. The commenter also recommends the Project Objectives include discussion of the eventual annexation of the project site to the WCWD.

The comment is noted. The Executive Summary and Section 2, Project Description, of the Draft EIR have been revised to include the changes recommended by LAFCo (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications. None of these changes would result in a new significant environmental impact.

See also Response to LAFCO-1.

Response to LAFCO-3

The commenter recommends that Section 3.14, Utilities and Service Systems, of the Draft EIR discuss municipal services required by the development as well as the timing when those services would be provided to the project area. The commenter also requests that the Draft EIR discuss a timeframe for extending wastewater services to the project area.

The comment is noted. In response to this comment, Section 3.14, Utilities and Service Systems, of the Draft EIR has been revised (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications. None of these changes would result in a new significant environmental impact.

Response to LAFCO-4

The commenter acknowledges that the water supply and demand enumerated in the Draft EIR relies on East Bay Municipal Utility District's (EBMUD's) 2015 Urban Water Management Plan (UWMP) and recommends the Draft EIR utilize more recent data available in the EBMUD's 2020 UWMP to assess water supply and demand.

The comment is noted. The EBMUD 2020 UWMP was adopted by the EBMUD Board of Directors on June 22, 2021, which immediately preceded publication of the Draft EIR on June 29, 2021. Nonetheless, the County recognizes that LAFCo will need to rely on the most current information available at the time of annexation. As such, the County has provided Table 1 below to summarize the projected demand and supply forecast by the EBMUD 2020 UWMP between 2020 and 2050.

Table 1: Demand and Supply Projections (2020–2050)

Scenario	Category	Year						
		2020	2025	2030	2035	2040	2045	2050
Normal Year	Available Supply (MGD)	>181	>186	>190	>194	>201	>209	>218
	Planning Level of Demand (MGD)	181	186	190	194	201	209	218
	Need for Water (TAF)	0	0	0	0	0	0	0
Single Dry Year (Year 1)	Available Supply (MGD)	181	186	189	192	198	204	211
	Voluntary Rationing (%)	0	0	1	1	2	2	3
	Need for Water (TAF)	0	0	0	0	0	0	0
Multiple Dry Years (Year 2)	Available Supply (MGD)	156	161	164	167	172	178	185
	Mandatory Rationing (%)	13	13	13	14	14	14	15
	Need for Water (TAF)	0	0	0	0	0	0	0
Multiple Dry Years (Year 3)	Available Supply	153	157	158	157	144	130	117
	Mandatory Rationing (%)	15	15	15	15	15	15	15
	Need for Water–Base Condition (TAF)	0	0	0	0	28	52	75
	Need for Water–High Demand Scenario	0	0	21	35	60	97	125
	Need for Water–Extreme Drought Scenario	0	0	0	13	32	55	84

Notes:
MGD = million gallons per day
TAF = thousand acre-feet
Source: East Bay Municipal Utility District (EBMUD). Urban Water Management Plan 2020. Website: https://www.ebmud.com/water/about-your-water/water-supply/urban-water-management-plan/. Accessed August 31, 2021.

As shown in the above table, and as similarly concluded in the Draft EIR, EBMUD has and will have adequate water supplies to serve existing and projected demand during normal and wet years, but deficits are projected for multi-year droughts. Rationing would be sufficient to provide for adequate water balance for the single dry year and multiple dry year (2 years) scenarios, but a deficit would occur for the multiple dry year (3 years) scenario.

As stated in the EBMUD 2020 UWMP, if water supplies are severely depleted, EBMUD's Board of Directors may declare a water shortage emergency and implement the Drought Management Program, which is designed to provide guidance to minimize drought impacts on its customers while continuing to meet stream flow release requirements and obligations to downstream Mokelumne River water users. Following the declaration of a water shortage emergency, depending on the identified drought stage, EBMUD's Board of Directors may put into effect certain regulations, ordinances, and surcharges. The Board may also implement the Drought Management Program in the absence of a declaration of water shortage emergency if supplies are moderately depleted or if the State mandates water use restrictions.

Response to LAFCO-5
The commenter recommends that the Project Description of the Draft EIR be amended to identify the long-term funding mechanism and landowner(s) responsible for the sustained maintenance of the proposed wetland restoration areas.

The comment is noted. In response to this comment, Section 2, Project Description, of the Draft EIR has been revised to include the changes recommended by LAFCo (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications. None of these changes would result in a new significant environmental impact.

Response to LAFCO-6
The commenter recommends that the Regulatory Framework in Section 3.14, Utilities and Service Systems, of the Draft EIR be updated to include the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, given annexation into the WCWD is required.

The comment is noted. In response to this comment, Section 3.14, Utilities and Service Systems, of the Draft EIR has been revised as requested (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications. None of these changes would result in a new significant environmental impact.

Response to LAFCO-7
The commenter states that the proposed project would be funded from private sources and would not be subject to unsecured financing. The commenter requests that the project applicant provide a preliminary cost estimate for backbone infrastructure improvements (water, wastewater, streets, and storm drainage) for both on- and off-site costs.

The comment is noted, and the project applicant will provide the requested information to LAFCo under separate cover. As this comment does not address the adequacy of the Draft EIR, no further response is required.

Response to LAFCO-8
The commenter requests that a map showing the annexation area in relation to the WCWD boundaries be included in the Draft EIR. The commenter asks that the map include the annexation area, surround roadways and rights-of-way to avoid the creation of islands and/or illogical boundaries.

The comment is noted. In response to this comment, Exhibit 2-8 has been prepared and included in Section 2, Project Description, of the Draft EIR (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications. None of these changes would result in a new significant environmental impact.

Response to LAFCO-9
The commenter requests that a map showing the project site in relation to the Sphere of Influence (SOI) of affected cities and special districts be included in the Draft EIR. The commenter also thanks the County for the opportunity to comment on the Draft EIR.

The comment is noted. In response to this comment, Exhibit 2-7 has been prepared and included in Section 2, Project Description, of the Draft EIR (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications. None of these changes would result in a new significant environmental impact.

Contra Costa Building and Construction Trades Council

2727 Alhambra Ave. Suite 5
Martinez, CA 94553
FAX (925) 372-7414

Bill Whitney
C.E.O.
Phone (925) 228-0900

July 26, 2021

Mr. Francisco Avila
Principal Planner
Contra Costa County Department of
Conservation and Development
30 Muir Road
Martinez, CA 94553

Dear Francisco:

On behalf of the Contra Costa Building and Construction Trades Council and the thirty trades unions that we represent with approximately 35,000 plus building trades men and women, I am writing to express our strong support for the Scannell Properties Warehouse Project at 177 Parr Blvd in North Richmond.

Scannell Properties has worked cooperatively with the building trades to enter into a Project Labor Agreement (PLA) that will ensure the project is built by union men and women who reside in Richmond and Contra Costa County. We are proud to be a critical part of this project that will bring so many family-wage jobs to Richmond and surrounding communities. 1

Again, the Contra Costa Building and Construction Trades Council enthusiastically supports the Scannell Properties project at 177 Parr Blvd in North Richmond.

Thank you for the opportunity to provide our letter of support.

Sincerely,

Bill Whitney, CEO

Cc: Supervisor John Gioia
Kevin Van Buskirk, Chair and Members of Contra Costa County Planning Commission,

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Organizations

Contra Costa Building and Construction Trades Council (CCBCTC)

Response to CCBCTC-1

The commenter expresses support for the proposed project and states how it will bring many family-wage jobs to Richmond and the surrounding communities.

The comment is noted; no response is required.

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August 11, 2021

Via Email

Francisco Avila, Principal Planner
Community Development Division
Contra Costa County, Department of
Conservation and Development
30 Muir Road
Martinez, CA 94553
Francisco.Avila@dcd.cccounty.us

Re: Draft Environmental Impact Report for Scannell Properties Project (County File #CDDP17-03045; SCH No. 2019110186)

Dear Mr. Avila:

I am writing on behalf of Laborers International Union of North America, Local Union No. 324 and its members living and working in the City of Richmond and Contra Costa County (collectively "LIUNA") regarding the Draft Environmental Impact Report ("DEIR") prepared for the Scannell Properties Project, proposed to be located at the northeast corner of Richmond Parkway and Parr Boulevard in Richmond, California (County File #CDDP17-03045; SCH No. 2019110186) ("Project"). After reviewing the DEIR, together with our consultants, we have concluded that the document fails to comply with the California Environmental Quality Act ("CEQA") and fails to adequately analyze and mitigate the Project's significant environmental impacts.

Traffic Engineer Rock Miller, P.E., of Rock Miller & Associates has conducted a review of the Project, the DEIR and relevant appendices regarding the Project's transportation impacts. Mr. Miller identifies additional mitigation measures necessary to address the Project's significant transportation impacts. Mr. Miller's expert comments and CV are attached hereto as Exhibit A. 1

Ecologist Shawn Smallwood, Ph.D also reviewed the Project and DEIR, and visited the Project site to make observations about biological resources. Dr. Smallwood concluded that the Project will have significant impacts on biological resources that have not been adequately analyzed or mitigated. Dr. Smallwood's comments and CV are attached hereto as Exhibit B.

In addition, environmental consulting firm Soil/Water/Air Protection Enterprise ("SWAPE") has reviewed the Project and the DEIR, and concludes that the DEIR's analysis of the Project's air pollution emissions are insufficient and remain potentially significant. SWAPE's expert comments, as well as the CVs of the SWAPE's consultants are attached hereto

as Exhibit C.

A revised EIR should be prepared prior to Project approval to analyze all impacts and require implementation of all feasible mitigation measures, as described more fully below.

I. PROJECT DESCRIPTION

The Project includes the demolition of three vacant one-story buildings as well as slabs and foundations on the site and the construction and operation of two distribution warehouse buildings totaling 325,000 square feet in size. Building 1 would include a 119,000 square foot warehouse with some ancillary office space in the southwestern portion of the project site. Building 2 would consist of a 206,000 square feet warehouse and some office space located along the eastern edge of the project site. It is expected that Building 2 would be leased by FedEx and operated as a sorting and distribution center for delivery routes in the North Bay area. Building 2 would employ about 200 people. Although no potential tenant has been identified for Building 1, it is estimated it will employ about 75 people. The Project is expected to generate 1,920 daily vehicle trips and 40,760 vehicle miles travelled per day, including cars, trucks and delivery vans. DEIR, pp. 3.13-15 – 3.13-16 (Table 3.13-2). Off-site improvements associated with the Project would include roadway improvements such as sidewalks, curbs, bioretention swales and traffic calming features along Parr Boulevard and Richmond Parkway. DEIR, p. 2-8.

A Notice of Preparation of the DEIR was issued by the County on November 8, 2019. Despite the pending environmental review, the County went ahead and issued approvals of demolition permits in furtherance of the project's construction. DEIR, p. 3.14-1.

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CONT

II. LEGAL BACKGROUND

CEQA requires that an agency analyze the potential environmental impacts of its proposed actions in an environmental impact report ("EIR") (except in certain limited circumstances). See, e.g., Pub. Res. Code § 21100. The EIR is the very heart of CEQA. *Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652. "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Communities for a Better Env't v. Cal. Resources Agency* (2002) 103 Cal. App. 4th 98, 109.

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CEQA has two primary purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. 14 Cal. Code Regs. ("CEQA Guidelines") § 15002(a)(1). "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'" *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 564. The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." *Berkeley Keep*

Jets Over the Bay v. Bd. of Port Comm'rs. (2001) 91 Cal. App. 4th 1344, 1354 ("Berkeley Jets"); *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring "environmentally superior" alternatives and all feasible mitigation measures. CEQA Guidelines § 15002(a)(2) and (3); see also, *Berkeley Jets, supra*, 91 Cal. App. 4th at pp. 1344, 1354; *Citizens of Goleta Valley*, 52 Cal.3d at 564. The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced." CEQA Guidelines §15002(a)(2). If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns." Pub. Res. Code § 21081; 14 Cal.Code Regs. § 15092(b)(2)(A) & (B). The lead agency may deem a particular impact to be insignificant only if it produces rigorous analysis and concrete substantial evidence justifying the finding. *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 732.

While the courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A 'clearly inadequate or unsupported study is entitled to no judicial deference.'" *Berkeley Jets*, 91 Cal. App. 4th at p. 1355 (quoting L*aurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 391 409, fn. 12). As the court stated in *Berkeley Jets*, "A prejudicial abuse of discretion occurs 'if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the EIR process.'" *Id*. The California Supreme Court has emphasized that:

> When reviewing whether a discussion is sufficient to satisfy CEQA, a court must be satisfied that the EIR (1) includes sufficient detail to enable those who did not participate in its preparation to understand and to consider meaningfully the issues the proposed project raises [citation omitted], and (2) makes a reasonable effort to substantively connect a project's air quality impacts to likely health consequences.

Sierra Club v. Cty. of Fresno (2018) 6 Cal.5th 502, 510 (2018) (citing *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 405). "Whether or not the alleged inadequacy is the complete omission of a required discussion or a patently inadequate one-paragraph discussion devoid of analysis, the reviewing court must decide whether the EIR serves its purpose as an informational document." *Sierra Club v. Cty. of Fresno*, 6 Cal.5th at 516. Although an agency has discretion to decide the manner of discussing potentially significant effects in an EIR, "a reviewing court must determine whether the discussion of a potentially significant effect is sufficient or insufficient, i.e., whether the EIR comports with its intended function of including 'detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.'" *Id*. (citing

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CONT

Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal.App.4th 1184, 1197). As the Court emphasized:

> [W]hether a description of an environmental impact is insufficient because it lacks analysis or omits the magnitude of the impact is not a substantial evidence question. A conclusory discussion of an environmental impact that an EIR deems significant can be determined by a court to be inadequate as an informational document without reference to substantial evidence.

Sierra Club v. Cty. of Fresno, 6 Cal.5th at 514.

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CONT

III. ANALYSIS

A. THE DEIR FAILS TO ADEQUATELY MITIGATION THE PROJECT'S SIGNIFICANT TRANSPORTATION IMPACTS.

Mr. Miller visited the site and viewed the surrounding area and transportation facilities. Mr. Miller's review of the DEIR's handling of the Project's transportation impacts identifies a substantial failure to require feasible mitigation measures to address the Project's significant transportation impacts. By failing to require all feasible mitigation measures, including additional bike lanes, shuttles, and other mitigation measures that would quantifiably reduce the Project's significant VMT impacts, the County cannot make the findings necessary to support a statement of overriding consideration.

The DEIR calculates that the average trip length for the Project would be over 20 miles, well in excess of the threshold of significance for VMT impacts used by the County of no more than 15 percent below the nine-county Metropolitan Transportation Commission (MTC) average, *i.e.*, 12.75 miles. DEIR, p. 3.13-16. Mr. Miller calculates that the Project will generate 13,340 VMT per day. Miller Comments, p. 2. In order to mitigate the Project VMT impacts, the Project will have to reduce VMT by at least 4,896 VMT per day. *Id*.

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The DEIR only identifies the preparation and implementation of a Transportation Demand Management ("TDM") Plan for the Project. However, as the DEIR notes, "[t]he estimated average one-way trip length for the project (over 20 miles) suggests that, even with the incorporation of all feasible TDM measures, the proposed project's average HBW VMT per employee would likely remain in excess of 12.75 HBW trip VMT per employee." DEIR, p. 3.13.-18.

Mr. Miller documents severe constraints on the potential success of the Project's TDM Plan. The DEIR asserts that the Project is served by transit. DEIR, p. 3.13-16. However, the nearest transit stops are approximately one mile away on Fred Jackson Street at Market Street. *See id*.; Miller Comments, p. 3. As Mr. Miller notes, "[t]his distance exceeds all accepted guidelines for effective walking distance to transit." Miller Comments, p. 3. He also notes that the frequency of the nearest transit service is every 30 minutes. *Id*. Mr. Miller also observed

"long gaps in potential walking routes from the site to transit, requiring pedestrians to walk along dirt shoulders for long distances." *Id*. Mr. Miller concludes that:

> It is incorrect to suggest that the project has access to transit. The project and site vicinity will not have transit access unless transit service is extended to the area, realistically providing stops within ¼ mile of the site.

Id. Mr. Miller suggests a mitigation measure requiring a peak period shuttle service to BART that services the Project as well as the surrounding area coupled with free BART passes for the Project's employees could significantly reduce VMT in the area:

> The site is only about 2.5 miles from the Richmond BART station. A peak period transit service that connected the site to the BART station with stops in the nearby North Richmond neighborhood could be funded by the site or through an assembly of existing and future employers with developments in the vicinity.
>
> ***
>
> Provision of transit could also reduce the VMT for surrounding existing and proposed developments near the site. If transit access is established and its costs are fully funded by the site operator and made available as a service to the surrounding area, it may capture 2% of the daily trip generation for both the site and its vicinity.

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CONT

Id., p. 3. Mr. Miller estimates that, appropriately designed and implemented, such a transit program from BART to the Project would likely reduce VMT from the Project by almost 300 VMT per day. However, if required to be extended from BART to the Project area and North Richmond neighborhood, such a transit program could reduce VMT by over 1,000 VMT per day. *Id*.

Mr. Miller also reviewed improving bicycle facilities in the area of the project, noting their improvement by the Project could further mitigate the project's VMT impacts:

> A plan to increase usage of pedestrian and bicycle travel by improving facilities near the site can reduce VMT and traffic generation for the site. They can also reduce VMT for the surrounding industrial area uses and reduce VMT for nearby residential uses by making more attractive recreational trips from nearby residential areas to the Bay Trail. Since the baseline condition is relatively poor for walk/bike/transit, measures to improve these facilities can have a more powerful effect upon reducing VMT than site specific measures. Further, the VMT reduction can be measured and proven by measuring increases in these travel modes after improvements to provide a usable system are made.

Miller Comments, p. 4. Mr. Miller provides specific examples of bike lane improvements, especially "as a first/mile last mile connection to existing or potential transit." *Id*. Mr. Miller's

specific improvements to Parr Boulevard, Richmond Parkway and other road segments should be specified as required road improvements by the Project in order to reduce its VMT impacts. For example, Mr. Miller identifies an opportunity to add 6-foot bicycle lanes in both directions on the Fred Jackson/Goodrick Avenue Connector. As Mr. Miller notes, "[t]his should be a high priority improvement. It will provide … VMT reduction benefits by providing an attractive bikeable link between the site and the North Richmond neighborhood." *Id*., p. 7. Mr. Miller also focuses on the Project providing resources to establish a bike route to the BART Station:

> The site is only about 2.5 miles from the Richmond BART station along Fred Jackson and 7th Street to Barrett Avenue. Bicycling is generally accepted as an appropriate way to serve trips of up to 3-5 miles, so the site is well within the bikeable service area of the BART station, but the route needs to be bikeable and comfortable to potential users. It is not bikeable and comfortable at this time based upon the level of or absence of existing improvements.

Miller Comments, p. 7. He also identifies feasible improvements to roadways leading to the North Richmond neighborhood:

> Indefinite traffic calming improvements have been mentioned in the EIR in the north Richmond areas. There are opportunities to provide conventional bicycle lanes along much of this route, often through restriping only. There should be a clear plan for how to comfortably meet the needs of potential bicyclists from the North Richmond neighborhood to the site as well as connections to the Bay Trail system north and west of the site.

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CONT

Id. Mr. Miller calculates that, "[t]he provision of a high-quality bicycle network connecting the proposed site and nearby industrial developments could increase bicycle mode share for the area from zero to 3%, or 2002 VMT per day. This is nearly 41% of the excess VMT that needs to be mitigated." *Id*. In the end, Mr. Miller concludes that:

> The excess VMT for the site can be fully mitigated through a combination of on site, near site, and subregional improvements that can be included as site mitigation measures. These results are possible and can be attributed to the site if the site is fully or largely responsible for funding or producing the improvements.

Id., p. 8.

An agency may not issue a statement of overriding considerations unless it has imposed all feasible mitigation measures and alternatives. *City of Marina v. Board of Trustees of California State University* (2006) 39 Cal.4th 341, 368-369. CEQA prohibits agencies from approving projects with significant environmental impacts when feasible mitigation measures can substantially lessen or avoid such impacts. Pub. Res. Code § 21002; CEQA Guidelines, 15092(b)(2). Because the DEIR fails to identify numerous, specific VMT reduction projects, including a clear transit plan and bicycle lanes, that could be funded or implemented in the

vicinity of the Project that would quantifiably reduce and mitigate the additional VMT proposed to be added by the Project, the County cannot approve the Project or make the findings necessary to support a statement of overriding considerations. 3 CONT

B. THE PROJECT WILL HAVE SIGNIFICANT IMPACTS ON BIOLOGICAL RESOURCES THAT THE DEIR FAILS TO ADEQUATELY ANALYZE AND MITIGATE.

1. The DEIR fails to establish a baseline for special status species at the Project site.

The evening of July 13, 2021, Dr. Smallwood visited the project site and performed a reconnaissance level survey of wildlife utilizing the area of the Project. Smallwood Comments, p. 1. Dr. Smallwood reconnoitered the area for about 2.5 hours. *Id*. He observed that, unlike the photos exhibited in the DEIR, significant portions of the site had recently been graded to form various pads and berms. *Id*., pp. 1-2. Nevertheless, during his brief visit, he observed the presence of 26 species of vertebrate wildlife at and flying over the Project site, including protected birds of prey including osprey, white-tailed kites, and a red-tailed hawk. *Id*., pp. 2, 6. Had he spent more time at the site, Dr. Smallwood explains he would have detected even more species. *Id*., pp. 6-8.

Establishing an accurate baseline is the *sine qua non* to adequately analyzing and mitigating the significant environmental impacts of the Project. *See* CEQA Guidelines, § 15125(a); *Save Our Peninsula*, 87 Cal.App.4th at 121-123. Unfortunately, the EIR's failure to investigate and identify the occurrences of sensitive biological resources at the Project site results in a skewed baseline. Such a skewed baseline ultimately "mislead(s) the public" by engendering inaccurate analyses of environmental impacts, mitigation measures and cumulative impacts for biological resources. *See San Joaquin Raptor Rescue Center,* 149 Cal.App.4th at 656; *Woodward Park Homeowners,* 150 Cal.App.4th at 708-711. 4

Dr. Smallwood reviewed the information provided by the reconnaissance-level survey conducted by WRA six years previously in 2015. Smallwood Comments, p. 8. No information is provided on the start time and duration of the WRA site visit in 2015. *Id*., pp. 8-9. WRA's conclusion that no special status species use the site is plainly incorrect as Dr. Smallwood observed two white-tailed kites, a fully protected species under California Fish & Game Code §3511, fighting over territory at the site. Smallwood Comments, p. 9. As Dr. Smallwood explains:

> Considering that the model in Figure 1 predicted that I detected only a fraction of the number of species that use the site, and considering that WRA (2015) detected barely more than a third of the species I detected, it is safe to assume that WRA either committed grossly insufficient effort toward their wildlife survey or their biologists were distracted by other simultaneous survey objectives. To support

> sound determinations of the occurrence likelihoods of special-status species, WRA would have needed to commit to a much larger survey effort.

Id. As a result, the baseline description of wildlife use at the site is insufficient.

Dr. Smallwood points out the availability of citizen-science based databases that provide robust information about bird sightings at specific locations, including eBird and iNaturalist. *Id*. These data bases are regularly used by experts to inform them of sightings of wildlife in a particular area. Based on his review and his site inspection, Dr. Smallwood identifies 79 special-status species of vertebrate wildlife which occur in the Project area or whose geographic ranges overlap with the Project site. *Id.*, pp. 10-12 (Table 2). In comparison, WRA only assessed occurrence likelihoods of 35 special-status species for the site. *Id*., p. 9.

Dr. Smallwood explains that, just because a site is not pristine does not mean wildlife will not take full advantage of it:

> WRA's typical reasons for determining species occurrences as unlikely were (1) disturbance of the site, and (2) lack of the species' habitat on the site. These reasons were flawed, however. If disturbance prevented the occurrences of any of the species in Table 2, then these species would occur nowhere. Wildlife communities throughout California make the best of a range of disturbed environments, but none of those environments remain undisturbed. Wildlife communities make use of spaces that have been graded, eroded, mechanically cleared of vegetation once to many times, harvested for specific resources, hunted, subjected to ORV recreation, and polluted with air-deposited toxic particles, plastics and non-native species. The species in Table 2 persist at locations disturbed in these and many other ways. That a site is "disturbed" is insufficient basis for determining that any of the species in Table 2 is unlikely.

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Smallwood Comments, p. 13. In regard to lack of habitat, Dr. Smallwood notes that:

> this reason was too often premised on an unrealistically narrow characterization of the environment that allegedly serves as habitat. WRA too often pigeon-holes species into a narrow environment, which can then be said to be absent from the site. In reality, wildlife species typically rely on wider types of environment than those specified by WRA, and they rely on those different types of environment for different reasons.

Id. Dr. Smallwood points out, as an example, the determination that short-eared owls were unlikely to occur at the site was in error given their presence on nearby properties and his expert observation that they would forage and otherwise use the Project site near their nearby breeding locations. *Id*., p. 14. Dr. Smallwood points out similar shortcomings in addressing burrowing owls, golden eagles and bald eagles, especially given the presence of ground squirrels at the site, as well as tri-colored blackbirds. *Id*., pp. 14-16.

Dr. Smallwood's expert analysis of the DEIR and its underlying biological report is substantial evidence that the DEIR's wildlife baseline and discussion of the Project's impacts to biological resources is not supported by substantial evidence and that substantial evidence shows the Project impacts remain significant and unmitigated.

2. The Project will have a significant impact on wildlife from vehicle collisions because of increased traffic generated by the Project.

The DEIR does not address the impacts the Project's vehicle trips will have on wildlife. According to the DEIR, the project will generate about 40,760 vehicle miles traveled (VMT) per day by cars and heavy trucks. DEIR, p. 3.13-15 (Table 3.13-2). This translates into more than 14,877,400 vehicle miles per year. Smallwood Comments, p. 19. Yet the DEIR does not analyze the direct and cumulative impacts on wildlife that will be caused by this increase in traffic on roadways servicing the Project. Vehicle collisions have the potential to impact dozens of special-status species.

Vehicle collisions with wildlife is not a minor issue, but rather results in the death of millions of species each year. Dr. Smallwood explains: 4 CONT

> In Canada, 3,562 birds were estimated killed per 100 km of road per year (Bishop and Brogan 2013), and the US estimate of avian mortality on roads is 2,200 to 8,405 deaths per 100 km per year, or 89 million to 340 million total per year (Loss et al. 2014). Local impacts can be more intense than nationally, as demonstrated by a study performed near the project site.
>
> In a recent study of traffic-caused wildlife mortality, investigators found 1,275 carcasses of 49 species of mammals, birds, amphibians and reptiles over 15 months of searches along a 2.5 mile stretch of Vasco Road in Contra Costa County, California (Mendelsohn et al. 2009). Using carcass detection trials performed on land immediately adjacent to the traffic mortality study (Brown et al. 2016) to adjust the found fatalities for the proportion of fatalities not found due to scavenger removal and searcher error, the estimated traffic-caused fatalities was 12,187. This fatality estimate translates to a rate of 3,900 wild animals per mile per year that were killed by automobiles. In terms comparable to the national estimates, the estimates from the Mendelsohn et al. (2009) study would translate to 243,740 animals killed per 100 km of road per year, or 29 times that of Loss et al.'s (2014) upper bound estimate and 68 times the Canadian estimate. An analysis is needed of whether increased traffic generated by the project site would similarly result in local impacts on wildlife.

Id., p. 18.

"Increased use of existing roads would increase wildlife fatalities (see Figure 7 in

Kobylarz 2001)." *Id*. and, because wildlife roadkill is not randomly distributed, Dr. Smallwood can predict the number of road-related kills that are attributable to the Project's expected vehicle miles. Based on a number of studies, including local Contra Costa County data, and the annual VMT of 14,877,400 miles, Dr. Smallwood predicts approximately 8,152 wildlife fatalities by collisions with Project-related vehicles each year. *Id*. at 20. This large number of direct kills by the Project's traffic is a significant potential impact that is not addressed in the DEIR. These deaths also will contribute significantly to the cumulative road kills that occur in Contra Costa County.

Dr. Smallwood's expert comments constitute substantial evidence that the Project may have a significant impact on biological resources as a result of vehicle collisions stemming from Project-generated traffic. Since this impact was not analyzed in the EIR, a revised EIR is required to analyze and mitigate this significant impact.

3. The DEIR Does Not Sufficiently Address Cumulative Habitat Loss Impacts.

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Dr. Smallwood provides his expert assessment that the Project will significantly contribute to cumulative impacts of various bird species. He notes a recent study documenting "a 29% decline in overall bird abundance across North America over the last 48 years – a decline driven by multiple factors, but principally attributed to habitat loss and habitat fragmentation (Rosenberg et al. 2019)." Smallwood Comments, p. 17. Dr. Smallwood estimates that the site has a capacity of up to 673 bird nests annually. *Id*. He then notes the productivity he observed at the site:

> In fact, 79 special-status species of vertebrate wildlife possess high likelihoods of occurrence in the project area, and most of these species have been documented there (Table 2). I have seen special-status species right on the project site (see my photos), and others have documented the occurrences of special-status species with photos and audio recordings on eBird. These species are present in the project area; they are not precluded. But the project, along with many planned and pending projects in the area, pose substantial and significant cumulative impacts to these species.

Smallwood Comments, p. 20. He also explains that pre-construction surveys, especially where, as here, the County improperly authorized grading of the site prior to the completion of the EIR process, do not offset to any degree the Project's cumulative habitat impacts. *Id*., p. 21. Dr. Smallwood's expert assessment demonstrates the insufficiency of the DEIR's discussion of cumulative habitat impacts.

C. THE DEIR FAILS TO ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS.

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1. The DEIR relies on unsubstantiated input parameters to estimate project

emissions.

To calculate the Project's expected emissions during operation and construction, the EIR Relies on the California Emissions Estimator Model Version CalEEMod.2016.3.2 ("CalEEMod"). This model relies on recommended default values for on-site specific information related to a number of factors. SWAPE reviewed the Project's CalEEMod output files and found that the values input into the model were unsubstantiated or inconsistent with information provided in the DEIR. SWAPE explains each of these in its letter. *See* SWAPE, pp. 1-10. For example, the modeling did not include the hauling trips and truck loading that will be necessary to export 23,715 cubic yards of vegetation material from the site and to import 33,089 cubic yards of soil to the site. *Id*., p. 2. Also of note are unexplained discrepancies in the fleet mix expected and vehicle trips expected from the project and that used in the CalEEMod modeling. *Id*., pp. 4-6. This results in an underestimation of the Project's emissions. As a result, the Project may have a significant air quality impact and an EIR is required to properly analyze this potential impact.

One of the unsubstantiated changes to the CalEEMod default inputs involves the intention discussed in the DEIR that the vehicles "domiciled at the project site," certain percentages would be zero emission by certain dates, with a goal of 100 percent of those vehicles stationed at the facility would be zero emission by December 31, 2027. DEIR, pp. ES-2; 2-9 – 2-10; SWAPE Comments, pp. 7-8. However, this commitment includes a qualification, noting that "[d]iscussion is ongoing between the project applicant and County staff to include language on compliance with these requirements during surges in vehicle demand or when such vehicles are not commercially available." *Id*. Likewise, the commitment to use zero emission heavy-duty trucks domiciled at the facility by December 31, 2025 is qualified if they are not "commercially available" as of that date. There is no discussion in the DEIR of the likelihood that zero emission vehicles will be commercially available by the identified dates. There appears to be uncertainty when commercial vehicle fleets will be available. *See, e.g.* https://www.businessfleet.com/10131189/commercial-electric-vehicles-whats-the-real-timeline (attached as Exhibit D). Despite these qualifications, it appears the CalEEMod modeling may have treated these qualified goals as binding commitments in projecting the emission levels from vehicles using the Project. It also is not clear from the DEIR what percentage of the vehicles using the Project would be domiciled at the Project. As a result, it is not disclosed how many of the vehicles contributing to the Project's VMT would not be subject to the zero emission schedule goals. The number of domiciled vehicles should be clarified and the projections adjusted to reflect any uncertainty in achieving the zero emission timelines.

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CONT

In an effort to address the shortcomings it identifies in the CalEEMod modeling for the Project's construction emissions, SWAPE re-ran model with the following changes:

> In our updated model, we included the correct amount of material import and export required for construction, operational vehicle fleet mix percentages and trips rates, and number of pieces of construction equipment equipped with Tier 4

Final engines; as well as omitted the unsubstantiated changes to the worker trip numbers, area coating emission factors, and operational vehicle emission factors.

5 CONT

SWAPE Comments, p. 10. SWAPE's updated CalEEMod modeling run calculates the Project's construction will emit 76.41 lbs/day of NOx. That daily emission rate exceeds the BAAQMD threshold of 54 lbs/day. SWAPE's expert comments are substantial evidence that the DEIR's air quality analysis lacks substantial evidence and does not adequately address the Project's significant air quality impacts during construction.

IV. CONCLUSION

For the foregoing reasons, LIUNA requests that the County prepare and recirculate a revised EIR that conforms with CEQA, as described above. Thank you for considering these comments. 6

Sincerely,

Michael R. Lozeau

Michael R. Lozeau

- Exhibit A in its entirety is considered Comment 7 - refer to **Attachment A**
- Exhibit B in its entirety is considered Comment 8 - refer to **Attachment B**
- Exhibit C in its entirety is considered Comment 9 - refer to **Attachment C**
- Exhibit D in its entirety is considered Comment 10 - refer to **Attachment D**

Organizations

Laborers International Union of North America, Local Union #324 (LIUNA)

Response to LIUNA-1

The commenter provides introductory statements and concludes that the Draft EIR fails to comply with CEQA and fails to adequately analyze and mitigate the proposed project's significant environmental impacts. The commenter summarizes subsequent comments in the letter. The commenter notes that Traffic Engineer Rock Miller, PE, identifies additional mitigation measures for transportation impacts, Ecologist Shawn Smallwood concludes that the proposed project would have significant impacts to biological resources that have not been analyzed in the Draft EIR, and the environmental consulting firm Soil/Water/Air Protection Enterprise (SWAPE) concludes that the analysis for air pollution emissions is insufficient and that impacts would remain potentially significant. The commenter summarizes information contained in the Project Description.

- Exhibit A in its entirety is considered Comment LIUNA-7 – refer to Attachment A
- Exhibit B in its entirety is considered Comment LIUNA-8 – refer to Attachment B
- Exhibit C in its entirety is considered Comment LIUNA-9 – refer to Attachment C
- Exhibit D in its entirety is considered Comment LIUNA-10 – refer to Attachment D

The comment is noted; no response is required.

Response to LIUNA-2

The commenter provides background information about CEQA and the purposes of CEQA and cites various sections of the CEQA Guidelines as well as CEQA court cases.

The comment is noted; no response is required.

Response to LIUNA-3

The commenter asserts that the Draft EIR fails to adequately mitigate the project's significant transportation impacts and summarizes the information contained within Exhibit A, which was prepared by Rock Miller, PE, of Rock E. Miller & Associates. The commenter asserts that the County cannot make the findings necessary to support a statement of overriding consideration because all feasible mitigation measures to address the proposed project's significant VMT impacts have not been included in the Draft EIR.

The comment is noted. Please refer to Response to LIUNA-7.

Response to LIUNA-4

The commenter asserts that the Draft EIR fails to adequately analyze and mitigate the project's significant impacts on biological resources and summarizes the information contained within Exhibit B, which was prepared by Shawn Smallwood, PhD. The commenter asserts that the Draft EIR fails to establish a baseline for special-status species at the project site and does not sufficiently address cumulative habitat loss impacts. The commenter also states that the proposed project will have a significant impact on wildlife from vehicle collisions because of increased traffic generated by the project.

The comment is noted. Please refer to Response to LIUNA-8.

Response to LIUNA-5
The commenter asserts that the Draft EIR fails to adequately analyze and mitigate air quality impacts and summarizes the information contained within Exhibit C, which was prepared by SWAPE. The commenter asserts that the proposed project's California Emissions Estimated Model (CalEEMod) input files values were unsubstantiated or inconsistent with the information provided in the Draft EIR.

The comment is noted. Please refer to Response to LIUNA-9.

Response to LIUNA-6
The commenter provides concluding statements and requests the County to prepare and recirculate a revised EIR.

The comment is noted and will be forwarded to decision-makers for their consideration.

Response to LIUNA-7
Exhibit A in its entirety is considered Comment LIUNA-7. Exhibit A was prepared by Rock Miller, PE, of Rock E. Miller & Associates and is included as Attachment A.

The commenter states that the project site is unserved by transit, and there are minimal pedestrian and bicycle facilities that connect the project site to compatible land uses. The commenter states that the nearest developed residential area, North Richmond, is more than 1 mile from the site, and there is no direct transit service, continuous walking route, or direct bicycle route. The commenter asserts that the proposed development will be highly reliant upon private automobiles and trucks for access and operations unless proper improvements are made. The commenter provides a summary of alternative mitigation measures for traffic generation and VMT that could be proposed. The commenter also explains how an alternative approach to VMT could be achieved by focusing upon addressing local circulation deficiencies and meeting unique opportunities that can reliably reduce local VMT. The commenter suggests that these alternatives can be combined with or partially replace the measures proposed that rely heavily upon purchasing GHG credits in the global market but provide no localized benefits. The commenter also summarizes information contained in the Draft EIR related to GHG emissions.

The comment is noted. Regarding the commenter's concerns related to GHG emissions, see Responses to BAAQMD.1-1, BAAQMD.1-2, BAAQMD.2-5, BAAQMD.2-6, and BAAQMD.2-7. Regarding carbon credits, MM GHG-1g requires the purchase of carbon credits equivalent to GHG emissions in an amount that would exceed established significance thresholds and/or State GHG reduction policies; implementation of this measure is required to reduce the project's GHG impacts to less than significant levels. As GHG impacts are cumulative by nature, the carbon credits purchased to reduce the project's GHG impacts may be located anywhere within the cumulative context. Nonetheless, as noted in MM GHG-1g, the carbon credits purchased to reduce the project's GHG impacts must achieve real, permanent, quantifiable, verifiable, and enforceable reductions as set forth in California Health and Safety Code Section 38562(d)(1). Furthermore, as noted in Section 3.2, Air Quality, of the Draft EIR, the proposed project including the associated transportation activity

during project operation, would not exceed criteria pollutant emission, criteria pollutant precursor emission, or health risk and hazard significance thresholds after mitigation.

The Draft EIR already includes feasible mitigation measures to address the proposed project's single VMT transportation impact, including measures recommended by the commenter.

Incentivizing and increasing the feasibility of the project's employees use of AC Transit and the Bay Area Rapid Transit (BART) will be accomplished through a number of components included in the proposed project's Transportation Demand Management Plan (TDM) Program, which is detailed in Table 3.13-3, Menu of VMT-reducing Transportation Demand Management Strategies. These components include employer-sponsored AC Transit passes, an employer-sponsored vanpool/shuttle, which could be implemented from AC Transit or BART locations, and subsidized, pooled Transportation Network Company (TNC) trips to and from transit stops and stations. Dedicated large shuttles to and from BART stations or AC Transit stops are only practical if a peak period with sufficient commute demand can be identified, and this specific warehouse use will have a variety of shifts that would likely make such large shuttles impractical and underutilized. The existing strategies for connectivity to public transit are appropriately scaled and flexible given this specific warehouse use. As detailed in the VMT mitigation measure MM TRANS-1, prior to issuance of the certificate of occupancy, a qualified transportation consultant must prepare a project specific TDM Program subject to County approval. As part of preparing the TDM Program, the qualified transportation consultant will take into account employee shifts, likely employee trip origins (i.e., those origins' proximity to transit), and other factors, to determine which strategies for incentivizing transit will lead to the greatest feasible VMT reductions.

Similarly, the proposed project's design features and mitigation measures in the Draft EIR include features to encourage and facilitate alternative modes of transportation for employees at the project site such as walking and bicycling. Short and long-term bicycle parking is required by MM TRANS-4b, and the menu of TDM strategies includes "end of trip" facilities for bicycle riders such as showers, secure bicycle lockers, and wardrobe changing spaces. Implementation of new bicycle lanes and other features to support bicycle travel around the project site and in the North Richmond area at large have been discussed with the County, but as acknowledged by the commenter, many such improvements would require street widening and acquisition of additional right-of-way from a large number of private property owners, and accordingly are best addressed via the proposed project's fair share contribution to the County's Road Trust Account (8192). This contribution, along with contributions from other developers, could be used to fund multimodal corridor improvements along Richmond Parkway and parallel routes, at the Lead Agency's discretion. Moreover, MM TRANS-2b requires contribution to the North Richmond Area of Benefit traffic mitigation fee program, which is used to fund traffic calming strategies that both reduce cut-through truck traffic and promote pedestrian and bicyclist safety, as well as installation of traffic calming improvements on either Fred Jackson Way, Market Avenue, or Chesley Avenue.

See also Responses to BAAQMD.1-4 and BAAQMD.2-9.

Response to LIUNA-8
Exhibit B in its entirety is considered Comment LIUNA-8. Exhibit B was prepared by Shawn Smallwood, PhD, and is included as Attachment B.

The commenter identifies and describes the 26 wildlife species observed during a site visit conducted on July 13, 2021, and forecasts the number of species likely to be detected had the site visit been conducted over a longer period of time. The commenter also estimated the probability of detecting fully protected, candidate, threatened, or endangered species based on the number of wildlife species observed during the site visit. The commenter also identifies purported shortfalls of the biological survey and report prepared by WRA Environmental Consultants for the proposed project. The comment is noted.

The commenter also asserts that the proposed project would have significant biological resources impacts to species and habitat, including impacts related to habitat loss, wildlife movement, wildlife mortality from collisions with vehicles, and cumulative impacts. However, the two key federal and State resource agencies, United States Fish and Wildlife Service (USFWS) and CDFW have been consulted regarding the proposed project and have determined that the mitigation proposed by the project would be sufficient to mitigate the project's impacts on species and habitat. Measures specific to migratory and nesting birds, roosting bats, and the salt marsh harvest mouse have been incorporated into the Draft EIR as binding mitigation measures (see MM BIO-1a, -1b, and -1c). In addition, MM BIO-1d requires a USFWS-approved Biological Monitor to be present on the project site during all construction activities in or adjacent to habitat for listed species, and the Biological Monitor will have authority to stop any work that may result in "take" of listed species. The Biological Monitor will also perform pre-construction surveys for listed species immediately prior to groundbreaking activities. MM BIO-1d contains numerous additional minimization measures to ensure that special-status species will be adequately protected during project implementation. Finally, in response to CDFW's comments on the Draft EIR, MM BIO-1a and MM BIO-1b have been revised to include refinements recommended by CDFW (see Section 3, Errata, of the Final EIR). These refinements represent clarifying language to better ensure compliance with CDFW processes.

As evidenced by the USFWS's issuance of a Biological Opinion authorizing the proposed project on December 29, 2020, along with CDFW's issuance of a draft Streambed Alteration Agreement authorizing the proposed project on July 29, 2020, and both resource agencies' substantial participation in the proposed project to date, the commenters' assertions that the proposed project would cause significant biological resources impacts are without merit. The USFWS concluded that the proposed project is not likely to adversely affect federally endangered wildlife or plant species. The USFWS Biological Opinion is included as Attachment F.

Response to LIUNA-9
Exhibit C in its entirety is considered Comment LIUNA-9. Exhibit C was prepared by SWAPE and is included as Attachment C.

The commenters assert that emissions associated with construction and operation of the proposed project are underestimated and inadequately addressed. The comments raised and responses to those comments are provided below.

Project Construction (SWAPE pages 2-3, 8-12)

The commenters raise multiple points related to (1) material import and export, (2) construction equipment assumptions regarding Tier 4 engines or their equivalents, and (3) construction worker trip assumptions. (Construction period issues pertaining to architectural coatings are addressed in a separate section below, which also addresses operational-period issues for such coatings). In response to this comment, KD Anderson & Associates, the air quality consultant who prepared the Air Quality Study for the proposed project, re-ran the "With Mitigation Measures" construction emissions analysis. In addition, after discussion with the Project Sponsor, the number of days for the Grading phase was adjusted from 22 to 40 days to reflect the most up-to-date construction assumptions for the proposed project. As detailed below, after imposition of MM AIR-2a, MM AIR-2b, and MM AIR-2c, the construction emissions expressed in pounds per day would increase as compared to the emissions shown in the Draft EIR, but would remain under the applicable BAAQMD significance thresholds. Accordingly, no new significant environmental impact would result, and no additional mitigation is required.

The changes made in the updated model run are summarized below, and are reflected in Attachment G with updated CalEEMod model input and output report files.

With regard to material import and export (i.e., soil importing and vegetation removal), the commenters correctly note that the Draft EIR's air quality analysis did not include the 33,089 cubic yards of soil imported and the 23,715 cubic yards of vegetation exported. Accordingly, the import of 33,089 cubic yards of soil and export of 23,715 cubic yards of vegetation, including related hauling truck activities, were added in the updated model run.

For Tier 4 engine or equivalent construction equipment, the commenters correctly note that six Tractors/Loaders/Backhoes to be used during the Building Construction phase should be removed from the mitigated model run, because MM AIR-2b does not apply to the Building Construction phase. Accordingly, those Tractors/Loaders/Backhoes were removed from the mitigated model run. Two Concrete/Industrial Saws were not included in the Draft EIR mitigated model run, but were included in the updated model run, because the equipment would be used during the Demolition phase, which is included in MM AIR-2b. The CalEEMod default assumption for a Grading phase is 45 days. For the model run in the Draft EIR, a Grading phase of 22 days required multiplying the default number of pieces of construction equipment by 2.05 to achieve the equivalent level of activity in the model. With the adjustment of the Grading phase to 40 days, for the updated model run, the number of hours per day was multiplied by 1.125 from the default 8 hours per day, for a total of 9 hours per day of equipment use, rather than adjusting the default numbers of pieces of construction equipment. It is typical to use such an adjustment to the default number of hours per day where, as is the case here, the number of days associated with a particular construction phase is close to the default number of days in CalEEMod.

For construction worker trip assumptions, all reductions to the default worker trip numbers were removed, and the updated model run uses CalEEMod default values for worker trips.

After making the adjustments in the model discussed above, the updated analysis results in increases to construction emissions, but in all cases the increased construction emissions remain less

than significant compared to the BAAQMD applicable thresholds. Table 3.2-10: Construction Emissions and associated text in Section 3.2, Air Quality, of the Draft EIR have been revised to reflect the updated "With Mitigation Measures" construction emissions (see Section 3, Errata, of the Final EIR). These changes represent minor clarifications and amplifications. None of these changes would result in a new significant environmental impact.

Area/Architectural Coatings (Construction and Operations) (SWAPE pages 3-4)

The commenters assert that use of 100 grams per liter (g/L) as the applicable volatile organic compounds (VOC) content level for architectural coatings is unsupported. The Draft EIR air quality analysis applies the 100 g/L content level under unmitigated conditions based on BAAQMD Regulation 8 (Organic Compounds) Rule 3 (Architectural Coatings). Regulation 8 Rule 3 lists the following VOC limits:

- 50 g/L for Flat Coatings,
- 100 g/L for Non-flat Coatings, and
- 150 g/L for Non-flat High Gloss Coatings

As noted by the commenters, Regulation 8 Rule 3 also lists 39 other "Specialty Coatings" with VOC contents ranging from 50 to 730 g/L.

Construction

During construction, it is possible that non-flat high gloss coatings would be used during construction of the proposed project. It is also possible that flat coatings would be used. The relatively higher VOC content in non-flat high gloss coatings would be offset by the lower VOC content in flat coatings. As a result, the model reasonably assumes use of coatings with VOC levels of 100 g/L in the unmitigated condition.

Regardless of the assumptions regarding applicable VOC content levels in the unmitigated condition, MM AIR-2a requires the project applicant to provide the County with documentation demonstrating achievement of a project-wide average VOC content level of 28 g/L during construction, ensuring that impacts would be less than significant with mitigation.

Operations

During operations, Table 3.2-11: Operational Emissions, in Section 3.2, Air Quality, of the Draft EIR shows that in 2021, reactive organic gas (ROG) emissions would be 11.36 pounds per day (ppd) and 1.98 tons per year (tons/year). Of the four horizon years analyzed, the year 2021 would result in the highest emissions levels. Compared to the BAAQMD significance thresholds for operational ROG emissions, 54 ppd and 10 tons/year respectively, project-related emissions would be substantially lower than the applicable thresholds.

ROG emissions from operational architectural coatings in 2021 would be 0.87 ppd and 0.16 tons/year, a small fraction of the total operational ROG emissions. Even if all architectural coatings used during operation of the project were the highest VOC content type of Specialty Coatings listed in Regulation 8 Rule 3, at 730 g/L, the resulting emissions from operational architectural coatings would increase 7.3-fold (730 ÷ 100 = 7.3). This highly unlikely and conservative scenario would result

in 2021 ROG emissions from operational architectural coatings of 6.35 ppd (0.87 * 7.3 = 6.35) and 1.17 tons/year(0.16 * 7.3 = 1.17). Adding these conservative architectural coatings ROG emissions (6.35 ppd and 1.17 tons/year) to the ROG emissions shown in Table 3.2-11 for the year 2021 (11.36 ppd and 1.98 tons/year) would bring total operational ROG emissions to 17.71 ppd and 5.13 tons/year. Compared to the BAAQMD significance thresholds for operational ROG emissions, 54 ppd and 10 tons/year respectively, impacts would remain less than significant.

Project Vehicle Operations (SWAPE pages 4-8)

The commenters make various assertions regarding emissions from operational vehicles. As explained below, these assertions are without merit and accordingly no adjustments have been made to the underlying assumptions presented in the Draft EIR.

As a threshold matter, Draft EIR Appendix B's Air Quality Study presents operational emissions results not only for the accelerated zero-emission vehicles scenario shown in the body of the Draft EIR, but also for a scenario with no zero-emission vehicle acceleration, i.e., a countywide average composition with a large percentage of diesel-powered vehicles. Even under this conservative scenario, in the most impactful horizon year (2021), all criteria pollutant emissions would be under the applicable BAAQMD thresholds in pounds per day and tons per year. (See Draft EIR Appendix B, page 55, Table 13, Operational Emissions – Scenario 1.) For later horizon years, such as 2023, all emissions would be lower, and the same effects would be seen for incremental changes to the zero-emission vehicle acceleration shown in Scenarios 2 and 3 in the Appendix B Air Quality Study.

Operational Vehicle Fleet Mix

The commenters assert that the Draft EIR air quality analysis uses an incorrect vehicle fleet mix. The commenters are incorrect for the following two reasons:

1. Use of Incomplete Trip Generation Information. The commenters present an alternate calculation of vehicle fleet mix based on an incomplete portion of Table 5, Project Trip Generation, of the Revised Final Scannell North Richmond Development TIA included as Appendix I of the Draft EIR. The following shows the incomplete portion of Table 5: Project Trip Generation used by the commenters:

Table 5: Project Trip Generation

Vehicle Type	Daily	Weekday AM Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total
Building 1 – Warehouse/Distribution Uses (Estimated using ITE Trip Generation Manual 10th Edition[1])							
Total Vehicles (67.8% automobiles, 32.2% trucks)[1]	170	12	3	15	7	13	20
Passenger Car Equivalency Adjustment[2]	+55	4	1	5	3	4	7
Total Building 1 Net New Trips:	**225**	**16**	**4**	**20**	**10**	**17**	**27**

The following shows Table 5: Project Trip Generation in its entirety:

Table 5: Project Trip Generation

Vehicle Type	Daily	Weekday AM Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total
Building 1 – Warehouse/Distribution Uses (Estimated using ITE Trip Generation Manual 10th Edition[1])							
Total Vehicles (67.8% automobiles, 32.2% trucks)[1]	170	12	3	15	7	13	20
Passenger Car Equivalency Adjustment[2]	+55	4	1	5	3	4	7
Total Building 1 Net New Trips:	**225**	**16**	**4**	**20**	**10**	**17**	**27**
Building 2 – Parcel Distribution Center (Estimated using data from Project Applicant – See Attachment C)							
Automobiles	1,220	126	102	228	110	150	260
Package & Delivery Vans (PCE = 1.5)	420	37	67	104	67	0	67
Passenger Car Equivalency Adjustment[2]	+210	+19	+34	+53	+34	+0	+34
Spot Trailers (PCE = 2.0)	60	0	0	0	1	2	3
Passenger Car Equivalency Adjustment[2]	+60	+0	+0	+0	+1	+2	+3
Linehaul Trucks (PCE = 2.0)	50	0	0	0	1	0	1
Passenger Car Equivalency Adjustment[2]	+50	+0	+0	+0	+1	+0	+1
Total Building 2 Net New Trips:	**2,070**	**182**	**203**	**385**	**215**	**154**	**369**
Total Full Project Net New Trips:	***2,295***	***198***	***207***	***405***	***225***	***171***	***396***

Notes:
1. Trip generation and mode split estimated using data from the Institute of Transportation Engineers' *Trip Generation Manual, 10th Edition*, using Land Use Code 154 – High-Cube Transload and Short-Term Storage Warehouse
2. Passenger Car Equivalent (PCE) is a metric used to assess the impact of a mode as compared to a single car.
   Truck trips = 2.00 passenger car trips (*Highway Capacity Manual*).
   Package/Delivery van trips = 1.5 passenger car trips (used as a conservative assumption).

Source: Fehr & Peers, 2020; Project applicant, 2018.

As shown above, the commenters based their alternate calculation of vehicle fleet mix on data for only Building 1. The commenters failed to include Building 2 in their alternate calculation of vehicle fleet mix.

2. Erroneous Use of Passenger Car Equivalents. Heavy vehicles (e.g., trucks with three or more axles) have a greater effect on traffic operations than light-duty vehicles (e.g., automobiles). Passenger car equivalents (PCE) are used in the traffic analysis to account for the effect of heavy vehicles on traffic flow.

PCEs represent the number of passenger cars displaced by a single heavy vehicle under certain roadway, traffic, and control conditions. The use of PCEs compensates for the operational characteristics of heavy vehicles as well as the roadway space displaced. Page 29 of the Revised Final Scannell North Richmond Development TIA included as Appendix I of the Draft EIR states,

> "As noted in the 2010 *Highway Capacity Manual*, truck and other heavy vehicle trips should be converted to PCEs using a factor of 2.0 PCEs per truck or heavy vehicle. For package and delivery vans (usually classified as a "medium truck"), a factor of 1.5 PCEs per package/delivery van was used as a conservative assumption; based on the performance characteristics (smaller vehicle size, better acceleration and deceleration performance, etc.) of these vehicles, a PCE equivalency factor lower than 1.5 is justified."

Table 5, Project Trip Generation, of the Revised Final Scannell North Richmond Development TIA included as Appendix I of the Draft EIR estimates of the number of:

- automobiles,
- package and delivery vans,
- spot trailers, and
- linehaul trucks.

The number of trips for the above four types of vehicles were used in estimating the vehicle fleet mix for the air quality analysis presented in the Draft EIR. Table 5, Project Trip Generation, shows the PCE adjustment on separate rows in the traffic analysis. The use of PCE adjustments in traffic analysis is appropriate. However, PCE adjustments should not be used in air quality analysis to estimate vehicle fleet mix. The commenters' use of PCE to calculate the alternate vehicle fleet mix is incorrect, and inaccurately overstates the effects of heavy-duty trucks.

Operational Vehicle Trip Rate

The commenters assert that the average daily trip rates were underestimated by approximately 375 trips for weekdays, Saturdays, and Sundays. The commenters are incorrect because the commenters misuse PCE to support their assertion.

For the air quality analysis, the appropriate values for daily trips from Table 5, Project Trip Generation, of the Revised Final Scannell North Richmond Development TIA (Appendix I of the Draft EIR) are listed below:

- 170 Total Vehicles for Building 1,
- 1,220 Automobiles for Building 2,
- 420 Package and Delivery Vans for Building 2,
- 60 Spot Trailers for Building 2, and
- 50 Linehaul Trucks for Building 2.

The sum of the above vehicles is 1,920 vehicle trips per day. As noted by the commenters, the air quality analysis presented in the Draft EIR used 1,919.63 vehicle trips per day. The difference between 1,920 and 1,919.63 is due to rounding calculated by the CalEEMod software program. The operational vehicle trip rate used in the air quality analysis presented in the Draft EIR is accurate and appropriate, and no changes are necessary or supported.

Reduction to Operational Vehicle Emissions Factors

The commenters assert that the Draft EIR incorrectly assumed zero-emission vehicle fleet acceleration in reaching significance conclusions for operational emissions. As a threshold matter, as stated above, even the scenario with no zero-emission vehicle fleet acceleration, Scenario 1 in the Air Quality Study, Appendix B, would result in less than significant operational air quality emissions. Moreover, the zero-emission vehicle fleet acceleration requirement would be a binding condition of approval imposed by the County in connection with the final development plan approval, and is clearly listed in the Project Description as an operational air quality best practice that must be included as part of the proposed project.

Response to LIUNA-10

Exhibit D in its entirety is considered Comment LIUNA-10. Exhibit D is included as Attachment D.

The commenter has included an article titled "Commercial Electric Vehicles: What's the Real Timeline," dated November 26, 2020, from business fleet magazine. The article discusses electric medium-duty trucks, step vans, and pickup trucks, which have taken longer to develop than electric passenger cars because of their varied duty cycles, payloads, and towing needs. The article focuses on announcements that have been made that these vehicles will be in production and on the road soon and concludes that while truck manufacturers make claims about when their new models will be available, when it comes to completely new technology it can be difficult for a consumer to separate out fact from marketing hype. The article also states that that commercial production trucks can take about four to six years to be in production.

The comment is noted. The County and project applicant are aware of the delays in getting zero-emission vehicles into production and out into the market. For these reasons, as detailed in Section 2, Project Description, vehicles, delivery vans, and trucks (Class 2 through 6) and heavy-duty trucks (Class 7 or 8) will be transitioned to zero-emission by specific dates or when such vehicles are commercially available.

SECTION 3: ERRATA

The following are revisions to the Draft Environmental Impact Report (Draft EIR) for the Scannell Properties Project (proposed project). These revisions are minor modifications and clarifications to the document, and do not change the significance of any of the environmental issue conclusions within the Draft EIR. The revisions are listed by page number. All additions to the text are underlined (underlined) and all deletions from the text are stricken (~~stricken~~).

3.1 - Changes in Response to Specific Comments

Executive Summary

Page ES-3

Project Objectives

The objectives of the proposed project are to:

- Redevelop and clean up an existing site with a contemporary industrial project to further the revitalization of the Richmond Parkway, consistent with the Contra Costa General Plan (General Plan) and County Ordinance Code.
- Implement policies of importance to the County, as reflected in the General Plan, including the County's December 11, 2018, adopted General Plan Amendment (GPA) GP18-0004 to the Conservation Element Section 8.14, Air Resources.
- Facilitate regional air quality goals by siting new distribution warehouse uses more proximate to Bay Area urban infill centers, such as the Richmond Parkway to reduce Vehicle Miles Traveled (VMT) from more rural locations such as Solano County or Tracy.
- Provide opportunities for warehouse/distribution building users to locate in North Richmond by offering buildings with loading bays near the I-80 and I-580 freeways.
- Redevelop a blighted property within the County with productive uses that would generate tax revenue and employment for the region.
- Provide new job opportunities primarily to local and regional workers.
- Result in eventual annexation of the project site to the West County Wastewater District.

Pages ES-10, ES-15, ES-25, and ES-33

Table ES-1: Executive Summary Matrix

Table ES-1: Executive Summary Matrix is provided in Attachment H.

Section 2, Project Description

Page 2-4

2.3–Project Objectives

The objectives of the proposed project are to:

- Redevelop and clean up an existing site with a contemporary industrial project to further the revitalization of the Richmond Parkway, consistent with the Contra Costa General Plan (General Plan) and County Ordinance Code.
- Implement policies of importance to the County, as reflected in the General Plan, including the County's December 11, 2018, adopted General Plan Amendment (GPA) GP18-0004 to the Conservation Element Section 8.14, Air Resources.
- Facilitate regional air quality goals by siting new distribution warehouse uses more proximate to Bay Area urban infill centers, such as the Richmond Parkway to reduce Vehicle Miles Traveled (VMT) from more rural locations such as Solano County or Tracy.
- Provide opportunities for warehouse/distribution building users to locate in North Richmond by offering buildings with loading bays near the I-80 and I-580 freeways.
- Redevelop a blighted property within the County with productive uses that would generate tax revenue and employment for the region.
- Provide new job opportunities primarily to local and regional workers.
- Result in eventual annexation of the project site to the West County Wastewater District.

Pages 2-4 and 2-5

2.4.1–Land Uses

The proposed project includes the removal of existing vegetation, fill of 0.145 acre of existing wetlands/water of the United States, creation of new wetland areas on-site, and the following:

- Construction of two warehouse buildings totaling approximately 325,000 square feet.
- Installation of approximately 425,000 square feet of landscaped areas (including bioretention areas and wetland mitigation sites).
- Construction of approximately 546 auto parking spaces, 16 tractor parking spaces, and 194 trailer parking spaces.
- Construction of off-site improvements, such as roadway improvements, sidewalks, curbs, gutters, landscaping, bioretention swales, utility connections, and traffic calming improvements.
- Removal of five code protected trees.
- Annexation into the West County Wastewater District would also occur as part of the proposed project. Annexation is anticipated to occur immediately upon project approval and CEQA certification.

Page 2-10

The proposed project would result in the permanent fill of 0.145 acre of wetlands/waters of the United States under jurisdiction of the United States Army Corps of Engineers (USACE). The project proposes compensatory mitigation within three on-site mitigation areas. The three on-site mitigation areas would be maintained and funded by the project applicant through a Habitat Mitigation and

Monitoring Plan (HMMP) as required by the Regional Water Quality Control Board (RWQCB) for the Section 401 permit. The HMMP provides long-term funding mechanisms and management strategies for the on-site mitigation. Some tools outlined in the HMMP include establishment of a management endowment by the applicant, guidelines and contingencies for management, and a deed restriction to ensure the sites are maintained as wetland habitat in perpetuity. As shown in Exhibit 2-6, the first wetland mitigation area is proposed north of Building 2, at the northernmost corner of the project boundary. The second wetland mitigation area is proposed north of Building 1, adjacent to Richmond Parkway. The third wetland mitigation area is proposed along the entire eastern boundary of the project site, as a linear feature. (Refer to Section 3-3–Biological Resources for more details regarding impacts to on-site wetlands and on-site compensatory mitigation provided by the project.)

Page 2-11

Sanitary Sewer

The West County Wastewater District (WCWD) serves the areas adjacent to the project site; however, the project site is not currently within the boundaries of the WCWD service area. The project proposes annexation into the WCWD boundaries, which requires approval from the Contra Costa Local Agency Formation Commission (LAFCo). Exhibit 2-7 depicts the project site in relation to the SOI of affected cities and special districts. Exhibit 2-8 illustrates the annexation area in relation to the WCWD boundaries. The proposed project would include wastewater infrastructure and connections to the existing sanitary sewer lines contained with Parr Boulevard. For the vehicle wash area inside Building 2, trench drains would be installed to take the water to an Oil/Water Separator before being discharged to the sanitary sewer line.

Section 3.2, Air Quality

Pages 3.2-24 and 3.2-25

BAAQMD Regulations

Regulation 2, Rule 1 (Permits–General Requirements)

The BAAQMD regulates new sources of air pollution and the modification and operation of existing sources through the issuances of authorities to construct and permits to operate. Regulation 2, Rule 1 provides an orderly procedure which the project would be required to comply with to receive authorities to construct or permits to operate from the BAAQMD for new sources of air pollutants, as applicable.

Regulation 2, Rule 5 (New Source Review Permitting)

The BAAQMD regulates backup emergency generators, fire pumps, and other sources of TACs through its New Source Review (Regulation 2, Rule 5) permitting process.11 Although emergency generators are intended for use only during periods of power outages, monthly testing of each generator is required; however, the BAAQMD limits testing to no more than 50 hours per year. Each emergency generator installed is assumed to meet a minimum of Tier 2 emission standards (before control measures). As part of the permitting process, the BAAQMD limits the excess cancer risk from any facility to no more than 10 per 1-million-population for any permits that are applied for within a 2-year period and would require any source that would result in an excess cancer risk greater than 1 per 1 million to install BACT for Toxics.

Regulation 6, Rule 1 (Particulate Matter–General Requirements)

The BAAQMD regulates particulate matter emissions through Regulation 6 by means of establishing limitations on emission rates, emissions concentrations, and emission visibility and opacity. Regulation 6, Rule 1 provides existing standards for particulate matter emissions that could result during project construction or operation that the project would be required to comply with, as applicable, such as the prohibition of emissions from any source for a period or aggregate periods of more than three minutes in any hour which are equal to or greater than 20 percent opacity.

Regulation 6, Rule 6, (Particulate Matter–Prohibition of Trackout)

One rule by which the BAAQMD regulates particulate matter includes Regulation 6, Rule 6, which prohibits particulate matter trackout during project construction and operation. Regulation 6, Rule 6 requires the prevention or timely cleanup of trackout of solid materials onto paved public roads outside the boundaries of large bulk material sites, large construction sites, and large disturbed surface sides such as landfills.

Regulation 8, Rule 3 (Architectural Coatings)

This rule governs the manufacture, distribution, and sale of architectural coatings and limits the reactive organic gases content in paints and paint solvents. Although this rule does not directly apply to the proposed project, it does dictate the reactive organic gas (ROG) content of paint available for use during the construction.

Regulation 8, Rule 15 (Emulsified and Liquid Asphalts)

Although this rule does not directly apply to the proposed project, it does dictate the reactive organic gases content of asphalt available for use during the construction through regulating the sale and use of asphalt and limits the ROG content in asphalt.

Regulation 9, Rule 8 (Inorganic Gaseous Pollutants–Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines)

Under Regulation 9, Rule 8, the BAAQMD regulates the emissions of nitrogen oxides and carbon monoxide from stationary internal combustion engines with an output rated by the manufacturer at more than 50 brake horsepower. As such, any proposed stationary source equipment (e.g., backup generators, fire pumps) which would be greater than 50 horsepower would require a BAAQMD permit under Regulation 9, Rule 8 to operate.

Regulation 11, Rule 2 (Hazardous Pollutants–Asbestos Demolition, Renovation, and Manufacturing)

Under Regulation 11, Rule 2, the BAAQMD regulates emissions of asbestos to the atmosphere during demolition, renovation, milling, and manufacturing, and establishes appropriate waste disposal procedures. Any of these activities which have the potential to generate emissions of airborne asbestos are required to comply with the appropriate provisions of this regulation.

Regulation 1, Rule 301 (Odorous Emissions)

The BAAQMD is responsible for investigating and controlling odor complaints in the Bay Area. The agency enforces odor control by helping the public to document a public nuisance. Upon receipt of a complaint, the BAAQMD sends an investigator to interview the complainant and to locate the odor source if possible. The BAAQMD typically brings a public nuisance court action when there are a

substantial number of confirmed odor events within a 24-hour period. An odor source with five or more confirmed complaints per year, averaged over 3 years is considered to have a substantial effect on receptors.

Several BAAQMD regulations and rules apply to odorous emissions. Regulation 1, Rule 301 is the nuisance provision that states that sources cannot emit air contaminants that cause nuisance to a number of persons. Regulation 7 specifies limits for the discharge of odorous substances where the BAAQMD receives complaints from 10 or more complainants within a 90-day period. Among other things, Regulation 7 precludes discharge of an odorous substance that causes the ambient air at or beyond the property line to be odorous after dilution with four parts of odor-free air, and specifies maximum limits on the emission of certain odorous compounds.

Finally, the BAAQMD enforces the Portable Equipment Registration Program (PERP) ATCM on behalf of the ARB. Under the PERP, owners or operators of portable engines and other types of equipment which meet the qualifications of the ATCM can register their equipment to operate throughout California. However, owners and operators of portable engines which meet the qualifications of this ATCM that do not register their equipment under the PERP must obtain individual permits from local air districts. Permits issued under the PERP must be honored by all air districts throughout California.

Pages 3.2-44 and 3.2-45

Table 3.2-10: Construction Emissions

Category	Criteria Pollutant Emissions (pounds per day)			
	ROG	NO_X	PM_{10} (Exhaust Only)	$PM_{2.5}$ (Exhaust Only)
Before Mitigation Measures				
Construction Emissions	187.65	92.85	4.09	3.76
BAAQMD Significance Thresholds	54	54	82	54
Significant Impact?	**Yes**	**Yes**	**No**	**No**
With Mitigation Measures				
Construction Emissions	52.98	~~38.89~~ 52.92	~~1.40~~ 1.61	~~1.33~~ 1.53
BAAQMD Significance Thresholds	54	54	82	54
Significant Impact?	**No**	**No**	**No**	**No**

Notes:
Highest of winter and summer values are shown
ROG = reactive organic gases
NOx = nitrogen oxides
PM_{10} = particulate matter, including dust, 10 micrometers or less in diameter
$PM_{2.5}$ = particulate matter, including dust, 2.5 micrometers or less in diameter
BAAQMD = Bay Area Air Quality Management District
Source: Appendix B and Attachment G of the Final EIR

Nitrogen Oxide Emissions

As shown in Table 3.2-10, construction activity would result in 92.85 ppd of NO_X emissions. Construction-related NO_X emissions would be greater than the BAAQMD 54 ppd significance threshold for construction-related NO_X emissions. As a result, this impact is considered potentially significant. However, implementation MM AIR-2b would reduce this impact to a less than significant level by requiring the use of Tier 4 Construction Equipment during the demolition, site preparation, and grading phases of project construction. Tier 4 diesel-powered equipment that complies with Tier 4 Final emission standards shall be used, except for specialized equipment in which engines that comply with Tier 4 standards are not available. In place of Tier 4 engines, off-road construction equipment can incorporate retrofits such that NO_X emission reductions achieved equal or exceed reductions from engines that comply with Tier 4 standards. As shown in Table 3.2-10, implementation of this mitigation measure would reduce construction-related NO_X emissions to ~~38.89~~ 52.92 ppd, which would be less than the BAAQMD significance threshold of 54 ppd and reduce this impact to a less than significant level.

Inhalable Particulate Matter (PM_{10})–Exhaust Emissions

As shown in Table 3.2-10, construction activity would result in 4.09 ppd of PM_{10} exhaust emissions. Construction-period PM_{10} exhaust emissions would be less than the BAAQMD 82 ppd significance threshold. Therefore, impacts would be less than significant, and no mitigation measures are required. However, as the proposed project is required to implement MM AIR-2b to reduce NO_X emissions, implementation of MM AIR-2b would also further reduce the less than significant PM_{10} exhaust emissions. As shown in Table 3.2-10, with implementation of MM AIR-2b, PM_{10} exhaust emissions would be reduced to 1.61 ppd.

Fine Particulate Matter ($PM_{2.5}$)–Exhaust Emissions

As shown in Table 3.2-10, construction activity would result in 3.76 ppd of $PM_{2.5}$ exhaust emissions. Construction-period $PM_{2.5}$ exhaust emissions would be less than the BAAQMD 54 ppd significance threshold. Therefore, impacts would be less than significant, and no mitigation measures are required. However, as the proposed project is required to implement MM AIR-2b to reduce NO_X emissions, implementation of MM AIR-2b would also further reduce the less than significant $PM_{2.5}$ exhaust emissions. As shown in Table 3.2-10, with implementation of MM AIR-2b, $PM_{2.5}$ exhaust emissions would be reduced to 1.53 ppd.

Section 3.3, Biological Resources

Page 3.3-20

MM BIO-1a Nesting Bird Surveys

If feasible, construction work shall take place outside of the February 1 to August 31 breeding window for nesting birds. If construction is to be conducted during the breeding season, a qualified Biologist shall conduct a pre-construction breeding bird survey in areas of suitable habitat within 5 days prior to the commencement of construction activity. In the event that there is a lapse in construction activities for 5 days or more, a qualified Biologist shall conduct a pre-construction breeding bird survey in areas of suitable habitat again. If bird nests are found, appropriate buffer

zones shall be established around all active nests to protect nesting adults and their young from construction disturbance. In general, the California Department of Fish and Wildlife (CDFW) recommends a 250-foot construction exclusion zone around the nests of active passerine birds during the breeding season, and a 500-foot buffer for nesting raptors. Buffers shall be determined based upon factors such as topography, line of sight, activities being conducted, and species. The buffer zone shall be approved by a qualified Biologist with extensive training in bird nest surveys prior to the commencement of construction activity. Buffer zones shall be maintained until it can be documented that either the nest has failed, or the young have fledged.

MM BIO-1b Roosting Bat Surveys

Trees that are 12-inches or greater at diameter at breast height should be considered bat roost trees and when slated for removal shall be removed over the course of 2 days. On the first day, limbs from the identified trees shall be removed in the late afternoon to encourage bats to seek alternative roosts during nighttime foraging. The remaining portions of the tree shall be removed on the second day as late in the afternoon as feasible.

For trees that are less than 12-inches at diameter at breast height, ~~P~~prior to tree removal, a daytime bat habitat assessment shall be conducted by a qualified Bat Biologist in the vicinity of trees proposed for removal. If no evidence of bats is found, the tree can be removed. If the tree contains past or present evidence of roosting bats (fecal pellet accumulations, urine or fur staining at entrances, insect prey remains, live or dead bats, characteristic odor, etc.), and there are portions of the tree that cannot be completely surveyed, it will be assumed that roosting bats are present. The removal of trees containing roosting bats or signs of past or present use by bats would be delayed until (1) the period between March 1 (weather permitting) and April 15 to avoid take of torpid overwintering bats, and between September 1 and October 15 to prevent take of young that are not yet self-sufficiently volant, or (2) until the trees containing or suspected of containing active bat roosts can be removed under the supervision of the qualified Biologist in the evening and after bats have emerged from the roost to forage, and where partial removal can change roost conditions and cause bats to abandon and not return to the roost.

Tree limbing or removal shall not be performed under any conditions which may lead to bats seeking refuge, including, but not limited to during any precipitation event, when ambient temperatures are below 4.5°C (degrees Celsius), or when windspeeds exceed 11 miles per hour. California Department of Fish and Wildlife (CDFW) shall be notified immediately if bats are found injured, or if bat mortality occurs during the course of tree removal.

Page 3.3-26

The total mitigation required will be 0.859 acre and 1,844 linear feet. The MMP proposes to provide compensatory mitigation for wetland habitats on-site, through the establishment of at least 0.939 acre and 1,913 linear feet of jurisdictional seasonal wetlands/waters within the three ~~two~~ mitigation sites on the property. The three on-site mitigation areas would be maintained and funded by the project applicant through a Habitat Mitigation and Monitoring Plan (HMMP) as required by the Regional Water Quality Control Board (RWQCB) for the Section 401 permit. The HMMP provides long-term funding mechanisms and management strategies for the on-site mitigation. Some tools outlined in the HMMP include establishment of a management endowment by the applicant, guidelines and contingencies for management, and a deed restriction to ensure the sites are maintained as wetland habitat in perpetuity. With the implementation of MM BIO-3 below, impacts on federal or State protected wetlands will be reduced to a less than significant level.

MM BIO-3 Waters of the United States and State

To ensure that impacts to waters of the United States and State offset, the following mitigation measures shall be implemented:

a) Obtain a Section 404 permit from the United States Army Corp of Engineers (USACE) and a Section 401 permit from the Regional Water Quality Control Board (RWQCB) prior to project construction and implementing any additional mitigation measures identified by the USACE or RWQCB as part of these permits.
b) The applicant/permittee has prepared a Conceptual Wetland Mitigation and Monitoring Program (CWMMP) and a revised Wetland Mitigation Monitoring Plan (MMP) for the proposed project. This plan proposes to provide compensatory mitigation for wetland habitats; thus, the goal of the establishment of the mitigation sites will be to create/establish at least 0.939 acre and 1,913 linear feet of jurisdictional seasonal wetlands/water within the three ~~two~~ mitigation sites on the property. The applicant/permittee shall implement the MMP in coordination with the USACE and RWQCB.

Section 3.5, Energy

Page 3.5-13

Both Building 1 and Building 2 would be built to Leadership in Energy and Environmental Design (LEED™) standards and would include solar photovoltaic panels on the roof. The proposed photovoltaic solar system is estimated to generate 100 percent of the future project's base electricity demand. Thus, for purposes of this analysis, it is assumed 100 percent of the electricity demand for the proposed project's base power would be provided by the solar system. Additionally, the proposed project would include pre-wiring infrastructure ~~for~~ to facilitate the future installation of electric charging stations at every truck dock position, which would be installed as more electric trucks frequent the project site. ~~and~~ The proposed project would also include vehicle charging stations for 20 employees.

Section 3.7, Greenhouse Gas Emissions

Page 3.7-26

California Executive Order S-3-05 (GHG Emissions Reduction Targets)

Former California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S 3-05, the following reduction targets for GHG emissions:

By 2010, reduce GHG emissions to 2000 levels.
By 2020, reduce GHG emissions to 1990 levels.
By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an Executive Order, the goals are not legally enforceable for local governments or the private sector.

California Executive Order B-55-18 (GHG Emissions Reduction Targets)

On September 10, 2018, California Governor Jerry Brown issued Executive Order B-55-18, which established the following GHG emissions reduction target:

By 2045, California shall achieve carbon net neutrality.

Executive Order B-55-18 identifies that a new Statewide goal is to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net neutrality emissions thereafter. This emissions goal is in addition to the existing targets established by Executive Orders S-3-05 and B-30-15 and SB 32, as described in greater detail below. This Executive Order also directs the ARB to work with other State agencies to identify and recommend measures to achieve this goal.

Page 3.7-41

Because the proposed project would be constructed after 2020, the BAAQMD quantitative thresholds of significance listed above ~~was~~ were adjusted to a "substantial progress" threshold that was calculated based on the SB 32 target of 40 percent below 1990 levels (i.e., 60 percent of 1990 levels)~~, and the increase in service population from 2020 to 2030~~. The mass emission threshold of significance applied in this analysis is 660 MT of CO_2e per year (1,100 x 0.60 = 660). If operation of the proposed project would generate GHG emissions that exceed the above threshold, the proposed project is considered to have a significant impact related to GHG emissions. In addition, to demonstrate the proposed project's consistency with and contribution toward achieving post-2030 GHG reduction targets, the proposed project is analyzed against the carbon neutrality goal starting in the year 2045, as established by Executive Order B-55-18. Therefore, if the proposed project would generate any net GHG emissions in 2045 and beyond, impacts would be potentially significant.

Page 3.7-43

Table 3.7-4: Project GHG Emissions: Construction Phase

Year	GHG Emissions ~~M~~MT CO_2e Per Year
2021	~~1,263~~ 1,446
2022	~~72~~ 160
Total Construction Emissions	**~~1,335~~ 1,448**
30-Year Amortized Construction	~~45~~ 48

Notes:
BAAQMD = Bay Area Air Quality Management District
~~M~~MT = ~~million~~ metric ton
CO_2e = carbon dioxide equivalent
Source: CalEEMod Version 2016.3.2; Appendix B.

The proposed project would contribute to global climate change through direct and indirect emissions of GHG from transportation sources (passenger vehicles, trucks), energy (natural gas and purchased energy), water use and wastewater generation, and solid waste generation. In 2021, the proposed project assumes 100 percent of off-road equipment used in daily operations would be zero emission. Additionally, 33 percent of delivery vehicles are also assumed to be zero emission vehicles, and 100 percent of heavy-duty trucks are assumed to be model year 2014 and newer. The GHG emissions associated with operation of the proposed project starting in year 2021 are shown in Table 3.7-8, which includes the amortized construction emissions from Table 3.7-4. However, although zero emission and newer model year trucks are assumed, the proposed project is estimated to generate ~~5,508~~ 5,511 MT CO_2e/year, which would exceed the ~~BAAQMD~~ bright-line threshold of 660 MT CO_2e/year. Passenger vehicles would alone generate emissions that exceed the threshold. In general, passenger vehicle trips are associated with employees and visitors. In addition, while it is anticipated that the proposed photovoltaic (PV) system would provide 100 percent of electricity demand, which would eliminate GHG emissions associated with electricity demand, the proposed project would still generate energy sector GHG emissions from natural gas usage. As a result, a potentially significant impact would occur.

Page 3.7-44

Table 3.7-5, "BAAQMD Bright-Line Threshold" has been changed to "Bright-Line Threshold."

Table 3.7-5, Amortized Construction has been changed from 45 to 48 MT CO_2e/year, Total has been changed from 5,508 to 5,511 MT CO_2e/year, and MT CO_2e Beyond Threshold has been changed from 4,848 to 4,851 MT CO_2e/year.

In 2023, the proposed project assumes 100 percent of off-road equipment used in daily operations would be zero emission vehicles. Additionally, 65 percent of delivery vehicles are also assumed to be zero emission vehicles, and 100 percent of heavy-duty trucks are assumed to be model year 2014 and newer. The GHG emissions associated with operation of the proposed project starting in year 2023 are shown in Table 3.7-6, which includes the amortized construction emissions from Table

3.7-4. As shown therein, the proposed project is estimated to generate ~~4,757~~ 4,760 MT CO_2e/year, which would exceed the ~~BAAQMD~~ bright-line threshold of 660 MT CO_2e/year.

Page 3.7-45

Tables 3.7-6 and 3.7-7, "BAAQMD Bright-Line Threshold" has been changed to "Bright-Line Threshold."

Table 3.7-6, Amortized Construction has been changed from 45 to 48 MT CO_2e/year, Total has been changed from 4,757 to 4,760 MT CO_2e/year, and MT CO_2e Beyond Threshold has been changed from 4,097 to 4,100 MT CO_2e/year.

Table 3.7-7, Amortized Construction has been changed from 45 to 48 MT CO2e/year, Total has been changed from 2,783 to 2,786 MT CO_2e/year, and MT CO_2e Beyond Threshold has been changed from 2,123 to 2,126 MT CO_2e/year.

In 2025, the proposed project assumes 100 percent of off-road equipment used in daily operations would be zero emission vehicles. Additionally, 80 percent of delivery vehicles are also assumed to be zero emission vehicles, and 100 percent of heavy-duty trucks are assumed to be zero emission vehicles. The GHG emissions associated with operation of the proposed project starting in year 2025 are shown in Table 3.7-7, which includes the amortized construction emissions from Table 3.7-4. As shown therein, the proposed project is estimated to generate ~~2,783~~ 2,786 MT CO_2e/year, which would exceed the ~~BAAQMD~~ bright-line threshold of 660 MT CO_2e/year.

Page 3.7-46

Table 3.7-8, "BAAQMD Bright-Line Threshold" has been changed to "Bright-Line Threshold."

Table 3.7-8, Amortized Construction has been changed from 45 to 48 MT CO_2e/year, Total has been changed from 2,360 to 2,363 MT CO_2e/year, and MT CO_2e Beyond Threshold has been changed from 1,700 to 1,703 MT CO_2e/year.

In 2027, the proposed project assumes 100 percent of off-road equipment and drayage trucks used in daily operations would be zero emission vehicles. Additionally, 100 percent of delivery vehicles and heavy-duty trucks are assumed to be zero emission vehicles. The GHG emissions associated with operation of the proposed project starting in year 2027 are shown in Table 3.7-8, which includes the amortized construction emissions from Table 3.7-4. As shown therein, the proposed project is estimated to generate ~~2,360~~ 2,363 MT CO_2e/year, which would exceed the ~~BAAQMD~~ bright-line threshold of 660 MT CO_2e/year.

Page 3.7-47

The proposed project would install a PV system that would provide 100 percent of the electricity demand of the proposed project. In addition, the proposed project would purchase and use zero emission on-road vehicles and trucks in addition to off-road equipment, as illustrated in the operational GHG emission tables above. Additionally, providing the necessary infrastructure to support zero-emission vehicles and equipment operating on-site is also included as a project design feature. Therefore, Mitigation Measure (MM) GHG-1f would require the project applicant to ensure

the proposed project's electricity demand, including that resulting from the electric vehicle fleet, would be satisfied by rooftop solar or carbon-free electricity service. Furthermore, implementation of MM GHG-1a through 1e would complement and supplement actions to be taken as part of the proposed project and would further reduce emissions to the extent possible. Because the majority of operational GHG emissions would be generated from the operation of employee passenger vehicles traveling to and from the facility, MM TRANS-1 would also serve to reduce potential GHG emission generation from mobile sources. MM TRANS-1 would require the implementation of a Transportation Demand Management (TDM) Program which would outline commuter and ride-sharing programs for the proposed facility. Nevertheless, even with incorporation of these measures, it is anticipated that operation of the proposed project would still exceed the ~~BAAQMD~~ annual bright-line GHG emissions threshold of 660 MT CO_2e adjusted from the BAAQMD's bright-line threshold of 1,100 MT CO_2e.

Moreover, as the anticipated lifetime of the proposed project (30 years) would extend into and beyond 2045, the proposed project would need to achieve carbon neutrality to demonstrate consistency with the GHG reduction goal established by Executive Order B-55-18. As demonstrated in Table 3.7-8, the proposed project would generate an estimated 2,363 MT CO_2e per year beyond 2027, including into and beyond 2045. As such, the proposed project would generate net GHG emissions and would require mitigation to achieve consistency with the carbon neutrality goals established by Executive Order B-55-18.

As shown above, even with implementation of MM GHG 1a through 1f, the proposed project would continue to exceed the BAAQMD significance threshold for GHG emissions. Therefore, MM GHG-1g would also be required to reduce operational GHG emissions to less than significant levels, which would require the project applicant to purchase carbon credits in an amount sufficient to offset operational GHG emissions generated by the proposed project to below the BAAQMD significance thresholds. Therefore, impacts would be less than significant with mitigation.

Page 3.7-49

MM GHG-1g Purchase Carbon Credits

Prior to the issuance of the certificate of occupancy for the proposed project, the project applicant shall provide the County with documentation demonstrating the purchase of voluntary carbon credits pursuant to the following performance standards and requirements: the carbon offsets shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions as set forth in California Health and Safety Code Section 38562(d)(1); and ii. one carbon offset credit shall mean the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is "not otherwise required" (CEQA Guidelines Section 15126.4(c)(3)). The purchase shall be through a verified greenhouse gas (GHG) emissions credit broker in an amount sufficient to offset operational GHG emissions of no less than ~~4,848~~ 4,851 metric ton (MT) carbon dioxide equivalent (CO_2e) per year starting in 2021, ~~4,097~~ 4,100 MT CO_2e per year starting in 2023, ~~2,123~~ 2,126 MT CO_2e per year starting in 2025, ~~and 1,700~~ 1,703 MT CO_2e per year starting in 2027, and 2,363 MT CO_2e per year starting in 2045 for the first 30 years of project operations, based on current

estimates of the project-related GHG emissions. Alternatively, the Project Applicant may purchase the total amount estimated over the lifetime of the proposed project (30 years), which is estimated to be ~~62,900~~ 66,986 MT CO_2e. The purchase shall be verified as occurring prior to approval of occupancy permits. Copies of emission estimates and offset purchase contract(s) shall be provided to the County for review and approval prior to the issuance of the certificate of occupancy for the proposed project.

Page 3.7-52

Furthermore, the proposed project would be required to adhere to the programs and regulations identified by the Scoping Plan and implemented by State, regional, and local agencies to achieve the Statewide GHG reduction goals of AB 32 and SB 32. In addition, as described under Impact GHG-1, MMs GHG-1a through GHG-1g would ensure that the proposed project would not exceed significance emissions thresholds consistent with the reduction goals of AB 32, SB 32, and Executive Order B-55-18. Therefore, the proposed project would not obstruct implementation of the ~~C~~ARB Scoping Plan.

Section 3.13, Transportation

Page 3.13-17

Table 3.13-3: Menu of VMT-reducing Transportation Demand Management Strategies

Strategy	Description
Commute Trip Reduction Program	Implement a multi-strategy program that encompasses a combination of individual measures, designed to discourage single-occupancy vehicle trips and encourage alternate modes such as carpooling, transit, walking, and biking. The program should include: • Carpooling encouragement • Ride-matching assistance • Preferential carpool parking • Flexible work schedules for carpools • Consideration of unbundled parking for building tenants and parking cash-out • Half time transportation coordinator • Vanpool assistance • Bicycle end-trip facilities (parking, showers and lockers) • Employer-sponsored AC Transit and/or BART passes • Consideration of transit fare subsidy for AC Transit or BART • On-site TDM coordinator
Ride-sharing Program	Increasing vehicle occupancy by ride sharing will result in fewer cars driving the same trip, and thus a decrease in VMT. The proposed project will promote ride-sharing programs through a multi-faceted approach such as: • Designating a certain percentage of parking spaces for ride-sharing vehicles • Designating passenger loading, unloading, and waiting areas for ride-sharing vehicles • Providing a web site or message board for coordinating rides • Promoting ride-matching apps such as Waze Carpool, Carma, or the 511 program

Strategy	Description
End of Trip Facilities	Provide "end-of-trip" facilities for bicycle riders including showers, secure bicycle lockers, and changing spaces. End-of-trip facilities encourage the use of bicycling as a viable form of travel to destinations, and provide the added convenience and security needed to encourage bicycle commuting.
Last Mile Services	Promote biking through a multi-faceted approach such as: • Establishing a Bike Share Program • Expanding bike share and bike share membership • Establishing a bicycle repair and maintenance station • Providing an on-site fleet of bicycles • Offering bicycle valet parking • Creating an ebike program • Providing ebike rebates
New Employee Commute Orientation	Incorporate information on commute alternatives and benefits into orientation and new-hire packets for employees.
Preferential Parking Program	Provide preferential parking in convenient locations (such as near building front doors) in terms of free or reduced parking fees, priority parking, or reserved parking for employees who carpool or vanpool.
Employer-Sponsored Vanpool/Shuttle	Implement an employer-sponsored vanpool to service employees' commute to work. Employer-sponsored vanpool programs entail an employer purchasing or leasing vans for employee use, and often subsidizing the cost of program administration, if not more. The driver usually receives personal use of the van, often for a mileage fee. Scheduling is within the employer's purview, and rider charges are normally set based on vehicle and operating cost. The employer-sponsored vanpool could assist in connecting the project site to: • AC Transit lines 71, 76, and 376 • The nearest bus stop to the project site at the intersection of Fred Jackson Way and Market Avenue • Richmond BART Station
Transportation Network Company (TNC) Partnership	Subsidize pooled TNC trips to/from transit stops and stations and to major destinations.
Source: Fehr & Peers. 2021. Scannell North Richmond Development TIA–Revised Final. April 20.	

Page 3.13-18

MM TRANS-1 Prior to issuance of the certificate of occupancy, the applicant shall retain a qualified transportation consultant to prepare a project-specific Transportation Demand Management (TDM) Program that incorporates the following measures, where feasible. The TDM Program shall be reviewed and approved by the County, and the applicant shall implement all approved TDM measures.

- Commute Trip Reduction Program
- Ride-sharing Program
- End of Trip Facilities
- Last Mile Services
- New Employee Commute Orientation

- Preferential Parking Program
- Employer-Sponsored Vanpool/Shuttle
- Transportation Network Company (TNC) Partnership

Section 3.14, Utilities and Service Systems

Page 3.14-11

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes procedures for local government changes of organization, including city incorporations, annexations to a city or special district, and city and special district consolidations. The Local Agency Formation Commission (LAFCo) have numerous powers under the Act, but those of primary concern are the power to act on local agency boundary changes and to adopt spheres of influence for local agencies. Among the purposes of an LAFCo are the discouragement of urban sprawl and the encouragement of the orderly formation and development of local agencies.

Page 3.14-16

Water Supply

EBMUD would supply the project site with potable water. The proposed project would include potable water and fire water lines that would connect to existing lines within Parr Boulevard. It is anticipated that water services would be extended to the project site in late 2022.

As described in the Environmental Setting, EBMUD has and will have adequate water supplies to serve existing and projected demand during normal and wet years, but deficits are projected for multi-year droughts. Rationing would be sufficient to provide for adequate water balance for the single dry year and multiple dry year (2 years) scenarios, but a deficit would occur for the multiple dry year (3 years) scenario. However, as discussed below in Impact UTIL-2, EBMUD has programs and projects to reduce water demand and the capability to procure the necessary supplementary water supplies during a multiple dry year (3 years) scenario. As such, EBMUD has sufficient water supplies to accommodate the anticipated growth throughout its service area, including the project site. In addition, the proposed project is in an urbanized area that is currently served by the EBMUD and accounted for in the WSA as described in Chapter 4 of the EBMUD 2015 UWMP. As discussed under Impact UTIL-2, the proposed project would not create the need for new potable water facilities or result in insufficient water supply. Installation of new potable water lines would primarily occur within existing roadways. Removal of existing connections and construction of new connections would be required to abide by applicable federal, State, and local regulations, as well as mitigation measures outlined in this document, to avoid significant environmental impacts. Thus, there would no need to construct new or expand existing water treatment facilities. Therefore, impacts related to need for relocation or construction of new or expanded water supply facilities would be less than significant.

Wastewater Treatment

Wastewater from the project site would be conveyed to the WCWD Water Pollution Control Plant consistent with standards established by the San Francisco Bay RWQCB. It is anticipated that wastewater services would be extended to the project site in late 2022. The WCWD District-Wide

Master Plan identifies and describes needed capacity increases and treatment process upgrades to accommodate anticipated future growth within the WCWD service area. In addition, the District-Wide Master Plan evaluated these improvement projects to determine how feasible and effective they would be to ensure the WCWD is able to serve the future population.

Page 3.14-16

As described in the Stormwater Control Plan, the proposed project would incorporate Low Impact Development (LID) techniques to allow for stormwater infiltration and treatment before being discharged to the storm drain system. The proposed project would use 100 percent LID, meaning 100 percent of project runoff would be contained and treated on-site. This would be accomplished by optimizing site layout to incorporate the existing natural drainage swale, constructing a parking lot with 10 percent permeable concrete, and installing six bioretention areas as design elements. The proposed bioretention areas are anticipated to reduce the amount of surface runoff as compared to existing conditions. At operation, runoff from impervious areas on the project site, including roofs and paved areas, would be routed to six bioretention areas before being discharged to existing drainage channels adjacent to Richmond Parkway and Parr Boulevard via storm drains. It is anticipated that new stormwater facilities at the project site would be operational in late 2022.

Page 3.14-18

Natural Gas, Electric Power, and Telecommunications

There is no natural gas infrastructure located on the project site. The proposed project would connect to existing natural gas infrastructure as needed for project use. It is anticipated that natural gas services would be extended to the project site in late 2022. As described previously, the project site contains existing overhead electric power lines and poles on the southern boundary along Parr Boulevard. The proposed project would connect to these existing power lines consistent with Division 1008, Utilities, of the Contra Costa County Ordinance Code. Division 1008 states that the Board of Supervisors has the authority to designate overhead utilities for removal and placement underground as part of an underground utility district for public necessity, health, safety, or welfare. It is anticipated that electric power services would be extended to the project site in late 2022. These impacts would be temporary in nature and would not permanently disrupt electrical power service. As a result, compliance with the Contra Costa County Ordinance Code would ensure the project would not require relocation or expansion of electric power infrastructure.

There are no telecommunications facilities located on-site. However, the proposed project would not need new telecommunications facilities because the site is in an urban area that already contains sufficient telecommunications facilities. It is anticipated that telecommunications services would be extended to the project site in late 2022. In addition, the proposed project would not remove or replace natural gas or telecommunications facilities because none currently exist on-site. Therefore, impacts related to need for relocation or construction of new or expanded natural gas, electric power, and telecommunications facilities would be less than significant.

Page 3.14-22

Operation

Republic Services of West Contra Costa County would provide operational solid waste collection services for the project site. It is anticipated that solid waste services would be extended to the project site in late 2022. Daily and annual operational solid waste generation estimates for the proposed project are provided in Table 3.14-3 Operational solid waste generation for the proposed project was calculated using standard waste generation rates provided by CalRecycle.

Appendix B—Air Quality, Greenhouse Gas Emission, and Energy Supporting Information

The updated portions of Appendix B are contained within Attachment G.

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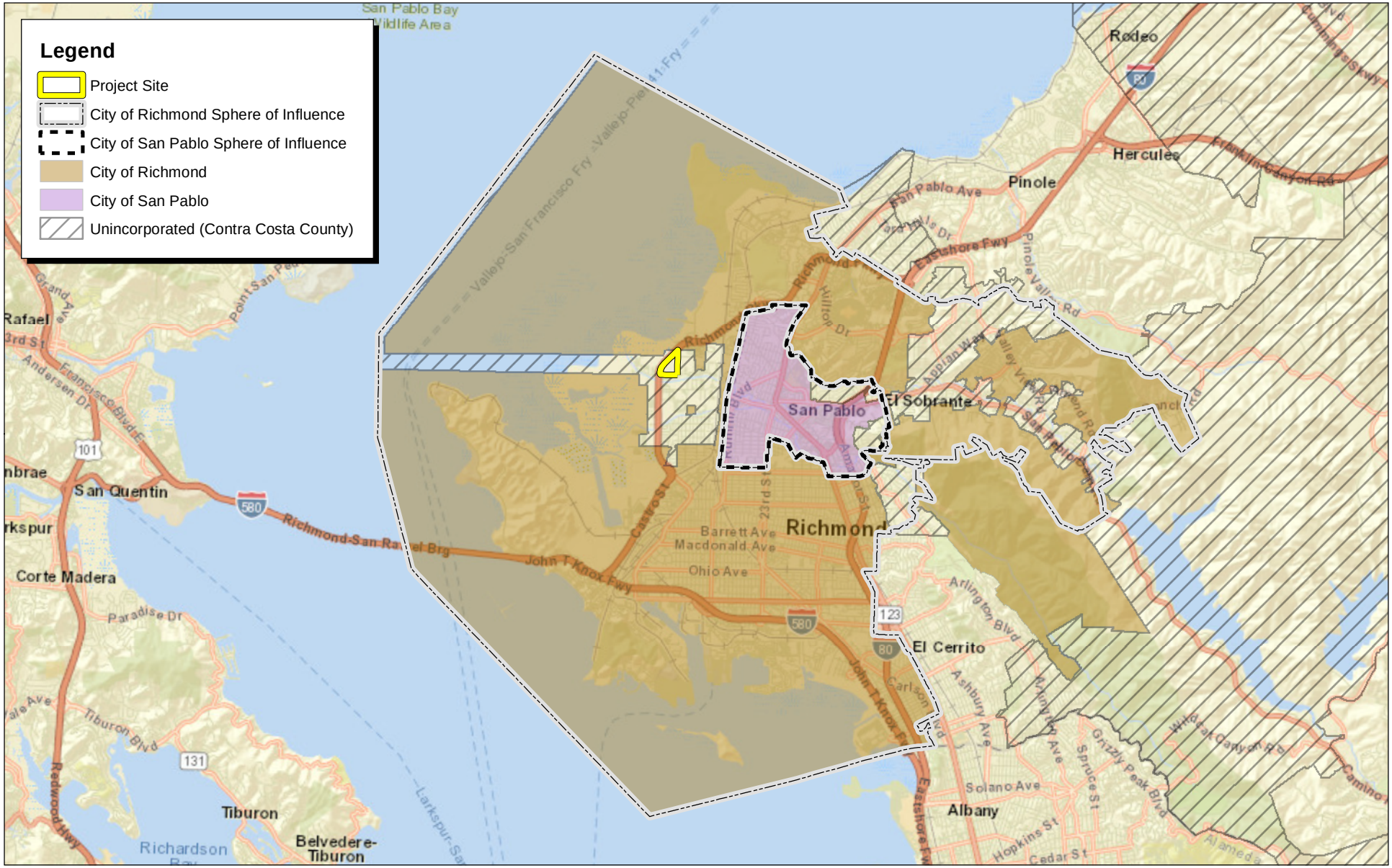

Source: ESRI Street Map Imagery. Contra Costa County.

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9,600 4,800 0 9,600 Feet

Exhibit 2-7
Spheres of Influence of Affected Cities

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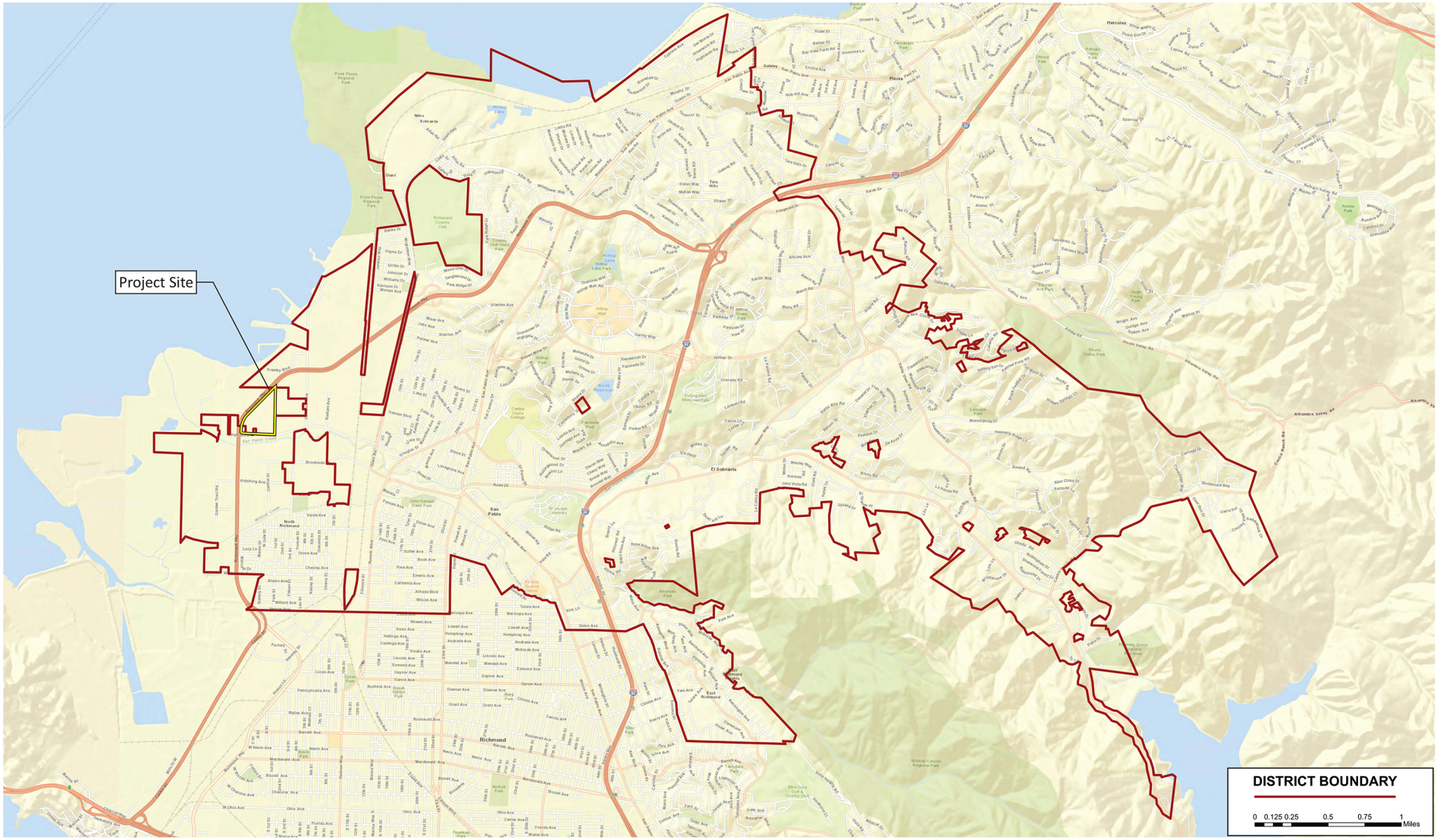

Source: WCWD, 05/21/2014.

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Exhibit 2-8
Annexation Area in Relation to the WCWD Boundaries

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