

City of Pittsburgh Planning Commission Agenda

November 13, 2018

**City Hall Council Chamber
65 Civic Avenue, Pittsburgh, CA 94565**

**Regular Meeting
7:00 P.M.**

Planning Commission Members

**James Coniglio, Chair
Elissa Robinson, Vice-Chair
Durie Foster, Commissioner
Jeremy Ward, Commissioner
Mark Linde, Commissioner
Sarah Foster, Commissioner
J. Faye Fields, Commissioner**

Any member of the public who wishes to address the Commission should complete a Speaker's Card, available on the public counter below the dais. Please note on the card the agenda item number, or, for items not listed on this agenda, a brief description of the issue on which you would like to address the Commission. Give the completed form to the Minutes Clerk or a staff member, who will give the card to the Commission Chair. The Chair will invite the speaker(s) to the podium at the appropriate time during the meeting. Each individual will be given three minutes to address the Commission, unless additional time is allowed as provided for spokespersons. Prior to speaking, each speaker is requested to state his or her name and business and city of residence in a clear and audible tone of voice. For items listed under the "Public Hearings" or "Commission Consideration" portions of this agenda, the public hearing or public comment period will follow a brief presentation on the item by Planning Department staff and/or the project applicant.

A decision by the Planning Commission is not final until the appeal period expires 10 calendar days after the date the decision occurred. The applicant, City Council member(s), City Manager, or any affected person may appeal the denial, approval, recommendation, or any condition of approval of an item within the 10-day appeal period. A completed appeal form and the applicable filing fee must be filed with the City Planner, 65 Civic Avenue, Pittsburgh. The appeal form must include the name and address of the appellant and state the reasons for the appeal. The appeal will be set for City Council consideration and appropriate public notification given.

The Commission requests that you refrain from disruptive conduct during the meeting and that you observe the order and decorum of the Council Chamber. Please turn off or set to vibrate all cellular phones, and refrain from making personal, impertinent or slanderous remarks. Boisterous or disruptive behavior while the Commission is in session, and the display of signs in a manner that violates the rights of others or prevents others from watching or fully participating in the Planning Commission meeting is considered counterproductive and will not be tolerated, and the Commission Chair can order any person who engages in such conduct to leave the Council Chamber.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

DELETIONS, WITHDRAWALS OR CONTINUANCES

COMMENTS FROM THE AUDIENCE

PRESENTATIONS

CONSENT

(All items listed under the "Consent" portion of the agenda are considered routine and are adopted under one motion. Any item appearing as a Consent item on this agenda will be considered separately only upon request from a member of the Planning Commission, staff or public.)

1. Minutes

Meeting Minutes of October 23, 2018

PUBLIC HEARINGS

2. Mt. Diablo Resource Recovery Park Enhancements Project, AP-18-1325 (UP, DR).

This is a continued public hearing on a request for: 1) approval of a use permit for operational enhancements at the existing Mt. Diablo Resource Recovery Park (MDRRP), and 2) design review approval of plans to construct four new structures and a building addition totaling 67,405 square feet of new building area beyond what was most recently approved on site at 1300 Loveridge Road in the IG (General Industrial) and IL (Limited Industrial) districts. Assessor's Parcel Nos. 073-200-013, -014, -015, -026, -027, -028, and -029.

3. America's Tire, AP-18-1329 (UP, AD, SE, TRP)

This is a public hearing on a request for approval of: 1) use permit to establish a tire replacement business within an existing 7,826 square foot (s.f.) commercial space; 2) design review approval of plans for façade and parking lot improvements; 3) a sign exception to locate a freestanding sign within the public right-of-way; and 4) a tree removal permit to remove up to five protected trees on site. The project site is located at 2220-2224 Railroad Avenue, in the Railroad Avenue Specific Plan (RASP) PD (Planned Development, Ordinance No. 09-1319) District. Assessor's Parcel Nos. 087-042-019, 087-042-020, and 087-042-021.

4. Bobcat of Contra Costa, AP-18-1363 (UP).

This is a public hearing on a request for approval of a use permit to establish an equipment sales and rental use within an existing approximately 17,040 square-foot building, on an approximately 75,000 square-foot parcel located at 2035 E. Leland Road, in the CS (Service Commercial) District. Assessor's Parcel No. 088-152-029.

5. Nazari Contractor Yard, AP-17-1303 (RZ, UP)

This is a public hearing on a request for a recommendation to City Council for approval for a zoning amendment establishing a limited overlay district to allow a 'contractor vehicle storage yard' as a conditionally permitted use, and approval of a new use permit, contingent on City Council approval of the overlay district, amending the allowable uses onsite to include a contractor vehicle storage yard located at 1700 N. Parkside Drive in the CS (Service Commercial) District. Assessor's Parcel No. 096-093-005.

ZONING ADMINISTRATOR REPORTS

6. Notice of Intent to Exercise Delegated Design Review Authority and Submittal of Adopted Zoning Administrator Resolutions.

The Zoning Administrator submits one notice of intent to exercise delegated design review authority for a minor remodel of the bait shop located at 27 Marina Blvd. The Zoning Administrator also submits two resolutions previously approved under the delegated authority (Planning Commission Resolution No. 9918).

STAFF COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT OF PLANNING COMMISSION MEETING

NOTICE TO PUBLIC

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

In compliance with the Americans with Disabilities Act, the city of Pittsburg will provide special assistance for disabled citizens. Upon request, an agenda for any meeting shall be made available in appropriate alternative formats. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the sound amplifier from the City Clerk for personal use during Commission meetings. If you need special assistance to participate in this meeting, or are requesting a specially formatted agenda, please contact the City Clerk at 925-252-4850. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (28 CFR 35.102-35.104 ADA Title II)

GENERAL INFORMATION

Copies of the open session agenda packets that are distributed to the Planning Commission are on file in the office of the Planning Department, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning no fewer than 72 hours in advance of the meeting, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except city holidays). Additionally, if any reports or documents that are public records are distributed to the Planning Commission fewer than 72 hours before the meeting, those reports and documents will also be available for public inspection in the city's Planning Department and at the Commission meeting. The Pittsburg Library is also provided a full agenda packet for your convenience. As a courtesy, the agenda is also located on the city's website at www.ci.pittsburg.ca.us.

**MINUTES
OF A REGULAR MEETING
OF THE
PITTSBURG PLANNING COMMISSION**

October 23, 2018

A regular meeting of the Pittsburg Planning Commission was called to order by Chair Coniglio at 7:00 p.m. on Tuesday, October 23, 2018, in the Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL

Present: Chair Coniglio, Vice-Chair Robinson, Commissioner D. Foster, S. Foster, Fields, Ward

Staff: Community Development Director Jill Hecht, Director of Community Services Maria Aliotti, City Engineer Richard Abono, Planning Manager/Secretary Kristin Pollot, Deputy City Clerk Amanda McVey, Senior Planner Hector Rojas, Contract Planner Cathy Munneke

PLEDGE OF ALLEGIANCE

Commissioner D. Foster led the Pledge of Allegiance.

DELETIONS / WITHDRAWALS / CONTINUANCES

Item number two (2), Mt. Diablo Resource Recovery Park Enhancements Project, AP-18-1325 (UP, DR), was continued to November 13, 2018.

COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

PRESENTATIONS

There were no presentations.

CONSENT

1. Minutes of September 25, 2018

On motion by Commissioner D. Foster seconded by Commissioner Robinson to approve the Consent Calendar and carried unanimously.

PUBLIC HEARINGS

2. Mt. Diablo Resource Recovery Park Enhancements Project, AP-18-1325 (UP, DR)

A public hearing on a request for: 1) approval of an amendment to an existing use permit for operational enhancements at the existing Mt. Diablo Resource Recovery Park (MDRRP), and 2) design review approval of plans to construct four new structures totaling 86,855 square feet. The MDRRP is located at 1300 Loveridge Road in the IG (General Industrial) and IL (Limited Industrial) districts. Assessor's Parcel Nos. 073-200-013, -014, -015, -026, -027, -028, and -029.

Item 2 on the Public Hearing calendar was continued to November 13, 2018.

STUDY SESSION

3. Veterans Square Housing, AP-18-1374 (PPR)

A study session to receive Planning Commission comments on a forthcoming request for a new design review approval for plans to construct an affordable veteran housing project at 901 Los Medanos Street. The project would include a 30-unit, three-story apartment building and parking lot with five spaces on the main 0.49-acre site, with an additional 25 space parking lot provided on a 0.29-acre site, located directly across the street at 295 E. 10th Street. The two sites are located in the RH-D (Downtown High-Density Residential) District. Assessor's Parcel Nos. 085-182-001 and 085-196-001.

Senior Planner Hector Rojas gave a presentation.

Eve Stewart, Satellite Affordable Housing Associates, spoke on behalf of the applicant.

Bruce Ohlson, Pittsburg, spoke on behalf of the bicycle community, commended the project on its bicycle plan and offered additional ideas.

Julie Ann Talbo spoke on behalf of the developer. She stated the developer is committed to developing something that the City can be proud of and that they understand what the needs of the City are as it grows as well as the concern for traffic and desire for event/meeting space.

Wolfgang Croskey, Pittsburg, suggested the Commission hold firm on the established requirements for the project in regard to parking and laundry facilities.

Mark Gargalikis, Pittsburg, spoke against the project.

ZONING ADMINISTRATOR REPORTS

4. Notice of Intent to Exercise Delegated Design Review Authority, and Submittal of Adopted Zoning Administrator Resolutions

The Zoning Administrator submit two notices of intent to exercise delegated design review authority for: 1) a 1,440 sq. ft. temporary office trailer at 701 Willow Pass Road;

and 2) a new single family home on an existing lot located at 2186 Crestview Drive. The Zoning Administrator also submits three resolutions previously approved under the delegated authority (Planning Commission Resolution No. 9918). .

Commissioners acknowledged receipt of the notices of intent and three previously approved resolutions.

STAFF COMMUNICATIONS

Planning Secretary / Planning Manager Kristin Pollot provided a follow up on the tree that was removed on Alturas Avenue stating the developer will plant replacement trees at a 12:1 ratio. This will include four (4) trees which will be planted on the project site and eight (8) additional trees elsewhere within the City of Pittsburgh. Also, a 1-year maintenance fee will also be imposed on each tree.

COMMITTEE REPORTS

Chair Coniglio reported the TRANSPLAN Committee met on October 11, 2018.

Commissioner D. Foster reported the Land Use Subcommittee met on October 17, 2018.

ADJOURNMENT

The meeting was adjourned at 7:56p.m. to November 13, 2018.

Respectfully Submitted,

Kristin Pollot, AICP, Secretary

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT**

ITEM: Mt. Diablo Resource Recovery Park Enhancements Project, AP-18-1325 (UP, DR).

ORIGINATED BY: Contra Costa Waste Service, Inc., 555 California Avenue, Pittsburg, CA 94565

SUBJECT: This is a continued public hearing on a request for: 1) approval of a use permit for operational enhancements at the existing Mt. Diablo Resource Recovery Park (MDRRP), and 2) design review approval of plans to construct four new structures and a building addition totaling 67,405 square feet of new building area beyond what was most recently approved on site at 1300 Loveridge Road in the IG (General Industrial) and IL (Limited Industrial) districts. Assessor's Parcel Nos. 073-200-013, -014, -015, -026, -027, -028, and -029.

RECOMMENDATION:

Staff recommends that the Planning Commission consider the 1st Addendum to the Final Environmental Impact Report and adopt Resolution No. 10109, approving Planning Application No. 18-1325, subject to conditions.

BACKGROUND:

In 1995, the City of Pittsburg certified an Environmental Impact Report (EIR) and issued an initial use permit for the original facility, which consisted of only the Recycling Center and Transfer Station (RCTS) at the time. Following these approvals, the RCTS received a Solid Waste Facility Permit from the City's Solid Waste Management Division to operate a 1,500 TPD (tons/day) recycling center and transfer station. In December 1995, the California Integrated Waste Management Board (which is now CalRecycle) issued a formal concurrence with the Solid Waste Facility Permit. The permit has since been reviewed every five years and has been modified accordingly to address additional recycling programs.

In March 2007, the City adopted a Negative Declaration and approved a new use permit to physically expand the facility and add the Mt. Diablo Recycling Facility (MDRF), which had its own maximum capacity of 130 TPD of recyclable material processing.

In April 2008, the City approved another use permit to establish a mixed construction and demolition (Mixed C&D) recycling facility on site, which included a green material processing operations area.

In January 2010, the City adopted another Negative Declaration and approved operational changes to the MDRF's use permit to expand its capacity, hours of operation and number of employees working at the site.

In May 2015, the City certified a new EIR for the site and approved a new use permit in order to bring all operations, including the MDRF, RCTS, Green Material Processing Operations Area, and the Mixed Construction & Demolition (C&D) Processing Area under a single entity (referred to as the MDRRP), facilitate minor operational changes and expand the facility's total capacity to 5,500 TPD. However, the changes and expansion approved under this 2015 EIR and use permit were never carried out. The applicant is now requesting a new use permit to amend the 2015 proposal in order to allow several enhancements to the processing of the waste stream.

PROJECT DESCRIPTION:

Existing Conditions: The project site is approximately 36 acres located on the western side of Loveridge Road just north of the Pittsburg-Antioch Highway and State Route 4, and just south of the BNSF Railway. The facility currently has a total of 83 full-time employees and is permitted to receive 31 three-axle semi-trucks with trailers and 26 collection vehicles (garbage trucks) per day. The MDRF and RCTS consist of two large interconnected industrial buildings adjacent to Loveridge Road that currently have a total floor area of 190,804 sq. ft. Just south of these buildings is the main parking area, which is accessed by a driveway that connects with Loveridge Road. A summary of the existing MDRRP facilities and their individual current operations is provided below.

Mt. Diablo Recycling Facility (MDRF): The MDRF is a recycling facility that sorts and processes a variety of mixed recyclable materials including newspaper, cardboard, junk mail, and magazines, as well as California Redemption Value (CRV) and non-CRV glass, plastic, and aluminum. Material is dumped onto the tipping floor of the enclosed facility and then pushed onto a conveyor hopper, where it follows along a series of sorting belts and screens. This processing equipment separates the material, after which it is stored in enclosed containers and baled daily for storage and transport. This facility operates approximately 20 hours per day, seven days per week.

Recycling Center and Transfer Station (RCTS): The RCTS sorts and transfers municipal solid waste, including bulk materials from the public, green waste, wood waste, and mixed construction and demolition debris. The RCTS is the only facility onsite that accepts waste directly from the public. Waste materials are weighed at a drive-up scale and are then sorted on the tipping area floor and transferred to the appropriate on-site facility for further sorting, processing, and transport offsite for recycling or reuse. Materials that cannot be recycled are stored and then transported to a permitted landfill. This facility receives waste from the general public from 7:00 a.m. to 6:00 p.m., seven days a week.

Mixed C&D Processing Area: This facility consists of a 9,831-square-foot concrete pad that serves as a base for the C&D processing equipment and provides a stable platform for the loading of materials onto the sorting equipment. The equipment includes a loading hopper, elevated pick-line and walkways, storage bins beneath the pick-line, and shade canopies over the pick-line and workstations. Processing material is delivered to the facility in debris box trucks and commercial vehicles. After sorting, residual, non-recyclable wastes are stockpiled and then loaded into transfer vehicles for

Planning Commission Staff Report

transport to a permitted landfill for disposal within 48 hours. Recyclable materials are stored, processed, and marketed as recycled productions. Fine materials separated during sorting are used as alternative daily cover at a landfill. This facility currently operates from 7:00 a.m. to 5:00 p.m., seven days per week.

Green Material Processing Operations Area: Green materials and wood waste are delivered to this facility from collection vehicles and are stockpiled on storage pads prior to chipping and grinding. The storage pads are constructed with compacted gravel. Processed green materials are loaded onto transfer trailers and transported to a permitted facility for composting or may be used as alternative daily cover at a landfill. Wood chips are loaded onto transfer trailers and transported to off-site biomass energy facilities. This facility operates from 7:00 a.m. to 5:00 p.m., seven days per week. For a map of surrounding land uses, please see Attachment 3.

Proposed Project : The proposed project consists of several modifications and enhancements to the MDRRP facility operations that were approved in 2015. A brief description of the 2015 approvals and each modification currently proposed, is included below. For more details please see the full project description attached to this report.

2015 Approved Project: As stated above, the 2015 approval brought all operations, including the MDRF, RCTS, Green Material Processing Operations Area, and the Mixed Construction & Demolition (C&D) Processing Area under a single entity (referred to as the MDRRP). The approval increased the total amount of materials to be processed per day at all facilities from 2,200 TPD, to 5,500 TPD, and it designated 18.5 acres within the existing site plan for parking, commodity storage, new commercial recycling and organic processing programs for residential and commercial food wastes, and a relocation of the truck maintenance facility and yard (for “SEG Trucking”), which included an 18,000 square foot structure in the southeastern portion of the project site (former GWF Power Systems Facility).

The use permit also anticipated potential future phases that could include a rail haul option for waste transportation purposes, and construction of a single Biomass Gasification Unit to process clean wood waste into energy for on-site use. Upon establishment of the Biomass Gasification Unit, the existing organics processing area would be relocated to the site immediately south of the unit, and the current organics processing area would be converted to space for commodity, vehicle and equipment storage space. In addition, after this future relocation, the area immediately west of the new SEG truck maintenance facility driveway would be converted to a material processing area.

All components included in the 2015 approval would carry forward, as modified by the current proposal described below. For a more detailed description of the 2015 project, see Attachment 8 (Planning Commission Staff Report, dated May 26, 2015).

Current Proposal: The current application contains several modifications to the use permit that was approved in 2015:

Planning Commission Staff Report

- A new High Diversion Mixed Waste/Wet Organics Processing System to refine the previously approved commercial recycling and organic processing programs for residential and commercial food wastes;
- An increase in the Bioenergy Gasification Units from one to three;
- Construction of a Pole Barn;
- SEG Truck Maintenance Facility (TMF) Reconfiguration; and
- Additional site modifications necessary to organize the facility's operations.

Design review approval is also being sought for proposed improvements onsite that would result in an increase of 67,405 square footage of building area beyond what was previously approved:

- Transfer Processing Facility (TPF) Building Addition – 43,038 square feet
- New Pole Barn – 13,256 square feet
- Redesigned SEG Truck Maintenance Facility, including wash rack canopy – 26,811 square feet (an increase of 7,361 square feet from previous approval)
- Biomass Gasification Unit Control Building – 3,750 square feet

High Diversion Mixed Waste/Wet Organics Processing System: The 2015 approval included review of a food waste processing system located inside RCTS' Transfer Processing Facility (TPF) Building. The system included, but was not to be limited to, (1) a hopper, (2) a sort line, (3) a conveyor, (4) a sort line grinder feed conveyor, (5) a hammermill grinder, (6) a grinder discharge conveyor, and (7) a stacking conveyor for loading a truck to transport separated food waste to a compost or anaerobic digestion facility.

The current proposal seeks to allow for a High Diversion Mixed Waste/Wet Organics Processing System which would be an indoor operation within the transfer processing facility building and would consist of an Extrusion Press and an Organics Polishing System (OPS). The Extrusion Press currently contemplated would enable MDRRP to increase the diversion of hard to get organics and help jurisdictions utilizing its services to comply with State mandates, including the mandates of SB 1383. The enclosed Transfer Tipping Pad ["TTP"] floor of RCTS' TPF building would be expanded by 43,038 sq. ft. to accommodate storage of material and the location of the High Diversion Mixed Waste/Wet Organics Processing System.

The High Diversion Mixed Waste/Wet Organics Processing System would be able to handle commercial Mixed Solid Waste (MSW), residential MSW (including multi-family MSW), source-separated commercial food waste, green material, and co-collected residential organics loads from residences, businesses, institutions, and industrial locations. These loads contain putrescible material that is either source-separated or mixed, which would be processed into organic feedstocks for off-site composting facilities or anaerobic digestion facilities.

Once the High Diversion Mixed Waste/Wet Organics Processing System is in place, certain loads of MSW and Source Separated Organics (SSO) would be sorted to

remove large, bulky, and recyclable items and would then be processed through the High Diversion Mixed Waste/Wet Organics Processing System, as described below. Self-haul loads, loads with a minimal amount of putrescible wastes, contract haulers, and residual from the on-site recycling operations would not be processed in the High Diversion Mixed Waste/Wet Organics Processing System. These wastes would be directly transferred to transfer trailers for disposal or other appropriate disposition.

The Extrusion Press equipment would sort, press, and extrude putrescible materials from mixed waste and wet organics into a 'wet fraction' or 'cake' material for further processing on-site with polishing equipment (the Organics Polishing System) to produce an organic slurry that is delivered to a permitted off-site anaerobic digestion facility to produce biogas and digestate.

Bioenergy Gasification Facility: The 2015 approval covered (1) the construction and operation of a biomass conversion facility, (2) 24-hour operation and maintenance of the biomass conversion facility, (3) the utilization of up to 40 TPD of clean wood chips processed on-site as the fuel source, and (4) the generation of 1 MW/hour of renewable energy to be used for on-site operations and off-site sales.

The current proposal would include construction of a total of up to three Biomass Gasification Units (BGUs) within the Bioenergy Gasification Facility which would be able to generate up to 3.0 mega-watts of electricity and allow for redundancy and contingency operations during routine maintenance. The facility would be permitted as an Engineered Municipal Solid Waste Facility ("EMSW") and would be located in an area adjacent to MDRRP's Organics Processing Area and Pole Barn. A control building would also be constructed at the site to manage the operation of the facility.

The facility would receive, hold, and convert feedstock-ready biomass fuel consisting initially of wood waste from MDRRP, and eventually dry biosolids feedstock anticipated to be supplied by Delta Diablo or another anaerobic digestion facility, into renewable energy. The proposed facility is expected to be constructed in 2 phases with one BGU being constructed in one phase and two BGUs being constructed in the next phase. It is planned that the BGUs would operate 24 hours per day, 7 days per week generating up to 3.0 mega-watts/hour of renewable energy. The operation of the BGUs to generate the desired 3.0 mega-watts is expected to involve the use of no more than 150 TPD of feedstock. The complete gasifier system would be enclosed, fully automated, and could operate for extended periods of time. The gasifier's computerized control system could alert both on-site attendants and remote monitors to potential problems, allowing corrective action and minimizing downtime maintenance.

BGU Technology. The Bioenergy Gasification Facility would utilize renewable portfolio standard eligible fuels to generate up to 3.0 mega-watts of renewable energy using downdraft biomass gasification units. The BGUs currently proposed for this project were developed by Aries Clean Energy ["Aries"] (Model PHG- LF 64). Aries' PHG- LF 64 model BGUs are downdraft gasifiers that are designed in a modular format allowing for the use of multiple units in order to reach the gas utilization needs of the operator. Each

PHG-LF 64 is capable of converting approximately 64 TPD of biomass feedstock, however, in order to account for feedstock grainsize variances, each gasifier unit would be restricted to a maximum of 50 TPD. Because of the modular design of Aries' gasifiers, two or more of these units can be combined to generate the 3.0 mega-watts proposed in this project. Aries' BGUs are enclosed, fully automated, robust, and are intended to operate for extended periods of time.

BGU Energy Transmission Lines. All proposed transmission lines would be underground. A feed-in tariff is currently available for selling excess electricity back to PG&E during off-peak periods. The single BGU reviewed and analyzed in the 2015 approval included the construction of transmission lines to portions of the MDRRP facility and for the sale of excess electricity. The current project would also allow for the possible transmission of power to Delta Diablo, in the future, with additional capacity to sell back to a public utility provider for consumption by the general public.

Pole Barn: A pole barn has been proposed for construction in an area adjacent to the Bioenergy Gasification Facility and the Organics Processing Area (OPA). The building would be 13,256-square-feet and would be used for the storage of wood chips feedstock generated at the OPA before delivery to the Bioenergy Gasification Facility, as well as for the storage of other materials and equipment.

SEG Truck Maintenance Facility (TMF) Reconfiguration: The 2015 approval included review for the construction and operation of a truck maintenance facility consisting of a 30 foot-tall, 18,000 sq. ft. building comprising a 15,600 sq. ft. shop and a 2,400 sq. ft. office/storage area, with 2,000 sq. ft. of open-air canopies on the eastern side of the building. This facility also included a new truck fueling island to be relocated from the MDRF's main parking area. The facility would be used for the repair and maintenance of the facility's approximately 60 commercial and residential refuse trucks, as well as RCTS and MDRF equipment.

The proposed use of the SEG TMF is not proposed to change; however, the design of the facility would now have a row of 12 service bays, 2 office areas, and a parts area along the southern and eastern corners of the MDRRP site. Two open air canopy areas would also be included along the southern edge of the MDRRP site. The total maintenance building area would be 25,361 sq. ft. The truck maintenance facility and yard would include a 47-space parking/storage area for the trucks and a wash area. This area would also provide 41 additional parking spaces for employees and other persons. No painting would occur here. The truck maintenance facility and yard would have 11 full-time mechanical and shop support personnel. Operational hours would be 9 a.m. to midnight Monday through Friday, 7 a.m. to 5 p.m. on Saturday, and 9 a.m. to 5p.m. on Sunday.

Parking Lot Relocation. The 2015 approval included 60 parking spaces in the western portion of the MDRRP site, along with 41 parking spaces at the SEG TMF for a total of 180 standard-sized parking spaces, including 79 preexisting spaces. Under the current project, the 60-stall parking lot would be constructed in the area where the OPA is

presently located, immediately south of MDRF building parking lot. This area is close to the access road and does not require visitors to drive past facility operations or equipment to find a parking spot.

Organics Processing Area Relocation. The current project would not alter the approved 2015 changes to the Organics Processing Area; however, the operation would be relocated to the interior of the MDRRP site so that it is conveniently closer to the Bioenergy Gasification Facility, the Pole Barn, and the Material Processing Area that would share the use of grinding equipment.

Material Processing Area (C&D) Relocation. The current project would shift the Mixed C&D Processing Area further north on the MDRRP site to accommodate the Bioenergy Gasification Facility, the Pole Barn and relocated OPA.

The remaining western portion of the MDRRP site would be used for commodity, vehicle, and equipment storage, as approved in 2015, including the area formerly slated for parking. The northwestern corner of the MDRRP site would also be used for commodity, vehicle, and equipment storage and may be analyzed at a future date for additional facility operations, which may include anaerobic digestion.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The City of Pittsburg General Plan identifies the project site as Industrial, which permits manufacturing, wholesale, warehousing and distribution, commercial and business services, research and development, agricultural, food and drug, industrial processing and storage uses. The proposed project would be consistent with this land use designation and would be consistent with Loveridge General Plan sub-area Goal 2-G-15, which aims to maintain industrial activities in appropriate designated areas. Additionally, the proposed project is consistent with General Plan Goal 11-G-6, and Policy 11-P-19, which seeks to reduce the amount of solid waste generated in the City through intensification of recycling efforts.

Zoning: The eastern half of the project site is in the IG (General Industrial) District and western portion is in IL (Limited Industrial) District. The IG district is intended to provide sites for intense industrial uses on large sites adjacent to existing heavy industrial uses. The IL District provides opportunities for service-oriented commercial and limited industrial uses in transitional areas, between heavy industry and commercial or residential land uses. Large recycling facilities, such as the MDRRP, require a use permit within the IG and IL Districts. As shown in Attachment 6 of this report, the proposed project meets or exceeds the property development regulations for each zoning district. The proposed project would also comply with the zoning standards for large recycling facilities contained in Pittsburg Municipal Code (PMC) section 18.84.575(c).

Planning Commission Staff Report

Development Review Design Guidelines: In 2010, the Planning Commission adopted Resolution No. 9864 amending the City's Development Review Design Guidelines (DRDGs). The DRDGs provide a framework for the design review of residential, commercial, and industrial projects. As shown in Attachment 7 of this report, the proposed project either complies or conditionally complies with the City's DRDGs.

Required Findings (Use Permit): According to PMC section 18.28.060, a request for modification of an approved use permit shall be treated as a new application. PMC Section 18.16.040 specifies that the following findings must be made before approval of a use permit:

- A. is in accord with the objective of the zoning ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
- B. is not detrimental to the health, safety, and general welfare of the City;
- C. would not adversely affect the orderly development of property within the City;
- D. would not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
- E. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
- F. would not create a nuisance or enforcement problem within the neighborhood;
- G. would not encourage marginal development within the neighborhood;
- H. would not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints imposed by law; and
- I. is consistent with the City's approved funding priorities.

Required Findings (Large Recycling Facilities): Before approving a conditional use permit for a large recycling facility, the Planning Commission must also find in accordance with PMC 18.84.575.C that the facility meets the following standards:

- A. The facility is at least 150 feet from property zoned or planned for residential use;
- B. The facility must be screened from public view by operating in an enclosed building or behind dense landscaping or fencing;
- C. Yards and landscaping requirements must comply with those provided for the zoning district in which the facility is located;

Planning Commission Staff Report

D. All exterior storage of material would be in sturdy containers which are covered, secured and maintained in good condition. Oil storage must be in containers approved by the chief building official and Riverview fire protection district. No storage, excluding truck trailers and overseas containers, would be visible above the height of the fencing or other screening;

E. The site would be maintained free of litter and any other undesirable materials, and would be cleaned of loose debris on a daily basis;

F. Noise levels would not exceed 60 dBA as measured at the property line of residentially zoned property, or otherwise not exceed 70 dBA;

G. If the facility is located within 500 feet of property zoned, planned or occupied for residential use, it would not be in operation between 7:00 p.m. and 7:00 a.m.;

H. Any containers provided for after-hours donation of recyclable materials (newspaper, cardboard, aluminum cans, etc.) would be at least 150 feet from any property zoned, planned or occupied for residential use, and they shall be made of sturdy, rustproof construction. Containers would have sufficient capacity to accommodate materials collected for at least a 24-hour period, and be secure from unauthorized entry or removal of materials;

I. Donation areas would be kept free of litter and any other undesirable material, and the containers would be clearly marked to identify the type of material that may be deposited. The facility would display a notice stating that no material may be left outside the recycling containers;

J. The facility would be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs would meet the standards of the use. Directional signs, bearing no advertising message, may be installed with the approval of the planning director to facilitate traffic circulation or if the facility is not visible from the public right-of-way;

K. Power-driven processing, including aluminum foil and can compacting, plastic shredding, or other light processing activities, may be used as necessary for efficient temporary storage and shipment of material.

Required Findings (Design Review): The Planning Commission may grant design review approval for a project only after the Commission makes a determination that the proposed project is consistent with PMC section 18.36.220 (B), summarized below:

A. the structure conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;

Planning Commission Staff Report

- B. the structure would be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;
- C. the exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
- D. the structure is in harmony with proposed developments on land in the general area; and,
- E. the application conforms with the criteria set forth in any applicable City adopted design guidelines.

Environmental: An Environmental Impact Report was previously prepared for the 2015 MDRRP project (2015 EIR). On May 26, 2015, the Planning Commission adopted Resolution No. 10001, certifying that the Final 2015 EIR was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. This resolution also approved CEQA findings, adopted a Statement of Overriding Considerations, and a Mitigation and Monitoring and Reporting Program (MMRP) for the MDRRP project.

Section 15162(a) of the State CEQA Guidelines states that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines that, either: 1) the project proposes substantial changes which would present a new significant impact; 2) there are substantial changes with respect to the circumstances under which the project is undertaken that would present a new significant impact; or 3) there is new information available that was not previously available relating to new or previously identified significant impacts.

Since the current project proposal further refines what was originally reviewed in the 2015 EIR, and since no new significant impacts were found, preparation of an Addendum to the 2015 EIR pursuant to CEQA Guidelines section 15164 (Addendum to an EIR or Negative Declaration) is the appropriate method for achieving CEQA compliance for the current project.

Public Notice: On or prior to Friday, October 12, 2018, notice of the October 23, 2018, public hearing to consider this application was posted at City Hall, at the proposed project site, and on the 'Public Notices' section of the City's website; was delivered to the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the use, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091.

Planning Commission Staff Report

On October 23, 2018, upon request from staff for additional time to complete the recommended conditions of approval, the Planning Commission moved to continue the public hearing to November 13, 2018.

ANALYSIS:

Staff believes the Planning Commission can make the required findings to approve the use permit and design review application, subject to conditions.

The City of Pittsburg is certified by the California Department of Resources, Recycling and Recovery (CalRecycle) as the Local Enforcement Agency (LEA), which is responsible for ensuring that all solid waste disposal facilities follow state and local regulations. The LEA currently inspects the MDRRP on a monthly basis and would continue to do so moving forward. According to the LEA's inspections, the facility is operating in accordance with the requirements of the existing Solid Waste Facility Permit. Staff believes that with the addition of the project enhancements described above, the MDRRP would be more effective in meeting the State's mandates for diversion of landfill material.

The proposed project would be consistent with the Industrial designation of the General Plan, which specifically permits general industrial uses and processing, including large recycling facilities. The proposed project would comply with all of the Industrial District development standards set forth in the Zoning Ordinance. The proposed project is also generally consistent with applicable DRDG's in that: 1) the new parking areas would be screened from public view behind a chain link fence with 6-foot tall shrubbery surrounding the site (DRDG IV.a); 2) the new SEG truck maintenance building would match in colors and design to the existing MDRF and RCTS facility located on the same site, immediately north of the new building (DRDG IV.p); and 3) the appearance of the continuous horizontal roof line for the new SEG building would be broken up by the periodic placement of three areas defined by a standing seam roof.

ACTION REQUIRED:

Move to adopt Resolution No. 10109, approving Planning Application No. 18-1325, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10109
2. Proposed Resolution "Exhibit A" – 1st Addendum to the EIR (to be provided to Commissioners directly; also available at: <http://www.ci.pittsburg.ca.us/index.aspx?page=828>)
3. Project Plans, dated March 2, 2018
4. Project Description, stamp dated March 9, 2018

Planning Commission Staff Report

5. Map of Surrounding Uses
6. Property Development Regulations Table
7. DRDG Consistency Table
8. Planning Commission Staff Report, dated May 26, 2015
9. Approved Resolution No. 10002 (2015 Use Permit)
10. Approved Resolution No. 10001 (2015 EIR Certification)
11. Notice of Public Hearing
12. 2015 EIR (available online only, at:
<http://www.ci.pittsburg.ca.us/index.aspx?page=828>)

Prepared by: Joan Lamphier, Consulting Planner

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving an EIR Addendum,	)	
Use Permit and Design Review of Plans to	)	Resolution No. 10109
Further Refine and Enhance the Existing	)	
Solid Waste and Recycling Operations at	)	
1300 Loveridge Road, for "Mt. Diablo	)	
Resource Recovery Park Enhancements	)	
Project, AP-18-1325 (UP, DR)."	)	

The Planning Commission DOES resolve as follows:

Section 1. Background

- A. On March 9, 2018, Contra Costa Waste Service, Inc., filed Use Permit and Design Review Application No. 18-1325 requesting: 1) approval of a use permit for operational enhancements at the Mt. Diablo Resource Recovery Park, including the addition of two new Bioenergy Gasification Units (BGUs) in addition to the one approved in 2015, a modified food waste processing system, and a reorganization of the previously approved 2015 site plan; and 2) design review approval of plans to construct three new structures (feedstock pole barn, truck wash canopy, and BGU control building), one building addition (transfer tipping pad floor expansion for wet organics processing), and revise previously approved plans for the SEG Trucking maintenance building, which would total 67,405 square feet of new building area beyond what was previously approved in 2015. The project site includes a total of 36 acres. The western portion of the property is in the IG (General Industrial) District and the eastern portion of the property is within the IL (Limited Industrial) District. Assessor's Parcel Nos. 073-200-013, -014, -015, -026, -027, 028 and -029.
- B. The existing solid waste and recycling facility became operational in 1995 and has expanded its operations to include additional recycling and disposal services (as described below). The facility serves as a regional recycling facility.
- C. On March 6, 1995, the City Council adopted Resolutions Nos. 95-8143, 95-8144, and 95-8145, approving a use permit, variance and design review of architectural plans (respectively) for the Recycling Center and Transfer Station (RCTS), on a 17.5 acre site located at 1300 Loveridge Road. Prior to that approval, the City Council adopted Resolutions Nos. 95-8134 and 95-8142, certifying the Final Environmental Impact Report (1995 EIR) and adopting mandatory findings of significant environmental impacts and mitigation measures for the project (respectively).

- D. On December 18, 1995, the City Council approved Resolution No. 96-8150, authorizing an agreement that allowed the recycling center and transfer station to begin operation.
- E. On March 27, 2007, the Planning Commission adopted Resolution Nos. 9691 and 9692 approving a new use permit and design review application to locate the Mt. Diablo Recycling Facility (MDRF) on the existing RCTS site. The MDRF was approved to share the same site as the RCTS; however, both facilities operated independently.
- F. On April 22, 2008, the Planning Commission adopted Resolution No. 9755, approving another use permit and design review application, establishing a mixed construction and demolition (Mixed C&D) recycling facility, including a green material processing operations area, on a 6.52-acre portion of the RCTS site. Conditions of approval for the RCTS and the MDRF were carried forward to the subsequent approvals.
- G. On January 12, 2010, the Planning Commission adopted Resolution No. 9822 modifying the use permit for MDRF in order to expand the maximum amount of material that could be processed per day, expand hours of operation and the number of employees working at the facility.
- H. On May 26, 2015, the Planning Commission adopted Resolution No. 10002 approving a subsequent use permit modification in order to bring the current solid waste and recycling operations at the RCTS, the MDRF and the Mixed C&D facilities under a single entity referred to as the Mt. Diablo Resource Recovery Park (MDRRP). The approval also included an increase in the total amount of materials processed per day at all three facilities from 2,200 tons per day (TPD), to a total of 5,500 TPD; establishment of a new commercial recycling and organic processing programs for residential and commercial food wastes; construction of one biomass gasification unit to process clean wood waste into energy for on-site use; construction of an 18,000 square foot building and related site improvements for the relocation of the SEG Trucking maintenance facility; and, as a possible future phase of the project, a rail haul option for waste transportation purposes.
- I. The enhancements to the MDRRP included in the original 2015 approval and proposed with this current application would assist the City of Pittsburg and Contra Costa County in reducing greenhouse gas emissions by generating renewable energy, increasing solid waste diversion rates, and expanding programs to provide recycling to business and family residences.
- J. The proposed expansion and reorganization of the existing facilities would also assist the City of Pittsburg and Contra Costa County in meeting increasing

regulatory requirements and diversion goals established pursuant to AB 1826, SB1383, and related regulations.

- K. The proposed project conforms to the applicable General Plan land use designation of *Industrial* and the applicable goals and policies of the Pittsburg General Plan and the Pittsburg Municipal Code (PMC).
- L. An Environmental Impact Report was previously prepared for the 2015 MDRRP project (2015 EIR). On May 26, 2015, the Planning Commission adopted Resolution No. 10001, certifying that the Final 2015 EIR was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. This resolution also approved CEQA findings, adopted a Statement of Overriding Considerations, and a Mitigation and Monitoring and Reporting Program (MMRP) for the MDRRP project.
- M. Section 15162(a) of the State CEQA Guidelines states that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines that, either: 1) the project proposes substantial changes which would present a new significant impact; 2) there are substantial changes with respect to the circumstances under which the project is undertaken that would present a new significant impact; or 3) there is new information available that was not previously available relating to new or previously identified significant impacts.
- N. Since the current project proposal further refines what was originally reviewed in the 2015 EIR, and since no new significant impacts were found, preparation of an Addendum to the 2015 EIR pursuant to CEQA Guidelines section 15164 (Addendum to an EIR or Negative Declaration) is the appropriate method for achieving CEQA compliance for the current project.
- O. According to PMC section 18.28.060, a request for modification of an approved use permit shall be treated as a new application. PMC Section 18.16.040 specifies that the following findings must be made before approval of a use permit:
 - 1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
 - 2. is not detrimental to the health, safety and general welfare of the City;
 - 3. will not adversely orderly development of property within the City;
 - 4. will not adversely affect the preservation of property values;
 - 5. is consistent with the general plan and applicable specific plan;

6. will not create a nuisance or enforcement problem;
 7. will not encourage marginal development within the neighborhood;
 8. will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints; and,
 9. is consistent with the City's approved funding priorities.
- P. Before approving a conditional use permit for a large recycling facility, as indicated in PMC 18.84.560, the planning commission must also find that the proposed use complies with the standards outlined in PMC 18.84.575.C for 'Large Recycling Facilities.'
- Q. The Planning Commission may grant design review approval for a project only after the Commission makes a determination that the proposed project is consistent with PMC section 18.36.220 (B), summarized below:
1. the structure conforms with good taste, good design and in general contributes to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;
 2. the structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;
 3. the exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
 4. the structure is in harmony with proposed developments on land in the general area; and
 5. the application conforms with the criteria set forth in any applicable city-adopted design guidelines.
- R. On October 12, 2018, notice of the October 23, 2018, public hearing to consider this application was posted at City Hall, the project site and on the city's website; was delivered to the Pittsburg Library; and was mailed via first class mail or email to the property owner, applicant and all other owners of property within 300 feet of the subject site, to utility companies and other agencies anticipated to provide service to the project, and to all interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010 and 18.36.350 and Government Code section 65091.

- S. On October 23, 2018, upon request from staff for additional time to complete the recommended conditions of approval, the Planning Commission moved to continue the public hearing to November 13, 2018.
- T. On November 13, 2018, the Planning Commission held a continued public hearing on Use Permit& Design Review Application No.18-1325, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled “Mt. Diablo Resource Recovery Park Enhancements Project,AP-18-1325 (UP, DR),” and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:
 - 1. All recitals above are true and correct and are incorporated herein by reference.
 - 2. Since the current project proposal for the MDRRP site further refines what was originally reviewed in the 2015 EIR and does not include any new significant impacts, preparation of an Addendum to the 2015 EIR pursuant to CEQA Guidelines section 15164 (Addendum to an EIR or Negative Declaration) is the appropriate method for achieving CEQA compliance for the current project.

Use Permit Findings:

- 3. The proposed project,in its entirety, is consistent with the following standards for approval of a use permit:
 - a. The proposed use is in accord with the objectives of the Zoning Ordinance, the purposes of the land use districts in which it is located and is appropriate to the specific location, in that the use is an expansion of an existing use that has operated since 1995 in accordance with the requirements of the existing previously approved use permits and the Solid Waste Facility Permit administered by the City of Pittsburg Local Enforcement Agency (LEA). The proposed expansion and enhancement project would comply with the development standards set forth for the IL (Limited Industrial) and IG (General Industrial) Districts.
 - b. If the City of Pittsburg Local Enforcement Agency (LEA) issues a Solid Waste Permit to allow the proposed operational expansion and enhancements, andall regulations of the PMC and the LEA are

adhered to throughout the life of the facility, then the proposed use will not be detrimental to the health, safety and general welfare of the City, nor will it involve any activities that would be injurious to the City, its residents, or its workforce.

- c. The proposed use will not adversely affect the orderly development of property within the City, in that the operational expansion and enhancements would continue the existing context of industrial uses in the area north of the Pittsburg-Antioch Highway.
- d. The proposed use will not adversely affect the preservation of property values, in that the proposed operational expansion and enhancements would utilize properties that have been vacated by previous industrial activities.
- e. The proposed use is consistent with the General Plan in that the expansion and enhancements meet the intent of the Industrial land use designation in accordance with General Plan (page 2-20).
- f. If the use complies with all provisions of the PMC, the conditions of this resolution and the Solid Waste Permit administered by the City of Pittsburg LEA, then the proposed use will not create a nuisance or enforcement problem.
- g. The proposed use will not encourage marginal development within the neighborhood in that the use consists of enhancements to the existing facility and utilizes vacant parcels from previous industrial uses.
- h. The proposed use will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints, in that the use is private and does not require any additional public services.
- i. The proposed use is consistent with the City's approved funding priorities, in that there are no public funds involved with the project.

Large Recycling Facility Findings:

- 4. The project, in its entirety, is consistent with the following applicable standards for a large recycling facility:
 - a. The facility will be at least 150 feet from property zoned or planned for residential use.
 - b. The recycling facility will be screened from public view by operating in an enclosed building or behind dense landscaping or fencing.

- c. Yards and landscaping requirements will comply with those provided for the zoning district in which the facility is located.
- d. All exterior storage of material will be in sturdy containers or containment areas that are covered, secured and maintained in good condition. Oil storage containers will be subject to approval by the Chief Building Official and Contra Costa County Fire Protection District. No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing or other screening.
- e. The site will be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis.
- f. Noise levels will not exceed 70 dBA as measured at the property line.
- g. The facility will not be located within 500 feet of property zoned, planned or occupied for residential use.
- h. There will be no designated outdoor donation areas for recyclable materials. The facility will display or provide notice to customers stating that no material may be left outside the designated recycling areas.
- i. The facility will be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs will meet the standards of the use. Directional signs, bearing no advertising message, will be installed/maintained subject to approval by the Planning Division.

Design Review Findings:

- 5. The proposed project, including the revised plans for the SEG Trucking maintenance building and associated site improvements:
 - a. Will conform with good taste, good design and in general contributes to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that the proposed design of all new construction will be consistent with the surrounding industrial development and the existing on-site transfer processing facility building.
 - b. The inclusion of additional landscaping along Loveridge Road will ensure that the project conforms to the good taste, good design and in general would contribute to the character and image of the City as a place of beauty, taste and high quality.
 - c. The newly designed SEG Trucking maintenance facility will not be subject to exterior and interior noise, vibrations and other factors which may tend to make the environment less desirable.

- d. The exterior design and appearance of all new construction on site will not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value in that the proposed design of the facilities, are consistent with the surrounding industrial development.
- e. The project conforms to the applicable criteria set forth in the City's adopted Design Review Guidelines (Planning Commission Resolution No. 8927).

Section 4. Decision

- A. Based on the findings set forth above, the Planning Commission hereby adopts the 1st Addendum to the 2015 EIR, included as "Exhibit A" to this resolution.
- B. Based on the findings set forth above, the Planning Commission hereby approves Use Permit and Design Review Application No. 18-1325, subject to the conditions listed below. The conditions listed shall take the place of all prior conditions adopted through Planning Commission Resolutions No. 10002.
 - 1. References to Project Plan: The approved enhancements to the existing use shall be constructed and installed in accordance with the Conditional Use Permit Package dated February 10, 2018, and Site Plans dated March 2, 2018, and as presented to the Planning Commission in the staff report identified in Section 2 above, except as may be modified by the conditions below. Construction and installation of the approved use in a manner inconsistent with this use permit shall be grounds for revocation of the use permit.
 - 2. Permitted Capacity: The Mt Diablo Resource Recovery Park shall not receive more than five thousand, five hundred (5,500) tons per day of municipal solid waste, recyclables and construction and demolition material for processing.
 - 3. Waste Diversion Mandates & Indemnification: The MDRRP shall be operated in a manner reasonably calculated to ensure that the City achieves the waste diversion mandates of the California Integrated Waste Management Act (the Waste Act) or other applicable law, so long as the City's waste is processed at the MDRRP. For all matters within the City's jurisdiction, the City may request that MDRRP modify its operation in a manner reasonably calculated to ensure that the City achieves the waste diversion mandates of the Act, or other applicable law, and the applicant shall work cooperatively with the City to implement such modifications or a reasonable alternative, taking into consideration practical, financial, and legal limitations, including potential conflicts with requirements from other governing agencies having jurisdiction. If the applicant fails to work with the City on implementing reasonable

modifications described in this section and fines or other penalties are assessed for the City's failure to meet waste diversion goals, then such fines or penalties shall be borne by the applicant, and the applicant shall defend, indemnify and hold the City harmless for any loss, claim or action arising from or in any way connected with such failure to comply with City directives to the extent that the imposition of same is determined to be the fault of the applicant. Pursuant to Public Resources Code Section 50001(a)(2), the MDRRP shall recover for recycling the percent of materials as mandated by state law. Nothing in this condition shall prevent the City from establishing additional requirements regarding waste diversion in an authorization issued under Chapter 8.05 of the Municipal Code.

4. **Monitoring & Reporting for City:** The applicant shall monitor and provide the Community Development Director with regular accounting of the origin and quantity of all solid waste and recyclables received by, processed through, and transferred by the MDRRP for disposal or recycling. This accounting shall be in a form satisfactory to the Community Development Director, and at such times and intervals as he or she specifies and shall be on a jurisdiction by jurisdiction basis. The accounting shall be in addition to any applicable requirements of the state for monitoring and demonstrating compliance with state mandates related to solid waste and recycling. Copies of any reports supplied by MDRRP to other agencies shall be contemporaneously provided to the Community Development Director.
5. **Compliance with PMC:** The MDRRP shall comply with all applicable requirements of the Pittsburgh Municipal Code. The City and applicant recognize and agree that the City's ability to exercise its police power as described in this condition is an integral basis for the City's approval of this project, and that the reservation of the City's right to consider and adopt legislation concerning a recycling facility and transfer station is necessary in order for the City to make the determination that approval of this conditional use permit is consistent with the findings required by Pittsburgh Municipal Code Section 18.16.040, as fully set forth in this resolution. Further, all site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the PMC as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval.
6. **Compliance with Conditions & Grounds for Revocation:** The applicant shall allow City staff and the LEA to conduct reasonable inspections of the property and applicant's operation of the MDRRP to ensure compliance with the conditions of approval. Operation of the use in a manner inconsistent with that described in the report, violation of a zoning regulation or condition of this resolution, existence of a public nuisance, or conviction of a federal or state law or city ordinance in connection with the operation of the use shall be

grounds for revocation of the use permit in accordance with the process outlined in PMC section 18.28.100.

7. Other Agency Requirements: Permits shall be obtained from each agency having jurisdiction over the project to the extent required by law including the City of Pittsburg LEA, the Bay Area Air Quality Management District, the Contra Costa County Fire Protection District, California Regional Water Quality Control Board, and the California Integrated Waste Management Board.
8. Site Maintenance: The site shall be maintained in a neat and clean manner and all landscaping on site shall be kept weed free and maintained in a healthy condition. The applicant shall be responsible for picking up all litter and waste material daily within any public right-of-way within two thousand (2,000) feet of the property boundaries; to the City limits to the east of the project; and to Columbia Street to the west of the project. If the City Manager determines in his sole discretion that the applicant's litter control efforts are not adequate to meet City requirements, then he may require the applicant to submit a litter control plan and direct what changes are necessary in order to improve its effectiveness. The applicant shall ensure that any items dumped along the Loveridge Road street frontage are removed at the beginning and end of each business day.
9. Signage. The applicant shall submit all signs for the MDRRP to the Planning Division for review and approval in accordance with PMC Title 19. Additionally, the applicant shall submit signs to the LEA to ensure compliance with state minimum standards for solid waste facilities. The applicant shall determine, in consultation with LEA staff, which signs require LEA approval.
10. Bicycle Parking. The applicant shall provide permanent, fixed bicycle parking for at least nine (9) bicycles on-site in a location providing convenient access and natural surveillance. The design, color, and proposed location of the racks shall be reviewed and approved by Planning Division staff prior to issuance of a building permit.
11. Material Transfers. Transfer of solid waste and recyclables shall be to permitted landfills and recycling receivers.
12. Covered Loads. All self-haulers (general public) and garbage collection trucks entering, and all transfer/packer trucks exiting, the MDRRP site shall be covered or enclosed to prevent or minimize litter and waste material from escaping during transport.
13. Covered Loads Notification. Self-haulers (general public) that enter the MDRRP without trash or waste material adequately covered shall be informed by the applicant of the requirement that trucks be covered (see condition

above). The applicant shall be responsible for cleaning up litter from self-haulers. The applicant shall provide notice to the public of the cover requirements in a manner satisfactory to the Director of Community Development.

14. Noise. The MDRRP shall not generate noise in excess of 70 dBA at the property line as required by Pittsburgh Municipal Code Chapter 18.84.
15. Hazardous Wastes. The applicant is prohibited from receiving hazardous wastes or engaging in activities which would generate hazardous wastes at the MDRRP. "Receiving Hazardous Waste" does not mean hazardous material that inadvertently is unloaded at the facility (e.g. household material in mixed residential solid waste). The applicant is prohibited from handling hazardous waste substances in sufficient quantities at any one time as to require a permit under the Uniform Fire Code.
16. Peak Hour Travel. The applicant shall apply peak hour travel restrictions to all transfer trucks and to other vehicles that are under the direct control of or under contract with the MDRRP or any subsidiary (e.g. collection trucks) so that trucks will avoid the most congested freeway locations. Currently these congested freeway locations include some sections of SR-4, segments of I-680, the SR 24/680 interchange, and the I-580/I-680 interchange.
17. Traffic Plan. The applicant shall develop, or update an existing, Traffic Management Plan (the "Traffic Plan") to control the time of day that project trucks will use SR-4 and other freeways. The Traffic Plan shall be developed to respond to the freeway traffic conditions that exist at the time the SEG Trucking maintenance facility opens and shall be reevaluated at periodic intervals in response to changing patterns of traffic congestion. The new Traffic Plan shall be prepared, submitted and approved before issuance of a certificate of occupancy for the SEG Trucking maintenance facility and shall be updated at periodic intervals. The Traffic Plan shall document the time periods, roadway segments and direction of travel where transfer trucks will be restricted. The restrictions shall apply to both entering and exiting traffic. The Traffic Plan shall be reviewed and approved by the City Engineer with the advice and recommendation of the LEA, as may be appropriate, prior to beginning operation of the SEG Trucking maintenance facility. Traffic Plan updates shall be submitted to the City Engineer and LEA, and shall be reviewed as described in this condition.
18. Traffic Plan Adjustments. As part of the Traffic Plan required above, operating conditions at the Loveridge Road/SR-4 interchange merge areas shall be monitored by the applicant during a.m. peak hour (westbound on-ramp) and during p.m. peak hour (east bound on-ramp). If operating conditions at either of the merge areas are at LOS F and the addition of MDRRP traffic increases the v/c ratio by more than 0.01, then as part of the ongoing Traffic Plan, traffic

patterns at the MDRRP shall be adjusted satisfactory to the City Engineer to reduce the project's traffic impact below a v/c ratio increase of 0.01 as necessary. Adjustments may include, for example, changes in the hours during which collection and recycling trucks may leave the facility during the a.m. and p.m. peak periods.

19. Location of Transfer Operation. The transfer operation shall be operated in a closed building to reduce exposure of waste to the atmosphere and potential odor impacts.
20. Site Fencing. The MDRRP shall be surrounded by a security fence to capture any litter carried by the wind.
21. Cool Roofs. All building rooftops shall be painted white (behind parapets) to ensure a cool roof effect.
22. Tipping Floor Maintenance. The tipping floor and processing areas shall be cleaned every twenty-four (24) hours.
23. Refuse Exposure/Storage. No refuse shall remain exposed to the atmosphere for longer than twenty-four (24) hours. Any materials stored at the MDRRP for longer than twenty-four (24) hours shall be stored inside transfer trucks under a tarp or cover. In no event shall disposable, non-recoverable solid waste be stored on site for over forty-eight (48) hours.
24. Refuse Contact Areas. Refuse shall not become retained or trapped in corners, cracks or other irregularities within the transfer processing facility building. All surfaces that come into contact with refuse shall be designed to be easily cleaned.
25. Building Interior Drainage. The drainage and waste handling systems shall be designed so that no standing water can collect in the refuse handling areas.
26. Construction Safety Plan. In accordance with the guidelines provided in Title 29 of the Code of Federal Regulations (the CFR), Part 1910.120 and Title 18 of the California Code of Regulations (the "CCR"), Section 5192, the Applicant shall develop, prepare and implement the Construction Worker Site Health and Safety Plan (the "Construction Safety Plan") for construction workers prior to project construction. The Construction Safety Plan shall include but not be limited to identification of areas of known contaminant releases, types of contaminants, and safety procedures for work in those areas; procedures to be undertaken in the event that unknown contamination is discovered; procedures and personnel responsible for managing contaminated soils and/or groundwater, and emergency procedures and responsible personnel. The Construction Safety Plan shall be prepared and signed by a certified industrial hygienist and shall be included with the

applicant's building permit application. Individuals who are to perform work in areas where exposure to contaminated materials may occur must have received hazardous materials training in accordance with federal and state regulations.

27. **Soil Sampling Investigations.** In areas of the project site where no soil quality data is available, or data is insufficient to describe the potential health risks associated with excavation and handling of soil, a soil sampling investigation shall be developed and implemented for the excavation and grading areas. The investigation shall be conducted by a qualified environmental professional to assess whether areas proposed to be excavated or graded contain concentrations that may pose a health risk to construction workers or require special handling during construction activities. Existing soil quality data shall be used, where available, to delineate the extent of contamination levels and the expected contaminant levels. The work shall be completed prior to construction and the results shall be included in the Construction Safety Plan. Development and implementation of the soil quality sampling program shall be integrated with the soil quality management required by the Construction Safety Plan. The City Engineer shall verify that the soil quality sampling program has been completed prior to the issuance of a grading permit.
28. **Asbestos-Containing Floors.** The applicant shall post signs, as specified by the Safe Water Drinking and Toxic Enforcement Act of 1986 (California Health and Safety Code Sections 25249.5, et seq., and Title 22 of the CCR, Sections 12000, et seq.) warning workers of the hazards of disturbing, handling, drilling, and/or breaking the asbestos-containing floor tiles in the conference room of the transfer facility. In addition, the tiles shall be inspected annually by personnel trained in asbestos inspection. In the alternative, the applicant may have the tiles encapsulated, or removed by a licensed asbestos abatement contractor.
29. **Construction Safety Plan.** The applicant shall ensure that all contractors on the project comply with the Construction Safety Plan and develop hazardous waste management techniques, protocols and/or methodologies for handling potentially hazardous materials that may be used during project construction. The plan shall specify types, quantities, containment, temporary storage areas, and emergency spill response procedures and shall be approved by the County Fire District prior to project construction, as part of the standard building inspection, review and permit process.
30. **Ongoing Soil Remediation.** Construction and operation of the proposed MDRRP shall not interfere with any investigation, monitoring, and remediation of soils and/or groundwater at the project site. All building plans for proposed improvements shall identify the location of existing and known proposed areas of environmental investigation, monitoring, and/or remediation,

including the location of existing and known proposed monitoring and extractions wells, subsurface and above ground piping, and associated treatment and storage tasks. All building plans shall be reviewed by the City to ensure that Applicant's proposed improvements will continue to allow access to these areas and not impede remediation of the Project Site.

31. Exclusion Program. Only non-hazardous waste shall be accepted at the MDRRP. To ensure compliance with this condition, the applicant shall prepare, or update an existing, Hazardous Waste Exclusion Program (the "Exclusion Program") in accordance with Title 23 of the CCR, Section 2523(b) and maintain a policy of excluding hazardous waste from the MDRRP. The Exclusion Program previously submitted by the applicant shall be revised to state that no waste classified as "designated" or "hazardous" under applicable law will be accepted at the MDRRP and shall include a schedule for implementing the proposed training load checking programs. The LEA shall review and approve the updated Exclusion Program as part of the Solid Waste Facilities Permit review process and shall specify what waste shall be excluded.
32. Hazardous Materials Plan. Management of hazardous materials used or inadvertently received at the MDRRP shall be documented consistent with Division 20, Chapter 6.95 of the Health and Safety Code (commencing with Section 25500) and subdivision (b) and (c) of section 80.103 of the Uniform Fire Code. Chapter 6.95 of the Health and Safety Code, titled "Hazardous Materials Release Response Plans and Inventory," requires the preparation of area plans and business plans. Section 80.103 of the Uniform Fire Code requires the preparation of hazardous Material Management Plans and Hazardous Materials Inventory Statements to ensure compliance with state operating regulations. These plans shall contain among other things; a complete description of personal protective equipment; procedures for handling, packing and disposing of hazardous waste found in mixed wastes inadvertently brought to the MDRRP; the maximum volume to be stored at any one time; and shall specify procedures for the proper segregation of incompatible wastes. Hazardous waste shall be stored in appropriate containers in compliance with all local, state and federal regulations and kept in an area separate from any hazardous materials used by the MDRRP in its operation or construction. These plans shall be submitted to the City, the Contra Costa County Health Services Department, and the County Fire District prior to the issuance of an expansion permit. The LEA shall ensure that these plans have been approved by the appropriate agency. The applicant shall fund the cost of outside technical support, if any.
33. Fire Suppression Systems. The applicant shall install and maintain an automatic fire sensing, suppression and alarm system at the MDRRP in accordance with recommendations from the County Fire District and the State Fire Marshall prior to the occupancy of any new building.

34. Emergency Response Plan. The applicant shall prepare and maintain an Emergency Response Plan (the "ER Plan") as part of the Business Plan as required by the state Hazardous Material Release Response and Inventory Program (Health & Safety Code Section 25500, etseq.); The ER Plan shall include a detailed description of methods used to identify and control materials susceptible to explosion or combustion; the location, maintenance, and procedures for use of all fire control equipment; identification of responsible and trained fire-fighting personnel; location of fire extinguisher and other fire-fighting equipment and evacuation plans and procedures. The ER Plan shall also specifically address the potential for a power failure during an emergency. Response procedures for the site shall be submitted to and approved by the Contra Costa County Fire Protection District prior to the occupancy of any of the new structures permitted by this use permit. The approved ER Plan shall be submitted to the LEA with the application packet for the updated Solid Waste Facility Permit. The LEA shall ensure the ER Plan has been approved by the appropriate agency. The applicant shall fund the cost of outside technical support, if any. The ER Plan shall include emergency response procedures in the event of an earthquake and shall take into account the probability that untrained visitors are likely to be present at the MDRRP.
35. Waste Water Storage. All waste water generated by the MDRRP shall be collected and contained in a five thousand (5,000) gallon storage tanks. The wastewater collected at the facility (holding tanks and sump) shall be removed using vacuum tank trucks on an as-needed basis, estimated to occur on a weekly basis. During the expansion, the volume and consistency of the wastewater shall be measured at a regular frequency to determine appropriate measures of future on-site treatment. As part of the Solid Waste Facility Permit update application, the appropriateness and feasibility of recycling or on-site treatment at that time, the decision to discharge treated wastewater to the sewer shall be reevaluated. Any discharge of wastewater to the sewer shall be in compliance with the requirements and restriction specified by Delta Diablo. Procedures for wastewater management at the facility shall be included in the Hazardous Materials Management Plan (Uniform Fire Code, Article 80, Section 80.101). The Plan shall be updated to address any changes in operational and safety procedures related to future changes in wastewater management.
36. OSHA. The applicant shall comply with all state and federal occupational safety and health acts ("OSHA") including but not limited to developing a procedure for protecting workers who handle and/or sort sharp materials; requiring workers to wear protective gloves; training workers to identify and safely remove sharp objects and dispose of used hypodermic needles or other inadvertently deposited medical wastes. These procedures shall be

included in the Report of Station Information that applicant will submit to the LEA.

37. Relationship to Other Emergency Response Plans. Neighboring industrial facilities which treat, store, or dispose of hazardous materials are required to develop emergency response plans (the "ER" Plan) for release incidents. The Project's ER Plan shall acknowledge and include a description of the ER Plan's consistency, to the extent possible, with risk management and prevention programs and evacuation plans of nearby industries. The approved ER Plan shall be submitted to the LEA as part of the Solid Waste Facility Permit update application packet. The LEA shall ensure the ER Plan has been approved by the appropriate agency. The applicant shall fund the cost of outside technical support, if any.
38. Vector Control. The applicant shall implement a program to monitor the development of any vector problems, including the eradication of pests if needed. The applicant shall, at minimum, institute the following measures to control vectors at the MDRRP:
- a) Regular cleaning and maintenance procedures including sweeping of the yard and tipping areas;
 - b) Handle solid waste materials inside the building, rather than outdoors;
 - c) Transport all waste for disposal no more than forty-eight (48) hours after it is brought to the MDRRP;
 - d) Transport yard waste to composting operations within forty-eight (48) hours, if not composted on site;
 - e) Implement a load covering policy and program for hauling vehicles leaving the MDRRP; and
 - f) Regular cleaning of MDRRP trucks by applicant.
39. Contaminated Soils. Any excavated contaminated soil shall be removed from the project site and transported to a qualified disposal site; however, contaminated material shall not be transported to the Keller Canyon Landfill or to any facility that will use it as a daily cover.
40. Grading. If possible and as directed by the City Engineer, all grading shall be conducted between April 15 and October 15 to minimize silt runoff to the nearby channels located on the boundaries of the project site. If grading is to be conducted during the rainy season, silt control measures described in the SWPPP's shall include, but not be limited to, creation of silt barriers (e.g. hay bales, silt fences) on the southern and/or western property boundary.
41. Frequency of Plan Updates. The Community Development Director, or other appropriate City official, may require the applicant to update a plan or study required under any condition of approval in this resolution more frequently

than otherwise called for herein, as conditions may warrant in such official's judgement.

42. Study Costs. Any and all studies described herein or are otherwise necessary due to construction or operation of the MDRRP shall be at the applicant's sole expense.
43. Recycling Programs. Upon the City's request, the MDRRP shall provide recycling programs, such as (without limitation) mixed paper and yard waste diversion programs (as used hereafter in this condition "Programs") that are consistent with and assist in the implementation of the City of Pittsburgh's Source Reduction and Recycling Element ("SRRE"). If the applicant demonstrates to the City's satisfaction that implementation of requested Programs is infeasible at the MDRRP, due to such factors as cost or suitability of the facility, the applicant shall work cooperatively with the City to develop other Programs that are feasible and will ensure that the City mandates its compliance with the Act. Any such costs associated with amending the City's SRRE to reflect necessary Program changes shall be paid by the applicant and the cost shall not be passed on to the City garbage subscribers or individuals or agencies using the MDRRP.
44. Hours of Operation. The hours of operation for public visitation shall be Monday through Sunday from 6:00 a.m. to 7:00 p.m.
45. Deferred Improvements. The owner shall enter into a deferred improvement agreement with the City to construct frontage improvements for the ultimate roadway design for Loveridge Road. As part of the agreement, the owner shall post a bond, a letter of credit, a certificate of deposit or some other form of financial responsibility agreed upon by the City for the cost of the improvements. Frontage improvements shall include construction of storm drain facilities, curb, gutter, and sidewalk, and undergrounding of utilities.
46. Loveridge Road Maintenance. The applicant shall enter into a Memorandum of Understanding or other agreement instrument to pay a pro-rata share fee for reconstruction and ongoing maintenance for Loveridge Road. The costs of reconstruction of the roadway and ongoing maintenance costs shall be determined through a City-sponsored study and shall be based on truck trips attributed to the business, or other measurement deemed mutually acceptable by the applicant and the City.
47. Sanitary Sewer Capacity. The applicant shall provide proper sanitary sewer capacity to accommodate the project's wastewater demand.
48. Standard Conditions of Development. The Standard Conditions of Development as adopted by the Pittsburgh Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as

applicable. Where there is a conflict between the Standard Conditions of Development, and this Resolution, this Resolution shall prevail.

General Engineering Conditions

49. Grading. All grading work shall be done in accordance with provisions of Chapter 15.88 of the Pittsburg Municipal Code.
50. Traffic Control Plans. The applicant shall comply with City and State guidelines and requirements for traffic control during construction and prior to final project acceptance.
51. Business License Requirements. The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements of the City of Pittsburg Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City.
52. Portable Restrooms. Adequate sanitary disposal facilities shall be required on site during all phases of construction.
53. Construction Debris. The applicant shall provide solid waste disposal containers on-site during all phases of construction. The accumulation of refuse and debris which may constitute an unsightly/unsafe public nuisance to surrounding properties is not permitted.
54. Dust Control. The applicant shall control dust during construction by water application. At minimum, active construction areas shall have to be watered at least twice daily pursuant to requirements of a site-specific Soil Management Plan (SMP) required by the restrictive land use covenant (LUC) that applies to the project site. Non-potable water shall be used from a source approved by the City Engineer (PMC, Title 15), or a nontoxic dust palliative may also be used. To prevent an increase in the potential to emit dust following grading, the project design includes stabilizing disturbed areas as soon as practical as described in Section 2.3.5. Crushed rock shall be used on perimeter and intermediate access roads and the area surrounding the substation. Areas that are not graveled or occupied by foundations shall be stabilized by re-vegetation, application of a non-toxic soil binder, or other means of stabilization.
55. Diesel Equipment. The applicant shall comply with the following requirements of Title 13 of the California Code of Regulations (CCR) for diesel-fueled construction equipment to ensure that emission levels during project construction do not conflict with or obstruct implementation of BAAQMD's air quality plans:

- a) Individual diesel truck idling in excess of five consecutive minutes shall be prohibited consistent with Title 13 CCR.
 - b) Diesel-power construction equipment shall use low-sulfur diesel fuel pursuant to requirements of Title 13 of the CCR.
56. Grading. Any earth moving activity at the site shall be performed in accordance with the Soil Management Plan (SMP) and Health and Safety Plan (HSP) (USS-Posco and DTSC, 2010).
57. CCCFPD Precautions.
In accordance with the Contra Costa County Fire Protection District (CCCFPD) requirements, the following precautions shall be instituted by the operator of the facility, unless otherwise determined by the CCCFPD:
- a) CCCFPD approved means of monitoring and measuring the temperatures within static piles shall be used to monitor and record internal pile temperatures and be made available for inspection by the CCCFPD;
 - b) Portable fire extinguishers shall be provided on all vehicles and processing equipment;
 - c) The operator shall provide for the availability of material handling equipment during any firefighting operations at the project site;
 - d) No flammable or combustible liquid storage tanks shall be stored on the site without approval and issuance of required permits from the CCCFPD;
 - e) The operator of the C&D facility shall develop a plan for monitoring, controlling and extinguishing spot fires, subject to CCCFPD review and approval; and
 - f) Smoking shall not be permitted in spaces where flammable C&D materials are stored or handled.
58. Outdoor Storage Prohibited. The storage of material or items on any portion of the site that is located within 200 feet of a public street shall occur within a building or a fully enclosed structure, as required by *Industrial-Service processor* use limitation L-154.
59. Landscape Coverage. Additional landscape areas shall be provided throughout the site in order to achieve the ten percent (10%) minimum site landscaping requirement of the G zoning district development standards. Areas with the potential for additional landscaping include widening the approved landscape area along Loveridge Road; the southeastern corner of the site (adjacent to the GWF facility); and the northern pointed corner of the parcel. Prior to the issuance of a site development permit or building permit, final landscape plans, showing the amount of area to be landscaped as a percentage, shall be submitted

for review and approval by the Planning Division.

60. Emergency Vehicle Access. Prior to the issuance of a site development or building permit, the site plans shall be revised to include adequate emergency apparatus access roadways with all-weather driving surfaces of not less than 20 feet of unobstructed width, and not less than 13 feet, six (6) inches of vertical clearance to within 150 feet of travel distance to all portions of the structure. Access roadways shall have a minimum outside turning radius of 45 feet, and an inside turning radius of 25 feet, and must be capable of supporting the imposed loads of fire apparatus, i.e. 37 tons, as required by the CCCFPD.
61. Emergency Access Gates. Prior to the issuance of site improvement plans, the plans must identify access gates (for Fire District apparatus) with a minimum width of 20 feet. Access gates shall swing inward and be setback from the public right-of-way by a minimum of 30 feet. Electrically operated gates shall be equipped with a Knox Company key-operated switch. Manually operated gates shall be equipped with a non-case hardened lock or approved Fire District lock.
62. On-site Emergency Circulation. C&D materials and green waste piles shall be separated from adjacent piles by fire apparatus access roadways with a minimum width of 20 feet. Piles shall not exceed 25 feet in height, 150 feet in width, and 250 feet in length, or as otherwise determined by the CCCFPD.
63. Hydrants. The applicant shall provide two fire hydrants for the project, and hydrant locations, as determined by the CCCFPD. Fire hydrants provided on the site must be the "East Bay" type.
64. Site Address Numbers. Premise address identification shall be provided prior to the issuance of a certificate of occupancy. Such numbers shall contrast with their background and be a minimum of four inches high or larger as required to be readily visible from the street.
65. Planting. Plants installed for project landscaping shall be low-maintenance drought-tolerant varieties, requiring minimal use of pesticides to minimize potential impacts on foraging birds, in accordance with Landscaping Requirements set forth in PMC Section 18.34.300-325.

General Engineering and Construction

Engineering fees due payable prior to the first building plan review and at the time of Grading or Site Development Permit issuance:

66. Grading/Improvement Plan Review Fees. The applicant shall pay one half of the Engineering Grading and/or Improvement Plan Review Fee with the initial submittal of plans, maps, or other documents for plan review. The Plan Check Fees are based upon the Engineer's Estimate, which shall also be provided at the time the plans are submitted. The Improvement Plan Check fees are 6% of the cost of the improvements based upon the approved Engineer's Estimate. The Grading Plan Check Fee is 2.5% of the Engineer's Estimate, or may be based upon cubic yards of grading. The deposit(s) shall be credited toward the final fee(s) as determined at engineering permit issuance based upon the final, approved Engineer's Estimate. The deposit shall be paid to the Engineering Division.
67. Inspection Fees. The applicant shall pay the Improvement and/or Grading Inspection Fee(s) to the Engineering Division at the time of the Grading or Single Parcel Development Permit is issued. The current Improvement Inspection Fee is 5.75% of the cost of grading, and the Grading Inspection Fee is 3% of the cost of Grading. The Grading Inspection Fee may also be based upon an approved Engineer's Estimate of total cubic yards, according to the current schedule of Grading Fee Charges.
68. GIS Update. The applicant shall pay \$.05 per square foot of newly constructed building to the Engineering Division at the time of Single Parcel Development Permit issuance.
69. NPDES Plan Review Fees. The applicant shall pay an NPDES Plan Review (SWPPP and/or C.3 Storm Water Control Plan) fee to the Engineering Division in the amounts in effect when the applicant obtains a grading permit. The applicant understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.
70. NPDES Inspection Fees. The applicant shall pay an NPDES Inspection Deposit (SWPPP and/or C.3 Storm Water Control Plan) fee to the Engineering Division in the amounts in effect when the applicant obtains a grading permit. The applicant understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.

Engineering Fees due payable prior to Issuance of the building permit for any building plan permitted by this use permit.:

71. Facility Reserve Charge. The applicant shall pay the City of Pittsburg Facilities Reserve Charge (PMC Chapters 13.08, 13.12 and 13.24) (the "FRC") to the Engineering Division, for water and sewer service in the amounts in effect when the applicant obtains a building permit. The applicant understands that the current FRC on file, effective August 20, 2005, shall be paid in accordance with the fee schedule approved by Resolution No. 05-10290, and amended by

Resolution No. 12-11778, on February 21, 2012, a copy of which is available at the City. The FRC shall be paid to the Engineering Division prior to the issuance of a building permit.

72. Local Traffic Mitigation Fees. The applicant shall pay the Local Transportation Mitigation Fee (PMC Chapter 15.90) (the "LTMF") amount in effect when the applicant obtains a building permit. The applicant understands that the LTMF currently on file is \$1.51/sf. The applicant further understands that the LTMF is reviewed and adjusted annually to the current Construction Cost Index (CCI) and may be increased at the City Council's discretion based on revised cost estimates for roadway and transit facilities and other factors that demonstrate an increase is needed to offset traffic impacts caused by new development. The LTMF is calculated by dividing the total fee share of improvement costs by the total number of Dwelling Unit Equivalencies ("DUE") in the City, as described in PMC Chapter 15.90 and the Pittsburgh Local Transportation Mitigation Fee Program Update, copies of which are available from the City. Fees shall be paid prior to issuance of a building permit.
73. Regional Traffic Mitigation Fees. The applicant shall pay the Regional Transportation-Development Impact Mitigation Fee (PMC Chapter 15.102) (the "RTDIM") amount in effect when the applicant obtains a building permit. The applicant understands that the RTDIM currently on file is \$1.47/sf. The RTDIM will be automatically increased or decreased on January 1 of each year based on the percent change in the Engineering News-Record Construction Costs Index – San Francisco Bay Area between September 1 and September 1 of the preceding two calendar years. Fees shall be paid prior to issuance of a building permit. If no building permit is required, then the fees are payable in the amount in effect when the project commences pursuant to PMC Section 15.102.040.
74. Standard Engineering Submittals. The applicant shall submit five (5) copies of the engineering plans, prepared by a registered civil engineer, to include but not be limited to the following:
- a) A Site Plan
 - b) A Grading and Drainage Plan
 - c) A Utilities Plan
 - d) A Landscaping and Irrigation Plan
 - e) A Stormwater Control Plan and Report
 - f) An Erosion and Sedimentation Control Plan
75. Geotechnical Report. The applicant shall submit a current geotechnical report that substantiates the design features incorporated into this project including, but not limited to, grading activities, compaction requirements, utility construction, slopes,

retaining walls, and roadway sections. The geotechnical report shall be submitted to the Engineering Department for review prior to the approval of any civil plans and issuance of any Engineering permits.

76. Engineers Estimate. The applicant shall submit an Engineer's Estimate with the first plans submittal. This estimate shall include all costs associated with the site development improvements, excluding those costs associated with the construction of the building structure itself.
77. Accessibility. All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.
78. Phased Improvements. To ensure safety of customers and operations personnel, the proposed access road to the SEG Trucking facility shall not be constructed until the Organic Processing Operations Area is relocated. Developer to provide an interim access road until such time the relocation occurs.

General NPDES Conditions:

79. SWPPP/Erosion Control Plan. The applicant shall submit an Erosion and Sedimentation Control Plan, or Stormwater Pollution Prevention Plan (if the project warrants a State General Construction Permit) to the Engineering Department. The erosion control / SWPPP shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site during the construction phase of the project to effectively prohibit the entry of pollutants into storm water runoff and project track out.
80. Stormwater Control Plan. Submittal of grading and/or building plans shall be consistent with the approved Stormwater Control Plan to meet C.3 obligations. The plans shall include drawings and specifications necessary to implement the permanent BMPs designed in the approved Stormwater Control Plan. Grading and/or building permits, shall not be issued until this condition is met to the satisfaction of the Engineering Department.
81. Construction Methods. Grading and/or building permit plans (including structural, mechanical, architectural, grading, drainage, site, landscape, and other drawings) shall show the details and methods of construction for site design featured, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent stormwater control BMPs, and other features that control stormwater flow and potential for stormwater pollutants.
82. Stormwater BMP Operation and Maintenance Plan. Prior to final inspection approvals by the Engineering Department, the applicant shall submit a Stormwater BMP Operation and Maintenance Plan for review and approval by the Engineering, Planning, and Public Works Departments. Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans can be

found on the Contra Costa Clean Water Program's web-site:
www.cccleanwater.org.

83. Stormwater BMP Operation and Maintenance Plan (Final). Prior to the issuance of the Certificate of Occupancy, the applicant shall submit the final draft of the Stormwater BMP Operation and Maintenance Plan for review and approval by the Engineering Department. The applicant shall also execute the Operations and Maintenance Agreement, which pertain to the transfer of ownership and / or long-term maintenance of stormwater treatment BMPs or hydrograph modification BMPs. The Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are found on the Contra Costa County Clean Water Program website (www.cccleanwater.org) or the Stormwater C.3 Guidebook, most current edition.

General Engineering Conditions regarding Utilities:

84. Existing Facility Evaluation. The applicant shall evaluate the existing, receiving storm, sewer, and water facilities for adequate capacity and provide the results to the City to identify any service or supply problems. The cost for installation of additional facilities shall be borne by the applicant.
85. Compliance with PMC. The design and construction of storm drain, water, and sewer facilities shall be in accordance with Section 17.28.020 of the Pittsburg Municipal Code.
86. Water Demands for Fire. The applicant shall provide appropriate water service, adequately sized to meet the domestic and fire protection demands for the project.
87. Sanitary Sewer Sizing. The applicant shall provide appropriate sanitary sewer, adequately sized to accommodate the project's wastewater demand.
88. Abandon Waterlines. The applicant shall abandon the existing 6" and 10" water lines that cross Kirker Creek by capping the services at the property line.
89. Police CFD. Prior to issuance of any building permits, the applicant shall deliver written approval to the Engineering Division to annex the subject property into the Community Facilities District CFD 2005-1, which provides funding for an increase of police coverage in the area. The rate of the CFD fee is subject to the City Council Ordinance No 05-1246.
90. Kirker Creek Watershed Drainage Fees. The applicant shall pay a fee of \$0.68 per square foot for increases in the area of impervious surfaces created for the project per Municipal Code Chapter 15.104.

Mitigation Measures (Air Quality)

91. MM-AIR-3.1.1 (a):The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following:

- a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day.
- b) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- c) All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour.
- d) All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- e) Where applicable, vegetative ground cover (fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible.
- f) A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. The designated City compliance monitoring staff and/or department shall be notified of all complaints received.

92. MM-AIR-3.1.1 (b):The following measures shall be implemented to reduce construction-generated mobile-source emissions:

- a) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- b) All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- c) Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards.
93. MM-AIR-3.1.2 (a): The project applicant shall demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.
94. MM-AIR-3.1.2 (b): The operator shall provide a report on the throughput tonnage processed at the facility that would result in operational emissions of NO_x at 90 percent of the allowable threshold of 54 pounds per day and 10 tons per year (i.e., 48.6 pounds of NO_x per day or 9 tons of NO_x per year). The report shall be included as a condition of approval of the use permit and shall be completed by a qualified air quality professional within one year of approval of the use permit for the expansion. Project-generated tonnages and estimated emissions based on the report shall be evaluated commencing at the five-year state permit review and each year thereafter as tonnage reports are submitted to the City Department of Environmental Affairs and Development Services Department. Once the throughput tonnages reach the amount determined in the report to result in 48.6 pounds of NO_x daily or 9 or more tons of NO_x annually, the operator shall prepare and submit project-generated emissions reports, as described in mitigation measure MM 3.1.2c.
95. MM-AIR-3.1.2 (c): Once the project receives a tonnage throughput resulting in 90 percent of assumed NO_x emissions (48.6 pounds of NO_x per day or 9 tons of NO_x per year) as indicated by annual tonnage reports submitted to the City's Department of Environmental Affairs and Development Services Department, the operator shall obtain the services of a qualified specialist, approved by the City Development Services Department in conjunction with the Department of Environmental Affairs, to prepare and submit an annual air quality report showing project-generated NO_x emissions. The annual emissions evaluation shall identify project-generated increases in emissions over those existing at the time of the approval of the use permit, any emission reduction strategies that have been implemented (i.e., use of cleaner equipment, etc.), and any emissions offsets or additional mitigation measures, as described in mitigation measure MM 3.1.2d, that will be implemented sufficient to achieve the threshold of 54 pounds of NO_x per day or 10 tons of NO_x per year. Emissions analyses shall be submitted to the City by April 1 of the following year. Upon the City's approval of the annual air quality report, documentation of any emissions offsets or additional mitigation strategies that have been implemented shall be provided to the City within 30 calendar days.
96. MM-AIR-3.1.2 (d): Based on the information provided in the annual report described in mitigation measure MM 3.1.2c, the proposed project shall implement on-site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NO_x emissions to no more than 54 pounds per day or 10 tons of NO_x per year. Measures shall

be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NO_x emissions may include, but are not limited to, the following:

- a) Use of alternatively fueled vehicles and off-road equipment.
- b) Electrification of on-site equipment.
- c) Reduction in the number of pieces of motorized equipment and/or hours of use.
- d) Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, CARB's Tier 4i emission standards, or equivalent.
- e) Secure emission reduction credits (ERCs) to offset NO_x emissions per BAAQMD Regulations 2-2-215, 302, and 303.

Mitigation Measures (Hazards)

- 97. MM-HAZARDS AND HAZARDOUS MATERIALS-3.3.2 (a): The project applicant shall either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire current project site and proposed site preparation and construction activities. The completed plan shall be implemented during all project construction activities. The plan shall address the potential for workers to be exposed to contaminated soils and shall provide specific measures to be implemented to ensure worker health and safety. These measures may include site controls, use of protective clothing, soil watering, hazard awareness training for workers, and/or emergency medical response procedures.
- 98. MM-HAZARDS AND HAZARDOUS MATERIALS-3.3.2 (b): The project applicant shall comply with all relevant requirements of the *Covenant to Restrict Use of Property, Environmental Restriction (Re: A limited portion of County of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site L-A Property, DTSC site code number 520024), DOC-2010-0132574-00 recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010.*

Mitigation Measures (Traffic)

- 99. MM-TRAFFIC-3.7.1 (b): The proposed project shall contribute their fair share to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:
 - a) Install a second westbound left-turn lane on Pittsburg-Antioch Highway.
 - b) Upgrade existing traffic signal equipment to accommodate the changed intersection lane configurations.
- 100. MM-TRAFFIC-3.7.2: The project applicant shall pay the project's fair share of the cost to implement the following measures at the Pittsburg-Antioch

Highway/Loveridge Road intersection:

- a) Install an additional left-turn lane on the westbound Pittsburg-Antioch Highway approach.
- b) Install a dedicated left-turn lane on the northbound Loveridge Road approach.
- c) Convert the existing shared left-turn/through lane on the northbound Loveridge Road approach to be a through-only lane.
- d) Modify signal phasing in the north/south direction from split phase to having protected left-turns.
- e) Upgrade existing traffic signal equipment to accommodate the recommended intersection lane configurations.

Mitigation Measures (Biological Resources)

101. MM-BIOLOGICAL RESOURCES-3.8.1 (a): **Burrowing Owl.** Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (Staff Report), published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped.

If burrowing owls are found during the breeding season (February 1–August 31), the project applicant shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow.

If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing one-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation, and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow.

102. MM-BIOLOGICAL RESOURCES-3.8.1(b): **Swainson's Hawk**. Prior to any ground disturbance that occurs during the nesting season (March 15–September 15), a qualified biologist will conduct a preconstruction survey no more than one month prior to construction to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site.

If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the project applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and the CDFW. While the nest is occupied, project-related activities outside the 1,000-foot buffer can take place.

103. MM-BIOLOGICAL RESOURCES-3.8.1(c): **Golden Eagle**. Prior to any ground disturbance that occurs during the nesting season (January 1–August 31), a qualified biologist shall conduct a preconstruction survey not more than one month prior to construction to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest are prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged.

104. MM-BIOLOGICAL RESOURCES-3.8.1(e): **Nesting Bird Surveys**. If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer.

If active nest sites are identified within 200 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active

nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Standard Conditions and Indemnification

105. Indemnification. The applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of the project approval, subsequent project approval, or other action arising out of, or in connection with, or the project approvals. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at Applicant's sole cost and expense. The applicant may select its own legal counsel to represent applicant's interests at the applicant's sole cost and expense. The applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.
106. This approval will expire on November 13, 2021, unless the Solid Waste Facility Permit update is completed and issued by the City of Pittsburg LEA for the project contemplated herein, or a written request for extension is filed with the Planning Division prior to the expiration date and is subsequently approved by the Planning Commission.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner, seconded by Commissioner, the foregoing resolution was passed and adopted the 13th day of November, 2018, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

I hereby certify that the above Resolution No. 10109 was adopted by the Planning Commission of the City of Pittsburg on November 13, 2018.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

CITY OF PITTSBURG
Mt. Diablo Resource Recovery
Park Enhancements Project
INITIAL STUDY AND 1ST EIR ADDENDUM

SCH No. 2011052053

Prepared For:
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Prepared By:
JML Planning
45 Calle Del Ribera
Stinson Beach, CA 94970

November 2018

CITY OF PITTSBURG
Mt. Diablo Resource Recovery
Park Enhancements Project
INITIAL STUDY AND 1ST EIR ADDENDUM

SCH No. 2011052053

Prepared For:
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Prepared By:
JML Planning
45 Calle Del Ribera
Stinson Beach, CA 94970

November 2018

TABLE OF CONTENTS

1.0 EXECUTIVE SUMMARY	1-1
1.1 Purpose of Environmental Analysis	1-1
1.2 Previous Approvals & Basis for Addendum	1-1
1.3 MDRRP Enhancements Project overview	1-2
2.0 PROJECT DESCRIPTION	2-1
2.1 Project Location and Setting	2-1
2.2 Existing Setting	2-1
2.3 Current Operations	2-1
2.4 2015 Approved Conditional Use Permit	2-3
2.5 Current Project	2-3
3.0 ENVIRONMENTAL CHECKLIST	3-1
4.0 REFERENCES	4-1

Appendices

Appendix A. Project Description: Mount Diablo Resource Recovery Park Enhancements Project
Appendix B. Project Plans
Appendix C. Correspondence: Law Office of Dana Dean – Supplemental Information Concerning Mt. Diablo Resource Recovery Park Enhancements Project, July 3, 2018
1. ARIES Clean Energy, Mount Diablo Resource Recovery Park Enhancements Project, Biomass Gasification Unit, Preliminary Quantified Air Emissions, July 5, 2018
2. Edgar and Associates, Vehicle Miles Traveled Comparison, Mt. Diablo Resource Recovery Park, June 2018
Appendix D. Mt. Diablo Resource Recovery Park Draft EIR – Executive Summary of Impacts and Mitigation Measures, 2014
Appendix E. Mitigation Monitoring and Reporting Program

Tables

Table 1: Comparison of the 2015 Approved MDRRP Project Components and the 2018 Proposed MDRRP Enhancements Project Improvements	1-3
Table 2: Typical Construction Equipment Noise Levels	3-26

Figures

Figure 1: Project Location	2-7
Figure 2: Existing General Plan Designations	2-8
Figure 3: Existing Zoning Districts	2-9
Figure 4: Surrounding Uses	2-10
Figure 5: Proposed Site Plan	2-11
Figure 6: Approved Plan	2-13

1.0 EXECUTIVE SUMMARY

1.0 EXECUTIVE SUMMARY

This section provides an overview of the proposed Mt. Diablo Resource Recovery Park (MDRRP) Enhancements Project and the environmental analysis for same.

1.1 PURPOSE OF ENVIRONMENTAL ANALYSIS

The City of Pittsburg is the lead agency for the proposed MDRRP Enhancements Project. In accordance with Section 15082 of the California Environmental Quality Act (CEQA) Guidelines, an Environmental Impact Report was prepared for the Mt. Diablo Resource Recovery Park Project in December 2014 and was certified by the City of Pittsburg on May 26, 2015. Section 15162 of the CEQA Guidelines outlines the appropriate environmental review for a subsequent project when an EIR has previously been certified. It notes that no subsequent EIR shall be prepared for that project unless the Lead Agency determines, on the basis of substantial evidence in the whole record there have been substantial changes in the project that would require major revisions to the previous EIR, there have been substantial changes with respect to the circumstances under which the project is undertaken, or there is new information indicating that the project could have significant effects not discussed in the EIR.

This Initial Study and 1st EIR Addendum was prepared as an addition to the 2015 Final EIR and as such, evaluates the proposed Mt. Diablo Resource Recovery Park Enhancements Project in the context of the certified 2015 EIR to determine if the existing EIR adequately addresses potential environmental impacts or whether subsequent environmental review would be required. It has been prepared in conformance with the provisions of the California Environmental Quality Act, California Public Resources Code, Division 13, Environmental Quality (CEQA) and Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines).

For purposes of this analysis, the 2011 Initial Study prepared by PMC for the Mt. Diablo Resource Recovery Park Project (which was the basis for the 2015 EIR document) has been utilized herein to help review and compare the current proposal against the 2015 approved project (see Section 3.0 of this document). For additional detail regarding specific environmental impacts, please consult the Section 3.0 of the 2015 Certified EIR. The Initial Study analysis contained in this addendum focuses on the changes in potential impacts that could result from development of the currently proposed MDRRP Enhancements Project.

1.2 PREVIOUS APPROVALS & BASIS FOR ADDENDUM

The City of Pittsburg certified an EIR for the original facility, which consisted of only the Recycle Center Transfer Station (RCTS), on February 21, 1995 (SCH No. 94063017), and issued the Conditional Use Permit (CUP) on March 6, 1995. The RCTS received a Solid Waste Facility Permit from the City of Pittsburg Solid Waste Management Division to operate a 1,500 tons per day (TPD) recycling center and transfer station. On December 13, 1995, the California Integrated Waste Management Board, the state oversight agency at the time, concurred with the Solid Waste Facility Permit, which has been reviewed every five years and has been modified as appropriate, to address additional recycling programs. On March 27, 2007, the City of Pittsburg adopted a Negative Declaration and approved a CUP to physically expand the facility and add the Mt. Diablo Recycling Facility (MDRF). On January 12, 2010, the City adopted another Negative Declaration (SCH No. 2009112035) and approved operational changes to the MDRF's CUP to expand its individual facility's capacity to 500 TPD.

On May 26, 2015, the City certified a new EIR (SCH No. 2011052053) for the Mt. Diablo Resource Recovery Park and approved a new CUP to permit operational changes and expand the overall facility's capacity to 5,500 TPD. This 2015 CUP also brought together all components of the facility, including the RCTS, MDRF, and wood chipping and grinding operation (Organics Processing Facility), under just one facility name, the Mt. Diablo Resource Recovery Park.

The applicant has now proposed a revision to its most recently approved project that would include several enhancements to the processing of the waste stream. CEQA Guidelines Section 15162 specifies that when an EIR has been certified for a project, no subsequent EIR shall be prepared for the project, unless the Lead Agency determines, on the basis of substantial evidence in the light of the whole record, that there have been substantial changes in the project, or the existing setting or new information of substantial importance becomes available. The purpose of the Initial Study is to determine the appropriate level of environmental review for the current project. Based on the analysis in the attached Initial Study and the Summary of Environmental Impacts in Table 2 it has been concluded that the 2015 EIR adequately addressed the potential environmental impacts of the proposed MDRRP Enhancements Project and that an EIR Addendum is the appropriate level of environmental review.

1.3 MDRRP ENHANCEMENTS PROJECT OVERVIEW

The proposed project consists of an amendment to the existing Conditional Use Permit for operational enhancements and a reorganization of the previously approved Mt. Diablo Resource Recovery Park on the 36-acre site. An overview of the proposed operational and physical changes to the facility is provided in Table 1 below.

Table 1: Comparison of the 2015 Approved MDRRP Project Components and the 2018 Proposed MDRRP Enhancements Project Improvements

2015 Approved MDRRP Components	Proposed MDRRP Enhancements
<i>Mt. Diablo Recycling Facility</i>	
The project was approved to make the following changes to the existing Mt. Diablo Recycling Facility: • Increase the permitted tonnage from 500 tons per day (TPD) to 1,000 TPD. • Add a second processing line for commercial material consistent with AB 341, which requires a commercial recycling program. • Include additional commingled recyclable materials for processing. • Add solar panels to the rooftop to generate 800 kilowatts of energy. • Expand area to provide additional parking and commodity and equipment storage.	No modifications are proposed for this operation.
<i>Recycle Center Transfer Station / Processing Facility</i>	
The project was approved to make the following changes to the existing RCTS: • Increase the permitted tonnage of municipal solid waste transferred and processed at the facility from 1,500 to 2,700 TPD. • Add commercial and residential food waste processing capacity within the building to produce up to 480 TPD of compost and/or anaerobic digestion feedstock. • Add solar panels to the rooftop to generate 800 kilowatts-hours of energy (combined output with the panels on the roof of the MDRF). • Expand area to provide additional parking and commodity and equipment storage.	The proposed improvements would allow for the construction and operation of the High Diversion Mixed Waste/Wet Organics Processing System, within the Recycling Center and Transfer Station building, as a new food waste processing operation that would refine the previously proposed system from 2015. Modifications include the following: • The transfer processing facility building would be expanded by 43,038 sf. • The High Diversion Mixed Waste/Wet Organics Processing System would consist of an Extrusion Press and an Organics Polishing System. • The end product would be an organic slurry which would be delivered to a permitted off-site anaerobic digestion facility. • Would be permitted to operate 24 hours a day
<i>Organics Processing Facility</i>	
The project was approved to make the following changes to the existing Green Material Processing Area: • Allow the processing of co-collected green material and food material from residential sources. • Increase the permitted tonnage from 200 to 800 TPD with up to 10,000 cubic yards of storage. • Increase the permitted operating hours from 7 a.m. to 6 p.m. to 24 hours per day. • Add a second grinder.	No changes to the improvements approved in 2015 are proposed. The operation would be relocated to the interior of the site so that it is conveniently closer to the Bioenergy Gasification Facility, the Pole Barn and the Materials Processing Area. Notably, the relocation of this operation was already approved in 2015, the modification proposed would merely shift the location to accommodate other operations.

Table 1: Comparison of the 2015 Approved MDRRP Project Components and the 2018 Proposed MDRRP Enhancements Project Improvements

2015 Approved MDRRP Components	Proposed MDRRP Enhancements
<i>Mixed C&D Processing Facility</i>	
The project was approved to make the following changes to the existing Mixed Construction & Demolition (C&D) Processing Facility: • Add additional bays to the existing processing line. • Add a second similar processing line. • Increase the permitted tonnage from 450 to 1,000 TPD. • Add additional processing for dry commercial recyclables and self-haul wastes. • Expand areas for storage of commodities and equipment, and parking. • Increase the operating hours from 7 a.m. to 5 p.m., to 4 a.m. to 10 p.m.	No changes to the improvements approved in 2015 are proposed. The current project would shift the location of the Mixed C&D processing area further north on the MDRRP site in order to accommodate the Bioenergy Gasification Facility, the Pole Barn and relocated Organics Processing Area.
<i>Biomass Gasification Unit</i>	
The project was approved to construct and operate a Biomass Gasification Unit (BGU). The BGU portion of the project would include the following: • Construction and operation of a BGU. • Allowance for 24-hour operation and maintenance of the unit. • Utilization of 40 TPD of clean wood chips, processed at the on-site Organics Processing Facility or the Material Processing Area, as the fuel source for the BGU. • Generation of 1 megawatt per hour of renewable energy primarily for use for on-site operations. • Installation of transmission lines to power the Mt. Diablo Recycling Facility and the Mixed C&D Processing Facility and to sell excess electricity to Pacific Gas and Electric (PG&E).	This project would result in the increase from one to three bio-gasification units to include the following: • Construct and operate a total of three BGUs • Utilize up to 150 TPD of feedstock consisting of blond wood chips generated from recovered construction and demolition lumber and/or green waste, and eventually biosolids generated at wastewater treatment facilities • Generate up to 3 mega-watts per hour of electricity • Install transmission lines as described and approved in the 2015 EIR

Table 1: Comparison of the 2015 Approved MDRRP Project Components and the 2018 Proposed MDRRP Enhancements Project Improvements

2015 Approved MDRRP Components	Proposed MDRRP Enhancements
<i>SEG Truck Maintenance Facility and Yard</i>	
The project was approved to construct and operate a Truck Maintenance Facility and Yard on an approximate 3.5-acre area located at the southeastern portion of the site. The facility would replace an existing facility currently located east of the project site across Loveridge Road. The Truck Maintenance Facility and Yard would include the following: • Construction and operation of an 18,000 square foot building, comprised of a 15,600 square foot shop and a 2,400 square foot office/storage area, with 2,000 square feet of open-air canopies and a truck wash area. • Relocation of the existing truck fueling island from the MDRF main parking area.	Under this project, the uses of the Truck Maintenance Facility and Yard would not change. However, the facility would be redesigned to improve functionality. This restructuring would include the following: • Increase building size from 18,000 sf to 25,361 sf; an increase of 7,361 sf. The facility will now have a row of 12 service bays, 2 office areas, and a parts area along the southern and eastern corners of the MDRRP Site. Two open air canopy areas will also be included along the southern edge of the MDRRP Site. The total maintenance building area will be 25,361 sq. ft. • The truck parking area would be pushed back away from the access road. • The truck fueling island would be positioned in-between the truck parking area and the eastern row of service bays. • The truck fueling island would also utilize renewable diesel fuel. • The truck wash area would be moved near the southwest corner of the MDRRP site.
<i>Additional Land</i>	
The project was approved to add land to accomplish the following: • Add 15 acres along the westerly border for vehicle and equipment storage, and containerized commodity storage. • Add the 3.5-acres along the southerly border for the truck maintenance facility and yard discussed above.	This project does not propose an increase in additional land. The entire project area is included in the current site plan. However, a site improvement is proposed to allow for clean and dry storage space. A Pole Barn (13,256 sf) would be constructed for the storage of woodchips, as well as other materials and equipment.

Note: All components of the MDRRP project not modified under the MDRRP Enhancements Project would be carried over to the final project approved under this current application. The project applicant would develop all components of the MDRRP project approved in 2015, along with the improvements/refinements described in the MDRRP Enhancements Project.

2.0 PROJECT DESCRIPTION

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION AND SETTING

PROJECT LOCATION

The project site is located at 1300 Loveridge Road in the City of Pittsburg in north-central Contra Costa County. As shown on **Figure 1**, the site is on the western side of Loveridge Road just north of Pittsburg Antioch Highway and State Route (SR) 4, and just south of the Burlington Northern and Santa Fe (BNSF) railroad and the shoreline of New York Slough. The site encompasses 36 acres and includes assessor's parcel numbers (APNs) 073-200-013, 073-200-014, 073-200-015, 073-200-027, 073-200-026, 073-200-028 and 073-200-029. The site is located in the Antioch North Quadrangle and within the Los Medanos Land Grant.

2.2 EXISTING SETTING

The site for the project is within the MDRRP facility site reviewed and analyzed in the 2015 Certified EIR. The MDRRP facility site consist of approximately 36 acres located in the City of Pittsburg in eastern Contra Costa County. The site of MDRRP encompasses the existing facility improvements (approximately 17.5 acres), plus approximately 18.5 acres located west and south of the existing facility improvements. The site is designated in the General Plan as Industrial Use (**Figure 2**). The current Zoning shown in **Figure 3** includes General Industrial on the eastern portion of the project site and Limited Industrial on the western portion of the project site.

Land uses surrounding the MDRRP are industrial in character as shown in **Figure 4**. Northwest of the MDRRP, across the BNSF Railway, is an industrial facility operated by USS POSCO Industries, which manufactures flat rolled steel sheets. Northeast of the site, also across the BNSF railroad, is an industrial facility operated by Dow Chemical, which manufactures primarily agricultural and pest-control chemicals. East of the site, across Loveridge Road, are the Christenson Recycling Center, a vacant parcel, and two other large industrial facilities. Immediately south of the project site is the Pittsburg-Antioch Highway and a Union Pacific Railroad (UPRR) line beyond. West of the site is a solar energy facility.

2.3 CURRENT OPERATIONS

The portion of the MDRRP site (approximately 17.5 acres) that is currently developed contains the Mt. Diablo Recycling Facility ("MDRF"), the Recycling Center and Transfer Station ["RCTS"], the Green Material Processing Operations Area, and the Mixed Construction & Demolition Processing Area (Mixed C&D Processing Area) (all collectively referred to as the "existing facility"). The MDRF and RCTS consist of two large interconnected industrial buildings (referred to as the 'transfer processing facility') adjacent to Loveridge Road that currently have a total floor area of 190,804 sq. ft. as shown on **Figure 5**

Current operations on the project site include receiving, sorting, processing, recycling, and transporting of municipal solid waste and recyclables, green waste, and C&D waste. The MDRF is operated approximately 20 hours per day, while the RCTS is operated 24 hours a day, seven days a week. Both the Green Material and Mixed C&D processing areas are operated from 7:00 a.m. to 5:00 p.m. The facility currently has a total of 83 full-time employees and is permitted to receive 31 three-axle semi-trucks with trailers and 26 collection vehicles per day. A detailed summary of the existing on-site facilities and their individual operations is provided below. None of the improvements approved in the 2015 Conditional Use Permit have been constructed to date.

Mt. Diablo Recycling Facility. The MDRF is a recycling facility that sorts and processes a variety of mixed recyclable materials including newspaper, cardboard, junk mail, and magazines, as well as California Redemption Value (CRV) and non-CRV glass, plastic, and aluminum. Material is dumped onto the tipping

floor of the enclosed facility and then pushed onto a conveyor hopper, where it follows along a series of sorting belts and screens. This processing equipment separates the material, after which it is stored in enclosed containers (also known as bunkers) and baled daily for storage and transport. This facility operates approximately 20 hours per day, seven days per week, and has a permitted capacity of 500 tons per day (TPD).

Recycling Center and Transfer Station. The RCTS sorts and transfers municipal solid waste, including bulk materials from the public, green waste, wood waste, and mixed construction and demolition debris. The RCTS is the only facility onsite that accepts waste directly from the public. Waste materials are weighed at a drive-up scale and are then sorted on the tipping area floor and transferred to the appropriate on-site facility for further sorting, processing, and transport offsite for recycling or reuse. Materials that cannot be recycled are stored and then transported to a permitted landfill. This facility receives waste from the general public from 7:00 a.m. to 6:00 p.m., seven days a week, and has a permitted capacity of 1,500 TPD.

Mixed C&D Processing Area. The existing Mixed C&D Processing Facility consists of a 9,831-square-foot concrete pad that serves as a base for the C&D processing equipment and provides a stable platform for the loading of materials onto the sorting equipment. The equipment includes a loading hopper, elevated pick-line and walkways, storage bins beneath the pick-line, and shade canopies over the pick-line and workstations. Processing material is delivered to the facility in debris box trucks and commercial vehicles. After sorting, residual, non-recyclable wastes are stockpiled and then loaded into transfer vehicles for transport to a permitted landfill for disposal within 48 hours. Recyclable materials are stored, processed, and marketed as recycled productions. Fine materials separated during sorting are used as alternative daily cover at a landfill. This facility currently operates from 7:00 a.m. to 5:00 p.m., seven days per week, and has a permitted capacity of 450 TPD. The material received in this area is included within the 1,500 TPD permitted under the Solid Waste Facility Permit for RCTS.

Green Material Processing Operations Area. Green materials and wood waste are delivered to the existing Green Material Processing Operations Area from collection vehicles and are stockpiled on storage pads prior to chipping and grinding. The storage pads are constructed with compacted gravel. Processed green materials are loaded onto transfer trailers and transported to a permitted facility for composting or may be used as alternative daily cover at a landfill. Wood chips are loaded onto transfer trailers and transported to biomass energy facilities. This facility operates from 7:00 a.m. to 5:00 p.m., seven days per week, and has a permitted capacity of 200 TPD.

Remainder of Project Site. Approximately 18.5 acres of land to the west and south of the existing facility are also included as part of the MDRRP site. Approximately 5 acres of the 18.5-acre area are currently used for parking and storage by the applicant. A portion of this area has been surfaced with compacted gravel. Approximately 13.5 acres of the 18.6-acre area are vacant.

Access & Circulation. The primary access for the site is off of Loveridge Road and is located just south of the transfer processing facility, at roughly the center of the site. This main access roadway continues north along the west side of the existing buildings, providing access to the public scales and scale house and self-haul drop-off area. The BNSF railroad is located on the northwestern border of the project site, and a railroad spur runs into the site west of the RCTS. A second access point from Loveridge Road is located at the northern end of the MDRRP site. This access point is limited to authorized commercial vehicles exiting the site and provides a space for additional parking. A third access point from Loveridge Road, located at the southern end of the site, provides access to the 3.5-acre area to the south and a fire lane that stretches to the western boundary. An approximately 3-acre parcel located on the east side of Loveridge Road at the northern tip of the project site is currently used for truck storage and maintenance purposes. A total of 79 parking spaces are currently provided on the project site.

Landscaping and/or slatted chain-link fencing provide screening along the southern and eastern boundaries of the processing areas, as well as along a portion of the western boundary.

A monument sign is located at the main entrance to the facility, with numerous informational, directional, and cautionary signs throughout the MDRRP site. Pole mounted lighting is provided along the access road and in the parking area, processing areas, and other outdoor portions of the MDRRP site.

2.4 2015 APPROVED CONDITIONAL USE PERMIT

On May 26, 2015, the City of Pittsburg approved a conditional use permit which brought the current solid waste and recycling operations at the RCTS, the MDRF and the Mixed C&D facilities under a single entity referred to as the Mt Diablo Resource Recovery Park (MDRRP). The 2015 approval increased the total amount of materials to be processed per day at all three facilities from 2,200 TPD, to a total of 5,500 TPD. The CUP also designated 18.5 acres to the existing site plan for parking, commodity storage, new commercial recycling and organic processing programs for residential and commercial food wastes, and a relocation of the truck maintenance facility and yard (for “SEG Trucking”), which include an 18,000 square foot structure in the southeastern portion of the project site (former GWF Power Systems Facility).

The CUP also anticipated potential future phases that could include a rail haul option for waste transportation purposes, and construction of a single Biomass Gasification Unit to process clean wood waste into energy for on-site use. Upon establishment of the Biomass Gasification Unit, the existing organics processing area would be relocated to the site immediately south of the unit, and the current organics processing area would be converted to space for commodity, vehicle and equipment storage space. In addition, after this future relocation, the area immediately west of the new SEG truck maintenance facility driveway would be converted to a material processing area.

For more details on the complete project description, please see the 2015 EIR (pages 2.0-1 through 2.0-40).

2.5 CURRENT PROJECT

On March 9, 2018, the project proponent submitted an application package to the City of Pittsburg Planning Division for an amendment to its Conditional Use Permit to permit modifications in facility operations, consistent with project components already reviewed and certified in the 2015 EIR, in order to further aid local jurisdictions in meeting increasing regulatory requirements and diversion goals established pursuant to AB 1826, SB1383, etc. The following discussion summarizes the proposed actions for which that application was submitted. Table 1 in the Executive Summary of this document summarizes the proposed MDRRP Enhancements. Appendix A contains a more detailed description of the proposed Project and Appendix B contains a complete set of Plans.

The current application contains several modifications to the Conditional Use Permit that was approved in 2015:

- A new High Diversion Mixed Waste/Wet Organics Processing System to refine the previously approved commercial recycling and organic processing programs for residential and commercial food wastes
- An increase in the Bioenergy Gasification Units from one to three
- Construction of a Pole Barn
- SEG Truck Maintenance Facility (TMF) Reconfiguration
- Additional site modifications necessary to organize the facility’s operations

The improvements would result in an increase in building square footage of 67,405 sf in four buildings:

- Transfer Processing Facility (TPF) Building – 43,038 square feet
- Pole Barn – 13,256 square feet
- SEG Truck Maintenance Facility – 25,361 square feet (an increase of 7,361 square feet)
- Biomass Gasification Unit Control Building – 3,750 square feet

The proposed changes are discussed below.

MDRRP MODIFICATIONS/ENHANCEMENTS

High Diversion Mixed Waste/Wet Organics Processing System

The 2015 Certified EIR included review of a food waste processing system located inside RCTS' Transfer Processing Facility (TPF) Building. The system included, but was not to be limited to (1) a hopper, (2) a sort line, a conveyor, (3) a sort line grinder feed conveyor, (4) a hammermill grinder, (5) a grinder discharge conveyor, and (6) a stacking conveyor for loading a truck to transport separated food waste to a compost or anaerobic digestion facility.

The current proposal seeks to allow for a High Diversion Mixed Waste/Wet Organics Processing System which would be an indoor operation within the transfer processing facility building and would consist of an Extrusion Press and an Organics Polishing System (OPS). The Extrusion Press currently contemplated would enable MDRRP to increase the diversion of hard to get organics and help jurisdictions utilizing its services to comply with State mandates, including the mandates of SB 1383. The enclosed Transfer Tipping Pad ["TTP"] floor of RCTS' TPF building would be expanded by 43,038 sq. ft. to accommodate storage of material and the location of the High Diversion Mixed Waste/Wet Organics Processing System. (A detailed description of the current equipment and its operation is contained in Appendix A)

The High Diversion Mixed Waste/Wet Organics Processing System would be able to handle commercial Mixed Solid Waste (MSW), residential MSW (including multi-family MSW), source separated commercial food waste, green material, and co-collected residential organics loads from residences, businesses, institutions, and industrial locations. These loads contain putrescible material that is either source-separated or mixed, which would be processed into organic feedstocks for off-site composting facilities or anaerobic digestion facilities.

Once the High Diversion Mixed Waste/Wet Organics Processing System is in place, certain loads of MSW and Source Separated Organics (SSO) would be sorted to remove large, bulky, and recyclable items and would then be processed through the High Diversion Mixed Waste/Wet Organics Processing System, as described below.

Self-haul loads, loads with a minimal amount of putrescible wastes, contract haulers, and residual from the on-site recycling operations would not be processed in the High Diversion Mixed Waste/Wet Organics Processing System. These wastes would be directly transferred to transfer trailers for disposal or other appropriate disposition.

The Extrusion Press equipment would sort, press, and extrude putrescible materials from mixed waste and wet organics into a 'wet fraction' or 'cake' material for further processing on-site with polishing equipment (the Organics Polishing System) to produce an organic slurry that is delivered to a permitted off-site anaerobic digestion facility to produce biomethane and digestate.

Bioenergy Gasification Facility

As previously stated, MDRRP has a certified EIR that covers (1) the construction and operation of a biomass conversion facility, (2) 24-hour operation and maintenance of the biomass conversion facility, (3) the utilization of up to 40 TPD of clean wood chips processed on site as the fuel source, and (4) the generation of 1 MW/hour of renewable energy to be used for on-site operations and off-site sales.

The current proposal would include construction of a total of up to three BGUs such that the resulting Bioenergy Gasification Facility would be able to generate up to 3.0 mega-watts of electricity and allow for redundancy and contingency operations during routine maintenance. The facility would be permitted as an Engineered Municipal Solid Waste Facility ("EMSW") and would be located in an area adjacent to MDRRP's Organics Processing Area and Pole Barn. A control building would also be constructed at the site to manage the operation of the Bioenergy Gasification Facility.

The Bioenergy Gasification Facility would receive, hold, and convert feedstock-ready biomass fuel consisting initially of wood waste from MDRRP, and eventually dry biosolids feedstock anticipated to be supplied by Delta Diablo or another anaerobic digestion facility, into renewable energy.

The proposed Bioenergy Gasification Facility is expected to be constructed in 2 phases with one BGU being constructed in one phase and two BGUs being constructed in the next phase. It is planned that the BGUs would operate 24 hours per day, 7 days per week generating up to 3.0 mega-watts/hour of renewable energy. The operation of the BGUs to generate the desired 3.0 mega-watts is expected to involve the use of no more than 150 TPD of feedstock.

The complete gasifier system would be enclosed, fully automated, and could operate for extended periods of time. The gasifier's computerized control system could alert both on-site attendants and remote monitors to potential problems, allowing corrective action and minimizing downtime maintenance.

BGU Technology. The Bioenergy Gasification Facility would utilize renewable portfolio standard eligible fuels to generate up to 3.0 mega-watts of renewable energy using downdraft biomass gasification units. The BGUs currently proposed for this project were developed by Aries Clean Energy ["Aries"] (Model PHG-LF 64). Aries' PHG-LF 64 model BGUs are downdraft gasifiers that are designed in a modular format allowing for the use of multiple units in order to reach the gas utilization needs of the operator. Each PHG-LF 64 is capable of converting 64 TPD of biomass feedstock, however, in order to account for feedstock, grainsize variances, each gasifier unit would be restricted to a maximum of 50 TPD. Because of the modular design of Aries' gasifiers, two or more of these units can be combined to generate the 3.0 mega-watts proposed in this project. Aries' BGUs are enclosed, fully automated, robust, and are intended to operate for extended periods of time.

BGU Energy Transmission Lines. All proposed transmission lines would be underground. A feed-in tariff is currently available for selling excess electricity back to PG&E during off-peak periods. The single BGU reviewed and analyzed in the 2015 Certified EIR included the construction of transmission lines to portions of the MDRRP facility and for the sale of excess electricity. The current project would also allow for the possible transmission of power to Delta Diablo, in the future, with additional capacity to sell back to a public utility provider for consumption by the general public.

Pole Barn

Under the current project, a pole barn would be constructed in an area adjacent to the Bioenergy Gasification Facility and the Organics Processing Area (OPA). The building would be 13,256-square-feet and would be used for the storage of wood chips feedstock generated at the OPA before delivery to the Bioenergy Gasification Facility, as well as for the storage of other materials and equipment.

SEG Truck Maintenance Facility (TMF) Reconfiguration

The 2015 Certified EIR included review for the construction and operation of a truck maintenance facility consisting of a 30 foot-tall, 18,000 sq. ft. building comprising a 15,600 sq. ft. shop and a 2,400 sq. ft. office/storage area, with 2,000 sq. ft. of open-air canopies on the eastern side of the building. This facility also includes a new truck fueling island to be relocated from the MDRF's main parking area. The facility is to be used for the repair and maintenance of the facility's approximately 60 commercial and residential refuse trucks, as well as RCTS and MDRF equipment.

Under this current proposal, the uses of the SEG TMF would not change. The facility would now have a row of 12 service bays, 2 office areas, and a parts area along the southern and eastern corners of the MDRRP site. Two open air canopy areas would also be included along the southern edge of the MDRRP site. The total maintenance building area would be 25,361 sq. ft. The truck maintenance facility and yard would include a 47-space parking/storage area for the trucks and a wash area. This area would also provide 41 additional parking spaces for employees and other persons. No painting would occur here. The truck

maintenance facility and yard would have 11 full-time mechanical and shop support personnel. Operational hours would be 9 a.m. to midnight Monday through Friday, 7 a.m. to 5 p.m. on Saturday, and 9 a.m. to 5 p.m. on Sunday.

In addition, the truck parking area would be pushed back away from the access road and the truck fueling island would be positioned in-between the truck parking area and the eastern row of service bays. The truck fueling island would also utilize renewable diesel fuel. Finally, the truck wash area would be moved near the southwest corner of the MDRRP site. The SEG TMF, under the current project, would provide 176 parking spaces which is an increase from the 89 spaces evaluated in the 2015 EIR. The relocation of the building to the south end of the property opens up additional space to provide parking.

Additional Site Modifications/Enhancements

Parking Lot Relocation. The 2015 Certified EIR included review for the construction of 60 parking spaces in the western portion of the MDRRP Site, along with 41 parking spaces at the SEG TMF for a total of 180 standard-sized parking spaces, including 79 preexisting spaces. Under the current project, the 60-stall parking lot would be constructed in the area where the OPA is presently located, immediately south of MDRF building parking lot. This area is close to the access road and does not require visitors to drive past facility operations or equipment to find a parking spot.

Organics Processing Area Relocation. The 2015 Certified EIR included the review of several changes and improvements to the Organics Processing Facility located within the MDRRP site. This includes processing of green waste and wood waste. The current project would not alter those changes and improvements, rather, the operation would be relocated to the interior of the MDRRP site so that it is conveniently closer to the Bioenergy Gasification Facility, the Pole Barn, and the Material Processing Area that would share the use of grinding equipment.

Material Processing Area (C&D) Relocation. The 2015 Certified EIR included the review of certain physical changes to the existing Mixed Construction and Demolition ["C&D"] Processing Area. The project would shift the Mixed C&D Processing Area further north on the MDRRP site in order to accommodate the Bioenergy Gasification Facility, the Pole Barn and relocated OPA.

The remaining western portion of the MDRRP site would be used for commodity, vehicle, and equipment storage, as reviewed in the 2015 Certified EIR, including the area formerly slated for parking. The northwestern corner of the MDRRP site would also be used for commodity, vehicle, and equipment storage and may be analyzed at a future date for additional facility operations, which may include anaerobic digestion.

CONSTRUCTION

Construction activities associated with the current project would be limited to the construction of the three Biomass Gasification Units, the control building for the Biomass Gasification Facility, the reconfigured SEG Truck Maintenance Facility, the TPF Building expansion, and the Pole Barn. The remaining activities would consist of installation of new equipment inside or on the exterior of the buildings and would not include any land disturbance. Construction is anticipated to begin in the spring of 2019 and would take approximately two years to complete.



Source: Microsoft Bing Maps, 2011; CASIL, 2010



Figure 1
Project Location

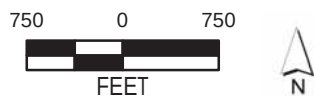
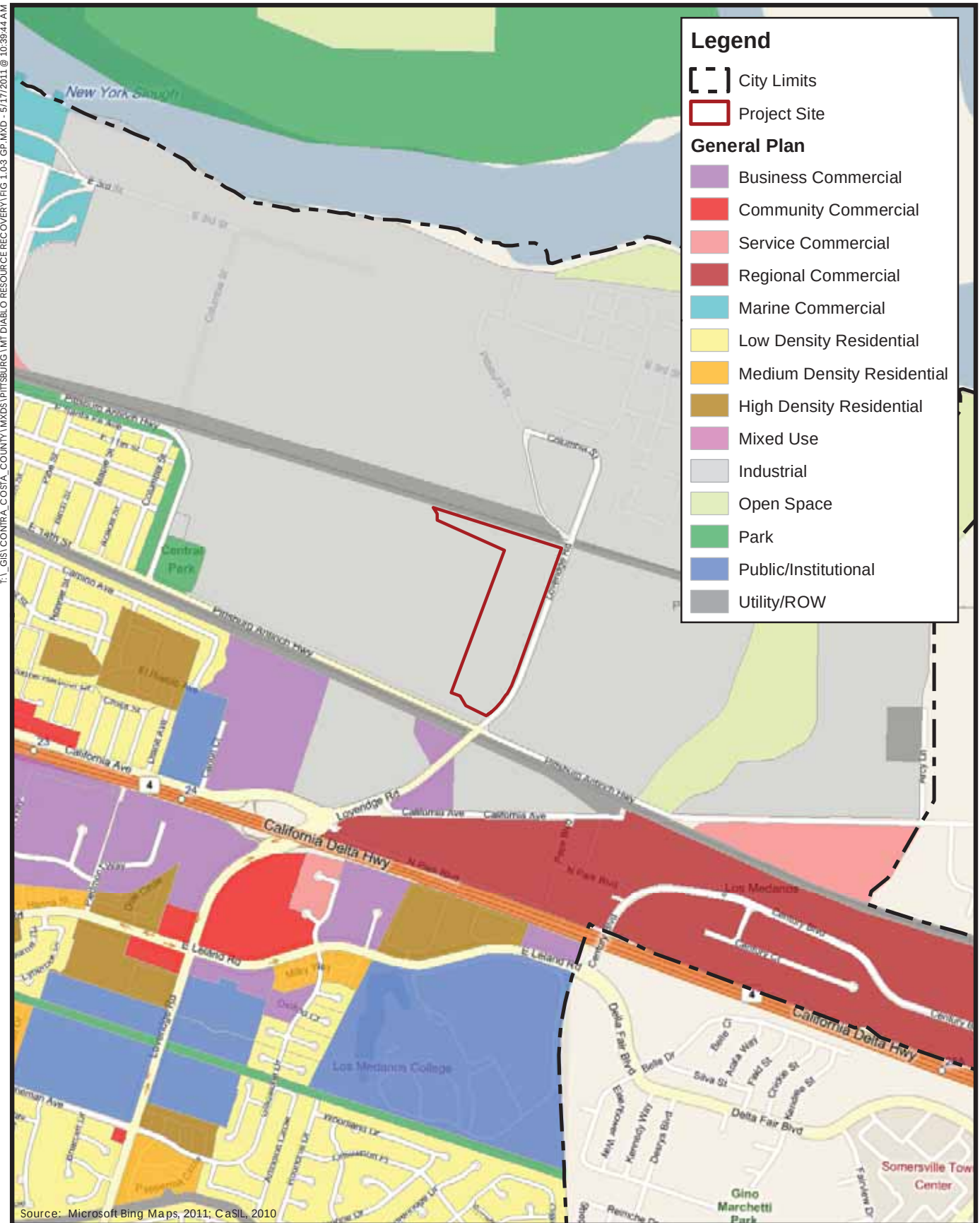


Figure 2
Existing General Plan Designations

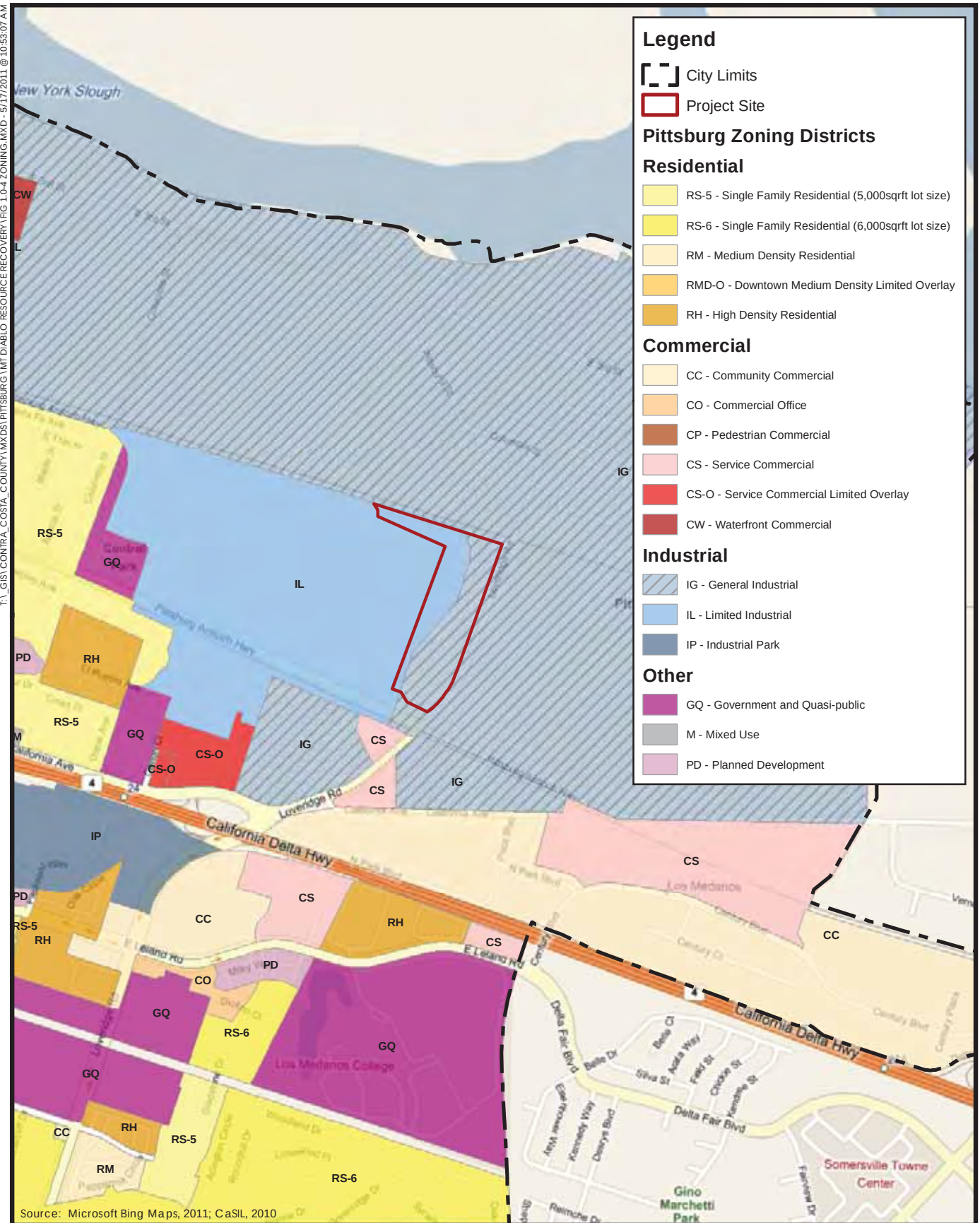


Figure 3
Existing Zoning Districts



Figure 4
Surrounding Uses

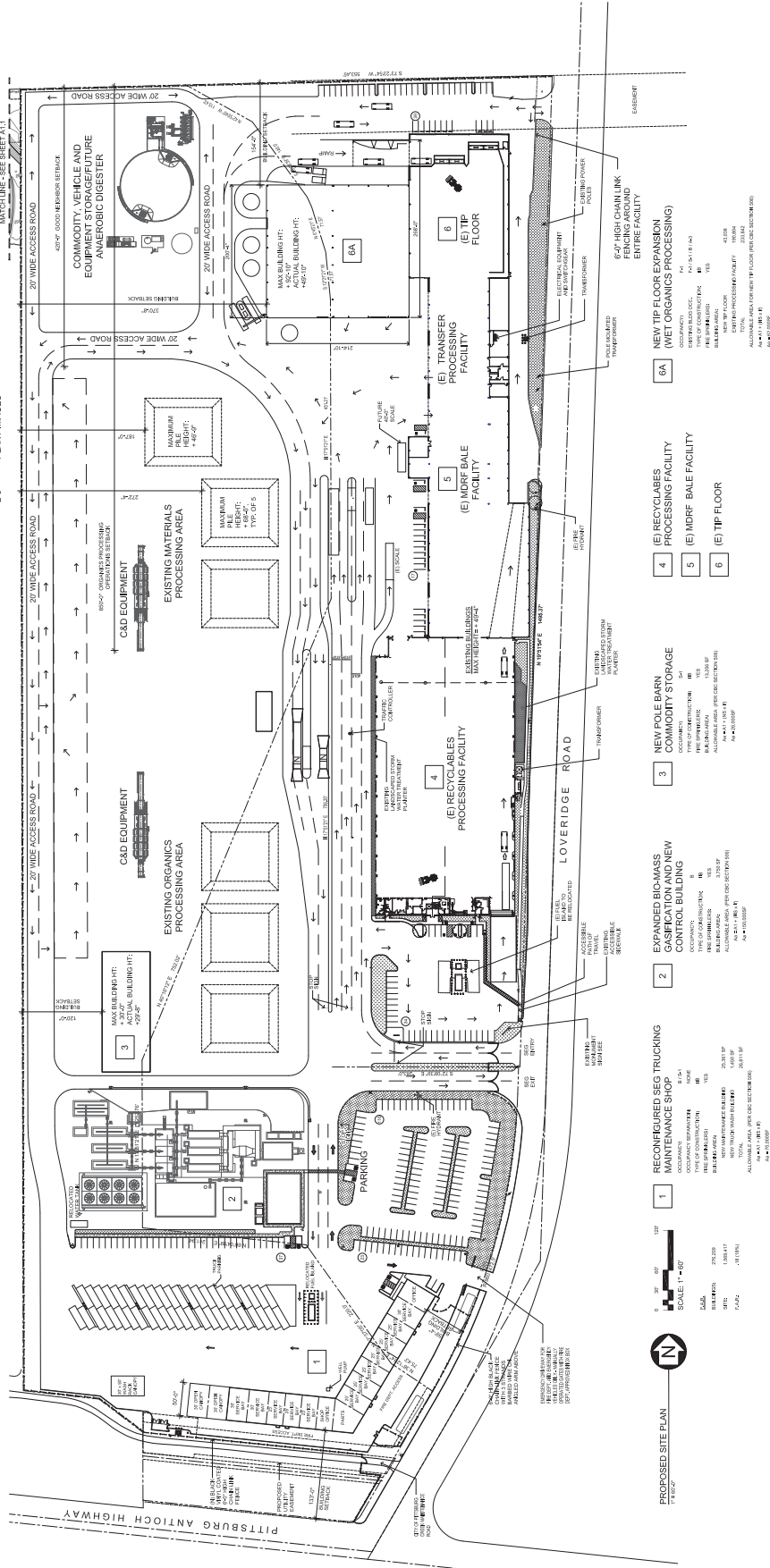


EXISTING BUILDING / SITE PHOTOS

SHEET INDEX

ARCHITECTURE	CIVIL
A1.0 SITE PLAN	C1 PRELIMINARY SITE PLAN
A1.1 PARTIAL SITE PLAN - PARCEL 4	C2 EXISTING CONDITIONS AND PRELIMINARY DEMOLITION PLAN
A1.2A EXISTING USE PERMIT SITE PLAN (FOR REFERENCE ONLY)	C3 EXISTING GRADING AND DRAINAGE PLAN
A2.0 SEG TRUCKING - FLOOR PLAN, ROOF PLAN AND EXTERIOR ELEVATIONS	C4 PRELIMINARY STORM WATER CONTROL PLAN
A3.0 TIP FLOOR EXPANSION - FLOOR PLAN AND ROOF PLAN	C5 TRUCK TURNING PLAN
A3.1 TIP FLOOR EXPANSION - EXTERIOR ELEVATIONS	
A4.0 MATERIALS PROCESSING - FLOOR PLAN, ROOF PLAN AND EXTERIOR ELEVATIONS	
A5.0 GASIFICATION CONTROL BUILDING - FLOOR PLAN, ROOF PLAN AND EXTERIOR ELEVATIONS	

LANDSCAPE
L-1 LANDSCAPE PLAN - PHASE IIA AND PHASE IB
L-2 LANDSCAPE PLAN - PHASE IIA AND PHASE IB
L-3 PLANT IMAGES



Source: Ketchel Capital Expenditure Managers



Figure 5
Proposed Site Plan

Source: Kitchell Capital Expenditure Managers

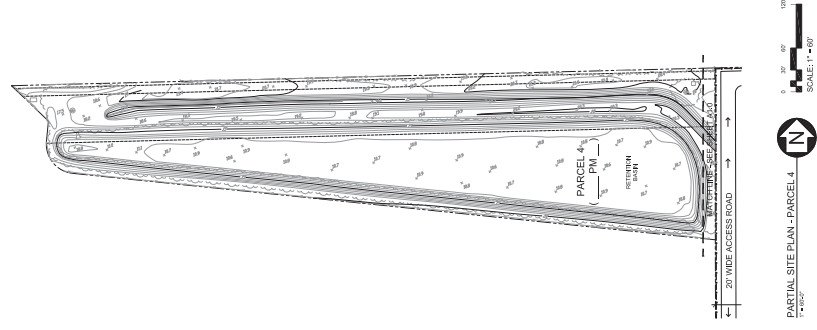
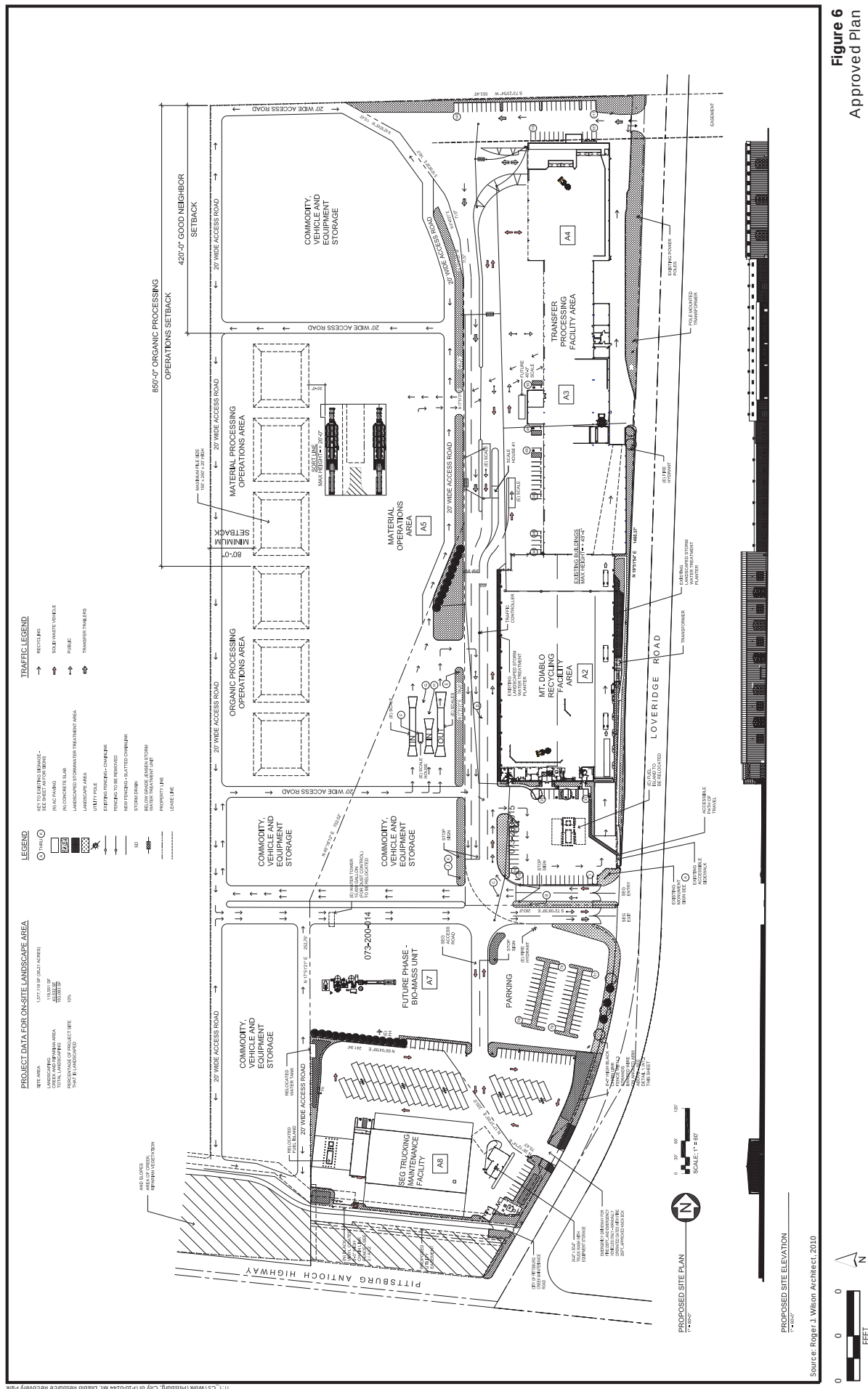


Figure 5 - continued
Proposed Site Plan



3.0 ENVIRONMENTAL CHECKLIST

3.0 ENVIRONMENTAL CHECKLIST

Pursuant to Public Resources Code, Section 21166, and CEQA Guidelines sections 15162 and 15164, subdivision (a), the attached Initial Study/Environmental Checklist has been prepared as a supplement to the 2015 Certified Final EIR, and it has been determined to be the appropriate CEQA document to prepare and remains sufficient for purposes of the current MDRRP Enhancements Project, and no supplemental environmental review is required under CEQA.

The attached Initial Study/Environmental Checklist uses the standard environmental checklist that was developed in 2011 for the Mt. Diablo Resource Recovery Park Project and was utilized as the basis for the 2015 certified EIR but provides answer columns for evaluation consistent with the considerations listed under CEQA Guidelines sections 15162, subdivision (a), and 15164. The purpose of the Initial Study/Environmental Checklist is to evaluate the categories in terms of any “changed condition” (e.g., changed circumstances, project changes, or new information of substantial importance) which would require major revisions to the 2015 certified EIR due to the involvement of new significant effects or a substantial increase in the severity of a previously identified significant effect, and as compared to the findings of the 2015 certified EIR.

A “No” answer to the questions posed in the attached Initial Study/Environmental Checklist does not necessarily mean that there are no potential impacts relative to the environmental category, but rather that there is no change in the condition or status of the impact since it was analyzed and addressed with mitigation measures in the 2015 certified EIR.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
1. AESTHETICS. Would the project:					
a) Have a substantial adverse effect on a scenic vista?	2015 EIR, Appendix A, Page 3.0-1	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway?	2015 EIR, Appendix A, Page 3.0-1	No	No	No	No prior mitigation was required, and no new mitigation is required
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	201 EIR, Appendix A, Page 3.0-1	No	No	No	No prior mitigation was required, and no new mitigation is required
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	2015 EIR, Appendix A, Page 3.0-1, 2	No	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a) Scenic vistas in the city include rolling, grassy hills to the south and the Suisun Bay/Sacramento River Delta to the north. These views are considered important visual resources providing identifiable entryways to the city (City of Pittsburg 2001). However, the project site is flat and located out of range of these views. Further, the site is located in an industrial area and existing views are limited by existing industrial buildings and equipment and vacant parcels containing few natural features. Therefore, implementation of the current project would continue to have no impact on scenic vistas.
- b) There are no officially designated or eligible state, county, or city scenic highways or roadways in the vicinity of the project site (Caltrans 2010). Implementation of the current project would continue to have no impact on scenic resources within a scenic highway.
- c) Implementation of the current project would result in the construction and installation of new or modified structures including three Bioenergy Gasification Units, a Pole Barn, a reconfigured truck maintenance facility, and a 43,038 square foot expansion of the TPF Building and several pieces of equipment (sorting line, rooftop solar panels, water tank) on the project site as well as additional stockpiles of processed and unprocessed waste materials. These proposed changes to the project site would be consistent with the existing facilities and operations on the project site as well as with the surrounding uses, which are entirely industrial in nature. Furthermore, the project would be subject to design review by the Planning Commission per Pittsburg Municipal Code (PMC) Section 18.36.200. Therefore, implementation of the current project would not substantially degrade the visual character or quality of the project site beyond what was anticipated in the 2015 EIR, and this impact would remain less than significant.
- d) As described in Response 1c above, the current project includes the construction of new or modified structures including three Bioenergy Gasification Units (BGU), a Pole Barn, a reconfigured truck maintenance facility, and a 43,038 square foot expansion of the TPF Building, as well as the installation of additional industrial equipment. The project would also expand operational hours of some of the on-site facilities to include nighttime hours.

The existing lighting fixtures on the project site would be sufficient to provide lighting to the proposed improvements, and no new lighting is proposed as part of the project. However, the existing lighting fixtures may be operated for longer periods, including nighttime hours. In addition, the proposed BGU and other equipment could feature reflective materials such as unfinished metals and glass that could create glare. Because the site is located in an industrial area of the city and is not adjacent to any residential uses or other sensitive receptors, potential lighting and glare would not adversely affect nighttime or daytime views in the area. Furthermore, the project would be subject to the PMC Section 18.82.030, which limits the use of highly reflective glass on building surfaces visible from a street. The current project would also be subject to design review by the Planning Commission per PMC Section 18.36.200. Therefore, there would be no increase in the severity of previously identified impacts and this impact would remain less than significant.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
2. AGRICULTURE AND FOREST RESOURCES. Would the project:					
a) ***Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	2015 EIR, Appendix A, Page 3.0-3	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	2015 EIR, Appendix A, Page 3.0-3	No	No	No	No prior mitigation was required, and no new mitigation is required
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	2015 EIR, Appendix A, Page 3.0-4	No	No	No	No prior mitigation was required, and no new mitigation is required
d) Result in the loss of forest land or conversion of forest land to non-forest use?	2015 EIR, Appendix A, Page 3.0-4	No	No	No	No prior mitigation was required, and no new mitigation is required
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	2015 EIR, Appendix A, Page 3.0-3, 4	No	No	No	No prior mitigation was required, and no new mitigation is required

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

DISCUSSION OF IMPACTS

a–b,e) The project site is located in a developed industrial area. The project site is not currently used for any agricultural purposes nor has it been used for such purposes in the recent past. In addition, the project site has been classified by the Farmland Mapping and Monitoring Program (FMMP) as Urban and Built-Up Land and is zoned for industrial use (NRCS 2008). Furthermore, no adjacent parcels

are zoned for agricultural use or subject to a Williamson Act contract. Therefore, implementation of the current project would have no impact on agricultural resources.

c–d,e) The project site and surrounding area are not considered forestland, and there are no active forestry operations in the area. Furthermore, the project site is zoned for industrial use. Therefore, implementation of the current project would have no impact on forestry resources.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
3. AIR QUALITY. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	2015 EIR, Page 3.1-23 to 30	No	No	No	MM 3.1.1, MM 3.1.2a-d
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	2015 EIR, Page 3.1-23 to 30	No	No	No	MM 3.1.1, MM 3.1.2a-d
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	2015 EIR, Page 3.1-34 to 36	No	No	No	MM 3.1.1, MM 3.1.2a-d
d) Expose sensitive receptors to substantial pollutant concentrations?	2015 EIR, Page 3.1-23 to 33	No	No	No	MM 3.1.1, MM 3.1.2a-d
e) Create objectionable odors affecting a substantial number of people?	2015 EIR, Page 3.1-33 to 34,	No	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

a) Implementation of the current project would not conflict with the applicable air quality plan. In meeting state mandated diversion goals under SB 1383, AB 1826 it would result in a reduction in greenhouse gas emissions and increased reductions in fossil fuel usage.

b) **Impact 3.1.1. Construction-Related Emissions of Criteria Air Pollutants.** The 2015 EIR determined that the construction related emissions could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts. Mitigation Measure 3.1.1 was required as part of the Mitigation Monitoring and Reporting Program; however, this impact was defined as Significant and Unavoidable. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

Impact 3.1.2. Long-Term Operational Emissions. The 2015 EIR determined that implementation of the project proposed at that time could result in significant impacts to air quality through the construction and operation of a Biomass Gasification Unit on the site, an increase in truck traffic entering and leaving the site, and an increase in the processing and storage of loose materials on the site. An air quality study and a health risk assessment were prepared as part of the EIR and these impacts were identified as potentially significant and unavoidable impacts.

The 2015 EIR identified the potential Long Term Annual Unmitigated Emissions of Criteria Air Pollutants and Precursors in Table 3.1-10 (page 3.1-27 of the 2015 EIR). That table shows that the potential project would not exceed the BAAQMD significance thresholds for ROG, PM10, or PM2.5. However, NOx would exceed the threshold for Maximum Annual emission. The analysis predicted emissions of 49.8 tons/year of NOx. That would exceed the significance threshold of 10 tons/year by 38.5 tons. Of that amount, the one Biomass Gasification Unit was predicted to contribute 1.1 tons/year.

Aires Clean Energy evaluated the potential emissions for the current project, which includes a total of three Biomass Gasification Units, using the feedstock that would be processed as part of the current project. This analysis is attached as Appendix C of this document. With the current project amendment adding two additional Biomass Gasification Units, for a total of three, the emissions of NOx would increase to 5.61 tons/year for a potential increase in total NOx emissions of 11 percent above what was predicted in the 2015 EIR, which is not considered to be a substantial increase in the severity beyond what was considered in the 2015 EIR.

Mitigation Measures 3.1.2 a, b, c and d are required as part of the approved 2015 Use Permit and they include the potential purchase of emission offsets sufficient to limit net increases in operational NOx emissions to no more than 54 pounds per day or 10 tons per year. These mitigations would continue to be applicable and therefore, this impact is considered to have been sufficiently addressed in the 2015 EIR dated and no new mitigation is required.

Impact 3.1.6. Cumulatively Considerable Net Increase of Criteria Air Pollutants and Precursors. The 2015 EIR determined that this impact would be 'Less Than Cumulatively Considerable.' The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

Impact 3.1.7. An Increase in Predicted Risks or Hazards That Would Exceed Applicable Significance Thresholds. The 2015 EIR determined that this impact would be 'Less Than Cumulatively Considerable.' The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

Impact 3.1.8. Cumulatively Considerable Increase in Odorous Emission That Would Adversely Affect Sensitive Receptors. The 2015 EIR identified that these impacts would be 'Less Than Cumulatively Considerable.' The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- c) **Impact 3.1.4. Incremental Increases in Risk or Hazards for Sensitive Receptors.** The current project, in combination with emission sources in the San Francisco Bay Area Air Basin would result in a cumulatively considerable net increase of criteria air pollutants and precursors. Implementation of the current project amendments would reduce truck traffic and therefore would reduce this impact from the level identified in the 2015 EIR. With implementation of the proposed mitigation measures, this impact would remain less than significant.
- d) **Impact 3.1.3 BAAQMD Screening Criteria.** The 2015 EIR determined that implementation of the original project would not contribute to traffic volumes at primarily affected intersections that would exceed the BAAQMD's screening criteria. As a result, localized concentrations of mobile-source CO were not projected to exceed applicable ambient air quality standards, and this is considered a less than significant impact. The current project is expected to generally result in decreased traffic volumes at primarily affected intersections as compared to what was envisioned as part of the original project. Therefore, there would be no increase in the severity of previously identified impacts and this impact would remain less than significant.
- e) **Impact 3.1.5 Objectionable Odors.** The current project does not propose any different land use activities beyond what was envisioned as part of the original project. The current project would

comply with the existing site-specific Odor Impact Minimization Plan which was previously prepared to minimize odor emissions and prevent nuisances in the surrounding area. Furthermore, the proposed project would continue to be subject to BAAQMD Regulation 7, Odorous Substances, which limits the discharge of odorous substances that may result in nuisance impacts to nearby receptors. Therefore, there would be no increase in the severity of previously identified impacts and this impact would remain less than significant.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
4. BIOLOGICAL RESOURCES. Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	2015 EIR, Page 3.8-1 to 38	No	No	No	MM3.8.1a MM3.8.1b MM3.8.1c MM3.8.1d MM3.8.1e
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	2015 EIR, Page 3.8-1 to 38	No	No	No	No prior mitigation was required, and no new mitigation is required
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	2015 EIR, Page 3.8-1 to 38	No	No	No	No prior mitigation was required, and no new mitigation is required
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	2015 EIR, Page 3.8-1 to 38	No	No	No	No prior mitigation was required, and no new mitigation is required
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	2015 EIR, Page 3.8-1 to 38	No	No	No	No prior mitigation was required, and no new mitigation is required
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	2015 EIR, Page 3.8-1 to 38	No	No	No	MM3.8.1a MM3.8.1b MM3.8.1c MM3.8.1d MM3.8.1e

DISCUSSION OF IMPACTS

a–d) Impact 3.8.1. Substantial Adverse Effects to Special-Status Species. The 2015 EIR determined that construction of the project could have the potential to impact special status species including: burrowing owls, Swainson’s Hawks, Golden Eagles, Non-Covered Raptors during the nesting season, and Nesting birds. Mitigation Measures are included in the Mitigation Monitoring and Reporting Program to avoid any potential impacts to these species during construction and operation of the project. The current project has the potential for similar impacts; however, there would be no increase in the severity of previously identified impacts. Mitigation Measures 3.8.1a-e would remain

applicable and would require avoidance of any potential impacts on any species identified as a candidate, sensitive, or special-status species

- e) As described above, the project site is developed and does not contain any significant biological resources. Implementation of the current project would not conflict with any local policies or ordinances protecting biological resources.
- f) The project site is located within the boundaries of the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). However, the land coverage for the site is mapped in the HCP/NCCP as urban and is exempt from the City's adopted implementing ordinance per Municipal Code Section 15.108.030 (ECCCHCPA 2006; City of Pittsburg 2010). The current project would result in similar impacts but would not substantially increase the severity of the impacts beyond what was considered in the 2015 EIR.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
5. CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	2015 EIR Appendix A Page 3.0-8 to 3.0-9	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	2015 EIR Appendix A Page 3.0-8 to 3.0-9	No	No	No	No prior mitigation was required, and no new mitigation is required
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	2015 EIR Appendix A Page 3.0-8 to 3.0-9	No	No	No	No prior mitigation was required, and no new mitigation is required
d) Disturb any human remains, including those interred outside of formal cemeteries?	2015 EIR Appendix A Page 3.0-8 to 3.0-9	No	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a) The project site does not contain any historical buildings or other known historical resources. The original portion of the RCTS building was built in 1955, over 50 years ago. However, this building is a simple metal warehouse structure that does not exhibit any historical architectural features and is not associated with any significant historical events or activities. Furthermore, the building has been significantly modified and expanded and is substantially different from its original appearance. The MDRF and other structures on the site were built after 1995 and are not historically significant. In addition, the site has been graded and heavily disturbed through the construction of the MDRF and RCTS, paving of roadways and parking areas, landscaping, and the use of heavy equipment and therefore, the site is not likely to contain unknown historical resources. As such, implementation of the current project would have no impact on historical resources.
- b) The project site has been heavily disturbed through construction activities and routine facility operations and is not likely to contain unknown archaeological resources. In addition, implementation of the current project would require very limited grading, further limiting the potential for any such resources to be discovered. Furthermore, per Pittsburg General Plan Policy 9-P-41, should any archaeological resources be found during ground- disturbing activities on-site, all construction would be halted immediately and an archaeological investigation to collect all valuable remnants would be conducted. Therefore, implementation of the current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- c) The project site has been heavily disturbed through construction activities and routine facility operations and is not likely to contain any undiscovered paleontological resources. In addition, implementation of the current project would require very limited grading, further limiting the potential for any such resources to be discovered. Therefore, implementation of the current project would have no impact on paleontological resources and unique geologic features.
- d) The project site does not contain a cemetery. In addition, the project site has been heavily disturbed through construction activities and routine facility operations and is not likely to contain any unknown human remains. Furthermore, pursuant to Section 5097.97 of the State Public Resources Code and Section 70570.5 of the State Health and Safety Code, all work must stop, and the County Coroner be notified should human remains be discovered during project implementation. Therefore, implementation of the current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
6. GEOLOGY AND SOILS. Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault?	2015 EIR Appendix A Pages 3.0-10 to 10-3.0-11	No	No	No	No prior mitigation was required, and no new mitigation is required
ii) Strong seismic ground shaking?	2015 EIR Appendix A Pages 3.0-10-3.0-11	No	No	No	No prior mitigation was required, and no new mitigation is required
iii) Seismic-related ground failure, including liquefaction?	2015 EIR Appendix A Pages 3.0-10-3.0-11	No	No	No	No prior mitigation was required, and no new mitigation is required
iv) Landslides?	2015 EIR Appendix A Pages 3.0-10-3.0-11	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Result in substantial soil erosion or the loss of topsoil?	2015 EIR Appendix A Pages 3.0-10-3.0-11	No	No	No	No prior mitigation was required, and no new mitigation is required
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	2015 EIR Appendix A Pages 3.0-10-3.0-11	No	No	No	No prior mitigation was required, and no new mitigation is required
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	2015 EIR Appendix A Pages 3.0-10-3.0-11	No	No	No	No prior mitigation was required, and no new mitigation is required
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	2015 EIR Appendix A Pages 3.0-10-3.0-11	No	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a) (i) The project site is not located within an Alquist-Priolo Earthquake Fault Zone (CGS 2011). No known active or potentially active faults cross the project site. Therefore, fault rupture is not likely to occur at the site. The current project would continue to have no impact.

(ii) The project site is located in the San Francisco Bay Area, one of the most seismically active regions in the United States. There are numerous active faults (i.e., a fault with evidence of surface displacement within the last 10,000 years) and potentially active faults (i.e., a fault with evidence of surface displacement within the last two million years) in the region including the San Andreas Fault. The closest active fault to the project site is the Clayton-Greenville fault located three miles away. The site is included in Seismic Zone 4, the highest seismic risk category presented in the California Building Code (CBC). As such, the current project would be required to comply with the most stringent CBC standards to minimize property damage and maximize public safety on the site in the event of seismic activity. This impact is less than significant. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

(iii) Liquefaction is the transformation of loose saturated silts and sands with less than 15 percent clay-sized particles from a solid state to semi-liquid state. This occurs under vibratory conditions such as those induced by a seismic event.

According to the City's General Plan (2001), the site is within an area of high liquefaction potential (see Figure 10-1, Geologic Hazards, of the Health and Safety Element). However, according to the site-specific Geotechnical Investigation prepared for the Mt. Diablo Recycling Facility in 2006 (Hultgren-Tillis Engineers, 2006), the potential for liquefaction is low at the site as site soils are primarily of stiff clay with inter-bedded sand layers. As such, the risk of seismic-related ground failure, settlement, subsidence, lurching, lateral spreading, and liquefaction at the site is low. Furthermore, compliance with the engineering specifications contained in the geotechnical investigation (Hultgren-Tillis Engineers 2006) would ensure that the project site is properly prepared and that the proposed BGU and other site improvements are designed and constructed or installed properly given the site's geologic and soil conditions. These include specifications for site preparation, slabs on grade, surface drainage and inspection reporting. As such, potential risk to people and structures from seismic-related ground failure such as liquefaction would be minimized. This impact is less than significant. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

(iv) The project site and surrounding properties are flat and there is no risk of landslide. Therefore, the current project would continue to have no impact.

- b) No soil would be imported or exported to/from the project site and very limited to no grading would occur as the site is flat and has been compacted from previous use. As such, the potential for soil erosion during project construction would be minimal. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- c-d) See Response 6a, above. According to previous environmental documentation for the project site, the site is underlain by weak soils that possess a high shrink/swell potential (City of Pittsburgh 1995). Such soils can cause structural damage, if the structures are not properly designed and constructed. Compliance with the engineering specifications contained in the geotechnical investigation previously prepared for the project site (Hultgren-Tillis Engineers 2006) would ensure that the project site is properly prepared and that the proposed BGU and other site improvements are designed and constructed or installed properly given the site's geologic and soil conditions. These include specifications for site preparation, slabs on grade, surface drainage and inspection reporting. As

such, potential risk to people and structures related to unstable and expansive soils would be minimized. This impact is less than significant. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- e) Wastewater generated at the project site would enter into the functioning private wastewater system maintained by the property owners. This system is currently in place, meets applicable standards and is adequately supported by the underlying soils. Therefore, this impact would be less than significant. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
7. GREENHOUSE GAS EMISSIONS. Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	2015 EIR, Page 3.2-1 to 22	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	2015 EIR, Page 3.2-1 to 22	No	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a–b) Impact 3.2.1. A Net Increase in Greenhouse Gas Emissions That Could Potentially Conflict With the Goals of AB 32 or Result in a Significant Impact on the Environment.** Implementation of the current project would contribute to increases of GHG emissions that are associated with global climate change. The 2015 EIR concluded that implementation of the 2015 proposed project would result in less than cumulatively considerable impacts related to Greenhouse Gas Emissions. The current proposal would reduce Greenhouse Gas Emissions slightly due to a reduction in long haul truck trips and the processing of food waste that would otherwise be sent to a landfill. The current project would also have beneficial impacts related to greenhouse gas emissions as a result of its renewable energy and recycling components. The current project would result in similar impacts but would result in a slight decrease in the severity of the impacts identified in the 2015 EIR.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	2015 EIR, Page 3.3-1 to 18	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	2015 EIR, Page 3.3-1 to 18	No	No	No	MM 3.3.2a, MM 3.3.2b
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	2015 EIR, Page 3.3-1 to 18	NO	NO	No	No prior mitigation was required, and no new mitigation is required
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	2015 EIR, Page 3.3-1 to 18	No	No	No	No prior mitigation was required, and no new mitigation is required
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	2015 EIR, Page 3.3-1 to 18	No	No	No	No prior mitigation was required, and no new mitigation is required
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	2015 EIR, Page 3.3-1 to 18	No	No	No	No prior mitigation was required, and no new mitigation is required
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	2015 EIR, Page 3.3-1 to 18	No	No	No	No prior mitigation was required, and no new mitigation is required
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	2015 EIR, Page 3.3-1 to 18	NO	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

a-b) Impact 3.3.1 Routine Transport, Use and Disposal of Hazardous Materials. The 2015 EIR determined that impacts related to Hazardous Materials would be less than significant. The current project includes the expansion of existing operations on the project site as well as the construction

and operation of three Bioenergy Gasification Units. These operations would not include the routine transport, use, and storage of hazardous materials. No hazardous, infectious, or liquid wastes are accepted at the facility. A load check program is implemented to screen for such materials in incoming waste loads. Recovered household hazardous wastes are temporarily stored in a designated area and transferred off-site for proper disposal in accordance with state regulations. The proposed changes to the project that are part of the current application would not result in new significant impacts because as noted above the project would be in compliance with state regulations related to proper storage and disposal of hazardous materials.

Impact 3.3.2. Exposure of Construction Workers to Hazardous Materials During Site Preparation. The 2015 EIR determined that these impacts would be less than significant with the implementation of Mitigation Measure 3.3.2.a. The current project would result in similar impacts but would not increase the severity of the impact beyond what was considered in the 2015 EIR.

Impact 3.3.4. Cumulatively Considerable Impacts Related to Hazards and Hazardous Materials. The 2015 EIR determined that this impact would be less than cumulatively considerable. The current project would result in similar impacts but would not increase the severity of the impact beyond what was considered in the 2015 EIR.

- c) There are no schools within one-quarter mile of the project site, and as such, there would be no impact to schools related to hazardous materials.
- d) **Refer to Impact 3.3.1 above.** The project site was occupied by a steel can and metal shearing manufacturing operation from approximately 1954 to 1992 (City of Pittsburg 1995). As a result, soil and groundwater underlying the project site were contaminated. Remediation was completed, and wells are now monitored by the San Francisco Bay Regional Water Quality Control Board (SWRCB 2011). The 2015 EIR determined that with the implementation of Mitigation Measures 3.3.2a and 3.3.2b and compliance with the land use restrictions for the western portion of the project site this impact is less than significant. Construction of the improvements as part of the current application would remain subject to Mitigation Measures 3.3.2a and 3.3.2b and would result in similar impacts, but would not increase in severity beyond what was considered in the 2015 EIR.
- e-f) There are no airports or airstrips, public or private, in the vicinity of the project site (AirNav 2011). Implementation of the current project would have no impact on public safety related to airports.
- g) **Impact 3.3.3. Potential to Interfere With Implementation of the City's Emergency Operations Plan.** The City of Pittsburg Emergency Operations Plan (EOP) outlines procedures for educating the public about emergency preparedness and also establishes procedures for responding to emergency situations, including management of communication systems, provision of medical assistance, and maintenance of local financing structures and government leadership roles in the aftermath of a significant emergency event. The 2015 EIR concluded that there would be a less than significant impact from the project. Implementation of the current project would result in a slight reduction in the number of vehicle trips on local roadways and regional highways evaluated in the EIR; therefore, this potential impact as it relates to the current project would be reduced.
- h) The project site is located in a largely developed industrial area that is not in the vicinity of any wildlands. The project site contains no trees or vegetation aside from some ornamental landscaping along its boundaries. There would be no impact as a result of the current project related to public safety and wildland fires.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
9. HYDROLOGY AND WATER QUALITY. Would the project:					
a) Violate any water quality standards or waste discharge requirements?	2015 EIR, Page 3.4-1 to 18	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	2015 EIR, Page 3.4-1 to 18	No	No	No	No prior mitigation was required, and no new mitigation is required
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	2015 EIR, Page 3.4-1 to 18	NO	No	No	No prior mitigation was required, and no new mitigation is required
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	2015 EIR, Page 3.4-1 to 18	No	No	No	No prior mitigation was required, and no new mitigation is required
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	2015 EIR, Page 3.4-1 to 18	No	No	No	No prior mitigation was required, and no new mitigation is required
f) Otherwise substantially degrade water quality?	2015 EIR, Page 3.4-1 to 18	No	No	No	No prior mitigation was required, and no new mitigation is required
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?	2015 EIR, Page 3.4-1 to 18	NO	No	No	No prior mitigation was required, and no new mitigation is required
h) Place within 100-year flood hazard area structures, which would impede or redirect flood flows?	2015 EIR, Page 3.4-1 to 18	NO	No	No	No prior mitigation was required, and no new mitigation is required

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
9. HYDROLOGY AND WATER QUALITY. Would the project:					
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	2015 EIR, Page 3.4-1 to	NO	No	No	No prior mitigation was required, and no new mitigation is required
j) Inundation by seiche, tsunami, or mudflow?	2015 EIR, Page 3.4-1 to 18	NO	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

a) **Impact 3.4.1. Violate Any Water Quality Standards and Waste Discharge Requirements.**

Construction of the proposed Biomass Gasification Units and other improvements would involve soil-disturbing activities, additional impervious surfaces, and increases in stormwater runoff that could result in water quality impacts as well as localized flooding. These impacts were addressed, as they relate to the original project, in the 2015 EIR and they were found to be less than significant. The current project would result in similar impacts but would not substantially increase the severity of the impacts beyond what was considered in the 2015 EIR

b) **Impact 3.4.2. Depletion of Groundwater Supplies or Interference With Groundwater Recharge.**

The 2015 EIR concluded that the City and its wholesale provider would have sufficient water supplies to meet the project's demand, and therefore the potential impact would be less than significant. Domestic water service would be provided to the current project by the City of Pittsburgh, which obtains a portion of its water supply from groundwater. The 2015 EIR considered an increase in MDRRP's total operational water demand from approximately 20,000 gallons per day (gpd) to approximately 40,000 gpd. An increase in operational water demand, beyond that described in the 2015 EIR, is not proposed as part of this project. The project site is not located in an area which significantly contributes to the recharge of the underlying groundwater aquifer (Pittsburgh 2007). In addition, the current project does not propose to add a significant amount of new impervious surface area. Therefore, potential interference with groundwater recharge is not considered to be a significant impact. The current project would result in similar impacts but would not substantially increase the severity of the impacts beyond what was considered in the 2015 EIR

d) **Impact 3.4.3. Increase in Stormwater Runoff.**

On-site drainage is controlled through the use of drainage ditches and underground pipelines surrounding the perimeter of the existing facility that direct surface water flows toward an outfall along the western edge of the existing facility. The ditches include a landscaped stormwater treatment planter located along the eastern side of the MDRF building and a landscaped stormwater pretreatment bioswale located along the western edge of the existing facility. These facilities discharge stormwater via the outfall to an existing drainage ditch on the vacant lot to the west. This existing ditch traverses the 15-acre parcel to the west and the vacant lot, flowing east to west away from the existing facility. The existing ditch conveys the stormwater generated from the existing facility, the 15-acre parcel to the west, and the eastern portions of the vacant lot to an existing 36-inch culvert that then discharges to an existing evaporation basin located near the northern portion of the vacant lot.

The 2015 EIR determined that implementation of the original project would result in a slight increase in on-site stormwater runoff. However, the existing on-site drainage system has adequate capacity to accept, treat, and convey increased flows. In addition, the 2015 EIR contemplated that in the case that the 3.5-acre area to the south is rerouted to the ditch, a 0.2-acre detention system would be constructed to not exceed the available capacity of the downstream ditch. As a result, this impact was deemed less than significant. The current project largely consists of the reorganization of the original project and no significant increase in stormwater runoff beyond what was considered in the 2015 EIR is expected or proposed. In any event, the aforementioned contingency measure will be kept as an option.

Impact 3.4.4. Construction Impacts to Downstream Surface Drainages and Groundwater. The 2015 EIR determined that this would be a less than significant impact. The current project would result in similar impacts but would not substantially increase the severity of the impacts beyond what was considered in the 2015 EIR.

- f) **Impact 3.4.5 Degradation of Downstream Surface Water and Underlying Groundwater Quality.** The 2015 EIR identified this as a less than significant impact. The current project would result in similar impacts but would not substantially increase the severity of the impacts beyond what was considered in the 2015 EIR.

Impact 3.4.7. Cumulative Degradation of Water Quality in Area Surface Drainages and Groundwater Supplies. The 2015 EIR identified this as a less than cumulatively considerable impact. The current project would result in similar impacts but would not substantially increase the severity of the impacts beyond what was considered in the 2015 EIR.

- g) Although the southern portion of the project site is within a 100-year flood zone, the current project does not include any housing. Therefore, no housing would be placed in an area of potential flooding and there would be no impact.
- h) **Impact 3.4.6. Development Within a Flood Zone.** The southern portion of the project site is located within a 100- year flood zone. This portion of the project site would contain the proposed Biomass Gasification Units as well as a second C&D processing line. The 2015 EIR concluded that compliance with existing City standards would minimize potential hazards, and therefore this impact would be less than significant. The current project would comply as well with City standards. The current project would result in similar impacts but would not substantially increase the severity of the impacts beyond what was considered in the 2015 EIR
- i-j) **Impact 3.4.8. Cumulative Flooding Impacts.** The project site is located near the Suisun Bay/Sacramento River Delta and may be subject to flooding as a result of seiche/tsunami or dam or levee failure. In addition, the project site may be affected by sea level rise as a result of climate change. However, the 2015 EIR determined that these potential impacts were less than cumulatively considerable. The project site is flat, as are the surrounding properties, and is not at risk of inundation as a result of mudflow. This impact would be less than cumulatively considerable. The current project would result in similar impacts but would not substantially increase the severity of the impacts beyond what was considered in the 2015 EIR

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
10. LAND USE AND PLANNING. Would the project:					
a) Physically divide an established community?	2015 EIR, Page 3.5-1 to 5	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	2015 EIR, Page 3.5-1 to 5	No	No	No	No prior mitigation was required, and no new mitigation is required
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	2015 EIR, Page 3.5-1 to 5	No	No	NO	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a) Division of an established community commonly occurs as a result of development of physical features that constitute a barrier to easy and frequent travel between two or more constituent parts of a community. For example, a large freeway structure with few crossings could effectively split a community. The current project consists of the expansion of existing operations at, and improvements to, an existing solid waste transferring and recycling facility. The current project does not include any features that by design or their nature would divide the existing community. Therefore, implementation of the current project would not physically divide an established community, and there would be no impact.

- b) **Impact 3.5.1. Consistency With Existing Land Use Designation and Zoning.** As described previously, the project site is designated by the City's 2020 General Plan as Industrial, which allows commercial services, industrial processing, and storage uses. Both the existing facility and the current project are uses that are consistent with this designation. The project site is zoned IG (General Industrial) which provides for intense industrial uses. However, large recycling facilities, such as the current project, require a use permit within this zoning district. A use permit was approved for the 2015 application. With consideration and approval of an amendment to the use permit, the current project would be in compliance with the Zoning District.

Impact 3.5.2. Cumulative Impacts Related to the City's Zoning Ordinance. The 2015 EIR determined that the project would have a less than cumulatively considerable impact related to the City's Zoning Ordinance. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- c) The project site is located within the boundaries of the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). However, the land coverage for the site is mapped in the HCP/NCCP as urban and is exempt from the City's adopted

implementing ordinance per PMC Section 15.108.030 (ECCCHCPA 2006; City of Pittsburgh 2010). This impact was identified as less than significant. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
11. MINERAL RESOURCES. Would the project:					
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	2015 EIR Appendix A Page 3.0-20	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	2015 EIR Appendix A Page 3.0-20	No	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a–b)** According to the City's General Plan (2001), there are no known significant mineral deposits or active mining operations in the City. Furthermore, previous environmental documentation for the project (Pittsburg 1995) described the geology of the site and did not identify any potential mineral resources in the area. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
12. NOISE. Would the project:					
a) The exposure of persons to, or the generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	2015 EIR Appendix A Page 3.0-21 to 3.0-24	No	No	No	No prior mitigation was required, and no new mitigation is required
b) The exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	2015 EIR Appendix A Page 3.0-21 to 3.0-24	No	No	No	No prior mitigation was required, and no new mitigation is required
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	2015 EIR Appendix A Page 3.0-21 to 3.0-24	No	No	No	No prior mitigation was required, and no new mitigation is required
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	2015 EIR Appendix A Page 3.0-21 to 3.0-24	No	No	No	No prior mitigation was required, and no new mitigation is required
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	2015 EIR Appendix A Page 3.0-21 to 3.0-24	No	No	No	No prior mitigation was required, and no new mitigation is required
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	2015 EIR Appendix A Page 3.0-21 to 3.0-24	No	No	NO	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a,c)** The proposed expansions to the existing recycling facility would be located in an industrial area of the city, surrounded by other existing industrial uses, and road and railroad transportation corridors. A previous noise study prepared for the RCTS (in support of the 1995 EIR – SCH No. 94063017) determined that the worst-case scenario noise level of 70 dBA at 100 feet from the open doors of the RCTS would not exceed City standards at the nearest residences (approximately one-half mile west of the site) and would be essentially inaudible over existing typical background noise levels (City of Pittsburgh 1995). Since 1995, the MDRF and other operations have been added and the facility's capacity has increased. However, the facility is still in compliance with all applicable noise standards.

The current project proposes to add three Bioenergy Gasification Units, and a 43,038 square foot expansion of the existing TPF with related equipment.

The current project would not result in significant increases in traffic-related noise. With the current project amendments, truck traffic would be reduced and would be less than predicted in the 2015 EIR; therefore, there should be a decrease in traffic related noise, and a less than significant impact.

The 2015 EIR identified that the addition of facilities, equipment and truck traffic, described in that document, would result in a permanent increase in ambient noise levels in the project vicinity. In addition, the expansion of hours of operation on the project site would result in the generation of noise during evening and nighttime hours. However, noise generated on the site would not be audible at the nearest residential uses (approximately one-half mile west of the site) and would be consistent with the ambient noise levels at the adjacent properties which contain similar industrial operations. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- b) Excessive ground borne vibration and noise are typically caused by activities such as blasting used in mining operations or the use of pile drivers during construction. The current project would not require either blasting or pile driving and is not expected to result in excessive ground borne vibration or noise. The proposed High Diversion Mixed Waste/Wet Organics Processing System may cause some vibration during operation; however, such vibration would not be detectible at the nearest residential uses (approximately one-half mile west of the site) and would be consistent with the ground borne vibrations generated by the surrounding industrial operations. This impact is considered less than significant. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.
- d) Project construction would result in a temporary increase in ambient noise levels in the vicinity of the project site. Construction noise typically occurs intermittently and varies depending upon the nature or phase (e.g., land clearing, grading and excavation, erection) of construction. Noise generated by construction equipment, including earthmovers, material handlers, and portable generators, can reach high levels. Typical noise levels for individual pieces of construction equipment are summarized in Table 2. As depicted, individual equipment noise levels typically range from approximately 75 to 91 dBA at 50 feet, without noise control. With noise control, individual equipment noise levels typically range from approximately 75 to 80 dBA at 50 feet. Typical operating cycles may involve two minutes of full power, followed by three or four minutes at lower settings. Depending on the activities performed and equipment usage requirements, combined average-hourly noise levels at construction sites typically range from approximately 65 to 89 dBA L_{eq}^1 at 50 feet (EPA 1971).

¹ Energy Equivalent Noise Level (L_{eq}): The energy mean (average) noise level. The instantaneous noise levels during a specific period of time in dBA are converted to relative energy values. From the sum of the relative energy values, an average energy value (in dBA) is calculated.

Table 2: Typical Construction Equipment Noise Levels

Type of Equipment	Noise Level in dBA at 50 feet	
	Without Feasible Noise Control	With Feasible Noise Control ^a
Dozer or Tractor	80	75
Excavator	88	80
Compactor	82	75
Front-end Loader	79	75
Backhoe	85	75
Grader	85	75
Crane	83	75
Generator	78	75
Truck	91	75

Notes:

^a Feasible noise control includes the use of intake mufflers, exhaust mufflers, and engine shrouds.

Sources: EPA 1971; Federal Highway Administration 2006.

The project site is located in an industrial area adjacent to a railroad. The nearest sensitive receptors, a residential neighborhood and a hotel, are located approximately 2,450 feet and 2,600 feet southwest of the site, respectively. Under the original 2015 approved project, construction of the proposed Biomass Gasification Unit was anticipated to take approximately three months, while construction of the proposed C&D processing line would take approximately five weeks. Per PMC Chapter 9.44, the use of pile drivers, hammers, and similar equipment is prohibited between the hours of 10:00 p.m. and 7:00 a.m., seven days per week. Furthermore, per the City's General Plan Policy 12-P-9, the generation of loud noises on the site during construction would be limited to between 8:00 a.m. and 5:00 p.m.

Given the distance to the nearest sensitive receptors, the short length of the proposed construction period, and the City's existing noise regulations, temporary construction-related noise levels associated with the proposed project are not expected to be significant. Therefore, this impact is less than significant. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- e–f)** There are no airports or airstrips, public or private, in the vicinity of the project site. Implementation of the current project would have no impact on noise levels related to airports.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
13. POPULATION AND HOUSING. Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	2015 EIR Appendix A Page 3.0-25	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	2015 EIR Appendix A Page 3.0-25	No	No	No	No prior mitigation was required, and no new mitigation is required
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	2015 EIR Appendix A Page 3.0-25	No	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a) The current project does not include the construction of any housing or new businesses and would not extend infrastructure to other surrounding properties. The original project was expected to increase the number of employees at the facility from 83 to 145, an increase of 62. With an unemployment rate of 11.2 percent or approximately 58,200 people (January 2011), the county's existing workforce was expected to be sufficient to fill these positions (EDD 2011) without requiring additional employees moving into the city. Accordingly, it was determined that the original project would not directly induce substantial population growth in the city. The current project is not projected to significantly increase the number of employees at the site beyond what was analyzed in the 2015 EIR.

However, the current project would increase the capacity of solid waste handling for the cities and unincorporated communities it serves, thereby potentially removing a barrier to future development. This increase in the facility's capacities, however, would be in response to anticipated growth in the region as projected by the Association of Bay Area Governments (ABAG). Therefore, the current project would not allow for additional growth beyond current projections; instead, it would accommodate the anticipated growth as it occurs in the future. Under the current project this impact would continue to be less than significant.

- b–c) The project site is developed with industrial uses and does not contain any residences. No housing or people would be displaced through implementation of the current project. Therefore, there would be no impact.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a) Fire protection?	2015 EIR Appendix A Page 3.0-26 to 3.0-27	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Police protection?	2015 EIR Appendix A Page 3.0-26 to 3.0-27	No	No	No	No prior mitigation was required, and no new mitigation is required
c) Schools?	2015 EIR Appendix A Page 3.0-26 to 3.0-27	No	No	No	No prior mitigation was required, and no new mitigation is required
d) Parks?	2015 EIR Appendix A Page 3.0-26 to 3.0-27	No	No	No	No prior mitigation was required, and no new mitigation is required
e) Other public facilities?	2015 EIR Appendix A Page 3.0-26 to 3.0-27	No	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a) **Impact 3.6.1. Increased Demand for Fire Protection Services; Impact 3.6.1.2. Emergency Access; and Impact 3.6.1.3 Cumulative Demand for Fire Protection Services.** The current project includes the processing of the same amount of waste material (5,500 tons per day) as the original project evaluated in the 2015 EIR. The 2015 EIR determined that there could be an increased demand for fire protection services, but, concluded that this impact would be less than significant. The current project would result in a similar demand for fire protection services but would not increase the severity of the impact beyond what was considered in the 2015 EIR.
- b) The current project includes construction of a new facility, installation of new equipment, and expansion of services and programs at an existing industrial facility. The project in its entirety would increase the number of employees during a peak shift at the facility from approximately 46 to 90. However, the facility would function in a manner similar to current operations and is not anticipated to be subject to greater security risks. Therefore, a significant increase in demand for law enforcement services is not expected. The current project would result in similar impacts but would not increase the severity of the impact beyond what was considered in the 2015 EIR.

- c) The current project does not include the construction of any housing and would not result in population growth or associated new school enrollments. Regardless, in accordance with Senate Bill (SB) 50, the project applicant would be required to pay school impact fees to help fund the construction of new public-school facilities, fully mitigating any potential impact on schools. This impact is less than significant. The current project would result in similar impacts but would not increase the severity of the impact beyond what was considered in the 2015 EIR.
- d) See Section 15, Recreation, below. The current project would not directly induce substantial population growth in the city. The project in its entirety would increase the facilities total number of employees by approximately 62. These additional employees may utilize local parks during work breaks or after work. However, this minor increase in demand for parks and other recreational facilities is not considered significant and would not result in substantial adverse physical impacts. Further, the project does not include or require the construction or expansion of any park facilities. The project would have a less than significant impact on parks and recreation. The current project would result in similar impacts but would not increase the severity of the impact beyond what was considered in the 2015 EIR.
- e) The current project consists of improvements to an existing private recycling facility as well as expansion of its capacities. It is not anticipated that the project would adversely impact any existing public facilities or require the construction of new public facilities. There would be no impact.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
15. RECREATION. Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	2015 EIR Appendix A Page 3.0-26 to 3.0-27	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	2015 EIR Appendix A Page 3.0-26 to 3.0-27	No	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a) The current project consists of the expansion of operations at an existing industrial facility. As described in Response 13a above, the current project would not directly or indirectly induce substantial population growth. The project in its entirety would increase total employment at the facility by approximately 62 employees. While these additional employees may utilize local parks during work breaks or after work, this minor increase in use is not considered significant and would not result in substantial physical deterioration of any such facilities. Therefore, the project would have a less than significant impact on the use of existing neighborhood and regional parks and recreational facilities. The current project would result in similar impacts but would not substantially increase the severity of the impact that was evaluated in the 2015 EIR.
- b) The current project does not include any parks or recreational facilities and would not require the construction or expansion of any parks or recreational facilities, pursuant to the requirements of the Pittsburg Municipal Code. There would be no impact.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
16. TRANSPORTATION AND TRAFFIC. Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	2015 EIR, Page 3.4-1 to 18	No	No	No	MM 3.7.1a,b,c
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	2015 EIR, Page 3.4-1 to 18	No	No	No	MM 3.7.1 a,
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	2015 EIR, Page 3.4-1 to 18	No	No	No	No
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	2015 EIR, Page 3.4-1 to 18	No	No	No	No
e) Result in inadequate emergency access?	2015 EIR, Page 3.4-1 to 18	No	No	No	No
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	2015 EIR, Page 3.4-1 to 18	No	No	No	No

DISCUSSION OF IMPACTS

a–b) Impact 3.7.1. Degradation of Operations at Two Study Intersections. The 2015 EIR identified two potential significant impacts resulting from increased truck traffic entering and leaving the project site and utilizing regional highways. With implementation of the Mitigation Measures 3.7.1a-c these impacts would still be significant and unavoidable.

For the current project, an analysis of the Vehicle Miles Traveled was prepared by Edgar & Associates (Appendix C). According to that report, the current project amendment would reduce long haul trips related to Municipal Solid Waste from 52,156 miles to 41,496 miles, a reduction of approximately 20 percent which would therefore reduce the potential impact on local roads and

regional highways. However, for the current project, this impact would remain significant and unavoidable.

Impact 3.7.2. Operations of the Pittsburg-Antioch Highway/Loveridge Road Intersection are Projected to Degrade with Project Traffic. The 2015 EIR identified this impact as significant. The current project would have similar impacts. Mitigation Measures 3.7.1a-c are intended to reduce this impact somewhat, but it still would remain significant and unavoidable.

The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- c) There are no airports or airstrips, public or private, in the vicinity of the project site. Implementation of the current project would have no impact on air traffic patterns.
- d–e) The current site plan would be reviewed by the Contra Costa County Fire Protection District to ensure adequate emergency access. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.
- f) The current project does not include any off-site improvements that could decrease the performance or safety of existing public transit, bicycle, or pedestrian facilities. A sidewalk is provided along a portion of the site's frontage and an access point is provided from this sidewalk to the site's parking area and building entrance. However, members of the public would not likely utilize public transit or pedestrian/bicycle facilities to access the project site as a personal vehicle would be necessary to haul solid waste to the facility. Therefore, the current project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. There would be no impact.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
17. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	2015 EIR, Page 3.6-1 to 3.6-19	No	No	No	No prior mitigation was required, and no new mitigation is required
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	2015 EIR, Page 3.6-1 to 3.6-19	No	No	No	No prior mitigation was required, and no new mitigation is required
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	2015 EIR, Page 3.6-1 to 3.6-19	No	No	No	No prior mitigation was required, and no new mitigation is required
d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?	2015 EIR, Page 3.6-1 to 3.6-19	No	No	No	No prior mitigation was required, and no new mitigation is required
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	2015 EIR, Page 3.6-1 to 3.6-19	No	No	No	No prior mitigation was required, and no new mitigation is required
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	2015 EIR, Page 3.6-1 to 3.6-19	No	No	No	No prior mitigation was required, and no new mitigation is required
g) Comply with federal, state, and local statutes and regulations related to solid waste?	2015 EIR, Page 3.6-1 to 3.6-19	No	No	No	No prior mitigation was required, and no new mitigation is required

DISCUSSION OF IMPACTS

- a) In the past, the existing facility used water for dust control purposes and to support employees and thus only generated "domestic sewage" as defined by the PMC, which is not subject to an industrial waste discharge permit. Under the current project, some water would also be used for operation of the proposed BGU and OPS. However, the current project would not result in increased generation of wastewater which could exceed the capacity of the existing wastewater system. Therefore, the

current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- b) See Responses 9b and 17a. The City of Pittsburg would treat and supply domestic water to the approved project while water for fire suppression purposes would be provided via a private water supply. The 2015 EIR concluded that the City and its wholesale provider would have sufficient water supplies to meet the original project's demand, therefore the potential impact would be less than significant. As described above, the approved project would not result in increased generation of wastewater which could exceed the capacity of the existing wastewater system. Therefore, the current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.
- c) The original project included improvements expected to result in increased stormwater runoff that could require the expansion of existing or the construction of new drainage facilities on and/or off the site. On-site drainage is controlled through the use of drainage ditches and underground pipelines surrounding the perimeter of the existing facility that direct surface water flows toward an outfall along the western edge of the existing facility. The ditches include a landscaped stormwater treatment planter located along the eastern side of the MDRF building and a landscaped stormwater pretreatment bioswale located along the western edge of the existing facility. These facilities discharge stormwater via the outfall into an existing drainage ditch on a vacant lot to the west. The original project included the replacement of the existing open ditch along the 15-acre parcel with a 36-inch-diameter pipeline. The existing ditch conveys the stormwater generated from the existing facility, the 15-acre parcel to the west, and the eastern portions of the vacant lot to an existing 36-inch culvert that then discharges to an existing evaporation basin located near the northern portion of the vacant lot. The 2015 EIR determined that the 36-inch pipeline, the downstream existing ditch, and 36-inch culvert have adequate capacity to convey the increased peak flows from the existing site and the fully developed 15-acre area.

The 3.5-acre former GWF site is almost entirely located in a separate watershed from the remainder of the MDRRP Site and drains to Kirker Creek located along the southern boundary of this area. An existing on-site drainage system consists of concrete swales, inlets and pipelines. This system conveys the on-site drainage from most of the 3.5-acre area into Kirker Creek via two separate outfalls, one located on the western side and the other located on the eastern side of the property. A small portion of this area in the northwest corner drains overland to the remainder of the MDRRP site.

The applicant has submitted a Preliminary Stormwater Control Plan (Appendix C). The Plan would maximize the use of surface drainage to drain stormwater into bio retention basins throughout the site. The proposed site drains to an existing retention basis located at the northwest corner of the project site, where stormwater would be detained until it is able to evaporate. There are no connections to the public storm drain system proposed. This was considered a less than significant impact. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- d) **Impact 3.6.2.21. Increase in Water Demand; Impact 3.6.2.2. Cumulative Increase in Demand for Potable Water.** See Response 9b above. The City of Pittsburg would supply domestic water to the approved project while water for fire suppression purposes would be provided via a private water supply. Implementation of the original project was anticipated to increase the facility's total water demand from approximately 20,000 gpd to 40,000 gpd. The 2015 EIR concluded that the City and its wholesale provider would have sufficient water supplies to meet the project's demand, therefore the potential impact of the original project was deemed to be less than significant. The current project does not increase the facility's potential water demand. Accordingly, this project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- e) **Impact 3.6.3.1.** Potential to exceed wastewater treatment requirements; **Impact 3.6.3.2.** Require the construction of new wastewater treatment facilities. As described above, the approved project would result in increased generation of wastewater which could exceed the capacity of the existing onsite wastewater system. The 2015 EIR determined that this impact would be less than significant. The current application would be evaluated by the local wastewater treatment provider to ensure that there is adequate capacity to handle the project's wastewater generation and the adequacy of the onsite wastewater system. This impact would remain less than significant.

The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

- f) The project is part of a solid waste transferring and recycling facility that contracts with multiple landfills and recyclers based, in part, on their available capacities. The current project would not contract with a landfill unless it has adequate capacity. Therefore, the current project would be served by a landfill with sufficient permitted capacity to accommodate its disposal needs. This impact is less than significant. Therefore, the current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.
- g) The existing facility is a solid waste transferring and recycling facility that is permitted by CalRecycle under a Solid Waste Facility Permit. The current project includes revisions to this permit in order to include additional facilities and to ensure compliance with all applicable statutes and regulations. This impact would remain less than significant.

	Where Impact was Previously Analyzed	Does Proposal Involve New Significant Impacts or Substantially More Severe Impacts?	New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	New Information Available Requiring New Analysis or Verification?	Applicable Prior Mitigation to Address Impacts
18. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	2015 EIR Chapter 3 and Appendix A	No	No	No	Refer to Individual Topic Areas
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	2015 EIR Chapter 3 and Appendix A	No	No	No	Refer to Individual Topic Area
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	2015 EIR Chapter 3 and Appendix A	No	No	No	Refer to individual topic areas

DISCUSSION OF IMPACTS

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

- a) As described in the preceding sections it was determined that the current project would have a less than significant impact or no impact on the following areas: Aesthetics, Agriculture and Forestry Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, and Utilities/Service Systems. Significant impacts could be reduced to a less than significant impact through the implementation of mitigation measures for the following areas: Construction related Air Quality impacts, Hazardous Materials (construction phase) and Biological Resources. The Project was evaluated to determine if there would be a substantial change that would result in a significant impact. As described, the project would not result in any impacts that exceed the thresholds of significance for the above listed resource areas. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.
- b–c) The 2015 EIR identified significant unavoidable impacts on Air Quality and Transportation and Circulation. Mitigation measures were adopted as part of the Mitigation Monitoring and Reporting Program to reduce these impacts to the extent possible, however they would still remain significant

and unavoidable. The current project would result in similar impacts but would not substantially increase the severity of the impact beyond what was considered in the 2015 EIR.

As described in the preceding responses, the current project was evaluated to determine if a subsequent environmental impact report would need to be prepared. Section 15162 of the CEQA Guidelines outlines the appropriate environmental review for a project when an EIR has been certified. It notes that no subsequent EIR shall be prepared for a project unless the Lead Agency determines, on the basis of substantial evidence in the whole record that there have been substantial changes in the project that would require major revisions to the previous EIR, there have been substantial changes with respect to the circumstances under which the project is undertaken, or there is new information indicating that the project could have significant effects not discussed in the EIR. Based on this Initial Study it has been determined that no subsequent EIR need to be prepared and that an Addendum to the 2105 EIR is the appropriate level of environmental review for this project.

The Mitigation Monitoring and Reporting Program is attached as Appendix E and would apply to this project as a Condition of Approval.

4.0 REFERENCES

4.0 REFERENCES

- AirNav. 2011. *AirNav.com*. www.airnav.com (accessed February 8, 2011).
- California Department of Transportation (Caltrans). 2010. *Officially Designated Scenic Highways*. <http://www.dot.ca.gov/hq/LandArch/scenic/schwy.htm> (accessed February 1, 2011).
- California Employment Development Department (EDD). 2011. *Local Area Profile: Contra Costa County*. <http://www.labormarketinfo.edd.ca.gov/cgi/databrowsing/localAreaProfileQSResults.asp?selectedarea=Contra+Costa+County&selectedindex=7&menuChoice=localAreaPro&state=true&geogArea=0604000013&countyName=> (accessed March 23, 2011).
- California Geological Survey (CGS). 2011. *Alquist-Priolo Earthquake Fault Zone Maps*. http://www.quake.ca.gov/gmaps/ap/ap_maps.htm (accessed April 18, 2011).
- City of Pittsburg. 1995. Final Environmental Impact Report: Recycling Center and Transfer Station State Clearinghouse No. 94063017
- City of Pittsburg. 2001. City of Pittsburg General Plan.
- City of Pittsburg. 2010. *Pittsburg Municipal Code*. <http://www.codepublishing.com/ca/pittsburg/> (accessed February 8, 2011).
- Contra Costa Waste Services. 2010. Conditional Use Permit Application Package: Mt. Diablo Resource Recovery Park. Prepared by Edgar and Associates.
- East Contra Costa County Habitat Conservation Plan Association (ECCCHCPA). 2006. Final East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan.
- Morbark, Inc. Undated. Decibel Readings for Morbark Model 7600B Woodhog Caterpillar Model C32 – 1,125 Horsepower.
- Natural Resource Conservation Service (NRCS). 2008. *Contra Costa County Important Farmland 2008*. <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/con08.pdf> (accessed February 1, 2011).
- Raman, Ratheesh, Lieutenant, Pittsburg Police Department. 2011. Email Correspondence with Leigha Schmidt, Associate Planner, City of Pittsburg.
- Snider, Doug, Vice President of Operations, Phoenix Energy. 2011. *Letter to Mr. Greg Stangl, President, Phoenix Energy*.
- State Water Resources Control Board (SWRCB). 2011. *GeoTracker*. <http://geotracker.swrcb.ca.gov/> (accessed February 2, 2011)
- U.S. Department of Transportation, Federal Highway Administration. 2006. *Construction Noise Handbook*. http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/ (accessed April 18, 2011).
- U.S. Environmental Protection Agency (EPA). 1971. Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances.

APPENDIX A.
PROJECT DESCRIPTION:
MOUNT DIABLO RESOURCE RECOVERY
PARK ENHANCEMENTS PROJECT

Project Description
Mount Diablo Resource Recovery Park Enhancements Project

For

Mt. Diablo Resource Recovery Park
1300 Loveridge Road
Pittsburg, California 94565

Prepared for:

Contra Costa Waste Service, Inc.
555 California Avenue
Pittsburg, California 94565

RECEIVED

**MAR-9
2018**

BUILDING DIVISION

Table of Contents

<i>Introduction</i>	<i>1</i>
<i>Project Overview/Elements</i>	<i>2</i>
<i>Project Location and Setting</i>	<i>4</i>
<i>Project Goals</i>	<i>6</i>
<i>Characteristics of the Proposed Project</i>	<i>6</i>
<i>Required Approvals</i>	<i>7</i>
<i>Conditional Use Permit (City of Pittsburg)</i>	<i>7</i>
<i>SWFP (City of Pittsburg LEA and CalRecycle)</i>	<i>7</i>
<i>Siting Element (City of Pittsburg)</i>	<i>8</i>
<i>BAAQMD Permits</i>	<i>9</i>
I. <i>MDRRP Modifications/Enhancements</i>	<i>9</i>
<i>Pole Barn</i>	<i>9</i>
<i>SEG TMF Reconfiguration</i>	<i>9</i>
<i>Additional Site Modifications/Enhancements</i>	<i>10</i>
<i>Parking Lot Relocation</i>	<i>10</i>
<i>Organics Processing Area Relocation</i>	<i>10</i>
<i>Material Processing Area (C&D) Relocation</i>	<i>10</i>
II. <i>High Diversion Mixed Waste/Wet Organics Processing System</i>	<i>11</i>
<i>Overview</i>	<i>11</i>
<i>High Diversion Mixed Waste/Wet Organics Processing System</i>	<i>12</i>
<i>Tip Floor and Feeding</i>	<i>12</i>
<i>Pre-Sort Station</i>	<i>13</i>
<i>Bag Opener</i>	<i>13</i>
<i>Disk Screens and Magnets</i>	<i>13</i>
<i>Post-Screening Manual Sort</i>	<i>14</i>
<i>Press</i>	<i>15</i>
<i>Organics Polishing System (OPS/Dynamic Cyclone)</i>	<i>15</i>
<i>Load Out System</i>	<i>15</i>
III. <i>Bioenergy Gasification Facility</i>	<i>16</i>
<i>Overview</i>	<i>16</i>
<i>BGU Feedstocks</i>	<i>16</i>

Project Description
Mount Diablo Resource Recovery Park
1300 Loveridge Road, Pittsburg California 94565

<i>BGU Technology.....</i>	<i>17</i>
<i>BGU Operation.....</i>	<i>17</i>
<i>BGU Feedstock Delivery and Storage</i>	<i>17</i>
<i>BGU Feedstock Loading and Conveyance.....</i>	<i>18</i>
<i>BGU Energy Production</i>	<i>18</i>
<i>BGU Biochar Handling.....</i>	<i>19</i>
<i>BGU Energy Transmission Lines.....</i>	<i>19</i>

Introduction

Contra Costa Waste Services, Inc. ["CCWS"] dba Mount Diablo Resource Recovery ["MDRR"], A *Garaventa Company* proposes to construct several site enhancements, including a Bioenergy Gasification Facility,¹ a High Diversion Mixed Waste/Wet Organics Processing System, and additional modifications [the "MDRRP Enhancements Project" "proposed project" or "Project"], in order to advance environmental objectives in the region and enable MDRR to provide additional processes that jurisdictions can utilize and rely on to meet increasing regulatory requirements and diversion goals established pursuant to AB 1826, SB 1383 and related regulations. The proposed project is planned to be constructed within MDRR's Mt. Diablo Resource Recovery Park ["MDRRP"] facility. MDRRP is located at 1300 Loveridge Road, Pittsburg, California 94565.²

The purpose of this project description is to describe the proposed project in a way that will be meaningful to the public, reviewing agencies, and decision makers. The scope of this document is to describe site layout modifications intended to enhance functionality and efficiencies for current operations, as well as the expansion of MDRRP's Transfer Processing Facility ["TPF"] operation to include a High Diversion Mixed Waste/Wet Organics Processing System and the development of a Bioenergy Gasification Facility on site.

MDRRP consists of six operating areas including:

- (1) The Transfer Processing Facility;
- (2) The Recycling Facility ["RF"];
- (3) The Material Processing Area ["MPA"];
- (4) The Organics Processing Area ["OPA"];
- (5) Commodity Vehicle and Equipment storage areas ["CVE"]; and
- (6) A Biomass Gasification Unit. ["BGU"]

The six operating areas of MDRRP are interrelated under the current conditional use permit, as waste materials, recycled materials, and residuals are moved through the operations areas processing, recycling, resource recovery, and transferring of the

¹ The Bioenergy Gasification Facility will be an Engineered Municipal Solid Waste ["EMSW"] Conversion Facility, as defined under Public Resources Code §40131.2, authorized by the local enforcement agency, with concurrence by CalRecycle, and will be capable of converting bioenergy feedstocks into renewable energy.

² It is anticipated that the proposed project will be utilized in conjunction with operational changes that Delta Diablo Sanitation District ["Delta Diablo"] expects to independently implement at its Waste Water Treatment ["WWT"] facility, located at 2500 Pittsburg-Antioch Highway, Antioch, California 94509. The two facilities are located approximately 1.5 miles apart. The two facilities hope to share resources in order to advance environmental objectives in the region. To that end, on July 13, 2016 Delta Diablo and CCWS, Inc. dba MDRR entered into a Memorandum of Agreement regarding Alternatives Analysis and Planning Cost Sharing for the anticipated projects. Despite the intended relationship between Delta Diablo and MDRR, alternative facilities/suppliers may be utilized, should the need arise.

affected materials. These six operations were analyzed in the 2015 Certified EIR.³ As proposed, the traffic, operating hours, and facility area will remain as reviewed in the 2015 Certified EIR despite the modification in operations described herein.

As described in Section 15124 of the California Environmental Quality Act (CEQA) Guidelines, the project description in an environmental impact report ["EIR"] is required to contain the following information:

- Location of the proposed project;
- A statement of project objectives;
- A general description of the project's technical, economic and environmental characteristics and
- A statement briefly describing the intended uses of the EIR.

The CEQA Guidelines state that a project description need not be exhaustive but should provide the level of detail needed for the evaluation and review of potential environmental impacts. Though an EIR is not anticipated here, the project description is the starting point for all environmental analysis required by the State CEQA Guidelines. Section 15146 of the State CEQA Guidelines states that the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity, which is described in the EIR.

The following project description is intended for use as part of the modified Conditional Use Permit ["CUP"] Application for the MDRRP Enhancement Project and as the basis for any environmental review or additional permitting that may be required.

Project Overview/Elements

MDRR has already received review of the 2015 Certified EIR for: (1) the construction and operation of a single 1.0 mega-watt ["MW"] Biomass Gasification Unit ["BGU"] within a 3.5 acre portion of Contra Costa County ["County"] Assessor's Parcel Number ["APN"] 073-200-024, immediately adjacent to MDRR's existing facility on APN 073-200-015; (2) the construction and operation of a food waste processing operation within the TPF; and (3) the construction and operation of a Truck Maintenance Facility ["SEG TMF"] on an approximate 3.5 acre portion of the site on APNs 073-200-013 and 073-200-014. MDRR's facility extends onto APNs 073-200-013, 073-200-014, 073-200-015, and 073-200-024 [the "MDRRP Site"].

Under this Application, MDRR is proposing the following modifications to its existing and planned operations, reviewed in the 2015 Certified EIR.

- (1) Modifications to the SEG TMF to accommodate proposed project enhancements and improve functionality of the maintenance facility.

³ MDRRP has previously received a full review and analysis in the Mt. Diablo Resource Recovery Park Environmental Impact Report, certified on May 26, 2015 [the "2015 Certified EIR"].

- (2) The construction and operation of a High Mixed Waste/Wet Organics Processing System, in order to allow access to otherwise inaccessible and normally disposed organics contained within Mixed Solid Waste ["MSW"] and Single-Stream Organics ["SSO"] for diversion from disposal and to meet the requirements of SB1383;
- (3) The construction and operation of up to three BGUs as part of an Bioenergy Gasification Facility, for the purpose of producing up to 3.0 MW of renewable energy; and
- (4) The construction of a pole barn to house wood chips feedstock for the Bioenergy Gasification Facility, as well as related operational materials and equipment.

In addition, certain site plan changes are proposed in order to accommodate the enhancements in the proposed project and improve the functionality and flow of facility operations.

MDRR proposes the installation and operation of an High Diversion Mixed Waste/Wet Organics Processing System that will utilize processing equipment including an Organics Extrusion Press ["Extrusion Press"] and an Organics Polishing System ["OPS"] within MDRR's Transfer Processing Facility Building ["TPF Building"], located within MDRRP. The High Diversion Mixed Waste/Wet Organics Processing System will be used to extract and prepare the 'wet fraction'⁴ of select MSW and SSO received at MDRRP for use by Delta Diablo, or an alternative facility, in an anaerobic digestion operation.

As part of the installation and operation of the 'Mixed Waste/Wet Organics Processing System', MDRR proposes to expand its existing TPF Building to accommodate the new equipment and processes. MDRR intends to expand its existing TPF Building by 43,038 square feet ["sq. ft."]. within the MDRRP Site. The planned improvement will reflect the same architecture and same or similar exterior appearance as the existing building, will provide an increase in tipping area for mixed waste/wet organics processing, material storage, truck access, and will provide sufficient space for the High Diversion Mixed Waste/Wet Organics Processing System.

The Bioenergy Gasification Facility, under the proposed project, will be changed from a single 1.0 MW BGU, which was reviewed in the 2015 Certified EIR but has not yet been constructed, to include up to three BGUs, in order to enable MDRR to produce up to 3.0 MW of clean energy. The Bioenergy Gasification Facility will be constructed in a different location than what was proposed for the original BGU, within the MDRRP Site, and will include a 3,750 sq. ft. control building.

⁴ The fraction of municipal solid waste that is made up of organic (wet) material.

It is expected that power generated by the Bioenergy Gasification Facility will be utilized at MDRRP and excess power will be sold for consumption by the general public. s

In order to accommodate the drystorage of woodchips feedstock prepared by MDRRP for use in the Bioenergy Gasification Facility, along with the storage of other materials and equipment, a Pole Barn will be constructed in an area adjacent to the Bioenergy Gasification Facility site within MDRRP.

The SEG TMF will be reconfigured so that 12 service bays will line the southeastern corner of the MDRRP Site along with 2 open canopies, a parts area, and 2 office areas. Truck parking will be set back away from the road and facility entrance. The fuel island and washing station will also be relocated for added efficiency.

Site plan changes will include the modifications described above, along with: the relocation of the planned parking lot so that it is adjacent to the access road; the relocation of the OPA so that it is adjacent to the Bioenergy Gasification Facility and the Pole Barn; the shifting of the MPA further westward; and the reservation of a portion the northwestern corner of the MDRRP Site for future expansion of operations which may include anaerobic digestion.

Project Location and Setting

The site for the Project is within the MDRRP facility site reviewed and analyzed in the 2015 Certified EIR. The site of MDRRP is approximately 36 acres located in the City of Pittsburg in eastern Contra Costa County. The site is on the western side of Loveridge Road just north of the Pittsburg-Antioch Highway and State Route (SR) 4, and just south of the Burlington Northern and Santa Fe (BNSF) railroad and the shoreline of New York Slough. The site of MDRRP encompasses the existing facility improvements (approximately 17.5 acres), plus approximately 18.5 acres located west and south of the existing facility improvements. MDRRP is located in the Antioch North Quadrangle and within the Los Medanos Land Grant.

The project setting and site conditions are as described in the 2015 Certified EIR. The portion of the MDRRP Site (approximately 17.5 acres) that is currently developed contains the RF, the Recycling Center and Transfer Station ["RCTS"], the Green Material Processing Operations Area), and the Mixed Construction & Demolition Processing Area (Mixed C&D Processing Area) (collectively referred to as the "existing facility"). The RF and RCTS consist of two large interconnected industrial buildings adjacent to Loveridge Road that currently have a total floor area of 190,804 sq. ft. Just south of these buildings is the main parking area, which is accessed by a driveway that connects with Loveridge Road and curves to the northwest around the parking area. This parking area contains a fueling facility. The roadway continues north along the west side of the existing buildings, providing access to the public scales and scale house

s Delta Diablo may also utilize the renewable energy generated by the proposed Bioenergy Gasification Facility at a future date.

and self-haul drop-off area. The BNSF railroad is located on the northwestern border of the project site, and a railroad spur runs into the site west of the RCTS.

The Green Material Processing Operations Area is located just south of the parking area. This area is unpaved and contains stockpiles of unprocessed and processed plant materials and equipment, such as wheel loaders. For processing, green material is stockpiled and then chipped and ground on a pad constructed with compacted gravel that is sloped to drain. Material is then loaded from the stockpile into transfer trailers where the material is transported to a permitted facility for composting or for use as alternative daily cover at a landfill.

To the west is the Mixed C&D Processing Area, which contains equipment for sorting and processing C&D materials, a large grinder, two 70-foot scales, one 35-foot scale, a second scale house, stockpiles of unprocessed and processed C&D materials, and other equipment for loading and transport.

Approximately 18.5 acres of land to the west and south of the existing facility are also included as part of the MDRRP Site, 10 acres of which are vacant. Approximately 5 acres of this area is currently used by the applicant for parking and storage. A portion of this area has been surfaced with compacted gravel. Approximately 3.5 acres of the 18.5-acre area, along the southerly border of the existing facility is currently an empty lot.

A second access point from Loveridge Road is located at the northern end of the MDRRP Site. This access point is limited to authorized commercial vehicles exiting the site and provides a space for additional parking. A third access point from Loveridge Road, located at the southern end of the site, provides access to the 3.5-acre area to the south and a fire lane that stretches to the western boundary. An approximately 3-acre parcel located on the east side of Loveridge Road at the northern tip of the project site is currently used for truck storage and maintenance purposes. A total of 79 parking spaces are currently provided on the project site.

Landscaping and/or slatted chain-link fencing provide screening along the southern and eastern boundaries of the processing areas, as well as along a portion of the western boundary.

A monument sign is located at the main entrance to the facility, with numerous informational, directional, and cautionary signs throughout the MDRRP site. Pole-mounted lighting is provided along the access road and in the parking area, processing areas, and other outdoor portions of the MDRRP site.

On-site drainage is controlled through the use of drainage ditches and underground pipelines surrounding the perimeter of the existing facility that direct surface water flows toward an outfall along the western edge of the existing facility. The ditches include a landscaped stormwater treatment planter located along the eastern side of the RF building and a landscaped stormwater pretreatment bioswale located along the western edge of the existing facility. These facilities discharge stormwater via the outfall

to an existing drainage ditch on the vacant lot to the west. This existing ditch traverses the 15-acre parcel to the west and the vacant lot, flowing east to west away from the existing facility. The existing ditch conveys the stormwater generated from the existing facility, the 15-acre parcel to the west, and the eastern portions of the vacant lot to an existing 36-inch culvert that then discharges to an existing evaporation basin located near the northern portion of the vacant lot.

The 3.5-acre former GWF site is almost entirely located in a separate watershed from the remainder of the MDRRP Site and drains to Kirker Creek located along the southern boundary of this area. An existing on-site drainage system consists of concrete swales, inlets, and pipelines. This system conveys the on-site drainage from most of this 3.5-acre area into Kirker Creek via two separate outfalls, one located on the western side and the other located on the eastern side of the property. A small portion of this area in the northwest corner drains overland to the remainder of the MDRRP Site.

Project Goals

As in the case of the project components already reviewed in the 2015 Certified EIR, the main goals of the enhancements included in this application are to (1) increase local jurisdictions' ability to meet state mandates for diverting waste streams from landfills and (2) to create and use renewable energy derived from previously unretrievable waste streams, such as the products derived from a High Diversion Mixed Waste/Wet Organics Processing System. More specifically, the project will result in:

- (1) Increased reductions in greenhouse gas emissions;
- (2) Increased reductions in fossil fuel usage;
- (3) Increased reductions in disposal;
- (4) Increased diversion of organics; and
- (5) The production of renewable energy for MDRRP and the community at large.

The increased diversion of organics expected under the proposed project is intended to aid local jurisdictions and commercial entities in satisfying mandated diversion goals, under SB1383, AB1826, etc., by providing a facility that is able to process and utilize source-separated and mixed material in a beneficial way.

Characteristics of the Proposed Project

The proposed project consists of the expansion and reorganization of facility operations within MDRRP's 36 acre site. The expansion proposed under this Project is for the construction of additional covered floor space within the TPF Building, the addition of a High Diversion Mixed Waste/Wet Organics Processing System to capture divertible organics within the waste stream, and the addition of up to two BGU's for a total of up to three units to produce up to 3.0 mega-watts, to be permitted and operated as the Bioenergy Gasification Facility.

Reorganization of certain facility operations is also proposed under this Project in order to accommodate the enhancements described and improve facility functionality. No increases in tonnages, traffic, or work hours are planned under the MDRRP Enhancements Project.

With the expansion of the TPF Building and the addition of the High Diversion Mixed Waste/Wet Organics Processing System, MDRR expects to ramp up processing operations using source-separated organics and wet commercial MSW and could eventually include processing residential MSW.

The three proposed BGUs will be taller than the single 1.0 MW BGU evaluated in the 2015 Certified EIR. However, height will not exceed the limits set in the 2015 Certified EIR.

Required Approvals

The development of MDRR's MDRRP Enhancement Project would require the following approvals:

- (1) City of Pittsburg - Modification(s) to CUP;
- (2) City of Pittsburg - Design review modification(s);
- (3) City of Pittsburg - Building and grading permits;
- (4) City of Pittsburg - Inclusion of the site in the Countywide Siting Element;
- (5) City of Pittsburg Local Enforcement Agency ["LEA"] - Revision of Solid Waste Facility Permit ["SWFP"] with concurrence by CalRecycle;
- (6) Bay Area Air Quality Management District ["BAAQMD"] - Authority to Construct permit;
- (7) BAAQMD - Permit to Operate;

Conditional Use Permit (City of Pittsburg)

MDRR currently has an CUP for its existing operations at MDRRP. MDRR seeks a modification to that approved permit through this application. The City of Pittsburg Planning Department processes these permits, which are then considered by the City Planning Commission.

SWFP (City of Pittsburg LEA and CalRecycle)

MDRR is in the process of seeking inclusion of all of its proposed and existing operations within MDRRP into the existing RCTS SWFP.

CalRecycle requires that EMSW Conversion facilities obtain or be included in a full SWFP. The permit process in Chapter 4 of Title 27 of the California Code of Regulations ["CCR"] is used for such facilities and additional supporting documents for the application will include requirements found in Title 14 CCR §18221.6. EMSW Conversion facilities are inspected in the same manner as transformation facilities are currently inspected which uses the regulations for facilities that receive, store, handle, recover, transfer, or process solid waste found in Title 14 CCR Article 6.1-6.3.5.

MDRR will seek to amend RCTS' SWFP in order to incorporate its proposed Bioenergy Gasification Facility and the High Diversion Mixed Waste/Wet Organics Processing System.

MDRRP will provide the City of Pittsburg's LEA with detailed engineered Site Plans and associated drainage improvements with a Report of Facility Information ["RFI"] Amendment for MDRR's RCTS Solid Waste Facility Permit Revision (to include all operations at MDRRP) for approval of the Bioenergy Gasification Facility and associated drainage improvements prior to construction. This will allow the LEA to approve the final design of the proposed phases.

Siting Element (City of Pittsburg)

Pursuant to §41700 of the Public Resources Code ["PRC"]:

"Each county shall prepare a countywide siting element that provides a description of the areas to be used for development of adequate transformation, EMSW conversion, or disposal capacity concurrent and consistent with the development and implementation of the county and city source reduction and recycling elements adopted pursuant to this part."

Pursuant to §41721(b) PRC:

"Notwithstanding subdivision (a), a siting element providing for an EMSW conversion facility is only required to be approved by the city in which it is located, or if the EMSW is not located in a city, by the county."

Although the Countywide Siting Element is a County prepared document, the amendment of said document to include the siting of MDRR's Bioenergy Gasification Facility is subject only to the approval of the City of Pittsburg because the City of Pittsburg is the city in which MDRR's Bioenergy Gasification Facility is located.⁶

⁶ The process for amending the Countywide Siting Element to include the Bioenergy Gasification Facility has already been initiated and is set to be finalized following the completion of CEQA review for the Project.

BAAQMD Permits

The operation of MDRR's Bioenergy Gasification Facility (including rotary kiln(s) and pre-heaters) is subject to air quality standards enforced by the BAAQMD. The BAAQMD issues two permits for all waste management units: the Authority to Construct and the Permit to Operate. These permits implement standards for the allowable emissions into the air basin. MDRR will seek these permits with regard to its development of the MDRRP Enhancement Project, as necessary.

I. MDRRP Modifications/Enhancements

Pole Barn

Under the proposed project, a Pole Barn would be constructed in an area adjacent to the Bioenergy Gasification Facility and the OPA. The building will be 13,256-square-foot and will be used for the storage of wood chips feedstock generated at the OPA before delivery to the Bioenergy Gasification Facility, as well as for the storage of other materials and equipment.

SEG TMF Reconfiguration

The 2015 Certified EIR included review for the construction and operation of a truck maintenance facility consisting of a 30 foot-tall, 18,000 sq. ft. building comprising a 15,600 sq. ft. shop and a 2,400 sq. ft. office/storage area, with 2,000 sq. ft. of open air canopies on the eastern side of the building. This facility also includes a new truck fueling island relocated from the RF's main parking area.

The facility is to be used for the repair and maintenance of the facility's approximately 60 commercial and residential refuse trucks, as well as RCTS and RF equipment . The truck maintenance facility and yard include a 47-space parking/storage area for the trucks and a wash area. This area also provides 41 parking spaces for employees and other persons. No painting will occur here. The truck maintenance facility and yard will have 11 full-time mechanical and shop support personnel. Operational hours will be 9 a.m. to midnight Monday through Friday, 7 a.m. to 5 p.m. on Saturday, and 9 a.m. to 5 p.m. on Sunday.

Under this Project, the uses of the SEG TMF would not change. However, rather than an 18,000 sq. ft. building with a 15,600 sq. ft. shop and 2,400 sq. ft. office/storage area, the facility will now have a row of 12 service bays, 2 office areas, and a parts area along the southern and eastern corners of the MDRRP Site. Two open air canopy areas will also be included along the southern edge of the MDRRP Site. The total maintenance building area will be 25,361 sq. ft.

In addition, the truck parking area will be pushed back away from the access road and the truck fueling island will be positioned in-between the truck parking area and the eastern row of service bays. The truck fueling island will also utilize renewable diesel

fuel. Finally, the truck wash area will be moved near the southwest corner of the MDRRP Site. The SEG TMF, under the proposed project, will maintain the same number of parking spaces for trucks and employees.

Additional Site Modifications/Enhancements

Parking Lot Relocation

The 2015 Certified EIR included review for the construction of 60 parking spaces in the western portion of the MDRRP Site, along with 41 parking spaces at the SEG TMF for a total of 180 standard-sized parking spaces, including 79 preexisting spaces. Under the proposed project, the 60-stall parking lot will be constructed in the area where the OPA is presently located, immediately south of RF building parking lot. This area is close to the access road and does not require visitors to drive past facility operations or equipment to find a parking spot.

Per the facility's approved parking variance, the project must provide a minimum of one parking stall per 2,450 sq. ft. of building area. With the modifications and enhancements described herein, the overall facility would have a total floor area of 277,658 sq. ft. and a minimum parking requirement of 113 stalls. Therefore, the Project would exceed the minimum parking standard by 67 stalls.

Organics Processing Area Relocation

The 2015 Certified EIR included the review of several changes and improvements to MDRR's Organics Processing Facility. The proposed project would not alter those changes and improvements, rather, the operation will be relocated to the interior of the MDRRP Site so that it is conveniently closer to the Bioenergy Gasification Facility, the Pole Barn, and the Material Processing Area that will share the use of grinding equipment.

Material Processing Area (C&D) Relocation

The 2015 Certified EIR included the review of certain physical changes to the existing Mixed Construction and Demolition ["C&D"] Processing Area. The Project, will shift the Mixed C&D Processing Area further north on the MDRRP Site in order to accommodate the Bioenergy Gasification Facility, the Pole Barn and relocated OPA.

The remaining western portion of the MDRRP Site will be used for commodity, vehicle, and equipment storage, as reviewed in the 2015 Certified EIR, including the area formerly slated for parking. The northwestern corner of the MDRRP Site will also be used for commodity, vehicle, and equipment storage and may be analyzed at a future date for additional facility operations, which may include anaerobic digestion.

II. High Diversion Mixed Waste/Wet Organics Processing System

Overview

The 2015 Certified EIR included review of a food waste processing system located inside the TPF. The system included, but was not to be limited to, (1) a hopper, (2) a sort line, (3) a conveyor, (4) a sort line grinder feed conveyor, (5) a hammermill grinder, (6) a grinder discharge conveyor, and (7) stacking conveyor for loading a truck or mins to transport separated food waste to a compost or anaerobic digestion facility.

Food waste processed through the system reviewed in the 2015 Certified EIR, is to be free of plastic, glass, silverware, and other contaminants that could cause damage to a grinder or be deleterious to the wet anaerobic digestion process. Primarily, MDRR considered the use of a depackaging unit that can separate large volumes of food material from surrounding packaging, filtering out contaminants to create an organic pulp. Alternatively, plastic and other contaminant material could have been removed manually on a sort line. A horizontal hammermill grinder was considered for use with this type of operation. Material would be fed through a feed conveyor into the hammermill grinder. The hammermill would break the material into smaller pieces. Below the hammermill's hammer circle would be a series of grates. The material would remain inside the hammermill and be crushed or torn between the hammers and grates until its size is sufficiently reduced to pass through the grates, where it would be discharged onto a conveyor below.

A transfer truck would receive the processed food waste from the food waste processing equipment. The anticipated system capacity was expected to vary depending on the materials being sorted and any future enhancements to the system.

The permitting now sought would allow for the High Diversion Mixed Waste/Wet Organics Processing System which would be an indoor operation within the TPF Building and would consist of an Extrusion Press and an OPS. The Extrusion Press currently contemplated will enable MDRR to increase the diversion of hard to get organics and help jurisdictions utilizing its services to comply with State mandates, including the mandates of SB1383. The enclosed Transfer Tipping Pad ["TTP"] floor of MDRR's TPF Building will be expanded by 43,038 sq. ft. to accommodate storage of material and the location of the High Diversion Mixed Waste/Wet Organics Processing System.

The High Diversion Mixed Waste/Wet Organics Processing System would be able to handle commercial MSW, residential MSW including multi-family MSW, source-separated commercial food waste, green material, and co-collected residential organics loads from residences, businesses, institutions, and industrial locations. (These loads contain putrescible material that is either source-separated or mixed, which would be processed into organic feedstocks for off-site composting facilities or anaerobic digestion facilities.)

Once the High Diversion Mixed Waste/Wet Organics Processing System is in place, certain loads of MSW and SSO will be sorted to remove larger bulky recyclable items and then processed on the 'High Diversion Mixed Waste/Wet Organics Processing System, as described below.

Self-haul loads, loads with a minimal amount of putrescible wastes, contract haulers, and residual from the on-site recycling operations will not be processed in the High Diversion Mixed Waste/Wet Organics Processing System. These wastes will be directly transferred to transfer trailers for disposal or other appropriate disposition.

The Extrusion Press equipment will sort, press, and extrude putrescible materials from mixed waste and wet organics into a 'wet fraction' or 'cake' material for further processing on-site with polishing equipment, the OPS, to produce an organic slurry that is delivered to a permitted off-site anaerobic digestion facility to produce biomethane and digestate.

High Diversion Mixed Waste/Wet Organics Processing System

The proposed High Diversion Mixed Waste/Wet Organics Processing System could consist of the following component operations:

- (1) The Tip Floor Feeding;
- (2) The Pre-Sort Stations;
- (3) The Bag Opener;
- (4) The Disk Screens and Magnet;
- (5) Post-Screening Manual Sort
- (6) The Press;
- (7) The OPS/Dynamic Cyclone; and
- (8) The Load Out System.

The following are brief descriptions of each proposed component operation.

Tip Floor and Feeding

Collection trucks will deliver MSW as well as SSO to the expanded processing facility's tip floor. SSO and MSW will remain segregated on the tip floor until each is loaded onto the processing line by a front-end loader. (The loader operator will have the capacity to direct less-contaminated SSO loads past some of the MSW-specific processing steps.)

Commercial and Residential MSW will be loaded onto the processing line via an infeed loading bunker conveyor. From there, MSW will be conveyed to a metering drum which will distribute waste evenly. This distribution ensures a consistent burden to improve the performance of all separators and enhances sorting efficiency at the pre-sort and post-sort stations. The dual-feed conveyor system then moves the material to the downstream pre-sort station.

Pre-Sort Station

The pre-sort station is designed for manual sorting of large recyclables and non-processable materials that could otherwise interfere with downstream equipment. (This will also allow for the continuous operation of the processing line by minimizing equipment jams.) Non-recoverable residual materials will be sent to the transfer station tip floor area, and recyclables will be sent to a load out system (ex: trailer or compactor box) then transported to the existing single-stream processing line. The sorting station includes operator controls (stop/pause/slow) in case more time is needed to pull large or heavy items. It is estimated that 1 to 3 tons per hour of bulky items would be removed by the manual sorters. Up to 4 pickers will work and operate the manual pre-sort station. The bulky items will be dropped into debris boxes below the manual pre-sort station. Household Hazardous Waste (HHW) will not be placed in the debris boxes but will be placed in nearby HHW lockers. When full, the debris boxes will be pulled by an end-dump debris box truck and dumped on the adjacent TTP floor for transferring out for disposal. The debris boxes will be pulled daily and will not store material for longer than 24 hours. Material that successfully passes through the manual pre-sort station will then be conveyed to the bag opener.

Bag Opener

From the pre-sort station, materials will be conveyed to a bag opener/pre-shredder where materials will fall on a drum equipped with fixed knives arranged in a helical manner. The bag opener is designed to open plastic bags in order to increase the organics recovery of the Press system. As plastic bags pass through the bag opener station, a 12-18-inch cut is made by the bag opener and the contents of the bag are left on the conveyor to be further screened. The bag opener operates at a high torque and low speed to process waste streams, using 10 tons of force and 4 times more torque than a comparable shredder. This force is provided by two 45 KW drives, enabling the machine to break materials that would otherwise cause an obstruction. This gives the bag opener the ability to handle difficult materials which are present in MSW and serves to minimize the downtime of the equipment. The slow rotating drum moves the material along an adjustable counter plate on which counter knives are mounted. The rotating knives slice open any bags to free materials for processing. The spacing between knives can be adjusted to accommodate the waste stream. After the bags are opened, the torn bags and the liberated material will fall from the bottom of the machine and be evenly distributed onto a belt that sends material downstream for further screening.

Disk Screens and Magnets

Materials are conveyed to two disk screens that will work in series to segregate the material stream based on component size⁷. This step helps to recover the organic-rich

⁷ Phase 1 of the High Diversion Mixed Waste/Wet Organics Processing System operation will only have one 8 inch screen where materials greater than 8 inches will be sorted for recyclables. Materials smaller than 8 inches will be sent to the Extrusion Press. This narrative describes the full build out of the High Diversion Mixed Waste/Wet Organics Processing System where two screens will be utilized to process materials .

material stream, reduces cross-contamination of valuable recyclables, and allows extraction of metals which could damage downstream equipment. The segregated streams are as follows:

- The large fraction stream (material >8") contains potentially recyclable material (such as OCC cardboard and plastics), that is sent to downstream to the large fraction post-sort station.
- The mid fraction stream (material 2"-8") contains potential recyclables material (such as plastics and aluminum) that is sent downstream to the mid-fraction post-sort station. The remainder of that stream contains a high concentration of organics which are sent downstream to the Extrusion Press.
- The small fraction stream (material < 2") contains organics as well as small ferrous materials that are removed prior to being sent downstream to the OREX Press.

Each disk screen is composed of large-diameter shafts arranged perpendicular to the material flow, with rotating disks equipped with flexible angled rubber stars. These maximize capture by dually pushing organic rich material downward through the deck, allowing smaller material to fall through the space between the shafts and the rubber disks.

The primary disk screen will separate the large fraction from the waste (>8"), directing it downstream to a second manual sorting station (further described in the next section). The remaining material (8" and under, consisting of co-mingled mid fraction and small fraction) passes, via conveyor, under an overhead magnet, which removes ferrous material that could damage downstream equipment and directs it to the recycling line. After the magnet, the waste stream moves to the secondary disk screen which segregates the mid fraction and small fraction streams.

The small fraction will be sent past a second overhead magnet to remove small ferrous material which were previously inaccessible (batteries, nails, etc.). The small fraction stream is then re-combined with the mid-fraction negative sort. The combined stream, now made up of materials < 8" after extracting recyclables and ferrous material, is sent to downstream processing equipment.

Post-Screening Manual Sort

As described above, the system will separate material into two streams: (1) small fines stream 2" minus combined with mid-fraction stream (2" to 8"), and (2) large fraction stream (>8"). Each stream will remain segregated and will follow two post-sort stations where sorters will extract recyclables to the recycling belt system below. The material remaining from the sorted large fraction material (> 8") is sent to the trash conveyor system, then ultimately to the transfer station for disposal. The remaining small/mid fraction material is sent to a dual-feed conveyor system with metering device that will feed the hopper of the downstream Extrusion Press for further organic recovery.

The processing line described above will continuously feed materials into a hopper, which provides storage in preparation for use in the Press. This allows for a buffer during peak operation. The Press extracts the majority (greater than 75%) of the putrescible organics (extrudable "wet fraction") from the material to produce a wet organic fraction, as well as a reject fraction (non-extrudable "dry fraction") which has a decreased moisture content.

The wet fraction produces a "cake" that does not require dilution by water. This lack of dilution water reduces storage volume and truck transportation needs, compared to other extrusion processes.

Extruded organic material will be conveyed by screw conveyor to the OPS, described in the next section. Rejects ('dry fraction') remaining after extrusion are sent to the waste conveying system, which takes the material to the transfer station for disposal.

Organics Polishing System (OPS/Dynamic Cyclone)

The organic wet fraction extruded by the Extrusion Press contains a small amount of physical contaminants including glass, stones, grit, plastic, plastic film, paper and other floatable fibers (typically <2% by weight). Removal of these contaminants is important if the wet fraction is to be used for anaerobic digestion.

The wet fraction will be delivered via screw conveyor to the first step of the OPS, which removes low density inert or slowly degradable contaminants such as plastics, paper and other fibers by centrifugal force. A high speed rotating cylindrical screen is used to eject organics radially outward while retaining contaminants inside until they are conveyed to the trash/residue line and ultimately disposed.

The second polishing step is a hydrocyclone, which will remove high density contaminants such as fine glass and grit by hydrodynamic force which requires the addition of wash/dilution water. Grit, glass, and contaminants will be conveyed to the trash/residue belt for disposal. The cleaned organic fraction will be pumped to storage tanks where it will remain until it is hauled off site for anaerobic digestion.

Load Out System

The load out system is designed with flexibility to handle both (1) diluted polished organic fraction and also (2) unpolished organic fraction cake. Unpolished organic fraction will be conveyed by screw conveyor to overhead load-out which will be installed above truck bays. Slide gates in the bottom of the troughs will open when trucks are loading with wet cake. Diluted polished organic will be haul out via tanker trailer truck.

III. **Bioenergy Gasification Facility**

Overview

MDRR proposes to construct a total of up to three BGUs such that the resulting Bioenergy Gasification Facility will be able to generate up to 3.0 mega-watts of electricity and allow for redundancy and contingency operations during routine maintenance. The facility will be permitted as an EMSW Conversion facility and will be located in an area adjacent to MDRRP's OPA and Pole Barn. A control building will also be constructed at the site to manage the operation of the Bioenergy Gasification Facility.

The Bioenergy Gasification Facility will receive, hold, and convert feedstock-ready biomass fuel consisting initially of wood waste from MDRRP, and eventually dry biosolids feedstock anticipated to be supplied by Delta Diablo or another anaerobic digestion facility, into renewable energy.

BGU Feedstocks

The proposed feedstocks to be used in the operation of the Bioenergy Gasification Facility include wood chips, generated from recovered construction and demolition lumber and green waste, and biosolids, generated from the processing of 'wet fraction' and waste water sludge. Each feedstock will be required to contain less than 25% moisture content as received at the Bioenergy Gasification Facility, and as verified through certification, inspection, and periodic testing. Similarly, each feedstock is prohibited from containing waste that is deemed to be hazardous, also as verified through certification, inspection and periodic testing.

MDRR is currently permitted to process and produce the wood chips that will be used in the Bioenergy Gasification Facility and would be the sole supplier of such feedstock for use in the BGU's. MDRR proposes to construct and operate a High Diversion Mixed Waste/Wet Organics Processing System that will utilize an Extrusion Press and OPS in order to extract and clean 'wet fraction' to be further processed by Delta Diablo, or an alternative waste water treatment facility or anaerobic digestion facility. The 'wet fraction' will be set to an outside facility, as noted, and processed along with waste water sludge, sourced from the treatment facility, through co-digestion and other processes. The resulting biosolids feedstock is expected to then be sent to MDRRP for use in the Bioenergy Gasification Facility.

It is anticipated that startup will occur with the construction of the first BGU at the Bioenergy Gasification Facility, which initially will use only wood chips prepared and provided by MDRR's onsite wood waste recovery operations. However, as the project progresses and as the other units come online, it is expected that the Bioenergy Gasification Facility will also utilize the biosolids feedstock in combination with the wood chips (Dual Fuel Stage). It is further expected that the initial operation of the second and third BGUs will be implemented after successful deployment of the first BGU unit.

BGU Technology

The Bioenergy Gasification Facility will utilize renewable portfolio standard (RPS)-eligible fuels to generate up to 3.0 mega-watts of renewable energy using downdraft biomass gasification units. The BGUs currently proposed for this project were developed by Aries Clean Energy ["Aries"] (Model PHG- LF 64). Aries' PHG- LF 64 model BGUs are downdraft gasifiers that are designed in a modular format allowing for the use of multiple units in order to reach the gas utilization needs of the operator. Each PHG-LF 64 is capable of converting approximately 64 Tons Per Day (TPD) of biomass feedstock, however, in order to account for feedstock grainsize variances, each gasifier unit will be restricted to a maximum of 50TPD. Because of the modular design of PHG Energy's gasifiers, two or more of these units can be combined to generate the 3.0 mega-watts proposed in this project. Aries' BGUs are enclosed, fully automated, robust, and are intended to operate for extended periods of time.

BGU Operation

Currently MDRR has a certified EIR that covers (1) the construction and operation of a biomass conversion facility, (2) 24-hour operation and maintenance of the biomass conversion facility, (3) the utilization of up to 40 TPD of clean wood chips processed on-site as the fuel source, and (4) the generation of 1 MW/hour of renewable energy to be used for on-site operations and off-site sales.

The proposed Bioenergy Gasification Facility is expected to be constructed in 2 phases with one BGU being constructed in one phase and two BGUs being constructed in the next phase. It is planned that the BGUs will operate 24 hours per day, 7 days per week generating up to 3.0 mega-watts/hour of renewable energy. The operation of the BGUs to generate the desired 3.0 mega-watts is expected to involve the use of no more than approximately 150 TPD of feedstock.

The gasifier system is enclosed, fully automated, and can operate for extended periods of time. The gasifier's computerized control system can alert both on-site attendants and remote monitors to potential problems, allowing corrective action and minimizing downtime maintenance .

BGU Feedstock Delivery and Storage

MDRR will produce the wood chips feedstock for the Bioenergy Gasification Facility in the OPA. MDRR has adequate storage space on-site and will construct a Pole Barn adjacent to its OPA and Bioenergy Gasification Facility so that wood chips feedstock can be stored in a dry, convenient location. MDRR expects to have at least 400 tons of wood chips feedstock ready to be delivered to the Bioenergy Gasification Facility to ensure a constant supply to allow for continuous (24/7) operation. MDRR will provide wood chips on a daily basis, as needed, for constant operation of the Bioenergy Gasification

Facility. MDRR will employ a hopper system, located in its OPA, as surge capacity storage for wood chips feedstock.

Similarly, once active, Delta Diablo will deliver biosolids feedstock to the Bioenergy Gasification Facility on a daily basis. The biosolids feedstock is to be delivered to the Bioenergy Gasification Facility in covered trucks and transferred through a contained transfer system. Delta Diablo is expected to maintain biosolids feedstock in containers ready to be delivered to the Bioenergy Gasification Facility to ensure a constant supply of feedstock, as needed, for continuous operation of the Bioenergy Gasification Facility.

Biosolids feedstocks will not be stored at the Bioenergy Gasification Facility. MDRR's proposed Bioenergy Gasification Facility does not include a long-term storage area for the feedstocks. Instead, it is expected that, at any one time there may be 2 trucks with up to 25 tons each of covered biosolids feedstock at the Bioenergy Gasification Facility waiting to off-load. Off-loading of feedstocks will be into fully enclosed receiving stations where material is placed for use by the Bioenergy Gasification Facility. It is not planned that the transport vehicles or the receiving stations will be used for any long-term on-site storage.

There will be no receiving, storage, or processing of sewage sludge, raw biosolids or wet biosolids at the Bioenergy Gasification Facility. Preparation of the biosolids feedstock will occur off-site, at Delta Diablo or another facility permitted for such preparation.

BGU Feedstock Loading and Conveyance

MDRR will deliver wood chips into a receiving station at the Bioenergy Gasification Facility. A fully-automated and enclosed pug-mill in-feed conveyance system will deliver the chips into a surge bin on top of the gasifier.

Delta Diablo, or an alternative supplier, will deliver biosolids feedstock to the Bioenergy Gasification Facility in covered transfer trucks and into a fully enclosed receiving station. A separate fully-automated and enclosed pug-mill in-feed conveyance system will deliver the biosolids feedstock into a surge bin on top of the gasifier.

Once the Bioenergy Gasification Facility's proposed Dual Fuel Stage is implemented, the wood waste and biosolids feedstocks would be blended as they are delivered into the surge bin on top of the gasifier. No combining of these fuels will occur prior to that point. Each of the biomass fuels will be fed into the gasification unit from the surge bin.

BGU Energy Production

The biomass fuel is fed into the gasification unit from the surge bin at rate of 2.6 tons per hour per BGU. There is no burning stage in the downdraft gasification process. The conversion process builds up heat while restricting oxygen to block combustion, allowing a low-pressure, thermo-chemical solid-to-gas phase reaction to occur. This high efficiency conversion of chemical potential energy within the feedstock creates a

producer gas, also known as syngas, for use in conventional kilns, boilers and internal combustion driven electrical generation equipment.

The system utilizes the syngas to generate thermal energy that will be used in an Organic Rankine Cycle turbine to generate the up to 3.0 mega-watts of electricity.

BGU Biochar Handling

One of the other byproducts of the gasification process is a substance known as biochar. Biochar produced by the gasification process is the operationally defined fraction of biomass or PCM⁸ (according to ASTM D1762-84) and typically includes inorganic oxides and carbonates. Generally, this biochar is made up of non-combustible matter such as grit and sand.

The resulting biochar is expected to be a very small fraction by weight of the initial feedstock. In general, biochar is very manageable and has practical uses (including soil conditioning, filter media, and fertilizer).

Under the 2015 Certified EIR, the biochar generated by the 1.0 mega-watt BGU was to be removed from the conversion chamber using pumped slurry that would be cooled and filtered. The resulting biochar was to be mechanically separated out for resale as a soil amendment and the water would again be filtered and cooled, then recirculated.

Under the proposed project, the biochar generated by Bioenergy Gasification Facility will be removed from the bottom of the gasifier through a fully enclosed conveyance system into containers with integrated lids, so as to fully contain the biochar for removal off-site. A mist injector would be utilized for dust control. The syngas would also pass through a cyclone system to remove biochar from the gas. It is expected that the biochar collected from the Bioenergy Gasification Facility will be utilized in secondary markets.

BGU Energy Transmission Lines

All proposed transmission lines would be underground and connected to the MDRRP facility. A feed-in tariff is currently available for selling excess electricity back to PG&E during off-peak periods. The single BGU reviewed and analyzed in the 2015 Certified EIR included the construction of transmission lines to portions of the MDRRP facility and for the sale of excess electricity. The proposed project would also allow for the transmission of power to Delta Diablo with additional capacity to sell for consumption by the general public.

⁸"Pyrogenic Carbonaceous Material (PCM): The umbrella term for all materials that were produced by thermochemical conversion and contain some organic C, such as charcoal, biochar, char, black carbon, soot, activated carbon. The term refers to the material and not the C atom." ("Terms and Definitions." *International Biochar Initiative*. Int ernational Biochar Initiative, 2016. <http://www.bio char-international.org/ definitions>. August 31, 2016.)

APPENDIX B.

PROJECT PLANS

SHEET INDEX

ARCHITECTURE

SITE PLAN

A1.0

PARTIAL SITE PLAN - PARCEL 4

A1.1

EXISTING USE PERMIT SITE PLAN (FOR REFERENCE ONLY)

A1.2A

SEG TRUCKING - FLOOR PLAN, ROOF PLAN AND EXTERIOR ELEVATIONS

A2.0

TIP FLOOR EXPANSION - FLOOR PLAN AND ROOF PLAN

A3.0

TIP FLOOR EXPANSION - EXTERIOR ELEVATIONS

A3.1

MATERIALS PROCESSING - FLOOR PLAN, ROOF PLAN AND EXTERIOR ELEVATIONS

A4.0

GASIFICATION CONTROL BUILDING - FLOOR PLAN, ROOF PLAN AND EXTERIOR ELEVATIONS

A5.0

CIVIL

C-1

PRELIMINARY SITE PLAN

C-2

EXISTING CONDITIONS AND PRELIMINARY DEMOLITION PLAN

C-3

PRELIMINARY GRADING AND DRAINAGE PLAN

C-4

PRELIMINARY STORM WATER CONTROL PLAN

C-5

TRUCK TURNING PLAN

LANDSCAPE

L-1

LANDSCAPE PLAN - PHASE IIIA AND PHASE IIB

L-2

LANDSCAPE PLAN - PHASE IIIA AND PHASE IIB

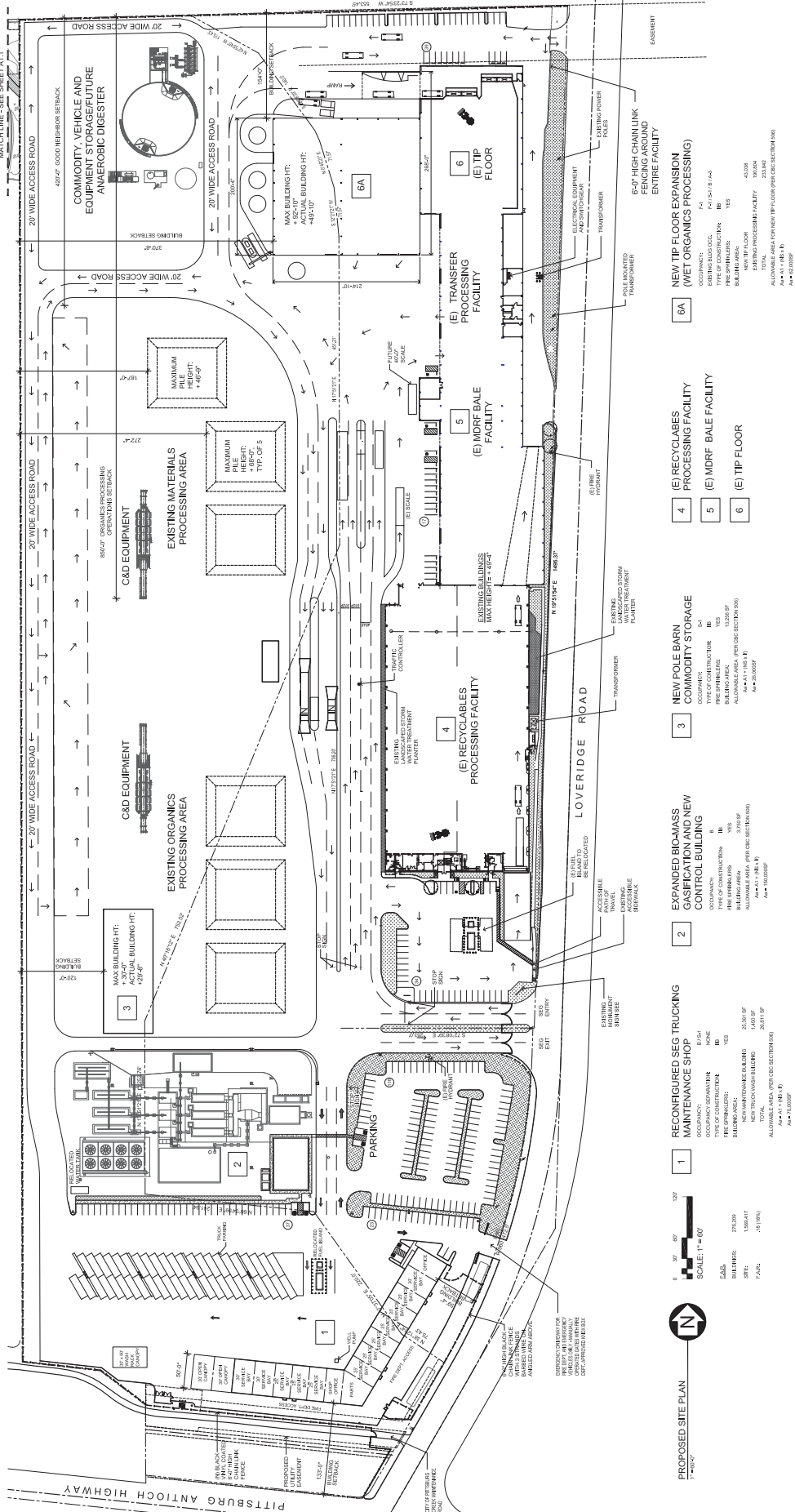
L-3

PLANT IMAGES

EXISTING BUILDING / SITE PHOTOS



EXISTING BUILDING / SITE PHOTOS



PROPOSED SITE PLAN
1"=60'-0"



SCALE: 1"=60'

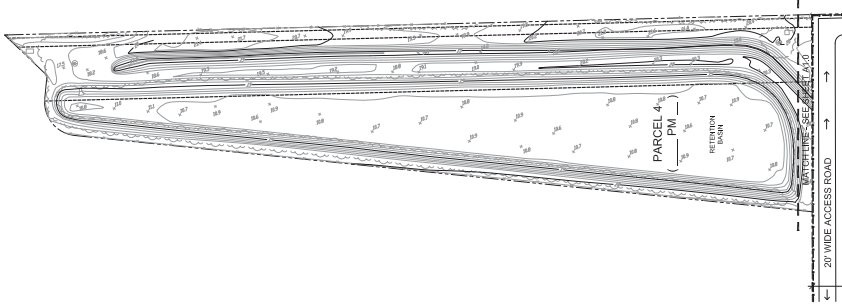
NO.	DESCRIPTION	DATE
1	RECONFIGURED SEG TRUCKING MAINTENANCE SHOP	11/11/2022
2	EXPANDED BIOMASS COMMODITY STORAGE	11/11/2022
3	NEW POLE BARN COMMODITY STORAGE	11/11/2022
4	(E) RECYCLES PROCESSING FACILITY	11/11/2022
5	(E) MDRF BALE FACILITY	11/11/2022
6	(E) TIP FLOOR	11/11/2022
6A	NEW TIP FLOOR EXPANSION (WET ORGANICS PROCESSING)	11/11/2022

KITCHELL
Civil/Architectural Engineers
2405 Venture Oaks Way, Suite 500
Sacramento, CA 95833
(916) 646-9700

Mount Diablo
Resource Recovery Park
PITTSBURG, CALIFORNIA

SITE PLAN
PHASE IIIA
AND
PHASE IIB

A1.0



PARTIAL SITE PLAN - PARCEL 4
1"=60'-0"



0 30' 60' 120'

SCALE: 1" = 60'

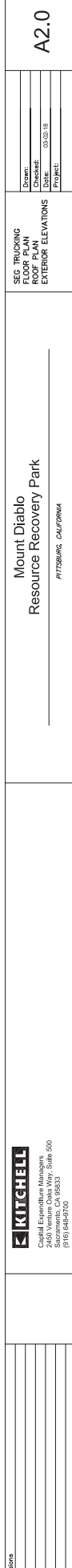
KITCHELL
Civil Engineering & Architecture
2400 Venture Oaks Way, Suite 500
Sacramento, CA 95833
(916) 644-5700

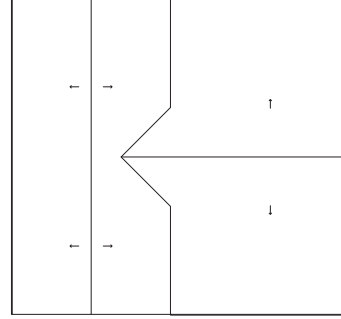
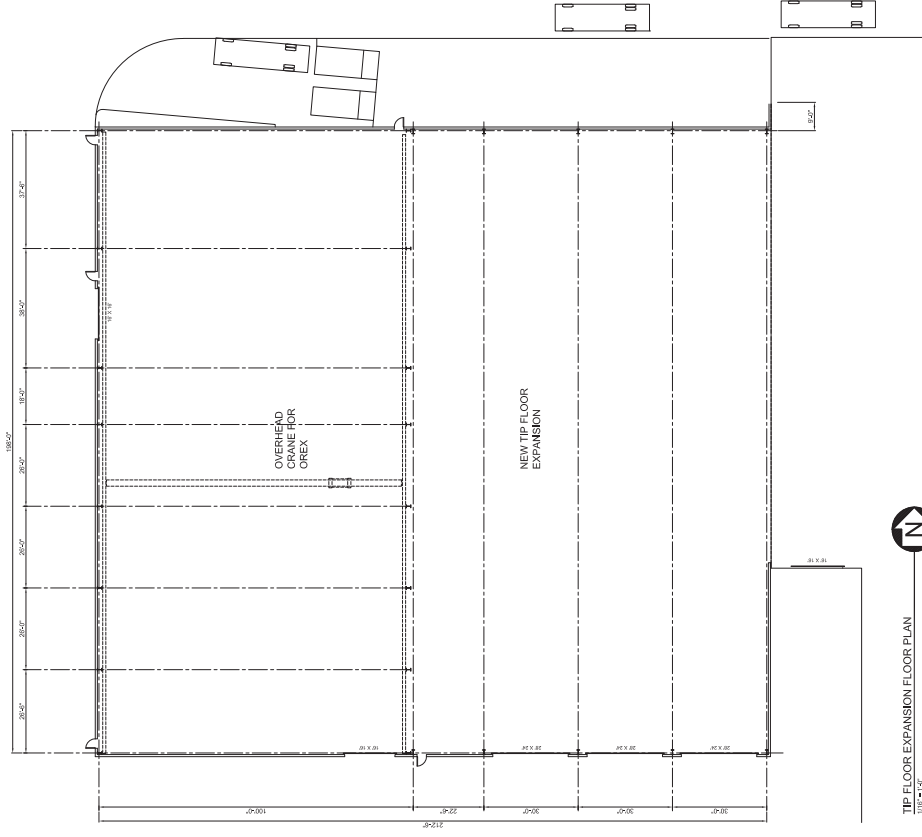
Mount Diablo
Resource Recovery Park
PITTSBURG, CALIFORNIA

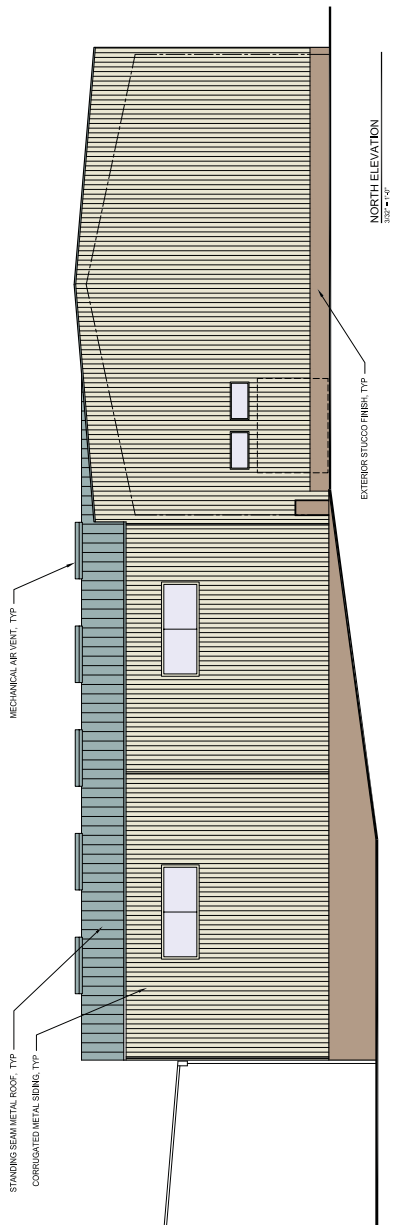
SITE PLAN - PARCEL 4
PHASE I AND
PHASE IIB

Drawn: _____
Checked: _____
Date: 03-02-18
Project: _____

A1.1

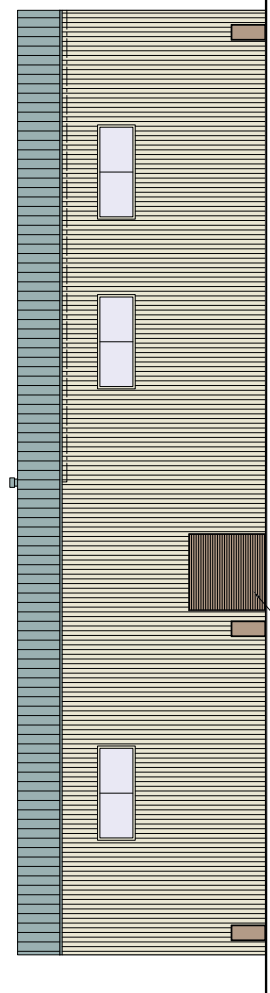




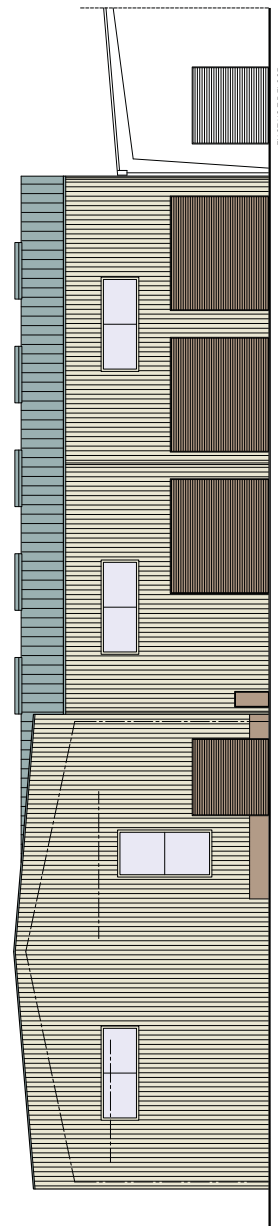


152'-0"

152'-0"



152'-0"



EXISTING TIP FLOOR

SOUTH ELEVATION
202' x 12'

Revisions

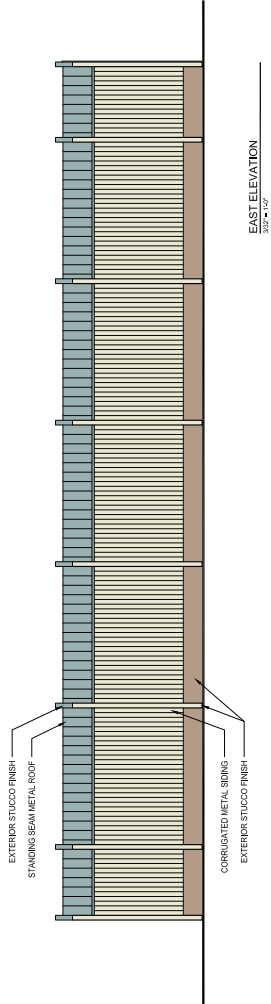
KITCHELL
Capital Expenditure Managers
500 Sacramento Valley Parkway, Suite 500
Sacramento, CA 95833
(916) 648-9700

Mount Diablo
Resource Recovery Park
PITTSBURG, CALIFORNIA

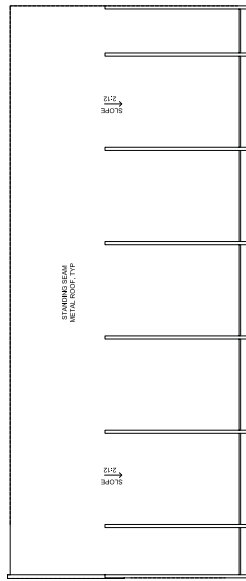
TIP FLOOR EXPANSION
EXTERIOR ELEVATIONS

Drawn:	
Checked:	03/22/18
Date:	
Project:	

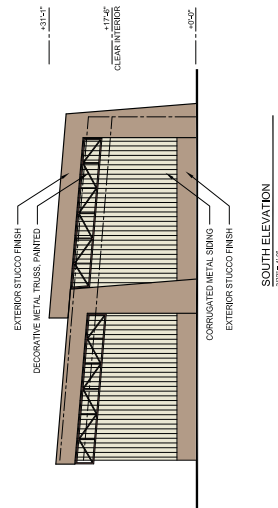
A3.1



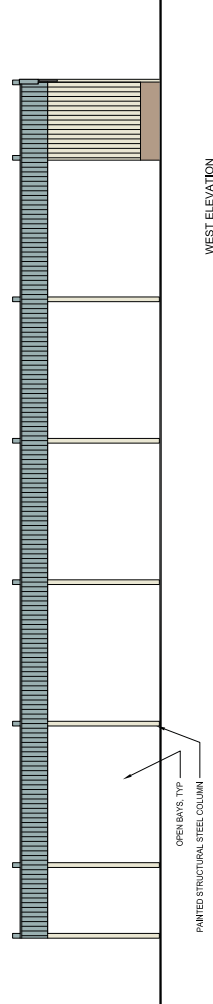
EAST ELEVATION
1/8" = 1'-0"



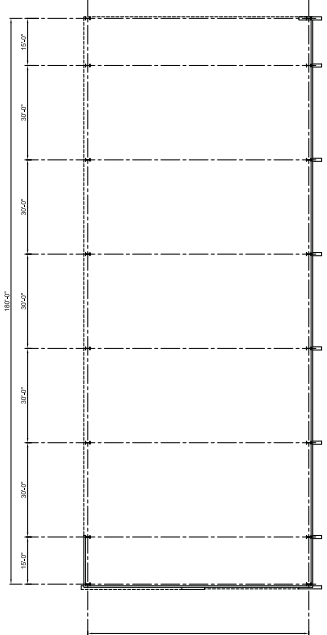
MATERIALS PROCESSING ROOF PLAN
1/8" = 1'-0"



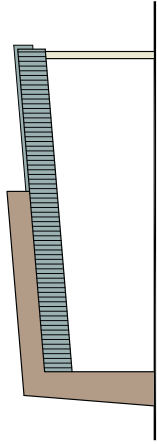
SOUTH ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



MATERIALS PROCESSING FLOOR PLAN
1/8" = 1'-0"



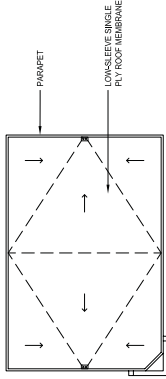
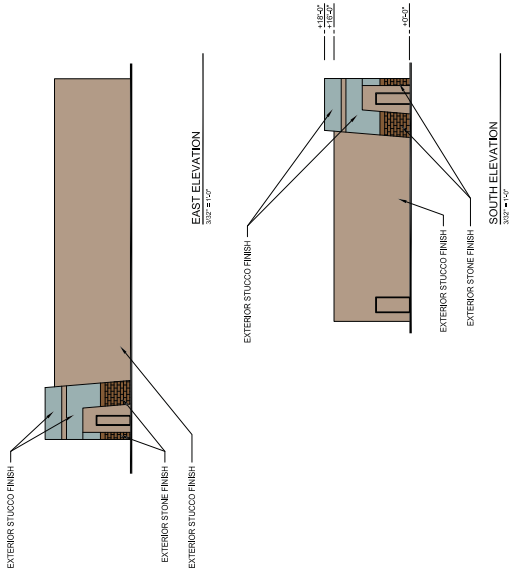
NORTH ELEVATION
1/8" = 1'-0"

Revisions

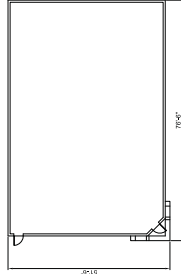
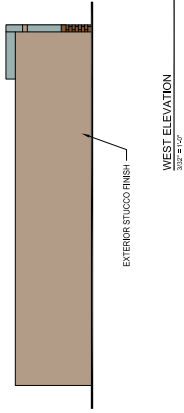
KITCHELL
Capital Expenditure Managers
1000 Broadway, Suite 500
Sacramento, CA 95833
(916) 644-9700

Mount Diablo
Resource Recovery Park
PITTSBURG, CALIFORNIA

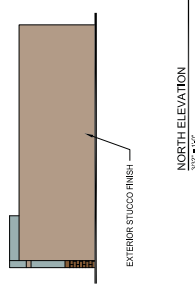
MATERIALS PROCESSING
FLOOR PLAN
PROJECT NO. 17-0000
DATE: 03.02.18
PROJECT:

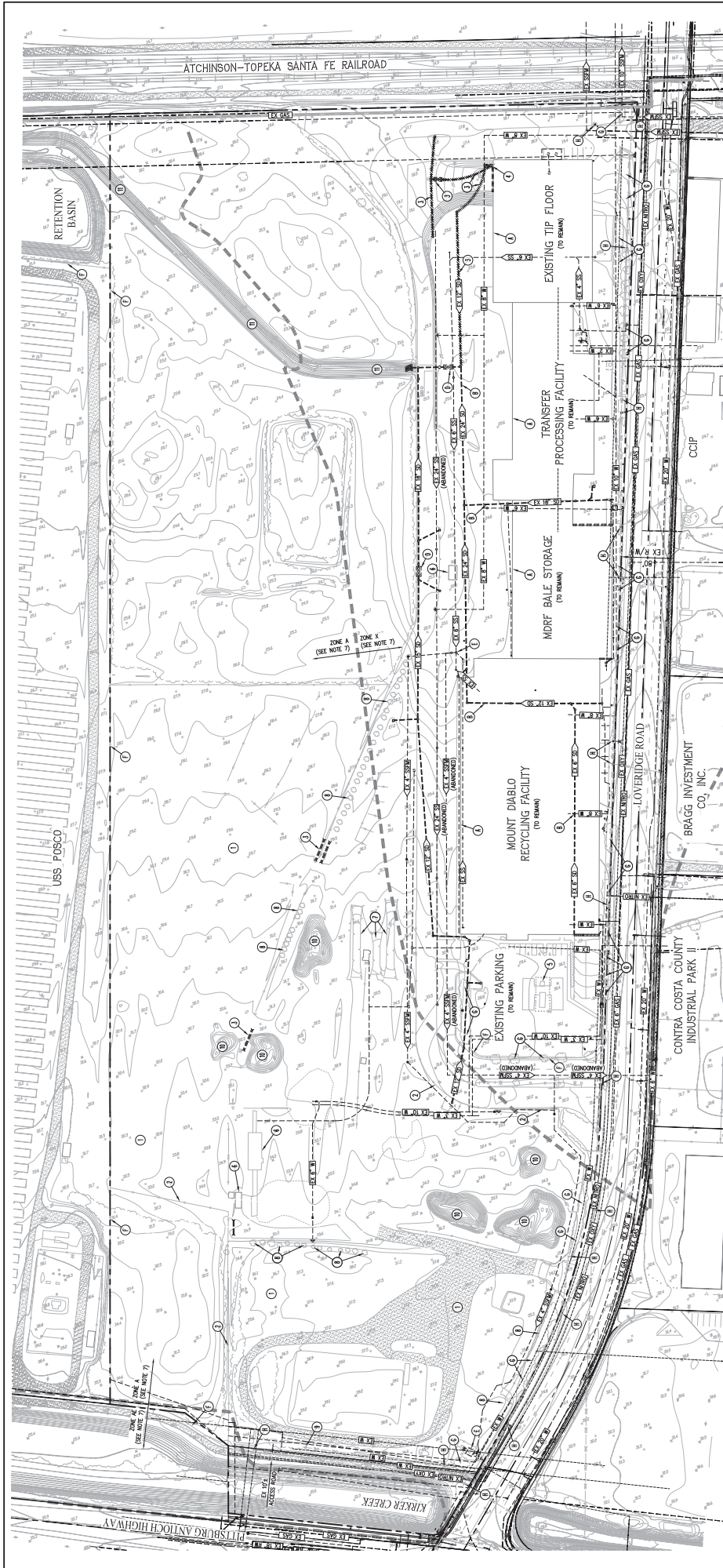


GASIFICATION CONTROL BUILDING ROOF PLAN
1/16" = 1'-0"



GASIFICATION CONTROL BUILDING FLOOR PLAN
1/16" = 1'-0"





NOTES

1. PROPOSED DEMOLITION PRESERVATION MEASURES SHOWN ARE PRELIMINARY AND SUBJECT TO FINAL DESIGN.
2. TO THE EXTENT POSSIBLE, EXISTING TREES SHALL BE PRESERVED. PRECISE QUANTITIES, LOCATIONS OF EXISTING TREES TO BE REMOVED/PRESERVED IS ASSOCIATED FOR SUMMARY OF TREES TO BE REMOVED/PRESERVED.
3. THE LOCATION OF ALL EXISTING UTILITIES ARE APPROXIMATE AND SHOULD BE VERIFIED PRIOR TO CONSTRUCTION.
4. EXISTING TOPOGRAPHY INCLUDES TEMPORARY STOCKPILES OF SOIL, ASPHALT/GRASS TO BE REMOVED/RELOCATED PRIOR TO DEMOLITION.
5. SOURCE OF TOPOGRAPHY IS BY GEOPAC, INC. DATED OCTOBER 14, 2017.
6. BASE FLOOD ELEVATIONS SHOWN AS SHOWN ON FEMA PANEL OUTGOING HAZARD AREA (SFWA) ARE SHOWN.
7. BASE FLOOD ELEVATIONS SHOWN AS SHOWN ON FEMA PANEL OUTGOING HAZARD AREA (SFWA) ARE SHOWN.

PRESERVATION MEASURES

1. PRESERVE EXISTING BUILDING STRUCTURE AND FOUNDATION (ALL UTILITIES CONNECTING TO SHOWN IN PLACE)
2. PRESERVE EXISTING STORM DRAIN, OUTLETS, AND STRUCTURES
3. PRESERVE EXISTING UTILITIES, WELLS, STRUCTURES IN PLACE
4. PRESERVE EXISTING INTERCEPTOR FILTER
5. PRESERVE EXISTING SEWER PUMP STATION
6. PRESERVE EXISTING FENCE
7. PRESERVE EXISTING TREES (SEE NOTE 2)
8. PRESERVE EXISTING UTILITY POLE

DEMOLITION MEASURES

1. DEMO AND REMOVE EXISTING PAVEMENT/ROAD SURFACE
2. DEMO AND REMOVE EXISTING FENCE
3. DEMO AND REMOVE EXISTING STORM DRAIN, OUTLETS, AND STRUCTURES
4. REPLACE EXISTING STORM DRAIN PUMP STATION
5. DEMO EXISTING FUEL STATION
6. DEMO AND REMOVE EXISTING BUILDING/STRUCTURE AND FOUNDATION (ALL UTILITIES SHALL BE DISCONNECTED PRIOR TO BUILDING DEMOLITION)
7. REMOVE/RELOCATE EXISTING TRUCK SCALES
8. DEMO AND REMOVE EXISTING TREES (SEE NOTE 2)
9. RELOCATE EXISTING UTILITY POLE
10. REMOVE/RELOCATE EXISTING STOCKPILE (SEE NOTE 5)
11. REMOVE/FULL PORTION OF EXISTING DITCH WITHIN PROJECT BOUNDARY

LEGEND

- | | |
|--|-----|
| EXISTING SPOT GRADE | --- |
| EXISTING FIRE HYDRANT | --- |
| EXISTING UTILITY POLE | --- |
| EXISTING FENCE | --- |
| EXISTING STORM DRAIN PIPE | --- |
| EXISTING SANITARY SEWER PIPE | --- |
| EXISTING WATER PIPE | --- |
| EXISTING GAS PIPE | --- |
| EXISTING OXYGEN PIPE | --- |
| EXISTING NITROGEN PIPE | --- |
| EXISTING OVERHEAD ELECTRIC | --- |
| APPROXIMATE LIMITS OF SPILL (SEE NOTE 7) | --- |

EXISTING CONDITIONS AND
PRELIMINARY DEMOLITION PLAN
11-10



cbo
Carlson, Barbee & Gibson, Inc.
3815 STEVENSON AVENUE • FARMERS
www.carlsonbarbeegibson.com
SALE BAZON • (925) 885-1322
BACAMENITO • (925) 251-1977

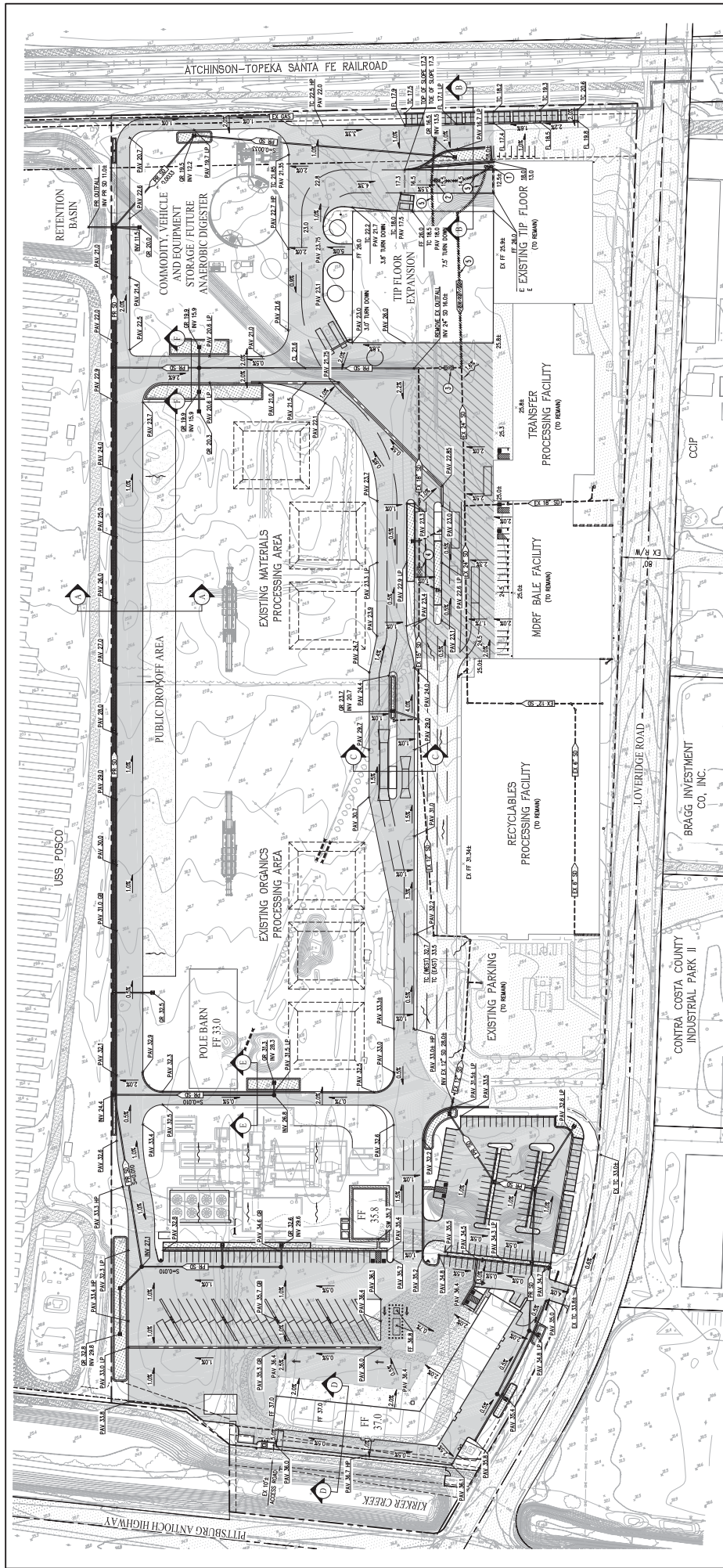
Mount Diablo Resource Recovery Park

PITTSBURGH, CALIFORNIA

EXISTING CONDITIONS AND PRELIMINARY DEMOLITION PLAN

Drawn:	END
Checked:	AJD
Date:	03.03.18
Project:	1303010

C.2

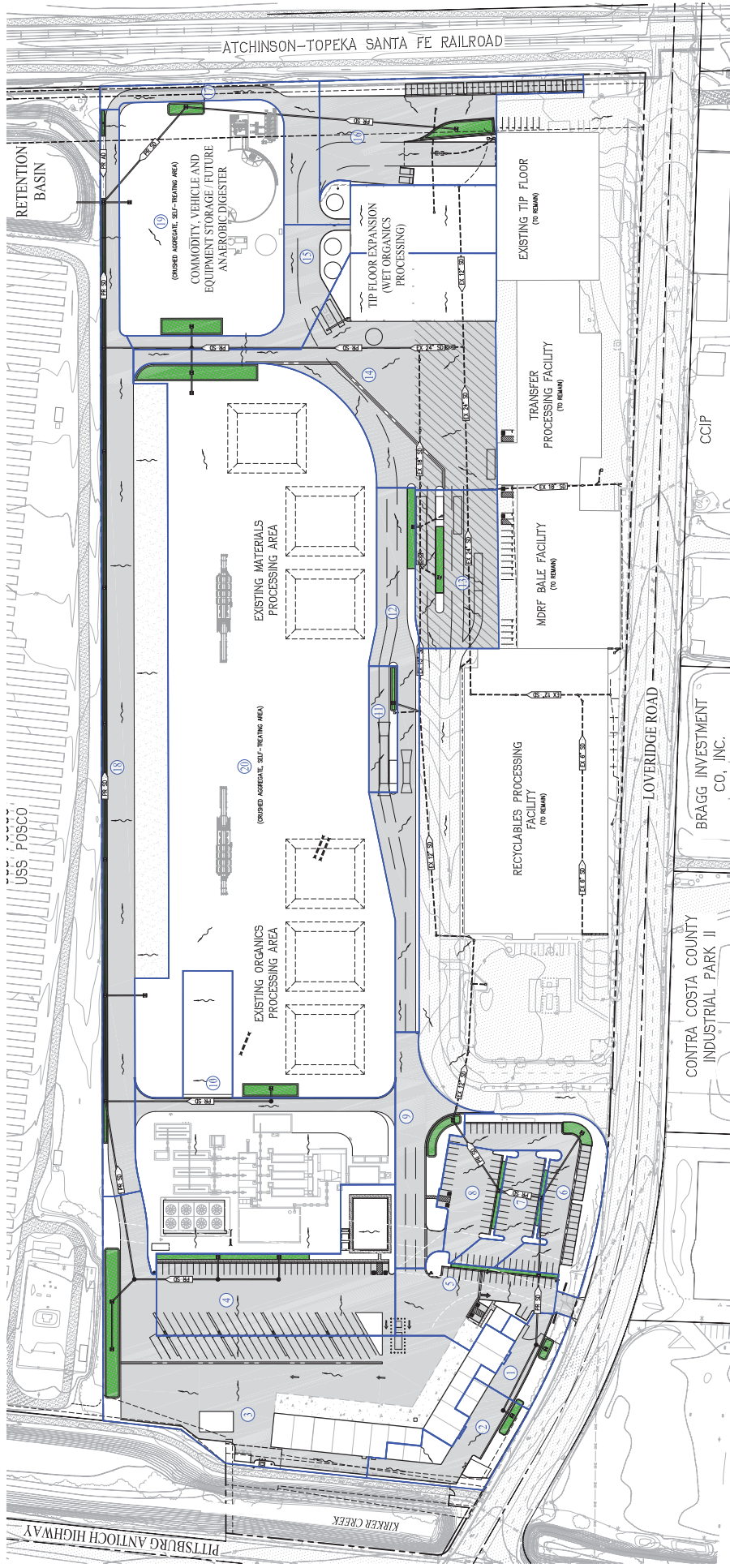


cbg

Mount Diablo
Resource Recovery Park

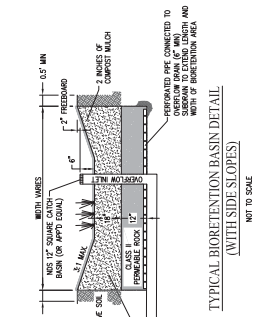
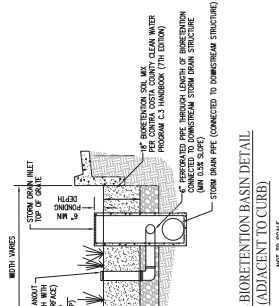
PRELIMINARY GRADING AND DRAINAGE PLAN

3.

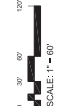


STORMWATER TREATMENT SUMMARY

DMA	TOTAL AREA (SF)	INTERFLOWS AREA (SF)	LANDSCAPE AREA (SF)	BIORETENTION AREA REQUIRED (SF)	BIORETENTION AREA PROVIDED (SF)
1	10,100	6,300	3,800	248	278
2	10,000	11,000	4,300	541	545
3	10,000	11,000	4,300	541	545
4	50,400	41,140	4,740	1,700	1,710
5	22,400	14,400	2,000	780	780
6	28,100	18,200	9,900	710	780
7	11,100	8,800	2,300	390	410
8	11,100	8,800	2,300	390	410
9	23,700	13,800	4,200	748	767
10	92,200	22,400	70,800	1,182	1,170
11	7,700	5,970	1,730	245	247
12	27,900	20,800	4,300	1,298	1,298
13	27,900	20,800	4,300	1,298	1,298
14	86,100	64,500	16,600	3,387	3,384
15	38,100	37,100	1,000	1,493	1,493
16	44,000	36,740	5,100	1,490	1,497
17	21,100	16,300	4,800	875	897
18	21,100	16,300	4,800	875	897
19	82,970	0	82,970	N/A - SEE TREATING	82,970
20	326,670	0	326,670	N/A - SEE TREATING	326,670
			500,200		



- LEGEND**
- PROPOSED DRAINAGE MANAGEMENT AREA (DMA) BOUNDARY
 - PROPOSED DRAINAGE MANAGEMENT AREA (DMA) NUMBER
 - PROPOSED BIORETENTION
 - PROPOSED PAVEMENT
 - PROPOSED CONCRETE
 - PROPOSED DRAIN ROCK / AGGREGATE BASE
 - REMOVE AND REPLACE EXISTING PAVEMENT
 - EXISTING PAVEMENT TO REMAIN



PRELIMINARY
STORMWATER CONTROL PLAN
11/10

Carlson, Barbee & Gibson, Inc.
C:\STORMWATER\PROJECTS\11-0000\11-0000.dwg
DATE: 11/10/10
DRAWN BY: JLG
CHECKED BY: JLG
APPROVED BY: JLG



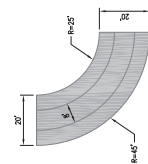
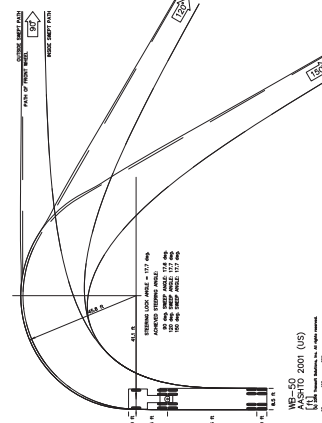
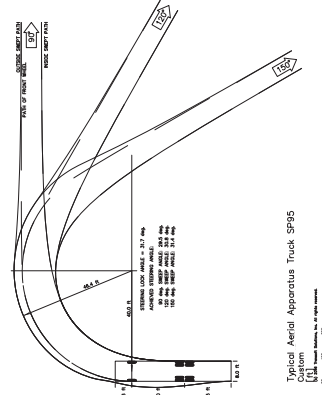
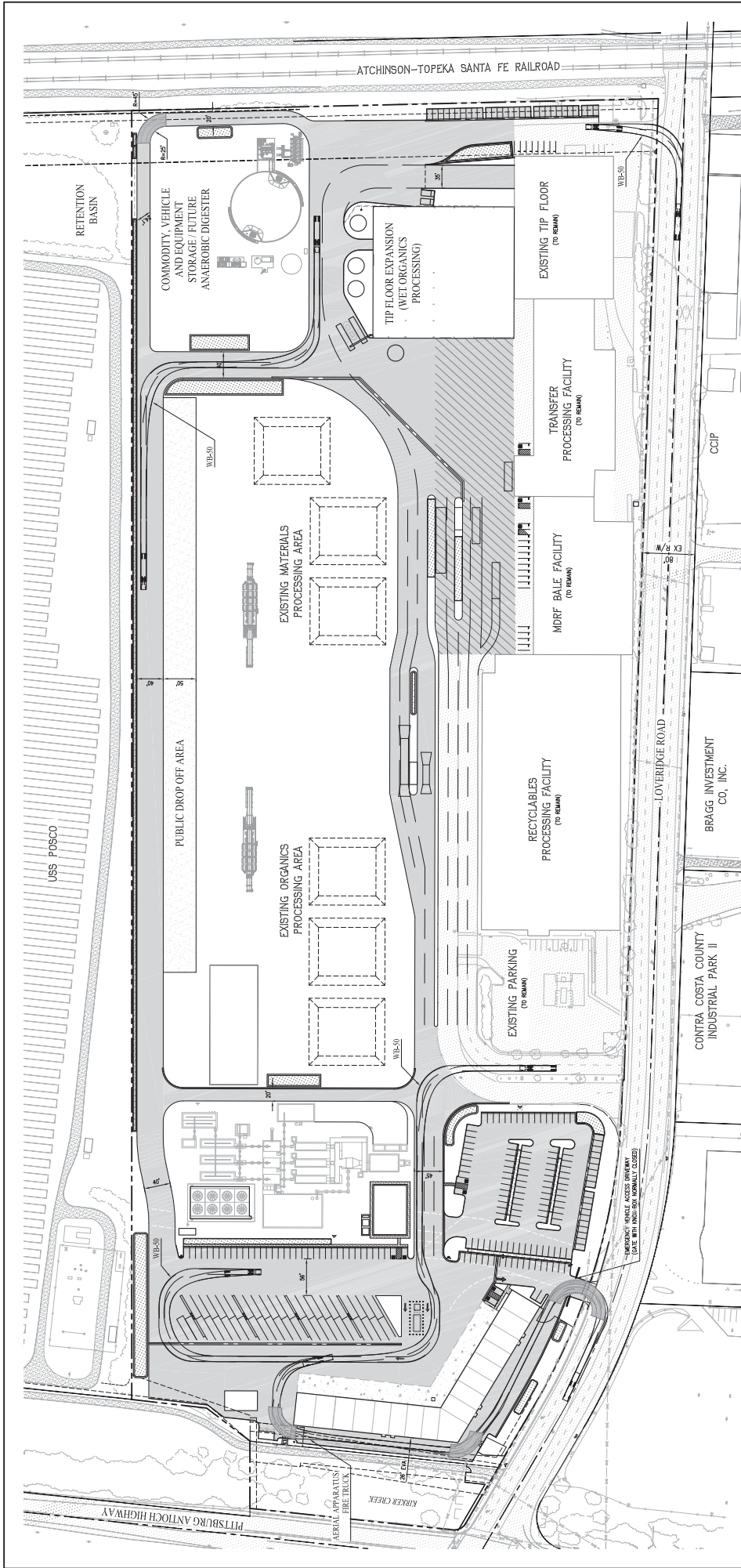
Mount Diablo
Resource Recovery Park

PITTSBURG, CALIFORNIA

PRELIMINARY STORMWATER
CONTROL PLAN

Drawn:	END
Checked:	AJD
Date:	03/03/10
Project:	11-0000

C.4



FIRE ACCESS TURNING TEMPLATE
IN ACCORDANCE WITH CONTRA COSTA COUNTY
FIRE DEPARTMENT TURNING TEMPLATES
NOT TO SCALE



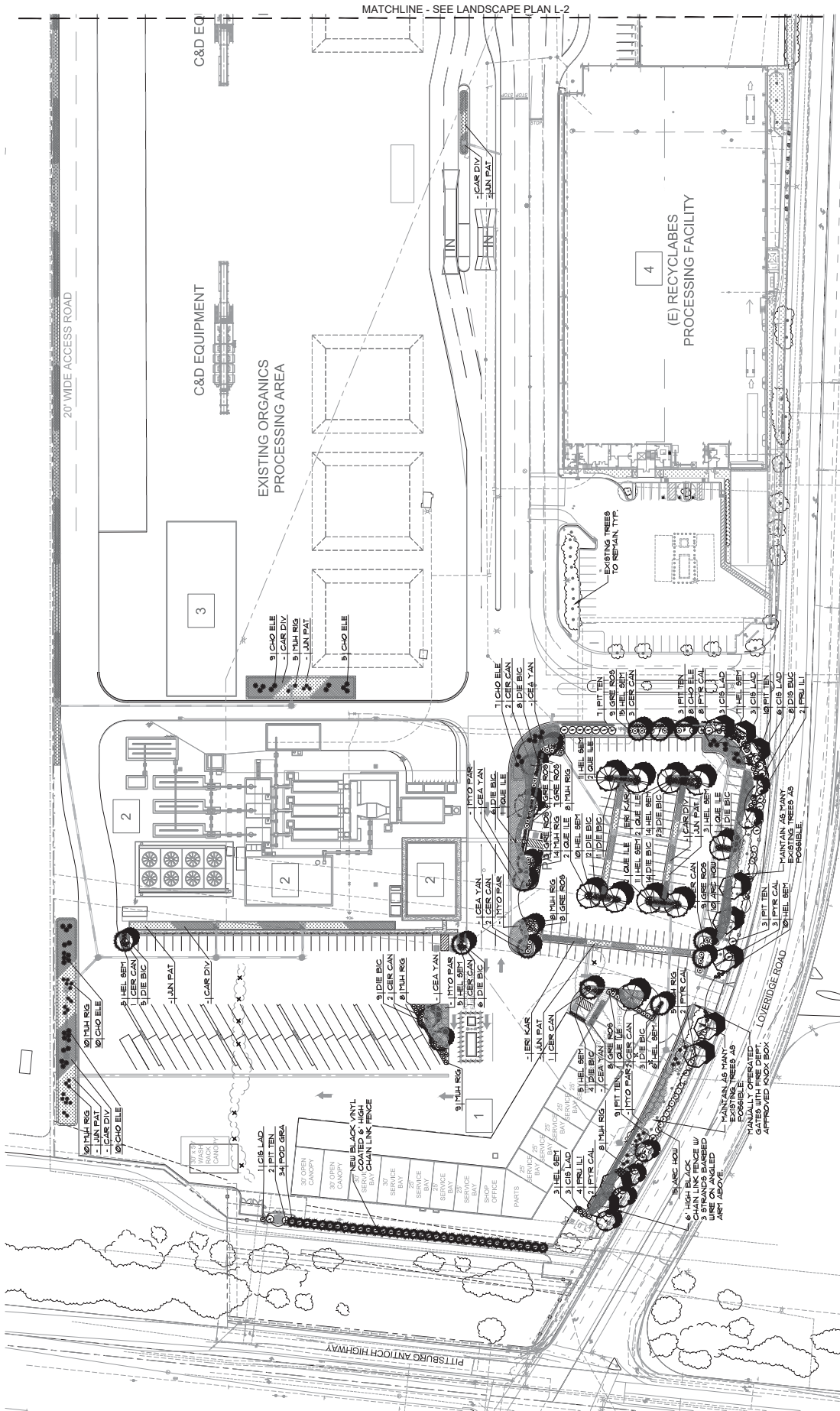
TRUCK TURNING PLAN
1"=10'

Carlson, Barbee & Gibson, Inc.
C.B.G. ENGINEERING & PLANNING
www.carlsonbarbeegibson.com
SUN VALLEY • (916) 886-1322
SACRAMENTO • (916) 251-1677

Mount Diablo
Resource Recovery Park
PITTSBURG, CALIFORNIA

TRUCK TURNING PLAN

Drawn: EMD
Checked: AJO
Date: 03/06/18
Project: C-5



SEE SHEET L-2 FOR PLANT LEGEND,
NOTES, & PLANT INSTALLATION DETAILS.

Revisions

KITCHELL
Capital Expenditure Managers
2445 Venture Oaks Way, Suite 500
Pittsburg, CA 95055
(916) 544-9720



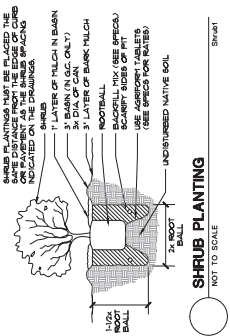
Mount Diablo
Resource Recovery Park

PITTSBURG, CALIFORNIA

LANDSCAPE PLAN -
PHASE IA AND
PHASE IB

Drawn:	
Checked:	
By:	
Date:	03.03.18
Project:	

L-1



Plant Palette		COMMON NAME	SIZE	NOTES	WUCOLS
SYMBOL	BOTANICAL NAME				
	CERCIS CANADENSIS	24" BOX	DECIDUOUS	M	
	FRAXILIS ILLICIFOLIA 'LYONII'	24" BOX	EVERGREEN	L	
	FRAXILIS CALLERYANA CHANTICLEER	24" BOX	DECIDUOUS	M	
	QUERCUS LEX	24" BOX	EVERGREEN	L	
SHRUBS & GRASSES					
	ARCTOSTAPHYLOS HOWARD MOYNI'	5 GAL	EVERGREEN FLOWERING	L	
	CEA CANC	5 GAL	EVERGREEN FLOWERING	L	
	CEA XON	5 GAL	EVERGREEN FLOWERING	L	
	DIETES ROODES	1 GAL	EVERGREEN FLOWERING	L	
	GRUELLA SCARLET SPRITE'	5 GAL	EVERGREEN FLOWERING	L	
	HELIOTROPION SEMPERVIRENS	5 GAL	EVERGREEN	L	
	ONCHOCALIX LONGIFOLIA BREEZE	5 GAL	EVERGREEN	L	
	ONCHOCALIX LONGIFOLIA BREEZE	5 GAL	EVERGREEN	L	
	RUSSULA CALIFORNICA 'SEAVIEW'	5 GAL	EVERGREEN BERRIES	L	
	PT TEN	5 GAL	SCREENIVE EVERGREEN	L	
GROUND COVERS:					
	CEA CANC	1 GAL	EVERGREEN FLOWERING	L	
	CEA XON	1 GAL	EVERGREEN FLOWERING	L	
	ERIKERON KURUSKIANUS	1 GAL # 2 OC.	EVERGREEN FLOWERING	L	
	HYPOCHOERIS PARSYFOLLUM	1 GAL # 5 OC.	EVERGREEN	L	
VINE:					
	DICTYOTIS BUCCONATORIA	1 GAL	EVERGREEN FLOWERING	M	
INDUSTRIAL PLANTS:					
	CHD ELE	5 GAL	EVERGREEN	L	
	CAREX DIVISA	1 GAL	EVERGREEN	L	
	JUNCUS PATENS 'ELK BLUE'	1 GAL	EVERGREEN	L	
	MULLEBERGIA REGINAE	5 GAL	EVERGREEN	L	
	MULBERRY	5 GAL	EVERGREEN	L	



TREES



CERCIS CANADENSIS
EASTERN REDBUD



PODOCARPUS GRACILIOR
FERN PINE



PRUNUS ILICIFOLIA 'LYONII'
CATALINA CHERRY



PYRUS C. 'CHANTICLEER'
CHANTICLEER PEAR



QUERCUS ILEX
HOLLY OAK

SHRUBS & GRASSES



ARCTOSTAPHYLOS
'HOWARD MCMIN'
MANZANITA



CEANOTHUS 'CONCHA'
CALIFORNIA LILAC



CISTUS LADANIFER
CRIMSON SPOT ROCKROSE



DIETES
FORTNIGHT LILY



HELICTOTRICHON
SEMPERVIRENS
BLUE OAT GRASS



PITTOSPORUM TENUIFOLIUM
KOHUHU PITTOSPORUM

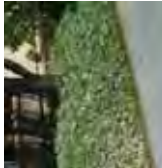
GROUNDCOVERS



CEANOTHUS 'YANKEE POINT'
CALIFORNIA LILAC



ERIGERON KARVINSKIANUS
MEXICAN DAISY



MYOPORUM PARVIFOLIUM
CREEPING MYOPORUM



CAREX DIVSULA
BERKELEY SEDGE



CHONDROPETALUM ELEPHANTINUM
GIANT CAPE RUSH



JUNCUS PATENS 'ELK BLUE'
CALIFORNIA SEDGE



MUHLENBERGIA RIGENS
DEER GRASS

VINE



DISTICTIS BUCCINATORIA
RED TRUMPET VINE

Revisions



KITCHELL
Capital Expenditure Managers
2445 Venture Oaks Way, Suite 500
San Jose, CA 95128
(415) 544-9700



Mount Diablo
Resource Recovery Park

PITTSBURG, CALIFORNIA

PLANT
IMAGES

Drawn:	
Checked:	
By:	05/05/18
Project:	

L-3

APPENDIX C.
CORRESPONDENCE: LAW OFFICE OF DANA DEAN –
SUPPLEMENTAL INFORMATION CONCERNING
MT. DIABLO RESOURCE RECOVERY
ENHANCEMENTS PROJECT



July 5, 2018

Joan Lamphier
Consulting Planner
City of Pittsburg
65 Civic Avenue
Pittsburg, California 94565
JLamphier@ci.pittsburg.ca.us

Via U.S. Mail and Electronic Mail

**Re: Supplemental Information Concerning Mt. Diablo Resource
Recovery Park Enhancements Project**

Dear Ms. Lamphier:

On behalf of Contra Costa Waste Service, Inc. dba Mt. Diablo Resource Recovery, A Garaventa Company["MDRR"], I am pleased to submit for your consideration the following supplemental information concerning the Mt. Diablo Resource Recovery Park ["MDRRP"] Enhancements Project [the "Enhancements Project"] in response to your request for additional information, dated May 4, 2018.

Below, please find our responses to each of your requests.

1. Request:

Provide operating characteristics of the proposed Biomass Gasification Units, including the quantified air emissions from this process.

Supplemental Information:

The Enhancements Project, among other things, could include up to 3 Biomass Gasification Units ["BGUs"]. It is anticipated that the project will start with a single unit using 50 tons/day ["tpd"] of blond woodchips as feedstock. Future expansions are expected to include the addition of 2 more BGUs and the use of biosolids as a portion of the feedstock supply. The following description provides detail regarding the characteristics of the biomass gasification system and the expected air emissions.



The Biomass Gasification Unit(s) will have the following operating components: (1) Feedstock Receiving and Queueing; (2) Gasification; (3) Thermal Oxidizer; (4) Emissions Control; (5) Power Generation; and (6) Biochar Management.

Emissions

Project emissions are calculated in the report prepared by Aries Clean Energy attached as **Exhibit 1**. The data provided shows preliminary calculated TAC emissions and Criterial Pollutant emissions under six processing case scenarios based on data collected from similar gasification units already in operation.¹ The analysis by Aries Clean Energy looks at the preliminary calculated emissions for 3 units, at full buildout of the EMSW Conversion Facility, and scales those figures to approximate six separate throughput case scenarios. Those case scenarios are as follows:

1. A single gasifier using only woodchips as feedstock at a throughput of 50 tons per day ["tpd"].
2. A single gasifier using woodchips and biosolids as feedstocks at a throughput of 50 tpd.
3. Two gasifiers using only woodchips as feedstock at a throughput of 100 tpd.
4. Two gasifiers using woodchips and biosolids as feedstocks at a throughput of 100 tpd.
5. Three gasifiers using only woodchips as feedstock at a throughput of 150 tpd.
6. Three gasifiers using woodchips and biosolids as feedstocks at a throughput of 150 tpd.

The single BGU analyzed in MDRRP's Environmental Impact Report ["EIR"], certified in May of 2015, was calculated to have annual emissions of 1.1 tons/year ["tons/yr"] of NOx. In total, NOx emissions from the project analyzed in MDRRP's EIR were estimated to be about 49.8 tons/yr, with Off-Road Equipment and On-Road Vehicles contributing a total of 48.7 tons/yr.

Under the analysis performed by Aries Clean Energy, using data from downdraft gasifiers in operation in out-of-state facilities, the preliminary NOx emissions calculated for a single BGU using only woodchips as feedstock are 1.14 tons/yr higher from the level estimated in the EIR, for a potential 2.2% increase in total NOx emissions. The preliminary NOx emissions calculated for a single BGU using woodchips and biosolids as feedstocks are 1.46 tons/yr higher than the level estimated in the EIR, for a potential 2.93% increase in total NOx emissions. The preliminary NOx emissions calculated for 3 BGUs, at full buildout, using only woodchips as feedstock are 5.61 tons/yr higher than the level estimated in the EIR, for a potential 11.26% increase in total NOx emissions. The preliminary NOx emissions calculated for 3 BGUs using woodchips and biosolids as feedstocks are

¹ The data used for the analysis performed by Aries Clean Energy was collected from stack emissions testing of the downdraft gasifier, model LF-64, installing in Lebanon, Tennessee and the downdraft gasifier, model SF-12, installed in Covington, Tennessee.

6.59 tons/yr higher than the level estimated in the EIR, for a potential 13.23% increase in total NOx emissions.

MDRRP's EIR already requires the use of onsite control measures and/or the purchase of emissions offsets sufficient to limit the net increases in operational NOx emissions to no more than 54 pounds per day or 10 tons/yr. The potential increases in NOx emissions outlined in the report prepared by Aries Clean Energy are within the framework described in MDRRP's EIR.

2. Request:

The existing CUP establishes a limit on the daily processing of material of 5,500 Tons Per Day. Would the material provided by Delta Diablo be within this range or is it in addition to that amount?

Supplemental Information:

The biosolids feedstock for the EMSW Conversion Facility would be within the range of the existing CUP's daily processing limit of 5,500 tpd.

3. Request:

The project evaluated in the December 2014 Environmental Impact Report included a Commercial Food Waste Processing System. It also included a Residential Food Waste Processing System. Would the High Diversion Mixed Waste/Wet Organics Processing System replace those proposed uses?

Supplemental Information:

No, the proposed High Diversion Mixed Waste/Wet Organics Processing System is one option of the more broadly described food waste processing system contemplated in MDRRP's EIR. The modification requested here is intended to address the details of this particular option, not to replace earlier approvals.

4. Request:

Have any of the improvements approved in the 2015 CUP been constructed?

Supplemental Information:

No, none of the improvements approved in the 2015 CUP have been constructed.

5. Request:

Provide estimates of the difference in long haul truck trips with utilization of the food waste processing system.

Supplemental Information:

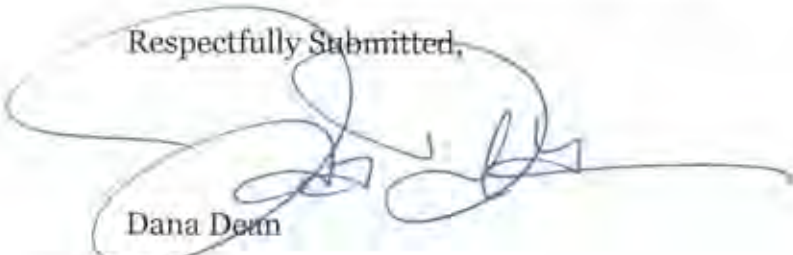
A report outlining the difference in long haul truck trips with utilization of the food waste processing system is attached as **Exhibit 2**. In general, the utilization of the food waste processing system (or the High Diversion Mixed Waste/Wet Organics Processing System) is expected to result in an 18-25% (21% on average) reduction in emissions associated with the hauling of mixed waste from MDRRP.

Furthermore, additional emissions would be avoided through the onsite utilization of woodchips at the EMSW Conversion Facility, under this project. In general, the use of woodchips as a feedstock at the EMSW Conversion Facility, adjacent to MDRR's Organic Materials Processing Operation, is expected to result in a reduction of 210 Metric Tons of CO₂ equivalent ["MTCO₂e"] associated with the consumption of diesel for the delivery of woodchips from MDRRP to the Los Baños area for use in composting or bioenergy facilities. Moreover, it is expected that eliminating the annual travel mileage from MDRRP to Los Baños (105,950 annual miles) will also result in a reduction on criteria pollutant emissions. In particular, 0.139149 Metric Tons/year of NO_x are expected to be avoided through the elimination of these long-haul deliveries. A report outlining the emissions avoided through the onsite utilization of woodchips at MDRRP is attached as **Exhibit 3**.

Thank you for consideration of this supplemental information,

I am available to answer any questions or provide further details as you might require. Please don't hesitate to reach out.

Respectfully Submitted,



Dana Dean

Enclosures

cc: Angelica Sandoval Marin
Client



Exhibit 1

Mt. Diablo Resource Recovery Park Enhancements Project

Biomass Gasification Unit

Preliminary Quantified Air Emissions

7/5/2018

I. Background

The following analysis is intended to provide preliminary quantified air emissions for the Biomass Gasification Unit(s) (BGU) to be constructed and operated as part of the Mt. Diablo Resource Recovery Park (MDRRP) Enhancements Project (Enhancements Project). The primary data used for this analysis was obtained from stack emissions tests conducted for downdraft gasification units in operation in Lebanon¹ and Covington², Tennessee. The data collected from the Lebanon gasification unit included woodchips only as a feedstock, with the woodchips sourced from MDRRP as a representative sample. The data collected from the Covington gasification unit included local Covington woodchips and biosolids. It is anticipated that a total of three BGUs will be constructed as part of the Enhancements Project. The initial feedstock to be used by the BGU's is expected to be woodchips alone. As the Enhancements Project progresses, biosolids are expected to make up a portion of the feedstock used. The total feedstock throughput is expected to be 150TPD, once all three BGUs are operational. The following data shows the expected emissions at full build out for 3 units under six case scenarios that could occur under the Enhancements Project.

II. Scenarios

The following six scenarios are considered as part of this analysis.

Case #:	1	2	3	4	5	6	
Description	1 BGU Wood only	1 BGU Wood+Biosolid	2 BGU Wood only	2 BGU Wood+Biosolid	3 BGU Wood only	3 BGU Wood+Biosolid	Units
Wood Process Rate	50.0	50.0	100.0	100.0	150.0	150.0	Wet tons/day wood
Wood Process Rate	2.1	2.1	4.2	4.2	6.3	6.3	Wet tons/hr wood
Biosolids	-	7.4	-	14.7	-	22.1	Wet tons/day biosolids
Biosolids	-	0.3	-	0.6	-	0.9	Wet tons/hr biosolids

Note, wet tons refers to the material volume including moisture content (which may be 10-20% for woody biomass, or 9-20% for dried biosolids).

III. Criteria Pollutants

Yorke Engineering (Yorke) performed a detailed study of the potential air emissions generated from 3 gasification units with a combined total throughput of 150 TPD (Case 5). Yorke's analysis was based on stack testing dated from the Lebanon gasification unit, as well as the incorporation of typical metals found in waste

¹ Investigative Air Emissions Test PHG Gasifier/Thermal Oxidizer, City of Lebanon Gasification Facility, dated April 27, 2017 wood waste only, by Environmental Monitoring Laboratories, Inc

² Investigative Air Emissions Tests, PHG Energy, For the City of Covington, Biomass Gasifier, dated 4/15/2014, sludge and biosolids, by Environmental Monitoring Laboratories, Inc

wood. The other Criteria Pollutant Emissions cases shown here are linearly extrapolated from Yorke's analysis based on anticipated volumes for each scenario.

A. Yorke's calculated emissions for case 5

Table F-14: Summary of Criteria Pollutant Emissions

Pollutant	(lb./hr.)	(lb./day)	(lb./yr.)	(tons/yr.)
NOx	1.53	36.74	13410.54	6.71
SOx	0.26	6.27	2289.92	1.14
CO	0.26	6.13	2236.58	1.12
POC	0.01	0.13	47.24	0.02
PM10	0.32	3.56	1297.99	0.65

B. Criteria Pollutants: Lebanon Stack Data

The following criteria pollutant values are estimated by using Yorke's calculations from the Lebanon stack data scaled to match the feedstock volume under each of the six case scenarios.

	Case 1	Case 2	Case 3	Case 4	Case 5	Case 6
Pollutant	Controlled Emissions (lbs/hr)	Controlled Emissions (lbs/hr)	Controlled Emissions (lbs/hr)	Controlled Emissions (lbs/hr)	Controlled Emissions (lbs/hr)	Controlled Emissions (lbs/hr)
NOx	0.51	0.59	1.02	1.17	1.53	1.76
SOx	0.09	0.10	0.17	0.20	0.26	0.30
CO	0.09	0.10	0.17	0.20	0.26	0.29
POC	0.00	0.00	0.00	0.00	0.01	0.01
PM10	0.02	0.02	0.03	0.04	0.05	0.05

	Case 1	Case 2	Case 3	Case 4	Case 5	Case 6
Pollutant	Controlled Emissions (tons/yr)	Controlled Emissions (tons/yr)	Controlled Emissions (tons/yr)	Controlled Emissions (tons/yr)	Controlled Emissions (tons/yr)	Controlled Emissions (tons/yr)
NOx	2.24	2.56	4.47	5.13	6.71	7.69
SOx	0.38	0.44	0.76	0.88	1.14	1.31
CO	0.37	0.43	0.75	0.86	1.12	1.28
POC	0.01	0.01	0.02	0.02	0.02	0.03
PM10	0.07	0.08	0.14	0.16	0.21	0.24

C. Criteria Pollutants: Covington Stack Data

The following criteria pollutant values are estimated from the Covington stack data scaled to match the feedstock volume under each of the six case scenarios. The Covington emissions gasification stack test was performed using 793lb/hr. of woody biomass and 137lb/hr. of biosolids.

	Case 1	Case 2	Case 3	Case 4	Case 5	Case 6
Pollutant	Controlled Emissions (tons/yr)	Controlled Emissions (tons/yr)	Controlled Emissions (tons/yr)	Controlled Emissions (tons/yr)	Controlled Emissions (tons/yr)	Controlled Emissions (tons/yr)
NO _x	2.06	2.36	4.11	4.72	6.17	7.08
SO _x	-	-	-	-	-	-
CO	-	-	-	-	-	-
POC	-	-	-	-	-	-
PM ₁₀	0.17	0.19	0.33	0.38	0.50	0.57

IV. Toxic Air Contaminants

To calculate TACs, Yorke included assumed standard metal concentrations for woody biomass, standard pollutants from gas combustion, and pollutants based on Aries syngas combustion. The metals are assumed to remain in the gas (as opposed to fall out with the biochar), and a 99% capture rate is applied. In practice, Aries finds that most of the metals remain in the biochar. Yorke's assumption was intended to ensure that metal concentrations are not under estimated.

The design model used in Yorke's analysis utilized wood waste only and the emissions controls did not focus on removing metals. With the addition of biosolids, the Enhancements Project would incorporate additional emissions reduction strategies, as may be needed, in order to maintain TAC levels under regulatory thresholds, as already required in MDRRP's Environmental Impact Report (EIR) (Certified in 2015).

A. Yorke Calculations for TAC's post emissions control for Case 5.

Table F-15: Summary of TAC Emissions		
Pollutant	Lbs./hr.	Lbs./yr.
Benzene	4.97E-04	4.36
Formaldehyde	1.05E-03	9.24
Toluene	3.33E-09	0.00
PAHs	3.43E-05	0.30
Ammonia	2.69E-01	2352.20
Mercury	3.57E-07	0.00
Vanadium	4.27E-05	0.12
Chromium	2.46E-05	0.07
Manganese	3.66E-02	106.80
Nickel	2.10E-04	0.61
Copper	5.62E-04	1.64
Arsenic	2.08E-05	0.06
Selenium	1.87E-05	0.05
Cadmium	4.57E-06	0.01
Lead	1.44E-04	0.42

B. Linearly scaling Yorke's values by the various tonnages of scenarios 1-6 and adding the metals commonly found in biosolids for TAC's post emissions control:

Element	lbs/hr	lbs/hr	lbs/hr	lbs/hr	lbs/hr	lbs/hr	Screening Emission Level (lb/yr)
Benzene	1.66E-04	1.90E-04	3.31E-04	3.80E-04	4.97E-04	5.70E-04	6.00E-02
Formaldehyde	3.51E-04	4.03E-04	7.03E-04	8.07E-04	1.05E-03	1.21E-03	1.20E-01
Toluene	1.11E-09	1.27E-09	2.22E-09	2.55E-09	3.33E-09	3.82E-09	8.20E+01
PAHs	1.14E-05	1.31E-05	2.29E-05	2.62E-05	3.43E-05	3.93E-05	N/A
Ammonia	8.95E-02	1.03E-01	1.79E-01	2.05E-01	2.69E-01	3.08E-01	7.10E+00
Hg	1.19E-07	1.96E-06	2.37E-07	3.92E-06	3.56E-07	5.87E-06	1.30E-03
V	1.42E-05	1.42E-05	2.85E-05	2.85E-05	4.27E-05	4.27E-05	6.60E-02
Cr ²	8.18E-06	2.46E-05	1.64E-05	4.93E-05	2.45E-05	7.39E-05	N/A
Mn	1.22E-02	1.22E-02	2.43E-02	2.43E-02	3.65E-02	3.65E-02	N/A
Ni	6.99E-05	3.02E-04	1.40E-04	6.03E-04	2.10E-04	9.05E-04	3.10E-05
Cu	1.87E-04	7.51E-03	3.75E-04	1.50E-02	5.62E-04	2.25E-02	2.20E-01
As	6.92E-06	3.76E-05	1.38E-05	7.53E-05	2.08E-05	1.13E-04	4.40E-04
Se	6.22E-06	7.87E-05	1.24E-05	1.57E-04	1.87E-05	2.36E-04	N/A
Cd	1.52E-06	1.91E-05	3.05E-06	3.82E-05	4.57E-06	5.73E-05	N/A
Pb	4.78E-05	3.57E-04	9.56E-05	7.14E-04	1.43E-04	1.07E-03	N/A

	Case 1	Case 2	Case 3	Case 4	Case 5	Case 6	
Element	lbs/yr	lbs/yr	lbs/yr	lbs/yr	lbs/yr	lbs/yr	Screening Emission Level (lb/yr)
Benzene	1.45E+00	1.67E+00	2.90E+00	3.33E+00	4.36E+00	5.00E+00	2.90E+00
Formaldehyde	3.08E+00	3.53E+00	6.16E+00	7.07E+00	9.24E+00	1.06E+01	1.40E+01
Toluene	9.73E-06	1.12E-05	1.95E-05	2.23E-05	2.92E-05	3.35E-05	1.20E+04
PAHs	1.00E-01	1.15E-01	2.00E-01	2.30E-01	3.00E-01	3.45E-01	3.30E-03
Ammonia	7.84E+02	9.00E+02	1.57E+03	1.80E+03	2.35E+03	2.70E+03	7.70E+03
Hg	1.04E-03	1.72E-02	2.08E-03	3.43E-02	3.12E-03	5.15E-02	2.10E-01
V	1.25E-01	1.25E-01	2.49E-01	2.49E-01	3.74E-01	3.74E-01	N/A
Cr ²	7.16E-02	2.16E-01	1.43E-01	4.32E-01	2.15E-01	6.48E-01	5.10E-04
Mn	1.07E+02	1.07E+02	2.13E+02	2.13E+02	3.20E+02	3.20E+02	3.50E+00
Ni	6.13E-01	2.64E+00	1.23E+00	5.29E+00	1.84E+00	7.93E+00	3.10E-01
Cu	1.64E+00	6.58E+01	3.28E+00	1.32E+02	4.92E+00	1.97E+02	N/A
As	6.06E-02	3.30E-01	1.21E-01	6.59E-01	1.82E-01	9.89E-01	1.60E-03
Se	5.45E-02	6.89E-01	1.09E-01	1.38E+00	1.63E-01	2.07E+00	8.00E+00
Cd	1.33E-02	1.67E-01	2.67E-02	3.35E-01	4.00E-02	5.02E-01	1.90E-02
Pb	4.19E-01	3.13E+00	8.38E-01	6.25E+00	1.26E+00	9.38E+00	2.90E-01

Note, this includes a very conservative assumption that the entire process daily throughput may occur in an 8-hour window.

The biosolids metals are from a 2012 lab report of biosolids from Sanford FL.³

To generate the combined wood + biosolids metals ratio, the 2014 Covington Emissions report ratio is used 793lb of wood to 137 lb. of biosolids.

V. Conclusions

Adding biosolids to the feedstock has a slight increase on toxic air contaminants and minimal impact on criteria air pollutants. While the criteria pollutants conservatively remain well under regulatory thresholds, the TAC levels would potentially exceed some thresholds at higher facility volumes at full buildout when biosolids are included. Mitigations already required in MDRRP's EIR will be sufficient to reduce any such levels to less than significant.



Jeff Snyder
SVP Business Development
Aries Clean Energy
4037 Rural Plains Circle, Suite 290,
Franklin, TN 37064



³ From lab report by Flowers Chemical Laboratories dated 6/25/2013 for Maxwest Energy based on gasifier sludge sample taken 6/14/2013.

Exhibit 2

Vehicle Miles Traveled Comparison

Mount Diablo Resource Recovery Park



Mt. Diablo Resource Recovery

reduce • reuse • recycle • respect • recover

A Garaventa Company

Edgar & Associates
1822 21st Street
Sacramento, CA 95811
June 2018





Edgar & Associates, Inc. is an environmental engineering company and lobbying firm based in Sacramento and specializing in solid waste management, recycling, composting, and renewable energy issues. Edgar & Associates, Inc. acts as technical adviser and consultant to companies involved with all aspects of materials management services including collection, hauling, processing, recycling, composting, and landfilling. Edgar & Associates, Inc. assists in the deployment of technologies and in obtaining grant funding to commercialize low carbon systems. Since its inception, we have assisted companies and their franchise cities and jurisdictions prepare for greater levels of waste diversion and the lowest carbon footprint possible.

Edgar and Associates regularly calculates vehicle miles traveled, emission, and greenhouse gas analyses for California waste haulers and jurisdictions. Edgar and Associates relies upon the most up-to-date emissions factors provided by the California Air Resources Board, the United States Environmental Protection Agency, and geographic information from Google Maps.

Vehicle Miles Traveled and Emissions Analysis

Mt. Diablo Resource Recovery Park

Current Mixed Solid Waste Operation

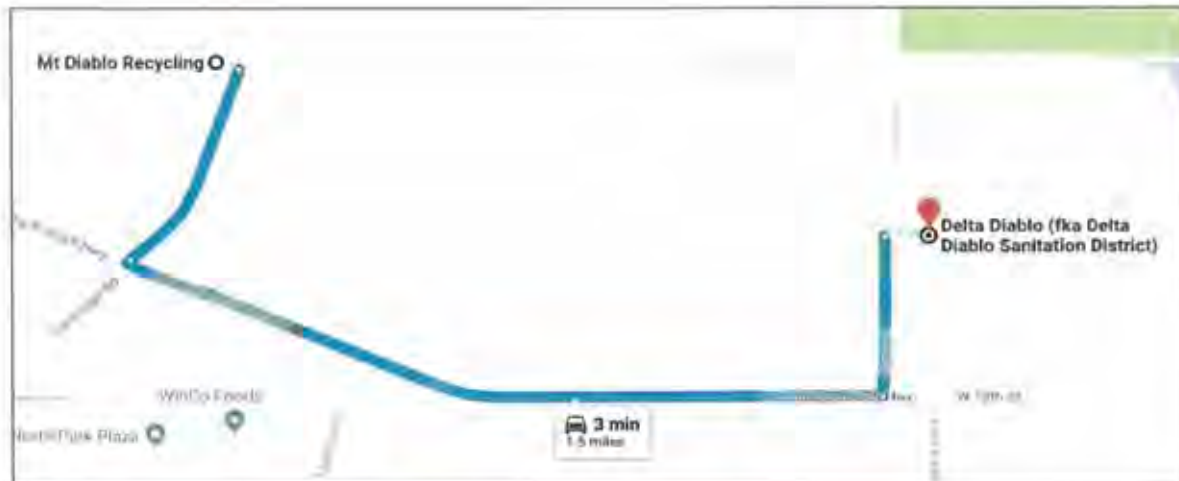
Currently, 339 TPD of Mixed Solid Waste ["MSW"] are being sent from MDRRP to Keller Canyon Landfill ["KCL"], Monday through Friday (260 operating days per year). It takes 17 trips per day of 20-ton payload transfer trucks in order to deliver the aforementioned volume of MSW to KCL. KCL is located approximately 5.9 miles away from MDRRP, which means that each delivery covers approximately 11.8 miles roundtrip.



Route Changes

With the use of the High Diversion Mixed Waste/Wet Organics Processing System, MSW would be manually and mechanically processed to separate out the wet fraction of organic matter in the waste stream (or food waste slurry), additional recyclables, and the inorganic refuse fraction. The wet fraction yield is expected to be approximately 114 TPD. The inorganic refuse fraction is expected to be approximately 225 TPD.

The 225 TPD of inorganic refuse fraction will be sent to KCL for disposal. At 20 tons per load, it would take 12 truck trips per day to deliver 225 TPD to KCL for disposal (260 days per year). For the purpose of this analysis, the 114 TPD of wet fraction would be sent to Delta Diablo instead of going to KCL for disposal. At 20 tons per load, it would take approximately 6 truck trips per day to deliver 114 TPD to Delta Diablo for anaerobic digestion. Delta Diablo is less than 1.5 miles away from MDRRP, which means that each delivery will cover approximately 3 miles roundtrip.



Vehicle Miles Traveled and Emissions

Given the roundtrip distances and trip frequency, the two routing scenarios can be compared with respect to the number of vehicle miles traveled annually. The California Air Resources Board's EMFAC Emission Rates model was used to determine emissions under current MSW operation and under the new High Diversion Material Split (the factors used are the 2018 emissions year, T7 tractor, running off of diesel fuel, for trucks model year 2014).³

These emissions, annualized are compared side by side in the table below.

	Current MSW Operation	High Diversion Material Split	Difference
Vehicle Miles Traveled	52,156	41,496	10,660
Diesel Gallons	6,014	4,785	1,229

Annual Emissions (Metric Tons)			
ROG	0.004	0.003	0.001
TOG	0.004	0.003	0.001
CO	0.022	0.018	0.004
NOx	0.068	0.054	0.014
PM10	0.00025	0.00020	0.00005
PM2.5	0.00024	0.00019	0.00005
CO₂e	82.6	65.7	16.9

As there is no difference in the vehicle types used for this study, the emissions are directly based off of the mileage traveled, which is approximately 20% lower in the High Diversion Material Split scenario than the current MSW operation. The modeling demonstrates a reduction of between 18-25% (21% on average) of the emissions analyzed in the High Diversion Material Split scenario than the current MSW operation.

³ The Greenhouse Gas impacts are based on the assumption that fleets will be using diesel as described in the low carbon fuel standard as Diesel from the California Air Resources Board. This fuel efficiency, is 102.01 g CO₂e/MJ and can be found on page 66. <http://www.arb.ca.gov/regact/2015/lcfs2015/lcfsfinalregorder.pdf>

Exhibit 3

Vehicle Miles Traveled Comparison: Woodchips Management

Mt. Diablo Resource Recovery Park



Mt. Diablo Resource Recovery

reduce • reuse • recycle • respect • recover

A Garaventa Company

Edgar & Associates
1822 21st Street
Sacramento, CA 95811
June 2018





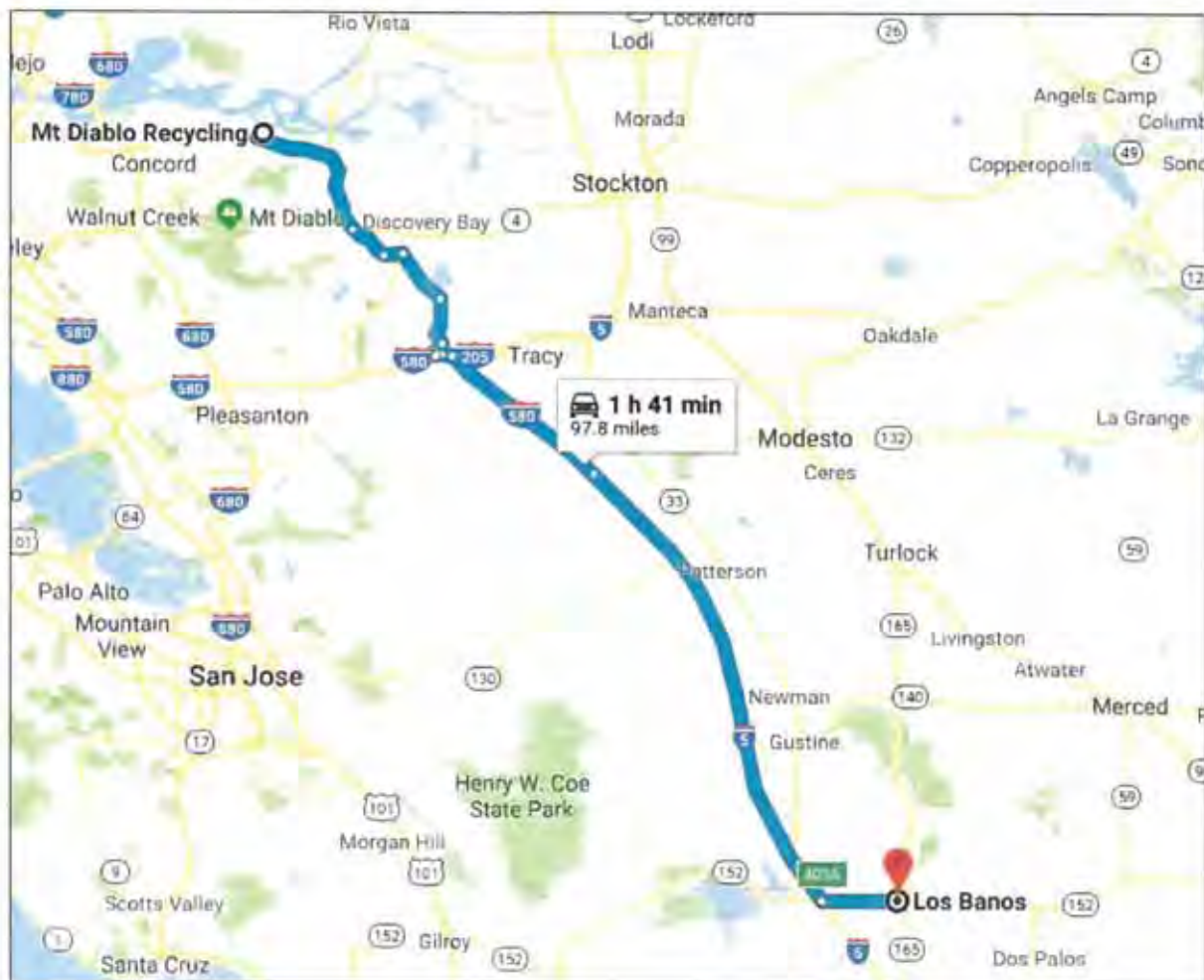
Edgar & Associates, Inc. is an environmental engineering company and lobbying firm based in Sacramento and specializing in solid waste management, recycling, composting, and renewable energy issues. Edgar & Associates, Inc. acts as technical adviser and consultant to companies involved with all aspects of materials management services including collection, hauling, processing, recycling, composting, and landfilling. Edgar & Associates, Inc. assists in the deployment of technologies and in obtaining grant funding to commercialize low carbon systems. Since its inception, we have assisted companies and their franchise cities and jurisdictions prepare for greater levels of waste diversion and the lowest carbon footprint possible.

Edgar and Associates regularly calculates vehicle miles traveled, emission, and greenhouse gas analyses for California waste haulers and jurisdictions. Edgar and Associates relies upon the most up-to-date emissions factors provided by the California Air Resources Board, the United States Environmental Protection Agency, and geographic information from Google Maps.

Mt. Diablo Resource Recovery Vehicle Miles Traveled for Woodchips Management

Vehicle Miles Saved – On Site Utilization of Woodchips

This analysis evaluates the amount of vehicle miles traveled, diesel fuel, and greenhouse gases that are saved by utilizing woodchips onsite at Mt. Diablo Resource Recovery Park (MDRRP). This scenario is modeled against the current conditions in which, on average, approximately 13,000 tons of woodchips material are managed each year by being sent 97.8 miles to the Los Baños Area of California for use in composting or bioenergy facilities. Onsite management of woodchips at MDRRP would effectively eliminate the trek down to Los Baños, depicted on the map below. Annually, the round-trip mileage from MDRRP to Los Baños is approximately 105,950 miles.



Greenhouse Gas Reductions

This is a transportation analysis only and as such the end of life management of the woodchips materials is considered identical in both scenarios. The table below outlines the calculation.

Vehicle Miles Traveled Savings - Woodchips	
Average tons of Woodchips Managed Annually	13,000
Capacity of Transfer Trailer (tons)	24
Trips Required	542
Distance from MDRRP to Los Baños (one-way)	97.8
Fuel Consumption GPM (loaded)	0.17
Fuel Consumption GPM (empty)	0.11
Fuel Consumption GPM per round trip	28
Annual Fuel Consumption	15,283
GHG/Gallon Diesel	0.013732936
Annual MTCO ₂ e avoided	210

A total of **210 MTCO₂e** are saved each year by utilizing woodchips onsite at MDRRP.

Criteria Pollutants Savings

In addition to reducing GHGs and traffic impacts, the elimination of the trip to Los Baños also reduces the amount of criteria pollutants that the transportation of the wood material would produce. These savings, in metric tons per year, are summarized in the table below.

Annual Criteria Pollutants (MT/year)	
Annual Miles	105,950
ROG	0.007587
TOG	0.008638
CO	0.044802
NO _x	0.139149
PM ₁₀	0.000511
PM 2.5	0.000489

References

The calculations for the above table are based on the following input information.

- Mileage is based on Google™ Maps travel distances between the Mt. Diablo facility and Los Baños California
- The Capacity of a transfer trailer is based on industry experience, which anticipates the payload of such a trailer is 24 tons.
- The fuel consumption per mile is based on Oak Ridge National Laboratory's 2011 study "Effect of Weight and Roadway Grade on the Fuel Economy of Class-8 Freight Trucks",
https://digital.library.unt.edu/ark:/67531/metadc837814/m2/1/high_res_d/1029954.pdf
- The greenhouse gas impacts of diesel fuel usage are based on the following calculation, which uses emission factors from the California Air Resource's Board Low-Carbon Fuel Standard found on page 66 at <http://www.arb.ca.gov/regact/2015/lcfs2015/lcfsfinalregorder.pdf>.

MTCO ₂ e/Gallon		
Annual Total Fuel:	1	Gallons
Conversion:	127,500	Btu/gallon
Total energy:	127,500	btus
Conversion:	0.001056	MJ/btu
Total energy:	135	MJ
Carbon Intensity:	102.01	g CO ₂ e / MJ
MTCO₂e Total:	0.0137	MTCO₂e/Gallon

- The Criteria Pollutants Estimations are based off of the California Air Resources Board's EMFAC model (EMFAC2014) (v1.0.7) Emission Rates with the following inputs:
 - Region: Bay Area
 - Calendar Year 2018
 - Model Year 2014
 - Diesel Fuel
 - T7 tractor vehicle class.

APPENDIX D.
MT. DIABLO RESOURCE RECOVERY PARK
DRAFT EIR – EXECUTIVE SUMMARY OF IMPACTS
AND MITIGATION MEASURES, 2014

This section provides an overview of the proposed Mt. Diablo Resource Recovery Park project (project; proposed project) and the environmental analysis. For additional detail regarding specific issues, please consult the appropriate section (3.1 through 3.8) in Chapter 3, Environmental Analysis, of this Draft Environmental Impact Report (Draft EIR; DEIR).

The City of Pittsburg was identified as the lead agency for the proposed project. In accordance with Section 15082 of the California Environmental Quality Act (CEQA) Guidelines, the City prepared and distributed a Notice of Preparation (NOP) of an EIR on May 18, 2011 (SCH# 2011052053). This notice was circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the proposed project. The NOP is presented in **Appendix A**. In addition, an Initial Study was prepared for the project and released for public review at the same time as the NOP. The Initial Study is also included in **Appendix A**. The City filed a Notice of Completion with the State Clearinghouse for the Draft EIR on December 16, 2014, concurrently kicking off a 45-day public review period for the Draft EIR document and associated technical appendices. The public review period on the Draft EIR ends on January 30, 2015, after which the City will respond in writing to all environmental comments received and incorporate those into a Final Environmental Impact Report (FEIR) for consideration by the City of Pittsburg City Council.

ES1 PURPOSE AND SCOPE OF THE ENVIRONMENTAL IMPACT REPORT

This Draft EIR provides an analysis of the potential environmental effects associated with the approval of the proposed project, pursuant to CEQA (California Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (14 California Code of Regulations, Section 15000, et seq.). For a complete description of the project, see Section 2.0, Project Description, of this DEIR.

The DEIR analysis focuses on potential impacts that could result from development of the proposed project. Where appropriate, some impacts are analyzed under future conditions, which assume buildout of reasonably foreseeable projects in the area as appropriate under cumulative analysis conditions. All project-specific impacts are measured against the conditions that existed at the time of release of the Notice of Preparation (May 2011).

ES2 PROJECT CHARACTERISTICS

The proposed project consists of a Conditional Use Permit (CUP) to expand the capacity, operations, and land area of the existing Mt. Diablo Recycling Facility (MDRF) and the Recycling Center and Transfer Station (RCTS). The expanded facility will be called the Mt. Diablo Resource Recovery Park (MDRRP). The MDRRP will consist of the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, and Organics Processing Facility (currently known as the Green Material Processing Operations Area), which are existing facilities proposed for operational expansion. The project also includes a proposal for a new Biomass Gasification Unit, the addition of a 15-acre parcel adjacent to and west of the existing site for vehicle and equipment storage, and the addition of the 3.5-acre parcel located south of the existing site for a new truck maintenance facility and yard that would be relocated from a site east of the MDRRP across Loveridge Road. Concurrently, the solid waste permit is being revised to reflect the proposed project components. A summary of the proposed operational and physical changes to the facility is provided below.

MT. DIABLO RECYCLING FACILITY

The proposed project would result in the following changes to the existing Mt. Diablo Recycling Facility:

- Increase the permitted tonnage from 500 tons per day (TPD) to 1,000 TPD.
- Add a second processing line for commercial material consistent with AB 341, which requires a commercial recycling program.
- Include additional commingled recyclable materials for processing.
- Add solar panels to the rooftop to generate 800 kilowatts of energy.
- Expand area to provide additional parking and commodity and equipment storage.

TRANSFER/PROCESSING FACILITY

The proposed project would result in the following changes to the existing RCTS:

- Increase the permitted tonnage of municipal solid waste transferred and processed at the facility from 1,500 to 2,700 TPD.
- Add commercial and residential food waste processing capacity within the building to produce up to 480 TPD of compost and/or anaerobic digestion feedstock.
- Add solar panels to the rooftop to generate 800 kilowatts-hours of energy (combined output with the panels on the roof of the MDRF).
- Expand area to provide additional parking and commodity and equipment storage.

ORGANICS PROCESSING FACILITY

The project proposes the following changes to the existing Green Material Processing Area:

- Allow the processing of co-collected green material and food material from residential sources.
- Increase permitted tonnage from 200 to 800 TPD with up to 10,000 cubic yards of storage.
- Increase the permitted operating hours from 7 a.m. to 6 p.m. to 24 hours per day.
- Add a second grinder.

MIXED C&D PROCESSING FACILITY

The project proposes the following changes to the existing Mixed C&D Processing Facility:

- Add additional bays to the existing processing line.
- Add a second similar processing line.

- Increase the permitted tonnage from 450 to 1,000 TPD.
- Add additional processing for dry commercial recyclables and self-haul wastes.
- Expand areas for storage of commodities and equipment, and parking.
- Increase the operating hours from 7 a.m. to 5 p.m. to 4 a.m. to 10 p.m.

BIOMASS GASIFICATION UNIT

The project proposes to construct and operate a Biomass Gasification Unit (BGU) on a currently undeveloped site located at the northwestern corner of the project site. The proposed BGU portion of the project would include the following:

- Construct and operate a BGU.
- Allow 24-hour operation and maintenance of the unit.
- Utilize 40 TPD of clean wood chips processed at the on-site Organics Processing Facility or the Material Processing Area as the fuel source for the BGU.
- Generate 1 megawatt per hour of renewable energy primarily for use for on-site operations.
- Install transmission lines to power the Mt. Diablo Recycling Facility and the Mixed C&D Processing Facility and to sell excess electricity to Pacific Gas and Electric (PG&E).

TRUCK MAINTENANCE FACILITY AND YARD

The project proposes to construct and operate a Truck Maintenance Facility and Yard on an approximate 3.5 acre area located at the southeastern portion of the site (former GWF site). The proposed facility would replace an existing facility currently located east of the project site across Loveridge Road. The proposed Truck Maintenance Facility and Yard would include the following:

- Construct and operate an 18,000 square foot building, comprised of a 15,600 square foot shop and a 2,400 square foot office/storage area, with 2,000 square feet of open air canopies.
- Relocate the existing truck fueling island from the MDRF main parking area.

ADDITIONAL LAND

The project proposes to add land to accomplish the following:

- Add 15 acres along the westerly border for vehicle and equipment storage, and containerized commodity storage.
- Add the 3.5-acres along the southerly border for the truck maintenance facility and yard discussed above.

ES3 PROJECT ALTERNATIVES SUMMARY

The CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project that could feasibly attain the basic objectives of the project and reduce the degree of environmental impact. Section 5.0, Alternatives to the Project, provides a qualitative analysis of alternatives as compared to the proposed project. Alternatives identified for the proposed project include the following:

Alternative 1—No Project Alternative. Alternative 1, the no project alternative, assumes the existing Mt. Diablo Recycling Center and Transfer Station would continue to operate under its current permitted capacities and that no physical improvements would be made at the project site. This alternative also assumes that no revisions would be made to the facility's current Solid Waste Facility Permit issued by the California Department of Resources Recycling and Recovery (CalRecycle). The facility is currently permitted to process a throughput of 2,650 tons per day (TPD).¹ The facility currently processes less than its permitted capacity, approximately 1,181 TPD. This alternative assumes that the facility would ultimately increase operations to the permitted levels (a 125 percent increase from existing operations), with a proportionate increase in the number of truck and vehicle trips entering and leaving the site. The current permitted capacity is less than the total capacity requested for the proposed project, which is 5,500 TPD.

Alternative 2—Biomass and Solar Alternative. Alternative 2, the biomass and solar alternative, assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, or Organics Processing Facility, with the exception of the 40 tons per day increase in clean wood chips to fuel the biomass plant. This alternative assumes only the construction of the Biomass Gasification Unit on approximately 3.5 acres of expansion land and installation of the solar panels would move forward. Because the facility's capacities would not be substantially increased, no revisions to the facility's Solid Waste Facility Permit would be requested and the proposed addition of sort lines, bays, and other equipment would not be required.

Alternative 3—Limited Expansion Alternative (Typical Operating Conditions). Alternative 3, the limited expansion alternative, assumes that there would be increases at the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, or Organics Processing Facility. The existing facility has historically operated below the facility's permitted levels. While the DEIR analysis assumes that the expanded facility under the proposed project would operate every day at the maximum permitted level currently requested, the limited expansion alternative assumes the permit would seek an expansion to only 55 percent of the requested permit level of the proposed project. Therefore, the operating condition of the facility under the limited expansion alternative (operating at 55 percent of the maximum permitted level under the proposed project) would be 3,050 tons per day (TPD), compared to 5,500 TPD for the proposed project. This alternative was analyzed as "typical operating conditions" in the traffic impact study and in Section 3.7, Transportation and Circulation of this DEIR.

ES4 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

Comments received on the NOP are included in **Appendix A** of this Draft EIR. Comments that are related to the scope of the environmental analysis are summarized in Section 1.0, Introduction, and include issues such as traffic operations, solid waste operations, odor and wastewater service. Additional comments were received that did not concern the adequacy or scope of the environmental analysis under CEQA.

Concerns raised in response to the NOP were considered during the preparation of the Draft EIR.

ES5 SUMMARY OF ENVIRONMENTAL IMPACTS

Table ES-1 displays a summary of project impacts and proposed mitigation measures that would avoid or minimize potential impacts. In the table, the level of significance is indicated both before and after the implementation of each mitigation measure. For detailed discussions of project impacts and mitigation measures, the reader is referred to the technical environmental analysis in Sections 3.1 through 3.8 in this Draft EIR.

Of the potential environmental impacts discussed in the Draft EIR, the following air quality and traffic impacts are considered significant and unavoidable. CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance.

The significant and unavoidable project impacts are in the following air quality and traffic topic areas. The traffic topic areas are further identified as “typical operating conditions” at approximately 55 percent of permitted capacity and “maximum permitted operating conditions” at 100 percent permitted capacity (see Section 3.7, Transportation and Circulation, of this Draft EIR for further discussion of typical and maximum operating conditions):

- Short-Term Construction Emissions (Impact 3.1.1). Mitigation identified for the project, which include measures to reduce fugitive dust, area-source, and mobile-source emissions, would reduce maximum daily construction emissions but not below the BAAQMD’s significance threshold of 54 lbs/day for each pollutant. Therefore, short-term construction emissions remain significant and unavoidable.
- Project-Specific Traffic Impacts (Impact 3.7.1). Mitigation identified for the project, which includes payment of Capital Improvement Program (CIP) fees, would improve level of service at impacted intersections to less than significant. However, while the improvements are listed in the CIP, there is no funding plan identified. Since funding for the full improvement is not certain, this impact remains significant and unavoidable.
 - *Typical Operating Conditions*—Based on Contra Costa Transportation Authority (CCTA) methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from level of service (LOS) B to LOS high-D during the AM peak hour and would degrade from LOS E to LOS F (an increase in the volume-to-capacity ratio (V/C) of more than 0.01) during the PM peak hour.
 - *Maximum Permitted Operating Conditions*—Based on CCTA methodology, the SR 4 Eastbound Ramps/Loveridge Road intersection would degrade to LOS high-D (V/C of 0.85 to 0.90) during the PM peak hour, thus resulting in a significant impact. Additionally, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from LOS B to LOS F during the AM peak hour and would degrade from LOS

E to LOS F (an increase in V/C of more than 0.01) during the PM peak hour. Based on the Highway Capacity Manual (HCM) methodology, both the SR 4 Eastbound Ramps/Loveridge Road and Pittsburg-Antioch Highway/Loveridge Road intersections would operate at LOS F during at least one of the peak hours.

- Cumulative Traffic Impacts (Impact 3.7.2. While most intersections studied in the DEIR would operate acceptably under cumulative conditions, the addition of project-generated traffic to projected future traffic would result in unacceptable conditions under typical operating conditions or maximum permitted operating conditions. The traffic study determined that widening along Loveridge Road to accommodate an additional northbound lane may be infeasible due to the railroad crossing and right-of-way constraints. Therefore, the operating conditions at this intersection remain significant and unavoidable.
 - *Typical Operating Conditions*—Based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of project traffic under typical operating conditions.
 - *Maximum Permitted Operating Conditions*—Based on CCTA methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade to LOS D during the AM peak hour and to LOS E during the PM peak hour. Based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of project traffic.

TABLE ES-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.1 Air Quality			
Impact 3.1.1 Construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.	PS	MM 3.1.1 a. The proposed project shall implement best BAAQMD-recommended management practices for the control of fugitive dust including, but not limited to, the following: - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day. - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. - All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour. - All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used. - Where applicable, plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible.	SU

LS – Less than Significant PS – Potentially Significant
LCC – Less than Cumulatively Considerable CC – Cumulatively Considerable

S – Significant
SU – Significant and Unavoidable

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		6. A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. Designated City compliance monitoring staff and/or department shall be notified of all complaints received. b. The following measures shall be implemented to reduce construction-generated mobile-source emissions: 1. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 2. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.	

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		3. Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards. c. The above measures or any additional or modified measures listed by the Bay Area Air Quality Management District at the time of construction shall be implemented to the degree mandated by the discretion of the City at the time of issuance of any development permits. Timing/Implementation: Measures shall be added as conditions of approval for all development permits Enforcement/Monitoring: City of Pittsburg Development Services Department	
Impact 3.1.2 Long-term operational emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.	PS	MM 3.1.2a The project applicant shall demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards. Timing/Implementation: Prior to operation of new facilities Enforcement/Monitoring: City of Pittsburg Development Services Department and Department of Environmental Affairs MM 3.1.2b The operator shall provide a report on the throughput tonnage processed at the facility that would result in operational emissions of NO_x at 90% of the allowable threshold of 54 pounds per day and 10 tons per year (i.e., 48.6 pounds of NO_x per day or nine tons of NO_x per year).	LS

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		The report shall be included as a condition of approval of the use permit and shall be completed by a qualified air quality professional within one year of approval of the use permit for the expansion. Project-generated tonnages and estimated emissions based on the report shall be evaluated commencing at the five-year state permit review and each year thereafter as tonnage reports are submitted to the City Department of Environmental Affairs and Development Services Department. Once the throughput tonnages reach the amount determined in the report to result in 48.6 pounds of NO_x daily or nine or more tons of NO_x annually, the operator shall prepare and submit project-generated emissions reports, as described in MM 3.1.2c. Timing/Implementation: Completion of the report shall be a condition of approval of the use permit and shall be completed prior to issuance of the Solid Waste Facility Permit. Enforcement/Monitoring: City of Pittsburgh Development Services Department and Department of Environmental Affairs. MM 3.1.2c Once the project receives a tonnage throughput resulting in 90% of assumed Nox emissions (48.6 pounds of NO_x per day or nine tons of NO_x per year) as indicated by annual tonnage reports submitted to the City's Department of Environmental Affairs and Development	

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		Services Department, the operator shall obtain the services of a qualified specialist, approved by the City Development Services Department in conjunction with the Department of Environmental Affairs, to prepare and submit an annual air quality report showing project-generated NOx emissions. The annual emissions evaluation shall identify project-generated increases in emissions over those existing at the time of the approval of the use permit, any emission reduction strategies that have been implemented (i.e., use of cleaner equipment, etc.), and any emissions offsets or additional mitigation measures, as described in MM 3.1.2d, that will be implemented sufficient to achieve the threshold of 54 pounds of NOx per day or 10 tons of NOx per year. Emissions analyses shall be submitted to the City by April 1 of the following year. Upon approval of the annual air quality report by the City, documentation of any emissions offsets or additional mitigation strategies that have been implemented shall be provided to the City within 30 calendar days. Timing/Implementation: Annually as described Enforcement/Monitoring: City of Pittsburg Development Services Department and Department of Environmental Affairs MM 3.1.2d Based on the information provided in the annual report described in MM 3.1.2c, the proposed project shall implement on-	

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NOx emissions to no more than 54 pounds per day or 10 tons of NOx per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NOx emissions may include, but are not limited to, the following: • Use of alternatively fueled vehicles and off-road equipment • Electrification of on-site equipment. • Reductions in the number of pieces of motorized equipment and/or hours of use. • Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, ARB's Tier 4i emission standards, or equivalent. • Secure emission reduction credits (ERCs) to offset NOx emissions per BAAQMD Regulations 2-2-215, 302, and 303. Timing/Implementation: Annually as described Enforcement/Monitoring: City of Pittsburgh Development Services Department and Department of Environmental Affairs	
Impact 3.1.3 Implementation of the proposed project would not contribute to traffic volumes at primarily affected intersections that would exceed BAAQMD's screening criteria. As a result, localized concentrations of mobile-	LS	None required.	LS

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
source CO are not projected to exceed applicable ambient air quality standards.			
Impact 3.1.4 Implementation of the proposed project would not result in incremental increases in risk or hazards at nearby sensitive receptors that would exceed applicable significance thresholds.	LS	Implement mitigation measure MM 3.1.2a	LS
Impact 3.1.5 Subsequent land use activities associated with implementation of the proposed project would not create objectionable odors affecting a substantial number of people due to compliance with an Operations and Odor Impact Minimization Plan submitted with the proposed land use application.	LS	None required.	LS
Impact 3.1.6 The proposed project, in combination with emission sources in the San Francisco Bay Area Air Basin, would result in a cumulatively considerable net increase of criteria air pollutants and precursors.	LCC	Implement mitigation measures MM 3.1.1 and MM 3.1.2a through d.	LCC
Impact 3.1.7 The proposed project, in combination with nearby emission sources, would not result in predicted risks or hazards that would exceed applicable significance thresholds at nearby sensitive receptors.	LCC	Implement mitigation measure MM 3.1.2a	LCC
Impact 3.1.8 Implementation of the proposed project would not result in a cumulatively considerable increase of odorous emissions that would adversely impact nearby sensitive receptors.	LCC	None required.	LCC

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.2 Climate Change and Greenhouse Gases			
Impact 3.2.1 Implementation of the proposed project would not result in a net increase in greenhouse gas emissions that could potentially conflict with the goals of AB 32 or result in a significant impact on the environment.	LCC	<i>None required.</i>	LCC
3.3 Hazards and Hazardous Materials			
Impact 3.3.1 Implementation of the proposed project would result in the routine transport, use, and disposal of hazardous materials during both construction and operation that could pose a potential hazard to the public and the environment. However, federal, state, and local regulations provide a comprehensive regulatory system for handling, using, and transporting hazardous materials in a manner that protects human health and the environment	LS	None required.	LS
Impact 3.3.2 Construction workers could be exposed to hazardous materials during site preparation. However, compliance with existing applicable worker health and safety laws and regulations would minimize potential for exposure.	LS	MM 3.3.2a The project applicant shall either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire current project site and proposed site preparation and construction activities. The completed plan shall be implemented during all project construction activities. The plan shall address the potential for workers to be exposed to contaminated soils and shall provide specific measures to be implemented to ensure worker health and safety. These measures may include site controls, use of protective clothing, soil watering, hazard awareness training for workers, and/or emergency medical response procedures.	LS

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		Timing/Implementation: Prior to issuance of grading permits for the 18.5 acre expanded site Enforcement/Monitoring: City of Pittsburg Development Services Department/Department of Toxic Substances Control (DTSC)	
		MM 3.3.2b The project applicant shall comply with all relevant requirements of the Covenant to Restrict Use of Property, Environmental Restriction (Re: A limited portion of County of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site L-A Property, DTSC site code number 520024), DOC-2010-0132574-00 recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010. Timing/Implementation: During Site Preparation and Construction Enforcement/Monitoring: City of Pittsburg Development Services Department/DTSC	
Impact 3.3.3 Construction and operation of the proposed project would not interfere with implementation of the City's Emergency Operations Plan (EOP).	LS	None required.	LS
Impact 3.3.4 Implementation of the proposed project, along with other proposed, planned, approved, and reasonably foreseeable projects in the area, would have a less than cumulatively considerable impacts related to hazards and hazardous materials.	LCC	None required.	LCC

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.4 Hydrology and Water Quality			
Impact 3.4.1 On-site drainage is treated by existing on-site water quality measures to minimize pollutant load. Wastewater generated on-site is treated at the Delta Diablo Sanitation District Wastewater Treatment Plant, which is in compliance with all applicable water quality standards and waste discharge requirements.	LS	None required.	LS
Impact 3.4.2 Implementation of the proposed project would not result in the depletion of groundwater supplies or interference with groundwater recharge.	LS	None required.	LS
Impact 3.4.3 Implementation of the proposed project would result in a slight increase in on-site stormwater runoff. However, the existing on-site drainage system has adequate capacity to accept, treat, and convey increased flows. In the case that the 3.5 acre area to the south is rerouted to the ditch, a 0.2 acre detention system would be constructed to not exceed the available capacity of the downstream ditch.	LS	None required.	LS
Impact 3.4.4 Construction activities could introduce pollutants and sediments into stormwater runoff on the project site, potentially degrading downstream surface drainages and groundwater.	LS	None required.	LS
Impact 3.4.5 Operation of the proposed project would introduce sediments and other contaminants typically associated with commercial development into stormwater runoff, potentially resulting in the degradation of downstream surface water and underlying groundwater quality.	LS	None required.	LS

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 3.4.6 A portion of the project site proposed for development is located within a flood zone. In addition, the project site is located in proximity to the Suisun Bay/Sacramento River Delta and may be at risk of flooding as a result of seiche/tsunami waves. However, compliance with existing City standards would minimize potential hazards.	LS	None required.	LS
Impact 3.4.7 The proposed project, in combination with approved, proposed, and other reasonably foreseeable projects in the cumulative setting area, would not contribute significantly to degradation of water quality in area surface drainages and groundwater supplies.	LCC	None required.	LCC
Impact 3.4.8 The proposed project, in combination with approved, proposed, and other reasonably foreseeable projects in the cumulative setting area, would place structures within a flood zone. However, compliance with existing City standards would minimize potential hazards.	LCC	None required.	LCC
3.5 Land Use			
Impact 3.5.1 The proposed project is consistent with the existing land use designation and zoning district for the site and requires a Use Permit.	LS	None required.	LS
Impact 3.5.2 The proposed project, in combination with other approved, proposed, and reasonably foreseeable projects in the cumulative study area, could conflict with the City's Zoning Ordinance.	LCC	None required.	LCC

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.6 Public Services and Utilities			
Impact 3.6.1.1 Implementation of the proposed project could result in an increased demand for fire protection services, requiring new or expanded CCCFPD facilities or equipment.	LS	None required.	LS
Impact 3.6.1.2 The project proposes modifications to the layout of the facilities and operations on the project site that may result in inadequate access for emergency vehicles and personnel in the event of a fire or other emergency situation.	LS	<i>None required.</i>	LS
Impact 3.6.1.3 The project would contribute to cumulative demand for fire protection and emergency medical services.	LCC	None required.	LCC
Impact 3.6.2.1 Implementation of the proposed project would substantially increase the facility's water demands. However, the City and its wholesale provider would have sufficient water supplies available to meet the project's demand.	LS	None required.	LS
Impact 3.6.2.2 The proposed project, in combination with other cumulative development, would increase demand for potable water.	LCC	None required.	LCC
Impact 3.6.3.1 The proposed project could exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.	LS	None required.	LS
Impact 3.6.3.2 Implementation of the proposed project could require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	LS	None required.	LS

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 3.6.3.3 Implementation of the proposed project could result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	LS	None required.	LS
Impact 3.6.3.4 The proposed project, combined with other cumulative development, would increase demand for wastewater treatment facilities.	LCC	None required.	LCC
3.7 Transportation and Circulation			
Impact 3.7.1 Implementation of the proposed project would result in the degradation of operations at two study intersections.	S	MM 3.7.1a The proposed project shall contribute their fair share to implement the SR 4 widening project, which would result in improvements at the SR 4 Eastbound Ramps/Loveridge Road intersection that would increase capacity. These improvements include: • Convert the existing configuration from a "T" intersection to a four-leg intersection. • Modify eastbound approach from its current configuration which provides one shared left-turn/through lane and one right-turn lane to provide two left-turn lanes and one right-turn lane. • Modify southbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two left-turn lanes and two through lanes. • Modify northbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two through lanes and one right-turn lane.	SU

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		Timing/Implementation: Payment of fees shall be included as a condition of approval of a Conditional Use Permit Enforcement/Monitoring: City of Pittsburg Development Services Department MM 3.7.1b The proposed project shall contribute their fair share to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection: • Install a dedicated eastbound right-turn lane on Pittsburg-Antioch Highway. • Install a second westbound left-turn lane on Pittsburg-Antioch Highway. • Upgrade existing traffic signal equipment to accommodate the changed intersection lane configurations. Timing/Implementation: Payment of fees shall be included as a condition of approval of a Conditional Use Permit Enforcement/Monitoring: City of Pittsburg Development Services Department	
Impact 3.7.2 Operations at the Pittsburg-Antioch Highway/Loveridge Road intersection are projected to degrade with the addition of project traffic.	CC	MM 3.7.2 The project applicant shall pay the project's fair share of the cost to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection: • Install an additional left-turn lane on the westbound Pittsburg-Antioch Highway approach. • Install a dedicated left-turn lane on the northbound Loveridge Road approach. • Convert the existing shared left-	CC SU

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		turn/through lane on the northbound Loveridge Road approach to be a through-only lane. • Modify signal phasing in the north/south direction from split phase to having protected left-turns. • Upgrade existing traffic signal equipment to accommodate the recommended intersection lane configurations. Timing/Implementation: Payment of fees shall be included as a condition of approval of a Conditional Use Permit Enforcement/Monitoring: City of Pittsburg Development Services Department	
Impact 3.8.1 Implementation of project-related activities could result in substantial adverse effects, either directly or through habitat modifications, to special-status species.	LS	MM 3.8.1a Burrowing Owl. Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFS's <i>Staff Report on Burrowing Owl Mitigation (Staff Report)</i>, published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped. If burrowing owls are found during the breeding season (February 1-August 31), the project proponent shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include	LS

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1-January 31), the project proponent shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow. If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing 1-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow. Timing/Implementation: Prior to and during construction activities Enforcement/Monitoring: City of Pittsburg Development Services Department MM 3.8.1b Swainson's Hawk. Prior to any ground disturbance that occurs during the nesting season (March 15-September 15), a qualified	

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		biologist will conduct a preconstruction survey no more than one month prior to construction, to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site. If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and CDFW. While the nest is occupied, project-related activities outside the 1,000 foot buffer can take place. Timing/Implementation: Prior to and during construction activities Enforcement/Monitoring: City of Pittsburg Development Services Department MM 3.8.1c Golden Eagle. Prior to any ground disturbance that occurs during the nesting season (January 1 – August 31), a qualified biologist shall conduct a preconstruction survey not more	

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		than one month prior to construction, to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest is prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged. Timing/Implementation: Prior to and during construction activities Enforcement/Monitoring: City of Pittsburg Development Services Department MM 3.8.1d Non-covered Raptor Surveys. If clearing and/or construction activities will occur during the raptor nesting season (January 15–August 15), preconstruction surveys to identify active raptor nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, and a 500-foot buffer (if feasible). If active nest sites are identified within 500 feet of project activities, the applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid	

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		construction-related disturbances to nesting raptors. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 250 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 250 feet) of LOPs may be adjusted through consultation with the CDFW and/or East Contra Costa County HCP/NCCP Implementing Entity. Timing/Implementation: Prior to and during construction activities Enforcement/Monitoring: City of Pittsburg Planning Department MM 3.8.1e Nesting Bird Surveys. If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer. If active nest sites are identified within 200 feet of project activities, the applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and	

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or East Contra Costa County HCP/NCCP Implementing Entity. Timing/Implementation: Prior to and during construction activities Enforcement/Monitoring: City of Pittsburg Planning Department	
Impact 3.8.2 Implementation of project-related activities may result in substantial adverse effects, either directly or through habitat modifications, to riparian habitat or sensitive natural communities.	LS	None required.	LS
Impact 3.8.3 Implementation of project-related activities would not result in substantial adverse effects to federally protected wetlands.	NI	None required.	NI
Impact 3.8.4 Implementation of project-related activities would not result in substantial adverse effects to wildlife movement.	NI	None required.	NI
Impact 3.8.5 The proposed project would not conflict with any policies, ordinances or plans, including the East Contra Costa County HCP/NCCP.	LS	Implement mitigation measures MM 3.8.1a through MM 3.8.1e .	LS
Impact 3.8.6 The proposed project, in combination with other reasonably foreseeable projects, could result in mortality and loss of habitat for special-status species and sensitive habitat. However, the ECCC HCP/NCCP addresses and mitigates regional biological resource impacts.	LCC	Implement mitigation measures MM 3.8.1a through MM 3.8.1e .	LCC

APPENDIX E.
MITIGATION MONITORING AND
REPORTING PROGRAM

INTRODUCTION

The California Environmental Quality Act (CEQA) Guidelines, Section 15091(d), requires public agencies, as part of the certification of an environmental impact report, to adopt a mitigation monitoring and reporting program to ensure that changes made to the project as conditions of project approval to mitigate or avoid significant environmental effects are implemented. The Mitigation Monitoring and Reporting Program (MMRP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Mt. Diablo Resource Recovery Park Project (project) in the City of Pittsburg (City). The MMRP is intended to be used by City staff and mitigation monitoring personnel during implementation of the project.

The MMRP will provide for monitoring of construction activities as necessary, in-the-field identification and resolution of environmental concerns, and reporting to City staff. The MMRP will consist of the components described below.

COMPLIANCE CHECKLIST

The table below contains a compliance-monitoring checklist that identifies the newly adopted mitigation measures, identification of agencies responsible for enforcement and monitoring, and timing of implementation.

MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING PLAN

MM Number	Mitigation Measure	Timing/Implementation	Enforcement/Monitoring	Verification (date and signature)
MM 3.1.1.1	a. The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following: 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day. 2. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 3. All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour. 4. All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 5. Where applicable, vegetative ground cover (fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible. 6. A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within	Measures shall be added as conditions of approval for all development permits	City of Pittsburgh Development Services Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	48 hours. The designated City compliance monitoring staff and/or department shall be notified of all complaints received. b. The following measures shall be implemented to reduce construction-generated mobile-source emissions: 1. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points. 2. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 3. Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards. c. To the extent possible, construction of the proposed maintenance building shall utilize pre-coated building materials and low-VOC-content architectural coatings.			
MM 3.1.2a	The project applicant shall demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.	Prior to operation of new facilities	City of Pittsburg Development Services Department and Department of Environmental Affairs	
MM 3.1.2b	The operator shall provide a report on the throughput tonnage processed at the facility that would result in operational	Completion of the report shall	City of Pittsburg Development	

MITIGATION MONITORING AND REPORTING PROGRAM

	emissions of NO_x at 90 percent of the allowable threshold of 54 pounds per day and 10 tons per year (i.e., 48.6 pounds of NO_x per day or 9 tons of NO_x per year). The report shall be included as a condition of approval of the use permit and shall be completed by a qualified air quality professional within one year of approval of the use permit for the expansion. Project-generated tonnages and estimated emissions based on the report shall be evaluated commencing at the five-year state permit review and each year thereafter as tonnage reports are submitted to the City Department of Environmental Affairs and Development Services Department. Once the throughput tonnages reach the amount determined in the report to result in 48.6 pounds of NO_x daily or 9 or more tons of NO_x annually, the operator shall prepare and submit project-generated emissions reports, as described in mitigation measure MM 3.1.2c.	be a condition of approval of the use permit and shall be completed prior to issuance of the Solid Waste Facility Permit	Services Department and Department of Environmental Affairs	
MM 3.1.2c	Once the project receives a tonnage throughput resulting in 90 percent of assumed NO_x emissions (48.6 pounds of NO_x per day or 9 tons of NO_x per year) as indicated by annual tonnage reports submitted to the City's Department of Environmental Affairs and Development Services Department, the operator shall obtain the services of a qualified specialist, approved by the City Department Services Department in conjunction with the Department of Environmental Affairs, to prepare and submit an annual air quality report showing project-generated NO_x emissions. The annual emissions evaluation shall identify project-generated increases in emissions over those existing at the time of the approval of the use permit, any emission reduction strategies that have been implemented (i.e., use of cleaner equipment, etc.), and any emissions offsets or additional mitigation measures, as described in mitigation measure MM 3.1.2d, that will be implemented sufficient to achieve the threshold of 54 pounds of NO_x per day or 10 tons of NO_x per year. Emissions analyses shall be submitted to the City by April 1 of the following year. Upon the City's approval of the annual air quality report, documentation of any emissions offsets or additional mitigation strategies that have been implemented shall be provided to the City within 30	Annually as described	City of Pittsburgh Development Services Department and Department of Environmental Affairs	

MITIGATION MONITORING AND REPORTING PROGRAM

	calendar days.	Annually as described	City of Pittsburgh Development Services Department and Department of Environmental Affairs	
MM 3.1.2d	Based on the information provided in the annual report described in mitigation measure MM 3.1.2c, the proposed project shall implement on-site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NO_x emissions to no more than 54 pounds per day or 10 tons of NO_x per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NO_x emissions may include, but are not limited to, the following: • Use of alternatively fueled vehicles and off-road equipment. • Electrification of on-site equipment. • Reduction in the number of pieces of motorized equipment and/or hours of use. • Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, CARB's Tier 4i emission standards, or equivalent. Secure emission reduction credits (ERCs) to offset NO_x emissions per BAAQMD Regulations 2-2-215, 302, and 303.			
MM 3.3.2a	The project applicant shall either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire current project site and proposed site preparation and construction activities. The completed plan shall be implemented during all project construction activities. The plan shall address the potential for workers to be exposed to contaminated soils and shall provide specific measures to be implemented to ensure worker health and safety. These measures may include site controls, use of protective clothing, soil watering, hazard awareness training for workers, and/or emergency medical response procedures.	Prior to issuance of grading permits for the 18.5 acre expanded site.	City of Pittsburgh Development Services Department	

MITIGATION MONITORING AND REPORTING PROGRAM

MM 3.3.2b	The project applicant shall comply with all relevant requirements of the <i>Covenant to Restrict Use of Property, Environmental Restriction (Re: A limited portion of County of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site L-A Property, DTSC site code number 520024), DOC-2010-0132574-00 recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010.</i>	During Site Preparation and Construction	City of Pittsburg Development Services Department	
MM 3.7.1a	The proposed project shall contribute their fair share to implement the SR 4 widening project, which would result in improvements at the SR 4 Eastbound Ramps/Loveridge Road intersection that would increase capacity. These improvements include: • Convert the existing configuration from a "T" intersection to a four-leg intersection. • Modify eastbound approach from its current configuration which provides one shared left-turn/through lane and one right-turn lane to provide two left-turn lanes and one right-turn lane. • Modify southbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two left-turn lanes and two through lanes. • Modify northbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two through lanes and one right-turn lane.	Payment of fees shall be included as a condition of approval of a Conditional Use Permit	City of Pittsburg Development Services Department	
MM 3.7.1b	The proposed project shall contribute their fair share to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection: • Install a dedicated eastbound right-turn lane on Pittsburg-Antioch Highway.	Payment of fees shall be included as a condition of approval of a Conditional Use Permit	City of Pittsburg Development Services Department	

MITIGATION MONITORING AND REPORTING PROGRAM

		Permit		
	• Install a second westbound left-turn lane on Pittsburg-Antioch Highway. • Upgrade existing traffic signal equipment to accommodate the changed intersection lane configurations.			
MM 3.7.2	The project applicant shall pay the project's fair share of the cost to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection: • Install an additional left-turn lane on the westbound Pittsburg-Antioch Highway approach. • Install a dedicated left-turn lane on the northbound Loveridge Road approach. • Convert the existing shared left-turn/through lane on the northbound Loveridge Road approach to be a through-only lane. • Modify signal phasing in the north/south direction from split phase to having protected left-turns. • Upgrade existing traffic signal equipment to accommodate the recommended intersection lane configurations.	Payment of fees shall be included as a condition of approval of a Conditional Use Permit	City of Pittsburg Development Services Department	
MM 3.8.1a	Burrowing Owl. Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (Staff Report), published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped.	Prior to and during construction activities	City of Pittsburg Planning Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	If burrowing owls are found during the breeding season (February 1–August 31), the project applicant shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow. If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing one-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation, and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow.			
MM 3.8.1b	Swainson's Hawk. Prior to any ground disturbance that occurs during the nesting season (March 15–September 15), a qualified biologist will conduct a preconstruction survey no more than one month prior to construction to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site. If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young	Prior to and during construction activities	City of Pittsburg Planning Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the project applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and the CDFW. While the nest is occupied, project-related activities outside the 1,000-foot buffer can take place.			
MM 3.8.1c	Golden Eagle. Prior to any ground disturbance that occurs during the nesting season (January 1–August 31), a qualified biologist shall conduct a preconstruction survey not more than one month prior to construction to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest are prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged.	Prior to and during construction activities	City of Pittsburg Planning Department	
MM 3.8.1d	Non-Covered Raptor Surveys. If clearing and/or construction activities will occur during the raptor nesting season (January 15–August 15), preconstruction surveys to identify active raptor nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed	Prior to and during construction activities	City of Pittsburg Planning Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	impact area and a 500-foot buffer (if feasible). If active nest sites are identified within 500 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to nesting raptors. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 250 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 250 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.			
MM 3.8.1e	Nesting Bird Surveys. If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer. If active nest sites are identified within 200 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.	Prior to and during construction activities	City of Pittsburg Planning Department	

MITIGATION MONITORING AND REPORTING PROGRAM



EXISTING BUILDING / SITE PHOTOS

SHEET INDEX

ARCHITECTURE

- A1.0 SITE PLAN
- A1.1 PARTIAL SITE PLAN - PARCEL 4
- A1.2A EXISTING USE PERMIT SITE PLAN (FOR REFERENCE ONLY)
- A2.0 SEG TRUCKING - FLOOR PLAN, ROOF PLAN AND EXTERIOR ELEVATIONS
- A3.0 TIP FLOOR EXPANSION - FLOOR PLAN AND ROOF PLAN
- A3.1 TIP FLOOR EXPANSION - EXTERIOR ELEVATIONS
- A4.0 MATERIALS PROCESSING - FLOOR PLAN, ROOF PLAN AND EXTERIOR ELEVATIONS
- A5.0 GASIFICATION CONTROL BUILDING - FLOOR PLAN, ROOF PLAN AND EXTERIOR ELEVATIONS

CIVIL

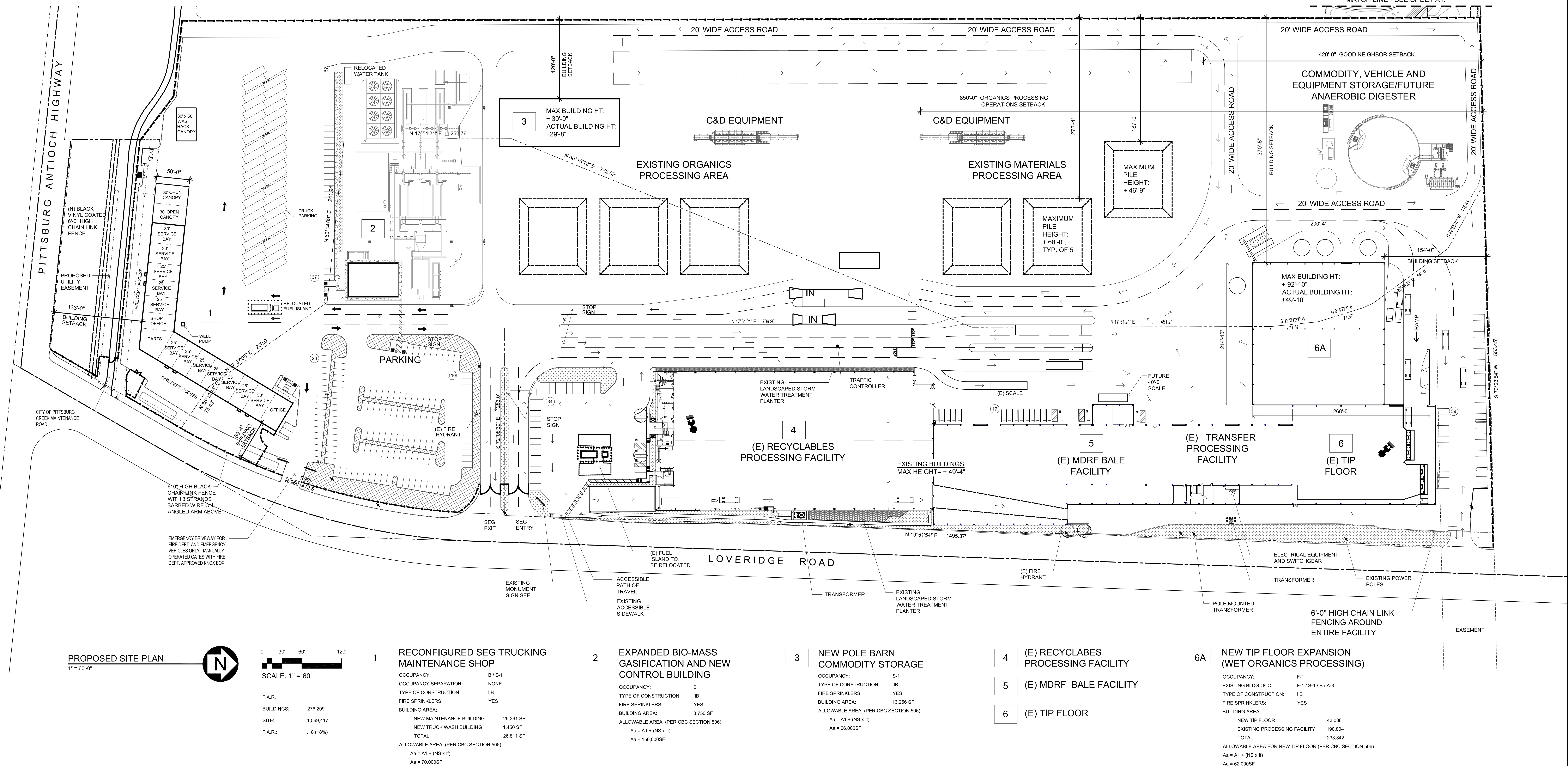
- C.1 PRELIMINARY SITE PLAN
- C.2 EXISTING CONDITIONS AND PRELIMINARY DEMOLITION PLAN
- C.3 PRELIMINARY GRADING AND DRAINAGE PLAN
- C.4 PRELIMINARY STORM WATER CONTROL PLAN
- C.5 TRUCK TURNING PLAN

LANDSCAPE

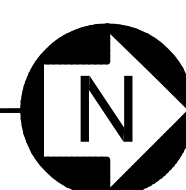
- L-1 LANDSCAPE PLAN - PHASE IIA AND PHASE IIB
- L-2 LANDSCAPE PLAN - PHASE IIA AND PHASE IIB
- L-3 PLANT IMAGES

PARCEL 4

MATCH LINE - SEE SHEET A1.1



PROPOSED SITE PLAN
1" = 60'-0"



0 30' 60' 120'
SCALE: 1" = 60'

F.A.R.
BUILDINGS: 276,209
SITE: 1,569,417
F.A.R.: .18 (18%)

1 RECONFIGURED SEG TRUCKING MAINTENANCE SHOP
OCCUPANCY: B / S-1
OCCUPANCY SEPARATION: NONE
TYPE OF CONSTRUCTION: IIB
FIRE SPRINKLERS: YES
BUILDING AREA:
NEW MAINTENANCE BUILDING 25,361 SF
NEW TRUCK WASH BUILDING 1,450 SF
TOTAL 26,811 SF
ALLOWABLE AREA (PER CBC SECTION 506)
Aa = A1 + (NS x IF)
Aa = 70,000SF

2 EXPANDED BIO-MASS GASIFICATION AND NEW CONTROL BUILDING
OCCUPANCY: B
TYPE OF CONSTRUCTION: IIB
FIRE SPRINKLERS: YES
BUILDING AREA: 3,750 SF
ALLOWABLE AREA (PER CBC SECTION 506)
Aa = A1 + (NS x IF)
Aa = 150,000SF

3 NEW POLE BARN COMMODITY STORAGE
OCCUPANCY: S-1
TYPE OF CONSTRUCTION: IIB
FIRE SPRINKLERS: YES
BUILDING AREA: 13,256 SF
ALLOWABLE AREA (PER CBC SECTION 506)
Aa = A1 + (NS x IF)
Aa = 26,000SF

4 (E) RECYCLABLES PROCESSING FACILITY
5 (E) MDRF BALE FACILITY
6 (E) TIP FLOOR

6A NEW TIP FLOOR EXPANSION (WET ORGANICS PROCESSING)
OCCUPANCY: F-1
EXISTING BLDG OCC. F-1 / S-1 / B / A-3
TYPE OF CONSTRUCTION: IIB
FIRE SPRINKLERS: YES
BUILDING AREA:
NEW TIP FLOOR 43,038
EXISTING PROCESSING FACILITY 190,804
TOTAL 233,842
ALLOWABLE AREA FOR NEW TIP FLOOR (PER CBC SECTION 506)
Aa = A1 + (NS x IF)
Aa = 62,000SF

Revisions



Capital Expenditure Managers
2450 Venture Oaks Way, Suite 500
Sacramento, CA 95833
(916) 648-9700

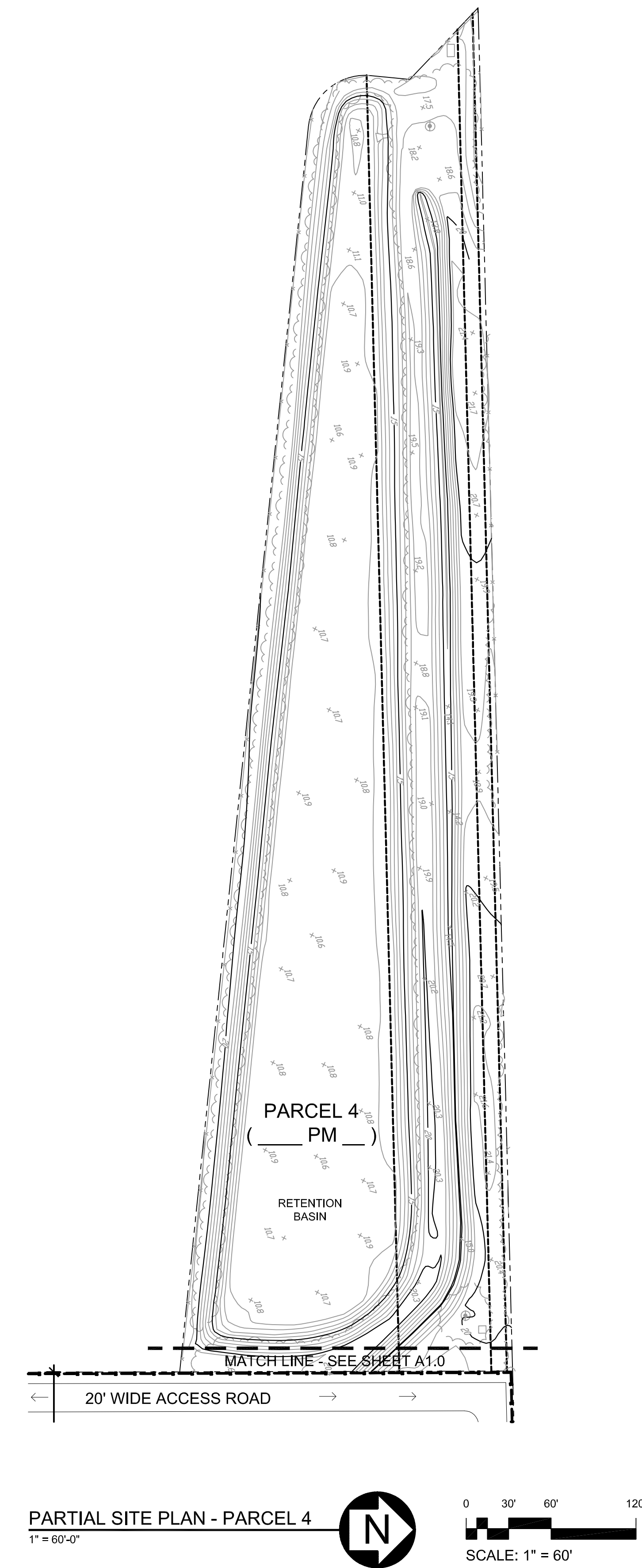
Mount Diablo
Resource Recovery Park

PITTSBURG, CALIFORNIA

SITE PLAN -
PHASE IIA AND
PHASE IIB

Drawn:
Checked:
Date: 03-02-18
Project:

A1.0



Revisions



Capital Expenditure Managers
2450 Venture Oaks Way, Suite 500
Sacramento, CA 95833
(916) 648-9700

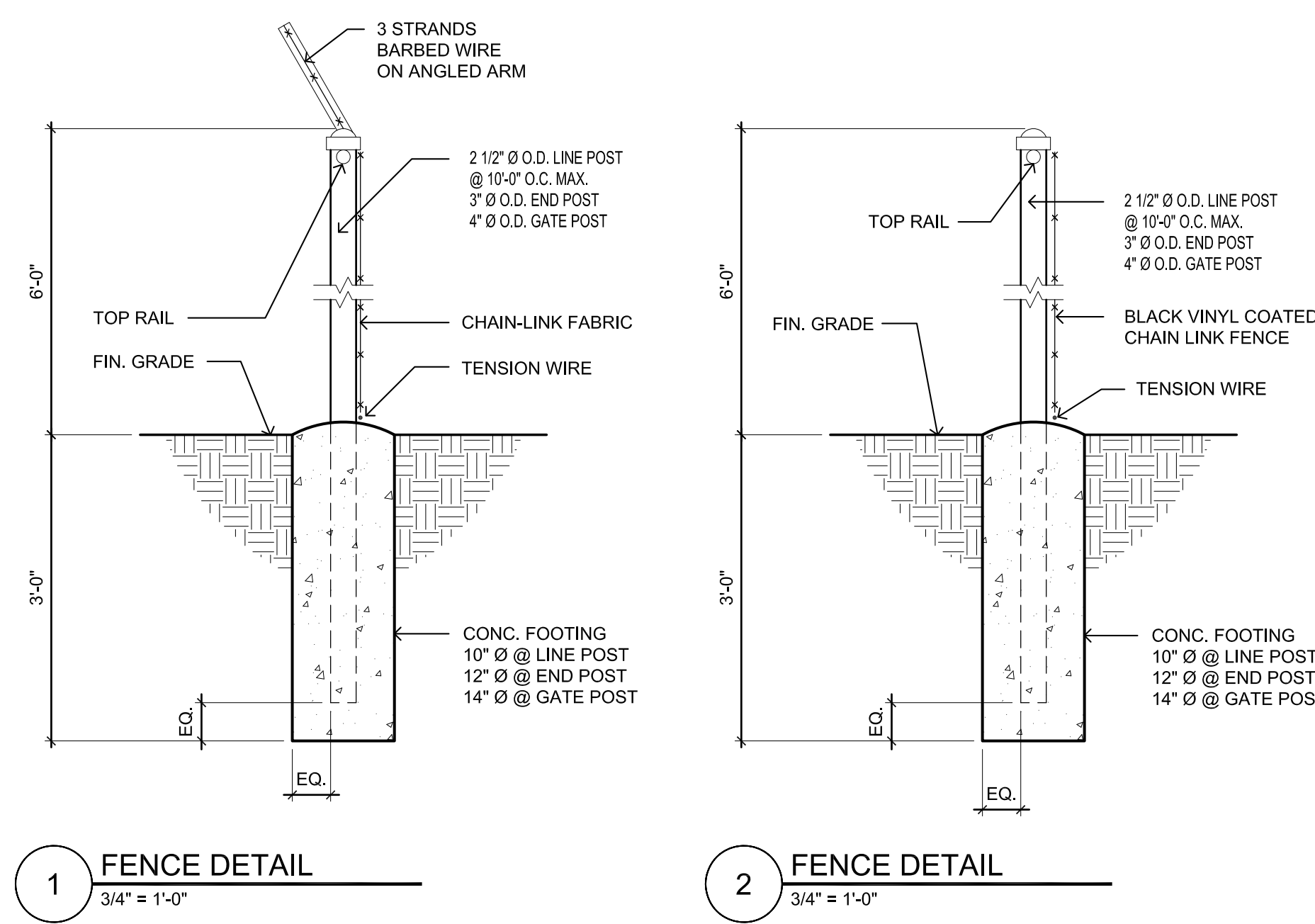
Mount Diablo
Resource Recovery Park

PITTSBURG, CALIFORNIA

SITE PLAN- PARCEL 4
PHASE IIA AND
PHASE IIB

Drawn:
Checked:
Date: 03-02-18
Project:

A1.1



PROJECT DATA FOR ON-SITE LANDSCAPE AREA

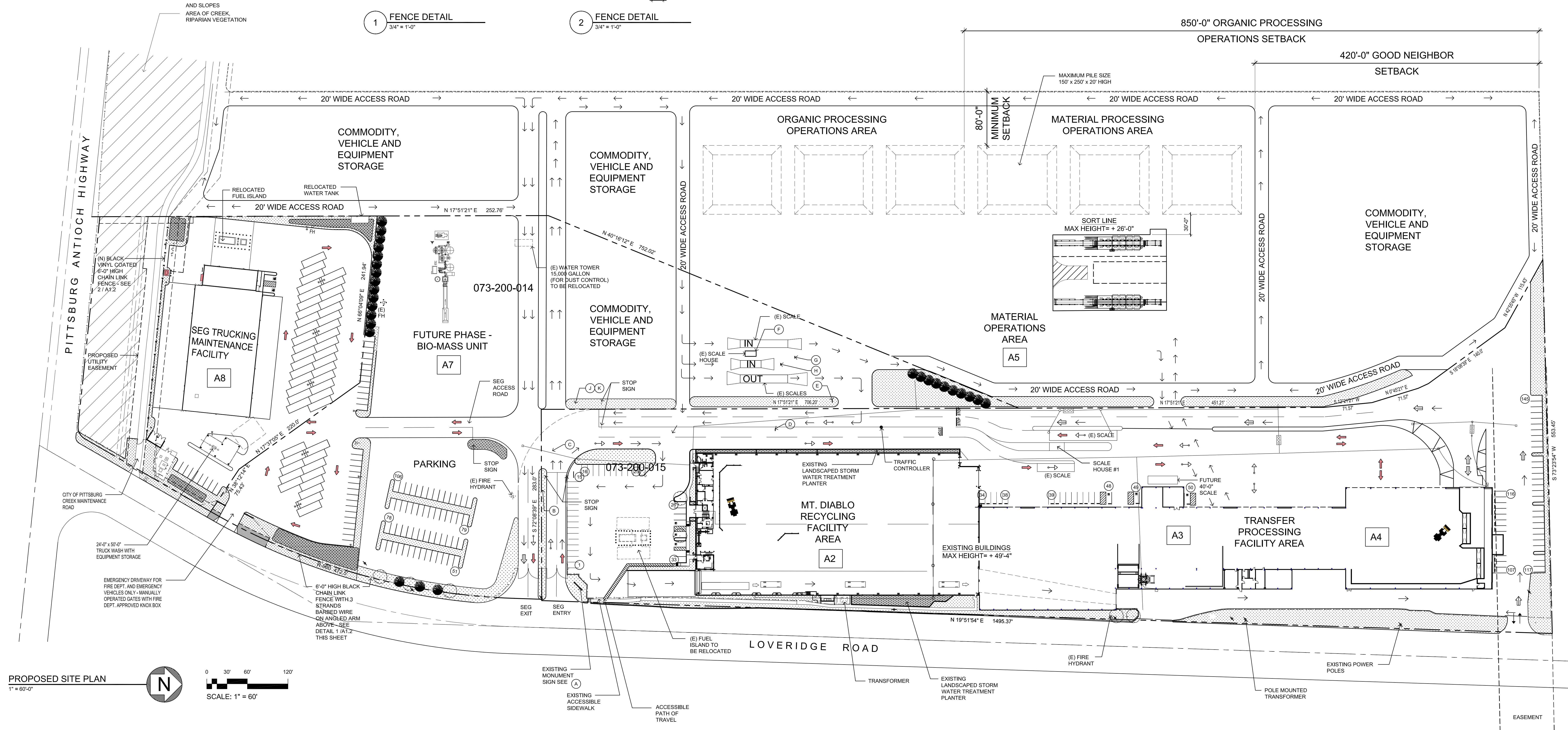
SITE AREA	1,577,118 SF (36.21 ACRES)
LANDSCAPING	119,551 SF
CREEK AND RIPARIAN AREA	43,532 SF
TOTAL LANDSCAPING	163,083 SF
PERCENTAGE OF PROJECT SITE THAT IS LANDSCAPED	10%

LEGEND

- (A) THRU (K)
- (N) AC PAVING
- (N) CONCRETE SLAB
- LANDSCAPED STORMWATER TREATMENT AREA
- LANDSCAPE AREA
- UTILITY POLE
- EXISTING FENCING - CHAINLINK
- FENCING TO BE REMOVED
- NEW FENCING - SLATTED CHAINLINK
- SD
- STORM DRAIN
- BELOW GRADE JENSEN STORM WATER TREATMENT UNIT
- PROPERTY LINE
- LEASE LINE

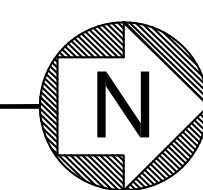
TRAFFIC LEGEND

- RECYCLING
- SOLID WASTE VEHICLE
- PUBLIC
- TRANSFER TRAILERS



PROPOSED SITE PLAN

1" = 60'-0"



0 30' 60' 120'

SCALE: 1" = 60'

PROPOSED SITE ELEVATION

1" = 60'-0"

EXISTING USE PERMIT - FOR REFERENCE ONLY

ROGER J. WILSON
ARCHITECT

1601 North Main Street, # 108 - Walnut Creek - CA - 94702
Tel: 925 / 705-7019 Fax: 925 / 705-7081

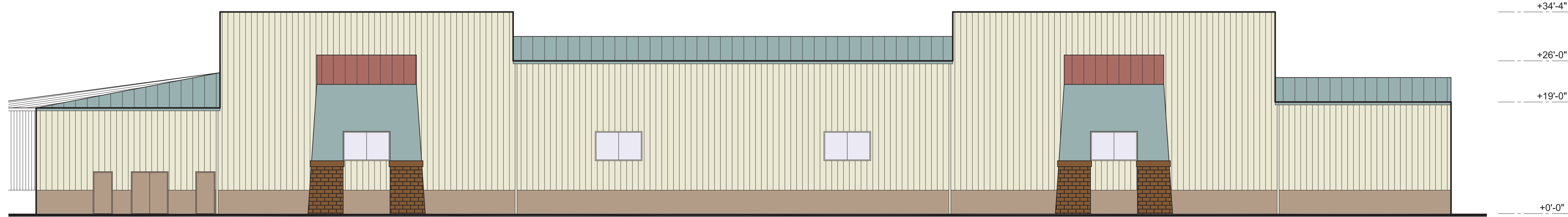
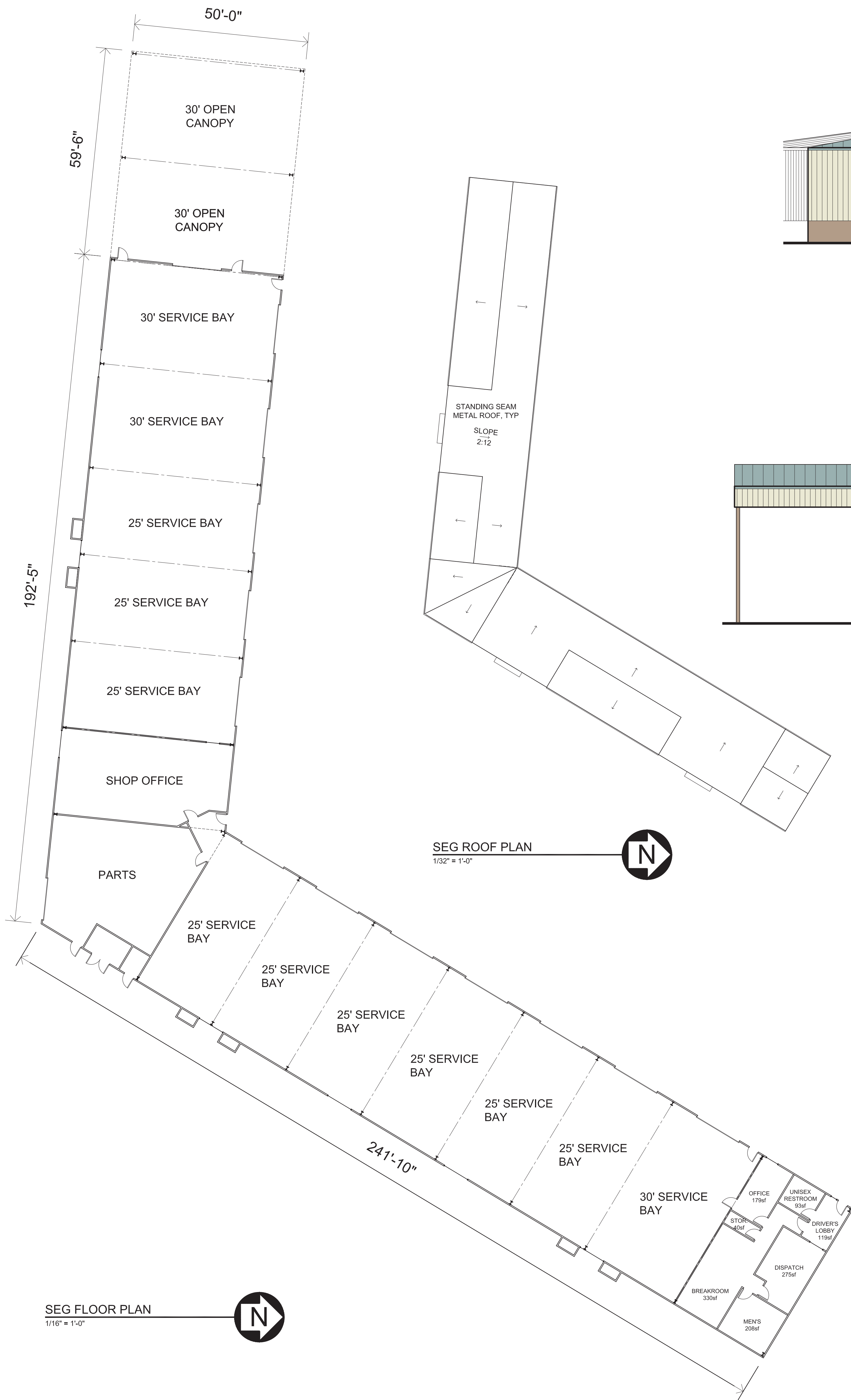
Mount Diablo
Resource Recovery Park

Garaventa Enterprises Inc.
Concord, CA

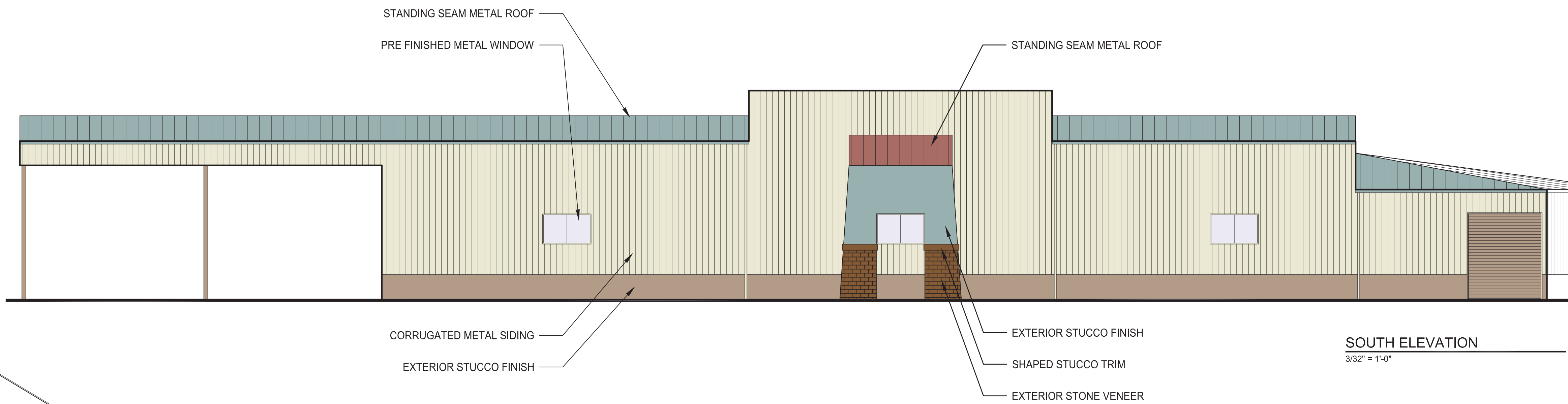
PROPOSED SITE PLAN,
PROPOSED SITE
ELEVATION -
REVISED

Drawn LI
Checked RW
Date 03-02-18
Project 1336

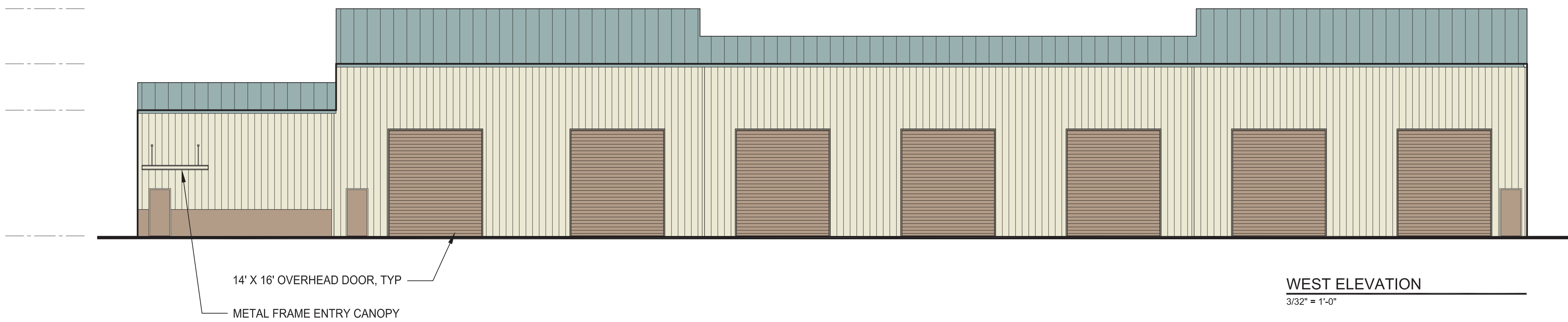
Sheet
A1.2A



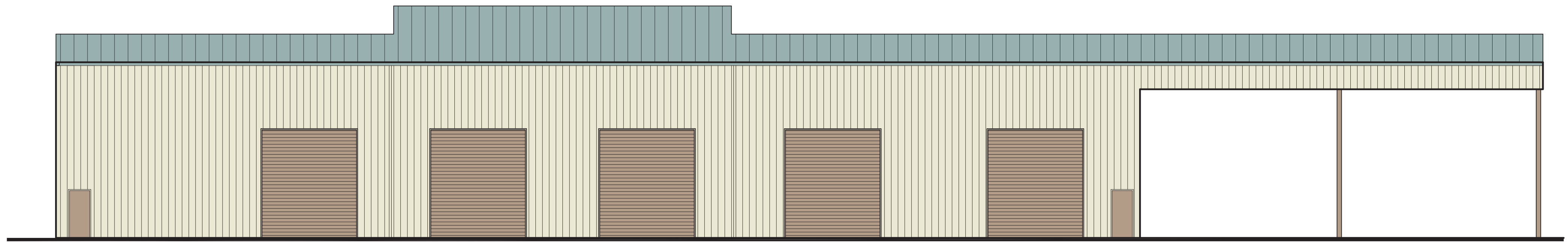
EAST ELEVATION
3/32" = 1'-0"



SOUTH ELEVATION
3/32" = 1'-0"



WEST ELEVATION
3/32" = 1'-0"



NORTH ELEVATION
3/32" = 1'-0"

Revisions



Capital Expenditure Managers
2450 Venture Oaks Way, Suite 500
Sacramento, CA 95833
(916) 648-9700

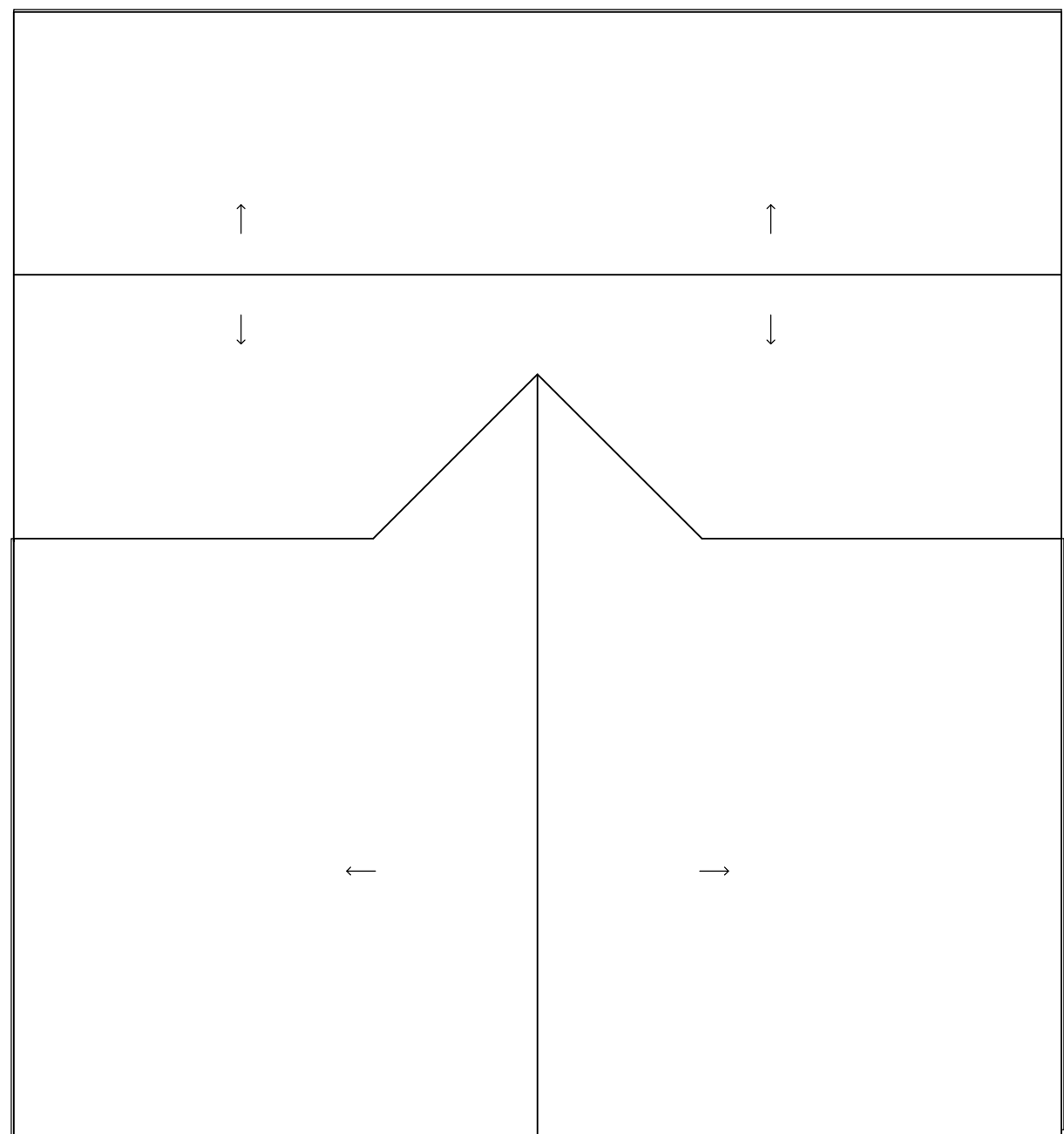
Mount Diablo Resource Recovery Park

PITTSBURG, CALIFORNIA

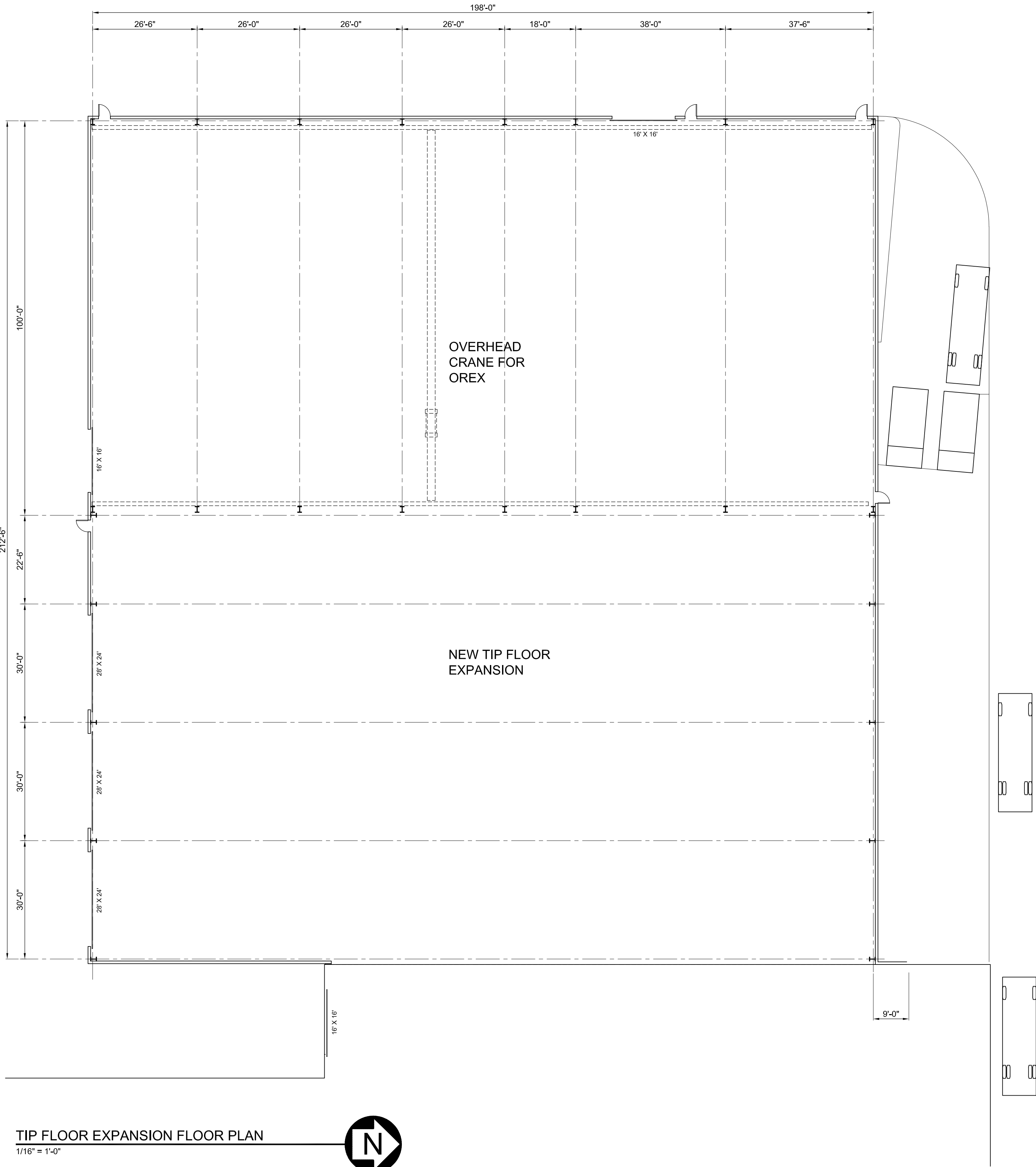
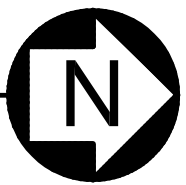
SEG TRUCKING FLOOR PLAN ROOF PLAN EXTERIOR ELEVATIONS

Drawn: _____
Checked: _____
Date: 03-02-18
Project: _____

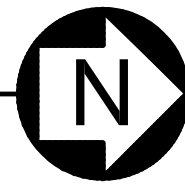
A2.0



TIP FLOOR EXPANSION ROOF PLAN
1/32" = 1'-0"



TIP FLOOR EXPANSION FLOOR PLAN
1/16" = 1'-0"



Revisions



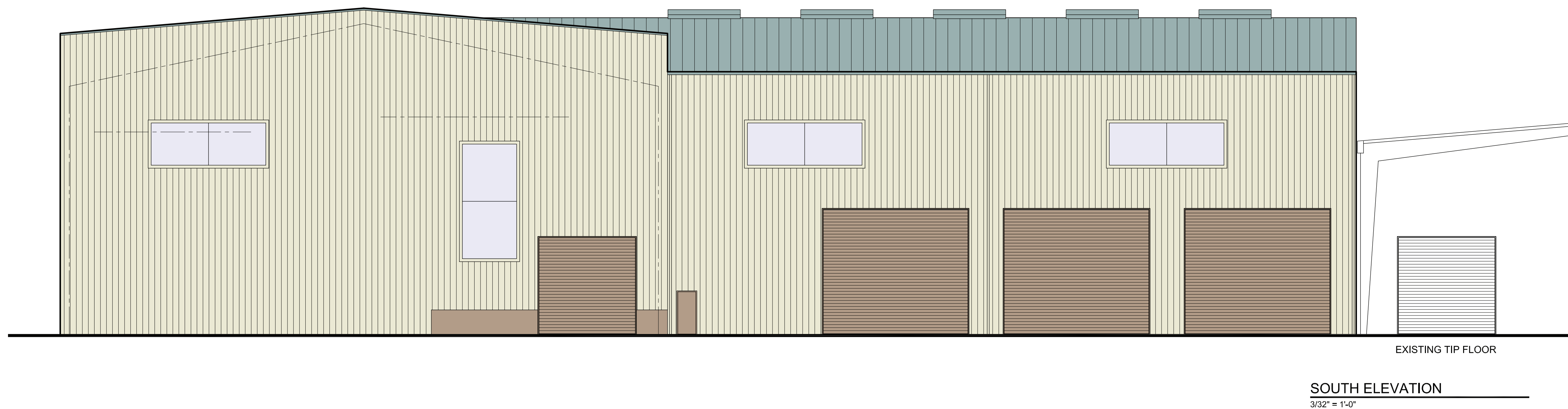
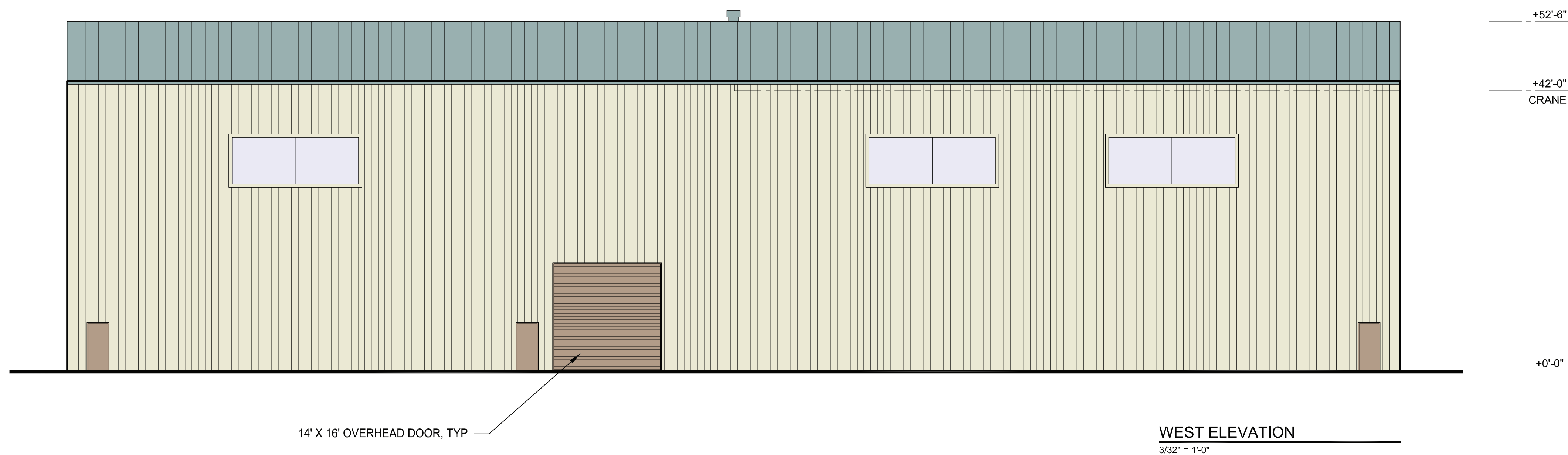
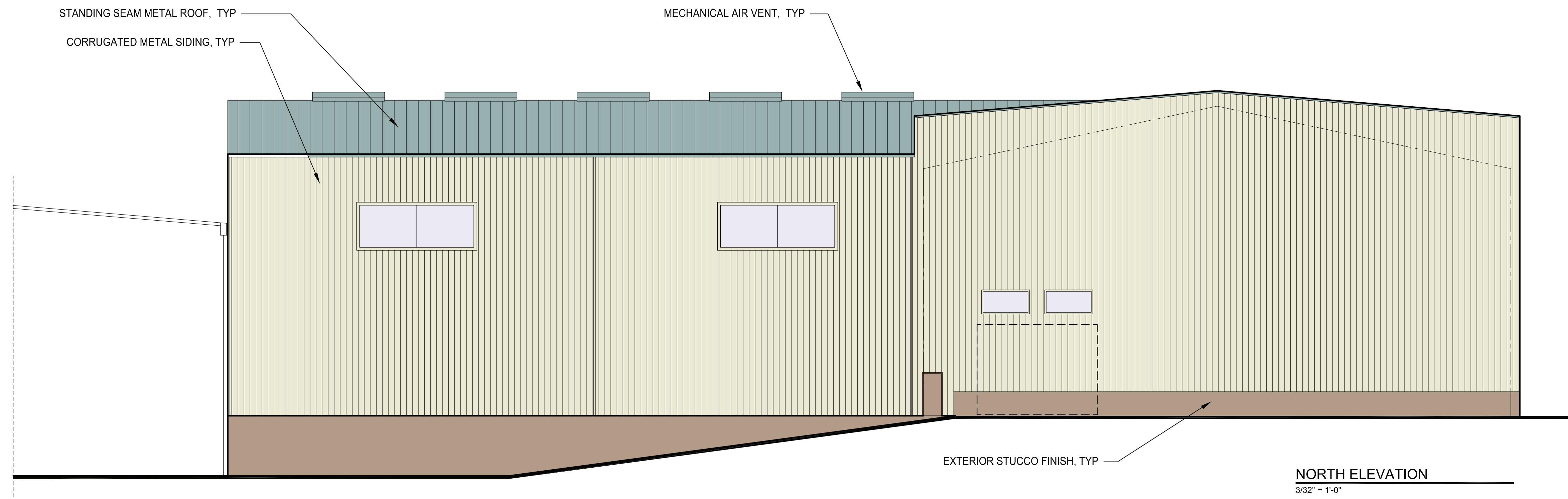
Capital Expenditure Managers
2450 Venture Oaks Way, Suite 500
Sacramento, CA 95833
(916) 648-9700

Mount Diablo
Resource Recovery Park

PITTSBURG, CALIFORNIA

TIP FLOOR EXPANSION
FLOOR PLAN
ROOF PLAN

Drawn:
Checked:
Date: 03-02-18
Project:



Revisions



Capital Expenditure Managers
2450 Venture Oaks Way, Suite 500
Sacramento, CA 95833
(916) 648-9700

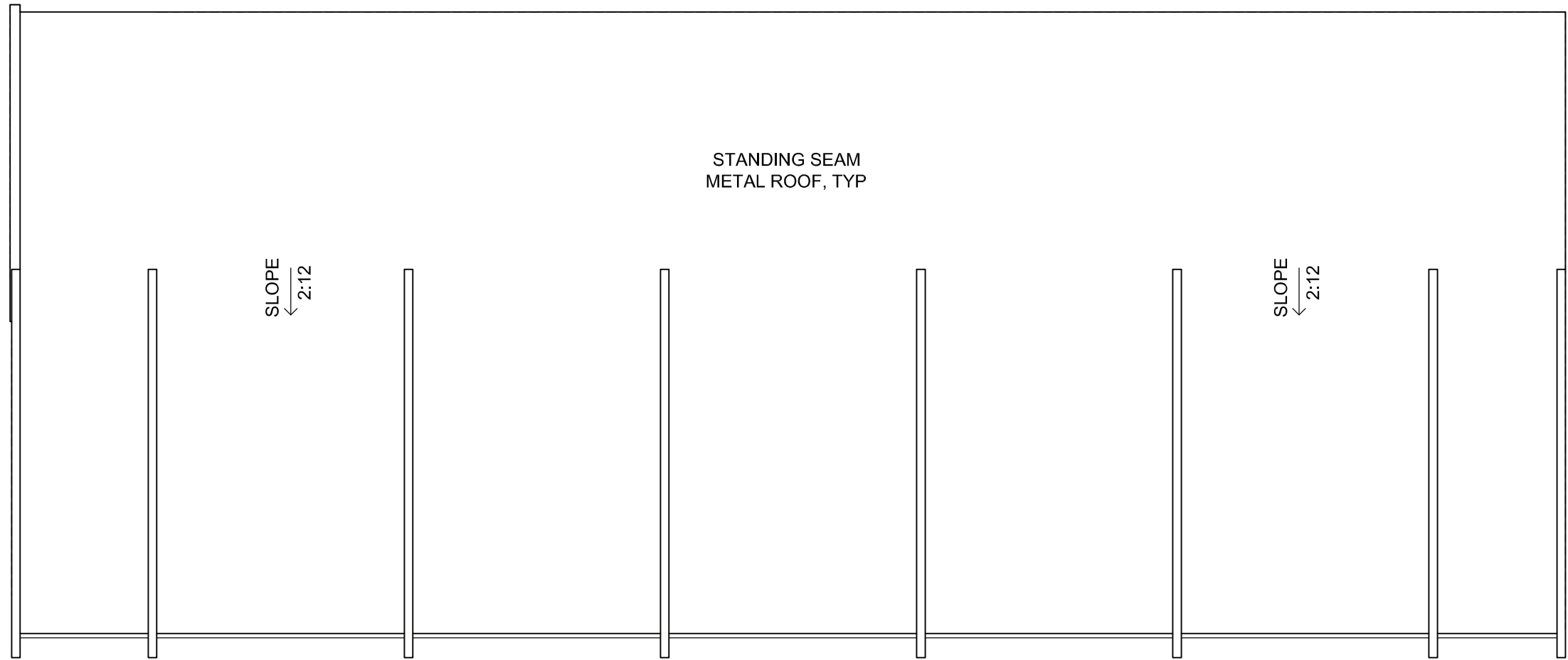
Mount Diablo Resource Recovery Park

PITTSBURG, CALIFORNIA

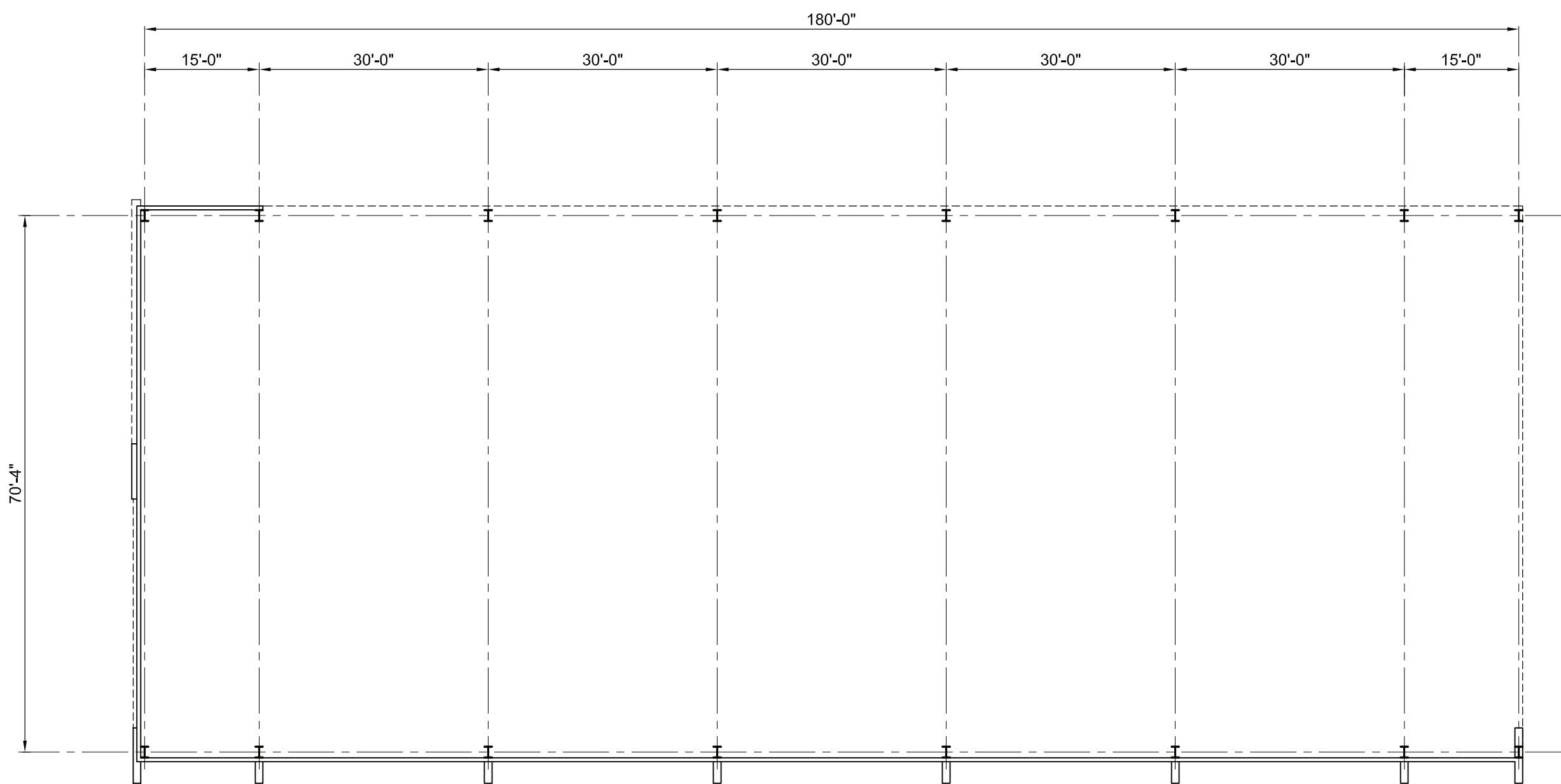
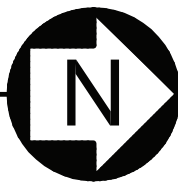
TIP FLOOR EXPANSION EXTERIOR ELEVATIONS

Drawn: _____
Checked: _____
Date: 03-02-18
Project: _____

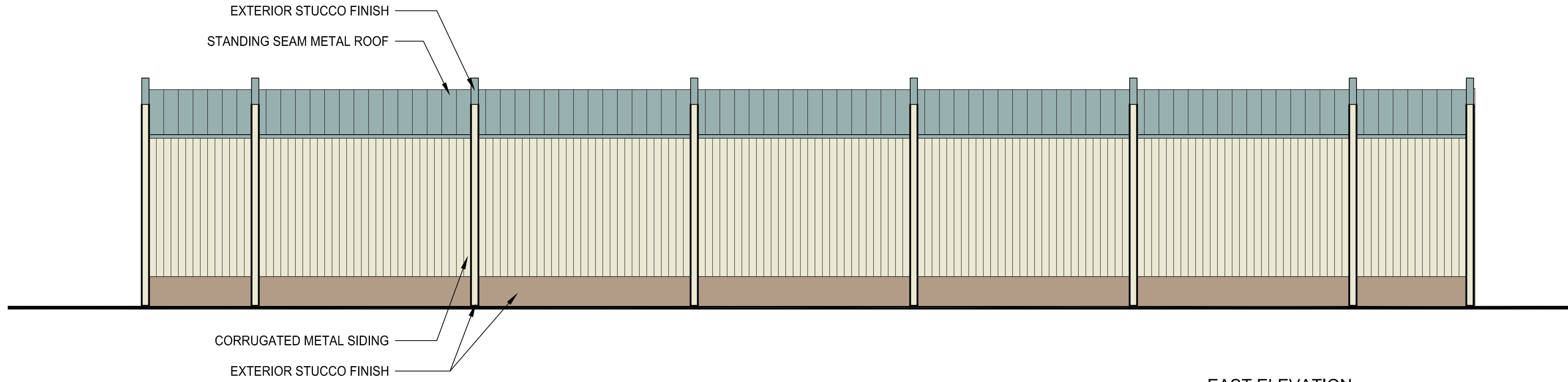
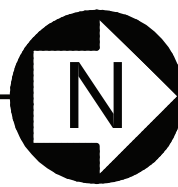
A3.1



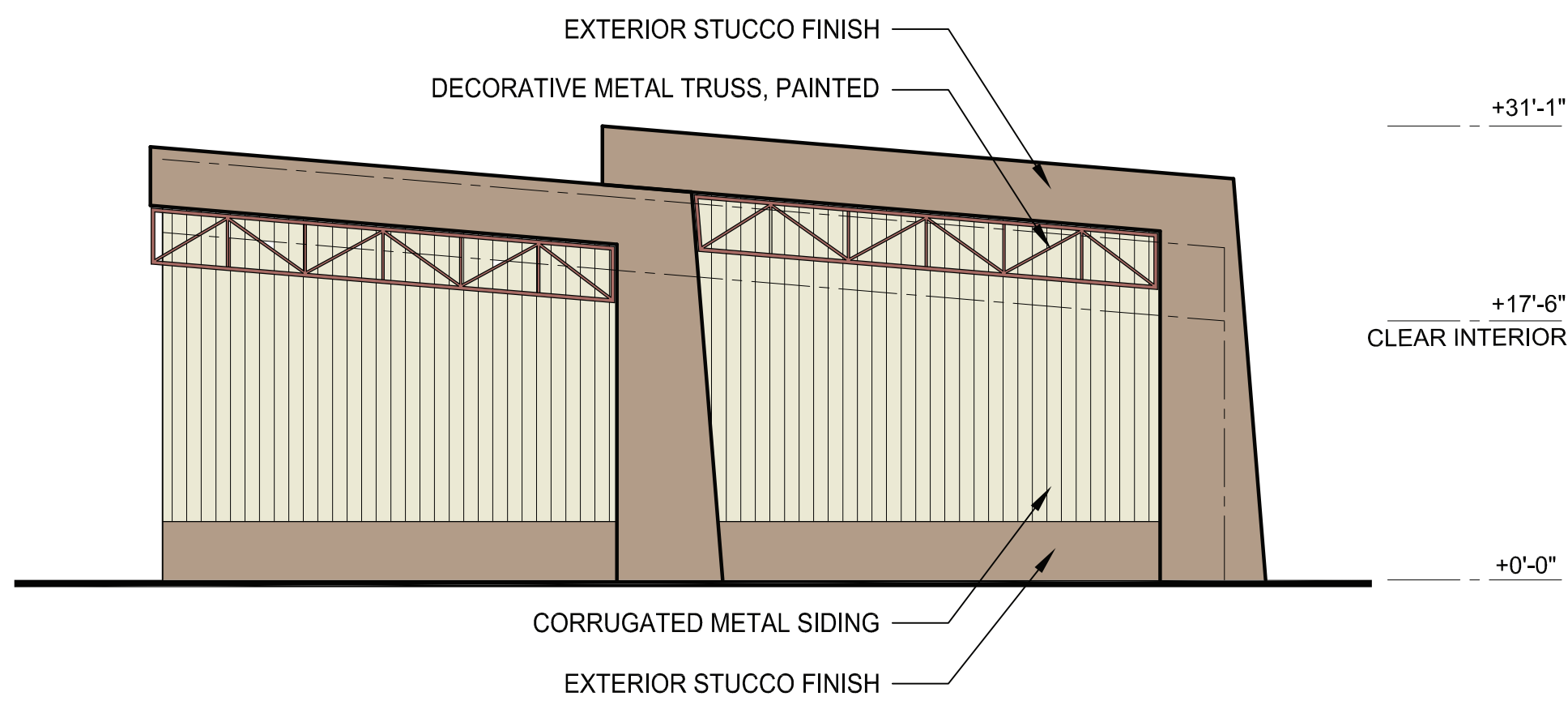
MATERIALS PROCESSING ROOF PLAN
1/16" = 1'-0"



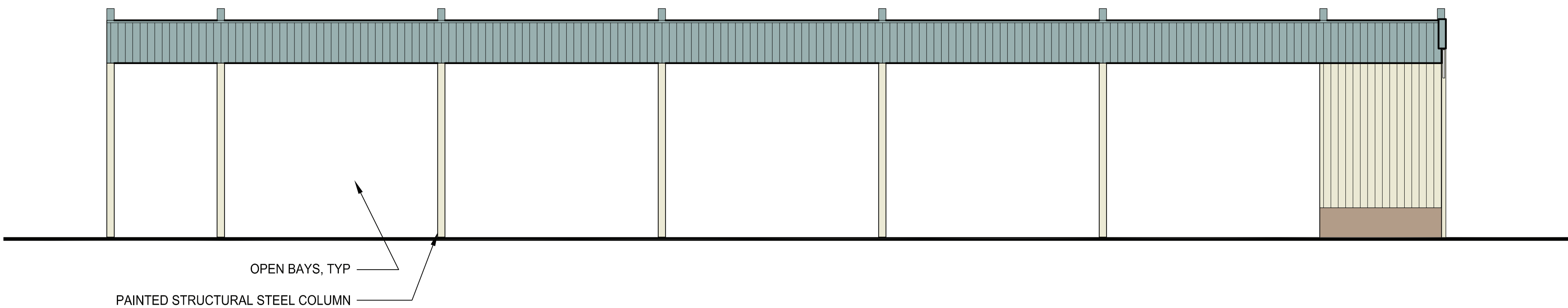
MATERIALS PROCESSING FLOOR PLAN
1/16" = 1'-0"



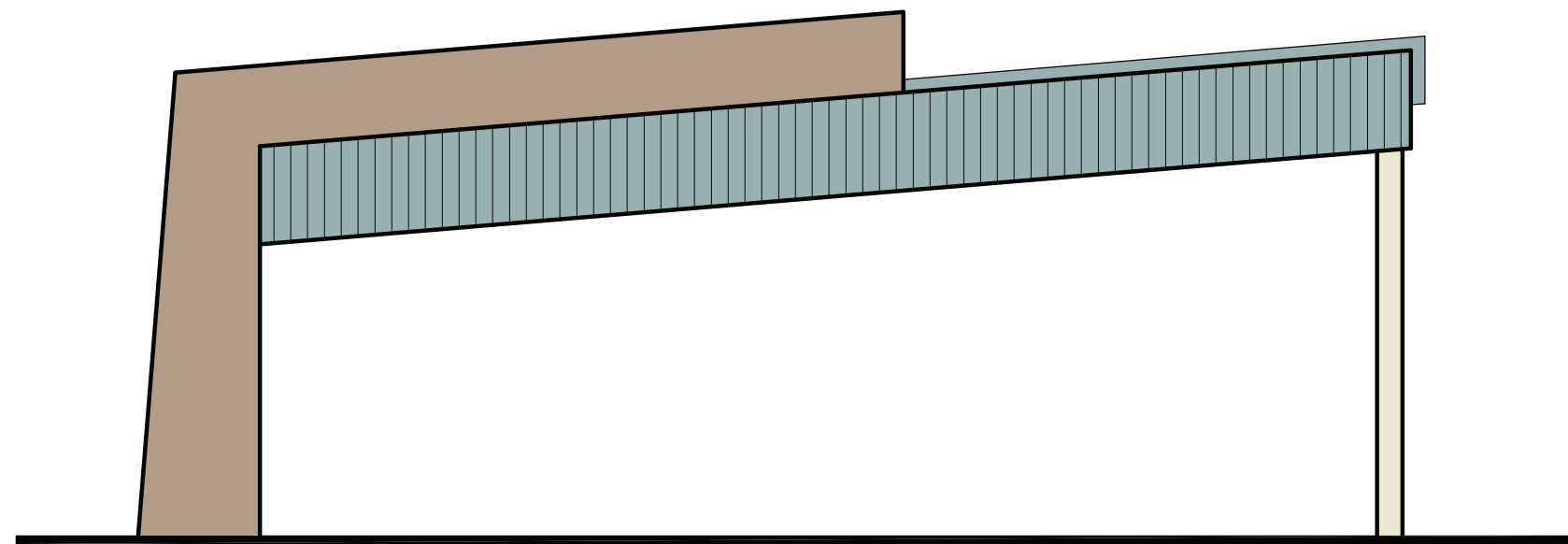
EAST ELEVATION
3/32" = 1'-0"



SOUTH ELEVATION
3/32" = 1'-0"



WEST ELEVATION
3/32" = 1'-0"



NORTH ELEVATION
3/32" = 1'-0"

Revisions



Capital Expenditure Managers
2450 Venture Oaks Way, Suite 500
Sacramento, CA 95833
(916) 648-9700

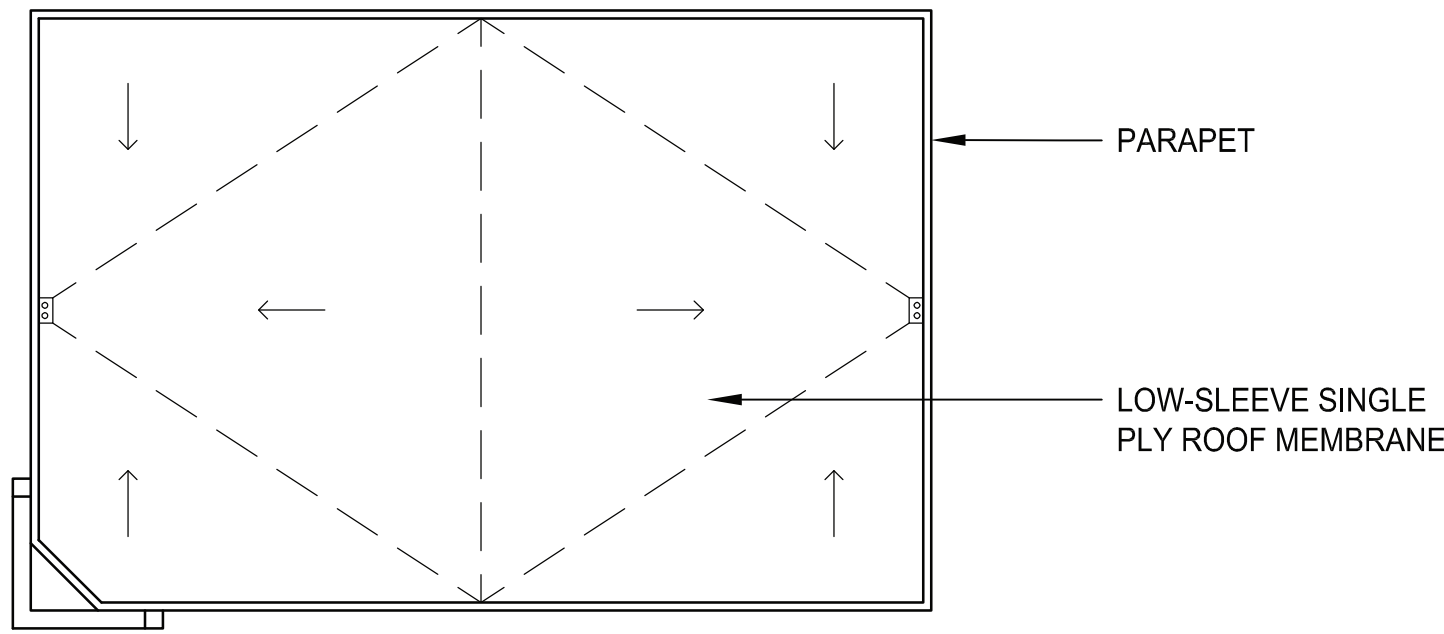
Mount Diablo
Resource Recovery Park

PITTSBURG, CALIFORNIA

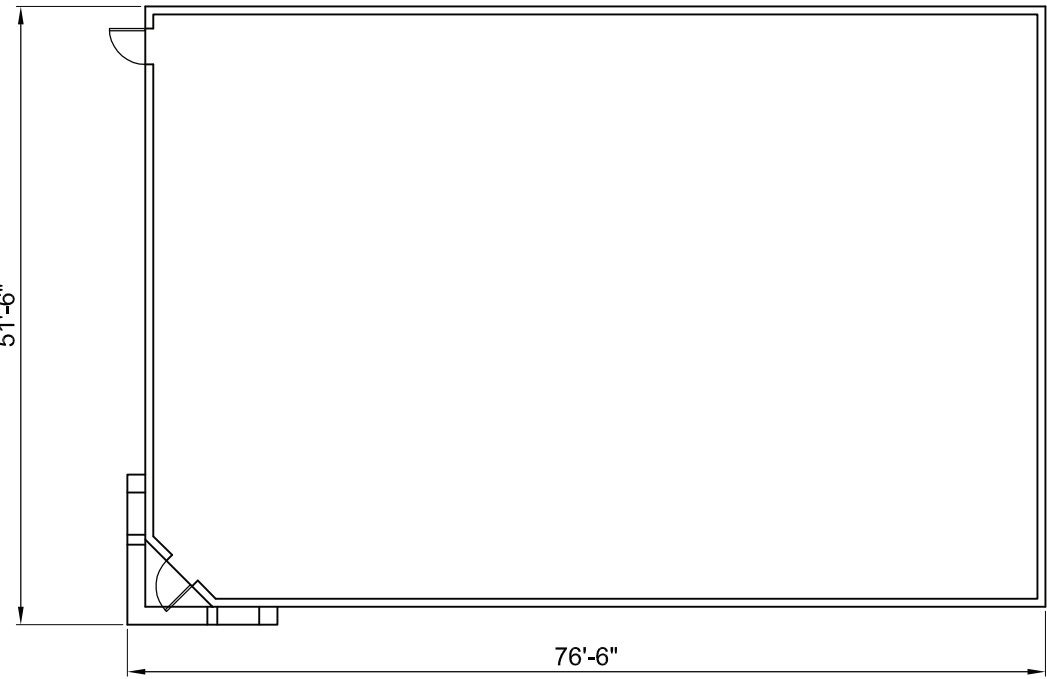
MATERIALS PROCESSING
FLOOR PLAN
ROOF PLAN
EXTERIOR ELEVATIONS

Drawn: _____
Checked: _____
Date: 03-02-18
Project: _____

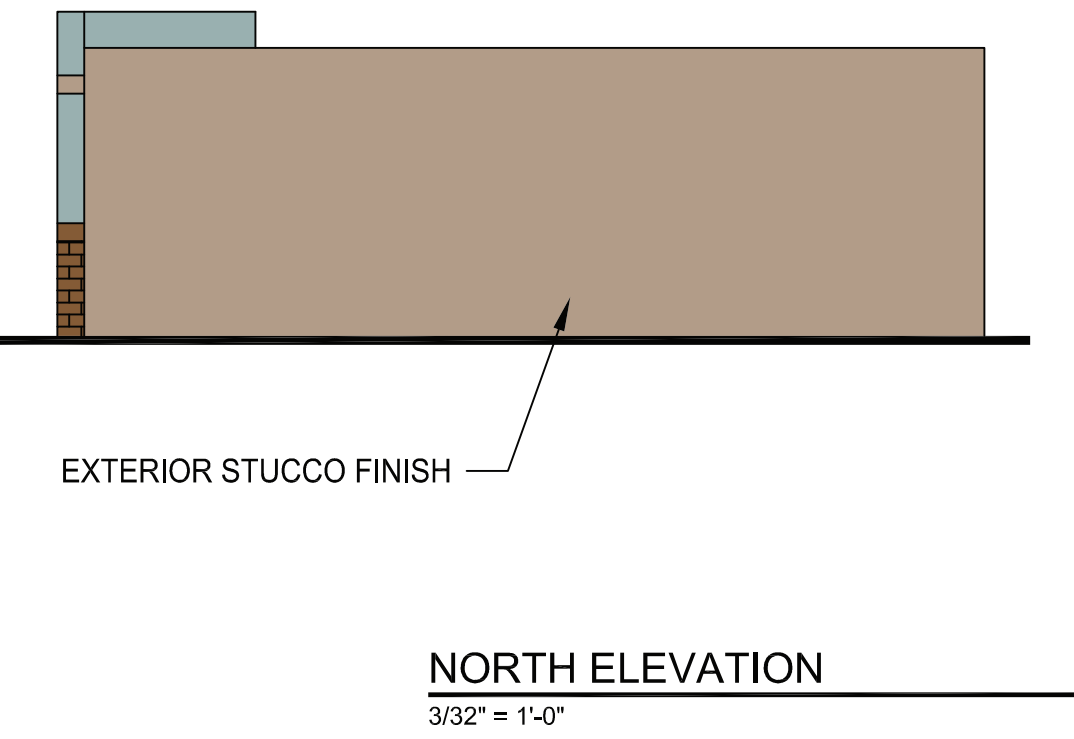
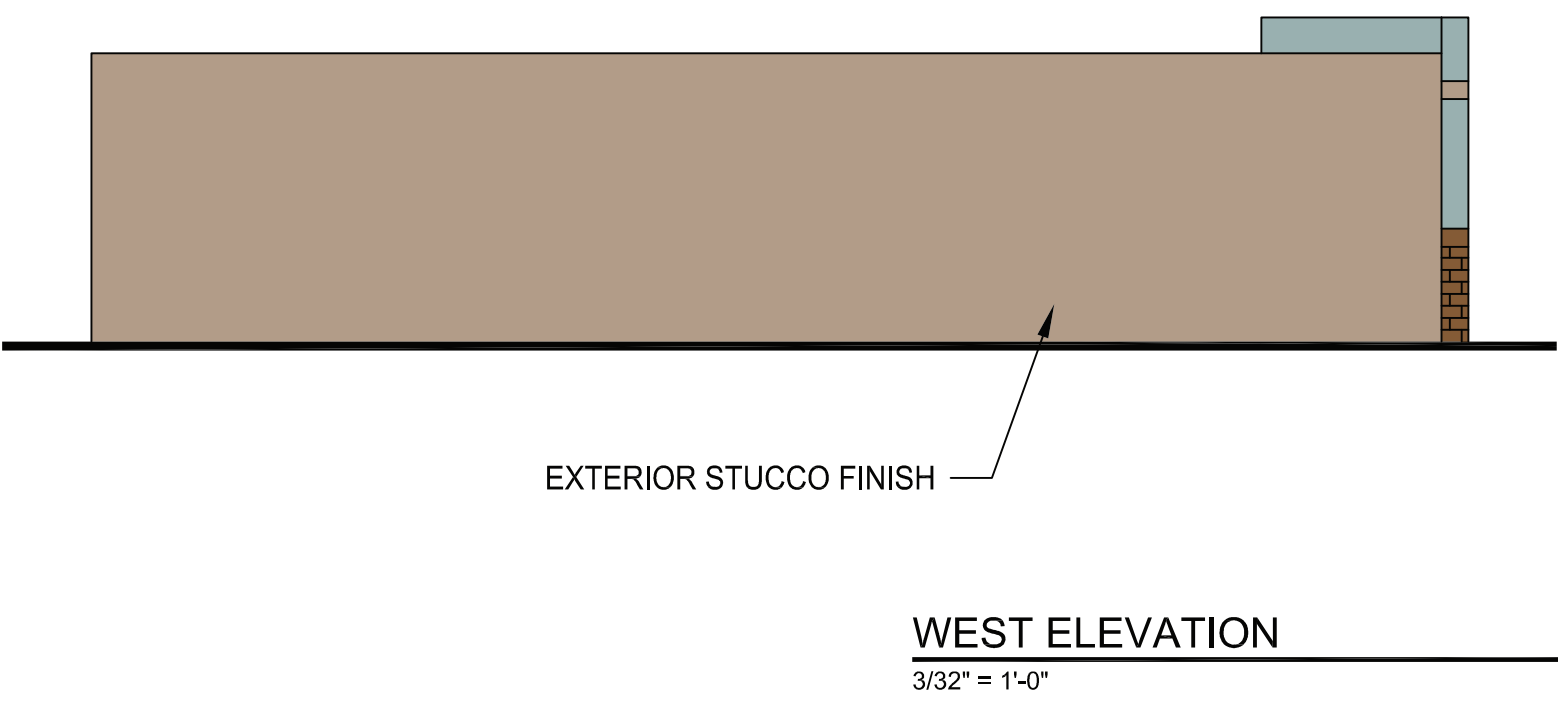
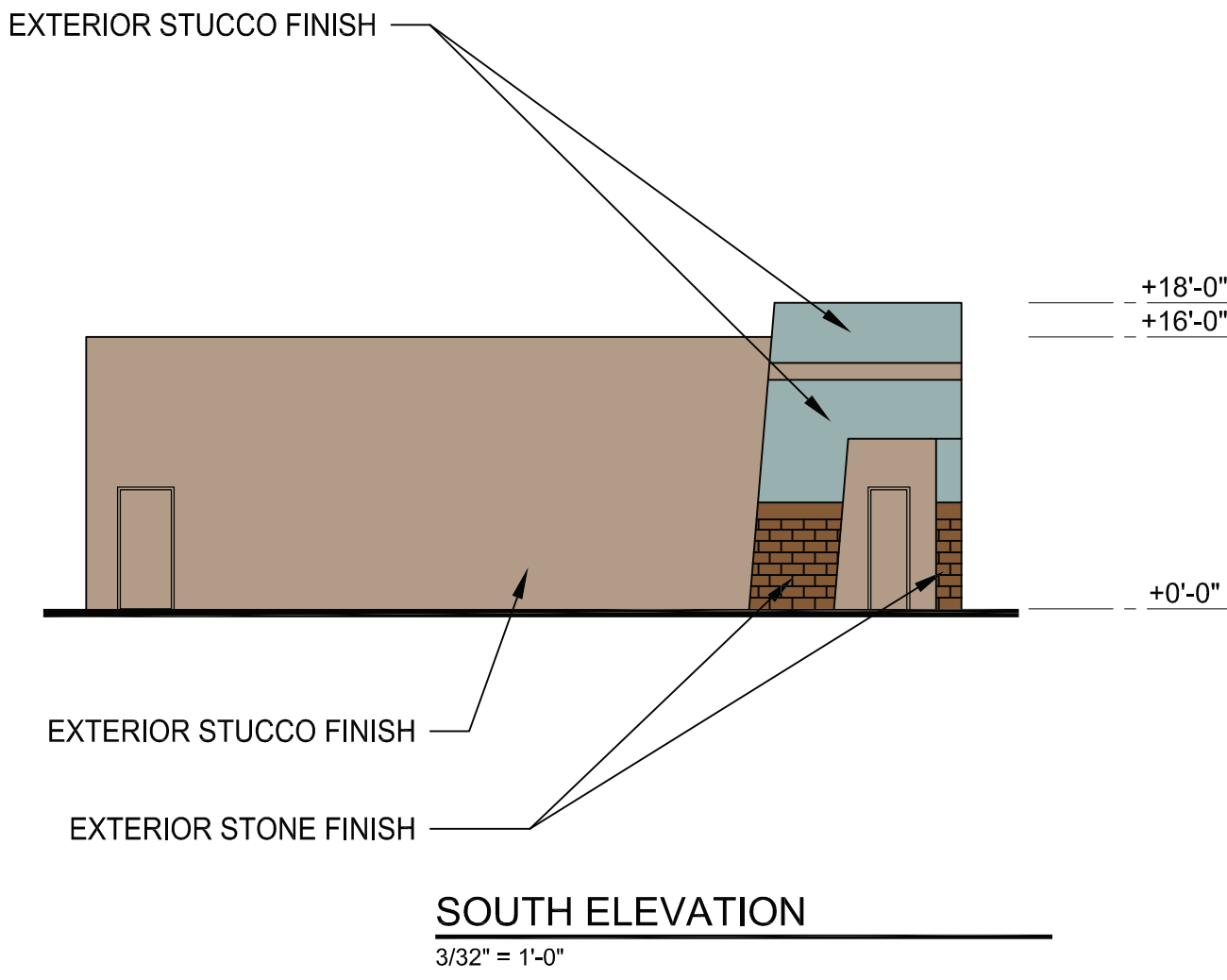
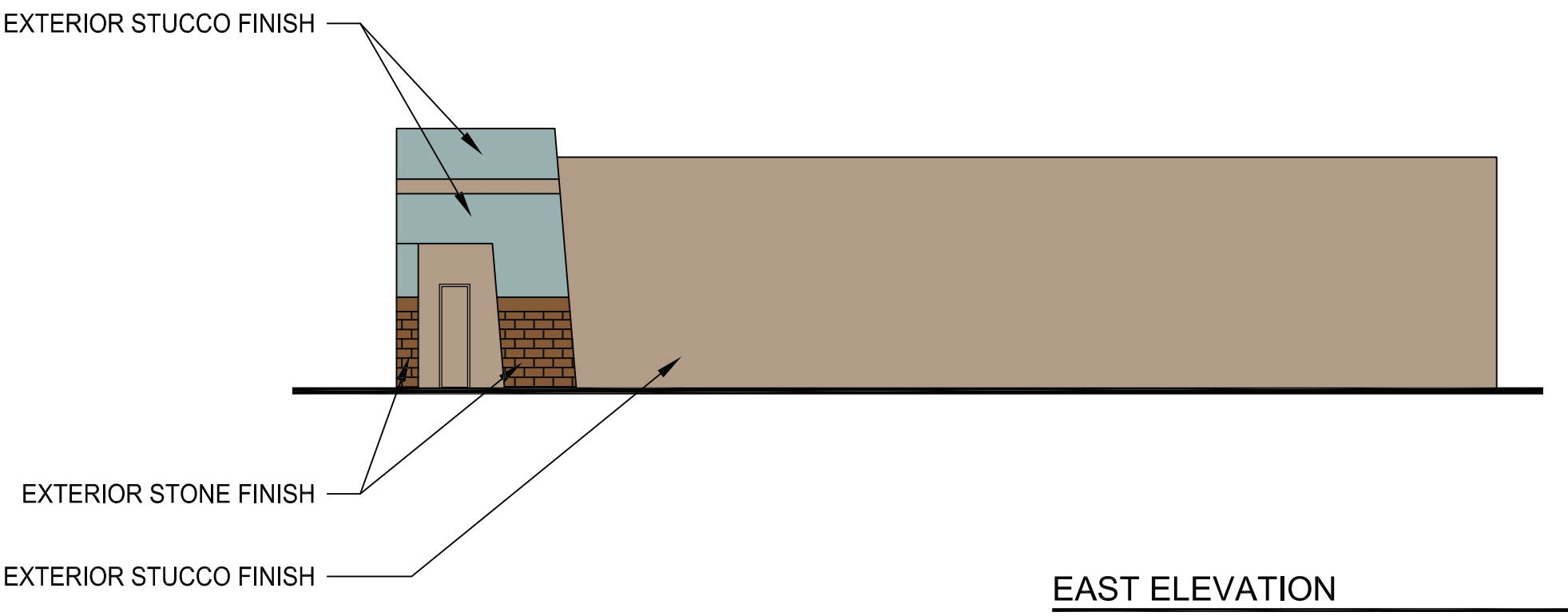
A4.0

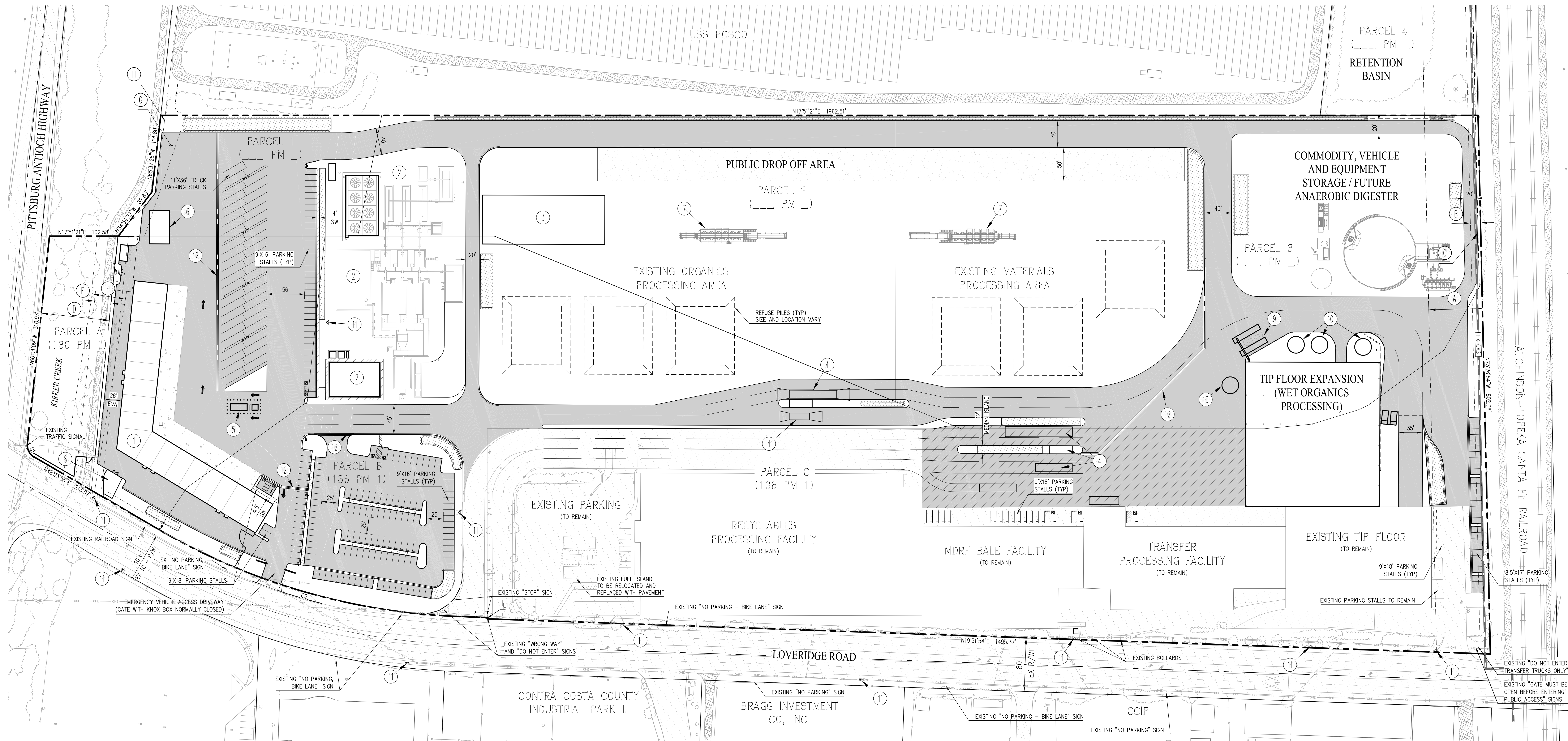


GASIFICATION CONTROL BUILDING ROOF PLAN
1/16" = 1'-0"



GASIFICATION CONTROL BUILDING FLOOR PLAN
1/16" = 1'-0"





EXISTING EASEMENTS

- (A) 80' TOWER LINE EASEMENT IN FAVOR OF DELTA ENERGY CENTER, LLC PER 2001-209906
- (B) 15' GAS PIPE LINE EASEMENT IN FAVOR OF PACIFIC GAS AND ELECTRIC COMPANY PER 98-156027
- (C) CENTERLINE OF PIPE LINE EASEMENT IN FAVOR OF COAST COUNTIES GAS AND ELECTRIC COMPANY PER 227 OR 222 (UNSPECIFIED WIDTH)
- (D) 102' DRAINAGE EASEMENT IN FAVOR OF CONTRA COSTA COUNTY PER 136 PM 1
- (E) 25' PRIVATE ACCESS AND UTILITY EASEMENT
- (F) PG&E POLE EASEMENT
- (G) ELECTRIC UTILITY LINE AND ACCESS EASEMENT PER 2014-0156048
- (H) EXISTING SLOPE EASEMENT IN FAVOR OF THE CITY PITTSBURG PER 2003-0097512

LINE TABLE		
NO	BEARING	LENGTH
L1	N72°08'39"W	2.00'
L2	N19°51'54"E	40.87'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	20.00'	65°51'56"	22.99'
C2	958.00'	281°2'01"	471.52'

CONSTRUCTION NOTES

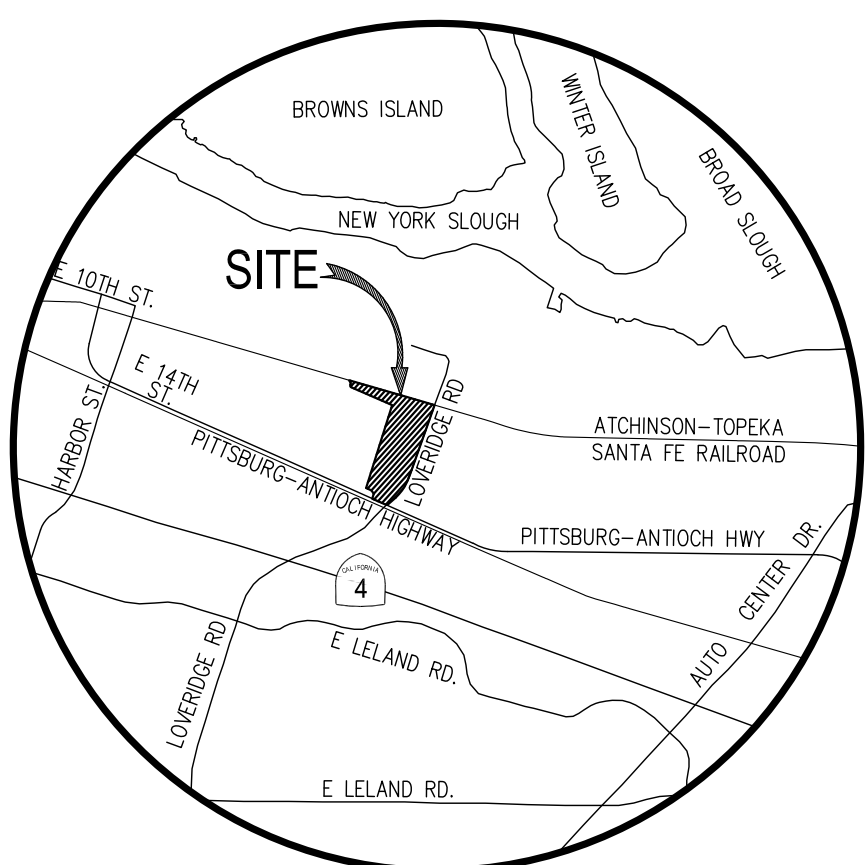
- (1) RECONFIGURED SEG TRUCKING MAINTENANCE SHOP
- (2) EXPANDED BIO-MASS GASIFICATION AND NEW CONTROL BUILDING
- (3) PROPOSED POLE BARN COMMODITY STORAGE
- (4) PROPOSED TRUCK SCALE
- (5) RELOCATED FUEL ISLAND
- (6) PROPOSED WASH RACK CANOPY
- (7) PROPOSED C&D EQUIPMENT
- (8) EXISTING SEWER PUMP STATION (TO REMAIN)
- (9) PROPOSED FILL STATION
- (10) PROPOSED TANK
- (11) EXISTING FIRE HYDRANT
- (12) PROPOSED VALLEY GUTTER

ABBREVIATIONS

- AC ASPHALT CONCRETE
- AB AGGREGATE BASE
- CL CENTERLINE
- EVA EMERGENCY VEHICLE ACCESS
- EX EXISTING
- FF FINISHED FLOOR ELEVATION
- GB GRADE BREAK
- GR GRATE ELEVATION
- HP HIGH POINT
- INV INVERT ELEVATION
- LP LOW POINT
- LS LANDSCAPE
- PAV PAVEMENT ELEVATION
- PCC PORTLAND CEMENT CONCRETE
- PR PROPOSED
- RET RETURN
- SD STORM DRAIN
- SW SIDEWALK
- TC TOP OF CURB

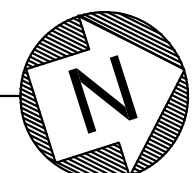
LEGEND

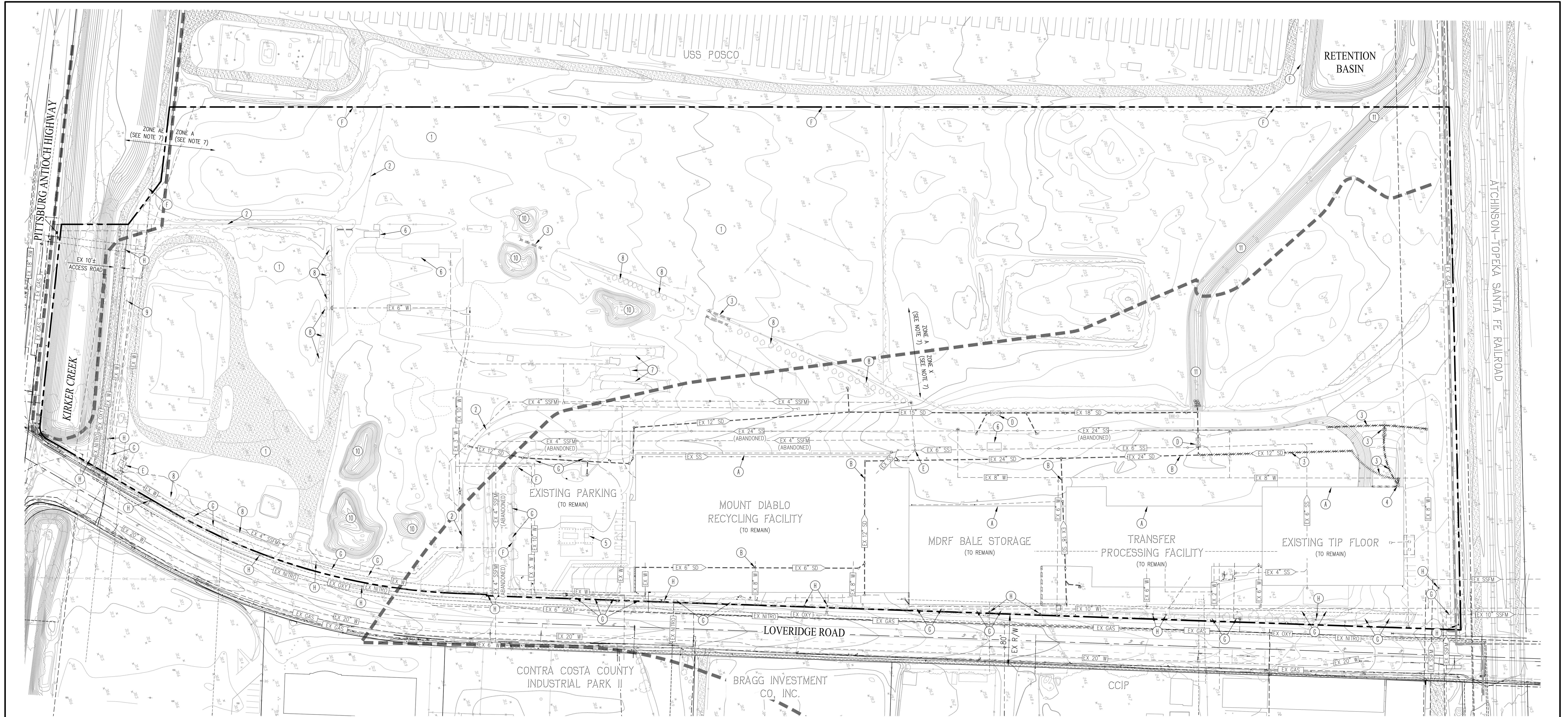
- PROPERTY BOUNDARY
- PROPERTY LINE
- EASEMENT LINE
- SIDEWALK
- TOP OF CURB
- ACCESSIBLE PARKING STALL
- BIORETENTION AREA
- PROPOSED PAVEMENT
- PROPOSED CONCRETE
- PROPOSED DRAIN ROCK / AGGREGATE BASE
- EXISTING PAVEMENT (REMOVE AND REPLACE)
- EXISTING PAVEMENT (TO REMAIN)



VICINITY MAP
NOT TO SCALE

PRELIMINARY SITE PLAN
1" = 80'





NOTES

1. PROPOSED DEMOLITION/PRESERVATION MEASURES SHOWN ARE PRELIMINARY AND SUBJECT TO FINAL DESIGN.
2. TO THE EXTENT POSSIBLE, EXISTING TREES SHALL BE PRESERVED. PRECISE QUANTITIES/LOCATIONS OF EXISTING TREES TO BE REMOVED/PRESERVED IS SUBJECT TO FINAL DESIGN. REFER TO SHEET L-2 BY CAMP & CAMP ASSOCIATES FOR SUMMARY OF TREES TO BE REMOVED/PRESERVED.
3. THE LOCATION OF ALL EXISTING UTILITIES ARE APPROXIMATE AND SHOULD BE VERIFIED PRIOR TO CONSTRUCTION.
4. SEE SHEET C.1 FOR THE LOCATION AND CHARACTER OF EXISTING EASEMENT WITHIN THE PROJECT BOUNDARY.
5. EXISTING TOPOGRAPHY INCLUDES TEMPORARY STOCKPILES OF SOIL/DEBRIS/REFUSE TO BE REMOVED/RELOCATED PRIOR TO CONSTRUCTION.
6. SOURCE OF TOPOGRAPHY IS BY GEOMAPS, INC. DATED OCTOBER 6, 2017.
7. PORTIONS OF THE PROJECT ARE LOCATED WITH FLOOD ZONE A (AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT, NO BASE FLOOD ELEVATIONS SHOWN) AS SHOWN ON FIRM PANEL 0601300138G EFFECTIVE 9/30/2015. APPROXIMATE LIMITS OF THE SPECIAL FLOOD HAZARD AREA (SFHA) ARE SHOWN.

PRESERVATION MEASURES

- (A) PRESERVE EXISTING BUILDING STRUCTURE AND FOUNDATION (ALL UTILITY CONNECTIONS TO REMAIN IN PLACE)
- (B) PRESERVE EXISTING STORM DRAIN, OUTLETS, AND STRUCTURES
- (C) PRESERVE EXISTING UTILITIES, VAULTS, STRUCTURES IN PLACE
- (D) PRESERVE EXISTING INTERCEPTOR/FILTER
- (E) PRESERVE EXISTING SEWER PUMP STATION
- (F) PRESERVE EXISTING FENCE
- (G) PRESERVE EXISTING TREES (SEE NOTE 2)
- (H) PRESERVE EXISTING UTILITY POLE

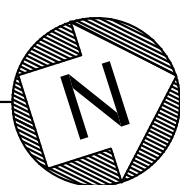
DEMOLITION MEASURES

- (1) DEMO AND REMOVE EXISTING PAVEMENT/ROAD SURFACE
- (2) DEMO AND REMOVE EXISTING FENCE
- (3) DEMO AND REMOVE EXISTING STORM DRAIN, OUTLETS, AND STRUCTURES
- (4) REPLACE EXISTING STORM DRAIN PUMP STATION
- (5) RELOCATE EXISTING FUEL STATION
- (6) DEMO AND REMOVE EXISTING BUILDING/STRUCTURE AND FOUNDATION (ALL UTILITIES SHALL BE DISCONNECTED PRIOR TO BUILDING DEMOLITION)
- (7) REMOVE/RELOCATE EXISTING TRUCK SCALES
- (8) DEMO AND REMOVE EXISTING TREES (SEE NOTE 2)
- (9) RELOCATE EXISTING UTILITY POLE
- (10) REMOVE/RELOCATE EXISTING STOCKPILE (SEE NOTE 5)
- (11) REMOVE/FILL PORTION OF EXISTING DITCH WITHIN PROJECT BOUNDARY

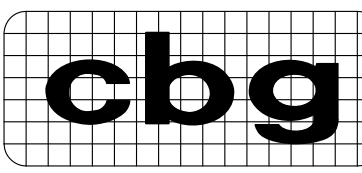
LEGEND

- EXISTING SPOT GRADE
- EXISTING FIRE HYDRANT
- EXISTING UTILITY POLE
- EXISTING FENCE
- EXISTING STORM DRAIN PIPE
- EXISTING SANITARY SEWER PIPE
- EXISTING SANITARY SEWER FORCE MAIN
- EXISTING WATER PIPE
- EXISTING GAS PIPE
- EXISTING OXYGEN PIPE
- EXISTING NITROGEN PIPE
- EXISTING OVERHEAD ELECTRIC
- APPROXIMATE LIMITS OF SFHA (SEE NOTE 7)

EXISTING CONDITIONS AND
PRELIMINARY DEMOLITION PLAN
1" = 80'



Revisions



Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
www.cbng.com
SAN RAMON • (925) 866-0322
SACRAMENTO • (916) 375-1877

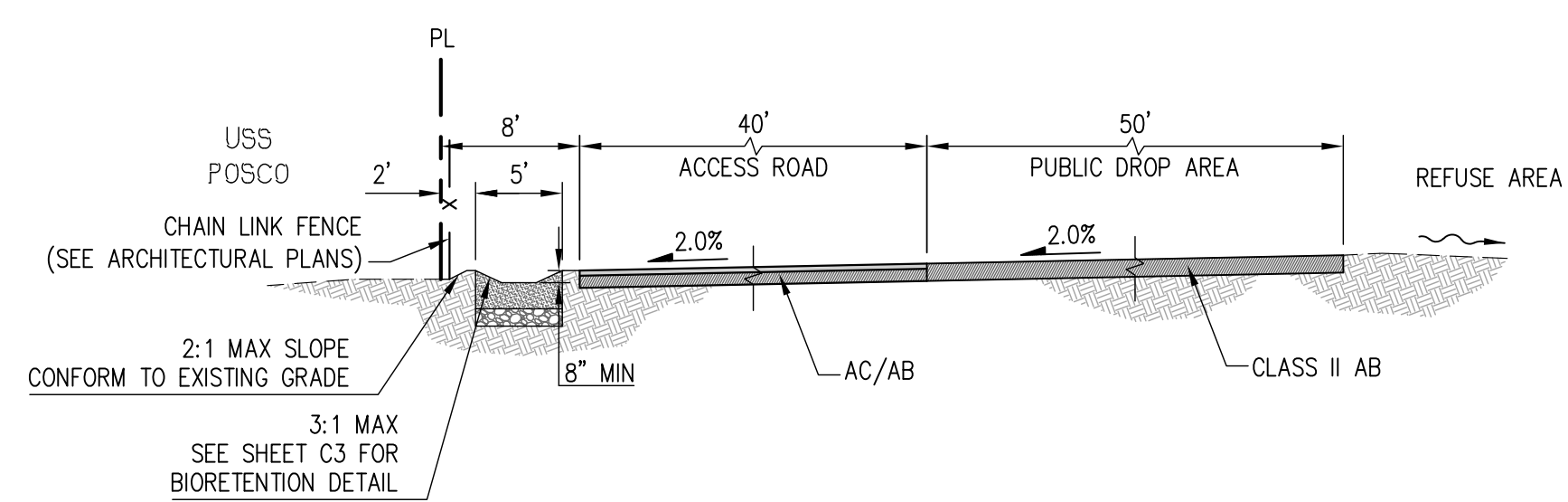
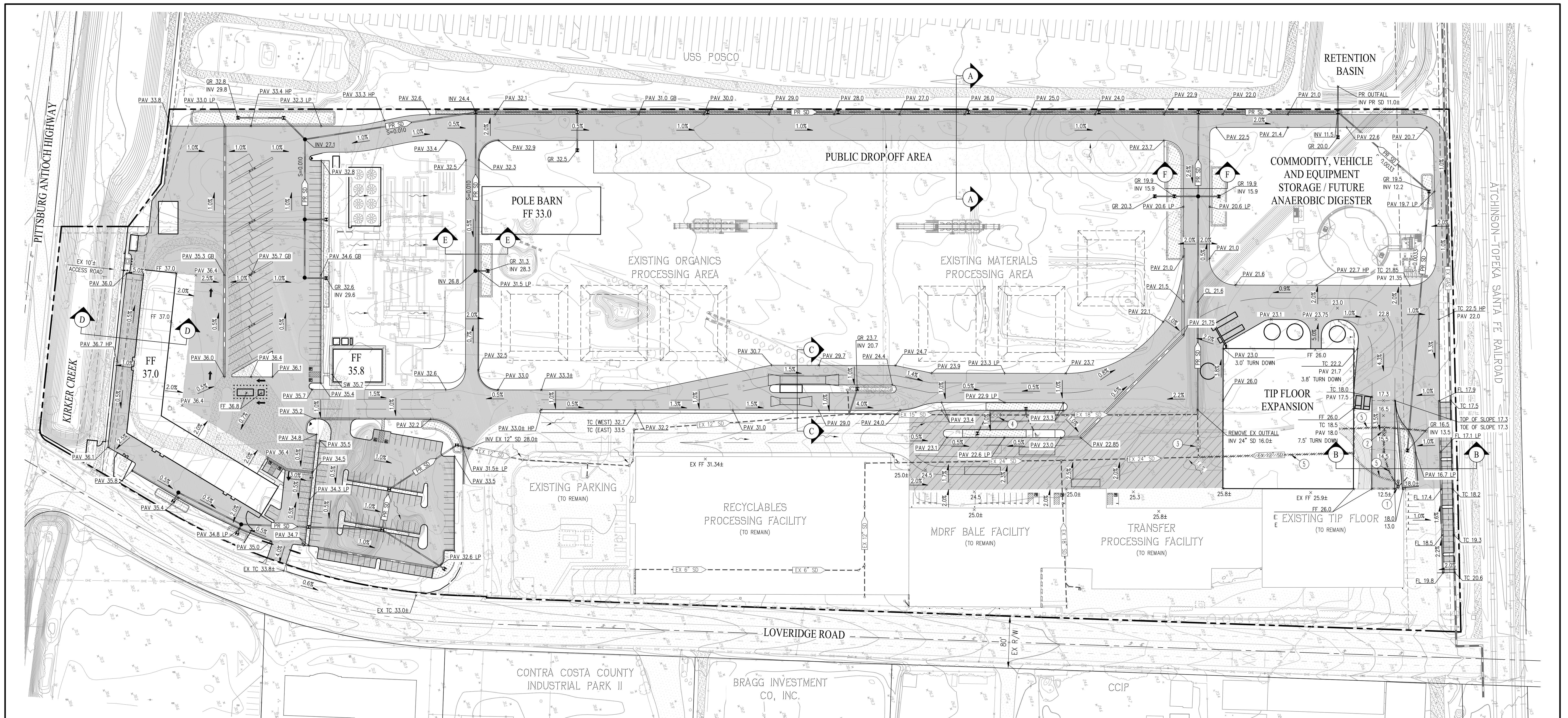
Mount Diablo
Resource Recovery Park

PITTSBURG, CALIFORNIA

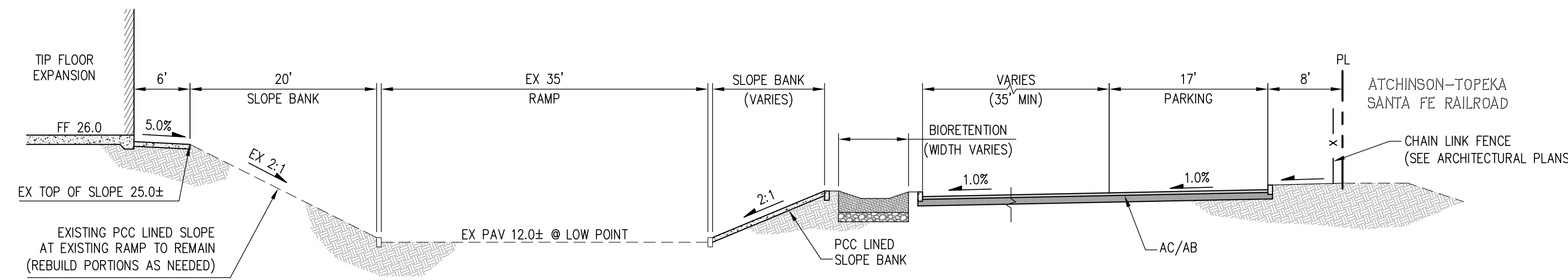
EXISTING CONDITIONS AND
PRELIMINARY DEMOLITION
PLAN

Drawn:	EMD
Checked:	AJO
Date:	03-02-18
Project:	1362-010

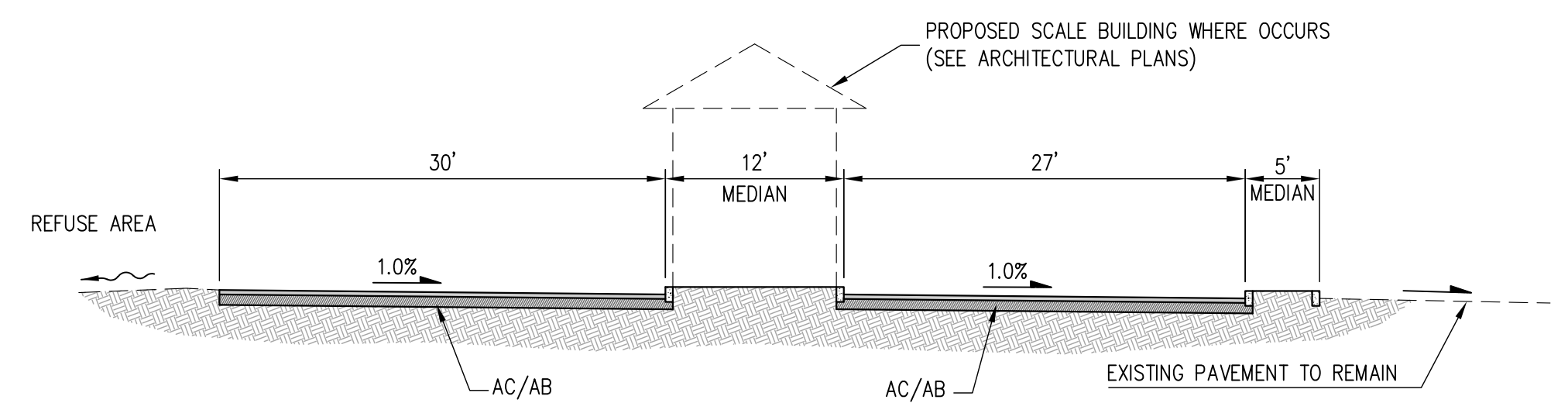
C.2



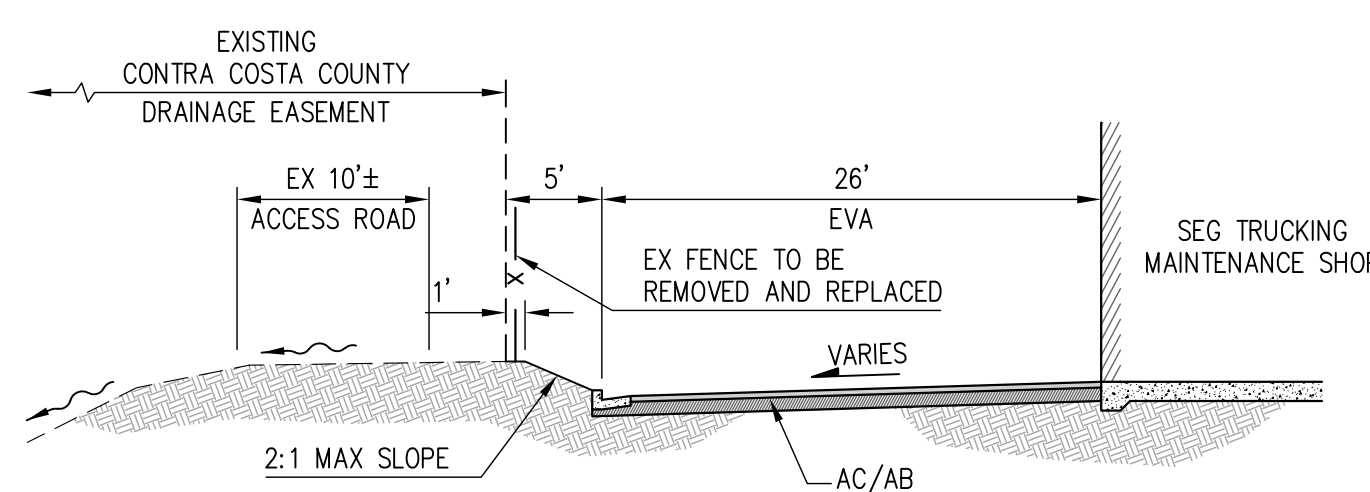
SECTION A-A
NOT TO SCALE



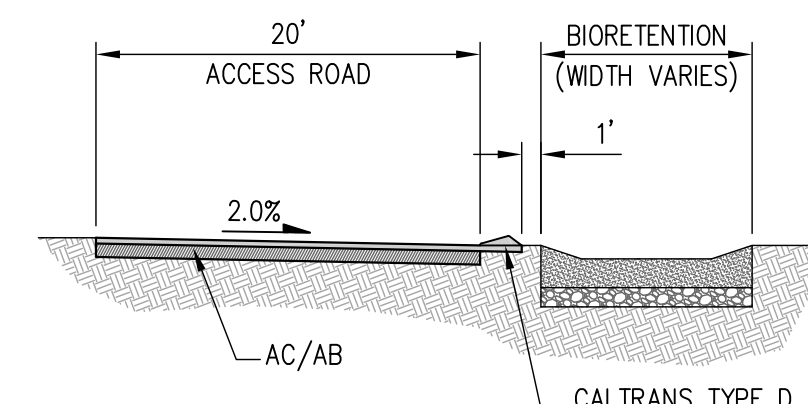
SECTION B-B
NOT TO SCALE



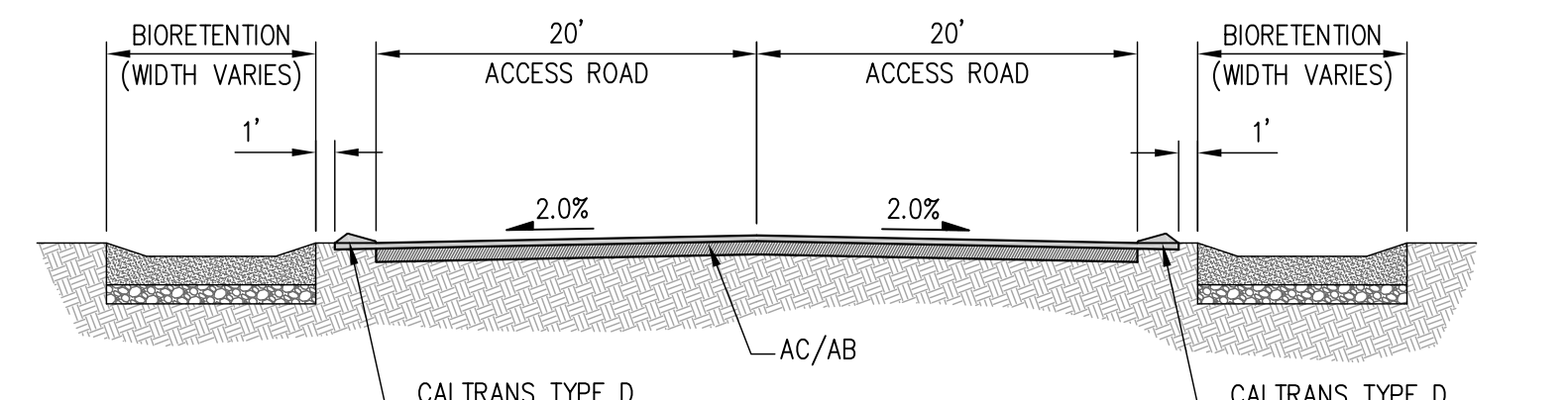
SECTION C-C
NOT TO SCALE



SECTION D-D
NOT TO SCALE



SECTION E-E
NOT TO SCALE



SECTION F-F
NOT TO SCALE

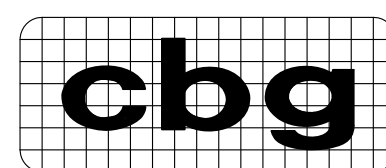
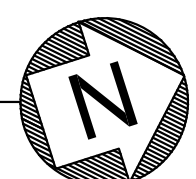
GRADING NOTES

- PROPOSED GRADING AS SHOWN IS PRELIMINARY. FINAL GRADING IS SUBJECT TO FINAL DESIGN.
- ALL GRADING WILL BE IN CONFORMANCE WITH THE RECOMMENDATIONS AND CONDITIONS OF THE GEOTECHNICAL ENGINEER AND THEIR REPORT REGARDING THIS PROJECT.
- EROSION CONTROL MEASURES WILL BE PREPARED PER CITY STANDARDS AND RWOCB REQUIREMENTS.

CONSTRUCTION NOTES

- EXISTING STORM DRAIN PUMP STATION (TO BE REPLACED)
- EXISTING 750 GALLON INTERCEPTOR (TO REMAIN)
- EXISTING 1,500 GALLON INTERCEPTOR (TO REMAIN)
- EXISTING 2,000 GALLON INTERCEPTOR (TO REMAIN)
- EXISTING STORM DRAIN FACILITIES (TO BE REMOVED)

PRELIMINARY GRADING AND DRAINAGE PLAN
1"=60'



Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
www.cbngd.com
SAN RAMON • (925) 866-0322
SACRAMENTO • (916) 375-1877

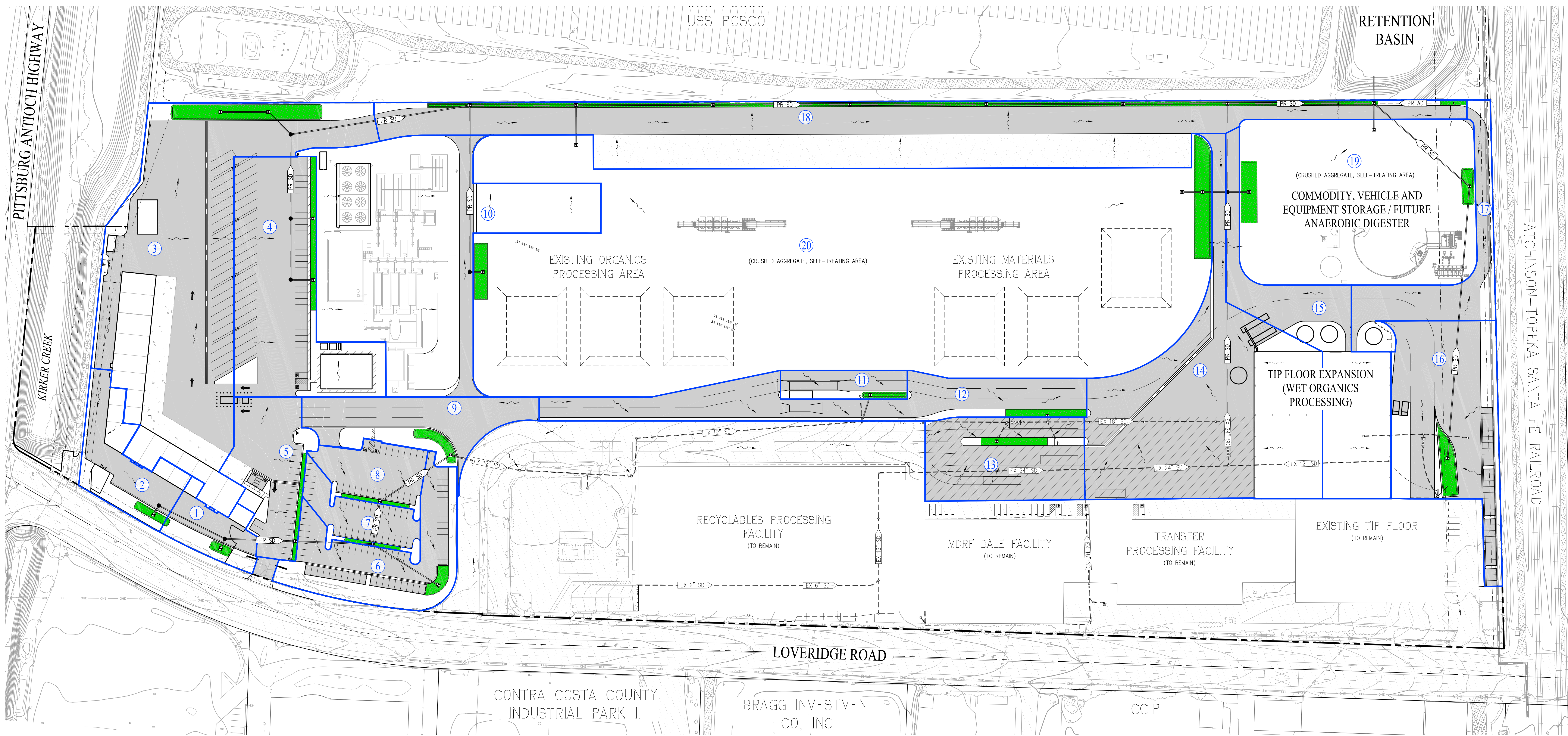
Mount Diablo Resource Recovery Park

PITTSBURG, CALIFORNIA

PRELIMINARY GRADING AND DRAINAGE PLAN

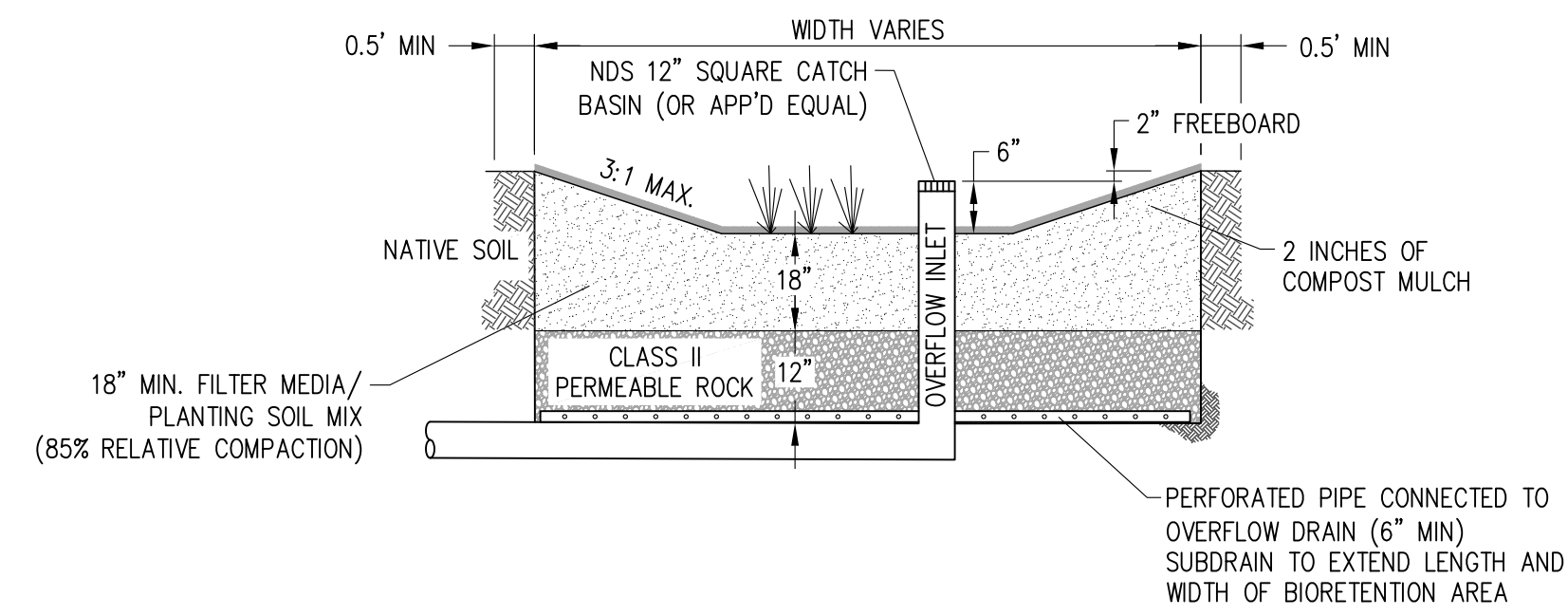
Drawn: EMD
Checked: AJO
Date: 03-02-18
Project: 1362-010

C.3

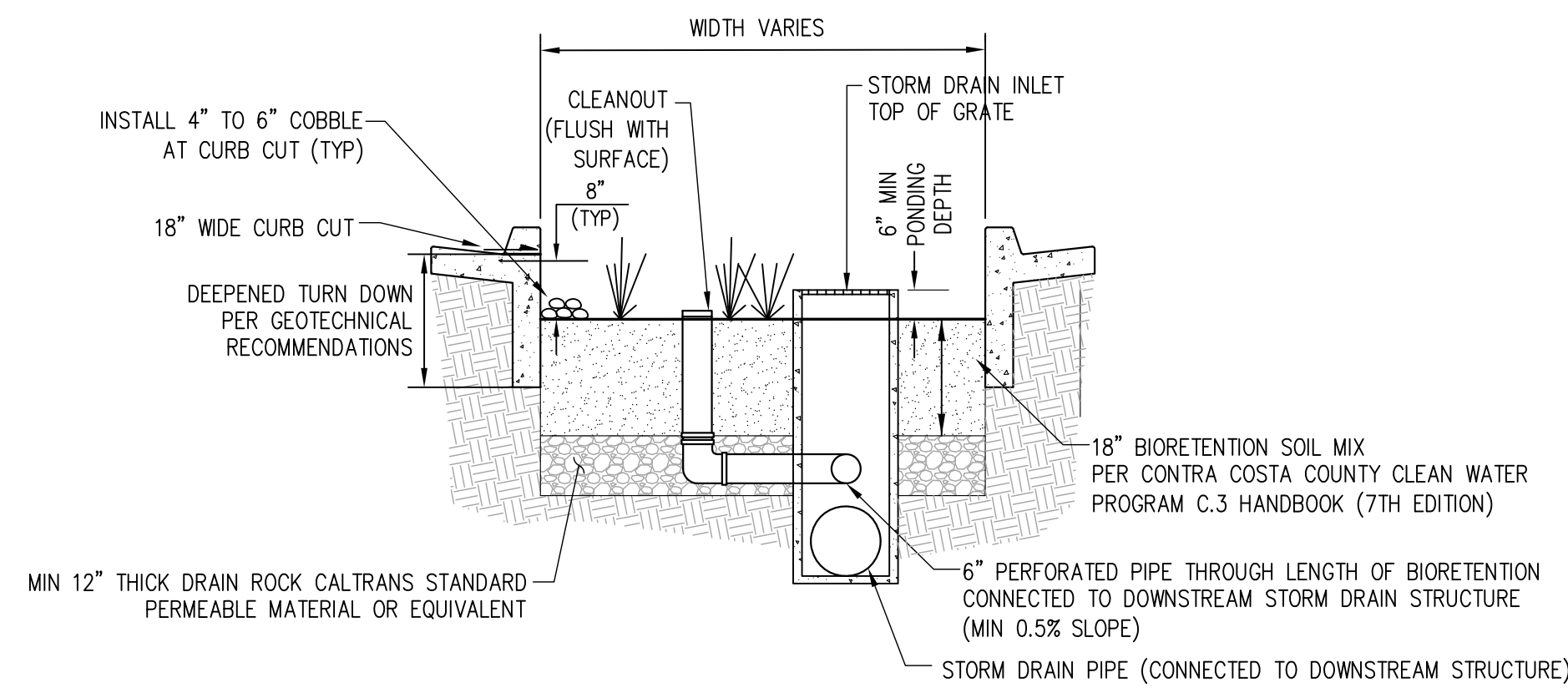


LEGEND

- PROPOSED DRAINAGE MANAGEMENT AREA (DMA) BOUNDARY
- PROPOSED DRAINAGE MANAGEMENT AREA (DMA) NUMBER
- PROPOSED BIORETENTION
- PROPOSED PAVEMENT
- PROPOSED CONCRETE
- PROPOSED DRAIN ROCK / AGGREGATE BASE
- REMOVE AND REPLACE EXISTING PAVEMENT
- EXISTING PAVEMENT TO REMAIN



TYPICAL BIORETENTION BASIN DETAIL
(WITH SIDE SLOPES)
NOT TO SCALE

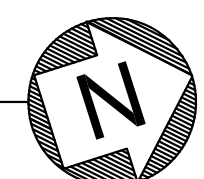


TYPICAL BIORETENTION BASIN DETAIL
(ADJACENT TO CURB)
NOT TO SCALE

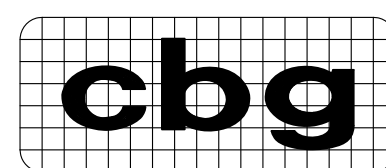
STORMWATER TREATMENT SUMMARY

DMA	TOTAL AREA (SF)	IMPERVIOUS AREA (SF)	LANDSCAPE AREA (SF)	BIORETENTION AREA REQUIRED (SF)	BIORETENTION AREA PROVIDED (SF)
1	10,100	6,360	3462	268	278
2	18,020	13,080	4392	541	548
3	107,830	96,410	7518	3,886	3,902
4	50,490	43,740	4974	1,769	1,776
5	22,240	19,440	2010	786	790
6	28,190	18,200	9210	765	780
7	11,180	9,890	880	399	410
8	12,430	11,350	580	456	500
9	23,270	18,280	4223	748	767
10	92,200	22,040	70,160	1,162	1,170
11	7,790	5,970	1573	245	247
12	37,590	31,960	4332	1,296	1,298
13	28,250	26,500	683	1,063	1,067
14	86,160	84,520	1640	3,387	3,394
15	39,110	37,120	1990	1,493	1,740
16	44,020	36,740	5130	1,490	1,547
17	21,150	16,320	4830	672	697
18	105,510	57,310	48200	2,485	4,160
19	82,970	0	82,970	N/A - SELF-TREATING	
20	326,670	0	326,670	N/A - SELF-TREATING	
		555,230			

PRELIMINARY
STORMWATER CONTROL PLAN
1" = 60'



0 30' 60' 120'
SCALE: 1" = 60'



Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
www.cbangd.com
SAN RAMON • (925) 866-0322
SACRAMENTO • (916) 375-1877

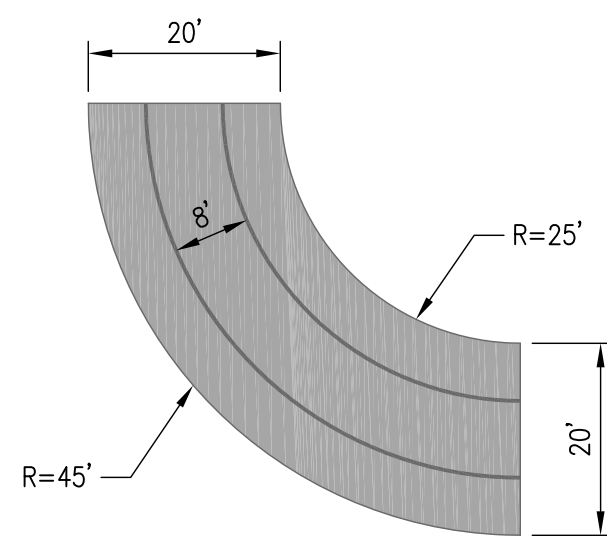
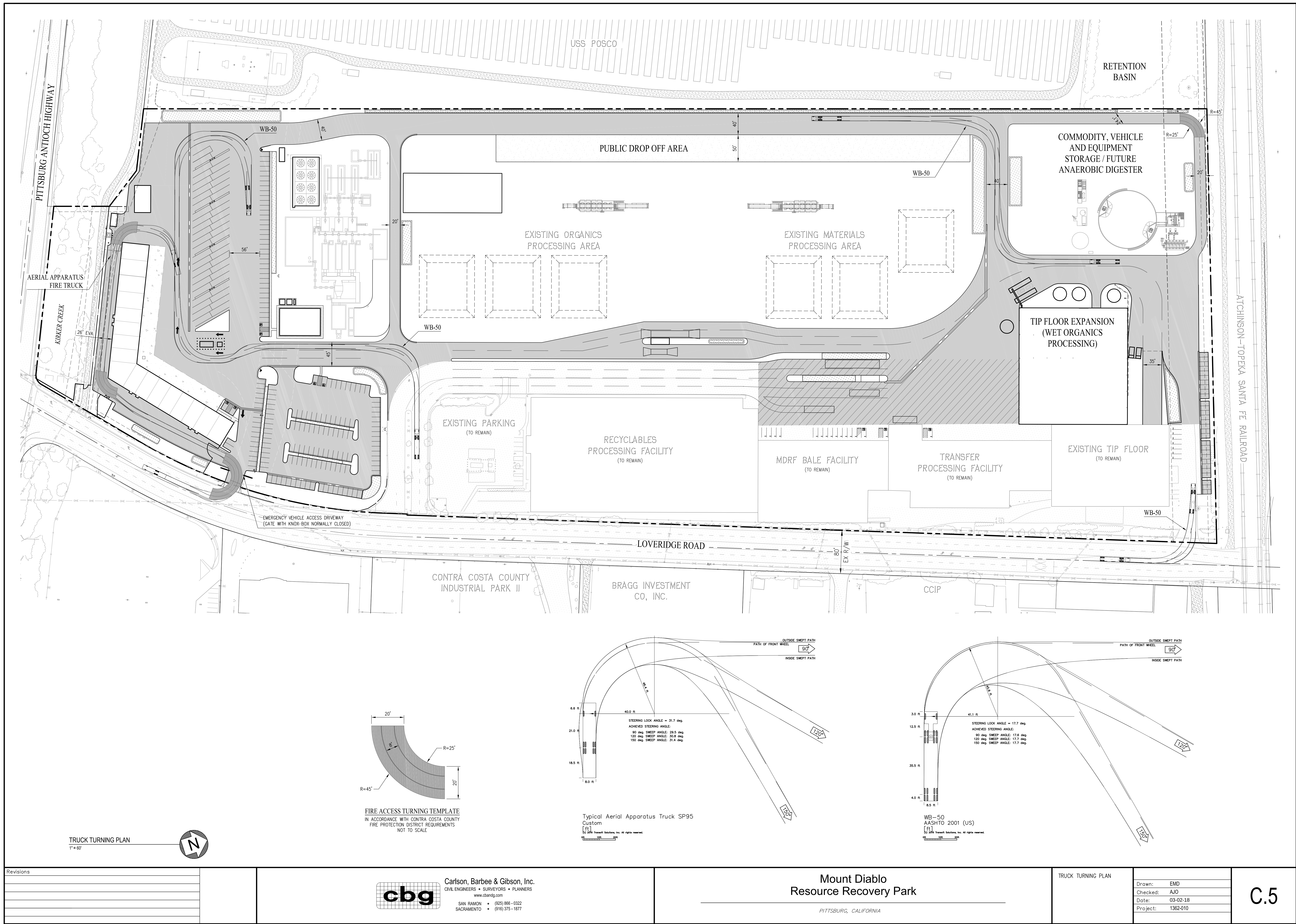
Mount Diablo
Resource Recovery Park

PITTSBURG, CALIFORNIA

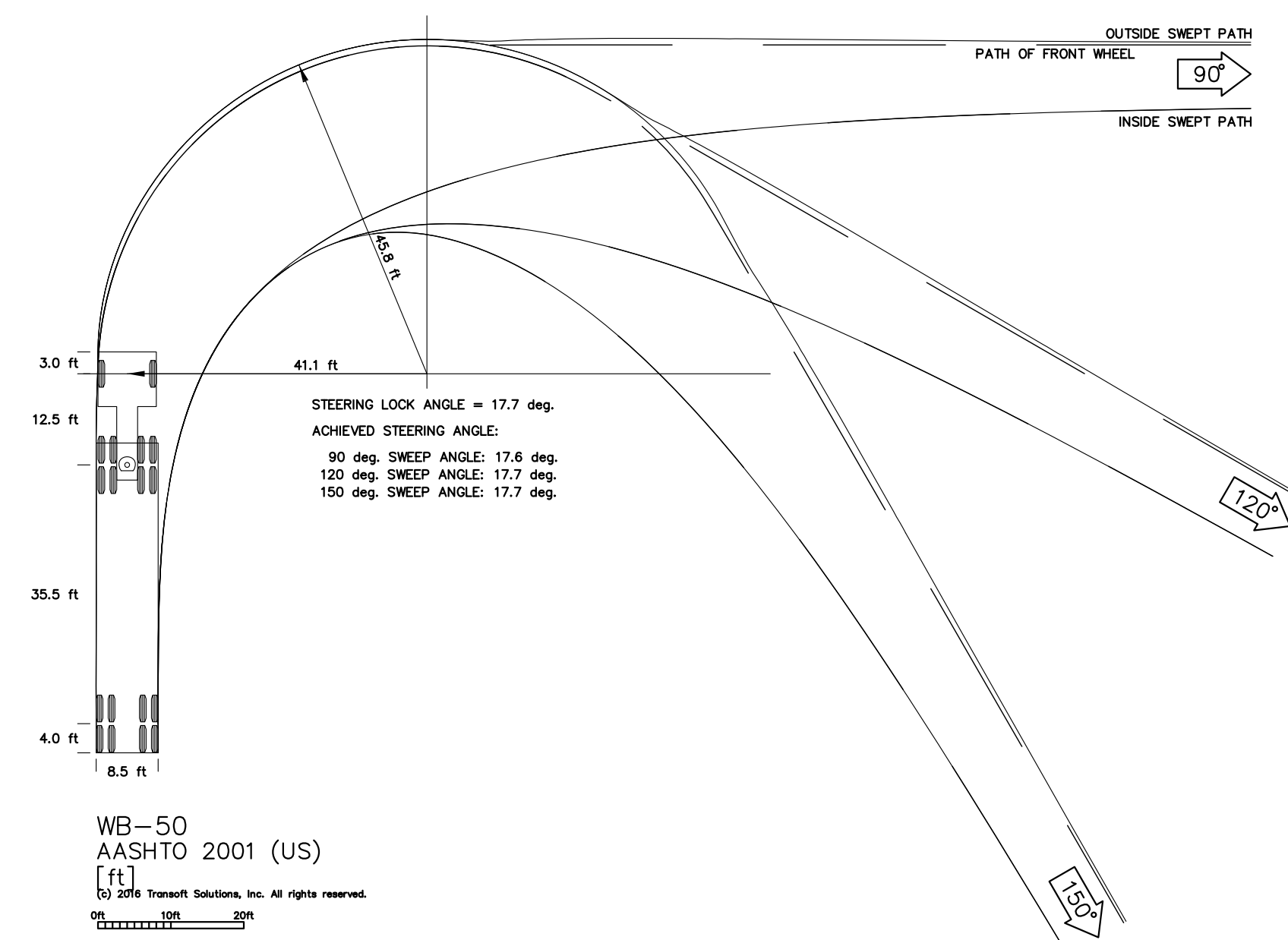
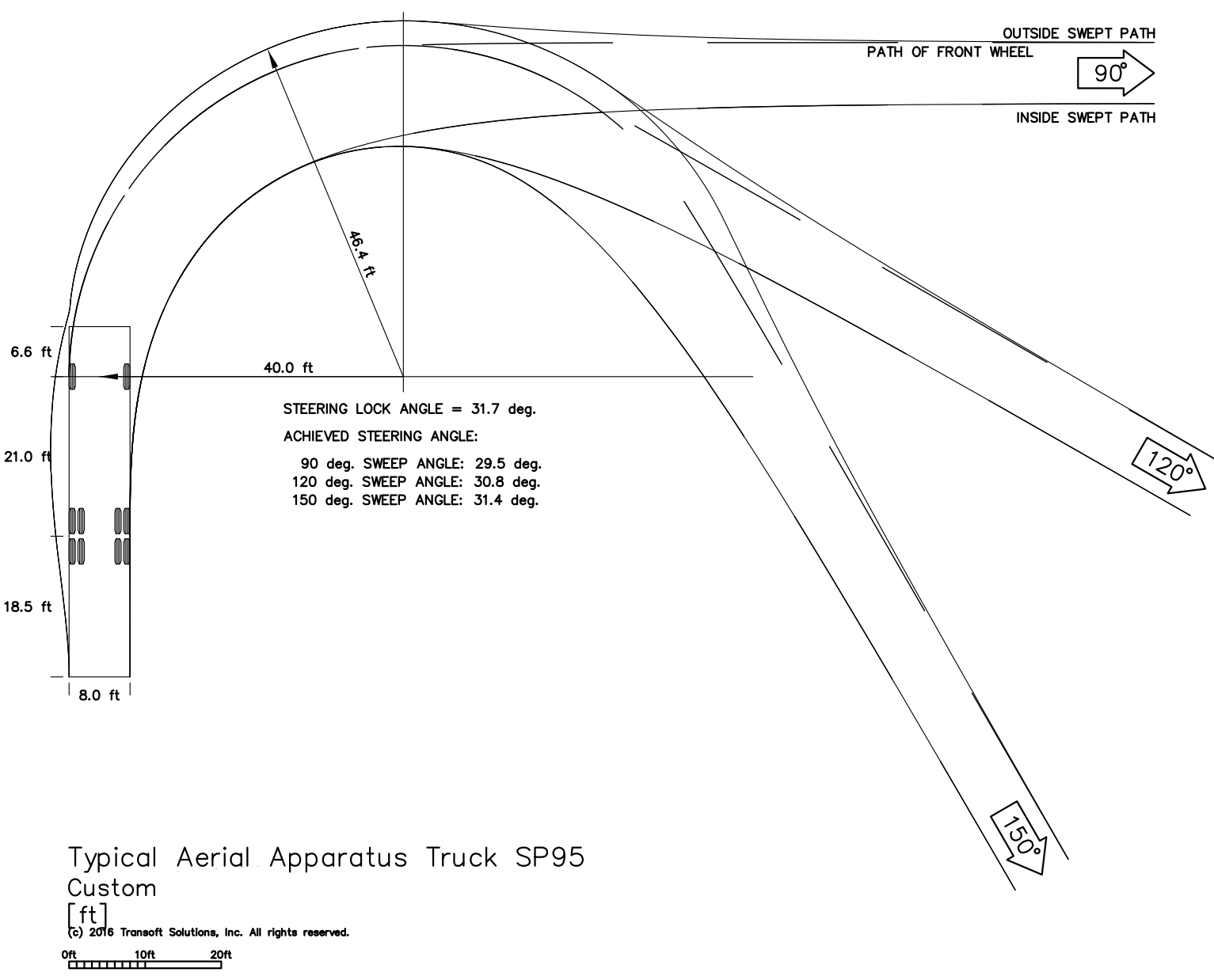
PRELIMINARY STORMWATER
CONTROL PLAN

Drawn: EMD
Checked: AJO
Date: 03-02-18
Project: 1362-010

C.4



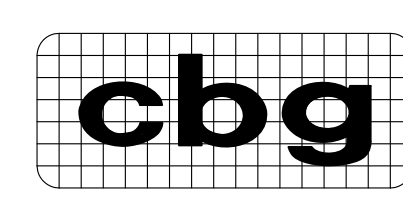
FIRE ACCESS TURNING TEMPLATE
IN ACCORDANCE WITH CONTRA COSTA COUNTY
FIRE PROTECTION DISTRICT REQUIREMENTS
NOT TO SCALE



TRUCK TURNING PLAN
1" = 60'



Revisions



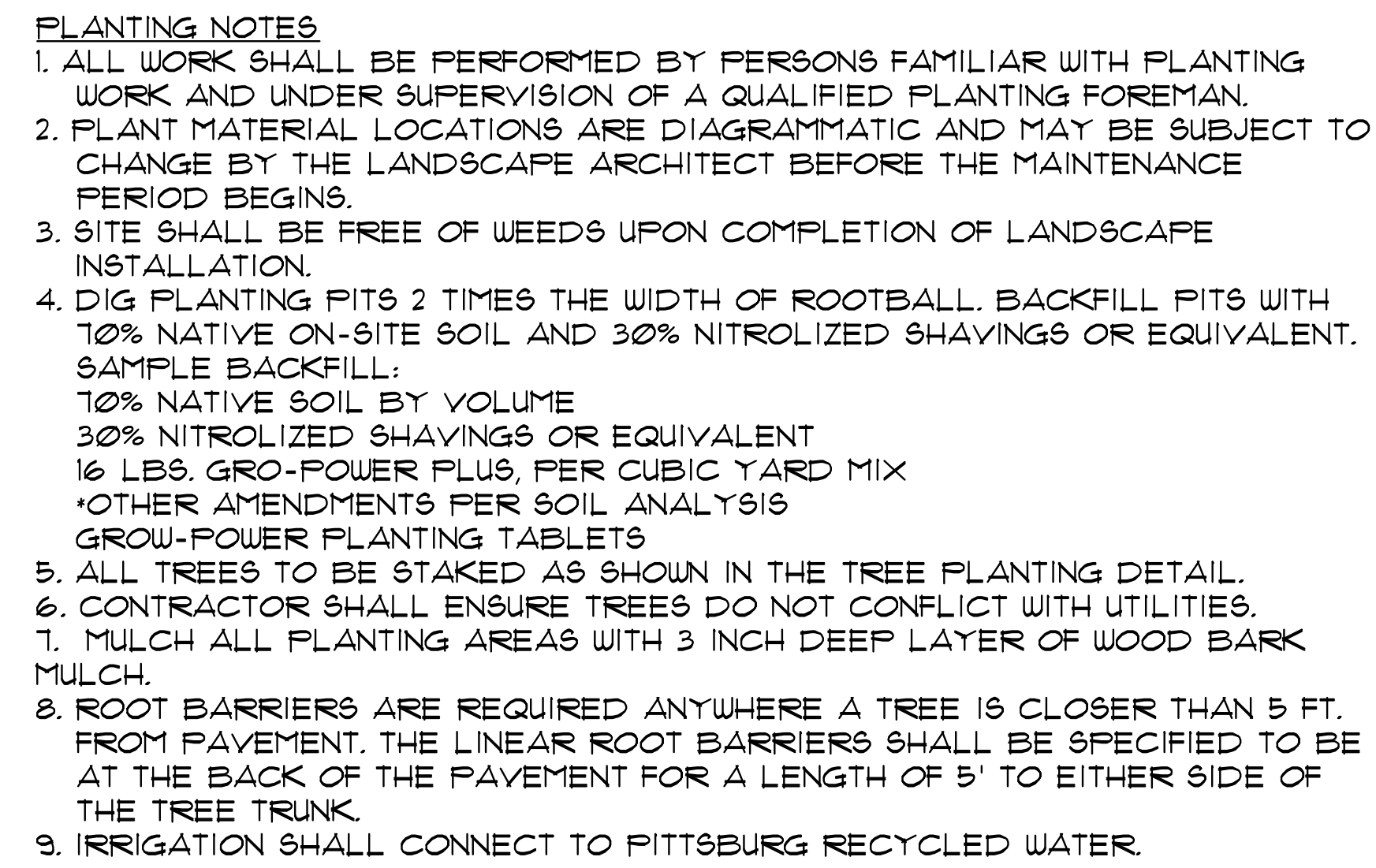
Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
www.cbgi.com
SAN RAMON • (925) 866-0322
SACRAMENTO • (916) 375-1877

Mount Diablo
Resource Recovery Park
PITTSBURG, CALIFORNIA

TRUCK TURNING PLAN

Drawn:	EMD
Checked:	AJO
Date:	03-02-18
Project:	1362-010

C.5



	EXISTING NUMBER OF TREES	TREES TO BE REMOVED	TREE COUNT AFTER REMOVAL
FRONTAGE TREES	62	8	54
ON-SITE TREES	42	19	23
		TOTAL TREES REMAINING	77

SHRUB PLANTINGS MUST BE PLACED THE SAME DISTANCE FROM THE EDGE OF CURB OR PAVEMENT AS THE SHRUB SPACING INDICATED ON THE DRAWINGS.

SHRUB

1" LAYER OF MULCH IN BASIN

3" BASIN (IN G.C. ONLY)
3x DIA. OF CAN

3" LAYER OF BARK MULCH

ROOTBALL

BACKFILL MIX (SEE SPECS.)
SCARIFY SIDES OF PIT

USE AGRIFORM TABLETS
(SEE SPECS FOR RATES)

UNDISTURBED NATIVE SOIL

1-1/2x ROOT BALL

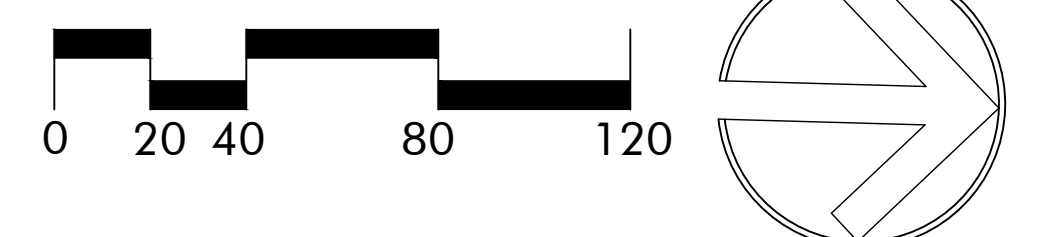
2x ROOT BALL

SHRUB PLANTING

NOT TO SCALE

Shrub1

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	NOTES	WUCOLS
TREES:					
CER CAN	CERCIS CANADENSIS	EASTERN REDBUD	24' BOX	DECIDUOUS	M
FRU ILI	FRUNUS ILLICIFOLIA 'LYONII'	CATALINA CHERRY	24' BOX	EVERGREEN	L
PLY CAL	PYRUS CALLERYANA 'CHANTICLEER'	CHANTICLEER PEAR	24' BOX	DECIDUOUS	M
QUE ILE	QUERCUS ILEX	HOLLY OAK	24' BOX	EVERGREEN	L
SHRUBS & GRASSES:					
ARC HOW	ARCTOSTAPHYLOS 'HOWARD MCMINN'	HOWARD MCMINN MANZANITA	5 GAL.	EVERGREEN/FLOWERING	L
CEA CON	CEANOTHUS 'CONCHA'	CONCHA CEANOTHUS	5 GAL.	EVERGREEN/FLOWERING	L
CIS LAD	CISTUS LADANIFER	CRIMSON-SPOT ROCKROSE	5 GAL.	DECIDUOUS/FLOWERING	L
DIE IRI	DIETES IRIODES	AFRICAN IRIS	1 GAL	EVERGREEN/FLOWERING	L
GRE ROS	GREVILLEA 'SCARLET SPRITE'	GREVILLEA	5 GAL	EVERGREEN/FLOWERING	L
HEL SEM	HELIOTRICHON SEMPERVIRENS	BLUE OAT GRASS	5 GAL	EVERGREEN	L
LOM LON	LOMANDRA LONGIFOLIA 'BREEZE'	DWARF MAT RUSH	5 GAL.	EVERGREEN	L
MUH RIG	MUHLENBERGIA RIGENS	DEER GRASS	5 GAL.	EVERGREEN	L
RHA SEA	RHAMNUS CALIFORNICA 'SEAVIEW'	DWARF COFFEEBERRY	5 GAL.	EVERGREEN/BERRIES	L
PIT TEN	PITTSOPORIUM TENUIFOLIUM	KOHUHI PITTSOPORIUM	5 GAL.	SCREEN/EVERGREEN	L
GROUND COVERS:					
CEA ANC	CEANOTHUS 'ANCHOR BAY''	CALIFORNIA LILAC	1 GAL.	EVERGREEN/FLOWERING	L
ERI KAR	ERIGERON KARVINSKIANUS	MEXICAN DAISY	1 GAL. @ 2' O.C.	EVERGREEN/FLOWERING	L
MYO FAR	MYOPORIUM PARVIFOLIUM	CREEPING MYOPORIUM	1 GAL. @ 5' O.C.	EVERGREEN	L
VINE:					
DIS BUC	DISTICTIS BUCCINATORIA	SCARLET TRUMPET VINE	1 GAL.	EVERGREEN/FLOWERING	M
INFILTRATION PLANTING:					
CHO ELE	CHONDROPETALUM ELEPHANTINUM	GIANT CAPE RUSH	5 GAL.	EVERGREEN	L
CAR DIV	CAREX DIVULSA	BERKELEY SEDGE	1 GAL.	EVERGREEN	L
JUN FAT	JUNCUS FATENS 'ELK BLUE'	CALIFORNIA RUSH	1 GAL	EVERGREEN	L
MUH RIG	MUHLENBERGIA RIGENS	DEER GRASS	5 GAL.	EVERGREEN	L



TREES



CERCIS CANADENSIS
EASTERN REDBUD



PODOCARPUS GRACILIOR
FERN PINE



PRUNUS ILICIFOLIA 'LYONII'
CATALINA CHERRY



PYRUS C. 'CHANTICLEER'
CHANTICLEER PEAR



QUERCUS ILEX
HOLLY OAK

SHRUBS & GRASSES



ARCTOSTAPHYLOS
'HOWARD MCMINN'
MANZANITA



CEANOTHUS 'CONCHA'
CALIFORNIA LILAC



CISTUS LADANIFER
CRIMSON SPOT ROCKROSE



DIETES
FORTNIGHT LILY



HELICTOTRICHON
SEMPERVIRENS
BLUE OAT GRASS



PITTOSPORUM TENUIFOLIUM
KOHUHU PITTOSPORUM

GROUNDCOVERS



CEANOTHUS 'YANKEE POINT'
CALIFORNIA LILAC



ERIGERON KARVINSKIANUS
MEXICAN DAISY



MYOPORUM PARVIFOLIUM
CREEPING MYOPORUM

C.3 PLANTING



CAREX DIVSULSA
BERKELEY SEDGE



CHONDROPETALUM ELEPHANTINUM
GIANT CAPE RUSH



JUNCUS PATENS 'ELK BLUE'
CALIFORNIA SEDGE



MUHLENBERGIA RIGENS
DEER GRASS

VINE



DISTICTIS BUCCINATORIA
RED TRUMPET VINE

Project Description
Mount Diablo Resource Recovery Park Enhancements Project

For

Mt. Diablo Resource Recovery Park
1300 Loveridge Road
Pittsburg, California 94565

Prepared for:

Contra Costa Waste Service, Inc.
555 California Avenue
Pittsburg, California 94565

RECEIVED

MAR - 9 2018

BUILDING DIVISION

Table of Contents

<i>Introduction</i>	<i>1</i>
<i>Project Overview/Elements.....</i>	<i>2</i>
<i>Project Location and Setting</i>	<i>4</i>
<i>Project Goals</i>	<i>6</i>
<i>Characteristics of the Proposed Project.....</i>	<i>6</i>
<i>Required Approvals</i>	<i>7</i>
<i>Conditional Use Permit (City of Pittsburg).....</i>	<i>7</i>
<i>SWFP (City of Pittsburg LEA and CalRecycle).....</i>	<i>7</i>
<i>Siting Element (City of Pittsburg)</i>	<i>8</i>
<i>BAAQMD Permits.....</i>	<i>9</i>
I. MDRRP Modifications/Enhancements.....	9
<i>Pole Barn</i>	<i>9</i>
SEG TMF Reconfiguration	9
<i>Additional Site Modifications/Enhancements.....</i>	<i>10</i>
<i>Parking Lot Relocation.....</i>	<i>10</i>
<i>Organics Processing Area Relocation.....</i>	<i>10</i>
<i>Material Processing Area (C&D) Relocation.....</i>	<i>10</i>
II. High Diversion Mixed Waste/Wet Organics Processing System	11
<i>Overview.....</i>	<i>11</i>
High Diversion Mixed Waste/Wet Organics Processing System.....	12
<i>Tip Floor and Feeding</i>	<i>12</i>
<i>Pre-Sort Station.....</i>	<i>13</i>
<i>Bag Opener.....</i>	<i>13</i>
<i>Disk Screens and Magnets</i>	<i>13</i>
<i>Post-Screening Manual Sort</i>	<i>14</i>
<i>Press</i>	<i>15</i>
<i>Organics Polishing System (OPS/Dynamic Cyclone)</i>	<i>15</i>
<i>Load Out System</i>	<i>15</i>
III. Bioenergy Gasification Facility	16
<i>Overview.....</i>	<i>16</i>

Project Description
Mount Diablo Resource Recovery Park
1300 Loveridge Road, Pittsburg California 94565

<i>BGU Feedstocks</i>	<i>16</i>
<i>BGU Technology</i>	<i>17</i>
<i>BGU Operation</i>	<i>17</i>
<i>BGU Feedstock Delivery and Storage.....</i>	<i>17</i>
<i>BGU Feedstock Loading and Conveyance.....</i>	<i>18</i>
<i>BGU Energy Production</i>	<i>18</i>
<i>BGU Biochar Handling</i>	<i>19</i>
<i>BGU Energy Transmission Lines</i>	<i>19</i>

Introduction

Contra Costa Waste Services, Inc. ["CCWS"] dba Mount Diablo Resource Recovery ["MDRR"], A *Garaventa Company* proposes to construct several site enhancements, including a Bioenergy Gasification Facility,¹ a High Diversion Mixed Waste/Wet Organics Processing System, and additional modifications [the "MDRRP Enhancements Project" "proposed project" or "Project"], in order to advance environmental objectives in the region and enable MDRR to provide additional processes that jurisdictions can utilize and rely on to meet increasing regulatory requirements and diversion goals established pursuant to AB 1826, SB 1383 and related regulations. The proposed project is planned to be constructed within MDRR's Mt. Diablo Resource Recovery Park ["MDRRP"] facility. MDRRP is located at 1300 Loveridge Road, Pittsburg, California 94565.²

The purpose of this project description is to describe the proposed project in a way that will be meaningful to the public, reviewing agencies, and decision makers. The scope of this document is to describe site layout modifications intended to enhance functionality and efficiencies for current operations, as well as the expansion of MDRRP's Transfer Processing Facility ["TPF"] operation to include a High Diversion Mixed Waste/Wet Organics Processing System and the development of a Bioenergy Gasification Facility on site.

MDRRP consists of six operating areas including:

- (1) The Transfer Processing Facility;
- (2) The Recycling Facility ["RF"];
- (3) The Material Processing Area ["MPA"];
- (4) The Organics Processing Area ["OPA"];
- (5) Commodity Vehicle and Equipment storage areas ["CVE"]; and
- (6) A Biomass Gasification Unit. ["BGU"]

The six operating areas of MDRRP are interrelated under the current conditional use permit, as waste materials, recycled materials, and residuals are moved through the operations areas processing, recycling, resource recovery, and transferring of the

¹ The Bioenergy Gasification Facility will be an Engineered Municipal Solid Waste ["EMSW"] Conversion Facility, as defined under Public Resources Code §40131.2, authorized by the local enforcement agency, with concurrence by CalRecycle, and will be capable of converting bioenergy feedstocks into renewable energy.

² It is anticipated that the proposed project will be utilized in conjunction with operational changes that Delta Diablo Sanitation District ["Delta Diablo"] expects to independently implement at its Waste Water Treatment ["WWT"] facility, located at 2500 Pittsburg-Antioch Highway, Antioch, California 94509. The two facilities are located approximately 1.5 miles apart. The two facilities hope to share resources in order to advance environmental objectives in the region. To that end, on July 13, 2016 Delta Diablo and CCWS, Inc. dba MDRR entered into a Memorandum of Agreement regarding Alternatives Analysis and Planning Cost Sharing for the anticipated projects. Despite the intended relationship between Delta Diablo and MDRR, alternative facilities/suppliers may be utilized, should the need arise.

affected materials. These six operations were analyzed in the 2015 Certified EIR.³ As proposed, the traffic, operating hours, and facility area will remain as reviewed in the 2015 Certified EIR despite the modification in operations described herein.

As described in Section 15124 of the California Environmental Quality Act (CEQA) Guidelines, the project description in an environmental impact report [“EIR”] is required to contain the following information:

- Location of the proposed project;
- A statement of project objectives;
- A general description of the project’s technical, economic and environmental characteristics and
- A statement briefly describing the intended uses of the EIR.

The CEQA Guidelines state that a project description need not be exhaustive but should provide the level of detail needed for the evaluation and review of potential environmental impacts. Though an EIR is not anticipated here, the project description is the starting point for all environmental analysis required by the State CEQA Guidelines. Section 15146 of the State CEQA Guidelines states that the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity, which is described in the EIR.

The following project description is intended for use as part of the modified Conditional Use Permit [“CUP”] Application for the MDRRP Enhancement Project and as the basis for any environmental review or additional permitting that may be required.

Project Overview/Elements

MDRR has already received review of the 2015 Certified EIR for: (1) the construction and operation of a single 1.0 mega-watt [“MW”] Biomass Gasification Unit [“BGU”] within a 3.5 acre portion of Contra Costa County [“County”] Assessor’s Parcel Number [“APN”] 073-200-024, immediately adjacent to MDRR’s existing facility on APN 073-200-015; (2) the construction and operation of a food waste processing operation within the TPF; and (3) the construction and operation of a Truck Maintenance Facility [“SEG TMF”] on an approximate 3.5 acre portion of the site on APNs 073-200-013 and 073-200-014. MDRR’s facility extends onto APNs 073-200-013, 073-200-014, 073-200-015, and 073-200-024 [the “MDRRP Site”].

Under this Application, MDRR is proposing the following modifications to its existing and planned operations, reviewed in the 2015 Certified EIR.

- (1) Modifications to the SEG TMF to accommodate proposed project enhancements and improve functionality of the maintenance facility.

³ MDRRP has previously received a full review and analysis in the Mt. Diablo Resource Recovery Park Environmental Impact Report, certified on May 26, 2015 [the “2015 Certified EIR”].

- (2) The construction and operation of a High Mixed Waste/Wet Organics Processing System, in order to allow access to otherwise inaccessible and normally disposed organics contained within Mixed Solid Waste ["MSW"] and Single-Stream Organics ["SSO"] for diversion from disposal and to meet the requirements of SB1383;
- (3) The construction and operation of up to three BGUs as part of an Bioenergy Gasification Facility, for the purpose of producing up to 3.0 MW of renewable energy; and
- (4) The construction of a pole barn to house wood chips feedstock for the Bioenergy Gasification Facility, as well as related operational materials and equipment.

In addition, certain site plan changes are proposed in order to accommodate the enhancements in the proposed project and improve the functionality and flow of facility operations.

MDRR proposes the installation and operation of an High Diversion Mixed Waste/Wet Organics Processing System that will utilize processing equipment including an Organics Extrusion Press ["Extrusion Press"] and an Organics Polishing System ["OPS"] within MDRR's Transfer Processing Facility Building ["TPF Building"], located within MDRRP. The High Diversion Mixed Waste/Wet Organics Processing System will be used to extract and prepare the 'wet fraction'⁴ of select MSW and SSO received at MDRRP for use by Delta Diablo, or an alternative facility, in an anaerobic digestion operation.

As part of the installation and operation of the "Mixed Waste/Wet Organics Processing System", MDRR proposes to expand its existing TPF Building to accommodate the new equipment and processes. MDRR intends to expand its existing TPF Building by 43,038 square feet ["sq. ft."]. within the MDRRP Site. The planned improvement will reflect the same architecture and same or similar exterior appearance as the existing building, will provide an increase in tipping area for mixed waste/wet organics processing, material storage, truck access, and will provide sufficient space for the High Diversion Mixed Waste/Wet Organics Processing System.

The Bioenergy Gasification Facility, under the proposed project, will be changed from a single 1.0 MW BGU, which was reviewed in the 2015 Certified EIR but has not yet been constructed, to include up to three BGUs, in order to enable MDRR to produce up to 3.0 MW of clean energy. The Bioenergy Gasification Facility will be constructed in a different location than what was proposed for the original BGU, within the MDRRP Site, and will include a 3,750 sq. ft. control building.

⁴ The fraction of municipal solid waste that is made up of organic (wet) material.

It is expected that power generated by the Bioenergy Gasification Facility will be utilized at MDRRP and excess power will be sold for consumption by the general public.⁵

In order to accommodate the dry storage of woodchips feedstock prepared by MDRRP for use in the Bioenergy Gasification Facility, along with the storage of other materials and equipment, a Pole Barn will be constructed in an area adjacent to the Bioenergy Gasification Facility site within MDRRP.

The SEG TMF will be reconfigured so that 12 service bays will line the southeastern corner of the MDRRP Site along with 2 open canopies, a parts area, and 2 office areas. Truck parking will be set back away from the road and facility entrance. The fuel island and washing station will also be relocated for added efficiency.

Site plan changes will include the modifications described above, along with: the relocation of the planned parking lot so that it is adjacent to the access road; the relocation of the OPA so that it is adjacent to the Bioenergy Gasification Facility and the Pole Barn; the shifting of the MPA further westward; and the reservation of a portion the northwestern corner of the MDRRP Site for future expansion of operations which may include anaerobic digestion.

Project Location and Setting

The site for the Project is within the MDRRP facility site reviewed and analyzed in the 2015 Certified EIR. The site of MDRRP is approximately 36 acres located in the City of Pittsburg in eastern Contra Costa County. The site is on the western side of Loveridge Road just north of the Pittsburg-Antioch Highway and State Route (SR) 4, and just south of the Burlington Northern and Santa Fe (BNSF) railroad and the shoreline of New York Slough. The site of MDRRP encompasses the existing facility improvements (approximately 17.5 acres), plus approximately 18.5 acres located west and south of the existing facility improvements. MDRRP is located in the Antioch North Quadrangle and within the Los Medanos Land Grant.

The project setting and site conditions are as described in the 2015 Certified EIR. The portion of the MDRRP Site (approximately 17.5 acres) that is currently developed contains the RF, the Recycling Center and Transfer Station ["RCTS"], the Green Material Processing Operations Area, and the Mixed Construction & Demolition Processing Area (Mixed C&D Processing Area) (collectively referred to as the "existing facility"). The RF and RCTS consist of two large interconnected industrial buildings adjacent to Loveridge Road that currently have a total floor area of 190,804 sq. ft. Just south of these buildings is the main parking area, which is accessed by a driveway that connects with Loveridge Road and curves to the northwest around the parking area. This parking area contains a fueling facility. The roadway continues north along the west side of the existing buildings, providing access to the public scales and scale house

⁵ Delta Diablo may also utilize the renewable energy generated by the proposed Bioenergy Gasification Facility at a future date.

and self-haul drop-off area. The BNSF railroad is located on the northwestern border of the project site, and a railroad spur runs into the site west of the RCTS.

The Green Material Processing Operations Area is located just south of the parking area. This area is unpaved and contains stockpiles of unprocessed and processed plant materials and equipment, such as wheel loaders. For processing, green material is stockpiled and then chipped and ground on a pad constructed with compacted gravel that is sloped to drain. Material is then loaded from the stockpile into transfer trailers where the material is transported to a permitted facility for composting or for use as alternative daily cover at a landfill.

To the west is the Mixed C&D Processing Area, which contains equipment for sorting and processing C&D materials, a large grinder, two 70-foot scales, one 35-foot scale, a second scale house, stockpiles of unprocessed and processed C&D materials, and other equipment for loading and transport.

Approximately 18.5 acres of land to the west and south of the existing facility are also included as part of the MDRRP Site, 10 acres of which are vacant. Approximately 5 acres of this area is currently used by the applicant for parking and storage. A portion of this area has been surfaced with compacted gravel. Approximately 3.5 acres of the 18.5-acre area, along the southerly border of the existing facility is currently an empty lot.

A second access point from Loveridge Road is located at the northern end of the MDRRP Site. This access point is limited to authorized commercial vehicles exiting the site and provides a space for additional parking. A third access point from Loveridge Road, located at the southern end of the site, provides access to the 3.5-acre area to the south and a fire lane that stretches to the western boundary. An approximately 3-acre parcel located on the east side of Loveridge Road at the northern tip of the project site is currently used for truck storage and maintenance purposes. A total of 79 parking spaces are currently provided on the project site.

Landscaping and/or slatted chain-link fencing provide screening along the southern and eastern boundaries of the processing areas, as well as along a portion of the western boundary.

A monument sign is located at the main entrance to the facility, with numerous informational, directional, and cautionary signs throughout the MDRRP site. Pole-mounted lighting is provided along the access road and in the parking area, processing areas, and other outdoor portions of the MDRRP site.

On-site drainage is controlled through the use of drainage ditches and underground pipelines surrounding the perimeter of the existing facility that direct surface water flows toward an outfall along the western edge of the existing facility. The ditches include a landscaped stormwater treatment planter located along the eastern side of the RF building and a landscaped stormwater pretreatment bioswale located along the western edge of the existing facility. These facilities discharge stormwater via the outfall

to an existing drainage ditch on the vacant lot to the west. This existing ditch traverses the 15-acre parcel to the west and the vacant lot, flowing east to west away from the existing facility. The existing ditch conveys the stormwater generated from the existing facility, the 15-acre parcel to the west, and the eastern portions of the vacant lot to an existing 36-inch culvert that then discharges to an existing evaporation basin located near the northern portion of the vacant lot.

The 3.5-acre former GWF site is almost entirely located in a separate watershed from the remainder of the MDRRP Site and drains to Kirker Creek located along the southern boundary of this area. An existing on-site drainage system consists of concrete swales, inlets, and pipelines. This system conveys the on-site drainage from most of this 3.5-acre area into Kirker Creek via two separate outfalls, one located on the western side and the other located on the eastern side of the property. A small portion of this area in the northwest corner drains overland to the remainder of the MDRRP Site.

Project Goals

As in the case of the project components already reviewed in the 2015 Certified EIR, the main goals of the enhancements included in this application are to (1) increase local jurisdictions' ability to meet state mandates for diverting waste streams from landfills and (2) to create and use renewable energy derived from previously unretrievable waste streams, such as the products derived from a High Diversion Mixed Waste/Wet Organics Processing System. More specifically, the project will result in:

- (1) Increased reductions in greenhouse gas emissions;
- (2) Increased reductions in fossil fuel usage;
- (3) Increased reductions in disposal;
- (4) Increased diversion of organics; and
- (5) The production of renewable energy for MDRRP and the community at large.

The increased diversion of organics expected under the proposed project is intended to aide local jurisdictions and commercial entities in satisfying mandated diversion goals, under SB1383, AB1826, etc., by providing a facility that is able to process and utilize source-separated and mixed material in a beneficial way.

Characteristics of the Proposed Project

The proposed project consists of the expansion and reorganization of facility operations within MDRRP's 36 acre site. The expansion proposed under this Project is for the construction of additional covered floor space within the TPF Building, the addition of a High Diversion Mixed Waste/Wet Organics Processing System to capture divertible organics within the waste stream, and the addition of up to two BGU's for a total of up to three units to produce up to 3.0 mega-watts, to be permitted and operated as the Bioenergy Gasification Facility.

Reorganization of certain facility operations is also proposed under this Project in order to accommodate the enhancements described and improve facility functionality. No increases in tonnages, traffic, or work hours are planned under the MDRRP Enhancements Project.

With the expansion of the TPF Building and the addition of the High Diversion Mixed Waste/Wet Organics Processing System, MDRR expects to ramp up processing operations using source-separated organics and wet commercial MSW and could eventually include processing residential MSW.

The three proposed BGUs will be taller than the single 1.0 MW BGU evaluated in the 2015 Certified EIR. However, height will not exceed the limits set in the 2015 Certified EIR.

Required Approvals

The development of MDRR's MDRRP Enhancement Project would require the following approvals:

- (1) City of Pittsburg - Modification(s) to CUP;
- (2) City of Pittsburg - Design review modification(s);
- (3) City of Pittsburg - Building and grading permits;
- (4) City of Pittsburg - Inclusion of the site in the Countywide Siting Element;
- (5) City of Pittsburg Local Enforcement Agency ["LEA"] – Revision of Solid Waste Facility Permit ["SWFP"] with concurrence by CalRecycle;
- (6) Bay Area Air Quality Management District ["BAAQMD"] - Authority to Construct permit;
- (7) BAAQMD – Permit to Operate;

Conditional Use Permit (City of Pittsburg)

MDRR currently has an CUP for its existing operations at MDRRP. MDRR seeks a modification to that approved permit through this application. The City of Pittsburg Planning Department processes these permits, which are then considered by the City Planning Commission.

SWFP (City of Pittsburg LEA and CalRecycle)

MDRR is in the process of seeking inclusion of all of its proposed and existing operations within MDRRP into the existing RCTS SWFP.

CalRecycle requires that EMSW Conversion facilities obtain or be included in a full SWFP. The permit process in Chapter 4 of Title 27 of the California Code of Regulations [“CCR”] is used for such facilities and additional supporting documents for the application will include requirements found in Title 14 CCR §18221.6. EMSW Conversion facilities are inspected in the same manner as transformation facilities are currently inspected which uses the regulations for facilities that receive, store, handle, recover, transfer, or process solid waste found in Title 14 CCR Article 6.1-6.3.5.

MDRR will seek to amend RCTS’ SWFP in order to incorporate its proposed Bioenergy Gasification Facility and the High Diversion Mixed Waste/Wet Organics Processing System.

MDRRP will provide the City of Pittsburg’s LEA with detailed engineered Site Plans and associated drainage improvements with a Report of Facility Information [“RFI”] Amendment for MDRR’s RCTS Solid Waste Facility Permit Revision (to include all operations at MDRRP) for approval of the Bioenergy Gasification Facility and associated drainage improvements prior to construction. This will allow the LEA to approve the final design of the proposed phases.

Siting Element (City of Pittsburg)

Pursuant to §41700 of the Public Resources Code [“PRC”]:

“Each county shall prepare a countywide siting element that provides a description of the areas to be used for development of adequate transformation, EMSW conversion, or disposal capacity concurrent and consistent with the development and implementation of the county and city source reduction and recycling elements adopted pursuant to this part.”

Pursuant to §41721(b) PRC:

“Notwithstanding subdivision (a), a siting element providing for an EMSW conversion facility is only required to be approved by the city in which it is located, or if the EMSW is not located in a city, by the county.”

Although the Countywide Siting Element is a County prepared document, the amendment of said document to include the siting of MDRR’s Bioenergy Gasification Facility is subject only to the approval of the City of Pittsburg because the City of Pittsburg is the city in which MDRR’s Bioenergy Gasification Facility is located.⁶

⁶ The process for amending the Countywide Siting Element to include the Bioenergy Gasification Facility has already been initiated and is set to be finalized following the completion of CEQA review for the Project.

BAAQMD Permits

The operation of MDRR's Bioenergy Gasification Facility (including rotary kiln(s) and pre-heaters) is subject to air quality standards enforced by the BAAQMD. The BAAQMD issues two permits for all waste management units: the Authority to Construct and the Permit to Operate. These permits implement standards for the allowable emissions into the air basin. MDRR will seek these permits with regard to its development of the MDRRP Enhancement Project, as necessary.

I. MDRRP Modifications/Enhancements

Pole Barn

Under the proposed project, a Pole Barn would be constructed in an area adjacent to the Bioenergy Gasification Facility and the OPA. The building will be 13,256-square-foot and will be used for the storage of wood chips feedstock generated at the OPA before delivery to the Bioenergy Gasification Facility, as well as for the storage of other materials and equipment.

SEG TMF Reconfiguration

The 2015 Certified EIR included review for the construction and operation of a truck maintenance facility consisting of a 30 foot-tall, 18,000 sq. ft. building comprising a 15,600 sq. ft. shop and a 2,400 sq. ft. office/storage area, with 2,000 sq. ft. of open air canopies on the eastern side of the building. This facility also includes a new truck fueling island relocated from the RF's main parking area.

The facility is to be used for the repair and maintenance of the facility's approximately 60 commercial and residential refuse trucks, as well as RCTS and RF equipment. The truck maintenance facility and yard include a 47-space parking/storage area for the trucks and a wash area. This area also provides 41 parking spaces for employees and other persons. No painting will occur here. The truck maintenance facility and yard will have 11 full-time mechanical and shop support personnel. Operational hours will be 9 a.m. to midnight Monday through Friday, 7 a.m. to 5 p.m. on Saturday, and 9 a.m. to 5 p.m. on Sunday.

Under this Project, the uses of the SEG TMF would not change. However, rather than an 18,000 sq. ft. building with a 15,600 sq. ft. shop and 2,400 sq. ft. office/storage area, the facility will now have a row of 12 service bays, 2 office areas, and a parts area along the southern and eastern corners of the MDRRP Site. Two open air canopy areas will also be included along the southern edge of the MDRRP Site. The total maintenance building area will be 25,361 sq. ft.

In addition, the truck parking area will be pushed back away from the access road and the truck fueling island will be positioned in-between the truck parking area and the eastern row of service bays. The truck fueling island will also utilize renewable diesel

fuel. Finally, the truck wash area will be moved near the southwest corner of the MDRRP Site. The SEG TMF, under the proposed project, will maintain the same number of parking spaces for trucks and employees.

Additional Site Modifications/Enhancements

Parking Lot Relocation

The 2015 Certified EIR included review for the construction of 60 parking spaces in the western portion of the MDRRP Site, along with 41 parking spaces at the SEG TMF for a total of 180 standard-sized parking spaces, including 79 preexisting spaces. Under the proposed project, the 60-stall parking lot will be constructed in the area where the OPA is presently located, immediately south of RF building parking lot. This area is close to the access road and does not require visitors to drive past facility operations or equipment to find a parking spot.

Per the facility's approved parking variance, the project must provide a minimum of one parking stall per 2,450 sq. ft. of building area. With the modifications and enhancements described herein, the overall facility would have a total floor area of 277,658 sq. ft. and a minimum parking requirement of 113 stalls. Therefore, the Project would exceed the minimum parking standard by 67 stalls.

Organics Processing Area Relocation

The 2015 Certified EIR included the review of several changes and improvements to MDRR's Organics Processing Facility. The proposed project would not alter those changes and improvements, rather, the operation will be relocated to the interior of the MDRRP Site so that it is conveniently closer to the Bioenergy Gasification Facility, the Pole Barn, and the Material Processing Area that will share the use of grinding equipment.

Material Processing Area (C&D) Relocation

The 2015 Certified EIR included the review of certain physical changes to the existing Mixed Construction and Demolition ["C&D"] Processing Area. The Project, will shift the Mixed C&D Processing Area further north on the MDRRP Site in order to accommodate the Bioenergy Gasification Facility, the Pole Barn and relocated OPA.

The remaining western portion of the MDRRP Site will be used for commodity, vehicle, and equipment storage, as reviewed in the 2015 Certified EIR, including the area formerly slated for parking. The northwestern corner of the MDRRP Site will also be used for commodity, vehicle, and equipment storage and may be analyzed at a future date for additional facility operations, which may include anaerobic digestion.

II. High Diversion Mixed Waste/Wet Organics Processing System

Overview

The 2015 Certified EIR included review of a food waste processing system located inside the TPF. The system included, but was not to be limited to, (1) a hopper, (2) a sort line, (3) a conveyor, (4) a sort line grinder feed conveyor, (5) a hammermill grinder, (6) a grinder discharge conveyor, and (7) stacking conveyor for loading a truck or mins to transport separated food waste to a compost or anaerobic digestion facility.

Food waste processed through the system reviewed in the 2015 Certified EIR, is to be free of plastic, glass, silverware, and other contaminants that could cause damage to a grinder or be deleterious to the wet anaerobic digestion process. Primarily, MDRR considered the use of a depackaging unit that can separate large volumes of food material from surrounding packaging, filtering out contaminants to create an organic pulp. Alternatively, plastic and other contaminant material could have been removed manually on a sort line. A horizontal hammermill grinder was considered for use with this type of operation. Material would be fed through a feed conveyor into the hammermill grinder. The hammermill would break the material into smaller pieces. Below the hammermill's hammer circle would be a series of grates. The material would remain inside the hammermill and be crushed or torn between the hammers and grates until its size is sufficiently reduced to pass through the grates, where it would be discharged onto a conveyor below.

A transfer truck would receive the processed food waste from the food waste processing equipment. The anticipated system capacity was expected to vary depending on the materials being sorted and any future enhancements to the system.

The permitting now sought would allow for the High Diversion Mixed Waste/Wet Organics Processing System which would be an indoor operation within the TPF Building and would consist of an Extrusion Press and an OPS. The Extrusion Press currently contemplated will enable MDRR to increase the diversion of hard to get organics and help jurisdictions utilizing its services to comply with State mandates, including the mandates of SB1383. The enclosed Transfer Tipping Pad ["TTP"] floor of MDRR's TPF Building will be expanded by 43,038 sq. ft. to accommodate storage of material and the location of the High Diversion Mixed Waste/Wet Organics Processing System.

The High Diversion Mixed Waste/Wet Organics Processing System would be able to handle commercial MSW, residential MSW including multi-family MSW, source-separated commercial food waste, green material, and co-collected residential organics loads from residences, businesses, institutions, and industrial locations. (These loads contain putrescible material that is either source-separated or mixed, which would be processed into organic feedstocks for off-site composting facilities or anaerobic digestion facilities.)

Once the High Diversion Mixed Waste/Wet Organics Processing System is in place, certain loads of MSW and SSO will be sorted to remove larger bulky recyclable items and then processed on the 'High Diversion Mixed Waste/Wet Organics Processing System, as described below.

Self-haul loads, loads with a minimal amount of putrescible wastes, contract haulers, and residual from the on-site recycling operations will not be processed in the High Diversion Mixed Waste/Wet Organics Processing System. These wastes will be directly transferred to transfer trailers for disposal or other appropriate disposition.

The Extrusion Press equipment will sort, press, and extrude putrescible materials from mixed waste and wet organics into a 'wet fraction' or 'cake' material for further processing on-site with polishing equipment, the OPS, to produce an organic slurry that is delivered to a permitted off-site anaerobic digestion facility to produce biomethane and digestate.

High Diversion Mixed Waste/Wet Organics Processing System

The proposed High Diversion Mixed Waste/Wet Organics Processing System could consist of the following component operations:

- (1) The Tip Floor Feeding;
- (2) The Pre-Sort Stations;
- (3) The Bag Opener;
- (4) The Disk Screens and Magnet;
- (5) Post-Screening Manual Sort
- (6) The Press;
- (7) The OPS/Dynamic Cyclone; and
- (8) The Load Out System.

The following are brief descriptions of each proposed component operation.

Tip Floor and Feeding

Collection trucks will deliver MSW as well as SSO to the expanded processing facility's tip floor. SSO and MSW will remain segregated on the tip floor until each is loaded onto the processing line by a front-end loader. (The loader operator will have the capacity to direct less-contaminated SSO loads past some of the MSW-specific processing steps.)

Commercial and Residential MSW will be loaded onto the processing line via an infeed loading bunker conveyor. From there, MSW will be conveyed to a metering drum which will distribute waste evenly. This distribution ensures a consistent burden to improve the performance of all separators and enhances sorting efficiency at the pre-sort and post-sort stations. The dual-feed conveyor system then moves the material to the downstream pre-sort station.

Pre-Sort Station

The pre-sort station is designed for manual sorting of large recyclables and non-processable materials that could otherwise interfere with downstream equipment. (This will also allow for the continuous operation of the processing line by minimizing equipment jams.) Non-recoverable residual materials will be sent to the transfer station tip floor area, and recyclables will be sent to a load out system (ex: trailer or compactor box) then transported to the existing single-stream processing line. The sorting station includes operator controls (stop/pause/slow) in case more time is needed to pull large or heavy items. It is estimated that 1 to 3 tons per hour of bulky items would be removed by the manual sorters. Up to 4 pickers will work and operate the manual pre-sort station. The bulky items will be dropped into debris boxes below the manual pre-sort station. Household Hazardous Waste (HHW) will not be placed in the debris boxes but will be placed in nearby HHW lockers. When full, the debris boxes will be pulled by an end-dump debris box truck and dumped on the adjacent TTP floor for transferring out for disposal. The debris boxes will be pulled daily and will not store material for longer than 24 hours. Material that successfully passes through the manual pre-sort station will then be conveyed to the bag opener.

Bag Opener

From the pre-sort station, materials will be conveyed to a bag opener/pre-shredder where materials will fall on a drum equipped with fixed knives arranged in a helical manner. The bag opener is designed to open plastic bags in order to increase the organics recovery of the Press system. As plastic bags pass through the bag opener station, a 12-18-inch cut is made by the bag opener and the contents of the bag are left on the conveyor to be further screened. The bag opener operates at a high torque and low speed to process waste streams, using 10 tons of force and 4 times more torque than a comparable shredder. This force is provided by two 45 KW drives, enabling the machine to break materials that would otherwise cause an obstruction. The gives the bag opener the ability to handle difficult materials which are present in MSW and serves to minimize the downtime of the equipment. The slow rotating drum moves the material along an adjustable counter plate on which counter knives are mounted. The rotating knives slice open any bags to free materials for processing. The spacing between knives can be adjusted to accommodate the waste stream. After the bags are opened, the torn bags and the liberated material will fall from the bottom of the machine and be evenly distributed onto a belt that sends material downstream for further screening.

Disk Screens and Magnets

Materials are conveyed to two disk screens that will work in series to segregate the material stream based on component size⁷. This step helps to recover the organic-rich

⁷ Phase 1 of the High Diversion Mixed Waste/Wet Organics Processing System operation will only have one 8inch screen where materials greater than 8inches will be sorted for recyclables. Materials smaller than 8inches will be sent to the Extrusion Press. This narrative describes the full build out of the High Diversion Mixed Waste/Wet Organics Processing System where two screens will be utilized to process materials.

material stream, reduces cross-contamination of valuable recyclables, and allows extraction of metals which could damage downstream equipment. The segregated streams are as follows:

- The large fraction stream (material >8") contains potentially recyclable material (such as OCC cardboard and plastics), that is sent to downstream to the large fraction post-sort station.
- The mid fraction stream (material 2"-8") contains potential recyclables material (such as plastics and aluminum) that is sent downstream to the mid-fraction post-sort station. The remainder of that stream contains a high concentration of organics which are sent downstream to the Extrusion Press.
- The small fraction stream (material <2") contains organics as well as small ferrous materials that are removed prior to being sent downstream to the OREX Press.

Each disk screen is composed of large-diameter shafts arranged perpendicular to the material flow, with rotating disks equipped with flexible angled rubber stars. These maximize capture by dually pushing organic rich material downward through the deck, allowing smaller material to fall through the space between the shafts and the rubber disks.

The primary disk screen will separate the large fraction from the waste (>8"), directing it downstream to a second manual sorting station (further described in the next section). The remaining material (8" and under, consisting of co-mingled mid fraction and small fraction) passes, via conveyor, under an overhead magnet, which removes ferrous material that could damage downstream equipment and directs it to the recycling line. After the magnet, the waste stream moves to the secondary disk screen which segregates the mid fraction and small fraction streams.

The small fraction will be sent past a second overhead magnet to remove small ferrous material which were previously inaccessible (batteries, nails, etc.). The small fraction stream is then re-combined with the mid-fraction negative sort. The combined stream, now made up of materials < 8" after extracting recyclables and ferrous material, is sent to downstream processing equipment.

Post-Screening Manual Sort

As described above, the system will separate material into two streams: (1) small fines stream 2" minus combined with mid-fraction stream (2" to 8"), and (2) large fraction stream (>8"). Each stream will remain segregated and will follow two post-sort stations where sorters will extract recyclables to the recycling belt system below. The material remaining from the sorted large fraction material (> 8") is sent to the trash conveyor system, then ultimately to the transfer station for disposal. The remaining small/mid fraction material is sent to a dual-feed conveyor system with metering device that will feed the hopper of the downstream Extrusion Press for further organic recovery.

Press

The processing line described above will continuously feed materials into a hopper, which provides storage in preparation for use in the Press. This allows for a buffer during peak operation. The Press extracts the majority (greater than 75%) of the putrescible organics (extrudable “wet fraction”) from the material to produce a wet organic fraction, as well as a reject fraction (non-extrudable “dry fraction”) which has a decreased moisture content.

The wet fraction produces a “cake” that does not require dilution by water. This lack of dilution water reduces storage volume and truck transportation needs, compared to other extrusion processes.

Extruded organic material will be conveyed by screw conveyor to the OPS, described in the next section. Rejects (‘dry fraction’) remaining after extrusion are sent to the waste conveying system, which takes the material to the transfer station for disposal.

Organics Polishing System (OPS/Dynamic Cyclone)

The organic wet fraction extruded by the Extrusion Press contains a small amount of physical contaminants including glass, stones, grit, plastic, plastic film, paper and other floatable fibers (typically <2% by weight). Removal of these contaminants is important if the wet fraction is to be used for anaerobic digestion.

The wet fraction will be delivered via screw conveyor to the first step of the OPS, which removes low density inert or slowly degradable contaminants such as plastics, paper and other fibers by centrifugal force. A high speed rotating cylindrical screen is used to eject organics radially outward while retaining contaminants inside until they are conveyed to the trash/residue line and ultimately disposed.

The second polishing step is a hydrocyclone, which will remove high density contaminants such as fine glass and grit by hydrodynamic force which requires the addition of wash/dilution water. Grit, glass, and contaminants will be conveyed to the trash/residue belt for disposal. The cleaned organic fraction will be pumped to storage tanks where it will remain until it is hauled off site for anaerobic digestion.

Load Out System

The load out system is designed with flexibility to handle both (1) diluted polished organic fraction and also (2) unpolished organic fraction cake. Unpolished organic fraction will be conveyed by screw conveyor to overhead load-out which will be installed above truck bays. Slide gates in the bottom of the troughs will open when trucks are loading with wet cake. Diluted polished organic will be haul out via tanker trailer truck.

III. Bioenergy Gasification Facility

Overview

MDRR proposes to construct a total of up to three BGUs such that the resulting Bioenergy Gasification Facility will be able to generate up to 3.0 mega-watts of electricity and allow for redundancy and contingency operations during routine maintenance. The facility will be permitted as an EMSW Conversion facility and will be located in an area adjacent to MDRRP's OPA and Pole Barn. A control building will also be constructed at the site to manage the operation of the Bioenergy Gasification Facility.

The Bioenergy Gasification Facility will receive, hold, and convert feedstock-ready biomass fuel consisting initially of wood waste from MDRRP, and eventually dry biosolids feedstock anticipated to be supplied by Delta Diablo or another anaerobic digestion facility, into renewable energy.

BGU Feedstocks

The proposed feedstocks to be used in the operation of the Bioenergy Gasification Facility include wood chips, generated from recovered construction and demolition lumber and green waste, and biosolids, generated from the processing of 'wet fraction' and waste water sludge. Each feedstock will be required to contain less than 25% moisture content as received at the Bioenergy Gasification Facility, and as verified through certification, inspection, and periodic testing. Similarly, each feedstock is prohibited from containing waste that is deemed to be hazardous, also as verified through certification, inspection and periodic testing.

MDRR is currently permitted to process and produce the wood chips that will be used in the Bioenergy Gasification Facility and would be the sole supplier of such feedstock for use in the BGU's. MDRR proposes to construct and operate a High Diversion Mixed Waste/Wet Organics Processing System that will utilize an Extrusion Press and OPS in order to extract and clean 'wet fraction' to be further processed by Delta Diablo, or an alternative waste water treatment facility or anaerobic digestion facility. The 'wet fraction' will be set to an outside facility, as noted, and processed along with waste water sludge, sourced from the treatment facility, through co-digestion and other processes. The resulting biosolids feedstock is expected to then be sent to MDRRP for use in the Bioenergy Gasification Facility.

It is anticipated that startup will occur with the construction of the first BGU at the Bioenergy Gasification Facility, which initially will use only wood chips prepared and provided by MDRR's onsite wood waste recovery operations. However, as the project progresses and as the other units come online, it is expected that the Bioenergy Gasification Facility will also utilize the biosolids feedstock in combination with the wood chips (Dual Fuel Stage). It is further expected that the initial operation of the second and third BGUs will be implemented after successful deployment of the first BGU unit.

BGU Technology

The Bioenergy Gasification Facility will utilize renewable portfolio standard (RPS)-eligible fuels to generate up to 3.0 mega-watts of renewable energy using downdraft biomass gasification units. The BGUs currently proposed for this project were developed by Aries Clean Energy [“Aries”] (Model PHG- LF 64). Aries’ PHG- LF 64 model BGUs are downdraft gasifiers that are designed in a modular format allowing for the use of multiple units in order to reach the gas utilization needs of the operator. Each PHG-LF 64 is capable of converting approximately 64 Tons Per Day (TPD) of biomass feedstock, however, in order to account for feedstock grainsize variances, each gasifier unit will be restricted to a maximum of 50TPD. Because of the modular design of PHG Energy’s gasifiers, two or more of these units can be combined to generate the 3.0 mega-watts proposed in this project. Aries’ BGUs are enclosed, fully automated, robust, and are intended to operate for extended periods of time.

BGU Operation

Currently MDRR has a certified EIR that covers (1) the construction and operation of a biomass conversion facility, (2) 24-hour operation and maintenance of the biomass conversion facility, (3) the utilization of up to 40 TPD of clean wood chips processed on-site as the fuel source, and (4) the generation of 1 MW/hour of renewable energy to be used for on-site operations and off-site sales.

The proposed Bioenergy Gasification Facility is expected to be constructed in 2 phases with one BGU being constructed in one phase and two BGUs being constructed in the next phase. It is planned that the BGUs will operate 24 hours per day, 7 days per week generating up to 3.0 mega-watts/hour of renewable energy. The operation of the BGUs to generate the desired 3.0 mega-watts is expected to involve the use of no more than approximately 150 TPD of feedstock.

The gasifier system is enclosed, fully automated, and can operate for extended periods of time. The gasifier’s computerized control system can alert both on-site attendants and remote monitors to potential problems, allowing corrective action and minimizing downtime maintenance.

BGU Feedstock Delivery and Storage

MDRR will produce the wood chips feedstock for the Bioenergy Gasification Facility in the OPA. MDRR has adequate storage space on-site and will construct a Pole Barn adjacent to its OPA and Bioenergy Gasification Facility so that wood chips feedstock can be stored in a dry, convenient location. MDRR expects to have at least 400 tons of wood chips feedstock ready to be delivered to the Bioenergy Gasification Facility to ensure a constant supply to allow for continuous (24/7) operation. MDRR will provide wood chips on a daily basis, as needed, for constant operation of the Bioenergy Gasification

Facility. MDRR will employ a hopper system, located in its OPA, as surge capacity storage for wood chips feedstock.

Similarly, once active, Delta Diablo will deliver biosolids feedstock to the Bioenergy Gasification Facility on a daily basis. The biosolids feedstock is to be delivered to the Bioenergy Gasification Facility in covered trucks and transferred through a contained transfer system. Delta Diablo is expected to maintain biosolids feedstock in containers ready to be delivered to the Bioenergy Gasification Facility to ensure a constant supply of feedstock, as needed, for continuous operation of the Bioenergy Gasification Facility.

Biosolids feedstocks will not be stored at the Bioenergy Gasification Facility. MDRR's proposed Bioenergy Gasification Facility does not include a long-term storage area for the feedstocks. Instead, it is expected that, at any one time there may be 2 trucks with up to 25 tons each of covered biosolids feedstock at the Bioenergy Gasification Facility waiting to off-load. Off-loading of feedstocks will be into fully enclosed receiving stations where material is placed for use by the Bioenergy Gasification Facility. It is not planned that the transport vehicles or the receiving stations will be used for any long-term on-site storage.

There will be no receiving, storage, or processing of sewage sludge, raw biosolids or wet biosolids at the Bioenergy Gasification Facility. Preparation of the biosolids feedstock will occur off-site, at Delta Diablo or another facility permitted for such preparation.

BGU Feedstock Loading and Conveyance

MDRR will deliver wood chips into a receiving station at the Bioenergy Gasification Facility. A fully-automated and enclosed pug-mill in-feed conveyance system will deliver the chips into a surge bin on top of the gasifier.

Delta Diablo, or an alternative supplier, will deliver biosolids feedstock to the Bioenergy Gasification Facility in covered transfer trucks and into a fully enclosed receiving station. A separate fully-automated and enclosed pug-mill in-feed conveyance system will deliver the biosolids feedstock into a surge bin on top of the gasifier.

Once the Bioenergy Gasification Facility's proposed Dual Fuel Stage is implemented, the wood waste and biosolids feedstocks would be blended as they are delivered into the surge bin on top of the gasifier. No combining of these fuels will occur prior to that point. Each of the biomass fuels will be fed into the gasification unit from the surge bin.

BGU Energy Production

The biomass fuel is fed into the gasification unit from the surge bin at rate of 2.6 tons per hour per BGU. There is no burning stage in the downdraft gasification process. The conversion process builds up heat while restricting oxygen to block combustion, allowing a low-pressure, thermo-chemical solid-to-gas phase reaction to occur. This high efficiency conversion of chemical potential energy within the feedstock creates a

producer gas, also known as syngas, for use in conventional kilns, boilers and internal combustion driven electrical generation equipment.

The system utilizes the syngas to generate thermal energy that will be used in an Organic Rankine Cycle turbine to generate the up to 3.0 mega-watts of electricity.

BGU Biochar Handling

One of the other byproducts of the gasification process is a substance known as biochar. Biochar produced by the gasification process is the operationally defined fraction of biomass or PCM⁸ (according to ASTM D1762-84) and typically includes inorganic oxides and carbonates. Generally, this biochar is made up of non-combustible matter such as grit and sand.

The resulting biochar is expected to be a very small fraction by weight of the initial feedstock. In general, biochar is very manageable and has practical uses (including soil conditioning, filter media, and fertilizer).

Under the 2015 Certified EIR, the biochar generated by the 1.0 mega-watt BGU was to be removed from the conversion chamber using pumped slurry that would be cooled and filtered. The resulting biochar was to be mechanically separated out for resale as a soil amendment and the water would again be filtered and cooled, then recirculated.

Under the proposed project, the biochar generated by Bioenergy Gasification Facility will be removed from the bottom of the gasifier through a fully enclosed conveyance system into containers with integrated lids, so as to fully contain the biochar for removal off-site. A mist injector would be utilized for dust control. The syngas would also pass through a cyclone system to remove biochar from the gas. It is expected that the biochar collected from the Bioenergy Gasification Facility will be utilized in secondary markets.

BGU Energy Transmission Lines

All proposed transmission lines would be underground and connected to the MDRRP facility. A feed-in tariff is currently available for selling excess electricity back to PG&E during off-peak periods. The single BGU reviewed and analyzed in the 2015 Certified EIR included the construction of transmission lines to portions of the MDRRP facility and for the sale of excess electricity. The proposed project would also allow for the transmission of power to Delta Diablo with additional capacity to sell for consumption by the general public.

⁸ "Pyrogenic Carbonaceous Material (PCM): The umbrella term for all materials that were produced by thermochemical conversion and contain some organic C, such as charcoal, biochar, char, black carbon, soot, activated carbon. The term refers to the material and not the C atom." ("Terms and Definitions." *International Biochar Initiative*. International Biochar Initiative, 2016. <http://www.biochar-international.org/definitions>. August 31, 2016.)

Surrounding Land Uses Map



ATTACHMENT 6

PROPERTY DEVELOPMENT REGULATIONS TABLE

The proposed Project site has two zoning classifications: IG on the eastern portion and IL on the western portion of the project site. The requirements for each district are shown below, with the details related to the proposed project summarized on the third column of the table.

Development Classifications	IL	IG	PROPOSED PROJECT
Minimum lot area (sq. ft.)	10,000	20,000	1,569,417 SQ FT
Minimum lot width (ft.)	70	100	533 FT
Minimum yards (ft.)			
Front	25	25	34
Corner side	25	25	35
Maximum height of structures	50	50	Truck Maintenance Building – 34ft Tip Floor Expansion – 52 ft (see note below) Pole Barn – 29.8 ft Gasification Control Building – 18 ft
Maximum lot coverage	60%	75%	0.18
Maximum FAR	0.8	0.8	0.18
Minimum site landscaping	10%	10%	

[Ord. 07-1284 § 3 (Exh. D), 2007; Ord. 979 § 2 (Exh. A), 1990. Formerly 18.54.015.]

18.54.120 Additional height allowance.



An increase over the maximum height allowance is allowed in the IL and IG districts equal to the number of additional feet the structure is set back from each property line beyond the minimum yard requirements, up to a maximum height of 75 feet. To be entitled to additional height, the building or structure setback must exceed the minimum on all sides. See also, height limit exceptions (PMC 18.80.020). [Ord. 07-1284 § 3 (Exh. D), 2007; Ord. 979 § 2 (Exh. A), 1990. Formerly 18.54.100.]

Attachment7
Applicable Development Review Design Guidelines
MDRRP Enhancement Project, AP-18-1325 (UP, DR)

Design Review Guidelines Section IV. Commercial/Industrial	Meets Guideline?
IV.a: Parking areas should be screened from view from any public right-of-way. Parking areas should be broken up to eliminate vast areas of parking especially along street frontages.	Yes. Landscaping will be provided to screen the relocated parking area at the southern portion of the site.
IV.b: Provisions should be made for permanent shopping cart corrals in retail shopping centers.	Not applicable. The project does not involve a retail shopping center.
IV.c: Existing trees on site should be incorporated into the project site design, unless waived by the City Planner or Planning Commission.	Partially. Project would remove 8 frontage trees and 19 onsite trees, with 77 trees remaining. Project would add 44 new trees.
IV.d: Developer should elect, at least, one of the schemes provided in Appendix #1 for screening all utility box transformers, backflow preventers, meters, and junction boxes.	Conditionally. A standard condition of approval has been added that would require compliance with this guideline.
IV.e: Projects with many buildings (greater than three) should have a variety of building sizes and masses.	YES. Four new structures are proposed, with the design of each building reflecting the operational requirements of the facility.
IV.f: Continuous horizontal roof lines should be broken up whenever possible. An expanse should not exceed 50 feet in length unless architecture or size dictate a greater expanse.	Yes. Given the industrial architecture, large building size and significant massing of each building, strict adherence to this guideline would not make sense. However, some visual relief is provided by extending the standing seam metal roof panels above the peak as shown in the plans (Sheet A2.0).
IV.g: Building entries should be designed as a focal point. They should be designed to set the theme or be the primary feature of the building or commercial center.	Yes. The building entries are highlighted on the Truck Maintenance Facility Building. The functional requirements of the Pole Barn and the Addition to the Transfer Processing Facility are such that this requirement would not apply.
IV.h: Building elevations visible from public right-of-ways should be addressed in design review and treated appropriately. United ereui	Yes. The design of the Truck Maintenance Facility building shows some detail to break up the visual mass of the buildings that face Loveridge Road (Sheet A2.0 East Elevation).
IV.i: A free-standing structure within an	Yes. The building form, colors and material

existing commercial or industrial center should be architecturally compatible with the center, including but not limited to materials, colors, and architectural elements.	would be compatible with the existing structures including the Recyclables Processing Building and the Transfer Processing Facility.
IV.j: All roof mounted equipment should be screened completely from view from all public right-of-ways. A site-line study may be necessary to determine appropriate screening method.	Yes. All roof equipment would be screened by the building parapets.
IV.k: All structures including, but not limited to, 'tilt-up' type structures, should have structural reliefs and articulated entries.	Yes. The portion of the Truck Maintenance Facility that faces Loveridge Road(east elevation) shows some detail through articulation of two structural elements that define focal points.
IV.l: Exterior fire escapes, stairs and other appurtenances should be designed or treated as integral parts of the building façade.	Not Applicable. There are no exterior stairs or other appurtenances.
IV.m: Downspouts should be designed into the façade of the building the color and materials palette unless architecturally treated.	Yes. Downspouts are incorporated into the architecture.
IV.n: Add murals, lattice or some other space-frame type treatment to blank walls visible from public view.	Yes. The east elevation of the Truck Maintenance Facility would be visible from the public view on Loveridge Road. The architecture defines two focal points that break up the linear massing of the building so that it does not read as a long blank façade.
IV.o: Prototype or 'theme' architecture is discouraged.	Yes. The architecture reflects the industrial character of the surrounding area.
IV.p: New or remodeled buildings should be designed to be compatible in design, color and materials with adjacent development.	Yes. The color and materials palette reflects the Recycling Facility building to the north of this site.
IV.q: The street-oriented elevations shall be designed so as not to present the appearance of a rear elevation.	Yes. The two focal points on the east elevation would provide some visual interest to the façade.
IV.r: Trash enclosures should include area for collection of recyclables (i.e. space for two 90-gallon containers minimum).	Yes. This is a Recycling Facility and recyclables are handled in the Mt Diablo Recycling Facility Building.
Green Building Design Guidelines Section VI.D Commercial/Industrial	

VI.D.1: Roofs should be designed to integrate renewable energy systems and provide a cool urban environment.	Conditionally. This project is a waste Processing, Recycling and Transfer facility, as such, the buildings proposed would not include solar panels; however, building roof tops should be painted white to create a cool roof effect under any necessary mechanical equipment.
VI.D.2: Urban heat island impacts should be minimized.	Not applicable. No new parking areas are required/proposed with this project.
VI.D.3: Hardscapes should be constructed with permeable surfaces. Impermeable surfaces may be used if they direct all runoff toward an appropriate permanent infiltration feature.	Yes. The project is designed consistent with low impact development standards.
VI.D.4: Design choices should incorporate or prepare for electric vehicle charging or used vegetable oil fueling infrastructure.	Not Applicable. This facility would be unmanned and therefore no parking is provided for employees.
VI.D.5: Fuel cell technology should be considered where other renewables are infeasible.	Not Applicable. This is a Recycling and Waste Processing Facility with the goal of diverting solid waste from landfills and meeting state recycling goals.
VI.D.6: Reclaimed water should be used for as much non-potable water uses as feasible and practical.	Yes. The project is designed to reuse water where feasible.
VI.D.7: Large commercial and institutional facilities that are anticipated to employ more than 50 employees should consider providing on-site shops and services for those employees.	Not Applicable. There would be 11 new employees at this facility.
VI.D.8: Street side building faces should encourage walking.	Not Applicable. The buildings would be set behind a fence to protect the facilities. The landscaping along the Loveridge Roadfrontage does not include a sidewalk due to the industrial character of this road and the proximity to the Pittsburg Antioch Highway which is a major thoroughfare.

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT**

ITEM: No. 3 - Mt. Diablo Resource Recovery Park, AP-10-712 (UP, DR).

ORIGINATED BY: Contra Costa Waste Services, Inc., 1300 Loveridge Road,
Pittsburg, CA 94565

SUBJECT: This is a public hearing on a request for: 1) approval of a use permit for the operational expansion and reorganization of the existing Mt Diablo Recycling Facility (MDRF) and the Recycling Center and Transfer Station (RCTS) on a 36-acre site, and 2) design review approval of plans to construct a new approximate 18,000 square foot building and site improvements for an onsite truck maintenance facility. The expanded and reorganized facility would be renamed as the Mt Diablo Resource Recovery Park (MDRRP). The Commission is also being asked to consider the Final Environmental Impact Report (EIR) prepared for the project. The project site is located at 1300 Loveridge Road. The western portion of the property is the IG (General Industrial) District and the eastern portion of the property is within the IL (Limited Industrial) District. Assessor's Parcel Numbers 073-200-013, 073-200-014, 073-200-015, 073-200-024, and a portion of 073-200-023.

RECOMMENDATION:

Staff recommends that the Commission review and consider the proposed project plans along with the Draft and Final EIR for the project, and then adopt: 1) Resolution No. 10001 certifying the EIR and adopting findings, a statement of overriding considerations and a Mitigation Monitoring and Reporting Program (MMRP); and 2) Resolution No. 10002 approving Use Permit and Design Review Application No. 10-712, subject to conditions.

BACKGROUND:

The Mt Diablo facility was first approved by the City of Pittsburg in 1995 and has been operational since that time. It has received several additional approvals (summarized below) related to an expansion of services provided, or related to an increase in the approved capacity of the facility. The current application, also described below, seeks to expand and consolidate the services on the site under one entity with a single permit.

On March 6, 1995, the City Council adopted Resolutions Nos. 95-8143, 95-8144, and 95-8145, approving the initial use permit, a variance and design review of architectural plans (respectively) for the Recycling Center and Transfer Station (RCTS), on a 17.5 acre site located at 1300 Loveridge Road. Prior to that approval, the City Council adopted Resolutions Nos. 95-8134 and 95-8142, certifying the Final Environmental Impact Report (EIR) and adopting mandatory findings of significant environmental impacts and mitigation measures for the project (respectively).

Planning Commission Staff Report

On December 18, 1995, the City Council approved Resolution No. 96-8150, authorizing an agreement that allowed the recycling center and transfer station to begin operation.

On March 27, 2007, the Planning Commission adopted Resolution Nos. 9691 and 9692 approving a new use permit and design review application to locate the Mt. Diablo Recycling Facility (MDRF) on the existing RCTS site. The MDRF was approved to share the same site as the RCTS; however, both facilities operate independently under separate State-granted permits through the Integrated Waste Management Board which permits the RCTS facility and the State Department of Conservation which permits the MDRF.

On April 22, 2008, the Planning Commission adopted Resolution No. 9755, approving another use permit and design review application, establishing a mixed construction and demolition (Mixed C&D) recycling facility, including a green material processing operations area, on a 6.52-acre portion of the RCTS site (the Mixed C&D facility is considered to be under the Integrated Waste Management permit). Conditions of approval for the RCTS and the MDRF were carried forward to the subsequent approvals.

On January 12, 2010, the Planning Commission adopted Resolution No. 9822 modifying the use permit for MDRF in order to expand the maximum amount of material that could be processed per day, expand hours of operation and the number of employees working at the facility.

On August 23, 2010, the current application was filed requesting a subsequent use permit modification in order to bring the current solid waste and recycling operations at the RCTS, the MDRF and the Mixed C&D facilities under a single entity referred to as the Mt. Diablo Resource Recovery Park (MDRRP). The proposal also included an increase in the total amount of materials processed per day at all three facilities from 2,200 tons per day (TPD), to a total of 5,500 TPD; establishment of a new commercial recycling and organic processing programs for residential and commercial food wastes; construction of a biomass gasification unit to process clean wood waste into energy for on-site use; and as a possible future phase of the project, a rail haul option for waste transportation purposes. On August 5, 2013, the applicant filed a modification to the use permit application in order to add an additional 18.5 acres to the original proposal (bringing the total project area to 37 acres).

On September 9, 2014, the applicant filed another modification to their use permit application in order to relocate an existing truck maintenance facility from its current location east of the project site, across Loveridge Road, to the southernmost portion of the MDRRP site. The relocated facility would require construction of a new 18,000 square foot building to store and maintain trucks associated with the operation.

On May 14, 2015, the applicant submitted a letter and revised site plan (Attachment 4) indicating their desire to relocate the proposed Biomass Gasification Unit to the southern portion of the site, the materials and organics processing operations to the

center of the site, and the employee parking to an area along Loveridge Road (previously designated for organics processing), in order to address concerns related to odors and debris that had been raised by their neighbors to the north, west and east. The revised site design would not only address nuisance concerns, but would also result in a more aesthetically pleasing frontage along Loveridge Road and would accommodate better onsite circulation, as it would provide additional internal space for vehicle queuing. In response to this request, staff had the environmental consultant review the revised proposal for consistency with the Draft EIR analysis. The consultant found that the applicant initiated changes would not result in any new environmental impacts not already addressed in the EIR, and therefore no further analysis would be required in order to incorporate the proposed changes. A memo summarizing these findings is attached to this report.

PROJECT DESCRIPTION:

Existing Conditions: The project site is located within the City of Pittsburg, west of Loveridge Road and north of the Pittsburg-Antioch Highway, and just south of the Burlington Northern and Santa Fe (BNSF) railroad. The 37-acre project site encompasses the existing facility (17.5 acres) plus 18.5 acres located west and south of the existing facility. A portion of the project site (approximately 17.5 acres) is currently developed as the MDRF, the RCTS, and the Mixed C&D (including the green material processing) facility, all collectively described as the “existing facility”.

The surrounding uses are industrial in character. Northwest of the project site, across the BNSF railroad tracks, is an industrial facility operated by USS-Posco Industries which manufactures sheets of rolled steel, and also the Dow Chemical Facility which manufactures primarily agricultural and pest-control chemicals. East of the site, across Loveridge Road are a vacant parcel, and two other large industrial facilities. West of the site is the Columbia Solar Energy project, which is currently under construction. The southern boundary of the Project site is bordered by the Pittsburg-Antioch Highway and a Union Pacific Railroad spur beyond. There is an existing residential neighborhood approximately one-half mile west of the project site. The nearest undeveloped residentially designated area is a 4.4-acre medium density residential site that is located approximately 1,500 feet southwest of the project site.

The existing buildings on the project site consist of two large interconnected industrial buildings immediately adjacent to Loveridge Road which have a total floor area of 190,804 square feet. Just south of these buildings is the main parking area, which is accessed by a private roadway that connects with Loveridge Road.

A complete description of the existing facilities and operations is contained in the Draft EIR, Project Description (pages 2.0-1 through 2.0-45).

Proposed Project: The main intent of this application is to upgrade and improve the existing facility to serve as the regional recycling facility for eastern and central Contra Costa County. The goal is also to assist the City of Pittsburg and Contra Costa County

in reducing greenhouse gas emissions in accordance with state mandates related to diversion of solid waste from landfills and statewide recycling goals.

As stated above, the project applicant is seeking approval to bring the current solid waste and recycling operations at the RCTS, the MDRF and the Mixed C&D facilities under a single entity referred to as the Mt Diablo Resource Recovery Park (MDRRP). The proposed project would increase the total amount of materials processed per day at all three facilities from 2,200 TPD, to a total of 5,500 TPD and would add 18.5 acres to the existing site for parking, commodity storage, new commercial recycling and organic processing programs for residential and commercial food wastes, and relocation of the truck maintenance facility and yard, which would include an 18,000 square foot structure in the southeastern portion of the project site (former GWF Power Systems Facility).

The proposal also includes as potential future phases, a possible rail haul option for waste transportation purposes, and construction of a Biomass Gasification Unit to process clean wood waste into energy for on-site use. According to the revised site plan submitted by the applicant on May 14, 2015, the Biomass Gasification Unit would be located immediately north of the new truck maintenance facility and the existing organics processing area would be relocated (and expanded) from its current location adjacent to Loveridge Road, to a new location on the western portion of the site. Relocation of the biomass unit to the southern portion of the site, places it further away from existing offices to the north, thereby minimizing the potential for and odor impacts on neighboring properties.

In addition, after this future relocation, the area immediately northeast of the new truck maintenance facility (adjacent to Loveridge Road) would be utilized for employee parking, and the material processing area would be moved to the center of the site, immediately west of the existing building. The proposed relocation of the materials and organics processing operations to the center and western portions of the site enables the existing building to act as a buffer for any dust and debris that would travel east due to the prevailing winds in the area. All other undeveloped areas on the site would be used for internal circulation and commodity, vehicle and equipment storage.

The truck maintenance facility located at the southern portion of the site, has been identified as "SEG Trucking" on the project plans. The proposed SEG Trucking facility would be used solely for the repair and maintenance of the facility's approximately 60 commercial and residential refuse trucks, as well as RCTS and MDRF equipment. Improvements associated with the facility would include one new 30-foot tall, 18,000 square foot structure comprised of a 15,600 square foot workshop space and a 2,400 square foot office and storage area, with 2,000 square feet of open air canopies on the eastern side of the building. The new building would be a pre-engineered metal structure. The roof and walls would consist of prefinished metal panels with colors to match the existing buildings on the project site. The roof would be a dark green color, the walls a medium beige with terra cotta accents. Site improvements surrounding this new structure would include a new truck wash area, a relocated fuel island (to be

moved from the existing MDRF main parking area) and parking for 47 trucks, 41 regular sized vehicles and six (6) bicycles. This building and surrounding site improvements would be located at the southeastern portion of the project site at the corner of Loveridge Road and the Pittsburgh-Antioch Highway, with primary vehicular access coming from the existing main project entrance to the MDRRP site.

The location and general operational details for the potential future rail haul option have been included in the EIR; however, no project specific design plans have been submitted to date. Since the design of associated rail improvements are unknown at this time, staff would need to review plans at a later date, when the option is exercised, in order to determine whether or not any subsequent discretionary review would be necessary.

For more details on the complete project description, please see the Draft EIR (pages 2.0-1 through 2.0-40) and the Proposed Site Plan, Revised May 7, 2015 (Attachment 6).

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The City of Pittsburgh General Plan identifies the project site as Industrial, which permits manufacturing, wholesale, warehousing and distribution, commercial and business services, research and development, agricultural, food and drug, industrial processing and storage uses. The proposed expansion of the existing use and addition of the SEG Trucking facility and Biomass Gasification Unit would be consistent with this land use designation, and would be consistent with the Loveridge sub-area Goal 2-G-15, to maintain industrial activities in appropriate, designated areas. In addition, the proposed project to increase the capacity of recyclable materials at the existing plant is consistent with General Plan Goal 11-G-6, and Policy 11-P-19, to reduce the amount of solid waste generated in the City through intensification of recycling efforts.

Zoning: The eastern (approximate) half of the project site is zoned IG (General Industrial) District, and western portion is zoned IL (Limited Industrial) District. The IL district is intended to provide opportunities for service-oriented commercial and limited industrial uses in transitional areas, between heavy industry and commercial or residential land uses. The IG district is intended to provide sites for intense industrial uses on large sites adjacent to existing heavy industrial uses. Large recycling facilities, such as the proposed project, require a use permit within the both the IG and IL Districts.

Standards for Large Recycling Facilities: The project proposal would continue to be consistent with the standards for approval of a use permit for a large Recycling Facility that are set forth in PMC section 18.84.575 (C), as described below:

1. The facility would be at least 150 feet from property zoned or planned for residential use.
2. The facility would be screened from public view by operating in an enclosed building or behind dense landscaping or fencing.

Planning Commission Staff Report

3. Yards and landscaping requirements would comply with those provided for the zoning district in which the facility is located.
 4. All exterior storage of material would be in sturdy containers which are covered, secured and maintained in good condition. Oil storage containers would be subject to approval by the Chief Building Official and Contra Costa County Fire Protection District. No storage, excluding truck trailers and overseas containers, would be visible above the height of the fencing or other screening.
 5. The site would be maintained free of litter and any other undesirable materials, and would be cleaned of loose debris on a daily basis.
 6. Noise levels would not exceed 60 dBA as measured at the property line of residentially zoned property, or otherwise not exceed 70 dBA.
 7. The facility would not be located within 500 feet of property zoned, planned or occupied for residential use.
 8. No containers would be provided for after-hours donation of recyclable materials (newspaper, cardboard, aluminum cans, etc.).
 9. Donation areas would be kept free of litter and any other undesirable material, and the containers would be clearly marked to identify the type of material that may be deposited. The facility would also display a notice stating that no material may be left outside the recycling containers.
 10. The facility would be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs would meet the standards of the use. Directional signs, bearing no advertising message, would be installed subject to approval by the Planning Division.
 11. Power-driven processing, including aluminum foil and can compacting, plastic shredding, or other light processing activities, may be used as necessary for efficient temporary storage and shipment of material.
- Parking: PMC section 18.78.030(E)(3) sets forth standards for off-street parking for industrial uses. This section specifies that the parking requirement for large recycling facilities shall be six (6) spaces, plus one per each 1,000 square feet of building area. The new building area being added to the site totals 18,000 square feet, yielding a total parking requirement of 24 spaces. In accordance with PMC 18.78.045, the total number of associated bicycle parking spaces required for the use would be six (6).

As previously stated, the proposed project includes parking for 47 trucks, 41 regular sized vehicles and six (6) bicycles, all of which well exceeds the requirements of the PMC.

Landscaping: PMC section 18.54.115 identifies a minimum landscaping requirement of 10% for IL and IG Districts. According to the project plans submitted, landscaping proposed would equal over 22%, which well exceeds to the requirements of the PMC

Design Review: Pursuant to PMC 18.36.230, the Planning Commission shall discuss the application for design review approval and integrate it with the land use approval process applicable to the project. The proposed project is generally consistent with applicable Development Review Design Guidelines (DRDG's) adopted by the Planning Commission through Resolution No. 9864, in that: 1) the new parking areas would be

Planning Commission Staff Report

screened from public view behind a chain link fence with 6-foot tall shrubbery surrounding the site (DRDG IV.a); 2) the new SEG truck maintenance building would match in colors and design to the existing MDRF and RCTS facility located on the same site, immediately north of the new building (DRDG IV.p); and 3) the appearance of the continuous horizontal roof line for the new building would be broken up by the periodic placement of the nine (9) foot wide long ridge roof vents on top of the building (DRDG IV.f).

Solid Waste Facility Permit: The project applicant proposes to obtain one solid waste permit to cover all of the existing operations as well as the expanded operations. There are currently three permits covering the existing operation; however, if the expanded operations as proposed are approved, then a new single solid waste permit would be required for all project components in order to permit a total tonnage of 5,500 TPD for the facility. The permit would be issued by the City of Pittsburg Local Enforcement Agency (LEA), with the concurrence of the California Department of Resources Recycling and Recovery (CalRecycle).

Required Findings: In accordance with PMC section 18.16.040, a use permit may be granted only if the Planning Commission can make findings that the project:

- A. is in accord with the objective of this title, the purposes of the land use district in which it is located and is appropriate to the specific location;
- B. is not detrimental to the health, safety, and general welfare of the City;
- C. will not adversely affect the orderly development of property within the City;
- D. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
- E. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
- F. will not create a nuisance or enforcement problem within the neighborhood;
- G. will not encourage marginal development within the neighborhood;
- H. will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints imposed by law; and
- I. is consistent with the City's approved funding priorities.

In order to recommend approval of a design review application, the Commission must determine, in accordance with PMC section 18.36.220.B, that:

Planning Commission Staff Report

- A. the structure conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;
- B. the structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;
- C. the exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
- D. the structure is in harmony with proposed developments on land in the general area; and,
- E. the application conforms with the criteria set forth in any applicable City adopted design guidelines.

Environmental: The proposed project is subject to the California Environmental Quality Act (CEQA), and the State CEQA Guidelines (Public Resources Code [PRC] section 21080). Pursuant to the provisions of the PRC section 21080(d), a lead agency is required to prepare an EIR for any project that it expects to have a significant effect on the environment. An Initial Study for the proposed project was prepared in early 2011. On the basis of the analysis in the 2011 Initial Study, it was determined that the proposed project could potentially have adverse impacts on the environment, and as such, the city prepared an EIR to analyze the potential impacts of the project in greater detail. The Initial Study, Notice of Preparation (NOP) and NOP comments received during a 30-day public review period were all incorporated into the Draft EIR as Appendix A.

The Draft EIR was completed in early December 2014, and was distributed to the public for a 45-day public comment period that extended from December 16, 2014, through January 29, 2015. Written comments were accepted throughout the entire comment period, and verbal comments were solicited during a public meeting that was conducted on January 15, 2015; however, no members of the public attended that meeting and as such, no verbal comments were received.

A total of ten written comments on the Draft EIR were submitted during the public review period, all of which are contained in the Final EIR, along with individual responses to comments and minor revisions to the Draft EIR, which was completed on April 13, 2015, and circulated to the commenting parties on April 15, 2015. The Planning Commission must consider the Final EIR and Draft EIR, and they must certify the Final EIR for the project, before taking any necessary actions to implement the project.

Since the Planning Commission is considering the final discretionary approvals for this project at the same hearing as the certification of the Final EIR, the Commission is

asked to consider the motion to certify the EIR and adopt findings, a statement of overriding considerations and an MMRP, prior to any motion on the proposed entitlements for the project.

Draft EIR: Summary of Significant Impacts: The Draft EIR identified three potentially significant environmental effects and one cumulatively considerable impact that might occur as a result of the proposed project. The potentially significant and cumulatively considerable impacts fall into the categories of Air Quality and Transportation and Circulation.

For each of these impacts identified, the Draft EIR identifies one or more mitigation measures that would reduce the severity of the impact to a less than significant level. However, the Draft EIR identifies one air quality impact and two transportation-related impacts as significant and unavoidable even after mitigation. Specifically, the proposed project would cause a significant impact related to short term construction emissions. Mitigation requiring implementation of Bay Area Air Quality Management District (BAAQMD) recommended practices for the control of fugitive dust would be required; however, the expected daily construction emissions would not be reduced below the BAAQMD's significance threshold. The proposed project would also result in project-level and cumulative impacts to the Level of Service (LOS) at two intersections: Pittsburg-Antioch Highway/Loveridge Road and Loveridge Road/State Route 4 Eastbound Ramps. Since improvements to both of these intersections are included in the Capital Improvement Project (CIP), mitigation requiring the payment of CIP fees would be required to reduce the severity of this impact; however, since the City currently has no other funding mechanism to construct these improvements, implementation of the mitigation measure cannot be guaranteed, and the corresponding impacts are identified as unavoidable.

Draft EIR: Discussion of the Alternatives to the Project: As required by CEQA Guidelines section 15126.6, the Draft EIR contains alternatives to the proposed project. According to CEQA Guidelines section 15126.6(a), each of the alternatives selected should "feasibly attain most of the objectives of the project," but should "avoid or substantially lessen any of the significant environmental effects of the project." An alternative is considered "feasible" if it can be accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors. The EIR must evaluate each alternative against the proposed project in terms of its significant adverse impacts.

Under CEQA Guidelines section 15126.6(e), one of the alternatives must be a "no project" scenario, in which it is assumed that the proposed project does not occur. Aside from the "no project" scenario, two alternatives were chosen based on the list of project objectives contained in the EIR (Chapter 5.0). These alternatives include: 1) a Biomass and Solar Alternative, which assumes construction of these two facilities only and a minimal increase in facility capacity to accommodate an extra 40 tons per day of clean wood chips only; and 2) a Limited Expansion Alternative, which includes an overall facility expansion of only 55% of the requested permit increase, thereby limited the

overall increase to 3,050 TPD instead of the requested 5,500 TPD. One additional alternative analyzing an Off-Site Alternative, was initially considered and rejected from further consideration in the EIR because it was not consistent with the fundamental purpose of the project (to expand the facility) and it would not meet the basic project objectives.

Required CEQA Certification Findings: In accordance with section 15090 of the State CEQA Guidelines, the lead agency shall certify that the Final EIR has been completed in compliance with CEQA; that the Final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the Final EIR prior to taking action on the project; and, the Final EIR reflects the lead agency's independent judgment and analysis.

Public Notice: On or prior to Friday, May 15, 2015, notice of the May 26, 2015, public hearing to consider this application was posted at City Hall, at the proposed project site, and on the "Public Notices" section of the City's website; was delivered to the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the use, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091.

ANALYSIS:

Construction of the project as proposed would require certification of the Final EIR, adoption of CEQA findings, a statement of overriding considerations and adoption of the MMRP, followed by approval of the following entitlements:

1. Use permit for a Large Recycling Facility; and
2. Design review.

Staff believes that the Commission can make the findings necessary to approve these required entitlements, which are addressed in further detail below:

Use Permit. Staff believes that the Planning Commission can make the required findings to permit expansion of the capacity, operations and land area of the existing Mt. Diablo Recycling Facility and the Recycling Center and Transfer Station. The current use of the project site as a large recycling facility was first approved by the City Council in 1995. A Solid Waste Facility Permit was also issued by the City of Pittsburg Local Enforcement Agency (LEA) in 1995 shortly after the original use permit was approved. Three use permits were subsequently adopted to allow expansion of the operation (2007, 2008 and 2010) in order to permit a total tonnage for all project components to 2,200 TPD. The LEA currently inspects the facility once a month and reports that the facility has operated in accordance with the requirements of the LEA permit.

Planning Commission Staff Report

The proposed expansion would be consistent with the Industrial designation of the General Plan, which specifically permits general industrial uses and processing, including large recycling facilities.

As noted above, the current facility operates under existing use permits, which allow a total tonnage of 2,200 TPD. The expansion of the use to 5,500 TPD would be consistent with the intent of PMC Title 18 (Zoning) to permit expansion of this type of use with approval of a use permit.

The proposed expansion of the existing facility complies with all of the Industrial District development standards set forth in the PMC. The use would not cause any detrimental effects to the City or any public nuisance/enforcement problems, as long as: 1) all applicable building and fire regulations are adhered to during construction/installation phase and applicable provisions of the PMC are adhered to throughout the life of the use; 2) the LEA permit requirements are adhered to throughout the life of the use; and 3) the Mitigation Monitoring and Reporting Program is implemented during construction and operation.

The proposed expansion of the existing facility would not create a demand for public services within the City beyond that of the ability of the City to meet because the use is private and would not require any additional public services.

Design Review: The Design Review aspect of this application relates to the proposed new structures on the project site which include to the SEG truck maintenance facility and the proposed biomass gasification unit. This discussion focuses on the Truck Maintenance Facility because the Design Review Guidelines for Industrial Districts relate primarily to buildings and landscaping and do not address industrial equipment. With that said, the biomass gasification unit would be placed on the interior to the project site and would be significantly screened from public viewpoints by fencing, landscaping and the existing buildings which face Loveridge Road.

The intent of design review is to encourage quality design in all land use districts, so that an individual development does not have a negative visual impact on adjacent uses. The project site is currently occupied by industrial buildings and does not contain natural or undisturbed terrain or other features with high scenic quality. It is located within a context of existing industrial uses including large buildings, electricity transmission lines, water towers and other tall structures. The closest residential districts occur west and southwest of the project site and are separated by the Columbia Solar Power Project (approximately one third of a mile distance from the southwest boundary of the project site) and the Pittsburg-Antioch Highway. The Project site is generally flat terrain.

The City of Pittsburg Development Review Design Guidelines (DRDG, Planning Commission Resolution No. 9864) set forth the criteria to be considered in the design of industrial developments. The intent of the DRDG's is to assure that a wide range of individual developments can blend harmoniously and to ensure quality design in all land

use districts. The criterion specified for Industrial Districts focuses on the design of parking lots and buildings and does not contain guidance regarding the waste disposal equipment. The highest number of potential viewers of the site would be travelers on the Loveridge Road that passes along the east side of the Project Site. Views from this vantage point are substantially screened by the two existing connected industrial buildings and the existing line of mature trees located on the east side of the roadway.

The design of the truck maintenance facility is defined by the operational characteristics of the recycling and transfer station. Once constructed, the proposed new building would blend in with and be compatible with the character of the existing structures on the project site and in the surrounding industrial area. The height of the new truck maintenance facility would be consistent with the existing structures on the project site and in the surrounding area. The size, scale, layout and character of the truck maintenance facility would not conflict with the visual character of the existing, surrounding, predominately industrial land uses.

Extensive landscaping would be provided along the eastern perimeter of the truck maintenance facility which, when mature would provide screening of the facilities from the Loveridge Road viewpoint. As shown in the Project Plans (Sheets L-1 and L-2) a row of vertical accent trees including Hornbeam and/or Lombardy Poplar, would be placed along the driveway entrance to the facility and would be flanked by evergreen canopy trees including Holly Oak and/or Chinese Elm. These plantings would be augmented by an understory of shrubs that would provide a continuous visual screen of the facilities on this portion of the project site.

The southern boundary of the project site abuts a City of Pittsburg creek maintenance road. This portion of the site would be landscaped with six foot tall shrubs including Waxleaf Privet and/or Upright Rosemary. This portion of the project site is set back from the Pittsburg-Antioch Highway and the proposed landscaping would adequately screen it from that viewpoint.

Lastly, minimal new light sources would be added as part of the project. New light sources would be added to the proposed truck maintenance facility; however, light sources would be directed to pathways and roadways on site only. Parking lot light sources would be shielded or directed away from the project boundaries in accordance with PMC section 18.82.030. The limited night lighting would not conflict with surrounding land use conditions and would not be expected to adversely affect night views. In the context of the General and Limited Industrial Districts within which the project is located, this project would be considered visually compatible with the surrounding uses.

Environmental: If the Planning Commission decides to approve the project entitlements as described above, the Commission must first make findings pursuant to CEQA related to the impacts of the proposed project, the alternatives analyzed in the EIR and they must adopt the MMRP. In addition, the Commission must adopt a Statement of

Overriding Considerations (SOC) for the project for impacts that cannot be mitigated to a less than significant level.

As described above, the Draft EIR identifies three significant and unavoidable impacts related to air quality and transportation and circulation. Where impacts cannot be reduced to less than significant through the incorporation of mitigation, CEQA section 21002 requires the City to examine whether the project alternatives analyzed in the EIR are feasible and can avoid those impacts. Related findings regarding alternatives are contained in Attachment 1. In addition to the alternatives findings for significant and unavoidable impacts, the City must also adopt an SOC in connection with the project approval. Through the overriding considerations, the City balances the benefits of the project against the unavoidable impacts and explains the reasons it is supporting the project. The SOC can also be found in Attachment 1.

Further, in accordance with a memo dated May 15, 2015 (Attachment 5), the potential environmental impacts associated with the applicant initiated changes, dated May 14, 2015, were evaluated against the existing analysis presented in the Draft and Final EIR. According to the memo, the worst-case scenario that was analyzed in the Draft and Final EIR with respect to the location of the Biomass unit, adequately addresses the potential impacts associated with the applicant initiated changes proposed by on May 14, 2015. Because the proposed applicant initiated changes are fully covered within the scope of the existing environmental analysis, there would be no new impacts associated with the change and no further environmental analysis is required.

ACTION REQUIRED:

Move to adopt: 1) Resolution No. 10001 certifying the EIR and adopting findings, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program; and 2) Resolution No. 10002 approving Use Permit and Design Review Application No. 10-712, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10001 to Certify the EIR, adopt CEQA findings, an SOC and the MMRP.
2. Proposed Resolution No. 10002 to Approve Use Permit and Design Review Application No. 10-712
3. Project Plans, date stamped December 24, 2014
4. Contra Costa Waste Service letter and Revised Site Plan, date stamped May 14, 2015
5. PMC Environmental Memorandum Re: Site Plan Reconfiguration, dated May 15, 2015
6. Draft EIR, dated December 2014 (hard copies were previously submitted to the Planning Commission and are available for review at Pittsburg City Hall or the Pittsburg Library)

Planning Commission Staff Report

7. Final EIR, dated April 2015 (hard copies were previously submitted to the Planning Commission and are available for review at Pittsburg City Hall or the Pittsburg Library)
8. Notice of Public Hearing/Vicinity Map

Prepared by: Joan Lamphier, Consulting Planner

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Certifying the Environmental	)	
Impact Report and Adopting Findings, a	)	
Statement of Overriding Considerations	)	Resolution No. 10001
and a Mitigations Monitoring and	)	
Reporting Program, for "Mt. Diablo	)	
Resource Recovery Park, AP-10-712."	)	

The Planning Commission DOES resolve as follows:

Section 1. Background

- A. On August 9, 2010, Contra Costa Waste Services filed Use Permit and Design Review Application No. 10-712 requesting approval a use permit modification in order to bring the solid waste and recycling operations at the Recycling Center and Transfer Station (RCTS), the Mt. Diablo Recycling Facility (MDRF) and the mixed construction and demolition (Mixed C&D) recycling facility under a single entity referred to as the Mt. Diablo Resource Recovery Park (MDRRP). The proposal also included an increase in the total amount of materials processed per day at all three facilities from 2,200 tons per day (TPD), to a total of 5,500 TPD; establishment of a new commercial recycling and organic processing programs for residential and commercial food wastes; construction of a biomass gasification unit to process clean wood waste into energy for on-site use; and as a possible future phase of the project, a rail haul option for waste transportation purposes. The project site includes a total of 37 acres. The western portion of the property is in the IG (General Industrial) District and the eastern portion of the property is within the IL (Limited Industrial) District. Assessor's Parcel Numbers: 073-200-013, -014, -015, -024 and a portion of -023.

- B. The City has discretionary authority over the project and is identified as the lead agency for the project. In accordance with Section 15082 of the State CEQA Guidelines, the City prepared and released a Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) on May 18, 2011. The NOP was circulated to the public, local, state and federal agencies, and other interested parties for 30 days to solicit comments on the project. The NOP and full text of responses to the NOP are presented in Appendix A of the Draft EIR. An Initial Study for the project was prepared and released for public review along with the NOP. Its conclusion supported preparation of an EIR for the project. The Initial Study is also included in Appendix A of the Draft EIR.

- C. The Initial Study for the project preliminarily analyzed the project and its potential impacts. Through this Initial Study, it was determined that the project could

potentially have adverse impacts in the areas of air quality, climate change, hazards and hazardous materials, hydrology and water quality, land use and planning, public services and utilities, transportation and circulation, and biological resources. All other areas of potential environmental impact were determined to have no potential adverse impacts under the project and were eliminated from further analysis. After releasing the NOP, a public scoping session was held on June 2, 2011, to receive additional comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR.

- D. Prior to the Draft EIR being released for public review the applicant filed a modification to their use permit application on September 9, 2014, in order to relocate an existing truck maintenance facility from its current location east of the project site, across Loveridge Road, to the southernmost portion of the MDRRP site. The relocated facility would require construction of a new 18,000 square foot building identified as the SEG truck maintenance facility, to store and maintain trucks associated with the operation. This additional component of the project was added to the Draft EIR analysis.
- E. In accordance with Public Resources Code (PRC) Section 21080(d), an EIR was prepared to analyze the potential impacts of the project. A Draft EIR for the project was released for a 45-day public and agency review on December 16, 2014, with the review period ending on January 29, 2015. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts and mitigation measures for impacts found to be potentially significant, and an analysis of project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at City offices and on the City's website. The City received ten comment letters from public agencies, interest groups, and the public regarding the Draft EIR.
- F. The City received comment letters from public agencies, interest groups, and the public regarding the Draft EIR and prepared a Final Environmental Impact Report (Final EIR) dated April 2015. The Final EIR provided responses to all written comments received on the Draft EIR as required by CEQA. The Final EIR also contained minor edits to the Draft EIR. The Draft EIR and the Final EIR are incorporated herein by reference and together constitute the Final Environmental Impact Report for the Mt. Diablo Resource Recovery Park Project, pursuant to CEQA Guidelines Sections 15098 and 15132, which reflects the City's independent judgment and analysis on the potential environmental impacts of the project.
- G. The Final EIR identifies the potential for significant effects on the environment from implementation of the project, most of which can be substantially reduced through the EIR mitigation measures; therefore, approval of the project must include mitigation findings as set forth in Section 3, Part A.1, below. A Mitigation Monitoring and Reporting Program (MMRP), as required by CEQA, is attached

as Exhibit D to this resolution and incorporated herein by reference. The MMRP identifies project mitigation, designation of responsibility for mitigation implementation, and the agency responsible for the monitoring action.

- H. Significant effects related to air quality and transportation/circulation identified in the Final EIR cannot be lessened to a level of less than significant; therefore, approval of the project must include findings regarding alternatives and a Statement of Overriding Considerations as set forth in Section 3, Parts A.2 and A.3, respectively.
- I. On May 14, 2015, the applicant submitted a letter and revised site plan indicating their desire to relocate the proposed Biomass Gasification Unit to the southern portion of the site, the organics processing unit to the center of the site, and the employee parking to an area along Loveridge Road (previously designated for organics processing), in order to address concerns that had been raised by their neighbors to the north, west and east. According to a memo from the environmental consultant, PMC, dated May 15, 2015, the applicant initiated changes would not result in any new environmental impacts not already addressed in the EIR, and therefore no further analysis would be required in order to incorporate the proposed changes.
- J. On April 28, 2015, the Planning Commission held a public meeting and continued the project to May 26, 2015.
- K. On or prior to May 15, 2015, notice of the May 26, 2015, public hearing to consider this application was posted at City Hall, the project site and on the city's website; was delivered to the Pittsburg Library; and was mailed via first class mail or email to the property owner, applicant and all other owners of property within 300 feet of the subject site, to utility companies and other agencies anticipated to provide service to the project, and to all interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010 and 18.36.350, Government Code section 65091 and State PRC Sections 21092 and 21092.2.
- L. In accordance with CEQA Guidelines section 15088(b), written responses to public agency comments were provided to those public agencies by April 17, 2015, at least ten days prior to the date of the planned certification of the EIR.
- M. Documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based, are located at the City of Pittsburg Planning Division, located at 65 Civic Avenue in Pittsburg, in the custody of the Manager of Planning.

Section 2. Certification of the EIR

- A. The Planning Commission certifies that the Final EIR for this project consists of the Draft EIR, dated December 2014, and the Introduction, Comments and Responses, and Changes to the Draft EIR, dated April 2015.
- B. Based on the evidence and oral and written testimony presented at the public hearings, and based on all the information contained in the Planning Division's files on the project, including but not limited to the Final EIR for the project and the Planning Commission staff report entitled "Mt. Diablo Resource Recovery Park Project," dated May 26, 2015, the Planning Commission does certify, in accordance with Section 15090 of the State CEQA Guidelines, that:
 - 1. The Final EIR for the project was prepared in compliance with Public Resources Code Section 21000 et seq. and State CEQA Guidelines Section 15000 et seq.; and
 - 2. The Final EIR was presented to the Planning Commission of the City of Pittsburg, and the Planning Commission has reviewed and considered the information contained in the Final EIR prior to approving the project; and
 - 3. The Final EIR reflects the independent judgment and analysis of the Planning Commission of the City of Pittsburg; and
 - 4. The Final EIR adequately describes the project, its environmental impacts, reasonable alternatives, and appropriate mitigation measures.

Section 3. Adoption of Findings, Statement of Overriding Considerations, and Mitigation, Monitoring and Reporting Program

- A. The Planning Commission adopts the following with respect to the project:
 - 1. Mitigation Findings Pursuant to CEQA Guidelines Section 15091, as set forth Exhibit "A" to this resolution and incorporated herein by reference.
 - 2. Findings Concerning Alternatives, as set forth in Exhibit "B" to this resolution and incorporated herein by reference.
 - 3. Statement of Overriding Considerations, as set forth in Exhibit "C" to this resolution and incorporated herein by reference.
 - 4. Mitigation Monitoring Reporting Program, attached as Exhibit "D" to this resolution and incorporated herein by reference.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 26th day of May 2015, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

I hereby certify that the above Resolution No. 10001 was adopted by the Planning Commission of the City of Pittsburg on May 26, 2015.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Exhibit “A”

Mitigation Findings Pursuant to CEQA Guidelines Section 15091

With respect to potentially significant impacts of the project, the Planning Commission makes each of the findings set forth below.

Air Quality

Impact 3.1.1. Short-Term Construction Emissions of Criteria Air Pollutants and Precursors. Construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.

Mitigation Measure 3.1.1a. The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day.
2. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
3. All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour.
4. All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
5. Where applicable, vegetative ground cover (fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible.
6. A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. The designated City compliance monitoring staff and/or department shall be notified of all complaints received.

Mitigation Measure 3.1.1b. The following measures shall be implemented to reduce construction-generated mobile-source emissions:

1. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
2. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
3. Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards.

Mitigation Measure 3.1.1c. To the extent possible, construction of the proposed maintenance building shall utilize pre-coated building materials and low-VOC-content architectural coatings.

Finding: Although the mitigation measure would reduce daily construction-related emissions of reactive organic gases and nitrogen oxide, emissions would not be reduced below applicable Bay Area Air Quality Management District (BAAQMD) significance thresholds. Therefore, even with implementation of the mitigation measure, the impact would remain significant and unavoidable (Draft EIR pages 3.1-23 through -26). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 3.1.2. Long-Term Operational Emissions of Criteria Air Pollutants and Precursors. Long-term operational emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.

Mitigation Measure 3.1.2a. The project applicant will be required to demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.

Mitigation Measure 3.1.2b. The operator shall provide a report on the throughput tonnage processed at the facility that would result in operational emissions of NO_x at 90 percent of the allowable threshold of 54 pounds per day and 10 tons per year (i.e., 48.6 pounds of NO_x per day or 9 tons of NO_x per year). The report shall be included as a condition of approval of the use permit and shall be completed by a qualified air quality professional within one year of approval of the use permit for the expansion. Project-generated tonnages and estimated emissions based on the report shall be evaluated commencing at the five-year state permit review and each year thereafter as tonnage reports are submitted to the City Department of Environmental Affairs and Development Services Department. Once the throughput tonnages reach the amount determined in the report to result in 48.6 pounds of NO_x daily or 9 or more tons of NO_x annually, the operator shall prepare and submit project-generated emissions reports, as described in mitigation measure MM 3.1.2c.

Mitigation Measure 3.1.2c. Once the project receives a tonnage throughput resulting in 90 percent of assumed NO_x emissions (48.6 pounds of NO_x per day or 9 tons of NO_x per year) as indicated by annual tonnage reports submitted to the City's Department of Environmental Affairs and Development Services Department, the operator shall obtain the services of a qualified specialist, approved by the City Development Services Department in conjunction with the Department of Environmental Affairs, to prepare and submit an annual air quality report showing project-generated NO_x emissions. The annual emissions evaluation shall identify project-generated increases in emissions over those existing at the time of the approval of the use permit, any emission reduction strategies that have been implemented (i.e., use of cleaner equipment, etc.), and any emissions offsets or additional mitigation measures, as described in mitigation measure MM 3.1.2d, that will be implemented sufficient to achieve the threshold of 54 pounds of NO_x per day or 10 tons of NO_x per year. Emissions analyses shall be submitted to the

City by April 1 of the following year. Upon the City's approval of the annual air quality report, documentation of any emissions offsets or additional mitigation strategies that have been implemented shall be provided to the City within 30 calendar days.

Mitigation Measure 3.1.2d. Based on the information provided in the annual report described in mitigation measure MM 3.1.2c, the proposed project shall implement on-site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NO_x emissions to no more than 54 pounds per day or 10 tons of NO_x per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NO_x emissions may include, but are not limited to, the following:

- Use of alternatively fueled vehicles and off-road equipment.
- Electrification of on-site equipment.
- Reduction in the number of pieces of motorized equipment and/or hours of use.
- Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, CARB's Tier 4i emission standards, or equivalent.
- Secure emission reduction credits (ERCs) to offset NO_x emissions per BAAQMD Regulations 2-2-215, 302, and 303.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less than significant level by reducing operational emissions of criteria air pollutants and precursors to below the applicable BAAQMD threshold (Draft EIR pages 3.1-26 through -30).

Impact 3.1.4. Exposure of Sensitive Receptors to Substantial Concentrations of Toxic Air Contaminants. Implementation of the project could result in incremental increases in risk or hazards at nearby sensitive receptors in the long term that would exceed applicable significant thresholds.

Mitigation Measure 3.1.2a. The project applicant will be required to demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less than significant level by reducing the incremental increases in cancer risk at the maximally impacted receptor to less than 1 in one million, below the BAAQMD's threshold of significant of 10 in one million (Draft EIR pages 3.1-32 through -33).

Impact 3.1.6. Cumulatively Considerable Net Increase of Criteria Air Pollutants and Precursors. The proposed project, in combination with emission sources in the San Francisco Bay Area Air Basin, would result in a cumulatively considerable net increase of criteria air pollutants and precursors.

Mitigation Measure 3.1.1a. The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day.

2. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
3. All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour.
4. All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
5. Where applicable, vegetative ground cover (fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible.
6. A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. The designated City compliance monitoring staff and/or department shall be notified of all complaints received.

Mitigation Measure 3.1.1b. The following measures shall be implemented to reduce construction-generated mobile-source emissions:

1. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
2. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
3. Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards.

Mitigation Measure 3.1.1c. To the extent possible, construction of the proposed maintenance building shall utilize pre-coated building materials and low-VOC-content architectural coatings.

Mitigation Measure 3.1.2a. The project applicant will be required to demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.

Mitigation Measure 3.1.2d. Based on the information provided in the annual report described in mitigation measure MM 3.1.2c, the proposed project shall implement on-site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NO_x emissions to no more than 54 pounds per day or 10 tons of NO_x per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NO_x emissions may include, but are not limited to, the following:

- Use of alternatively fueled vehicles and off-road equipment.
- Electrification of on-site equipment.
- Reduction in the number of pieces of motorized equipment and/or hours of use.
- Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, CARB's Tier 4i emission standards, or equivalent.

- Secure emission reduction credits (ERCs) to offset NO_x emissions per BAAQMD Regulations 2-2-215, 302, and 303.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less than significant level by reducing operational emissions of criteria air pollutants and precursors to below the applicable BAAQMD threshold (Draft EIR pages 3.1-34 through -35).

Impact 3.1.7. Cumulatively Considerable Contribution to Localized Concentrations of Toxic Air Contaminants. The project, in combination with nearby emission sources, could result in predicted risks or hazards that would exceed applicable significance thresholds at nearby sensitive receptors.

Mitigation Measure 3.1.2a. The project applicant will be required to demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less than cumulatively considerable level by reducing the incremental increases in cancer risk at the maximally impacted receptor (MIR) to less than 1 in one million, below the BAAQMD's threshold of significance of 10 in one million (Draft EIR pages 3.1-35 through -36).

Hazards and Hazardous Materials

Impact 3.3.2. Exposure of Persons to Hazardous Materials During Project Construction. Construction workers could be exposed to hazardous materials during site preparation. However, compliance with existing applicable worker health and safety laws and regulations would minimize potential for exposure.

Mitigation Measure 3.3.2a. The project applicant shall either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire current project site and proposed site preparation and construction activities. The completed plan shall be implemented during all project construction activities. The plan shall address the potential for workers to be exposed to contaminated soils and shall provide specific measures to be implemented to ensure worker health and safety. These measures may include site controls, use of protective clothing, soil watering, hazard awareness training for workers, and/or emergency medical response procedures.

Mitigation Measure 3.3.2b. The project applicant shall comply with all relevant requirements of the *Covenant to Restrict Use of Property, Environmental Restriction (Re: A limited portion of County of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site LA Property, DTSC site code number 520024), DOC-2010-0132574-00*, recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less than significant level by requiring implementation of specific measures to ensure worker health and safety and by requiring compliance with existing land use restrictions for the site (Draft EIR pages 3.3-14 through -15).

Transportation and Circulation

Impact 3.7.1. Exceedance of LOS Thresholds at Study Intersections. Implementation of the proposed project would result in the degradation of operations at two study intersections.

Mitigation Measure 3.7.1a. The proposed project shall contribute their fair share to implement the SR 4 widening project, which would result in improvements at the SR 4 Eastbound Ramps/Loveridge Road intersection that would increase capacity. These improvements include:

- Convert the existing configuration from a “T” intersection to a four-leg intersection.
- Modify eastbound approach from its current configuration which provides one shared left-turn/through lane and one right-turn lane to provide two left-turn lanes and one right-turn lane.
- Modify southbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two left-turn lanes and two through lanes.
- Modify northbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two through lanes and one right-turn lane.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less than significant level by requiring the applicant to provide funding for improvements to the affected intersection which would improve the level of service to an acceptable level (Draft EIR pages 3.7-20 through -27).

Mitigation Measure 3.7.1b. The proposed project shall contribute their fair share to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:

- Install a dedicated eastbound right-turn lane on Pittsburg-Antioch Highway.
- Install a second westbound left-turn lane on Pittsburg-Antioch Highway.
- Upgrade existing traffic signal equipment to accommodate the changed intersection lane configurations.

Finding: Although the above mitigation measure would provide partial funding for improvements to increase capacity at the affected intersection, funding for the full improvement is not certain, and it is unlikely that the improvements will be in place before the project is completed. Therefore, even with implementation of the mitigation measure, the impact would remain significant and unavoidable. Specific benefits of the project outweigh this significant impact, as further set forth in the Statement of Overriding Considerations in Exhibit C, below (Draft EIR pages 3.7-20 through -29).

Impact 3.7.2. Cumulative Traffic Impacts. Operations at the Pittsburg-Antioch Highway/Loveridge Road intersection are projected to degrade with the addition of project traffic.

Mitigation Measure 3.7.2. The project applicant shall pay the project’s fair share of the cost to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:

- Install an additional left-turn lane on the westbound Pittsburg-Antioch Highway approach.
- Install a dedicated left-turn lane on the northbound Loveridge Road approach.
- Convert the existing shared left-turn/through lane on the northbound Loveridge Road approach to be a through-only lane.
- Modify signal phasing in the north/south direction from split phase to having protected left-turns.
- Upgrade existing traffic signal equipment to accommodate the recommended intersection lane configurations.

Finding: Although the above mitigation measure would provide improvement operations at the intersection to acceptable service levels, widening along Loveridge Road to accommodate an additional northbound lane is constrained due to proximity to the railroad crossing. Therefore, improvements to this portion of Loveridge Road would likely be infeasible, the project's contribution to the impact under maximum permitted conditions would be cumulatively considerable, and the impact would remain significant and unavoidable. No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh this significant impact, as further set forth in the Statement of Overriding Considerations in Exhibit C, below (Draft EIR pages 3.7-30 through -35).

Biological Resources

Impact 3.8.1. Substantial Adverse Effects to Special-Status Species. Implementation of project-related activities could result in substantial adverse effects, either directly or through habitat modifications, to special-status species.

Mitigation Measure 3.8.1a. Burrowing Owl. Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (Staff Report), published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped.

If burrowing owls are found during the breeding season (February 1–August 31), the project applicant shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow.

If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing one-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation, and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow.

Mitigation Measure 3.8.1b. Swainson's Hawk. Prior to any ground disturbance that occurs during the nesting season (March 15–September 15), a qualified biologist will conduct a preconstruction survey no more than one month prior to construction to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site.

If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the project applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and the CDFW. While the nest is occupied, project-related activities outside the 1,000-foot buffer can take place.

Mitigation Measure 3.8.1c. Golden Eagle. Prior to any ground disturbance that occurs during the nesting season (January 1–August 31), a qualified biologist shall conduct a preconstruction survey not more than one month prior to construction to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest are prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged.

Mitigation Measure 3.8.1d. Non-Covered Raptor Surveys. If clearing and/or construction activities will occur during the raptor nesting season (January 15–August 15), preconstruction surveys to identify active raptor nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area and a 500-foot buffer (if feasible).

If active nest sites are identified within 500 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to nesting raptors. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 250 feet of any active nest sites until the nest is deemed inactive by a

qualified biologist. Activities permitted within and the size (i.e., 250 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Mitigation Measure 3.8.1e. Nesting Bird Surveys. If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer.

If active nest sites are identified within 200 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less than significant level by ensuring no birds are present or providing for measures to reduce the potential disturbance to nesting or fledgling birds to ensure impacts are reduced to a less than significant level (Draft EIR pages 3.8-29 through -32).

Impact 3.8.5. Conflict with Policies, Ordinances, or Plans. The proposed project conflict with policies, ordinances, or plans, including the East Contra Costa County HCP/NCCP.

Mitigation Measure 3.8.1a. Burrowing Owl. Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (Staff Report), published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped.

If burrowing owls are found during the breeding season (February 1–August 31), the project applicant shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow.

If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing one-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation, and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow.

Mitigation Measure 3.8.1b. Swainson's Hawk. Prior to any ground disturbance that occurs during the nesting season (March 15–September 15), a qualified biologist will conduct a preconstruction survey no more than one month prior to construction to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site.

If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the project applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and the CDFW. While the nest is occupied, project-related activities outside the 1,000-foot buffer can take place.

Mitigation Measure 3.8.1c. Golden Eagle. Prior to any ground disturbance that occurs during the nesting season (January 1–August 31), a qualified biologist shall conduct a preconstruction survey not more than one month prior to construction to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest are prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged.

Mitigation Measure 3.8.1d. Non-Covered Raptor Surveys. If clearing and/or construction activities will occur during the raptor nesting season (January 15–August 15), preconstruction surveys to identify active raptor nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area and a 500-foot buffer (if feasible).

If active nest sites are identified within 500 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to nesting raptors. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will

be imposed within 250 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 250 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Mitigation Measure 3.8.1e. Nesting Bird Surveys. If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer.

If active nest sites are identified within 200 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less than significant level by ensuring no birds are present or providing for measures to reduce the potential disturbance to nesting or fledgling birds. These measures would reduce the project's contribution to impacts to special-status species and sensitive habitats, thereby reducing the proposed project's contribution to the cumulative impact to less than cumulatively considerable (Draft EIR pages 3.8-34 through -35).

Findings Concerning Alternatives

CEQA Guidelines Section 15126.6(a) specifies that the EIR identify alternatives to the project that “would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant environmental effects of the project.” “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. In addition, consistent with PRC Section 21002, a project should not be approved if feasible alternatives would substantially lessen the project’s significant effects. Significant unavoidable impacts were identified for the project related to air quality and transportation/circulation. The alternatives suggested would have reduced impacts related to air quality and transportation/circulation based on the reduced operational expansion. The following findings determine that the benefits of the project, as proposed, outweigh the impacts and that none of the alternatives would meet the project’s goals to increase facility capacities and expand hours of operation to better serve customers and to meet projected solid waste generation rates and to assist the City in reducing greenhouse gas emissions.

Alternative 1: No Project Alternative

The No Project Alternative is described on page 5.0-4 of the Draft EIR and is analyzed on pages 5.0-8 through -14. Under this alternative, the existing Mt. Diablo Recycling Center and Transfer Station would continue to operate under its current permitted capacities and no physical improvements would be made at the project site. This alternative also assumes that no revisions would be made to the facility’s current Solid Waste Facility Permit issued by the California Department of Resources Recycling and Recovery (CalRecycle). The facility is currently permitted to process a throughput of 2,200 tons per day (TPD). The facility currently processes less than its permitted capacity, approximately 1,181 TPD. This alternative assumes that the facility would ultimately increase operations to the permitted levels (a 125 percent increase from existing operations), with a proportionate increase in the number of truck and vehicle trips entering and leaving the site. The current permitted capacity is less than the total capacity requested for the proposed project, which is 5,500 TPD.

Finding: This alternative is infeasible and rejected for the following reasons:

1. The Planning Commission finds that the No Project Alternative is rejected as an alternative because it would not meet any of the objectives identified for the project. Specifically, this alternative would not assist in the further reduction of greenhouse gas emissions and would not respond to any of the requirements of Assembly Bill (AB) 32, as it would not result in the generation of renewable energy, would not increase the solid waste diversion rates of the cities and counties it serves beyond that currently permitted, and would not add a business and multi-family residential recycling program.
2. This alternative would not respond to projected population growth and the associated increased solid waste generation in the facility’s service area, expand hours of operation at the facility to better serve customers, or consolidate facilities under one permit.

Alternative 2: Biomass and Solar Alternative

The Biomass and Solar Alternative is described on page 5.0-4 and is analyzed on pages 5.0-8 through -14. This alternative assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, or Organics Processing Facility, with the exception of the 40 tons per day increase in clean wood chips to fuel the biomass plant. This alternative assumes that only the construction of the Biomass Gasification Unit on approximately 3.5 acres of expansion land and installation of the solar panels would move forward. Because the facility's capacities would not be substantially increased, no revisions to the facility's Solid Waste Facility Permit would be requested and the proposed addition of sort lines, bays, and other equipment would not be required.

Finding: This alternative is infeasible and rejected for the following reasons:

1. The Planning Commission finds that the Biomass and Solar Alternative is rejected as an alternative because it would not meet several of the objectives identified for the project. This alternative would assist in the further reduction of greenhouse gas emissions through solar and biogas electricity generation; however, it would not achieve the same avoided emissions of greenhouse gases that would be realized under the proposed project related to the avoided landfill methane emissions and the emissions avoided by the use of recycled materials. While this alternative would respond to some of the requirements of AB 32 by installing and operating alternative energy systems on-site, it would not increase the solid waste diversion rates of the cities and counties it serves and would not add a business and multi-family residential recycling program. In addition, this alternative would not respond to projected population growth and increased solid waste generation in the facility's service area, would not expand hours of operation at the facility to better serve customers, and would not consolidate facilities under one permit.

Alternative 3: Limited Expansion Alternative

The Limited Expansion Alternative is described on page 5.0-4 and is analyzed on pages 5.0-8 through -14. This alternative assumes that there would be increases at the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, or Organics Processing Facility, but the permit would seek an expansion to only 55 percent of the requested permit level of the proposed project. Therefore, the operating condition of the facility under this alternative (operating at 55 percent of the maximum permitted level under the proposed project) would be 3,050 tons per day (TPD), compared to 5,500 TPD for the proposed project.

Finding: This alternative is infeasible and rejected for the following reasons:

1. The Planning Commission specifically finds that the Limited Expansion Alternative is rejected as an alternative because it would not meet some of the objectives identified for the project. Because this alternative limits the throughput at the facility to a level that is consistent with the current level of throughput relative to the facility's existing permitted capacity, this alternative may not be consistent with the objective related to significantly expanding the facility's capacities and hours of operation

to meet projected population growth and better serve customers and to meet projected solid waste generation rates until the year 2035.

2. It is likely that if the existing facility is not expanded, then another facility would have to be constructed or expanded, resulting in additional environmental impacts in order to accommodate future State-mandated waste diversion goals.

Statement of Overriding Conditions

The project will result in significant and unavoidable individual impacts in the area of air quality and significant and unavoidable individual and cumulative impacts in the area of transportation.

After review of the entire administrative record, including the Final EIR, the Planning Commission staff report, and oral and written testimony and evidence presented at public hearings on the project, the Planning Commission finds that specific economic, legal, social, technological, and other anticipated benefits of the project outweigh the unavoidable adverse impact, and therefore justify the approval of the Mt. Diablo Resource Recovery Park Project. The project would eliminate or substantially lessen all significant effects on the environment, where feasible, and the Planning Commission finds that the remaining significant unavoidable impacts of the project are acceptable because the benefits outweigh the impacts. The Planning Commission finds that each of the overriding considerations set forth below constitute a separate and independent ground for such a finding. The project will result in the following substantial benefits, which justify the project:

1. The project would assist the City of Pittsburg and Contra Costa County in reducing greenhouse gas emissions and complying with the measures of the adopted AB 32 Scoping Plan by 2020 by generating renewable energy, increasing solid waste diversion rates, and expanding programs to provide recycling to businesses and multi-family residences.
2. The project would assist the City of Pittsburg and Contra Costa County in maintaining compliance with AB 939 mandates requiring 50 percent diversion of solid waste from landfills and preparing to accommodate future AB 939 goals and mandates, such as assisting in the statewide recycling goal of a 75 percent recycling rate by 2020, consistent with AB 341.
3. The project would assist the City of Pittsburg and Contra Costa County in implementing the mandatory commercial recycling program required by AB 341.

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving a Use Permit and	)	
Design Review of Plans to Consolidate	)	Resolution No. 10002
Facility Operations, Expand Waste	)	
Handling Capacity and Construct a New	)	
Truck Maintenance Building at 1300	)	
Loveridge Road, for "Mt. Diablo Resource	)	
Recovery Park, AP-10-712 (UP, DR).")	)	

The Planning Commission DOES resolve as follows:

Section 1. Background

- A. On August 23, 2010, Contra Costa Waste Services filed Use Permit and Design Review Application No. 10-712 requesting approval a use permit modification in order to bring the solid waste and recycling operations at the Recycling Center and Transfer Station (RCTS), the Mt. Diablo Recycling Facility (MDRF) and the mixed construction and demolition (Mixed C&D) recycling facility under a single entity referred to as the Mt. Diablo Resource Recovery Park (MDRRP). The proposal also included an increase in the total amount of materials processed per day at all three facilities from 2,200 tons per day (TPD), to a total of 5,500 TPD; establishment of a new commercial recycling and organic processing programs for residential and commercial food wastes; construction of a biomass gasification unit to process clean wood waste into energy for on-site use; and as a possible future phase of the project, a rail haul option for waste transportation purposes. The project site includes a total of 37 acres. The western portion of the property is in the IG (General Industrial) District and the eastern portion of the property is within the IL (Limited Industrial) District. Assessor's Parcel Numbers: 073-200-013, -014, -015, -024 and a portion of 073-200-023.
- B. On August 5, 2013, the applicant filed a modification to the use permit application in order to add an additional 18.5 acres to the original proposal (bringing the total project area to 37 acres)
- C. On September 9, 2014, the applicant filed another modification to the use permit application in order to relocate an existing truck maintenance facility from its current location east of the project site, across Loveridge Road, to the southernmost portion of the MDRRP site. The relocated facility would require construction of a new 18,000 square foot building identified as the SEG Truck Maintenance Facility, to store and maintain trucks associated with the operation.

- D. On May 14, 2015, the applicant submitted a letter and revised site plan indicating their desire to relocate the proposed Biomass Gasification Unit to the southern portion of the site, the organics processing unit to the center of the site, and the employee parking to an area along Loveridge Road (previously designated for organics processing), in order to address concerns that had been raised by their neighbors to the north, west and east. According to a memo from the environmental consultant, PMC, dated May 15, 2015, the applicant initiated changes would not result in any new environmental impacts not already addressed in the EIR, and therefore no further analysis would be required in order to incorporate the proposed changes.
- E. The existing Mt Diablo Recycling Facility became operational in 1995 and over the years, has expanded its operations to include additional recycling and disposal services (as described below). The facility serves as a regional recycling facility.
- F. On March 6, 1995, the City Council adopted Resolutions Nos. 95-8143, 95-8144, and 95-8145, approving a use permit, variance and design review of architectural plans (respectively) for the RCTS, on a 17.5 acre site located at 1300 Loveridge Road. Prior to that approval, the City Council adopted Resolutions Nos. 95-8134 and 95-8142, certifying the Final Environmental Impact Report (EIR) and adopting mandatory findings of significant environmental impacts and mitigation measures for the project (respectively).
- G. On December 18, 1995, the City Council approved Resolution No. 96-8150, authorizing an agreement that allowed the recycling center and transfer station to begin operation.
- H. On March 27, 2007, the Planning Commission adopted Resolution Nos. 9691 and 9692 approving a new use permit and design review application to locate the MDRF on the existing RCTS site. The MDRF was approved to share the same site as the RCTS; however, both facilities operate independently under separate State-granted permits through the Integrated Waste Management Board which permitted the RCTS facility and the State Department of Conservation which permitted the MDRF.
- I. On April 22, 2008, the Planning Commission adopted Resolution No. 9755, approving another use permit and design review application, establishing a the Mixed C&D recycling facility, including a green material processing operations area, on a 6.52-acre portion of the RCTS site (the Mixed C&D facility is considered to be under the Integrated Waste Management permit). Conditions of approval for the RCTS and the MDRF were carried forward to the subsequent approvals.
- J. On January 12, 2010, the Planning Commission adopted Resolution No. 9822 modifying the use permit for MDRF in order to expand the maximum amount of

material that could be processed per day, expand hours of operation and the number of employees working at the facility.

- K. The proposed expansion and reorganization of the existing facilities to the MDRRP would assist the City of Pittsburg and Contra Costa County in reducing greenhouse gas emissions by generating renewable energy, increasing solid waste diversion rates, and expanding programs to provide recycling options to business and family residences.
- L. The proposed expansion and reorganization of the existing facilities to the MDRRP would also assist the City of Pittsburg and Contra Costa County in maintaining compliance with Assembly Bill (AB) 939 mandates, requiring 50 percent diversion of solid waste from landfills, and preparing to accommodate future AB939 goals and mandates, such as assisting in the statewide recycling goal of a 75 percent recycling rate by 2020, consistent with AB341.
- M. The proposed project conforms to the applicable General Plan land use designation of *Industrial* and the applicable goals and policies of the Pittsburg General Plan and the Pittsburg Municipal Code (PMC).
- N. The proposed project is subject to the California Environmental Quality Act (CEQA, Public Resources Code section 21080 (d) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, sections 15000 et seq). Pursuant to the provisions of the State CEQA Guidelines, a Draft and Final EIR were prepared for this project.
- O. On April 28, 2015, the Planning Commission held a public meeting and continued the project to May 26, 2015.
- P. On or prior to May 15, 2015, notice of the May 26, 2015, public hearing to consider this application was posted at City Hall, the project site and on the city's website; was delivered to the Pittsburg Library; and was mailed via first class mail or email to the property owner, applicant and all other owners of property within 300 feet of the subject site, to utility companies and other agencies anticipated to provide service to the project, and to all interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010 and 18.36.350 and Government Code section 65091.
- Q. On May 26, 2015, the Planning Commission held a public hearing and subsequently adopted Resolution No. 10001 certifying a final environmental impact report (FEIR) for the proposed MDRRP project. It also adopted Findings Concerning Alternatives, a Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Program. The Planning Commission must consider the Draft and Final EIR prior to taking action on the application for a Use Permit and Design Review for the proposed project.

R. PMC section 18.16.040 specifies that the following findings must be made before approval of a use permit. The Commission may grant approval of a use permit if the proposed use:

1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
2. is not detrimental to the health, safety and general welfare of the City;
3. will not adversely order development of property within the City;
4. will not adversely affect the preservation of property values;
5. is consistent with the general plan and applicable specific plan;
6. will not create a nuisance or enforcement problem;
7. will not encourage marginal development within the neighborhood;
8. will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints; and,
9. is consistent with the City's approved funding priorities.

S. Design review approval can be granted only after the Planning Commission makes a determination that the proposed project is consistent with PMC section 18.36.220.B, which is summarized below:

1. the structure conforms with good taste, good design and in general contributes to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;
2. the structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;
3. the exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
4. the structure is in harmony with proposed developments on land in the general area; and
5. The application conforms with the criteria set forth in any applicable city-adopted design guidelines.

- T. On May 26, 2015, the Planning Commission held a public hearing on the EIR, the Use Permit and Design Review Application No.10-712, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled “Mt Diablo Resource Recovery Park, AP-10-712 (UP)” and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

1. All recitals above are true and correct and are incorporated herein by reference.

CEQA:

2. The Draft and Final EIR for this Project was prepared in compliance with Public Resources Code section 21080 et seq. The Planning Commission has independently reviewed and considered the Draft and Final EIR, along with the adopted Statement of Overriding Considerations. With the incorporation of all mitigation measures included in the FEIR Mitigation Monitoring and Reporting Program (MMRP), also incorporated as conditions on this project approval, the project will still have an unavoidable impact on air quality and cumulative impact in the area of transportation.
3. In accordance with a memo dated May 15, 2015, the potential environmental impacts associated with the applicant initiated changes, dated May 14, 2015, were evaluated against the existing analysis presented in the Draft and Final EIR. According to the memo, the worst-case scenario that was analyzed in the Draft and Final EIR with respect to the location of the Biomass unit, adequately addresses the potential impacts associated with the applicant initiated changes proposed by on May 14, 2015. Further, the modified site plan would provide for better onsite circulation by allowing additional internal vehicle queuing space, it would better mitigate potential odor impacts on an existing industrial office building located immediately north of the site, and it would significantly reduce the amount of dust and debris that could travel off site to the east due to prevailing winds in the area. Because the proposed applicant initiated changes are fully covered within the scope of the existing environmental analysis, there would be no new impacts associated with the change and no further environmental analysis is required.

Use Permit:

4. The proposed use, including: 1) the expanded capacity for waste handling to 5,500 TPD; 2) establishment of new commercial recycling and organic processing programs for residential and commercial food wastes; 3) establishment of a biomass gasification unit to process clean wood waste into energy for on-site use; 4) relocation of the SEG truck maintenance facility to the project site; and 5) possible future rail haul option for waste transportation purposes:
 - a) Is in accord with the objectives of the Zoning Ordinance, the purposes of the land use districts in which it is located and is appropriate to the specific location, in that the use is an expansion of an existing use that has operated since 1995 in accordance with the requirements of the existing use permits and the Solid Waste Facility Permit administered by the City of Pittsburgh Local Enforcement Agency (LEA). The proposed expansion would comply with the development standards set forth for the IL and IG Districts (PMC 18.16.040.a).
 - b) Will not be detrimental to the health, safety and general welfare of the City, nor will it involve any activities that would be injurious to the City, its residents, or its workforce, if the City of Pittsburgh LEA issues a Solid Waste Permit to allow 5,500 TPD, and all applicable regulations of the PMC and the LEA are adhered to throughout the life of the use (PMC 18.16.040.b).
 - c) Will not adversely affect the orderly development of property within the City, in that the expansion of the existing recycling facility will continue to be in character with the existing context of industrial uses located north of the Pittsburgh-Antioch Highway and surrounding the site (PMC 18.16.040.c).
 - d) Will not adversely affect the preservation of property values, in that the proposed facility expansion will utilize properties that have been vacated by previous industrial activities (PMC 18.16.040.d).
 - e) Is consistent with the General Plan, in that the expansion of the existing facility meets the intent of the Industrial land use designation in accordance with General Plan and more specifically the Loveridge sub-area Goal 2-G-15, to maintain industrial activities in appropriate, and Goal 11-G-6, and Policy 11-P-19, to reduce the amount of solid waste generated in the City through intensification of recycling efforts (PMC 18.16.040.e).

- f) Will not create a nuisance or enforcement problem, if the facility complies with all applicable provisions of the PMC, the conditions of this resolution and the Solid Waste Facility Permit administered by the City of Pittsburg LEA (PMC 18.16.040.f).
- g) Will not encourage marginal development within the neighborhood, in that the use is an expansion of the existing facility which has been in operation since 1995, and it will utilize vacant parcels from previous industrial uses in the immediate vicinity (PMC 18.16.040.g).
- h) Will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints, in that the use is private and does not require any additional public services (PMC 18.16.040.h).
- i) Is consistent with the City's approved funding priorities, in that there are no public funds involved with the project (PMC 18.16.040.i).

Large Recycling Facilities:

- 5. The proposed use of a large recycling facility is consistent with the following standards, included in PMC section 18.84.575.C:
 - a) The facility will be at least 150 feet from property zoned or planned for residential use.
 - b) The recycling facility will be screened from public view by operating in an enclosed building or behind dense landscaping or fencing.
 - c) Yards and landscaping requirements will comply with those provided for in the IL and IG zoning districts, where the facility is located.
 - d) All exterior storage of material will be secured and maintained in good condition. Oil storage containers will be subject to approval by the Chief Building Official and Contra Costa County Fire Protection District (CCCFPD). No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing or other screening.
 - e) The site will be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis.
 - f) Noise levels originating from the site will not exceed 60 dBA as measured at the property line of the nearest residentially zoned property, or otherwise not exceed 70 dBA.

- g) The facility will not be sited within 500 feet of property zoned, planned or occupied for residential use.
- h) No containers will be provided for after-hours donation of recyclable materials (newspaper, cardboard, aluminum cans, etc.).
- i) Donation areas will be kept free of excess litter and any other undesirable material, and the donation area will be clearly marked to identify the type of material that may be deposited. The facility will also display a notice stating that no material may be left outside the facility.
- j) The facility will be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs will meet the standards of the use. Directional signs, bearing no advertising message, will be installed subject to approval by the Planning Division.
- k) Power-driven processing, including aluminum foil and can compacting, plastic shredding, or other light processing activities, may be used as necessary for efficient temporary storage and shipment of material.

Design Review:

- 6. The proposed project, including the new SEG truck maintenance facility and surrounding improvements:
 - a) Conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that, given the industrial character of the area, the structural design of the SEG truck maintenance facility along with the new screening landscaping proposed along Loveridge Road will be consistent with other structures and landscaping on the MDRRP site and with the other surrounding industrial development.
 - b) Will not be subject to exterior and interior noise, vibrations and other factors which may tend to make the environment less desirable, in that they will be installed within an existing industrial area and to standard building code regulations.
 - c) Will not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value, in that the proposed structural design of the SEG truck maintenance facility along with the new screening landscaping

proposed along Loveridge Road will be consistent with other structures and landscaping on the MDRRP site and the existing surrounding industrial development.

- d) Will be in harmony with proposed developments on land in the general area, such as the Columbia Solar project adjacent to the site, in that the design of the site and new trucking facility are industrial in nature, similar to surrounding development.
- e) The project conforms to the applicable criteria set forth in the City's adopted Development Review Design Guidelines (DRDG), adopted by Planning Commission Resolution No. 9864 in that: 1) the new parking areas would be screened from public view behind a chain link fence with 6-foot tall shrubbery surrounding the site (DRDG IV.a); 2) the new SEG truck maintenance building would match in colors and design to the existing MDRF and RCTS facility located on the same site, immediately north of the new building (DRDG IV.p); and 3) the appearance of the continuous horizontal roof line for the new building would be broken up by the periodic placement of the nine (9) foot wide long ridge roof vents on top of the building (DRDG IV.f).

Section 3. Decision

A. Based on the findings set forth above, the Commission hereby approves Use Permit and Design Review Application No. 10-712, subject to the following conditions:

- 1. The use shall be constructed and operated in substantial conformance with the project plans, date stamped December 24, 2014, as amended on the proposed Revised Site Plan, date stamped May 14, 2015, and as presented to the Planning Commission in the staff report identified in Section 2 above, except as may be modified by the conditions below. Construction and operation of the approved use in a manner inconsistent with this use permit shall be grounds for revocation of the use permit.

Standard Conditions and Indemnification

- 2. The applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of the project approval, subsequent project approval, or other action arising out of, or in connection with, or the project approvals. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement,

City may select its own legal counsel at Applicant's sole cost and expense. The applicant may select its own legal counsel to represent applicant's interests at the applicant's sole cost and expense. The applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

3. It is the responsibility of the applicant to contact each local, state, or Federal agency for requirements that may pertain to this project.
4. The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements of the City of Pittsburgh Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City.
5. The Standard Conditions of Development as adopted by the Pittsburgh Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Standard Conditions of Development, and this Resolution, this Resolution shall prevail.
6. All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the PMC as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval.
7. Permits shall be obtained from each agency having jurisdiction over the project to the extent required by law including the City of Pittsburgh LEA, the Bay Area Air Quality Management District, San Francisco Bay Regional Water Quality Control Board and the Department of Resources Recycling and Recovery.

Use Permit Conditions

8. The Mt Diablo Resource Recovery Park shall not receive more than five thousand, five hundred (5,500) tons per day of municipal solid waste, recyclables and construction and demolition material for processing.

9. Organic processing piles shall be setback at least 80-feet from the western property line. Organic processing pile heights shall not exceed 20 feet above the nearest adjacent grade.
10. Pursuant to the applicant's letter dated May 14, 2015, and the revised site plan: i) usage of vacant land within 420 feet of the northern property line shall be limited to commodity, vehicle, and equipment storage; and ii) organics processing and/or storage of piles shall not occur within 850 feet of the northern property line.
11. The applicant shall comply with all previously approved applicable conditions of approval related to the facility, found in City Council Resolutions Nos. 95-8143, 95-8144, 95-8145 and 96-8150, and Planning Commission Resolutions Nos. 9691, 9692, 9755 and 9822. Where there is a conflict between those resolutions and this Resolution, this Resolution shall prevail.
12. The MDRRP shall be operated in a manner as directed by the City so as to ensure that the City achieves the waste diversion mandates of the California Integrated Waste Management Act (the Waste Act) or other applicable law, so long as the City's waste is processed at the MDRRP. If the Applicant fails to comply with the City's direction and fines or other penalties are assessed for failure to meet waste diversion goals, then such fines or penalties shall be borne by the Applicant, and the Applicant shall defend, indemnify and hold the City harmless for any loss, claim or action arising from or in any way connected with such failure to comply with City directives. Pursuant to Public Resources Code Section 50001(a)(2), the RCTS shall recover for recycling the percent of materials as mandated by state law. Nothing in this condition shall prevent the City from establishing additional requirements regarding waste diversion in an authorization issued under Chapter 8.05 of the Municipal Code.
13. The applicant shall monitor and provide the Community Development Director with regular accounting of the origin and quantity of all solid waste and recyclables received by, processed through, and transferred by the MDRRP for disposal or recycling. This accounting shall be in a form satisfactory to the Community Development Director, and at such times and intervals as he specifies and shall be on a jurisdiction by jurisdiction basis. The accounting shall be in addition to any applicable requirements of the state for monitoring and demonstrating compliance with state mandates related to solid waste and recycling. Copies of any reports supplied by MDRRP to other agencies shall be contemporaneously provided to the Community Development Director.

14. The applicant shall allow City staff and the LEA to conduct reasonable inspections of the property and applicant's operation of the MDRRP to ensure compliance with the conditions of approval.
15. All applicable conditions of approval provided in this resolution shall be incorporated by reference into the applicant's Solid Waste Facilities Permit and may be enforced by the LEA at its discretion in conjunction with other appropriate City departments.
16. The Community Development Director or other appropriate City official may require the applicant to update a plan or study required under any condition of approval in this resolution more frequently than otherwise called for herein, as conditions may warrant in such official's judgment.
17. Transfer of solid waste and recyclables shall be to permitted landfills and recycling receivers.
18. The MDRRP shall not generate noise in excess of 70 dBA at the property line as required by PMC Chapter 18.84.
19. The transfer operation shall be operated in a closed building to reduce exposure of waste to the atmosphere and potential odor impacts.
20. The MDRRP shall substantially comply with all the requirements of the Operations Plan and Odor Impact Minimization Plan, included as Appendix B of the Draft EIR, and as may be periodically updated.
21. A bicycle parking area shall be installed on site to accommodate a minimum of six bicycles at any given time. Design of the new bicycle rack shall be in conformance with the City's standard detail, T-9. Final location of the new bicycle rack shall be in subject to review and approval by Planning staff prior to the rack's installation, and the rack shall be installed prior to establishment of the use on site.
22. The property shall be maintained in a neat and clean manner at all times.
23. The applicant shall ensure that any items dumped along the Loveridge Road street frontage are removed at the beginning and end of each business day.
24. The entire 37-acre MDRRP site shall be surrounded by a security fence to capture any litter carried by the wind. The applicant shall remove litter from the building environs daily, and shall institute a load-covering program for hauling vehicles leaving the MDRRP.

25. The tipping floor and processing areas shall be cleaned every twenty-four (24) hours.
26. Non-recoverable solid waste stored at the MDRRP for longer than twenty-four (24) hours shall be stored inside transfer trucks under a tarp or cover. In no event shall disposable, non-recoverable solid waste be stored on site for over forty-eight (48) hours.
27. All MDRRP garbage collection trucks entering and all transfer/packer trucks exiting the site shall be covered or enclosed to prevent or minimize litter and waste material from escaping during transport.
28. Self-haulers (general public) that enter the MDRRP without trash or waste material adequately covered shall be informed by the applicant of the requirement that trucks be covered, as required by Condition No. 26. The applicant shall be responsible for cleaning up litter from self-haulers as required in Condition No. 29. The applicant shall provide notice to the public of the cover requirements in a manner satisfactory to the Director of Community Development.
29. As part of maintenance procedures, the applicant shall assign MDRRP employees to pick up litter each day along roadways within two thousand (2,000) feet of the property boundaries; to the City limits to the east of the Project; and to the Pittsburg Antioch Highway Bypass to the west of the Project. If the City Manager, or his or her designee, determines in his or her sole discretion that the applicant's litter control efforts are not adequate to meet City requirements, then he or she may require the applicant to submit a litter control plan and direct what changes are necessary in order to improve its effectiveness.
30. The interior of the MDRRP site shall be designed so that refuse cannot be retained or trapped in corners, cracks or other irregularities. All surfaces that come into contact with refuse shall be designed to be easily cleaned.
31. The drainage and waste handling systems shall be designed so that no standing water can collect in the refuse handling areas.
32. The applicant shall post signs, as specified by the Safe Water Drinking and Toxic Enforcement Act of 1986 (California Health and Safety Code Sections 25249.5, et seq., and Title 22 of the CCR, Sections 12000, et seq.) warning workers of the hazards of disturbing, handling, drilling, and/or breaking the asbestos-containing floor tiles in the conference room of the transfer facility. In addition, the tiles shall be inspected annually by personnel trained in asbestos inspection. In the alternative, the applicant may have the tiles encapsulated, or removed by a licensed asbestos abatement contractor.

33. Only non-hazardous waste shall be accepted at the MDRRP. To ensure compliance with this condition, the applicant shall prepare a (or update an existing) Hazardous Waste Exclusion Program (the "Exclusion Program") in accordance with Title 23 of the CCR, Section 2523(b) and maintain a policy of excluding hazardous waste from the MDRRP. The Exclusion Program previously submitted by the applicant shall be revised to state that no waste classified as "designated" or "hazardous" under applicable law will be accepted at the MDRRP and shall include a schedule for implementing the proposed training load checking programs. The LEA shall review and approve the updated Exclusion Program as part of the Solid Waste Facilities Permit review process, and shall specify what waste shall be excluded.
34. The applicant is prohibited from receiving hazardous wastes, or engaging in activities which would generate hazardous wastes at the MDRRP. "Receiving Hazardous Waste" does not mean hazardous material that inadvertently is unloaded at the facility (e.g. household material in mixed residential solid waste). The applicant is prohibited from handling hazardous waste substances in sufficient quantities at any one time as to require a permit under the Uniform Fire Code.
35. Management of hazardous materials used or inadvertently received at the MDRRP shall be documented consistent with Division 20, Chapter 6.95 of the Health and Safety Code (commencing with Section 25500) and subdivision (b) and (c) of section 80.103 of the Uniform Fire Code. Chapter 6.95 of the Health and Safety Code, titled "Hazardous Materials Release Response Plans and Inventory," requires the preparation of area plans and business plans. Section 80.103 of the Uniform Fire Code requires the preparation of hazardous Material Management Plans and Hazardous Materials Inventory Statements to ensure compliance with state operating regulations. These plans shall contain among other things; a complete description of personal protective equipment; procedures for handling, packing and disposing of hazardous waste found in mixed wastes inadvertently brought to the MDRRP; the maximum volume to be stored at any one time; and shall specify procedures for the proper segregation of incompatible wastes. Hazardous waste shall be stored in appropriate containers in compliance with all local, state and federal regulations and kept in an area separate from any hazardous materials used by the MDRRP in its operation or construction. These plans shall be submitted to the City, the Contra Costa County Health Services Department, and the CCFPD prior to the issuance of an expansion permit. The LEA shall ensure that these plans have been approved by the appropriate agency. The applicant shall fund the cost of outside technical support, if any.

36. The applicant shall update and maintain its Emergency Response Plan (the "ER Plan") as part of the Business Plan as required by the state Hazardous Material Release Response and Inventory Program (Health & Safety Code Section 25500, et seq.). The ER Plan shall be kept on site and include a detailed description of methods used to identify and control materials susceptible to explosion or combustion; the location, maintenance, and procedures for use of all fire control equipment; identification of responsible and trained fire-fighting personnel; location of fire extinguisher and other fire-fighting equipment and evacuation plans and procedures. The ER Plan shall also specifically address the potential for a power failure during an emergency, emergency response procedures in the event of an earthquake and shall take into account the probability that untrained visitors are likely to be present at the MDRRP. Response procedures for the site shall be submitted to and approved by the CCCFPD prior to the occupancy of the truck maintenance facility. The approved ER Plan shall be submitted to the LEA with the application packet for the Solid Waste Facilities permit.
37. All waste water generated by the MDRRP shall be collected and contained in five thousand (5,000) gallon storage tanks. The wastewater collected at the facility (holding tanks and sumps) shall be removed using vacuum tank trucks on an as-needed basis. The collected wastewater shall be monitored at a regular frequency to assure appropriate storage. . Any discharge of wastewater to the sewer shall be in compliance with the requirements and restriction specified by the Delta Diablo Sanitation District. Procedures for wastewater management at the facility shall be included in the in the Spill Prevention Control and Counter Measure Plan. (SPCCP). The Plan shall be updated to address any changes in operational and safety procedures related to future changes in wastewater management.
38. The applicant shall comply with all state and federal occupational safety and health acts ("OSHA") including but not limited to developing a procedure for protecting workers who handle and/or sort sharp materials; requiring workers to wear protective gloves; training workers to identify and safely remove sharp objects and dispose of used hypodermic needles or other inadvertently deposited medical wastes. These procedures shall be included in the Transfer/Processing Report that the applicant will submit to the LEA.
39. The applicant shall institute the following measures to control vectors and odors at the MDRRP:
- a. Regular cleaning and maintenance procedures including sweeping of the yard and tipping areas;
 - b. Handle refuse materials inside the building, rather than outdoors;

- c. Transport putrescible waste for disposal no more than forty-eight (48) hours after it is brought to the MDRRP;
 - d. Transport yard waste offsite within forty-eight (48) hours, if not composted on site;
 - e. Implement a load covering policy and program for hauling vehicles leaving the MDRRP; and
 - f. Regular cleaning of MDRRP trucks by applicant.
40. In addition to the measures required by Condition No. 39, the applicant shall implement a program to monitor the development of any vector problems, including the eradication of pests if needed. The LEA staff shall enforce the state minimum standards for handling and disposing solid waste to reduce any vector problems.
41. Upon the City's request, the MDRRP shall provide recycling programs, such as (without limitation) mixed paper and yard waste diversion programs (as used hereafter in this condition "Programs") that are consistent with and assist in the implementation of the City of Pittsburgh's Source Reduction and Recycling Element ("SRRE"). If the applicant demonstrates to the City's satisfaction that implementation of requested Programs is infeasible at the MDRRP, due to such factors as cost or suitability of the facility, the applicant shall work cooperatively with the City to develop other Programs that are feasible and will ensure that the City mandates its compliance with the Act. Any costs to reflect necessary Program changes at MDRRP shall be paid by the applicant and the cost shall not be passed on the City garbage subscribers or individuals or agencies using the MDRRP.

Design Review

42. Designs of improvements associated with the future potential rail haul operation are not approved with this resolution. Rail related improvements shall be subject to separate review, at such time when the option is exercised, in order to determine whether or not any subsequent discretionary review would be required.
43. Exterior signage is not approved at this time. No signs shall be installed until plans are reviewed and approved by the Planning Division under a separate sign permit application. Additionally, the applicant shall submit proposed signs to the LEA to ensure compliance with state minimum standards for solid waste facilities.
44. Plants installed for project landscaping shall be low-maintenance drought-tolerant varieties, requiring minimal use of pesticides to minimize potential impacts on foraging birds.

45. All landscaped areas shall be maintained in a healthy, thriving and weed free condition.

Construction Activities

46. Construction and operation of the proposed MDRRP shall not interfere with ongoing or proposed investigation, monitoring, and remediation of soils and/or groundwater at the project site. All building plans for proposed improvements shall identify the location of existing and known proposed areas of environmental investigation, monitoring, and/or remediation, including the location of existing and known proposed monitoring and extractions wells, subsurface and above ground piping, and associated treatment and storage tasks. All building plans shall be reviewed by the City to ensure that applicant's proposed improvements will continue to allow access to these areas and not impede remediation of the project site.
47. In areas of the Project site where no soil quality data is available or data is insufficient to describe the potential health risks associated with excavation and handling of soil, a soil sampling investigation shall be developed and implemented for the excavation and grading areas. The investigation shall be conducted by a qualified environmental professional to assess whether areas proposed to be excavated or graded contain concentrations that may pose a health risk to construction workers or require special handling during construction activities. Existing soil quality data shall be used, where available, to delineate the extent of contamination levels and the expected contaminant levels. The work shall be completed prior to construction and the results shall be included in the Construction Safety Plan as required by Condition 48. Development and implementation of the soil quality sampling program shall be integrated with the soil quality management required by Condition 48. The City Engineer shall confirm that the soil quality sampling program has been completed prior to the issuance of a grading permit.
48. In accordance with the guidelines provided in Title 29 of the Code of Federal Regulations (the CFR), Part 1910.120 and Title 18 of the California Code of Regulations (the "CCR"), Section 5192, the applicant shall develop, prepare and implement the Construction Worker Site Health and Safety Plan (the "Construction Safety Plan") for construction workers prior to project construction. The Construction Safety Plan shall include but not be limited to identification of areas of known contaminant releases, types of contaminants, and safety procedures for work in those areas; procedures to be undertaken in the event that unknown contamination is discovered; procedures and personnel responsible for managing contaminated soils and/or groundwater, and emergency procedures and responsible personnel. The Construction Safety Plan shall be prepared

and signed by a certified industrial hygienist and shall be included with the applicant's grading permit application. Individuals who are to perform work in areas where exposure to contaminated materials may occur must have received hazardous materials training in accordance with federal and state regulations.

49. The applicant shall ensure that all contractors on the project comply with the Construction Safety Plan and develop hazardous waste management techniques, protocols and/or methodologies for handling potentially hazardous materials that may be used during project construction. The plan shall specify types, quantities, containment, temporary storage areas, and emergency spill response procedures and shall be approved by the CCCFPD prior to project construction, as part of the standard building inspection, review and permit process.
50. Adequate sanitary disposal facilities shall be required on site during all phases of construction.
51. The applicant shall provide solid waste disposal containers on-site during all phases of construction. The accumulation of refuse and debris which may constitute an unsightly/unsafe public nuisance to surrounding properties is not permitted.
52. The applicant shall control dust during construction by water application. At minimum, active construction areas shall have to be watered at least twice daily pursuant to requirements of a site-specific Soil Management Plan (SMP) required by the restrictive land use covenant (LUC) that applies to the project site. Non-potable water shall be used from a source approved by the City Engineer (PMC, Title 15), or a nontoxic dust palliative may also be used. To prevent an increase in the potential to emit dust following grading, the project design includes stabilizing disturbed areas as soon as practical as described in Section 2.3.5. Crushed rock shall be used on perimeter and intermediate access roads and the area surrounding the substation. Areas that are not graveled or occupied by foundations shall be stabilized by re-vegetation, application of a non-toxic soil binder, or other means of stabilization.
53. The applicant shall comply with the following requirements of Title 13 of the California Code of Regulations (CCR) for diesel-fueled construction equipment to ensure that emission levels during project construction do not obstruct implementation of BAAQMD's air quality plans:
 - a. Individual diesel truck idling in excess of five consecutive minutes shall be prohibited consistent with Title 13 CCR.
 - b. Diesel-power construction equipment shall use low-sulfur diesel fuel pursuant to requirements of Title 13 of the CCR.

54. Any earth moving activity at the site shall be performed in accordance with the Soil Management Plan (SMP) and Health and Safety Plan (HSP) (USS-Posco and DTSC, 2010).
55. The project shall comply with all related water quality standards and any waste discharge requirements that might be issued. A Report of Waste Discharge may be required by the Regional Water Quality Control Board pursuant to California Water Code 13260, if the man-made drainage ditch is filled on the westerly portion of the site. This requirement is intended to ensure that the fill does not affect any beneficial uses of waters of the State.
56. If possible and as directed by the City Engineer, all grading shall be conducted between April 15 and October 15 to minimize silt runoff to the nearby channels located on the boundaries of the Project site. If grading is to be conducted during the rainy season, silt control measures described in the SWPPP's shall include, but not be limited to, creation of silt barriers (e.g. hay bales, silt fences) on the southern and/or western property boundary.
57. Any excavated contaminated soil shall be removed from the Project site and transported to a qualified disposal site; however, contaminated material shall not be transported to the Keller Canyon Landfill or to any facility that will use it as a daily cover.

Subsequent Agreements:

58. The owner shall enter into a deferred improvement agreement with the City to construct frontage improvements for the ultimate roadway design for Loveridge Road between State Route 4 and the project site. Such agreement shall be finalized prior to the issuance of a grading permit. As part of the agreement, the owner shall post a bond, a letter of credit, a certificate of deposit or some other form of financial responsibility agreed upon by the City for the cost of the improvements. Frontage improvements shall include construction of storm drain facilities, curb, gutter, and sidewalk, and undergrounding of utilities.
59. If the applicant cannot provide proof that an agreement has already been executed prior to the approval date of this resolution, then the applicant shall either enter into a Memorandum of Understanding or other agreement instrument to pay a pro-rata share fee for reconstruction and ongoing maintenance for Loveridge Road, prior to the issuance of a grading permit. The costs of reconstruction of the roadway and ongoing maintenance costs shall be determined through a City-sponsored study, and shall be based on truck trips attributed to the business, or other measurement deemed mutually acceptable by the applicant and the City.

General Engineering Conditions

60. All grading work shall be done in accordance with the provisions of PMC Chapter 15.88.
61. All site development shall comply with PMC Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers), and Title 15 (Buildings and Construction) as determined by the City Engineer. Issuance of a Site Development Permit will be required whereby specific engineering requirements will be made as conditions of approval.
62. All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.
63. To ensure safety of customers and operations personnel, the proposed access road to the SEG trucking facility shall not be constructed until the Organic Processing Operations Area is relocated. The applicant shall provide an interim access road until such time the relocation occurs.
64. The applicant shall apply for a Parcel Map Waiver or execute a Reciprocal Access Agreement for the shared use of the parking lot and driveways proposed to be used by all facilities on site.
65. The applicant shall maintain the existing access easement that benefits the USS Posco property; however, because proposed stormwater improvements on the SEG trucking site will block access to this easement, it shall be re-aligned. The re-aligned easement shall be mutually agreed upon by the applicant and the beneficiary of the existing easement, USS Posco.
66. The applicant shall comply with City and State guidelines and requirements for traffic control during construction and prior to final project acceptance.

Engineering Division Fees:

67. The applicant shall pay one half of the Engineering Grading and/or Improvement Plan Review Fee with the initial submittal of plans, maps, or other documents for plan review. The Plan Check Fees are based upon the Engineer's Estimate, which shall also be provided at the time the plans are submitted. The Improvement Plan Check fees are 6% of the cost of the improvements based upon the approved Engineer's Estimate. The Grading Plan Check Fee is 2.5% of the Engineer's Estimate, or may be based upon cubic yards of grading. The deposit(s) shall be credited toward the final fee(s) as determined at engineering permit issuance based upon the final, approved

Engineer's Estimate. The deposit shall be paid to the Engineering Department.

68. The applicant shall pay the Improvement and/or Grading Inspection Fee(s) to the Engineering Division at the time of the Grading or Single Parcel Development Permit is issued. The current Improvement Inspection Fee is 5.75% of the cost of grading, and the Grading Inspection Fee is 3% of the cost of Grading. The Grading Inspection Fee may also be based upon an approved Engineer's Estimate of total cubic yards, according to the current schedule of Grading Fee Charges.
69. The Applicant shall pay a fee of \$0.68 per square feet for increases in the area of impervious surfaces created for the project per Municipal Code Chapter 15.104

GIS Update:

70. The applicant shall pay \$.05/sf of newly constructed building to the Engineering Division at the time of Single Parcel Development Permit issuance.
71. The applicant shall pay an NPDES Plan Review (SWPPP and/or C.3 Storm Water Control Plan) fee to the Engineering Division in the amounts in effect when the applicant obtains a grading permit. The applicant understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.
72. The applicant shall pay an NPDES Inspection Deposit (SWPPP and/or C.3 Storm Water Control Plan) fee to the Engineering Division in the amounts in effect when the applicant obtains a grading permit. The applicant understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.

Community Facilities District (CFD):

73. Prior to issuance of any building permits, the applicant shall deliver written approval to the Engineering Department to annex the subject property into the Community Facilities District CFD 2005-1, which provides funding for an increase of police coverage in the area. The rate of the CFD fee is subject to the City Council Ordinance No 05-1246.

Facility Reserve Charge:

74. The applicant shall pay the City of Pittsburg Facilities Reserve Charge (PMC Chapters 13.08, 13.12 and 13.24) (the "FRC") to the Engineering Department, for water and sewer service in the amounts in effect when the applicant

obtains a building permit. The applicant understands that the current FRC on file, effective August 20, 2005, shall be paid in accordance with the fee schedule approved by Resolution No. 05-10290, and amended by Resolution No. 12-11778, on February 21, 2012, a copy of which is available at the City. The FRC shall be paid to the Engineering Division prior to the issuance of a building permit.

Traffic Conditions and Mitigation Fees:

75. The applicant shall submit a revised internal traffic circulation plan to indicate the location and type of all onsite traffic signage and pavement markings for internal circulation. The new circulation plan shall be submitted to the City's Engineering Division for review and approval prior to the issuance of a grading permit.
76. Parking stall striping shall be added to replace the relocated fuel island in front of the main MDRF, in order to ensure adequate vehicular circulation within the parking lot. Final design of the new parking stall striping shall be subject to review and approval by the City's Community Development Department.
77. The applicant shall pay the Local Transportation Mitigation Fee (PMC Chapter 15.90) (the "LTMF") amount in effect when the applicant obtains a building permit. The applicant understands that the LTMF currently on file is \$1.51/sf. The applicant further understands that the LTMF is reviewed and adjusted annually to the current Construction Cost Index (CCI) and may be increased at the City Council's discretion based on revised cost estimates for roadway and transit facilities and other factors that demonstrate an increase is needed to offset traffic impacts caused by new development. The LTMF is calculated by dividing the total fee share of improvement costs by the total number of Dwelling Unit Equivalencies ("DUE") in the City, as described in PMC Chapter 15.90 and the Pittsburgh Local Transportation Mitigation Fee Program Update, copies of which are available from the City. Fees shall be paid prior to issuance of a building permit.
78. The applicant shall pay the Regional Transportation-Development Impact Mitigation Fee (PMC Chapter 15.102) (the "RTDIM") amount in effect when the applicant obtains a building permit. The applicant understands that the RTDIM currently on file is \$1.47/sf. The RTDIM will be automatically increased or decreased on January 1 of each year based on the percent change in the Engineering News-Record Construction Costs Index – San Francisco Bay Area between September 1 and September 1 of the preceding two calendar years. Fees shall be paid prior to issuance of a building permit. If no building permit is required, then the fees are payable in the amount in effect when the project commences pursuant to PMC Section 15.102.040.

Engineering Submittals:

79. If applicable, the applicant shall submit five (5) copies of the engineering plans, prepared by a registered civil engineer, to include but not be limited to the following:
- a) A Site Plan
 - b) A Grading and Drainage Plan
 - c) A Utilities Plan
 - d) A Landscaping and Irrigation Plan
 - e) A Stormwater Control Plan and Report
 - f) An Erosion and Sedimentation Control Plan
80. The applicant shall submit a current geotechnical report that substantiates the design features incorporated into this project including, but not limited to, grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections. The geotechnical report shall be submitted to the Engineering Division for review prior to the approval of any civil plans and issuance of any Engineering permits.
81. The applicant shall submit an Engineer's Estimate with the first plans submittal. This estimate shall include all costs associated with the site development improvements, excluding those costs associated with the construction of the building structure itself.

General NPDES Conditions

82. The applicant shall submit an Erosion and Sedimentation Control Plan, or Stormwater Pollution Prevention Plan (SWPPP), if the project warrants a State General Construction Permit, to the Engineering Division. The erosion control / SWPPP shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site during the construction phase of the project to effectively prohibit the entry of pollutants into storm water runoff and project track out.
83. Submittal of grading and/or building plans shall be consistent with the approved Stormwater Control Plan to meet C.3 obligations. The plans shall include drawings and specifications necessary to implement the permanent BMPs designed in the approved Stormwater Control Plan. Grading and/or

building permits, shall not be issued until this condition is met to the satisfaction of the Engineering Department.

84. Grading and/or building permit plans (including structural, mechanical, architectural, grading, drainage, site, landscape, and other drawings) shall show the details and methods of construction for site design featured, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent stormwater control BMPs, and other features that control stormwater flow and potential for stormwater pollutants.
85. Prior to final inspection approvals by the Engineering Division, the applicant shall submit a Stormwater BMP Operation and Maintenance Plan for review and approval by the Community Development and Public Works Departments. Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans can be found on the Contra Costa Clean Water Program's web-site: www.cccleanwater.org.
86. Prior to the issuance of a new Certificate of Occupancy, the applicant shall submit the final draft of the Stormwater BMP Operation and Maintenance Plan for review and approval by the Engineering Division. The applicant shall also execute the Operations and Maintenance Agreement, which pertain to the transfer of ownership and / or long-term maintenance of stormwater treatment BMPs or hydrograph modification BMPs. The Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are found on the Contra Costa County Clean Water Program website (www.cccleanwater.org) or the Stormwater C.3 Guidebook, most current edition.

Utilities

87. The applicant shall evaluate the existing, receiving storm, sewer, and water facilities for adequate capacity and provide the results to the City to identify any service or supply problems. The cost for installation of additional facilities shall be borne by the applicant.
88. The design and construction of storm drain, water, and sewer facilities shall be in accordance with PMC section 17.28.020.
89. The applicant shall provide appropriate water service, adequately sized to meet the domestic and fire protection demands for the project.
90. The applicant shall provide appropriate sanitary sewer, adequately sized to accommodate the project's wastewater demand.
91. The applicant shall abandon the existing 6" and 10" water lines that cross Kirker Creek by capping the services at the property line.

Contra Costa County Fire Protection District

92. The applicant shall comply with CCCFPD standard requirements for: a) developer fees related to building permits, a one-time assessment that funds Fire District equipment and other improvements, and b) Benefit Assessment District fees, an annual assessment that supports District staffing.
93. Prior to the issuance of building permits, the three sets of building plans and associated plan review and inspection fees must be submitted to the CCCFPD, with reference to CCCFPD project No. 110777-PL, for review and approval to ensure compliance with fire and life safety requirements.
94. Prior to the issuance of a site development or building permit, the site plans shall be revised to include adequate emergency apparatus access roadways with all-weather driving surfaces of not less than 20 feet of unobstructed width, and not less than 13 feet, six (6) inches of vertical clearance to within 150 feet of travel distance to all portions the structure. Access roadways shall have a minimum outside turning radius of 45 feet, and an inside turning radius of 25 feet, and must be capable of supporting the imposed loads of fire apparatus, i.e. 37 tons, as required by the CCCFPD.
95. Prior to the issuance of site improvement plans, the plans must identify access gates (for CCCFPD apparatus) with a minimum width of 20 feet. Access gates shall swing inward and be setback from the public right-of-way by a minimum of 30 feet. Electrically operated gates shall be equipped with a Knox Company key-operated switch. Manually operated gates shall be equipped with a non-casehardened lock or approved CCCFPD lock.
96. C&D materials and green waste piles shall be separated from adjacent piles by fire apparatus access roadways with a minimum width of 20 feet. Piles shall not exceed 25 feet in height, 150 feet in width, and 250 feet in length, or as otherwise determined by the CCCFPD.
97. The applicant shall provide two fire hydrants for the project, and hydrant locations, as determined by the CCCFPD. Fire hydrants provided on the site must be the "East Bay" type.
98. Premise address identification shall be provided prior to the issuance of a certificate of occupancy. Such numbers shall contrast with their background and be a minimum of four inches high to be readily visible from the street.

99. The applicant shall install and maintain an automatic fire sensing, suppression and alarm system at the MDRRP in accordance with recommendations from the CCCFPD and the State Fire Marshall prior to the occupancy of the truck maintenance building.
100. In accordance with the CCCFPD requirements, the following precautions shall be instituted by the operator of the facility, unless otherwise determined by the CCCFPD:
 - a) CCCFPD approved means of monitoring and measuring the temperatures within static piles shall be used to monitor and record internal pile temperatures and be made available for inspection by the CCCFPD;
 - b) Portable fire extinguishers shall be provided on all vehicles and processing equipment;
 - c) The operator shall provide for the availability of material handling equipment during any firefighting operations at the project site;
 - d) No flammable or combustible liquid storage tanks shall be stored on the site without approval and issuance of required permits from the CCCFPD;
 - e) The operator of the C&D facility shall develop a plan for monitoring, controlling and extinguishing spot fires, subject to CCCFPD review and approval; and
 - f) Smoking shall not be permitted in spaces where flammable C&D materials are stored or handled.

Mitigation Measures

101. Air Quality - MM 3.1.1 (a): The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following:
 - a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day.
 - b) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

- c) All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour.
 - d) All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - e) Where applicable, vegetative ground cover (fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible.
 - f) A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. The designated City compliance monitoring staff and/or department shall be notified of all complaints received.
102. Air Quality - MM 3.1.1 (b): The following measures shall be implemented to reduce construction-generated mobile-source emissions:
- a) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
 - b) All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - c) Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards.
103. Air Quality - MM 3.1.2 (a): The project applicant shall demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.
104. Air Quality - MM 3.1.2 (b): The operator shall provide a report on the throughput tonnage processed at the facility that would result in operational emissions of NO_x at 90 percent of the allowable threshold of 54 pounds per day and 10 tons per year (i.e., 48.6 pounds of NO_x per day or 9 tons of NO_x per year). The report shall be included as a condition of approval of the use permit and shall be completed by a

qualified air quality professional within one year of approval of the use permit for the expansion. Project-generated tonnages and estimated emissions based on the report shall be evaluated commencing at the five-year state permit review and each year thereafter as tonnage reports are submitted to the City Department of Environmental Affairs and Development Services Department. Once the throughput tonnages reach the amount determined in the report to result in 48.6 pounds of NO_x daily or 9 or more tons of NO_x annually, the operator shall prepare and submit project-generated emissions reports, as described in mitigation measure MM 3.1.2c.

105. Air Quality - MM 3.1.2 (c): Once the project receives a tonnage throughput resulting in 90 percent of assumed NO_x emissions (48.6 pounds of NO_x per day or 9 tons of NO_x per year) as indicated by annual tonnage reports submitted to the City's Department of Environmental Affairs and Development Services Department, the operator shall obtain the services of a qualified specialist, approved by the City Development Services Department in conjunction with the Department of Environmental Affairs, to prepare and submit an annual air quality report showing project-generated NO_x emissions. The annual emissions evaluation shall identify project-generated increases in emissions over those existing at the time of the approval of the use permit, any emission reduction strategies that have been implemented (i.e., use of cleaner equipment, etc.), and any emissions offsets or additional mitigation measures, as described in mitigation measure MM 3.1.2d, that will be implemented sufficient to achieve the threshold of 54 pounds of NO_x per day or 10 tons of NO_x per year. Emissions analyses shall be submitted to the City by April 1 of the following year. Upon the City's approval of the annual air quality report, documentation of any emissions offsets or additional mitigation strategies that have been implemented shall be provided to the City within 30 calendar days.
106. Air Quality - MM 3.1.2 (d): Based on the information provided in the annual report described in mitigation measure MM 3.1.2c, the proposed project shall implement on-site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NO_x emissions to no more than 54 pounds per day or 10 tons of NO_x per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NO_x emissions may include, but are not limited to, the following:
 - a) Use of alternatively fueled vehicles and off-road equipment.
 - b) Electrification of on-site equipment.

- c) Reduction in the number of pieces of motorized equipment and/or hours of use.
 - d) Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, CARB's Tier 4i emission standards, or equivalent.
 - e) Secure emission reduction credits (ERCs) to offset NO_x emissions per BAAQMD Regulations 2-2-215, 302, and 303.
107. Hazards and Hazardous Materials - MM 3.3.2 (a): The project applicant shall either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire current project site and proposed site preparation and construction activities. The completed plan shall be implemented during all project construction activities. The plan shall address the potential for workers to be exposed to contaminated soils and shall provide specific measures to be implemented to ensure worker health and safety. These measures may include site controls, use of protective clothing, soil watering, hazard awareness training for workers, and/or emergency medical response procedures.
108. Hazards and Hazardous Materials - MM 3.3.2 (b): The project applicant shall comply with all relevant requirements of the *Covenant to Restrict Use of Property, Environmental Restriction (Re: A limited portion of County of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site L-A Property, DTSC site code number 520024), DOC-2010-0132574-00 recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010.*
109. Traffic - MM 3.7.1 (a): The proposed project shall contribute their fair share to implement the SR 4 widening project, which would result in improvements at the SR 4 Eastbound Ramps/Loveridge Road intersection that would increase capacity. These improvements include:
- a) Convert the existing configuration from a "T" intersection to a four-leg intersection.
 - b) Modify eastbound approach from its current configuration which provides one shared left-turn/through lane and one right-turn lane to provide two left-turn lanes and one right-turn lane.
 - c) Modify southbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two left-turn lanes and two through lanes.
 - d) Modify northbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two through lanes and one right-turn lane.

110. Traffic – MM 3.7.1 (b): The proposed project shall contribute their fair share to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:
- a) Install a dedicated eastbound right-turn lane on Pittsburg-Antioch Highway.
 - b) Install a second westbound left-turn lane on Pittsburg-Antioch Highway.
 - c) Upgrade existing traffic signal equipment to accommodate the changed intersection lane configurations.
111. Traffic - MM 3.7.2: The project applicant shall pay the project's fair share of the cost to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:
- a) Install an additional left-turn lane on the westbound Pittsburg-Antioch Highway approach.
 - b) Install a dedicated left-turn lane on the northbound Loveridge Road approach.
 - c) Convert the existing shared left-turn/through lane on the northbound Loveridge Road approach to be a through-only lane.
 - d) Modify signal phasing in the north/south direction from split phase to having protected left-turns.
 - e) Upgrade existing traffic signal equipment to accommodate the recommended intersection lane configurations.
112. Biological Resources - MM 3.8.1 (a): **Burrowing Owl.** Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (Staff Report), published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped.
- If burrowing owls are found during the breeding season (February 1– August 31), the project applicant shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate

buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow.

If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing one-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation, and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow.

113. Biological Resources - MM 3.8.1(b): **Swainson's Hawk**. Prior to any ground disturbance that occurs during the nesting season (March 15–September 15), a qualified biologist will conduct a preconstruction survey no more than one month prior to construction to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site.

If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the project applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and the CDFW. While the nest is occupied, project-related activities outside the 1,000-foot buffer can take place.

114. Biological Resources - MM 3.8.1(c): **Golden Eagle**. Prior to any ground disturbance that occurs during the nesting season (January 1–August 31), a qualified biologist shall conduct a preconstruction survey not more than one month prior to construction to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest are prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate

buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged.

115. Biological Resources - MM 3.8.1(e): **Nesting Bird Surveys.** If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer.

If active nest sites are identified within 200 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Term of Approval:

116. This approval will expire on May 12, 2017, unless a Solid Waste Permit has been issued by the City of Pittsburg LEA or a written request for extension is filed with the Planning Division prior to the expiration date and is subsequently approved by the Planning Commission. The term of the use permit approval for this project shall be co-terminus with the design review approval for this project.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner ____, seconded by Commissioner ____, the foregoing resolution was passed and adopted the 26th day of May 2015, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

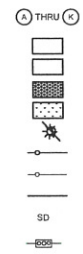
ABSENT:

I hereby certify that the above Resolution No. 10002 was adopted by the Planning Commission of the City of Pittsburg on May 26, 2015.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

RECEIVED
DEC 24 2014
PLANNING DIVISION

LEGEND



KEY TO EXISTING SIGNAGE - SEE SHEET A1 FOR SIGNS
(N) AC PAVING
(N) CONCRETE SLAB
LANDSCAPED STORMWATER TREATMENT AREA
LANDSCAPE AREA
UTILITY POLE
EXISTING FENCING - CHAINLINK
FENCING TO BE REMOVED
NEW FENCING - SLATTED CHAINLINK
SD
STORM DRAIN
BELOW GRADE JENSEN STORM WATER TREATMENT UNIT

LIST OF DRAWINGS

- A1.1 PROJECT DATA, VICINITY MAP, EXISTING SITE PLAN, EXISTING SITE ELEVATION
A1.2 PROPOSED SITE PLAN, PROPOSED SITE ELEVATION
A2 PARTIAL FLOOR PLAN - RECYCLE CENTER
A3 PARTIAL FLOOR PLAN - TRANSFER STATION PROCESSING FACILITY
A4 PARTIAL FLOOR PLAN - TRANSFER STATION TIPPING FLOOR
A5 PARTIAL SITE PLAN - MATERIAL PROCESSING AREA
A6 PARTIAL SITE PLAN - ORGANICS PROCESSING OPERATIONS AREA
A7 PARTIAL SITE PLAN - ORGANIC PROCESSING OPERATIONS AREA AND BIOMASS GASIFICATION UNIT OPERATIONS AREA (FUTURE PHASE)
A8 SEG TRUCKING MAINTENANCE FACILITY
A9 MORRP BUILDING ELEVATIONS AND ROOF PLAN
A10 SEG TRUCKING BUILDING ELEVATIONS AND ROOF PLAN
A11 SITE SIGNAGE
A12 PHOTOGRAPHS OF EXISTING FACILITY

PROJECT DATA

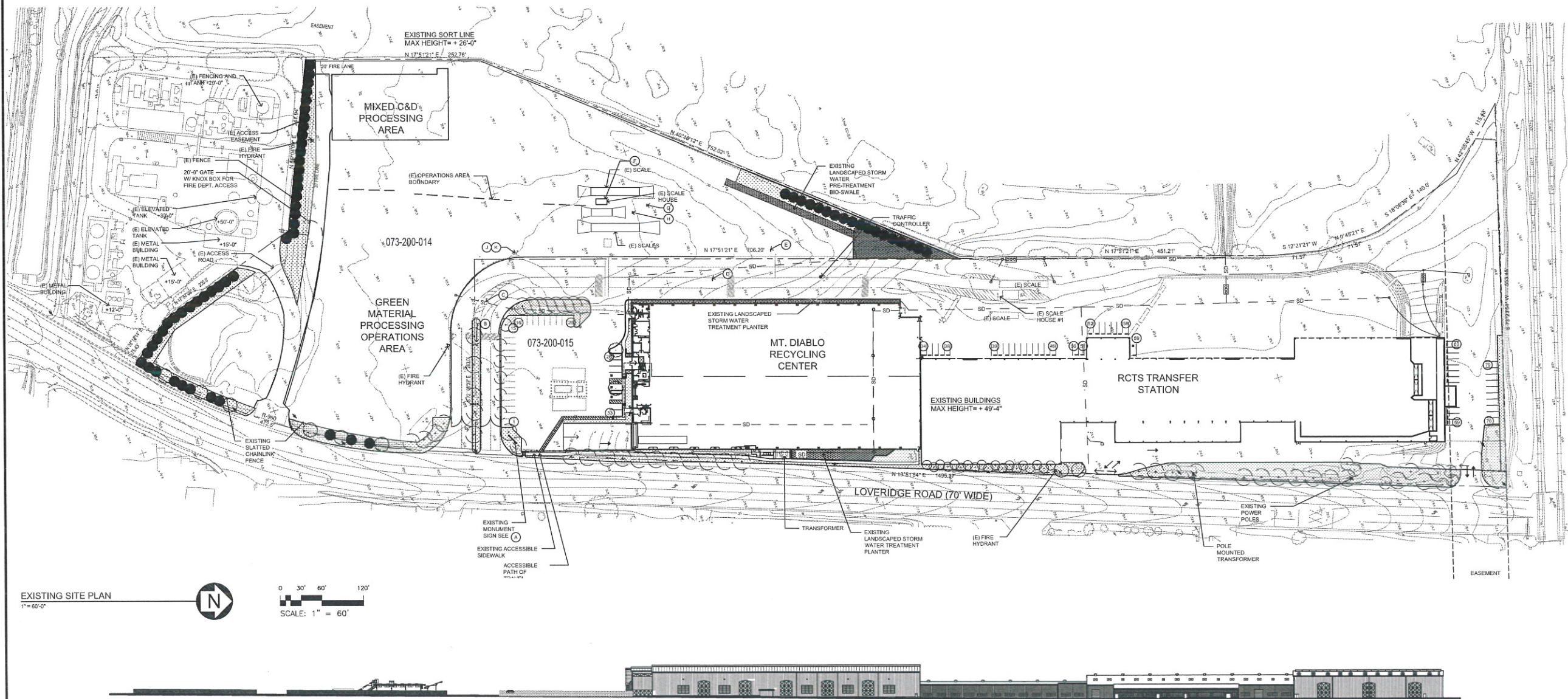
ZONE	IG (GENERAL INDUSTRIAL)
A.P.N.	073-200-014 & 073-200-015
LOT AREA	766391.9 SF (18.05 ACRES)
BUILDING AREA	260 SF
SCALE HOUSES	190,804 SF
RECYCLE CENTER / TRANSFER STATION	191,054 SF
TOTAL FLOOR AREA	
LOT COVERAGE	189,594 SF (24.7%)
FLOOR AREA RATIO (FAR)	249
LOT COVERAGE	24.7%
LANDSCAPE COVERAGE	77,955 SF (10%)
PARKING	
PARKING REQUIRED PER VARIANCE	79
PARKING PROVIDED	
ACCESSIBLE	6 SPACES
REGULAR	139 SPACES
TOTAL PARKING PROVIDED	145 SPACES

SCOPE OF WORK

SUBMITTAL FOR CONDITIONAL USE PERMIT TO INCREASE TONNAGE FROM CURRENT 1,500 TONS / DAY TO 4,500 TONS / DAY.



VICINITY MAP
No Scale



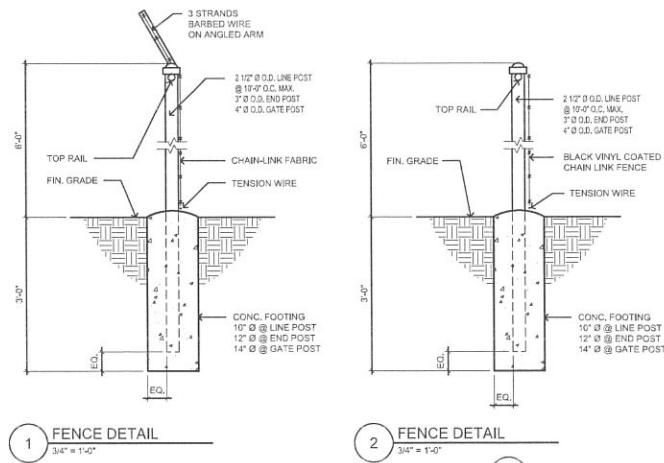
EXISTING SITE PLAN
1" = 60'-0"



0 30' 60' 120'
SCALE: 1" = 60'

SITE ELEVATION
1" = 60'-0"

Revisions	ROGER J. WILSON ARCHITECT 1601 North Main Street, # 108 - Walnut Creek - CA - 94702 Tel: 925 / 705-7019 Fax: 925 / 705-7081	Mount Diablo Resource Recovery Park Garavito Enterprises Inc. Concord, CA	PROJECT DATA, VICINITY MAP, EXISTING SITE PLAN, EXISTING SITE ELEVATION	Drawn	LI	Sheet A1.1
				Checked	RW	
				Date	12-24-14	
				Project	1336	



PROJECT DATA FOR ON-SITE LANDSCAPE AREA

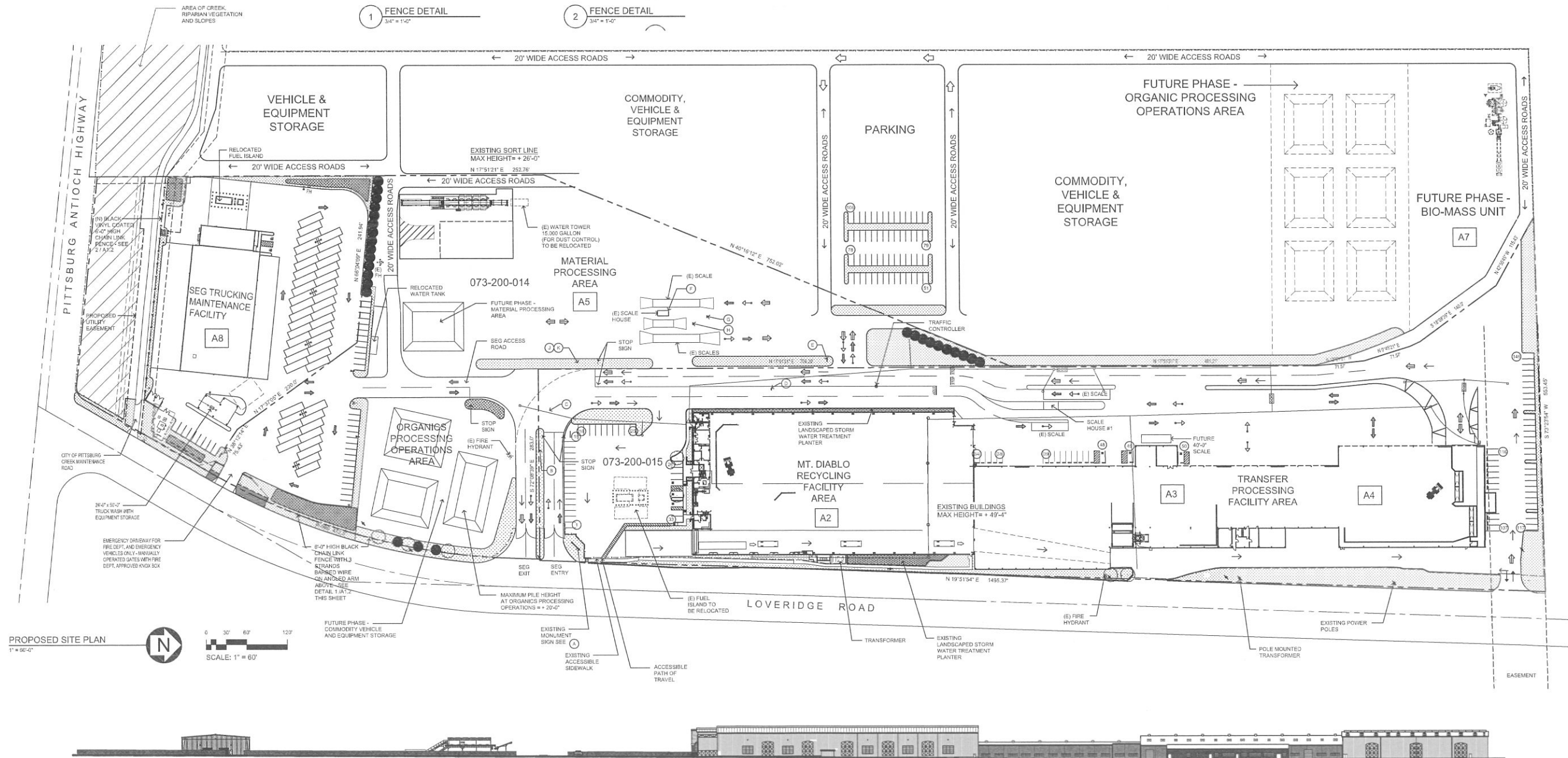
SITE AREA	1,577,118 SF (36.21 ACRES)
LANDSCAPING	115,551 SF
CREEK AND RIPARIAN AREA	43,532 SF
TOTAL LANDSCAPING	163,083 SF
PERCENTAGE OF PROJECT SITE THAT IS LANDSCAPED	10%

LEGEND

(A) THRU (K)	KEY TO EXISTING SIGNAGE - SEE SHEET A9 FOR SIGNS
(N) AC PAVING	(N) CONCRETE SLAB
LANDSCAPED STORMWATER TREATMENT AREA	LANDSCAPE AREA
UTILITY POLE	EXISTING FENCING - CHAINLINK
FENCING TO BE REMOVED	NEW FENCING - SLATTED CHAINLINK
STORM DRAIN	BELOW GRADE JENSEN STORM WATER TREATMENT UNIT
PROPERTY LINE	LEASE LINE

TRAFFIC LEGEND

→	RECYCLING
→	SOLID WASTE VEHICLE
→	PUBLIC
→	TRANSFER TRAILERS



ROGER J. WILSON
ARCHITECT

1601 North Main Street, # 108 - Walnut Creek - CA - 94702
Tel: 925 / 705-7019 Fax: 925 / 705-7081

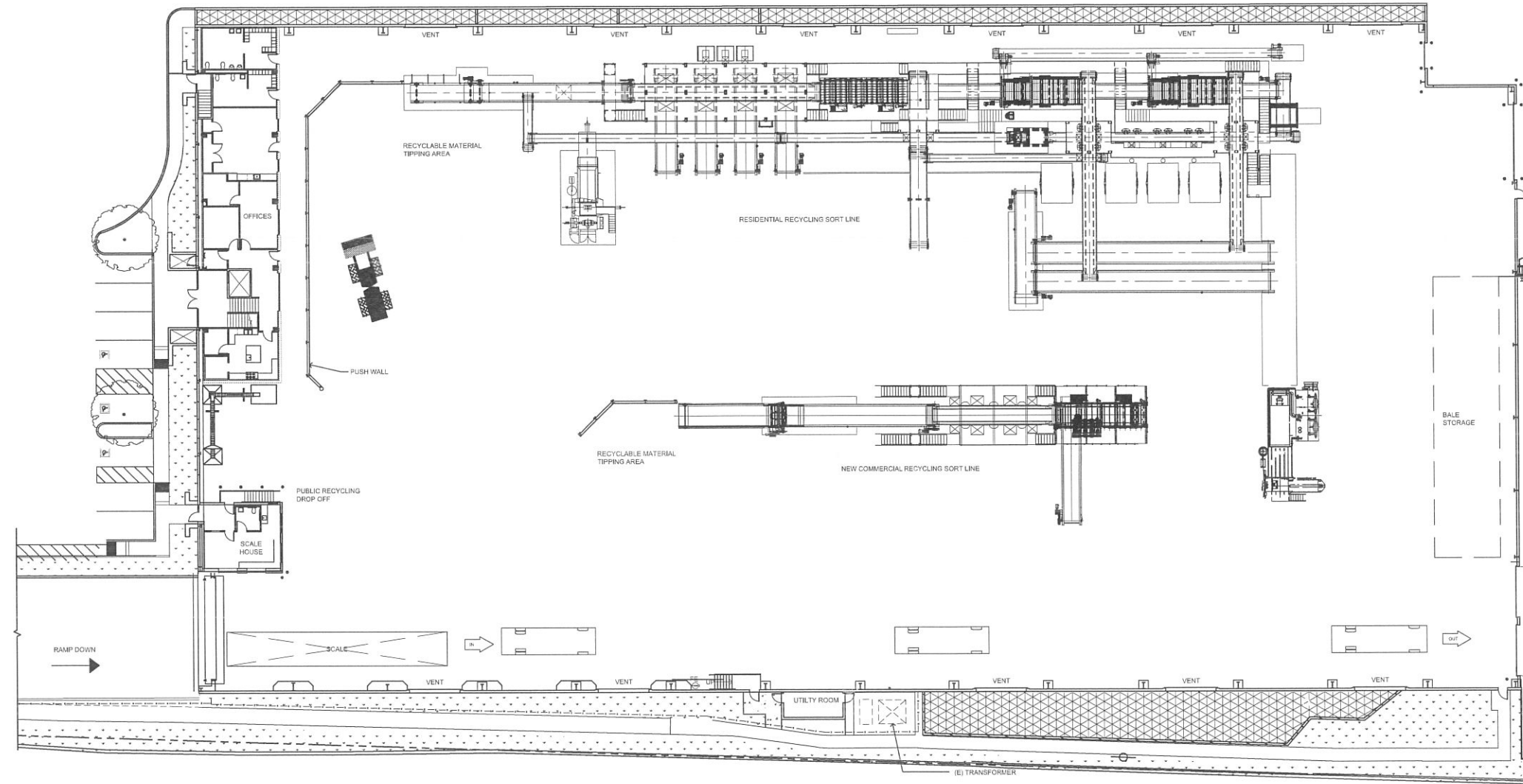
Mount Diablo
Resource Recovery Park

Garavito Enterprises Inc.
Oakland, CA

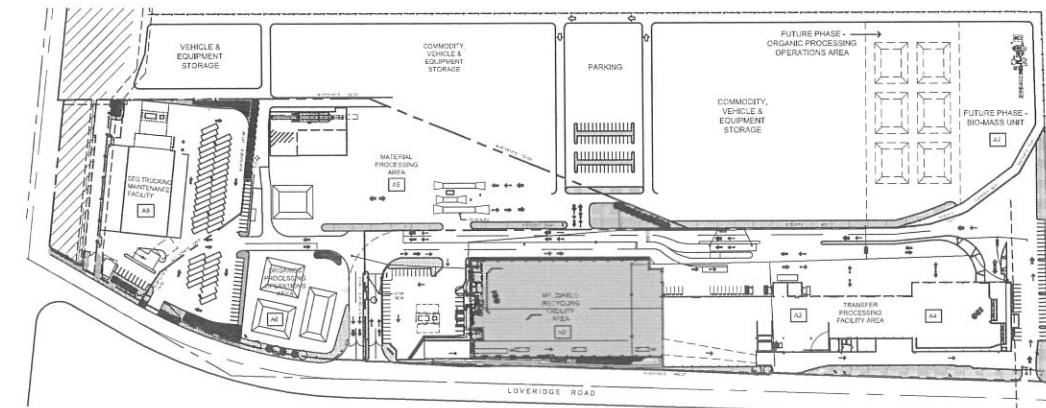
**PROPOSED SITE PLAN,
PROPOSED SITE
ELEVATION**

Drawn	LI
Checked	RW
Date	12-24-14
Project	1336

A1.2



PARTIAL FLOOR PLAN
1/16" = 1'-0"



KEY PLAN
No Scale



Revisions

ROGER J. WILSON
ARCHITECT

1601 North Main Street, # 108 - Walnut Creek - CA - 94702
Tel: 925 / 705-7019 Fax: 925 / 705-7081

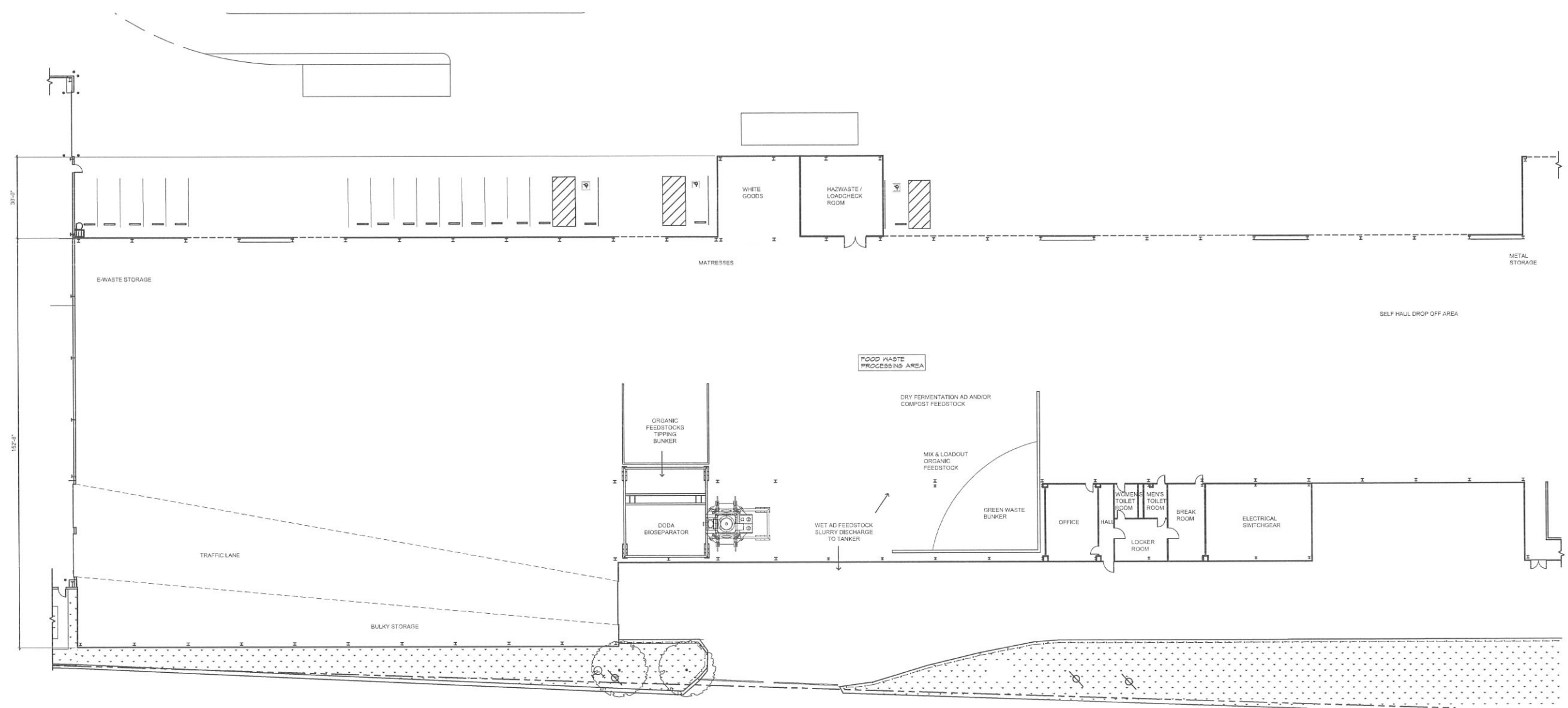
Mount Diablo
Resource Recovery Park

Garavito Enterprises Inc.
Concord, CA

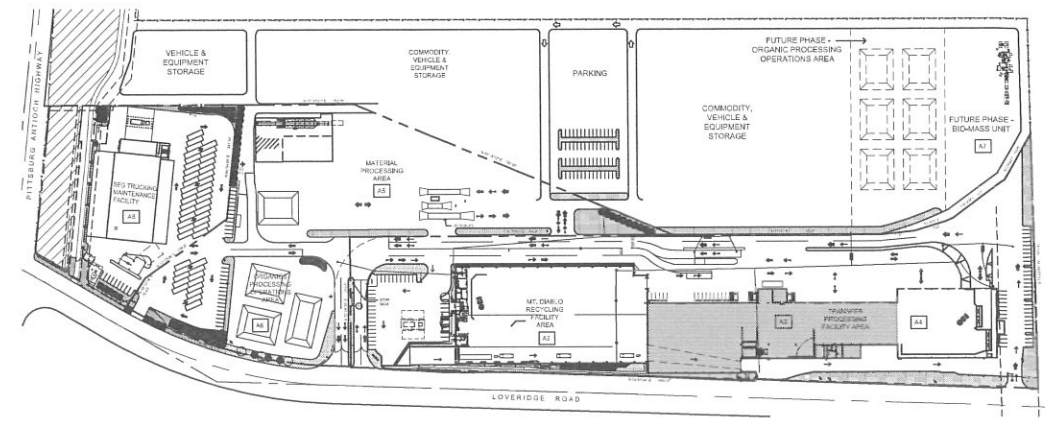
PARTIAL FLOOR PLAN -
RECYCLE CENTER

Drawn LJ
Checked RW
Date 12-24-14
Project 1336

Sheet
A2



PARTIAL FLOOR PLAN
1/16" = 1'-0"



KEY PLAN
No Scale



Revisions

ROGER J. WILSON
ARCHITECT

1601 North Main Street, # 108 - Walnut Creek - CA - 94702
Tel: 925 / 705-7019 Fax: 925 / 705-7081

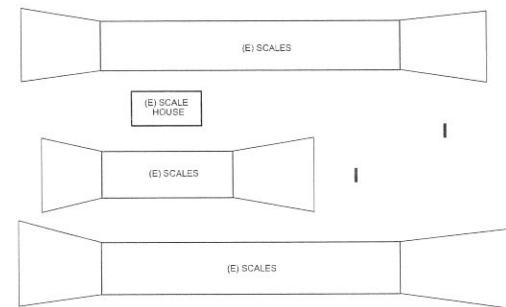
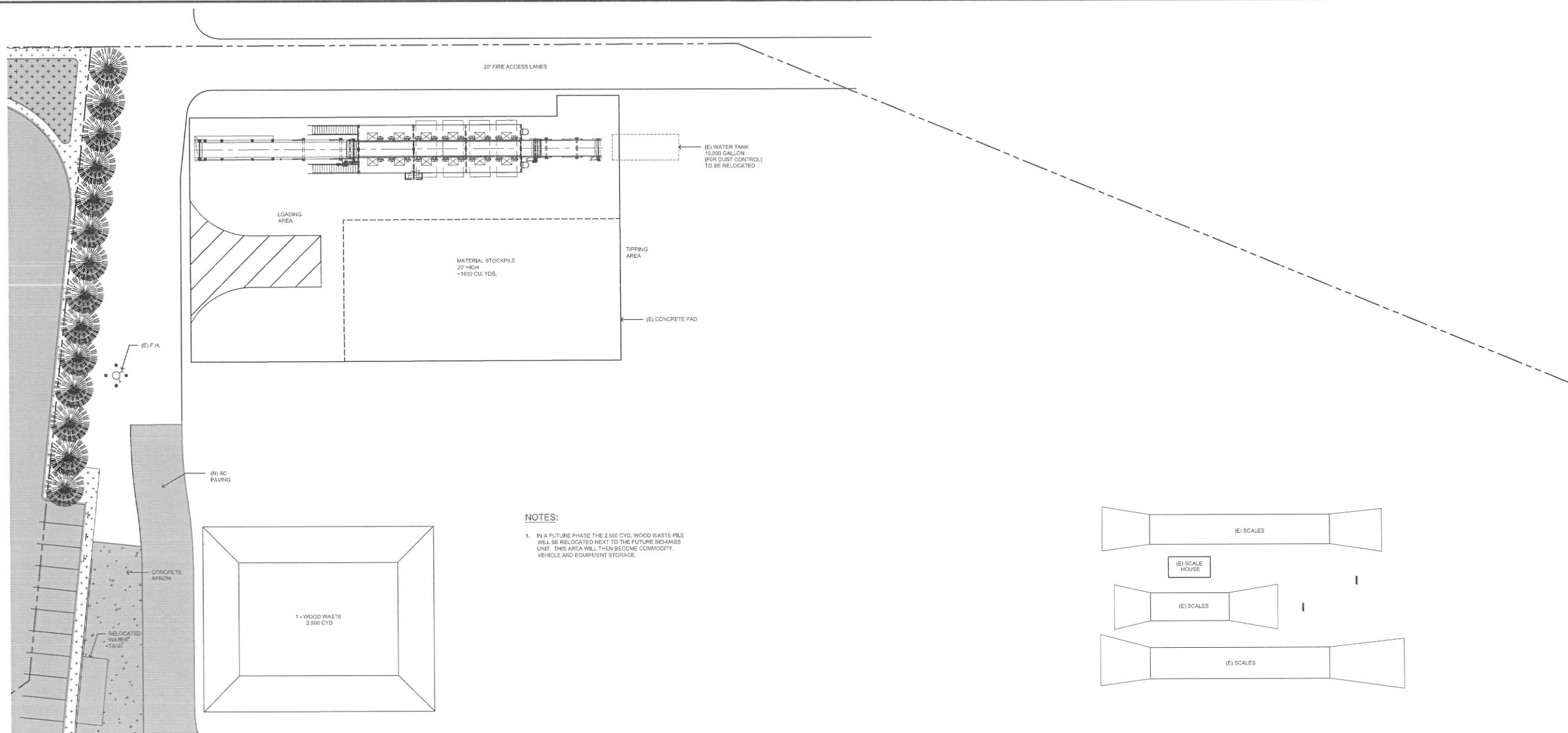
Mount Diablo
Resource Recovery Park

Garaventa Enterprises Inc.
Concord, CA

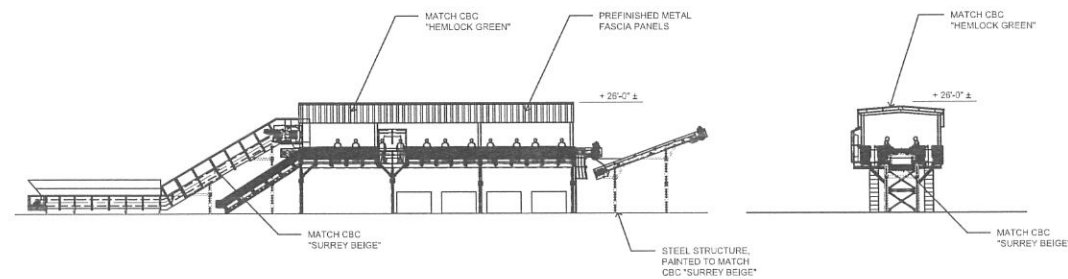
PARTIAL FLOOR PLAN -
TRANSFER STATION
PROCESSING FACILITY

Drawn	LI
Checked	RW
Date	12-24-14
Project	1336

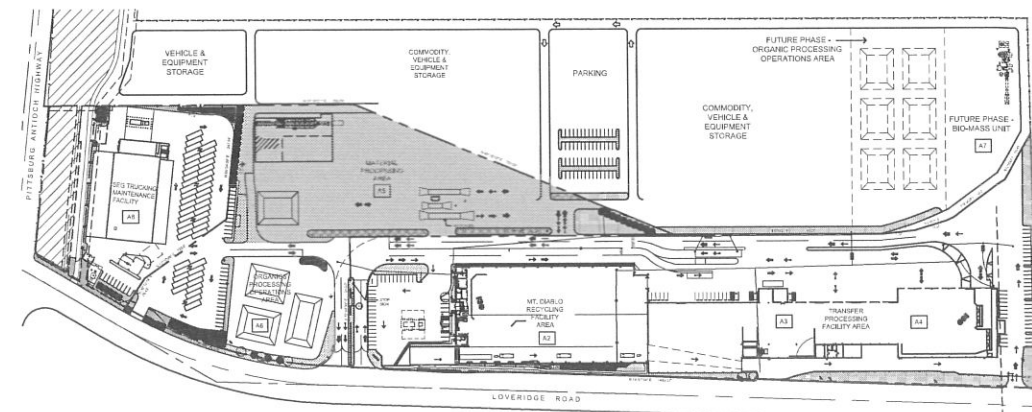
Sheet
A3



PARTIAL SITE PLAN
1/16" = 1'-0"



MATERIAL LINE ELEVATION
1/16" = 1'-0"



KEY PLAN
No Scale



Revisions

ROGER J. WILSON
ARCHITECT

1601 North Main Street, # 108 - Walnut Creek - CA - 94702
Tel: 925 / 705-7019 Fax: 925 / 705-7081

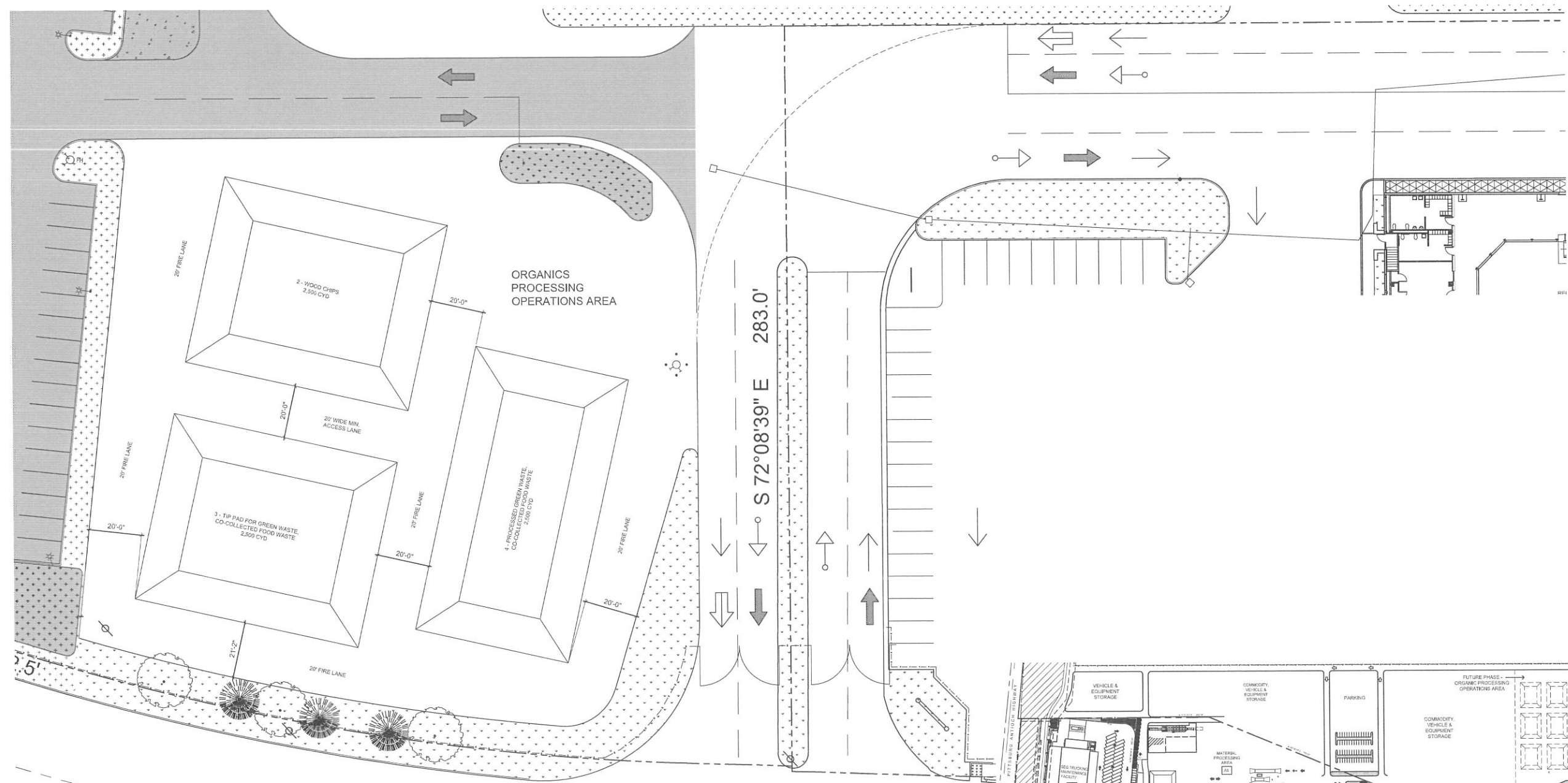
Mount Diablo
Resource Recovery Park

Garaventa Enterprises Inc.
Concord, CA

PARTIAL SITE PLAN -
MATERIAL PROCESSING
AREA

Drawn: LJ
Checked: RW
Date: 12-24-14
Project: 1336

Sheet
A5

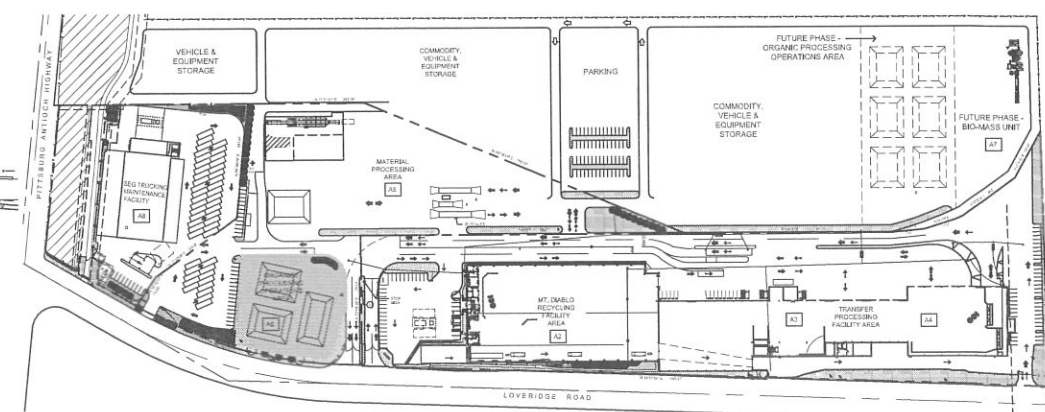


PARTIAL SITE PLAN
1/16\" = 1'-0"



NOTES:

1. THE LOCATIONS OF THE STOCKPILES AND GRINDING AREA ARE REPRESENTATIVE OF ACTUAL OPERATIONS, BUT WILL VARY IN LOCATION OVER TIME. THE SIZE OF EACH STOCKPILE IS 80 FEET WIDE AND 80 FEET LONG, AND AN AVERAGE HEIGHTS OF 15 FEET WITH PEAK HEIGHTS OF 20 FEET, OF ABOUT 2,500 CUBIC YARDS PER STOCKPILE, WITH FIRE LANES OF 15 FEET BETWEEN THE STOCKPILES. THE PAD CAPACITY IS 10,000 CUBIC YARDS WITH 2 GRINDERS OPERATING AT ANY ONE TIME.
2. IN A FUTURE PHASE THE ORGANICS PROCESSING OPERATIONS AREA WILL BE RELOCATED NEXT TO THE FUTURE BIO-MASS UNIT. THIS AREA WILL THEN BECOME COMMODITY, VEHICLE AND EQUIPMENT STORAGE.



KEY PLAN
No Scale



Revisions

ROGER J. WILSON
ARCHITECT

1601 North Main Street, # 108 - Walnut Creek - CA - 94702
Tel: 925 / 705-7019 Fax: 925 / 705-7081

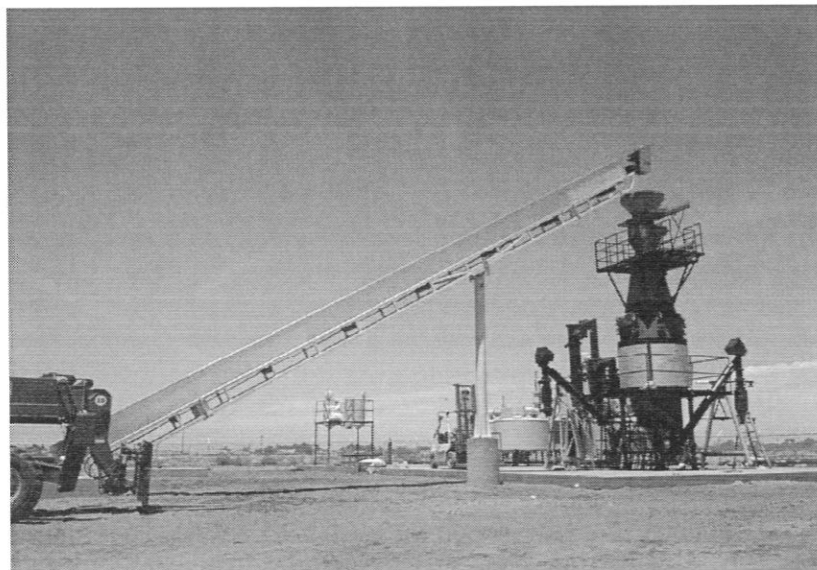
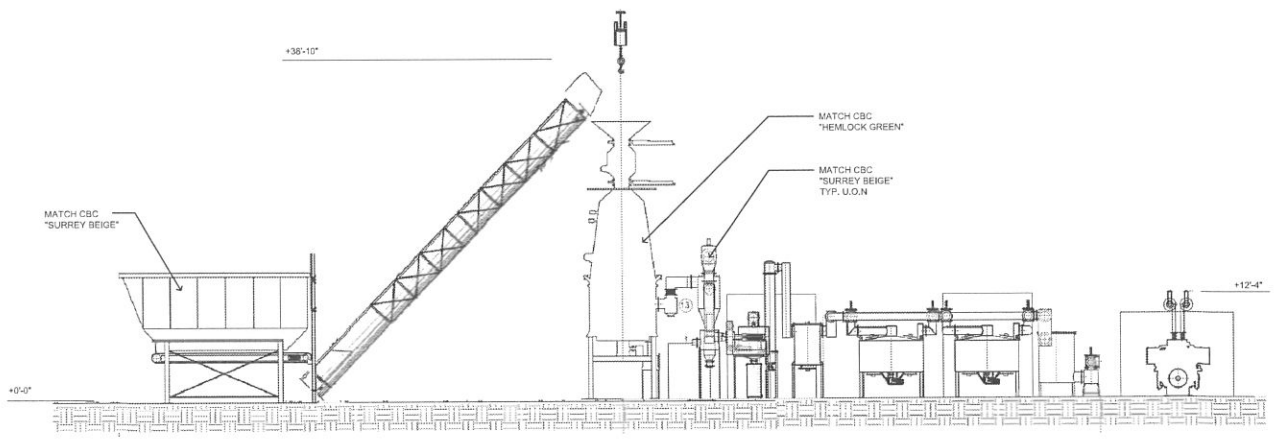
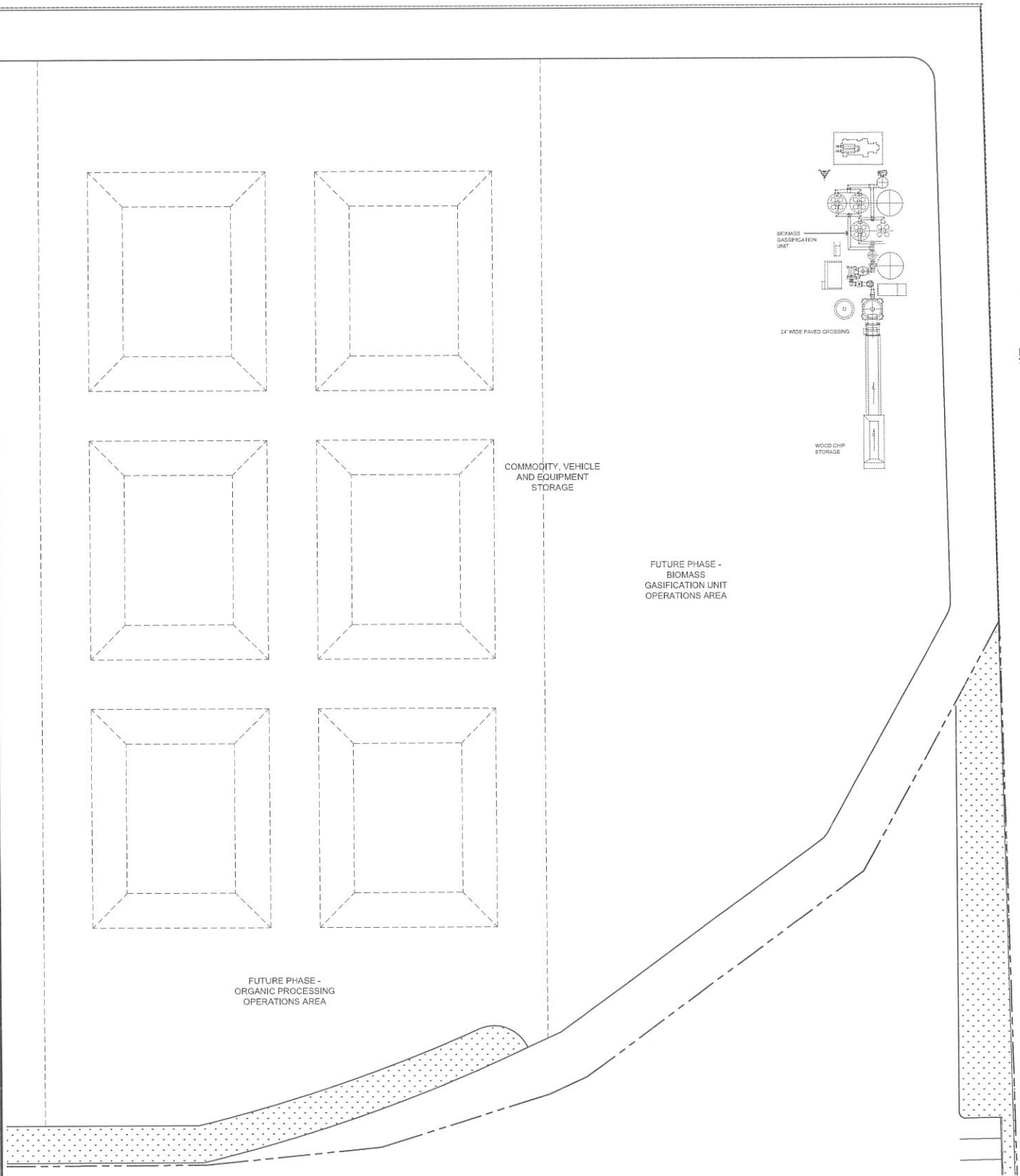
Mount Diablo
Resource Recovery Park

Garavito Enterprises Inc.
Concord, CA

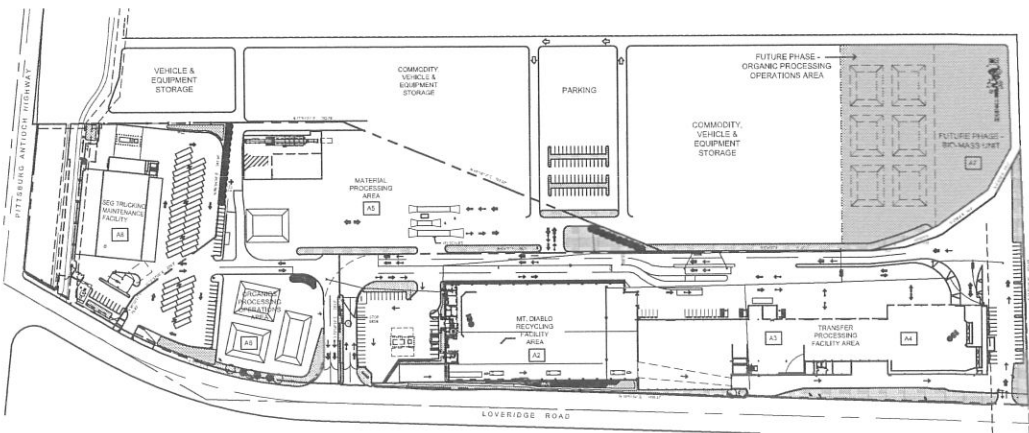
PARTIAL SITE PLAN-
ORGANICS PROCESSING
OPERATIONS AREA

Drawn	LI
Checked	RW
Date	12-24-14
Project	1336

Sheet
A6



BIO-MASS GASIFICATION UNIT PHOTOGRAPH - FUTURE PHASE



Revisions	

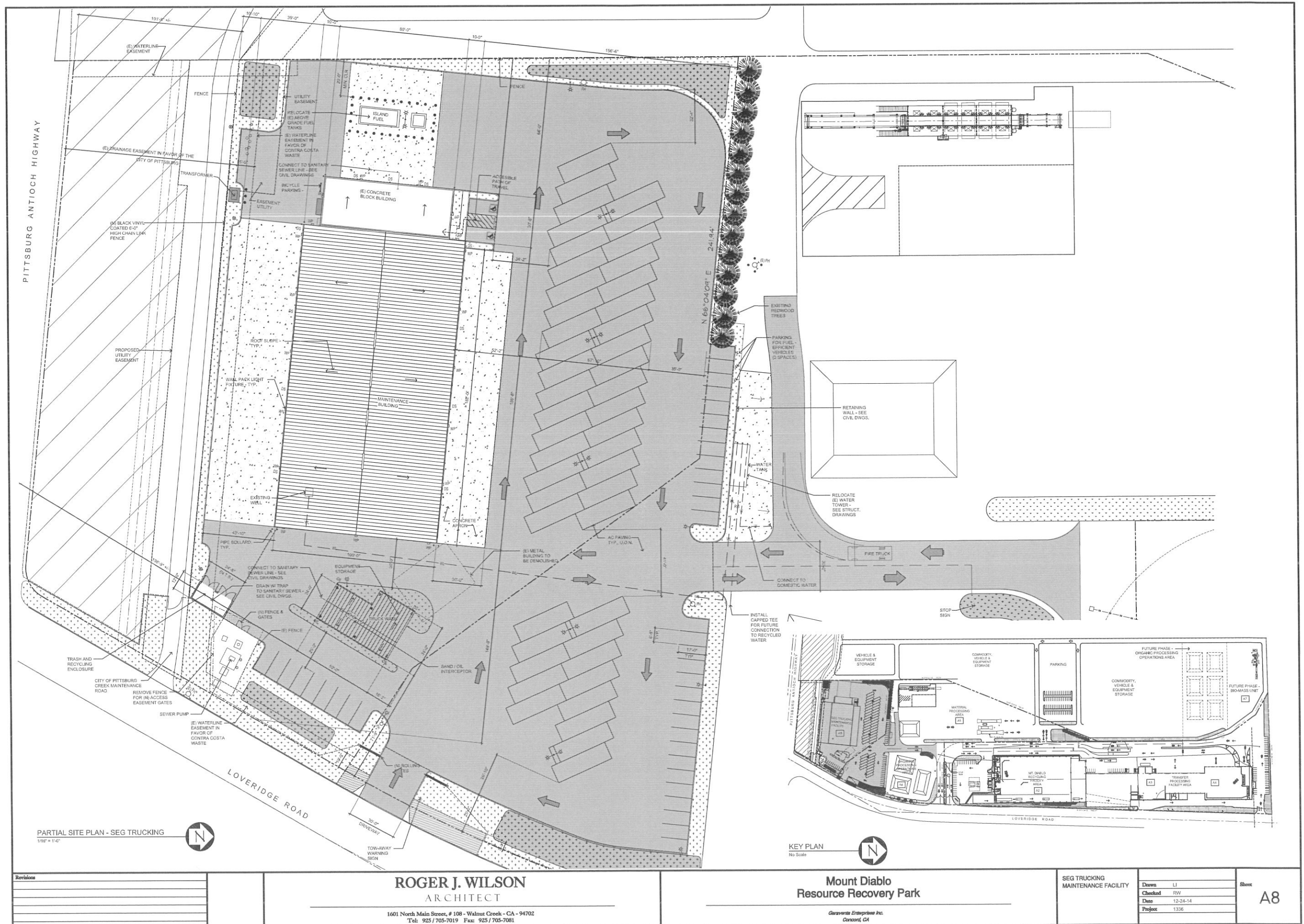
ROGER J. WILSON
ARCHITECT

1601 North Main Street, # 108 - Walnut Creek - CA - 94702
Tel: 925 / 705-7019 Fax: 925 / 705-7081

Mount Diablo
Resource Recovery Park

Garaventa Enterprises Inc.
Concord, CA

PARTIAL SITE PLAN - ORGANIC PROCESSING OPERATIONS AREA AND BIO-MASS GASIFICATION UNIT OPERATIONS AREA (FUTURE PHASE)	Drawn: LJ Checked: RW Date: 12-24-14 Project: 1336
--	---



Revisions

ROGER J. WILSON
ARCHITECT

1601 North Main Street, # 108 - Walnut Creek - CA - 94702
Tel: 925 / 705-7019 Fax: 925 / 705-7081

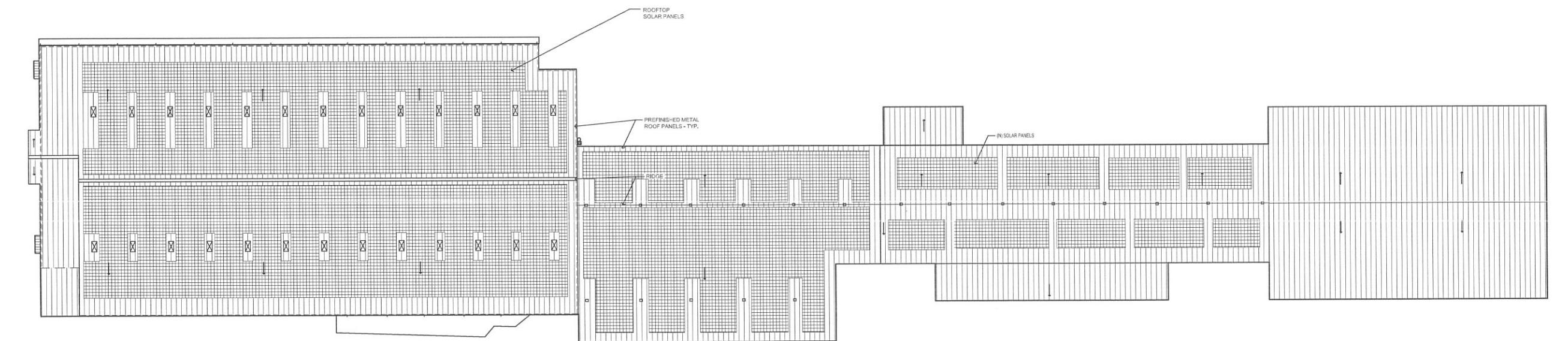
Mount Diablo
Resource Recovery Park

Garaventa Enterprises Inc.
Concord, CA

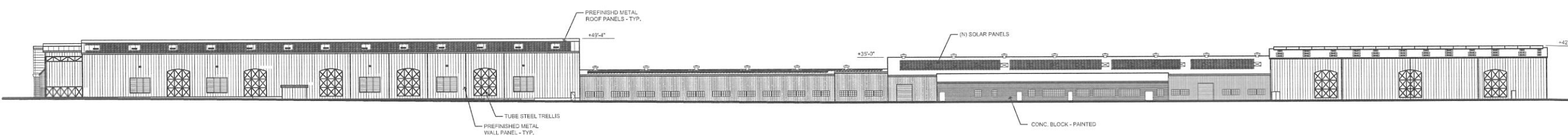
SEG TRUCKING MAINTENANCE FACILITY

Drawn	LI
Checked	RW
Date	12-24-14
Project	1336

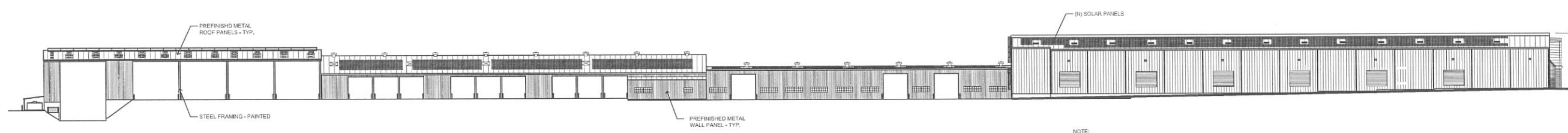
Sheet	A8
-------	----



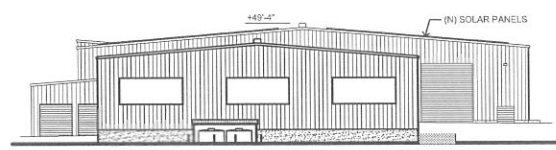
ROOF PLAN
1/32" = 1'-0"



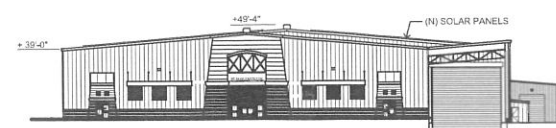
EAST ELEVATION
1/32" = 1'-0"



WEST ELEVATION
1/32" = 1'-0"



NORTH ELEVATION
1/32" = 1'-0"



SOUTH ELEVATION
1/32" = 1'-0"

NOTE:
SOLAR PANELS MOUNTED AT 10°
ANGLE FACING SOUTH

Revisions

ROGER J. WILSON
ARCHITECT

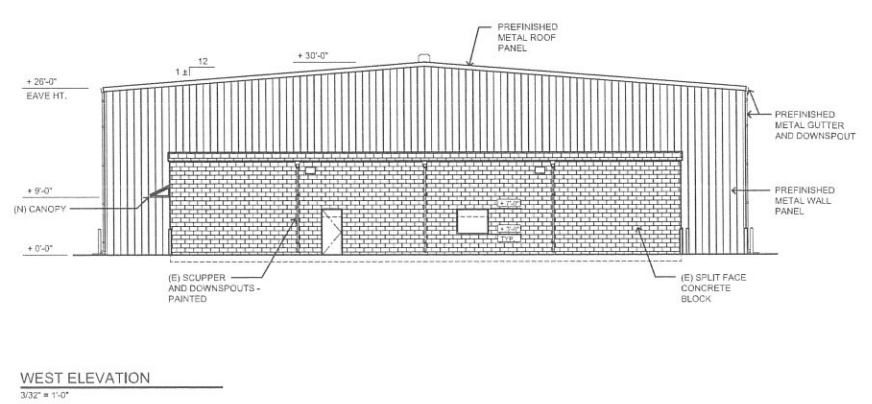
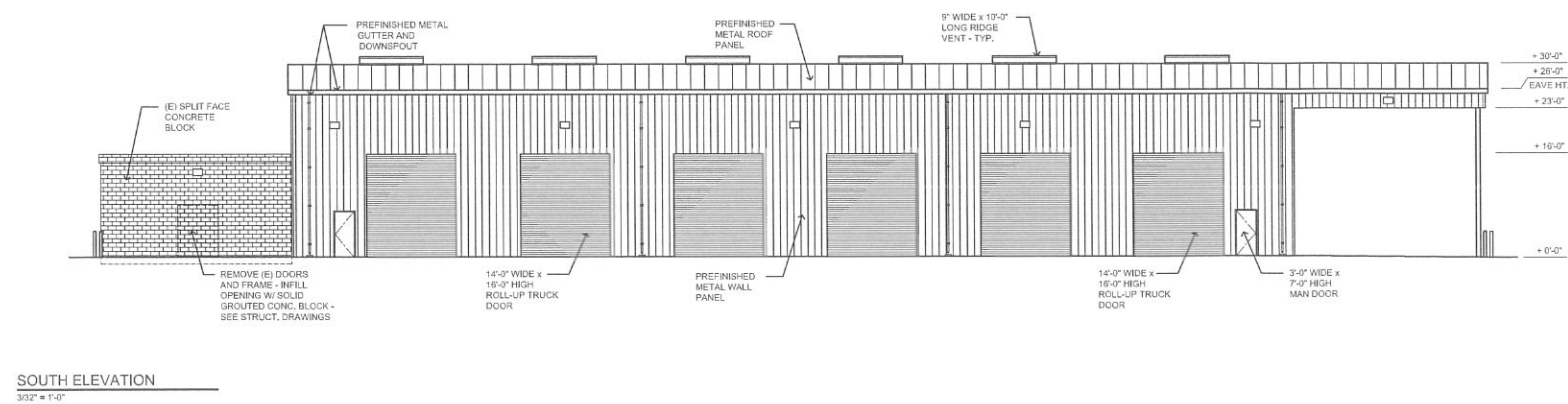
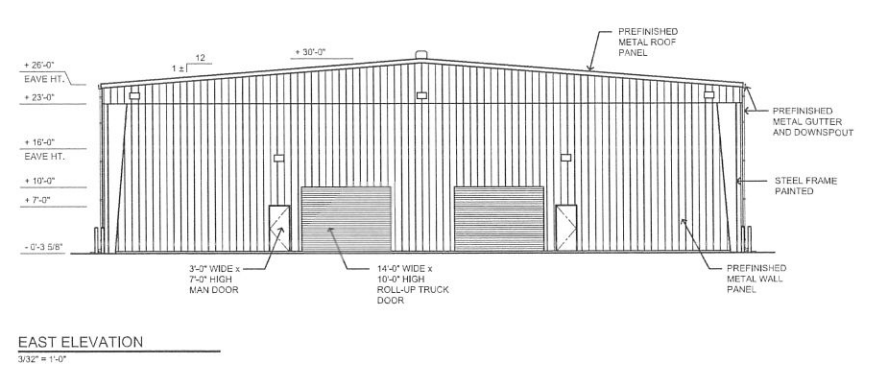
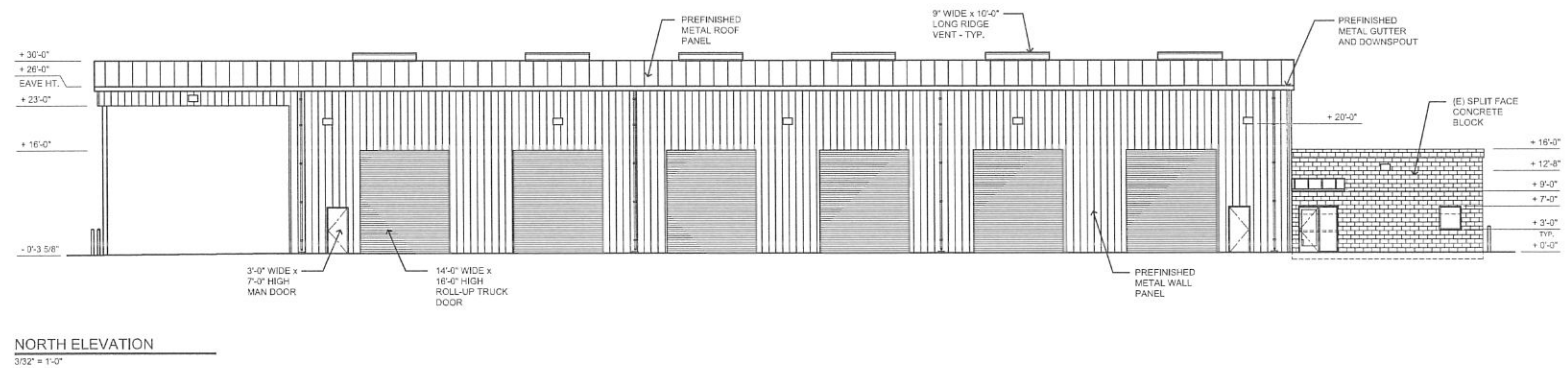
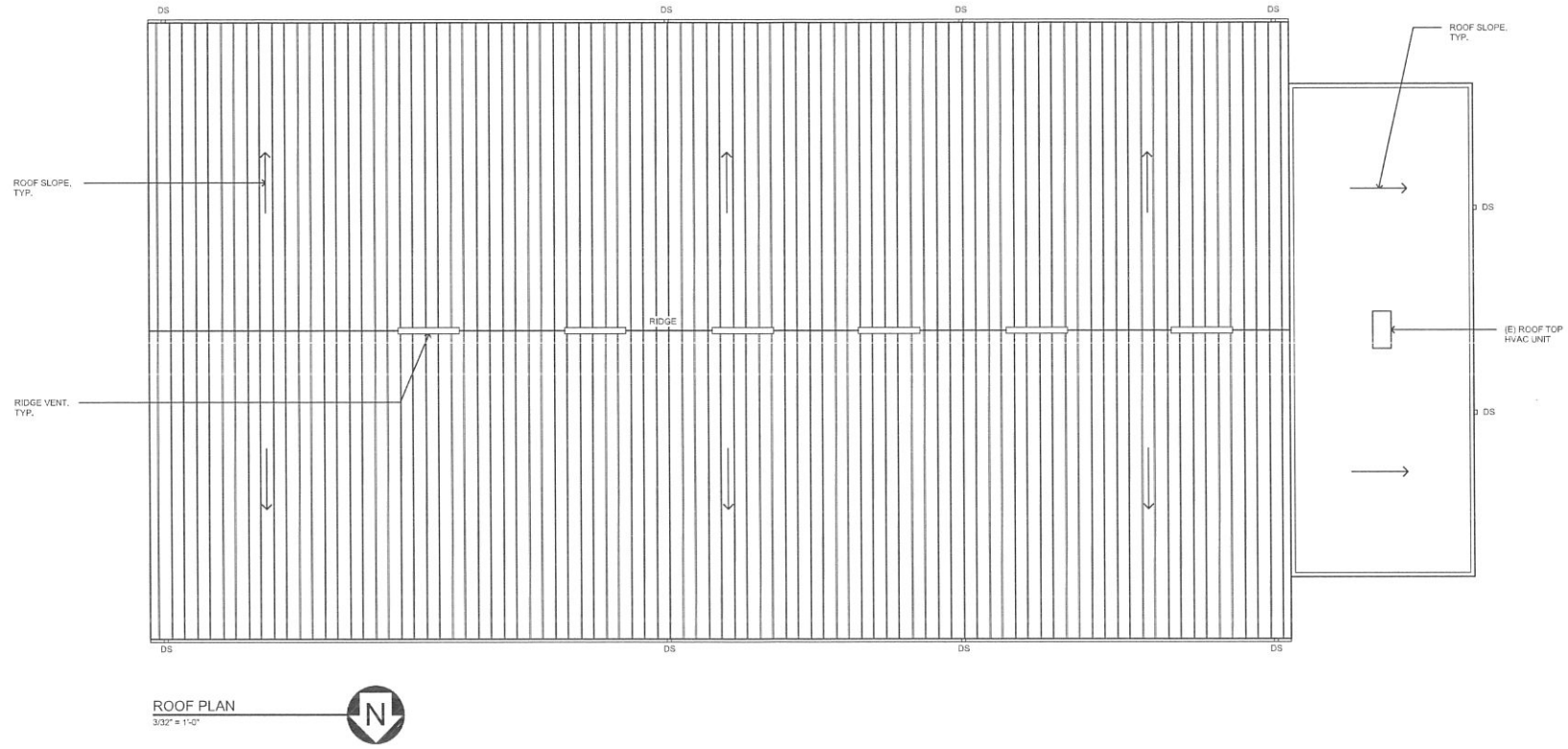
1601 North Main Street, # 108 - Walnut Creek - CA - 94702
Tel: 925 / 705-7019 Fax: 925 / 705-7081

Mount Diablo
Resource Recovery Park

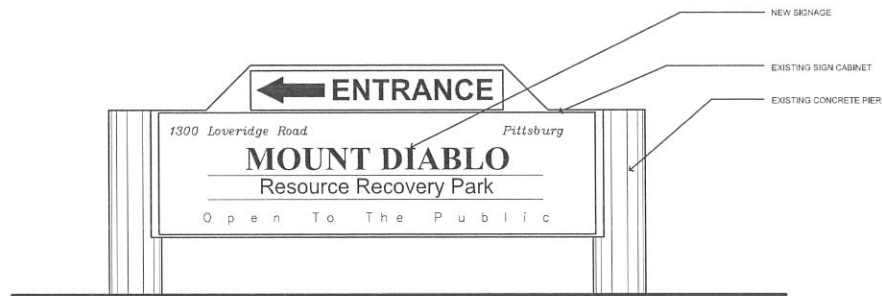
Garaventa Enterprises Inc.
Concord, CA

MDRRP BUILDING
ELEVATIONS AND ROOF
PLAN

Drawn	LI
Checked	RW
Date	12-24-14
Project	1336



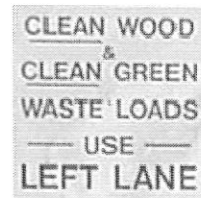
Revisions	ROGER J. WILSON ARCHITECT		Mount Diablo Resource Recovery Park		SEG TRUCKING BUILDING ELEVATIONS AND ROOF PLAN	Drawn LJ		Sheet A10
						Checked RW		
						Date 10-24-14		
						Project 1336		
		1601 North Main Street, # 108 - Walnut Creek - CA - 94702 Tel: 925 / 705-7019 Fax: 925 / 705-7081		Garavento Enterprises Inc. Concord, CA				



A MONUMENT SIGN
1/2" = 1'-0"



B SIGN
No Scale



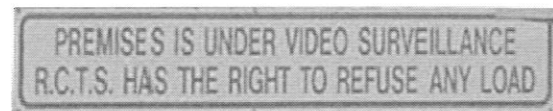
C SIGN
No Scale



D SIGN
No Scale



E SIGN
No Scale



F SIGN
No Scale



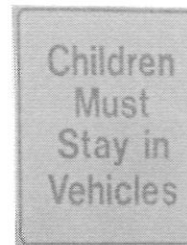
G SIGN
No Scale



H SIGN
No Scale



J SIGN
No Scale

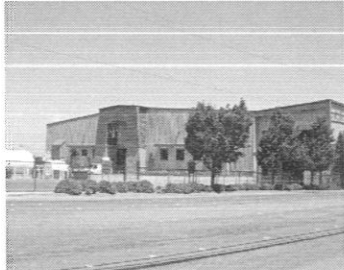


K SIGN
No Scale

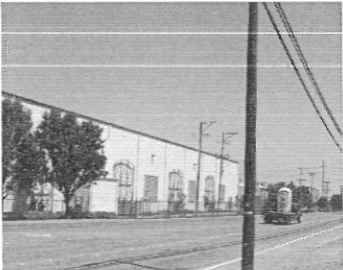
Revisions		ROGER J. WILSON ARCHITECT 1601 North Main Street, # 108 - Walnut Creek - CA - 94702 Tel: 925 / 705-7019 Fax: 925 / 705-7081	Mount Diablo Resource Recovery Park Garaventa Enterprises Inc. Concord, CA	SITE SIGNAGE	Drawn LJ	Sheet	
					Checked RW		
					Date 12-24-14		
					Project 1336		
					A11		



ENTRANCE SIGN
1/32" = 1'-0"



SOUTH END - RECYCLING BUILDING
1/32" = 1'-0"



RECYCLING BUILDING - LOVERIDGE RD.
1/32" = 1'-0"



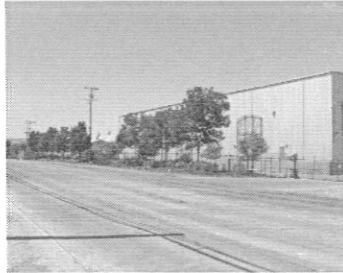
TRANSFER PROCESSING - LOVERIDGE RD.
1/32" = 1'-0"



TRANSFER PROCESSING - LOVERIDGE RD.
1/32" = 1'-0"



TRANSFER PROCESSING - LOVERIDGE RD.
1/32" = 1'-0"



TRANSFER PROCESSING - LOVERIDGE RD.
1/32" = 1'-0"



MATERIAL PROCESSING AREA
1/32" = 1'-0"

Revisions



ROGER J. WILSON
ARCHITECT

1601 North Main Street, # 108 - Walnut Creek - CA - 94702
Tel: 925 / 705-7019 Fax: 925 / 705-7081

Mount Diablo
Resource Recovery Park

Garaventa Enterprises Inc.
Concord, CA

PHOTOGRAPHS OF
EXISTING FACILITY

Drawn	LI
Checked	RW
Date	12-24-14
Project	1336



Contra Costa Waste Service

reduce • reuse • recycle • respect • recover

A Garaventa Company

May 14, 2015

VIA EMAIL

Kristin Pollot
Planning Manager
City of Pittsburg
65 Civic Ave
Pittsburg, CA 94565

RECEIVED
MAY 14 2015
BUILDING DIVISION

**Re: Mt. Diablo Resource Recovery Park - Revised Site Plan &
Applicant Initiated Conditions of Approval**

Dear Kristin,

Pursuant to our discussions, and in preparation for the May 26th, 2015 Planning Commission meeting, please find the attached revised master site plan dated 5-7-2015 for the Mount Diablo Resource Recovery Park.

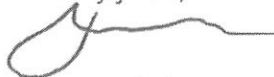
For the record, we are in full agreement with all of the assumptions, conclusions and recommendations as set forth in both the DEIR & FEIR, including the proposed Mitigation Measures which we conclude to be fully adequate as currently presented.

However, in an effort to address concerns, which have been raised from our neighbors, we have chosen to slightly modify our proposed master site plan. As the attached May 7th revised master site plan depicts, the revised plan will provide several measures designed to alleviate concerns raised by our neighbors by (i) relocating our future phase Bio-Mass Unit to the South of its previously planned location, and (ii) creating two setbacks (shown on the revised site plan as the "Good Neighbor Setback" and the "Organic Processing Operations Setback") for the benefit of our neighbors to both the North and to the West. As an additional courtesy to our neighbors to the East, we are also proposing to fully relocate our entire materials and organics processing operations area off of Loveridge Rd and to the center of the site, whereby our existing building can act as a buffer for dust and debris. This will also provide for a much more appealing presence for the entire site along the frontage of Loveridge Rd.

Please incorporate this letter and the provisions of the attached revised site plan into our Use Permit Application. Also, please include the "Good Neighbor Setback" (which would require applicant to use the area within the 420 foot setback from the northern border of the real property parcel identified as 073-200-021 for only commodity, vehicle, and equipment storage) and the "Organics Processing Operations Setback" (which would require applicant to refrain from any storage or processing of organic materials within the 850 foot setback from the northern border of the real property parcel identified as 073-200-021) as applicant initiated Conditions of Approval.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely yours,

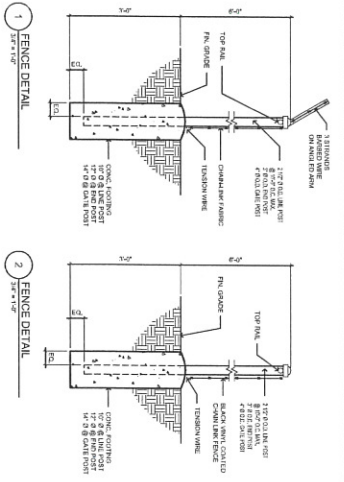
A handwritten signature in dark ink, appearing to read 'Mike Bonnifield', with a long horizontal flourish extending to the right.

Mike Bonnifield
Corporate Counsel

CC: Joe Garaventa
Edward Shaffer
Cory Anderson
Brendan Beasley
Michael Ziegler
Chris Odne
Patricia Curtin

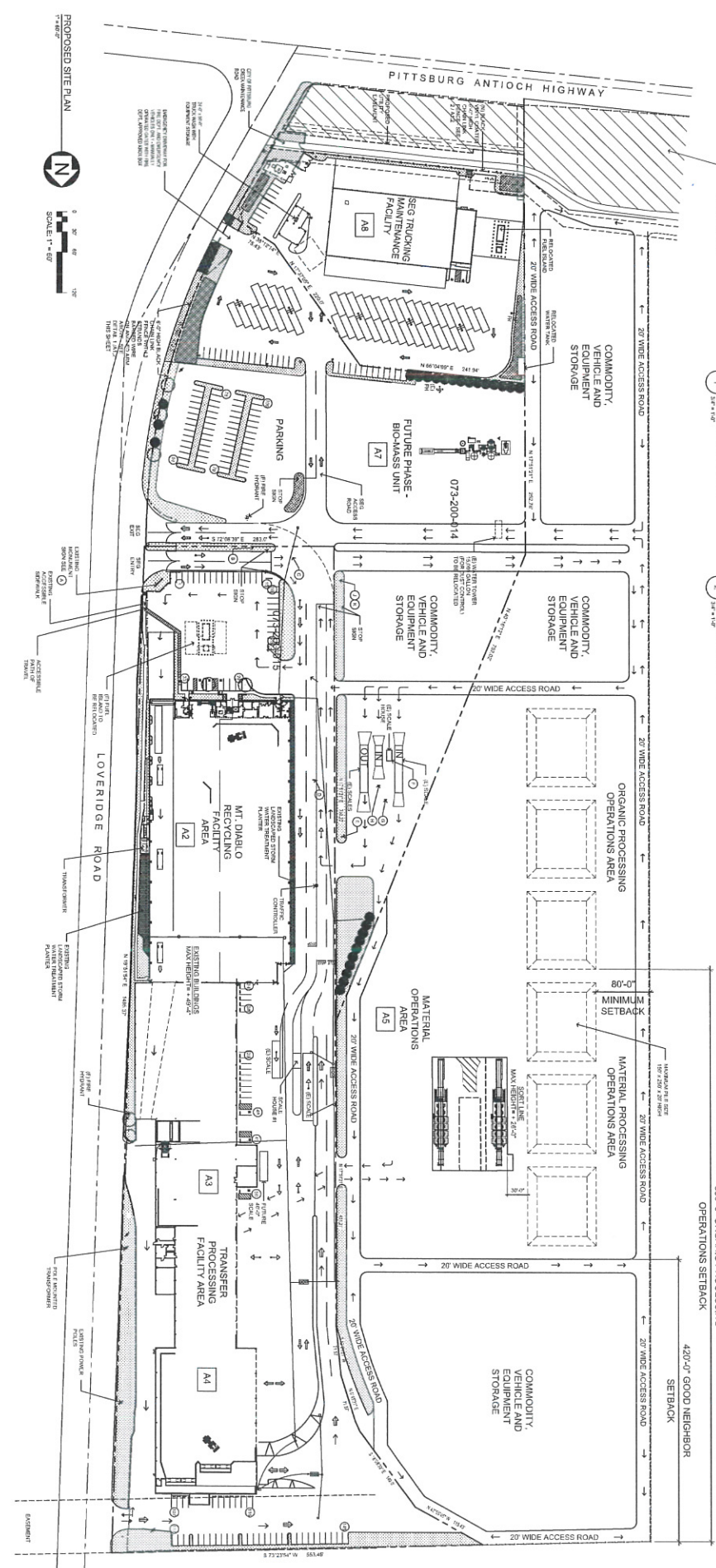
ATTACHMENT: REVISED SITE PLAN, SHEET A1.2A, DATED 05-07-15

RECEIVED
MAY 14 2015
BUILDING DIVISION



PROJECT DATA FOR ON-SITE LANDSCAPE AREA

Site Area: 1.00 AC
 Total Landscaped Area: 1.00 AC
 Total Area: 1.00 AC



ROGER J. WILSON
 ARCHITECT

Mount Diablo
Resources Recovery Park

PROPOSED SITE PLAN

Drawn	U
Checked	NOV 20 2014
Typed	11/20/14

A1.2A



MEMO

To: Kristin Pollot, Planning Manager
City of Pittsburgh

From: Patrick Hindmarsh

Cc: Joan Lamphier, JML Planning

Date: May 15, 2015

Re: Mt. Diablo Resources Recovery Park Site Plan Reconfiguration

The project applicant has proposed changes to the site plan compared to that analyzed in the Mt. Diablo Resources Recovery Park EIR, as shown in the May 7, 2015 revised site plan and described in the May 14, 2015 memo from Mike Bonnifield. The changes to the site plan are as follows:

- The Biomass unit would be located on the southern portion of the site assumed in the EIR for a material processing area.
- The organics processing area would be moved from the east portion along Loveridge Road to the center of the site.
- The area along Loveridge Road assumed in the EIR as the organics processing area would be used for parking.

In general, the locations of individual project components were not specifically analyzed, as the project components would involve similar activities, with movement and storage of various types of refuse over the entire site and operation of heavy mobile equipment and stationary equipment. However, because the Biomass unit could generate toxic air contaminants, its location was considered in the analysis. While the site plan in the EIR shows the Biomass unit on the northern portion of the site, it was considered in the Heath Risk Assessment (Air Permitting Specialists, *Analysis of Air Quality Impacts and Greenhouse Gas Emissions, Mount Diablo Resources Recovery Park, 2014*) on the southern portion of the site, closest to existing and future sensitive receptors. Therefore, the worst-case scenario analyzed in the EIR with respect to the location of the Biomass unit adequately addresses the site configuration currently proposed by the applicant. There would be no new impacts, and no further analysis is required.



City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **PLANNING COMMISSION** of the City of Pittsburg will conduct a public hearing on:

DATE: May 26, 2015
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Mt. Diablo Resource Recovery Park, AP-10-712 (UP, DR).

This is a public hearing on a request for: 1) approval of a use permit for the operational expansion and reorganization of the existing Mt Diablo Recycling Facility (MDRF) and the Recycling Center and Transfer Station (RCTS) on a 36-acre site, and 2) design review approval of plans to construct a new approximate 18,000 square foot building and site improvements for an onsite truck maintenance facility. The expanded and reorganized facility would be renamed as the Mt Diablo Resource Recovery Park (MDRRP). The Commission is also being asked to consider the Final Environmental Impact Report (EIR) prepared for the project. The project site is located at 1300 Loveridge Road. The western portion of the property is the IG (General Industrial) District and the eastern portion of the property is within the IL (Limited Industrial) District. Assessor's Parcel Numbers 073-200-013; -014; -015; -024; and portions of 073-200-023.

PROJECT PLANNER: Kristin Pollot, (925) 252-6941 or kpollot@ci.pittsburg.ca.us

Why am I receiving this notice? You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

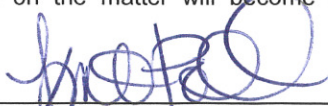
Where can I get more information about this project?

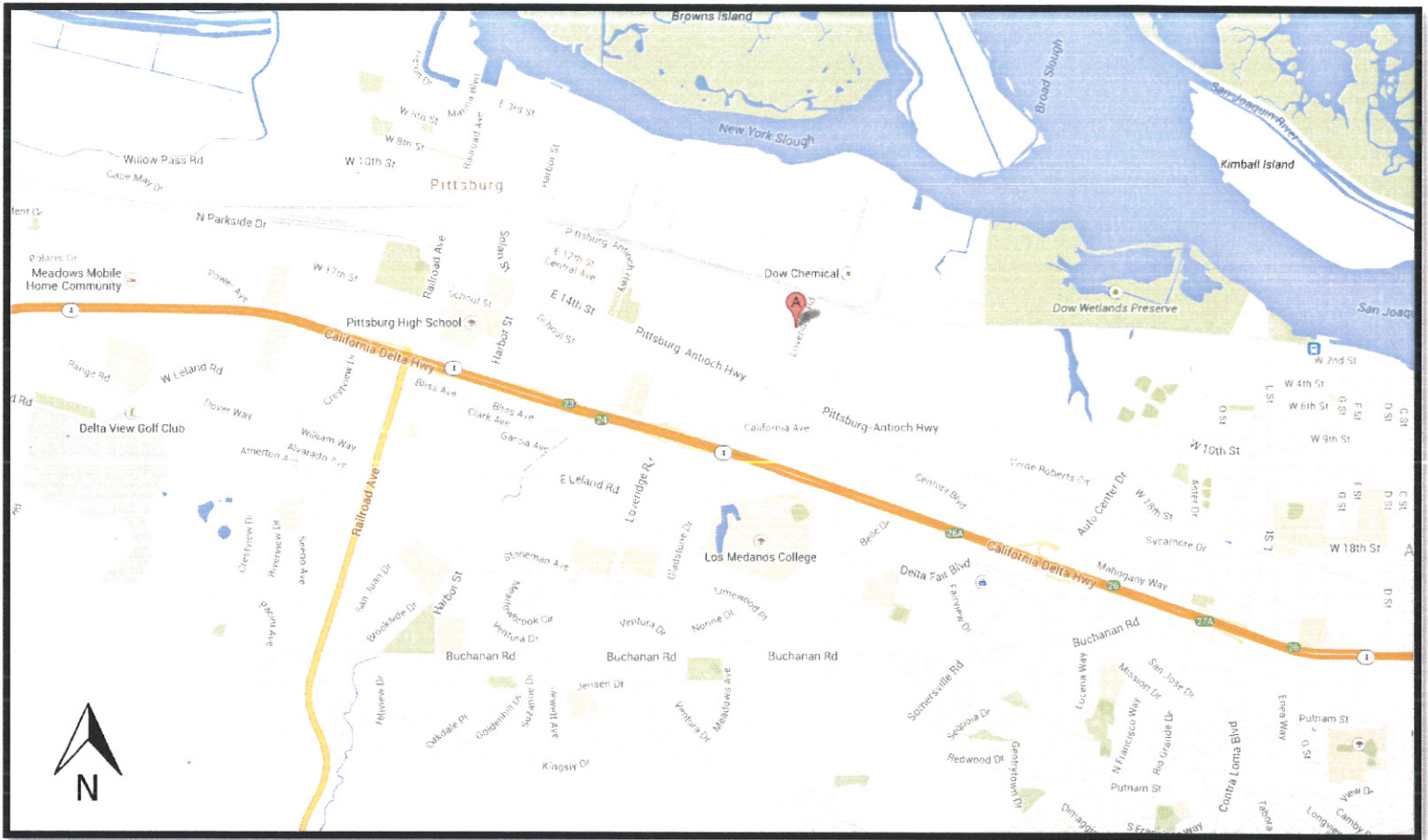
The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.


KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION



Project Title: Mt. Diablo Resource Recovery Park
AP-10-712 (UP, DR)

Location: 1300 Loveridge Rd. **APNs:** 073-200-013; -014; -015; -024 & portions of 072-200-023



701.03

**PC
RESO**

10002

12

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving a Use Permit and	)	
Design Review of Plans to Consolidate	)	Resolution No. 10002
Facility Operations, Expand Waste	)	
Handling Capacity and Construct a New	)	
Truck Maintenance Building at 1300	)	
Loveridge Road, for "Mt. Diablo Resource	)	
Recovery Park, AP-10-712 (UP, DR)."	)	

The Planning Commission DOES resolve as follows:

Section 1. Background

- A. On August 23, 2010, Contra Costa Waste Services filed Use Permit and Design Review Application No. 10-712 requesting approval a use permit modification in order to bring the solid waste and recycling operations at the Recycling Center and Transfer Station (RCTS), the Mt. Diablo Recycling Facility (MDRF) and the mixed construction and demolition (Mixed C&D) recycling facility under a single entity referred to as the Mt. Diablo Resource Recovery Park (MDRRP). The proposal also included an increase in the total amount of materials processed per day at all three facilities from 2,200 tons per day (TPD), to a total of 5,500 TPD; establishment of a new commercial recycling and organic processing programs for residential and commercial food wastes; construction of a biomass gasification unit to process clean wood waste into energy for on-site use; and as a possible future phase of the project, a rail haul option for waste transportation purposes. The project site includes a total of 37 acres. The western portion of the property is in the IG (General Industrial) District and the eastern portion of the property is within the IL (Limited Industrial) District. Assessor's Parcel Numbers: 073-200-013, -014, -015, -024 and a portion of 073-200-023.
- B. On August 5, 2013, the applicant filed a modification to the use permit application in order to add an additional 18.5 acres to the original proposal (bringing the total project area to 37 acres)
- C. On September 9, 2014, the applicant filed another modification to the use permit application in order to relocate an existing truck maintenance facility from its current location east of the project site, across Loveridge Road, to the southernmost portion of the MDRRP site. The relocated facility would require construction of a new 18,000 square foot building identified as the SEG Truck Maintenance Facility, to store and maintain trucks associated with the operation.
- D. On May 14, 2015, the applicant submitted a letter and revised site plan indicating their desire to relocate the proposed Biomass Gasification Unit to the southern

portion of the site, the organics processing unit to the center of the site, and the employee parking to an area along Loveridge Road (previously designated for organics processing), in order to address concerns that had been raised by their neighbors to the north, west and east. According to a memo from the environmental consultant, PMC, dated May 15, 2015, the applicant initiated changes would not result in any new environmental impacts not already addressed in the EIR, and therefore no further analysis would be required in order to incorporate the proposed changes.

- E. The existing Mt Diablo Recycling Facility became operational in 1995 and over the years, has expanded its operations to include additional recycling and disposal services (as described below). The facility serves as a regional recycling facility.
- F. On March 6, 1995, the City Council adopted Resolutions Nos. 95-8143, 95-8144, and 95-8145, approving a use permit, variance and design review of architectural plans (respectively) for the RCTS, on a 17.5 acre site located at 1300 Loveridge Road. Prior to that approval, the City Council adopted Resolutions Nos. 95-8134 and 95-8142, certifying the Final Environmental Impact Report (EIR) and adopting mandatory findings of significant environmental impacts and mitigation measures for the project (respectively).
- G. On December 18, 1995, the City Council approved Resolution No. 96-8150, authorizing an agreement that allowed the recycling center and transfer station to begin operation.
- H. On March 27, 2007, the Planning Commission adopted Resolution Nos. 9691 and 9692 approving a new use permit and design review application to locate the MDRF on the existing RCTS site. The MDRF was approved to share the same site as the RCTS; however, both facilities operate independently under separate State-granted permits through the Integrated Waste Management Board which permitted the RCTS facility and the State Department of Conservation which permitted the MDRF.
- I. On April 22, 2008, the Planning Commission adopted Resolution No. 9755, approving another use permit and design review application, establishing a the Mixed C&D recycling facility, including a green material processing operations area, on a 6.52-acre portion of the RCTS site (the Mixed C&D facility is considered to be under the Integrated Waste Management permit). Conditions of approval for the RCTS and the MDRF were carried forward to the subsequent approvals.
- J. On January 12, 2010, the Planning Commission adopted Resolution No. 9822 modifying the use permit for MDRF in order to expand the maximum amount of material that could be processed per day, expand hours of operation and the number of employees working at the facility.

- K. The proposed expansion and reorganization of the existing facilities to the MDRRP would assist the City of Pittsburg and Contra Costa County in reducing greenhouse gas emissions by generating renewable energy, increasing solid waste diversion rates, and expanding programs to provide recycling options to business and family residences.
- L. The proposed expansion and reorganization of the existing facilities to the MDRRP would also assist the City of Pittsburg and Contra Costa County in maintaining compliance with Assembly Bill (AB) 939 mandates, requiring 50 percent diversion of solid waste from landfills, and preparing to accommodate future AB939 goals and mandates, such as assisting in the statewide recycling goal of a 75 percent recycling rate by 2020, consistent with AB341.
- M. The proposed project conforms to the applicable General Plan land use designation of *Industrial* and the applicable goals and policies of the Pittsburg General Plan and the Pittsburg Municipal Code (PMC).
- N. The proposed project is subject to the California Environmental Quality Act (CEQA, Public Resources Code section 21080 (d) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, sections 15000 et seq). Pursuant to the provisions of the State CEQA Guidelines, a Draft and Final EIR were prepared for this project.
- O. On April 28, 2015, the Planning Commission held a public meeting and continued the project to May 26, 2015.
- P. On or prior to May 15, 2015, notice of the May 26, 2015, public hearing to consider this application was posted at City Hall, the project site and on the city's website; was delivered to the Pittsburg Library; and was mailed via first class mail or email to the property owner, applicant and all other owners of property within 300 feet of the subject site, to utility companies and other agencies anticipated to provide service to the project, and to all interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010 and 18.36.350 and Government Code section 65091.
- Q. On May 26, 2015, the Planning Commission held a public hearing and subsequently adopted Resolution No. 10001 certifying a final environmental impact report (FEIR) for the proposed MDRRP project. It also adopted Findings Concerning Alternatives, a Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Program. The Planning Commission must consider the Draft and Final EIR prior to taking action on the application for a Use Permit and Design Review for the proposed project.
- R. PMC section 18.16.040 specifies that the following findings must be made before approval of a use permit. The Commission may grant approval of a use permit if the proposed use:

1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
2. is not detrimental to the health, safety and general welfare of the City;
3. will not adversely orderly development of property within the City;
4. will not adversely affect the preservation of property values;
5. is consistent with the general plan and applicable specific plan;
6. will not create a nuisance or enforcement problem;
7. will not encourage marginal development within the neighborhood;
8. will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints; and,
9. is consistent with the City's approved funding priorities.

S. Design review approval can be granted only after the Planning Commission makes a determination that the proposed project is consistent with PMC section 18.36.220.B, which is summarized below:

1. the structure conforms with good taste, good design and in general contributes to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;
2. the structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;
3. the exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
4. the structure is in harmony with proposed developments on land in the general area; and
5. The application conforms with the criteria set forth in any applicable city-adopted design guidelines.

- T. On May 26, 2015, the Planning Commission held a public hearing on the EIR, the Use Permit and Design Review Application No.10-712, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled "Mt Diablo Resource Recovery Park, AP-10-712 (UP)" and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

1. All recitals above are true and correct and are incorporated herein by reference.

CEQA:

2. The Draft and Final EIR for this Project was prepared in compliance with Public Resources Code section 21080 et seq. The Planning Commission has independently reviewed and considered the Draft and Final EIR, along with the adopted Statement of Overriding Considerations. With the incorporation of all mitigation measures included in the FEIR Mitigation Monitoring and Reporting Program (MMRP), also incorporated as conditions on this project approval, the project will still have an unavoidable impact on air quality and cumulative impact in the area of transportation.
3. In accordance with a memo dated May 15, 2015, the potential environmental impacts associated with the applicant initiated changes, dated May 14, 2015, were evaluated against the existing analysis presented in the Draft and Final EIR. According to the memo, the worst-case scenario that was analyzed in the Draft and Final EIR with respect to the location of the Biomass unit, adequately addresses the potential impacts associated with the applicant initiated changes proposed by on May 14, 2015. Further, the modified site plan would provide for better onsite circulation by allowing additional internal vehicle queuing space, it would better mitigate potential odor impacts on an existing industrial office building located immediately north of the site, and it would significantly reduce the amount of dust and debris that could travel off site to the east due to prevailing winds in the area. Because the proposed applicant initiated changes are fully covered within the scope of the existing environmental analysis, there would be no new impacts associated with the change and no further environmental analysis is required.

Use Permit:

4. The proposed use, including: 1) the expanded capacity for waste handling to 5,500 TPD; 2) establishment of new commercial recycling and organic processing programs for residential and commercial food wastes; 3) establishment of a biomass gasification unit to process clean wood waste into energy for on-site use; 4) relocation of the SEG truck maintenance facility to the project site; and 5) possible future rail haul option for waste transportation purposes:
 - a) Is in accord with the objectives of the Zoning Ordinance, the purposes of the land use districts in which it is located and is appropriate to the specific location, in that the use is an expansion of an existing use that has operated since 1995 in accordance with the requirements of the existing use permits and the Solid Waste Facility Permit administered by the City of Pittsburg Local Enforcement Agency (LEA). The proposed expansion would comply with the development standards set forth for the IL and IG Districts (PMC 18.16.040.a).
 - b) Will not be detrimental to the health, safety and general welfare of the City, nor will it involve any activities that would be injurious to the City, its residents, or its workforce, if the City of Pittsburg LEA issues a Solid Waste Permit to allow 5,500 TPD, and all applicable regulations of the PMC and the LEA are adhered to throughout the life of the use (PMC 18.16.040.b).
 - c) Will not adversely affect the orderly development of property within the City, in that the expansion of the existing recycling facility will continue to be in character with the existing context of industrial uses located north of the Pittsburg-Antioch Highway and surrounding the site (PMC 18.16.040.c).
 - d) Will not adversely affect the preservation of property values, in that the proposed facility expansion will utilize properties that have been vacated by previous industrial activities (PMC 18.16.040.d).
 - e) Is consistent with the General Plan, in that the expansion of the existing facility meets the intent of the Industrial land use designation in accordance with General Plan and more specifically the Loveridge sub-area Goal 2-G-15, to maintain industrial activities in appropriate, and Goal 11-G-6, and Policy 11-P-19, to reduce the amount of solid waste generated in the City through intensification of recycling efforts (PMC 18.16.040.e).

- f) Will not create a nuisance or enforcement problem, if the facility complies with all applicable provisions of the PMC, the conditions of this resolution and the Solid Waste Facility Permit administered by the City of Pittsburg LEA (PMC 18.16.040.f).
- g) Will not encourage marginal development within the neighborhood, in that the use is an expansion of the existing facility which has been in operation since 1995, and it will utilize vacant parcels from previous industrial uses in the immediate vicinity (PMC 18.16.040.g).
- h) Will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints, in that the use is private and does not require any additional public services (PMC 18.16.040.h).
- i) Is consistent with the City's approved funding priorities, in that there are no public funds involved with the project (PMC 18.16.040.i).

Large Recycling Facilities:

- 5. The proposed use of a large recycling facility is consistent with the following standards, included in PMC section 18.84.575.C:
 - a) The facility will be at least 150 feet from property zoned or planned for residential use.
 - b) The recycling facility will be screened from public view by operating in an enclosed building or behind dense landscaping or fencing.
 - c) Yards and landscaping requirements will comply with those provided for in the IL and IG zoning districts, where the facility is located.
 - d) All exterior storage of material will be secured and maintained in good condition. Oil storage containers will be subject to approval by the Chief Building Official and Contra Costa County Fire Protection District (CCCFPD). No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing or other screening.
 - e) The site will be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis.
 - f) Noise levels originating from the site will not exceed 60 dBA as measured at the property line of the nearest residentially zoned property, or otherwise not exceed 70 dBA.

- g) The facility will not be sited within 500 feet of property zoned, planned or occupied for residential use.
- h) No containers will be provided for after-hours donation of recyclable materials (newspaper, cardboard, aluminum cans, etc.).
- i) Donation areas will be kept free of excess litter and any other undesirable material, and the donation area will be clearly marked to identify the type of material that may be deposited. The facility will also display a notice stating that no material may be left outside the facility.
- j) The facility will be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs will meet the standards of the use. Directional signs, bearing no advertising message, will be installed subject to approval by the Planning Division.
- k) Power-driven processing, including aluminum foil and can compacting, plastic shredding, or other light processing activities, may be used as necessary for efficient temporary storage and shipment of material.

Design Review:

- 6. The proposed project, including the new SEG truck maintenance facility and surrounding improvements:
 - a) Conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that, given the industrial character of the area, the structural design of the SEG truck maintenance facility along with the new screening landscaping proposed along Loveridge Road will be consistent with other structures and landscaping on the MDRRP site and with the other surrounding industrial development.
 - b) Will not be subject to exterior and interior noise, vibrations and other factors which may tend to make the environment less desirable, in that they will be installed within an existing industrial area and to standard building code regulations.
 - c) Will not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value, in that the proposed structural design of the SEG truck maintenance facility along with the new screening landscaping

proposed along Loveridge Road will be consistent with other structures and landscaping on the MDRRP site and the existing surrounding industrial development.

- d) Will be in harmony with proposed developments on land in the general area, such as the Columbia Solar project adjacent to the site, in that the design of the site and new trucking facility are industrial in nature, similar to surrounding development.
- e) The project conforms to the applicable criteria set forth in the City's adopted Development Review Design Guidelines (DRDG), adopted by Planning Commission Resolution No. 9864 in that: 1) the new parking areas would be screened from public view behind a chain link fence with 6-foot tall shrubbery surrounding the site (DRDG IV.a); 2) the new SEG truck maintenance building would match in colors and design to the existing MDRF and RCTS facility located on the same site, immediately north of the new building (DRDG IV.p); and 3) the appearance of the continuous horizontal roof line for the new building would be broken up by the periodic placement of the nine (9) foot wide long ridge roof vents on top of the building (DRDG IV.f).

Section 3. Decision

A. Based on the findings set forth above, the Commission hereby approves Use Permit and Design Review Application No. 10-712, subject to the following conditions:

- 1. The use shall be constructed and operated in substantial conformance with the project plans, date stamped December 24, 2014, as amended on the proposed Revised Site Plan, date stamped May 14, 2015, and as presented to the Planning Commission in the staff report identified in Section 2 above, except as may be modified by the conditions below. Construction and operation of the approved use in a manner inconsistent with this use permit shall be grounds for revocation of the use permit.

Standard Conditions and Indemnification

- 2. The applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of the project approval, subsequent project approval, or other action arising out of, or in connection with, or the project approvals. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement,

City may select its own legal counsel at Applicant's sole cost and expense. The applicant may select its own legal counsel to represent applicant's interests at the applicant's sole cost and expense. The applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

3. It is the responsibility of the applicant to contact each local, state, or Federal agency for requirements that may pertain to this project.
4. The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements of the City of Pittsburgh Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City.
5. The Standard Conditions of Development as adopted by the Pittsburgh Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Standard Conditions of Development, and this Resolution, this Resolution shall prevail.
6. All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the PMC as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval.
7. Permits shall be obtained from each agency having jurisdiction over the project to the extent required by law including the City of Pittsburgh LEA, the Bay Area Air Quality Management District, San Francisco Bay Regional Water Quality Control Board and the Department of Resources Recycling and Recovery.

Use Permit Conditions

8. The Mt Diablo Resource Recovery Park shall not receive more than five thousand, five hundred (5,500) tons per day of municipal solid waste, recyclables and construction and demolition material for processing.

9. Organic processing piles shall be setback at least 80-feet from the western property line. Organic processing pile heights shall not exceed 20 feet above the nearest adjacent grade.
10. Pursuant to the applicant's letter dated May 14, 2015, and the revised site plan: i) usage of vacant land within 420 feet of the northern property line shall be limited to commodity, vehicle, and equipment storage; and ii) organics processing and/or storage of piles shall not occur within 850 feet of the northern property line.
11. The applicant shall comply with all previously approved applicable conditions of approval related to the facility, found in City Council Resolutions Nos. 95-8143, 95-8144, 95-8145 and 96-8150, and Planning Commission Resolutions Nos. 9691, 9692, 9755 and 9822. Where there is a conflict between those resolutions and this Resolution, this Resolution shall prevail.
12. The MDRRP shall be operated in a manner as directed by the City so as to ensure that the City achieves the waste diversion mandates of the California Integrated Waste Management Act (the Waste Act) or other applicable law, so long as the City's waste is processed at the MDRRP. If the Applicant fails to comply with the City's direction and fines or other penalties are assessed for failure to meet waste diversion goals, then such fines or penalties shall be borne by the Applicant, and the Applicant shall defend, indemnify and hold the City harmless for any loss, claim or action arising from or in any way connected with such failure to comply with City directives. Pursuant to Public Resources Code Section 50001(a)(2), the RCTS shall recover for recycling the percent of materials as mandated by state law. Nothing in this condition shall prevent the City from establishing additional requirements regarding waste diversion in an authorization issued under Chapter 8.05 of the Municipal Code.
13. The applicant shall monitor and provide the Community Development Director with regular accounting of the origin and quantity of all solid waste and recyclables received by, processed through, and transferred by the MDRRP for disposal or recycling. This accounting shall be in a form satisfactory to the Community Development Director, and at such times and intervals as he specifies and shall be on a jurisdiction by jurisdiction basis. The accounting shall be in addition to any applicable requirements of the state for monitoring and demonstrating compliance with state mandates related to solid waste and recycling. Copies of any reports supplied by MDRRP to other agencies shall be contemporaneously provided to the Community Development Director.

14. The applicant shall allow City staff and the LEA to conduct reasonable inspections of the property and applicant's operation of the MDRRP to ensure compliance with the conditions of approval.
15. All applicable conditions of approval provided in this resolution shall be incorporated by reference into the applicant's Solid Waste Facilities Permit and may be enforced by the LEA at its discretion in conjunction with other appropriate City departments.
16. The Community Development Director or other appropriate City official may require the applicant to update a plan or study required under any condition of approval in this resolution more frequently than otherwise called for herein, as conditions may warrant in such official's judgment.
17. Transfer of solid waste and recyclables shall be to permitted landfills and recycling receivers.
18. The MDRRP shall not generate noise in excess of 70 dBA at the property line as required by PMC Chapter 18.84.
19. The transfer operation shall be operated in a closed building to reduce exposure of waste to the atmosphere and potential odor impacts.
20. The MDRRP shall substantially comply with all the requirements of the Operations Plan and Odor Impact Minimization Plan, included as Appendix B of the Draft EIR, and as may be periodically updated.
21. A bicycle parking area shall be installed on site to accommodate a minimum of six bicycles at any given time. Design of the new bicycle rack shall be in conformance with the City's standard detail, T-9. Final location of the new bicycle rack shall be in subject to review and approval by Planning staff prior to the rack's installation, and the rack shall be installed prior to establishment of the use on site.
22. The property shall be maintained in a neat and clean manner at all times.
23. The applicant shall ensure that any items dumped along the Loveridge Road street frontage are removed at the beginning and end of each business day.
24. The entire 37-acre MDRRP site shall be surrounded by a security fence to capture any litter carried by the wind. The applicant shall remove litter from the building environs daily, and shall institute a load-covering program for hauling vehicles leaving the MDRRP.

25. The tipping floor and processing areas shall be cleaned every twenty-four (24) hours.
26. Non-recoverable solid waste stored at the MDRRP for longer than twenty-four (24) hours shall be stored inside transfer trucks under a tarp or cover. In no event shall disposable, non-recoverable solid waste be stored on site for over forty-eight (48) hours.
27. All MDRRP garbage collection trucks entering and all transfer/packer trucks exiting the site shall be covered or enclosed to prevent or minimize litter and waste material from escaping during transport.
28. Self-haulers (general public) that enter the MDRRP without trash or waste material adequately covered shall be informed by the applicant of the requirement that trucks be covered, as required by Condition No. 26. The applicant shall be responsible for cleaning up litter from self-haulers as required in Condition No. 29. The applicant shall provide notice to the public of the cover requirements in a manner satisfactory to the Director of Community Development.
29. As part of maintenance procedures, the applicant shall assign MDRRP employees to pick up litter each day along roadways within two thousand (2,000) feet of the property boundaries; to the City limits to the east of the Project; and to the Pittsburg Antioch Highway Bypass to the west of the Project. If the City Manager, or his or her designee, determines in his or her sole discretion that the applicant's litter control efforts are not adequate to meet City requirements, then he or she may require the applicant to submit a litter control plan and direct what changes are necessary in order to improve its effectiveness.
30. The interior of the MDRRP site shall be designed so that refuse cannot be retained or trapped in corners, cracks or other irregularities. All surfaces that come into contact with refuse shall be designed to be easily cleaned.
31. The drainage and waste handling systems shall be designed so that no standing water can collect in the refuse handling areas.
32. The applicant shall post signs, as specified by the Safe Water Drinking and Toxic Enforcement Act of 1986 (California Health and Safety Code Sections 25249.5, et seq., and Title 22 of the CCR, Sections 12000, et seq.) warning workers of the hazards of disturbing, handling, drilling, and/or breaking the asbestos-containing floor tiles in the conference room of the transfer facility. In addition, the tiles shall be inspected annually by personnel trained in asbestos inspection. In the alternative, the applicant may have the tiles encapsulated, or removed by a licensed asbestos abatement contractor.

33. Only non-hazardous waste shall be accepted at the MDRRP. To ensure compliance with this condition, the applicant shall prepare a (or update an existing) Hazardous Waste Exclusion Program (the "Exclusion Program") in accordance with Title 23 of the CCR, Section 2523(b) and maintain a policy of excluding hazardous waste from the MDRRP. The Exclusion Program previously submitted by the applicant shall be revised to state that no waste classified as "designated" or "hazardous" under applicable law will be accepted at the MDRRP and shall include a schedule for implementing the proposed training load checking programs. The LEA shall review and approve the updated Exclusion Program as part of the Solid Waste Facilities Permit review process, and shall specify what waste shall be excluded.
34. The applicant is prohibited from receiving hazardous wastes, or engaging in activities which would generate hazardous wastes at the MDRRP. "Receiving Hazardous Waste" does not mean hazardous material that inadvertently is unloaded at the facility (e.g. household material in mixed residential solid waste). The applicant is prohibited from handling hazardous waste substances in sufficient quantities at any one time as to require a permit under the Uniform Fire Code.
35. Management of hazardous materials used or inadvertently received at the MDRRP shall be documented consistent with Division 20, Chapter 6.95 of the Health and Safety Code (commencing with Section 25500) and subdivision (b) and (c) of section 80.103 of the Uniform Fire Code. Chapter 6.95 of the Health and Safety Code, titled "Hazardous Materials Release Response Plans and Inventory," requires the preparation of area plans and business plans. Section 80.103 of the Uniform Fire Code requires the preparation of hazardous Material Management Plans and Hazardous Materials Inventory Statements to ensure compliance with state operating regulations. These plans shall contain among other things; a complete description of personal protective equipment; procedures for handling, packing and disposing of hazardous waste found in mixed wastes inadvertently brought to the MDRRP; the maximum volume to be stored at any one time; and shall specify procedures for the proper segregation of incompatible wastes. Hazardous waste shall be stored in appropriate containers in compliance with all local, state and federal regulations and kept in an area separate from any hazardous materials used by the MDRRP in its operation or construction. These plans shall be submitted to the City, the Contra Costa County Health Services Department, and the CCFPD prior to the issuance of an expansion permit. The LEA shall ensure that these plans have been approved by the appropriate agency. The applicant shall fund the cost of outside technical support, if any.

36. The applicant shall update and maintain its Emergency Response Plan (the "ER Plan") as part of the Business Plan as required by the state Hazardous Material Release Response and Inventory Program (Health & Safety Code Section 25500, et seq.). The ER Plan shall be kept on site and include a detailed description of methods used to identify and control materials susceptible to explosion or combustion; the location, maintenance, and procedures for use of all fire control equipment; identification of responsible and trained fire-fighting personnel; location of fire extinguisher and other fire-fighting equipment and evacuation plans and procedures. The ER Plan shall also specifically address the potential for a power failure during an emergency, emergency response procedures in the event of an earthquake and shall take into account the probability that untrained visitors are likely to be present at the MDRRP. Response procedures for the site shall be submitted to and approved by the CCCFPD prior to the occupancy of the truck maintenance facility. The approved ER Plan shall be submitted to the LEA with the application packet for the Solid Waste Facilities permit.
37. All waste water generated by the MDRRP shall be collected and contained in five thousand (5,000) gallon storage tanks. The wastewater collected at the facility (holding tanks and sumps) shall be removed using vacuum tank trucks on an as-needed basis. The collected wastewater shall be monitored at a regular frequency to assure appropriate storage. Any discharge of wastewater to the sewer shall be in compliance with the requirements and restriction specified by the Delta Diablo Sanitation District. Procedures for wastewater management at the facility shall be included in the in the Spill Prevention Control and Counter Measure Plan. (SPCCP). The Plan shall be updated to address any changes in operational and safety procedures related to future changes in wastewater management.
38. The applicant shall comply with all state and federal occupational safety and health acts ("OSHA") including but not limited to developing a procedure for protecting workers who handle and/or sort sharp materials; requiring workers to wear protective gloves; training workers to identify and safely remove sharp objects and dispose of used hypodermic needles or other inadvertently deposited medical wastes. These procedures shall be included in the Transfer/Processing Report that the applicant will submit to the LEA.
39. The applicant shall institute the following measures to control vectors and odors at the MDRRP:
- a. Regular cleaning and maintenance procedures including sweeping of the yard and tipping areas;
 - b. Handle refuse materials inside the building, rather than outdoors;

- c. Transport putrescible waste for disposal no more than forty-eight (48) hours after it is brought to the MDRRP;
 - d. Transport yard waste offsite within forty-eight (48) hours, if not composted on site;
 - e. Implement a load covering policy and program for hauling vehicles leaving the MDRRP; and
 - f. Regular cleaning of MDRRP trucks by applicant.
40. In addition to the measures required by Condition No. 39, the applicant shall implement a program to monitor the development of any vector problems, including the eradication of pests if needed. The LEA staff shall enforce the state minimum standards for handling and disposing solid waste to reduce any vector problems.
41. Upon the City's request, the MDRRP shall provide recycling programs, such as (without limitation) mixed paper and yard waste diversion programs (as used hereafter in this condition "Programs") that are consistent with and assist in the implementation of the City of Pittsburgh's Source Reduction and Recycling Element ("SRRE"). If the applicant demonstrates to the City's satisfaction that implementation of requested Programs is infeasible at the MDRRP, due to such factors as cost or suitability of the facility, the applicant shall work cooperatively with the City to develop other Programs that are feasible and will ensure that the City mandates its compliance with the Act. Any costs to reflect necessary Program changes at MDRRP shall be paid by the applicant and the cost shall not be passed on the City garbage subscribers or individuals or agencies using the MDRRP.

Design Review

42. Designs of improvements associated with the future potential rail haul operation are not approved with this resolution. Rail related improvements shall be subject to separate review, at such time when the option is exercised, in order to determine whether or not any subsequent discretionary review would be required.
43. Exterior signage is not approved at this time. No signs shall be installed until plans are reviewed and approved by the Planning Division under a separate sign permit application. Additionally, the applicant shall submit proposed signs to the LEA to ensure compliance with state minimum standards for solid waste facilities.
44. Plants installed for project landscaping shall be low-maintenance drought-tolerant varieties, requiring minimal use of pesticides to minimize potential impacts on foraging birds.

45. All landscaped areas shall be maintained in a healthy, thriving and weed free condition.

Construction Activities

46. Construction and operation of the proposed MDRRP shall not interfere with ongoing or proposed investigation, monitoring, and remediation of soils and/or groundwater at the project site. All building plans for proposed improvements shall identify the location of existing and known proposed areas of environmental investigation, monitoring, and/or remediation, including the location of existing and known proposed monitoring and extractions wells, subsurface and above ground piping, and associated treatment and storage tanks. All building plans shall be reviewed by the City to ensure that applicant's proposed improvements will continue to allow access to these areas and not impede remediation of the project site.
47. In areas of the Project site where no soil quality data is available or data is insufficient to describe the potential health risks associated with excavation and handling of soil, a soil sampling investigation shall be developed and implemented for the excavation and grading areas. The investigation shall be conducted by a qualified environmental professional to assess whether areas proposed to be excavated or graded contain concentrations that may pose a health risk to construction workers or require special handling during construction activities. Existing soil quality data shall be used, where available, to delineate the extent of contamination levels and the expected contaminant levels. The work shall be completed prior to construction and the results shall be included in the Construction Safety Plan as required by Condition 48. Development and implementation of the soil quality sampling program shall be integrated with the soil quality management required by Condition 48. The City Engineer shall confirm that the soil quality sampling program has been completed prior to the issuance of a grading permit.
48. In accordance with the guidelines provided in Title 29 of the Code of Federal Regulations (the CFR), Part 1910.120 and Title 18 of the California Code of Regulations (the "CCR"), Section 5192, the applicant shall develop, prepare and implement the Construction Worker Site Health and Safety Plan (the "Construction Safety Plan") for construction workers prior to project construction. The Construction Safety Plan shall include but not be limited to identification of areas of known contaminant releases, types of contaminants, and safety procedures for work in those areas; procedures to be undertaken in the event that unknown contamination is discovered; procedures and personnel responsible for managing contaminated soils and/or groundwater, and emergency procedures and responsible personnel. The Construction Safety Plan shall be prepared

and signed by a certified industrial hygienist and shall be included with the applicant's grading permit application. Individuals who are to perform work in areas where exposure to contaminated materials may occur must have received hazardous materials training in accordance with federal and state regulations.

49. The applicant shall ensure that all contractors on the project comply with the Construction Safety Plan and develop hazardous waste management techniques, protocols and/or methodologies for handling potentially hazardous materials that may be used during project construction. The plan shall specify types, quantities, containment, temporary storage areas, and emergency spill response procedures and shall be approved by the CCCFPD prior to project construction, as part of the standard building inspection, review and permit process.
50. Adequate sanitary disposal facilities shall be required on site during all phases of construction.
51. The applicant shall provide solid waste disposal containers on-site during all phases of construction. The accumulation of refuse and debris which may constitute an unsightly/unsafe public nuisance to surrounding properties is not permitted.
52. The applicant shall control dust during construction by water application. At minimum, active construction areas shall have to be watered at least twice daily pursuant to requirements of a site-specific Soil Management Plan (SMP) required by the restrictive land use covenant (LUC) that applies to the project site. Non-potable water shall be used from a source approved by the City Engineer (PMC, Title 15), or a nontoxic dust palliative may also be used. To prevent an increase in the potential to emit dust following grading, the project design includes stabilizing disturbed areas as soon as practical as described in Section 2.3.5. Crushed rock shall be used on perimeter and intermediate access roads and the area surrounding the substation. Areas that are not graveled or occupied by foundations shall be stabilized by re-vegetation, application of a non-toxic soil binder, or other means of stabilization.
53. The applicant shall comply with the following requirements of Title 13 of the California Code of Regulations (CCR) for diesel-fueled construction equipment to ensure that emission levels during project construction do not obstruct implementation of BAAQMD's air quality plans:
 - a. Individual diesel truck idling in excess of five consecutive minutes shall be prohibited consistent with Title 13 CCR.
 - b. Diesel-power construction equipment shall use low-sulfur diesel fuel pursuant to requirements of Title 13 of the CCR.

54. Any earth moving activity at the site shall be performed in accordance with the Soil Management Plan (SMP) and Health and Safety Plan (HSP) (USS-Posco and DTSC, 2010).
55. The project shall comply with all related water quality standards and any waste discharge requirements that might be issued. A Report of Waste Discharge may be required by the Regional Water Quality Control Board pursuant to California Water Code 13260, if the man-made drainage ditch is filled on the westerly portion of the site. This requirement is intended to ensure that the fill does not affect any beneficial uses of waters of the State.
56. If possible and as directed by the City Engineer, all grading shall be conducted between April 15 and October 15 to minimize silt runoff to the nearby channels located on the boundaries of the Project site. If grading is to be conducted during the rainy season, silt control measures described in the SWPPP's shall include, but not be limited to, creation of silt barriers (e.g. hay bales, silt fences) on the southern and/or western property boundary.
57. Any excavated contaminated soil shall be removed from the Project site and transported to a qualified disposal site; however, contaminated material shall not be transported to the Keller Canyon Landfill or to any facility that will use it as a daily cover.

Subsequent Agreements:

58. The owner shall enter into a deferred improvement agreement with the City to construct frontage improvements for the ultimate roadway design for Loveridge Road between State Route 4 and the project site. Such agreement shall be finalized prior to the issuance of a grading permit. As part of the agreement, the owner shall post a bond, a letter of credit, a certificate of deposit or some other form of financial responsibility agreed upon by the City for the cost of the improvements. Frontage improvements shall include construction of storm drain facilities, curb, gutter, and sidewalk, and undergrounding of utilities.
59. If the applicant cannot provide proof that an agreement has already been executed prior to the approval date of this resolution, then the applicant shall either enter into a Memorandum of Understanding or other agreement instrument to pay a pro-rata share fee for reconstruction and ongoing maintenance for Loveridge Road, prior to the issuance of a grading permit. The costs of reconstruction of the roadway and ongoing maintenance costs shall be determined through a City-sponsored study, and shall be based on truck trips attributed to the business, or other measurement deemed mutually acceptable by the applicant and the City.

General Engineering Conditions

60. All grading work shall be done in accordance with the provisions of PMC Chapter 15.88.
61. All site development shall comply with PMC Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers), and Title 15 (Buildings and Construction) as determined by the City Engineer. Issuance of a Site Development Permit will be required whereby specific engineering requirements will be made as conditions of approval.
62. All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.
63. To ensure safety of customers and operations personnel, the proposed access road to the SEG trucking facility shall not be constructed until the Organic Processing Operations Area is relocated. The applicant shall provide an interim access road until such time the relocation occurs.
64. The applicant shall apply for a Parcel Map Waiver or execute a Reciprocal Access Agreement for the shared use of the parking lot and driveways proposed to be used by all facilities on site.
65. The applicant shall maintain the existing access easement that benefits the USS Posco property; however, because proposed stormwater improvements on the SEG trucking site will block access to this easement, it shall be re-aligned. The re-aligned easement shall be mutually agreed upon by the applicant and the beneficiary of the existing easement, USS Posco.
66. The applicant shall comply with City and State guidelines and requirements for traffic control during construction and prior to final project acceptance.

Engineering Division Fees:

67. The applicant shall pay one half of the Engineering Grading and/or Improvement Plan Review Fee with the initial submittal of plans, maps, or other documents for plan review. The Plan Check Fees are based upon the Engineer's Estimate, which shall also be provided at the time the plans are submitted. The Improvement Plan Check fees are 6% of the cost of the improvements based upon the approved Engineer's Estimate. The Grading Plan Check Fee is 2.5% of the Engineer's Estimate, or may be based upon cubic yards of grading. The deposit(s) shall be credited toward the final fee(s) as determined at engineering permit issuance based upon the final, approved

Engineer's Estimate. The deposit shall be paid to the Engineering Department.

68. The applicant shall pay the Improvement and/or Grading Inspection Fee(s) to the Engineering Division at the time of the Grading or Single Parcel Development Permit is issued. The current Improvement Inspection Fee is 5.75% of the cost of grading, and the Grading Inspection Fee is 3% of the cost of Grading. The Grading Inspection Fee may also be based upon an approved Engineer's Estimate of total cubic yards, according to the current schedule of Grading Fee Charges.
69. The Applicant shall pay a fee of \$0.68 per square feet for increases in the area of impervious surfaces created for the project per Municipal Code Chapter 15.104

GIS Update:

70. The applicant shall pay \$.05/sf of newly constructed building to the Engineering Division at the time of Single Parcel Development Permit issuance.
71. The applicant shall pay an NPDES Plan Review (SWPPP and/or C.3 Storm Water Control Plan) fee to the Engineering Division in the amounts in effect when the applicant obtains a grading permit. The applicant understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.
72. The applicant shall pay an NPDES Inspection Deposit (SWPPP and/or C.3 Storm Water Control Plan) fee to the Engineering Division in the amounts in effect when the applicant obtains a grading permit. The applicant understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.

Community Facilities District (CFD):

73. Prior to issuance of any building permits, the applicant shall deliver written approval to the Engineering Department to annex the subject property into the Community Facilities District CFD 2005-1, which provides funding for an increase of police coverage in the area. The rate of the CFD fee is subject to the City Council Ordinance No 05-1246.

Facility Reserve Charge:

74. The applicant shall pay the City of Pittsburg Facilities Reserve Charge (PMC Chapters 13.08, 13.12 and 13.24) (the "FRC") to the Engineering Department, for water and sewer service in the amounts in effect when the applicant

obtains a building permit. The applicant understands that the current FRC on file, effective August 20, 2005, shall be paid in accordance with the fee schedule approved by Resolution No. 05-10290, and amended by Resolution No. 12-11778, on February 21, 2012, a copy of which is available at the City. The FRC shall be paid to the Engineering Division prior to the issuance of a building permit.

Traffic Conditions and Mitigation Fees:

75. The applicant shall submit a revised internal traffic circulation plan to indicate the location and type of all onsite traffic signage and pavement markings for internal circulation. The new circulation plan shall be submitted to the City's Engineering Division for review and approval prior to the issuance of a grading permit.
76. Parking stall striping shall be added to replace the relocated fuel island in front of the main MDRF, in order to ensure adequate vehicular circulation within the parking lot. Final design of the new parking stall striping shall be subject to review and approval by the City's Community Development Department.
77. The applicant shall pay the Local Transportation Mitigation Fee (PMC Chapter 15.90) (the "LTMF") amount in effect when the applicant obtains a building permit. The applicant understands that the LTMF currently on file is \$1.51/sf. The applicant further understands that the LTMF is reviewed and adjusted annually to the current Construction Cost Index (CCI) and may be increased at the City Council's discretion based on revised cost estimates for roadway and transit facilities and other factors that demonstrate an increase is needed to offset traffic impacts caused by new development. The LTMF is calculated by dividing the total fee share of improvement costs by the total number of Dwelling Unit Equivalencies ("DUE") in the City, as described in PMC Chapter 15.90 and the Pittsburg Local Transportation Mitigation Fee Program Update, copies of which are available from the City. Fees shall be paid prior to issuance of a building permit.
78. The applicant shall pay the Regional Transportation-Development Impact Mitigation Fee (PMC Chapter 15.102) (the "RTDIM") amount in effect when the applicant obtains a building permit. The applicant understands that the RTDIM currently on file is \$1.47/sf. The RTDIM will be automatically increased or decreased on January 1 of each year based on the percent change in the Engineering News-Record Construction Costs Index – San Francisco Bay Area between September 1 and September 1 of the preceding two calendar years. Fees shall be paid prior to issuance of a building permit. If no building permit is required, then the fees are payable in the amount in effect when the project commences pursuant to PMC Section 15.102.040.

Engineering Submittals:

79. If applicable, the applicant shall submit five (5) copies of the engineering plans, prepared by a registered civil engineer, to include but not be limited to the following:
 - a) A Site Plan
 - b) A Grading and Drainage Plan
 - c) A Utilities Plan
 - d) A Landscaping and Irrigation Plan
 - e) A Stormwater Control Plan and Report
 - f) An Erosion and Sedimentation Control Plan
80. The applicant shall submit a current geotechnical report that substantiates the design features incorporated into this project including, but not limited to, grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections. The geotechnical report shall be submitted to the Engineering Division for review prior to the approval of any civil plans and issuance of any Engineering permits.
81. The applicant shall submit an Engineer's Estimate with the first plans submittal. This estimate shall include all costs associated with the site development improvements, excluding those costs associated with the construction of the building structure itself.

General NPDES Conditions

82. The applicant shall submit an Erosion and Sedimentation Control Plan, or Stormwater Pollution Prevention Plan (SWPPP), if the project warrants a State General Construction Permit, to the Engineering Division. The erosion control / SWPPP shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site during the construction phase of the project to effectively prohibit the entry of pollutants into storm water runoff and project track out.
83. Submittal of grading and/or building plans shall be consistent with the approved Stormwater Control Plan to meet C.3 obligations. The plans shall include drawings and specifications necessary to implement the permanent BMPs designed in the approved Stormwater Control Plan. Grading and/or

building permits, shall not be issued until this condition is met to the satisfaction of the Engineering Department.

84. Grading and/or building permit plans (including structural, mechanical, architectural, grading, drainage, site, landscape, and other drawings) shall show the details and methods of construction for site design featured, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent stormwater control BMPs, and other features that control stormwater flow and potential for stormwater pollutants.
85. Prior to final inspection approvals by the Engineering Division, the applicant shall submit a Stormwater BMP Operation and Maintenance Plan for review and approval by the Community Development and Public Works Departments. Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans can be found on the Contra Costa Clean Water Program's web-site: www.cccleanwater.org.
86. Prior to the issuance of a new Certificate of Occupancy, the applicant shall submit the final draft of the Stormwater BMP Operation and Maintenance Plan for review and approval by the Engineering Division. The applicant shall also execute the Operations and Maintenance Agreement, which pertain to the transfer of ownership and / or long-term maintenance of stormwater treatment BMPs or hydrograph modification BMPs. The Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are found on the Contra Costa County Clean Water Program website (www.cccleanwater.org) or the Stormwater C.3 Guidebook, most current edition.

Utilities

87. The applicant shall evaluate the existing, receiving storm, sewer, and water facilities for adequate capacity and provide the results to the City to identify any service or supply problems. The cost for installation of additional facilities shall be borne by the applicant.
88. The design and construction of storm drain, water, and sewer facilities shall be in accordance with PMC section 17.28.020.
89. The applicant shall provide appropriate water service, adequately sized to meet the domestic and fire protection demands for the project.
90. The applicant shall provide appropriate sanitary sewer, adequately sized to accommodate the project's wastewater demand.
91. The applicant shall abandon the existing 6" and 10" water lines that cross Kirker Creek by capping the services at the property line.

Contra Costa County Fire Protection District

92. The applicant shall comply with CCCFPD standard requirements for: a) developer fees related to building permits, a one-time assessment that funds Fire District equipment and other improvements, and b) Benefit Assessment District fees, an annual assessment that supports District staffing.
93. Prior to the issuance of building permits, the three sets of building plans and associated plan review and inspection fees must be submitted to the CCCFPD, with reference to CCCFPD project No. 110777-PL, for review and approval to ensure compliance with fire and life safety requirements.
94. Prior to the issuance of a site development or building permit, the site plans shall be revised to include adequate emergency apparatus access roadways with all-weather driving surfaces of not less than 20 feet of unobstructed width, and not less than 13 feet, six (6) inches of vertical clearance to within 150 feet of travel distance to all portions the structure. Access roadways shall have a minimum outside turning radius of 45 feet, and an inside turning radius of 25 feet, and must be capable of supporting the imposed loads of fire apparatus, i.e. 37 tons, as required by the CCCFPD.
95. Prior to the issuance of site improvement plans, the plans must identify access gates (for CCCFPD apparatus) with a minimum width of 20 feet. Access gates shall swing inward and be setback from the public right-of-way by a minimum of 30 feet. Electrically operated gates shall be equipped with a Knox Company key-operated switch. Manually operated gates shall be equipped with a non-casehardened lock or approved CCCFPD lock.
96. C&D materials and green waste piles shall be separated from adjacent piles by fire apparatus access roadways with a minimum width of 20 feet. Piles shall not exceed 25 feet in height, 150 feet in width, and 250 feet in length, or as otherwise determined by the CCCFPD.
97. The applicant shall provide two fire hydrants for the project, and hydrant locations, as determined by the CCCFPD. Fire hydrants provided on the site must be the "East Bay" type.
98. Premise address identification shall be provided prior to the issuance of a certificate of occupancy. Such numbers shall contrast with their background and be a minimum of four inches high to be readily visible from the street.

99. The applicant shall install and maintain an automatic fire sensing, suppression and alarm system at the MDRRP in accordance with recommendations from the CCCFPD and the State Fire Marshall prior to the occupancy of the truck maintenance building.
100. In accordance with the CCCFPD requirements, the following precautions shall be instituted by the operator of the facility, unless otherwise determined by the CCCFPD:
 - a) CCCFPD approved means of monitoring and measuring the temperatures within static piles shall be used to monitor and record internal pile temperatures and be made available for inspection by the CCCFPD;
 - b) Portable fire extinguishers shall be provided on all vehicles and processing equipment;
 - c) The operator shall provide for the availability of material handling equipment during any firefighting operations at the project site;
 - d) No flammable or combustible liquid storage tanks shall be stored on the site without approval and issuance of required permits from the CCCFPD;
 - e) The operator of the C&D facility shall develop a plan for monitoring, controlling and extinguishing spot fires, subject to CCCFPD review and approval; and
 - f) Smoking shall not be permitted in spaces where flammable C&D materials are stored or handled.

Mitigation Measures

101. Air Quality - MM 3.1.1 (a): The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following:
 - a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day.
 - b) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

- c) All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour.
 - d) All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - e) Where applicable, vegetative ground cover (fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible.
 - f) A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. The designated City compliance monitoring staff and/or department shall be notified of all complaints received.
102. Air Quality - MM 3.1.1 (b): The following measures shall be implemented to reduce construction-generated mobile-source emissions:
- a) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
 - b) All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - c) Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards.
103. Air Quality - MM 3.1.2 (a): The project applicant shall demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.
104. Air Quality - MM 3.1.2 (b): The operator shall provide a report on the throughput tonnage processed at the facility that would result in operational emissions of NO_x at 90 percent of the allowable threshold of 54 pounds per day and 10 tons per year (i.e., 48.6 pounds of NO_x per day or 9 tons of NO_x per year). The report shall be included as a condition of approval of the use permit and shall be completed by a

qualified air quality professional within one year of approval of the use permit for the expansion. Project-generated tonnages and estimated emissions based on the report shall be evaluated commencing at the five-year state permit review and each year thereafter as tonnage reports are submitted to the City Department of Environmental Affairs and Development Services Department. Once the throughput tonnages reach the amount determined in the report to result in 48.6 pounds of NO_x daily or 9 or more tons of NO_x annually, the operator shall prepare and submit project-generated emissions reports, as described in mitigation measure MM 3.1.2c.

105. Air Quality - MM 3.1.2 (c): Once the project receives a tonnage throughput resulting in 90 percent of assumed NO_x emissions (48.6 pounds of NO_x per day or 9 tons of NO_x per year) as indicated by annual tonnage reports submitted to the City's Department of Environmental Affairs and Development Services Department, the operator shall obtain the services of a qualified specialist, approved by the City Development Services Department in conjunction with the Department of Environmental Affairs, to prepare and submit an annual air quality report showing project-generated NO_x emissions. The annual emissions evaluation shall identify project-generated increases in emissions over those existing at the time of the approval of the use permit, any emission reduction strategies that have been implemented (i.e., use of cleaner equipment, etc.), and any emissions offsets or additional mitigation measures, as described in mitigation measure MM 3.1.2d, that will be implemented sufficient to achieve the threshold of 54 pounds of NO_x per day or 10 tons of NO_x per year. Emissions analyses shall be submitted to the City by April 1 of the following year. Upon the City's approval of the annual air quality report, documentation of any emissions offsets or additional mitigation strategies that have been implemented shall be provided to the City within 30 calendar days.
106. Air Quality - MM 3.1.2 (d): Based on the information provided in the annual report described in mitigation measure MM 3.1.2c, the proposed project shall implement on-site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NO_x emissions to no more than 54 pounds per day or 10 tons of NO_x per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NO_x emissions may include, but are not limited to, the following:
 - a) Use of alternatively fueled vehicles and off-road equipment.
 - b) Electrification of on-site equipment.

- c) Reduction in the number of pieces of motorized equipment and/or hours of use.
 - d) Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, CARB's Tier 4i emission standards, or equivalent.
 - e) Secure emission reduction credits (ERCs) to offset NO_x emissions per BAAQMD Regulations 2-2-215, 302, and 303.
107. Hazards and Hazardous Materials - MM 3.3.2 (a): The project applicant shall either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire current project site and proposed site preparation and construction activities. The completed plan shall be implemented during all project construction activities. The plan shall address the potential for workers to be exposed to contaminated soils and shall provide specific measures to be implemented to ensure worker health and safety. These measures may include site controls, use of protective clothing, soil watering, hazard awareness training for workers, and/or emergency medical response procedures.
108. Hazards and Hazardous Materials - MM 3.3.2 (b): The project applicant shall comply with all relevant requirements of the *Covenant to Restrict Use of Property, Environmental Restriction (Re: A limited portion of County of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site L-A Property, DTSC site code number 520024), DOC-2010-0132574-00 recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010.*
109. Traffic - MM 3.7.1 (a): The proposed project shall contribute their fair share to implement the SR 4 widening project, which would result in improvements at the SR 4 Eastbound Ramps/Loveridge Road intersection that would increase capacity. These improvements include:
- a) Convert the existing configuration from a "T" intersection to a four-leg intersection.
 - b) Modify eastbound approach from its current configuration which provides one shared left-turn/through lane and one right-turn lane to provide two left-turn lanes and one right-turn lane.
 - c) Modify southbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two left-turn lanes and two through lanes.
 - d) Modify northbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two through lanes and one right-turn lane.

110. Traffic – MM 3.7.1 (b): The proposed project shall contribute their fair share to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:
- a) Install a dedicated eastbound right-turn lane on Pittsburg-Antioch Highway.
 - b) Install a second westbound left-turn lane on Pittsburg-Antioch Highway.
 - c) Upgrade existing traffic signal equipment to accommodate the changed intersection lane configurations.
111. Traffic - MM 3.7.2: The project applicant shall pay the project's fair share of the cost to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:
- a) Install an additional left-turn lane on the westbound Pittsburg-Antioch Highway approach.
 - b) Install a dedicated left-turn lane on the northbound Loveridge Road approach.
 - c) Convert the existing shared left-turn/through lane on the northbound Loveridge Road approach to be a through-only lane.
 - d) Modify signal phasing in the north/south direction from split phase to having protected left-turns.
 - e) Upgrade existing traffic signal equipment to accommodate the recommended intersection lane configurations.
112. Biological Resources - MM 3.8.1 (a): **Burrowing Owl.** Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (Staff Report), published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped.

If burrowing owls are found during the breeding season (February 1–August 31), the project applicant shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate

buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow.

If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing one-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation, and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow.

113. Biological Resources - MM 3.8.1(b): **Swainson's Hawk**. Prior to any ground disturbance that occurs during the nesting season (March 15–September 15), a qualified biologist will conduct a preconstruction survey no more than one month prior to construction to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site.

If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the project applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and the CDFW. While the nest is occupied, project-related activities outside the 1,000-foot buffer can take place.

114. Biological Resources - MM 3.8.1(c): **Golden Eagle**. Prior to any ground disturbance that occurs during the nesting season (January 1–August 31), a qualified biologist shall conduct a preconstruction survey not more than one month prior to construction to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest are prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate

buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged.

115. Biological Resources - MM 3.8.1(e): **Nesting Bird Surveys.** If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer.

If active nest sites are identified within 200 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Term of Approval:

116. This approval will expire on May 12, 2017, unless a Solid Waste Permit has been issued by the City of Pittsburg LEA or a written request for extension is filed with the Planning Division prior to the expiration date and is subsequently approved by the Planning Commission. The term of the use permit approval for this project shall be co-terminus with the design review approval for this project.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner Belleci-Shipe, seconded by Commissioner Gargalikis, the foregoing resolution was passed and adopted the 26th day of May 2015, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES: Belleci-Shipe, Fardella, Fogleman, Gargalikis, Kelley

NAYES:

ABSTAIN:

ABSENT: Banales, Ohlson

I hereby certify that the above Resolution No. 10002 was adopted by the Planning Commission of the City of Pittsburg on May 26, 2015.



KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

701.03

PC

RESO

10001

KP

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Certifying the Environmental	)	
Impact Report and Adopting Findings, a	)	Resolution No. 10001
Statement of Overriding Considerations	)	
and a Mitigations Monitoring and	)	
Reporting Program, for "Mt. Diablo	)	
Resource Recovery Park, AP-10-712."	)	

The Planning Commission DOES resolve as follows:

Section 1. Background

- A. On August 9, 2010, Contra Costa Waste Services filed Use Permit and Design Review Application No. 10-712 requesting approval a use permit modification in order to bring the solid waste and recycling operations at the Recycling Center and Transfer Station (RCTS), the Mt. Diablo Recycling Facility (MDRF) and the mixed construction and demolition (Mixed C&D) recycling facility under a single entity referred to as the Mt. Diablo Resource Recovery Park (MDRRP). The proposal also included an increase in the total amount of materials processed per day at all three facilities from 2,200 tons per day (TPD), to a total of 5,500 TPD; establishment of a new commercial recycling and organic processing programs for residential and commercial food wastes; construction of a biomass gasification unit to process clean wood waste into energy for on-site use; and as a possible future phase of the project, a rail haul option for waste transportation purposes. The project site includes a total of 37 acres. The western portion of the property is in the IG (General Industrial) District and the eastern portion of the property is within the IL (Limited Industrial) District. Assessor's Parcel Numbers: 073-200-013, -014, -015, -024 and a portion of -023.
- B. The City has discretionary authority over the project and is identified as the lead agency for the project. In accordance with Section 15082 of the State CEQA Guidelines, the City prepared and released a Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) on May 18, 2011. The NOP was circulated to the public, local, state and federal agencies, and other interested parties for 30 days to solicit comments on the project. The NOP and full text of responses to the NOP are presented in Appendix A of the Draft EIR. An Initial Study for the project was prepared and released for public review along with the NOP. Its conclusion supported preparation of an EIR for the project. The Initial Study is also included in Appendix A of the Draft EIR.
- C. The Initial Study for the project preliminarily analyzed the project and its potential impacts. Through this Initial Study, it was determined that the project could potentially have adverse impacts in the areas of air quality, climate change,

hazards and hazardous materials, hydrology and water quality, land use and planning, public services and utilities, transportation and circulation, and biological resources. All other areas of potential environmental impact were determined to have no potential adverse impacts under the project and were eliminated from further analysis. After releasing the NOP, a public scoping session was held on June 2, 2011, to receive additional comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR.

- D. Prior to the Draft EIR being released for public review the applicant filed a modification to their use permit application on September 9, 2014, in order to relocate an existing truck maintenance facility from its current location east of the project site, across Loveridge Road, to the southernmost portion of the MDRRP site. The relocated facility would require construction of a new 18,000 square foot building identified as the SEG truck maintenance facility, to store and maintain trucks associated with the operation. This additional component of the project was added to the Draft EIR analysis.
- E. In accordance with Public Resources Code (PRC) Section 21080(d), an EIR was prepared to analyze the potential impacts of the project. A Draft EIR for the project was released for a 45-day public and agency review on December 16, 2014, with the review period ending on January 29, 2015. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts and mitigation measures for impacts found to be potentially significant, and an analysis of project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at City offices and on the City's website. The City received ten comment letters from public agencies, interest groups, and the public regarding the Draft EIR.
- F. The City received comment letters from public agencies, interest groups, and the public regarding the Draft EIR and prepared a Final Environmental Impact Report (Final EIR) dated April 2015. The Final EIR provided responses to all written comments received on the Draft EIR as required by CEQA. The Final EIR also contained minor edits to the Draft EIR. The Draft EIR and the Final EIR are incorporated herein by reference and together constitute the Final Environmental Impact Report for the Mt. Diablo Resource Recovery Park Project, pursuant to CEQA Guidelines Sections 15098 and 15132, which reflects the City's independent judgment and analysis on the potential environmental impacts of the project.
- G. The Final EIR identifies the potential for significant effects on the environment from implementation of the project, most of which can be substantially reduced through the EIR mitigation measures; therefore, approval of the project must include mitigation findings as set forth in Section 3, Part A.1, below. A Mitigation Monitoring and Reporting Program (MMRP), as required by CEQA, is attached as Exhibit D to this resolution and incorporated herein by reference. The MMRP

identifies project mitigation, designation of responsibility for mitigation implementation, and the agency responsible for the monitoring action.

- H. Significant effects related to air quality and transportation/circulation identified in the Final EIR cannot be lessened to a level of less than significant; therefore, approval of the project must include findings regarding alternatives and a Statement of Overriding Considerations as set forth in Section 3, Parts A.2 and A.3, respectively.
- I. On May 14, 2015, the applicant submitted a letter and revised site plan indicating their desire to relocate the proposed Biomass Gasification Unit to the southern portion of the site, the organics processing unit to the center of the site, and the employee parking to an area along Loveridge Road (previously designated for organics processing), in order to address concerns that had been raised by their neighbors to the north, west and east. According to a memo from the environmental consultant, PMC, dated May 15, 2015, the applicant initiated changes would not result in any new environmental impacts not already addressed in the EIR, and therefore no further analysis would be required in order to incorporate the proposed changes.
- J. On April 28, 2015, the Planning Commission held a public meeting and continued the project to May 26, 2015.
- K. On or prior to May 15, 2015, notice of the May 26, 2015, public hearing to consider this application was posted at City Hall, the project site and on the city's website; was delivered to the Pittsburg Library; and was mailed via first class mail or email to the property owner, applicant and all other owners of property within 300 feet of the subject site, to utility companies and other agencies anticipated to provide service to the project, and to all interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010 and 18.36.350, Government Code section 65091 and State PRC Sections 21092 and 21092.2.
- L. In accordance with CEQA Guidelines section 15088(b), written responses to public agency comments were provided to those public agencies by April 17, 2015, at least ten days prior to the date of the planned certification of the EIR.
- M. Documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based, are located at the City of Pittsburg Planning Division, located at 65 Civic Avenue in Pittsburg, in the custody of the Manager of Planning.

Section 2. Certification of the EIR

- A. The Planning Commission certifies that the Final EIR for this project consists of the Draft EIR, dated December 2014, and the Introduction, Comments and

Responses, and Changes to the Draft EIR, dated April 2015.

- B. Based on the evidence and oral and written testimony presented at the public hearings, and based on all the information contained in the Planning Division's files on the project, including but not limited to the Final EIR for the project and the Planning Commission staff report entitled "Mt. Diablo Resource Recovery Park Project," dated May 26, 2015, the Planning Commission does certify, in accordance with Section 15090 of the State CEQA Guidelines, that:
1. The Final EIR for the project was prepared in compliance with Public Resources Code Section 21000 et seq. and State CEQA Guidelines Section 15000 et seq.; and
 2. The Final EIR was presented to the Planning Commission of the City of Pittsburg, and the Planning Commission has reviewed and considered the information contained in the Final EIR prior to approving the project; and
 3. The Final EIR reflects the independent judgment and analysis of the Planning Commission of the City of Pittsburg; and
 4. The Final EIR adequately describes the project, its environmental impacts, reasonable alternatives, and appropriate mitigation measures.

Section 3. Adoption of Findings, Statement of Overriding Considerations, and Mitigation, Monitoring and Reporting Program

- A. The Planning Commission adopts the following with respect to the project:
1. Mitigation Findings Pursuant to CEQA Guidelines Section 15091, as set forth Exhibit "A" to this resolution and incorporated herein by reference.
 2. Findings Concerning Alternatives, as set forth in Exhibit "B" to this resolution and incorporated herein by reference.
 3. Statement of Overriding Considerations, as set forth in Exhibit "C" to this resolution and incorporated herein by reference.
 4. Mitigation Monitoring Reporting Program, attached as Exhibit "D" to this resolution and incorporated herein by reference.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner Fardella, seconded by Commissioner Gargalikis, the foregoing resolution was passed and adopted the 26th day of May 2015, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES: Belleci-Shipe, Fardella, Fogleman, Gargalikis, Kelley

NAYES:

ABSTAIN:

ABSENT: Banales, Ohlson

I hereby certify that the above Resolution No. 10001 was adopted by the Planning Commission of the City of Pittsburg on May 26, 2015.



KRISTIN POLLOT, ATCP, SECRETARY
PITTSBURG PLANNING COMMISSION

Exhibit "A"

Mitigation Findings Pursuant to CEQA Guidelines Section 15091

With respect to potentially significant impacts of the project, the Planning Commission makes each of the findings set forth below.

Air Quality

Impact 3.1.1. Short-Term Construction Emissions of Criteria Air Pollutants and Precursors. Construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.

Mitigation Measure 3.1.1a. The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day.
2. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
3. All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour.
4. All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
5. Where applicable, vegetative ground cover (fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible.
6. A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. The designated City compliance monitoring staff and/or department shall be notified of all complaints received.

Mitigation Measure 3.1.1b. The following measures shall be implemented to reduce construction-generated mobile-source emissions:

1. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
2. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
3. Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards.

Mitigation Measure 3.1.1c. To the extent possible, construction of the proposed maintenance building shall utilize pre-coated building materials and low-VOC-content architectural coatings.

Finding: Although the mitigation measure would reduce daily construction-related emissions of reactive organic gases and nitrogen oxide, emissions would not be reduced below applicable Bay Area Air Quality Management District (BAAQMD) significance thresholds. Therefore, even with implementation of the mitigation measure, the impact would remain significant and unavoidable (Draft EIR pages 3.1-23 through -26). No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh these significant impacts, as further set forth in the Statement of Overriding Considerations in Exhibit C, below.

Impact 3.1.2. Long-Term Operational Emissions of Criteria Air Pollutants and Precursors. Long-term operational emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.

Mitigation Measure 3.1.2a. The project applicant will be required to demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.

Mitigation Measure 3.1.2b. The operator shall provide a report on the throughput tonnage processed at the facility that would result in operational emissions of NO_x at 90 percent of the allowable threshold of 54 pounds per day and 10 tons per year (i.e., 48.6 pounds of NO_x per day or 9 tons of NO_x per year). The report shall be included as a condition of approval of the use permit and shall be completed by a qualified air quality professional within one year of approval of the use permit for the expansion. Project-generated tonnages and estimated emissions based on the report shall be evaluated commencing at the five-year state permit review and each year thereafter as tonnage reports are submitted to the City Department of Environmental Affairs and Development Services Department. Once the throughput tonnages reach the amount determined in the report to result in 48.6 pounds of NO_x daily or 9 or more tons of NO_x annually, the operator shall prepare and submit project-generated emissions reports, as described in mitigation measure MM 3.1.2c.

Mitigation Measure 3.1.2c. Once the project receives a tonnage throughput resulting in 90 percent of assumed NO_x emissions (48.6 pounds of NO_x per day or 9 tons of NO_x per year) as indicated by annual tonnage reports submitted to the City's Department of Environmental Affairs and Development Services Department, the operator shall obtain the services of a qualified specialist, approved by the City Development Services Department in conjunction with the Department of Environmental Affairs, to prepare and submit an annual air quality report showing project-generated NO_x emissions. The annual emissions evaluation shall identify project-generated increases in emissions over those existing at the time of the approval of the use permit, any emission reduction strategies that have been implemented (i.e., use of cleaner equipment, etc.), and any emissions offsets or additional mitigation measures, as described in mitigation measure MM 3.1.2d, that will be implemented sufficient to achieve the threshold of 54 pounds of NO_x per day or 10 tons of NO_x per year. Emissions analyses shall be submitted to the

City by April 1 of the following year. Upon the City's approval of the annual air quality report, documentation of any emissions offsets or additional mitigation strategies that have been implemented shall be provided to the City within 30 calendar days.

Mitigation Measure 3.1.2d. Based on the information provided in the annual report described in mitigation measure MM 3.1.2c, the proposed project shall implement on-site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NO_x emissions to no more than 54 pounds per day or 10 tons of NO_x per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NO_x emissions may include, but are not limited to, the following:

- Use of alternatively fueled vehicles and off-road equipment.
- Electrification of on-site equipment.
- Reduction in the number of pieces of motorized equipment and/or hours of use.
- Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, CARB's Tier 4i emission standards, or equivalent.
- Secure emission reduction credits (ERCs) to offset NO_x emissions per BAAQMD Regulations 2-2-215, 302, and 303.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less than significant level by reducing operational emissions of criteria air pollutants and precursors to below the applicable BAAQMD threshold (Draft EIR pages 3.1-26 through -30).

Impact 3.1.4. Exposure of Sensitive Receptors to Substantial Concentrations of Toxic Air Contaminants. Implementation of the project could result in incremental increases in risk or hazards at nearby sensitive receptors in the long term that would exceed applicable significant thresholds.

Mitigation Measure 3.1.2a. The project applicant will be required to demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less than significant level by reducing the incremental increases in cancer risk at the maximally impacted receptor to less than 1 in one million, below the BAAQMD's threshold of significant of 10 in one million (Draft EIR pages 3.1-32 through -33).

Impact 3.1.6. Cumulatively Considerable Net Increase of Criteria Air Pollutants and Precursors. The proposed project, in combination with emission sources in the San Francisco Bay Area Air Basin, would result in a cumulatively considerable net increase of criteria air pollutants and precursors.

Mitigation Measure 3.1.1a. The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day.

2. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
3. All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour.
4. All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
5. Where applicable, vegetative ground cover (fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible.
6. A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. The designated City compliance monitoring staff and/or department shall be notified of all complaints received.

Mitigation Measure 3.1.1b. The following measures shall be implemented to reduce construction-generated mobile-source emissions:

1. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
2. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
3. Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards.

Mitigation Measure 3.1.1c. To the extent possible, construction of the proposed maintenance building shall utilize pre-coated building materials and low-VOC-content architectural coatings.

Mitigation Measure 3.1.2a. The project applicant will be required to demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.

Mitigation Measure 3.1.2d. Based on the information provided in the annual report described in mitigation measure MM 3.1.2c, the proposed project shall implement on-site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NO_x emissions to no more than 54 pounds per day or 10 tons of NO_x per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NO_x emissions may include, but are not limited to, the following:

- Use of alternatively fueled vehicles and off-road equipment.
- Electrification of on-site equipment.
- Reduction in the number of pieces of motorized equipment and/or hours of use.
- Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, CARB's Tier 4i emission standards, or equivalent.

- Secure emission reduction credits (ERCs) to offset NO_x emissions per BAAQMD Regulations 2-2-215, 302, and 303.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less than significant level by reducing operational emissions of criteria air pollutants and precursors to below the applicable BAAQMD threshold (Draft EIR pages 3.1-34 through -35).

Impact 3.1.7. Cumulatively Considerable Contribution to Localized Concentrations of Toxic Air Contaminants. The project, in combination with nearby emission sources, could result in predicted risks or hazards that would exceed applicable significance thresholds at nearby sensitive receptors.

Mitigation Measure 3.1.2a. The project applicant will be required to demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less than cumulatively considerable level by reducing the incremental increases in cancer risk at the maximally impacted receptor (MIR) to less than 1 in one million, below the BAAQMD's threshold of significance of 10 in one million (Draft EIR pages 3.1-35 through -36).

Hazards and Hazardous Materials

Impact 3.3.2. Exposure of Persons to Hazardous Materials During Project Construction. Construction workers could be exposed to hazardous materials during site preparation. However, compliance with existing applicable worker health and safety laws and regulations would minimize potential for exposure.

Mitigation Measure 3.3.2a. The project applicant shall either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire current project site and proposed site preparation and construction activities. The completed plan shall be implemented during all project construction activities. The plan shall address the potential for workers to be exposed to contaminated soils and shall provide specific measures to be implemented to ensure worker health and safety. These measures may include site controls, use of protective clothing, soil watering, hazard awareness training for workers, and/or emergency medical response procedures.

Mitigation Measure 3.3.2b. The project applicant shall comply with all relevant requirements of the *Covenant to Restrict Use of Property, Environmental Restriction (Re: A limited portion of County of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site LA Property, DTSC site code number 520024), DOC-2010-0132574-00*, recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less than significant level by requiring implementation of specific measures to ensure worker health and safety and by requiring compliance with existing land use restrictions for the site (Draft EIR pages 3.3-14 through -15).

Transportation and Circulation

Impact 3.7.1. Exceedance of LOS Thresholds at Study Intersections. Implementation of the proposed project would result in the degradation of operations at two study intersections.

Mitigation Measure 3.7.1a. The proposed project shall contribute their fair share to implement the SR 4 widening project, which would result in improvements at the SR 4 Eastbound Ramps/Loveridge Road intersection that would increase capacity. These improvements include:

- Convert the existing configuration from a "T" intersection to a four-leg intersection.
- Modify eastbound approach from its current configuration which provides one shared left-turn/through lane and one right-turn lane to provide two left-turn lanes and one right-turn lane.
- Modify southbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two left-turn lanes and two through lanes.
- Modify northbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two through lanes and one right-turn lane.

Finding: The above feasible mitigation measure will avoid or substantially lessen the significant environmental impact described to a less than significant level by requiring the applicant to provide funding for improvements to the affected intersection which would improve the level of service to an acceptable level (Draft EIR pages 3.7-20 through -27).

Mitigation Measure 3.7.1b. The proposed project shall contribute their fair share to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:

- Install a dedicated eastbound right-turn lane on Pittsburg-Antioch Highway.
- Install a second westbound left-turn lane on Pittsburg-Antioch Highway.
- Upgrade existing traffic signal equipment to accommodate the changed intersection lane configurations.

Finding: Although the above mitigation measure would provide partial funding for improvements to increase capacity at the affected intersection, funding for the full improvement is not certain, and it is unlikely that the improvements will be in place before the project is completed. Therefore, even with implementation of the mitigation measure, the impact would remain significant and unavoidable. Specific benefits of the project outweigh this significant impact, as further set forth in the Statement of Overriding Considerations in Exhibit C, below (Draft EIR pages 3.7-20 through -29).

Impact 3.7.2. Cumulative Traffic Impacts. Operations at the Pittsburg-Antioch Highway/Loveridge Road intersection are projected to degrade with the addition of project traffic.

Mitigation Measure 3.7.2. The project applicant shall pay the project's fair share of the cost to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:

- Install an additional left-turn lane on the westbound Pittsburg-Antioch Highway approach.
- Install a dedicated left-turn lane on the northbound Loveridge Road approach.
- Convert the existing shared left-turn/through lane on the northbound Loveridge Road approach to be a through-only lane.
- Modify signal phasing in the north/south direction from split phase to having protected left-turns.
- Upgrade existing traffic signal equipment to accommodate the recommended intersection lane configurations.

Finding: Although the above mitigation measure would provide improvement operations at the intersection to acceptable service levels, widening along Loveridge Road to accommodate an additional northbound lane is constrained due to proximity to the railroad crossing. Therefore, improvements to this portion of Loveridge Road would likely be infeasible, the project's contribution to the impact under maximum permitted conditions would be cumulatively considerable, and the impact would remain significant and unavoidable. No other mitigation measures were recommended to the City during the public comment period for the Draft EIR. The applicant has agreed to all mitigation measures included in the Draft EIR. Specific benefits of the project outweigh this significant impact, as further set forth in the Statement of Overriding Considerations in Exhibit C, below (Draft EIR pages 3.7-30 through -35).

Biological Resources

Impact 3.8.1. Substantial Adverse Effects to Special-Status Species. Implementation of project-related activities could result in substantial adverse effects, either directly or through habitat modifications, to special-status species.

Mitigation Measure 3.8.1a. Burrowing Owl. Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (Staff Report), published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped.

If burrowing owls are found during the breeding season (February 1–August 31), the project applicant shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow.

If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing one-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation, and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow.

Mitigation Measure 3.8.1b. Swainson's Hawk. Prior to any ground disturbance that occurs during the nesting season (March 15–September 15), a qualified biologist will conduct a preconstruction survey no more than one month prior to construction to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site.

If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the project applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and the CDFW. While the nest is occupied, project-related activities outside the 1,000-foot buffer can take place.

Mitigation Measure 3.8.1c. Golden Eagle. Prior to any ground disturbance that occurs during the nesting season (January 1–August 31), a qualified biologist shall conduct a preconstruction survey not more than one month prior to construction to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest are prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged.

Mitigation Measure 3.8.1d. Non-Covered Raptor Surveys. If clearing and/or construction activities will occur during the raptor nesting season (January 15–August 15), preconstruction surveys to identify active raptor nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area and a 500-foot buffer (if feasible).

If active nest sites are identified within 500 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to nesting raptors. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 250 feet of any active nest sites until the nest is deemed inactive by a

qualified biologist. Activities permitted within and the size (i.e., 250 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Mitigation Measure 3.8.1e. Nesting Bird Surveys. If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer.

If active nest sites are identified within 200 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less than significant level by ensuring no birds are present or providing for measures to reduce the potential disturbance to nesting or fledgling birds to ensure impacts are reduced to a less than significant level (Draft EIR pages 3.8-29 through -32).

Impact 3.8.5. Conflict with Policies, Ordinances, or Plans. The proposed project conflict with policies, ordinances, or plans, including the East Contra Costa County HCP/NCCP.

Mitigation Measure 3.8.1a. Burrowing Owl. Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (Staff Report), published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped.

If burrowing owls are found during the breeding season (February 1–August 31), the project applicant shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow.

If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing one-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation, and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow.

Mitigation Measure 3.8.1b. Swainson's Hawk. Prior to any ground disturbance that occurs during the nesting season (March 15–September 15), a qualified biologist will conduct a preconstruction survey no more than one month prior to construction to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site.

If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the project applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and the CDFW. While the nest is occupied, project-related activities outside the 1,000-foot buffer can take place.

Mitigation Measure 3.8.1c. Golden Eagle. Prior to any ground disturbance that occurs during the nesting season (January 1–August 31), a qualified biologist shall conduct a preconstruction survey not more than one month prior to construction to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest are prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged.

Mitigation Measure 3.8.1d. Non-Covered Raptor Surveys. If clearing and/or construction activities will occur during the raptor nesting season (January 15–August 15), preconstruction surveys to identify active raptor nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area and a 500-foot buffer (if feasible).

If active nest sites are identified within 500 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to nesting raptors. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will

be imposed within 250 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 250 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Mitigation Measure 3.8.1e. Nesting Bird Surveys. If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer.

If active nest sites are identified within 200 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Finding: The above feasible mitigation measures will avoid or substantially lessen the significant environmental impact described to a less than significant level by ensuring no birds are present or providing for measures to reduce the potential disturbance to nesting or fledgling birds. These measures would reduce the project's contribution to impacts to special-status species and sensitive habitats, thereby reducing the proposed project's contribution to the cumulative impact to less than cumulatively considerable (Draft EIR pages 3.8-34 through -35).

Findings Concerning Alternatives

CEQA Guidelines Section 15126.6(a) specifies that the EIR identify alternatives to the project that "would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant environmental effects of the project." "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. In addition, consistent with PRC Section 21002, a project should not be approved if feasible alternatives would substantially lessen the project's significant effects. Significant unavoidable impacts were identified for the project related to air quality and transportation/circulation. The alternatives suggested would have reduced impacts related to air quality and transportation/circulation based on the reduced operational expansion. The following findings determine that the benefits of the project, as proposed, outweigh the impacts and that none of the alternatives would meet the project's goals to increase facility capacities and expand hours of operation to better serve customers and to meet projected solid waste generation rates and to assist the City in reducing greenhouse gas emissions.

Alternative 1: No Project Alternative

The No Project Alternative is described on page 5.0-4 of the Draft EIR and is analyzed on pages 5.0-8 through -14. Under this alternative, the existing Mt. Diablo Recycling Center and Transfer Station would continue to operate under its current permitted capacities and no physical improvements would be made at the project site. This alternative also assumes that no revisions would be made to the facility's current Solid Waste Facility Permit issued by the California Department of Resources Recycling and Recovery (CalRecycle). The facility is currently permitted to process a throughput of 2,200 tons per day (TPD). The facility currently processes less than its permitted capacity, approximately 1,181 TPD. This alternative assumes that the facility would ultimately increase operations to the permitted levels (a 125 percent increase from existing operations), with a proportionate increase in the number of truck and vehicle trips entering and leaving the site. The current permitted capacity is less than the total capacity requested for the proposed project, which is 5,500 TPD.

Finding: This alternative is infeasible and rejected for the following reasons:

1. The Planning Commission finds that the No Project Alternative is rejected as an alternative because it would not meet any of the objectives identified for the project. Specifically, this alternative would not assist in the further reduction of greenhouse gas emissions and would not respond to any of the requirements of Assembly Bill (AB) 32, as it would not result in the generation of renewable energy, would not increase the solid waste diversion rates of the cities and counties it serves beyond that currently permitted, and would not add a business and multi-family residential recycling program.
2. This alternative would not respond to projected population growth and the associated increased solid waste generation in the facility's service area, expand hours of operation at the facility to better serve customers, or consolidate facilities under one permit.

Alternative 2: Biomass and Solar Alternative

The Biomass and Solar Alternative is described on page 5.0-4 and is analyzed on pages 5.0-8 through -14. This alternative assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, or Organics Processing Facility, with the exception of the 40 tons per day increase in clean wood chips to fuel the biomass plant. This alternative assumes that only the construction of the Biomass Gasification Unit on approximately 3.5 acres of expansion land and installation of the solar panels would move forward. Because the facility's capacities would not be substantially increased, no revisions to the facility's Solid Waste Facility Permit would be requested and the proposed addition of sort lines, bays, and other equipment would not be required.

Finding: This alternative is infeasible and rejected for the following reasons:

1. The Planning Commission finds that the Biomass and Solar Alternative is rejected as an alternative because it would not meet several of the objectives identified for the project. This alternative would assist in the further reduction of greenhouse gas emissions through solar and biogas electricity generation; however, it would not achieve the same avoided emissions of greenhouse gases that would be realized under the proposed project related to the avoided landfill methane emissions and the emissions avoided by the use of recycled materials. While this alternative would respond to some of the requirements of AB 32 by installing and operating alternative energy systems on-site, it would not increase the solid waste diversion rates of the cities and counties it serves and would not add a business and multi-family residential recycling program. In addition, this alternative would not respond to projected population growth and increased solid waste generation in the facility's service area, would not expand hours of operation at the facility to better serve customers, and would not consolidate facilities under one permit.

Alternative 3: Limited Expansion Alternative

The Limited Expansion Alternative is described on page 5.0-4 and is analyzed on pages 5.0-8 through -14. This alternative assumes that there would be increases at the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, or Organics Processing Facility, but the permit would seek an expansion to only 55 percent of the requested permit level of the proposed project. Therefore, the operating condition of the facility under this alternative (operating at 55 percent of the maximum permitted level under the proposed project) would be 3,050 tons per day (TPD), compared to 5,500 TPD for the proposed project.

Finding: This alternative is infeasible and rejected for the following reasons:

1. The Planning Commission specifically finds that the Limited Expansion Alternative is rejected as an alternative because it would not meet some of the objectives identified for the project. Because this alternative limits the throughput at the facility to a level that is consistent with the current level of throughput relative to the facility's existing permitted capacity, this alternative may not be consistent with the objective related to significantly expanding the facility's capacities and hours of operation

to meet projected population growth and better serve customers and to meet projected solid waste generation rates until the year 2035.

2. It is likely that if the existing facility is not expanded, then another facility would have to be constructed or expanded, resulting in additional environmental impacts in order to accommodate future State-mandated waste diversion goals.

Statement of Overriding Conditions

The project will result in significant and unavoidable individual impacts in the area of air quality and significant and unavoidable individual and cumulative impacts in the area of transportation.

After review of the entire administrative record, including the Final EIR, the Planning Commission staff report, and oral and written testimony and evidence presented at public hearings on the project, the Planning Commission finds that specific economic, legal, social, technological, and other anticipated benefits of the project outweigh the unavoidable adverse impact, and therefore justify the approval of the Mt. Diablo Resource Recovery Park Project. The project would eliminate or substantially lessen all significant effects on the environment, where feasible, and the Planning Commission finds that the remaining significant unavoidable impacts of the project are acceptable because the benefits outweigh the impacts. The Planning Commission finds that each of the overriding considerations set forth below constitute a separate and independent ground for such a finding. The project will result in the following substantial benefits, which justify the project:

1. The project would assist the City of Pittsburg and Contra Costa County in reducing greenhouse gas emissions and complying with the measures of the adopted AB 32 Scoping Plan by 2020 by generating renewable energy, increasing solid waste diversion rates, and expanding programs to provide recycling to businesses and multi-family residences.
2. The project would assist the City of Pittsburg and Contra Costa County in maintaining compliance with AB 939 mandates requiring 50 percent diversion of solid waste from landfills and preparing to accommodate future AB 939 goals and mandates, such as assisting in the statewide recycling goal of a 75 percent recycling rate by 2020, consistent with AB 341.
3. The project would assist the City of Pittsburg and Contra Costa County in implementing the mandatory commercial recycling program required by AB 341.

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

The California Environmental Quality Act (CEQA) Guidelines, Section 15091(d), requires public agencies, as part of the certification of an environmental impact report, to adopt a mitigation monitoring and reporting program to ensure that changes made to the project as conditions of project approval to mitigate or avoid significant environmental effects are implemented. The Mitigation Monitoring and Reporting Program (MMRP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Mt. Diablo Resource Recovery Park Project (project) in the City of Pittsburg (City). The MMRP is intended to be used by City staff and mitigation monitoring personnel during implementation of the project.

The MMRP will provide for monitoring of construction activities as necessary, in-the-field identification and resolution of environmental concerns, and reporting to City staff. The MMRP will consist of the components described below.

COMPLIANCE CHECKLIST

The table below contains a compliance-monitoring checklist that identifies the newly adopted mitigation measures, identification of agencies responsible for enforcement and monitoring, and timing of implementation.

MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING PLAN

MM Number	Mitigation Measure	Timing/Implementation	Enforcement/Monitoring	Verification (date and signature)
MM 3.1.1	a. The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following: 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day. 2. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 3. All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour. 4. All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 5. Where applicable, vegetative ground cover (fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible. 6. A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary	Measures shall be added as conditions of approval for all development permits	City of Pittsburg Development Services Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. The designated City compliance monitoring staff and/or department shall be notified of all complaints received. b. The following measures shall be implemented to reduce construction-generated mobile-source emissions: 1. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points. 2. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 3. Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards. c. To the extent possible, construction of the proposed maintenance building shall utilize pre-coated building materials and low-VOC-content architectural coatings.			
MM 3.1.2a	The project applicant shall demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.	Prior to operation of new facilities	City of Pittsburg Development Services Department and Department of Environmental Affairs	

MITIGATION MONITORING AND REPORTING PROGRAM

MM 3.1.2b	The operator shall provide a report on the throughput tonnage processed at the facility that would result in operational emissions of NO _x at 90 percent of the allowable threshold of 54 pounds per day and 10 tons per year (i.e., 48.6 pounds of NO _x per day or 9 tons of NO _x per year). The report shall be included as a condition of approval of the use permit and shall be completed by a qualified air quality professional within one year of approval of the use permit for the expansion. Project-generated tonnages and estimated emissions based on the report shall be evaluated commencing at the five-year state permit review and each year thereafter as tonnage reports are submitted to the City Department of Environmental Affairs and Development Services Department. Once the throughput tonnages reach the amount determined in the report to result in 48.6 pounds of NO _x daily or 9 or more tons of NO _x annually, the operator shall prepare and submit project-generated emissions reports, as described in mitigation measure MM 3.1.2c.	Completion of the report shall be a condition of approval of the use permit and shall be completed prior to issuance of the Solid Waste Facility Permit	City of Pittsburgh Development Services Department and Department of Environmental Affairs	
MM 3.1.2c	Once the project receives a tonnage throughput resulting in 90 percent of assumed NO _x emissions (48.6 pounds of NO _x per day or 9 tons of NO _x per year) as indicated by annual tonnage reports submitted to the City's Department of Environmental Affairs and Development Services Department, the operator shall obtain the services of a qualified specialist, approved by the City Development Services Department in conjunction with the Department of Environmental Affairs, to prepare and submit an annual air quality report showing project-generated NO _x emissions. The annual emissions evaluation shall identify project-generated increases in emissions over those existing at the time of the approval of the use permit, any emission reduction strategies that have been implemented (i.e., use of cleaner equipment, etc.), and any emissions offsets or additional mitigation measures, as described in mitigation measure MM 3.1.2d, that will be implemented sufficient to achieve the threshold of 54 pounds of NO _x per day or 10 tons of NO _x per year. Emissions analyses shall be submitted to the City by April 1 of the following year. Upon the City's approval of the annual air quality report, documentation of	Annually as described	City of Pittsburgh Development Services Department and Department of Environmental Affairs	

MITIGATION MONITORING AND REPORTING PROGRAM

	any emissions offsets or additional mitigation strategies that have been implemented shall be provided to the City within 30 calendar days.			
MM 3.1.2d	Based on the information provided in the annual report described in mitigation measure MM 3.1.2c, the proposed project shall implement on-site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NO_x emissions to no more than 54 pounds per day or 10 tons of NO_x per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NO_x emissions may include, but are not limited to, the following: • Use of alternatively fueled vehicles and off-road equipment. • Electrification of on-site equipment. • Reduction in the number of pieces of motorized equipment and/or hours of use. • Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, CARB's Tier 4i emission standards, or equivalent. Secure emission reduction credits (ERCs) to offset NO_x emissions per BAAQMD Regulations 2-2-215, 302, and 303.	Annually as described	City of Pittsburgh Development Services Department and Department of Environmental Affairs	
MM 3.3.2a	The project applicant shall either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire current project site and proposed site preparation and construction activities. The completed plan shall be implemented during all project construction activities. The plan shall address the potential for workers to be exposed to contaminated soils and shall provide specific measures to be implemented to ensure worker health and safety. These measures may include site controls, use of protective clothing,	Prior to issuance of grading permits for the 18.5 acre expanded site.	City of Pittsburgh Development Services Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	soil watering, hazard awareness training for workers, and/or emergency medical response procedures.			
MM 3.3.2b	The project applicant shall comply with all relevant requirements of the <i>Covenant to Restrict Use of Property, Environmental Restriction (Re: A limited portion of County of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site L-A Property, DTSC site code number 520024), DOC-2010-0132574-00 recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010.</i>	During Site Preparation and Construction	City of Pittsburg Development Services Department	
MM 3.7.1a	The proposed project shall contribute their fair share to implement the SR 4 widening project, which would result in improvements at the SR 4 Eastbound Ramps/Loveridge Road intersection that would increase capacity. These improvements include: • Convert the existing configuration from a "T" intersection to a four-leg intersection. • Modify eastbound approach from its current configuration which provides one shared left-turn/through lane and one right-turn lane to provide two left-turn lanes and one right-turn lane. • Modify southbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two left-turn lanes and two through lanes. • Modify northbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two through lanes and one right-turn lane.	Payment of fees shall be included as a condition of approval of a Conditional Use Permit	City of Pittsburg Development Services Department	
MM 3.7.1b	The proposed project shall contribute their fair share to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:	Payment of fees shall be included as a condition of	City of Pittsburg Development Services Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	• Install a dedicated eastbound right-turn lane on Pittsburg-Antioch Highway. • Install a second westbound left-turn lane on Pittsburg-Antioch Highway. • Upgrade existing traffic signal equipment to accommodate the changed intersection lane configurations.	approval of a Conditional Use Permit		
MM 3.7.2	The project applicant shall pay the project's fair share of the cost to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection: • Install an additional left-turn lane on the westbound Pittsburg-Antioch Highway approach. • Install a dedicated left-turn lane on the northbound Loveridge Road approach. • Convert the existing shared left-turn/through lane on the northbound Loveridge Road approach to be a through-only lane. • Modify signal phasing in the north/south direction from split phase to having protected left-turns. • Upgrade existing traffic signal equipment to accommodate the recommended intersection lane configurations.	Payment of fees shall be included as a condition of approval of a Conditional Use Permit	City of Pittsburg Development Services Department	
MM 3.8.1a	Burrowing Owl. Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (Staff Report), published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use	Prior to and during construction activities	City of Pittsburg Planning Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	by owls. During the surveys, all burrows and burrowing owls will be identified and mapped. If burrowing owls are found during the breeding season (February 1–August 31), the project applicant shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow. If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing one-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation, and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow.			
MM 3.8.1b	Swainson's Hawk. Prior to any ground disturbance that occurs during the nesting season (March 15–September 15), a qualified biologist will conduct a preconstruction survey no more than one month prior to construction to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site. If occupied nests are documented, project-related activities	Prior to and during construction activities	City of Pittsburgh Planning Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the project applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and the CDFW. While the nest is occupied, project-related activities outside the 1,000-foot buffer can take place.			
MM 3.8.1c	Golden Eagle. Prior to any ground disturbance that occurs during the nesting season (January 1–August 31), a qualified biologist shall conduct a preconstruction survey not more than one month prior to construction to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest are prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged.	Prior to and during construction activities	City of Pittsburgh Planning Department	
MM 3.8.1d	Non-Covered Raptor Surveys. If clearing and/or construction activities will occur during the raptor nesting season (January 15–August 15), preconstruction surveys to identify active raptor nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by	Prior to and during construction activities	City of Pittsburgh Planning Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area and a 500-foot buffer (if feasible). If active nest sites are identified within 500 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to nesting raptors. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 250 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 250 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.			
MM 3.8.1e	Nesting Bird Surveys. If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer. If active nest sites are identified within 200 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or	Prior to and during construction activities	City of Pittsburg Planning Department	

MITIGATION MONITORING AND REPORTING PROGRAM

	the East Contra Costa County HCP/NCCP Implementing Entity.			
--	--	--	--	--

CITY OF PITTSBURG

MT. DIABLO RESOURCE RECOVERY PARK

DRAFT ENVIRONMENTAL IMPACT REPORT

SCH No. 2011052053

Prepared for:

CITY OF PITTSBURG
65 CIVIC AVENUE
PITTSBURG, CA 94565

Prepared by:



2729 PROSPECT PARK DRIVE, SUITE 220
RANCHO CORDOVA, CA 95670

DECEMBER 2014

CITY OF PITTSBURG
MT. DIABLO RESOURCE RECOVERY PARK
DRAFT ENVIRONMENTAL IMPACT REPORT

SCH No. 2011052053

Prepared for:

CITY OF PITTSBURG
65 CIVIC AVENUE
PITTSBURG, CA 94565

Prepared by:

PMC
2729 PROSPECT PARK DRIVE, SUITE 220
RANCHO CORDOVA, CA 95670

DECEMBER 2014



City of Pittsburg
Development Services Department
Planning Division
65 Civic Avenue
Pittsburg, CA 94565-3814

Notice of Availability

MOUNT DIABLO RESOURCE RECOVERY PARK DRAFT EIR
State Clearinghouse No. 2011052053
December 16, 2014

LEAD AGENCY: City of Pittsburg

PROJECT TITLE: Mount Diablo Resource Recovery Park

PROJECT LOCATION: The project site is located at 1300 Loveridge Road in the City of Pittsburg in north-central Contra Costa County. The project site is on the western side of Loveridge Road just north of Pittsburg-Antioch Highway and State Route (SR) 4, and just south of the Burlington Northern and Santa Fe (BNSF) railroad and the shoreline of New York Slough. The project site is a total of 36 acres with 17.5 acres (Assessor's Parcel Numbers (APNs) 073-200-014 and 073-200-015) on the existing facility, and an expansion onto 18.5 acres located west and south of the existing facility. The site is located in the Antioch North Quadrangle and within the Los Medanos Land Grant.

PROJECT DESCRIPTION: The proposed project consists of a Conditional Use Permit (CUP) for the operational expansion and reorganization of the existing Mt. Diablo Recycling Facility (MDRF) and Recycling Center and Transfer Station (RCTS). The expanded facility will be called the Mt. Diablo Resource Recovery Park (MDRRP). The MDRRP will consist of the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, and Organics Processing Facility, which are existing facilities proposed for operational expansion, as well as a new Biomass Gasification Unit. The project also includes relocation of the truck maintenance facility and yard from the east side of Loveridge Road to the expanded project site.

ENVIRONMENTAL EFFECTS: The City of Pittsburg has prepared a Draft Environmental Impact Report (EIR) to address the specific environmental effects of implementing the MDRRP. The Draft EIR consists of a focused analysis of the following environmental issue areas that may be impacted by the project:

- Air Quality
- Greenhouse Gas and Climate Change

- Hazards
- Hydrology and Water Quality
- Land Use
- Public Services and Utilities
- Transportation and Circulation
- Biological Resources
- Cumulative Impacts
- Growth Inducing Impacts
- Significant Irreversible Environmental Changes

Listed hazardous waste sites, hazardous materials users and other associated hazardous material sites (including sites identified under Section 65962.5 of the Government Code) that are known to be present in the project area are identified in Section 4.3 (Hazards) of the Draft EIR.

Significant environmental effects of the project after implementation of mitigation measures include generation of construction emissions, degradation of operations at two study intersections, and degradation of operations at the Pittsburg-Antioch Highway/Loveridge Road intersection under cumulative conditions.

PUBLIC REVIEW PERIOD/STATUS: A **45-day public review period** will be provided to receive written comments on the adequacy of the Draft EIR. The comment period will start on **December 16, 2014**, and end on **January 30, 2015**. Written comments should be sent to Dana Hoggatt Ayers, Planning Manager, at the following address:

Development Services Department, Planning Division
65 Civic Avenue
Pittsburg, CA 94565

Or

E-mail: dhoggatt@ci.pittsburg.ca.us

PUBLIC MEETING: The City of Pittsburg, acting as Lead Agency for the project, will also accept comments on the DEIR at a public workshop, to be held on **Thursday, January 15, 2015**, from 6:00 p.m. to 7:00 p.m. at Pittsburg City Hall, 65 Civic Avenue, First Floor Conference Room, Pittsburg, CA 94565.

AVAILABILITY OF THE DRAFT EIR: Copies of the Draft EIR are available for review at the following location:

City of Pittsburg
Planning Department
65 Civic Avenue
Pittsburg, CA 94565
Phone: (925) 252-4920

The Draft EIR may also be reviewed on the City's website (<http://www.ci.pittsburg.ca.us/index.aspx?page=217>). Referenced material used in the preparation of the Draft EIR may be reviewed upon request to the Planning Department.

ES EXECUTIVE SUMMARY

ES1	Purpose and Scope of the Environmental Impact Report	ES-1
ES2	Project Characteristics.....	ES-1
ES3	Project Alternatives Summary	ES-4
ES4	Areas of Controversy and Issues to be Resolved	ES-4
ES5	Summary of Environmental Impacts	ES-4

1.0 INTRODUCTION

1.1	Type and Purpose of the EIR.....	1.0-1
1.2	Intended Uses of the EIR	1.0-2
1.3	Known Responsible and Trustee Agencies	1.0-2
1.4	Organization and Scope of the Draft EIR.....	1.0-2
1.5	Environmental Review Process.....	1.0-4

2.0 PROJECT DESCRIPTION

2.1	Project Location and Setting	2.0-1
2.2	Project Background and History	2.0-13
2.3	Project Objectives	2.0-14
2.4	Characteristics of the Proposed Project	2.0-19
2.5	Required Approvals.....	2.0-44

3.0 ENVIRONMENTAL ANALYSIS

3.0	Introduction to the Environmental Analysis and Assumptions Used	3.0-1
3.1	Air Quality	3.1-1
3.2	Climate Change and Greenhouse Gases	3.2-1
3.3	Hazards and Hazardous Materials.....	3.3-1
3.4	Hydrology and Water Quality	3.4-1
3.5	Land Use	3.5-1
3.6	Public Services and Utilities	3.6-1
3.7	Transportation and Circulation	3.7-1
3.8	Biological Resources.....	3.8-1

4.0 CUMULATIVE IMPACTS SUMMARY

4.1	Introduction.....	4.0-1
4.2	Cumulative Impacts Analysis.....	4.0-2

5.0 PROJECT ALTERNATIVES

5.1	Introduction.....	5.0-1
5.2	Comparative Impact Analysis.....	5.0-5
5.3	Environmentally Superior Alternative	5.0-14

TABLE OF CONTENTS

6.0 CEQA MANDATED SECTIONS

6.1	Growth-Inducing Impacts.....	6.0-1
6.2	Significant and Unavoidable Environmental Effects.....	6.0-1
6.3	Effects Not Found To Be Significant.....	6.0-3

7.0 REPORT PREPARERS

APPENDICES

Appendix A	NOP and NOP Comments
Appendix B	Operations Plan and Odor impact Minimization Plan
Appendix C	Dust Minimization Plan
Appendix D	Columbia Solar IS MND
Appendix E	Air Quality and GHG
Appendix F	Policy Consistency Analysis
Appendix G	Drainage
Appendix H	Fire District Comments
Appendix I	Wastewater
Appendix J	Traffic
Appendix K	Biological Resources

TABLES

Table ES-1	Summary of Impacts and Mitigation Measures	ES-7
Table 2.0-1	Comparison of Existing and Proposed Operations	2.0-31
Table 3.0-1	Proposed and Approved Residential Projects in the Cumulative Study Area ...	3.0-2
Table 3.0-2	Proposed and Approved Non-Residential Projects in the Cumulative Study Area	3.0-2
Table 3.0-3	Proposed and Approved Nonresidential Projects in the Cumulative Study Area	3.0-4
Table 3.1-1	Federal and State Ambient Air Quality Standards and Attainment Status.....	3.0-6
Table 3.1-2	Ambient Air Quality Monitoring Data	3.0-7
Table 3.1-3	Recommendations on Siting New Sensitive Land Uses Near Air Pollutant Sources	3.0-11
Table 3.1-4	Summary of Construction Activities.....	3.0-19
Table 3.1-5	Summary of Motor Vehicle Trips.....	3.0-20
Table 3.1-6	List of Current and Future On-Site Equipment	3.0-21
Table 3.1-7	Summary of Toxic Air Contaminants Included in the Analysis	3.0-22
Table 3.1-8	Short-Term Unmitigated Daily Emissions of Criteria Air Pollutants and Precursors.....	3.0-24
Table 3.1-9	Long-Term Unmitigated Daily Emissions of Criteria Air Pollutants and Precursors.....	3.0-27
Table 3.1-10	Long-Term Unmitigated Annual Emissions of Criteria Air Pollutants and Precursors....	3.0-27
Table 3.1-11	Peak-Hour Traffic Volumes Cumulative Plus Project	3.0-31
Table 3.2-1	Global Warming Potential for Greenhouse Gases.....	3.2-3
Table 3.2-2	Summary of GHG Emission Reductions.....	3.2-19
Table 3.3-1	Identified Hazardous Materials/Release Sites Within 3 Miles of the Project Site .	3.3-4
Table 3.6.2-1	Past, Current, and Projected Water Supplies (AFY)	3.6-8
Table 3.6.2-2	Past, Current, and Projected Water Use	3.6-8

Table 3.7-1	Existing Intersection Peak Hour Levels of Service	3.7-6
Table 3.7-2	Existing Trip Generation.....	3.7-9
Table 3.7-3	Actual Tonnage Processed at Existing Site	3.7-16
Table 3.7-4	Project Trip Generation Under Maximum Permitted Operating Conditions	3.7-17
Table 3.7-5	Project Trip Generation Under Typical Operating Conditions	3.7-18
Table 3.7-6	Net New Project Trip Generation Using Passenger Car Equivalents (PCE).....	3.7-19
Table 3.7-7	Existing and Existing Plus Project Peak Hour Intersection Level of Service	3.7-28
Table 3.7-8	Cumulative (2030) And Cumulative (2030) Plus Project Peak Hour Intersection Level Of Service.....	3.7-34
Table 3.7-9	Cumulative Plus Project Mitigated Peak Hour Intersection Level Of Service	3.7-35
Table 3.8-1	Species Summary	3.8-10
Table 5.0-2	Comparison of Alternatives to the Proposed Project by Impact	5.0-6

FIGURES

Figure 2.0-1	Project Location	2.0-3
Figure 2.0-2	Existing Site Plan.....	2.0-5
Figure 2.0-3	Existing Drainage Facilities.....	2.0-9
Figure 2.0-4	Existing General Plan Land Use Designations.....	2.0-11
Figure 2.0-5	Existing Zoning Districts	2.0-15
Figure 2.0-6	Surrounding Uses	2.0-17
Figure 2.0-7	Proposed Site Plan	2.0-21
Figure 2.0-8	Proposed Elevation– Biomass Gasification Unit	2.0-23
Figure 2.0-9	Proposed Site Plan – Truck Facility	2.0-25
Figure 2.0-10	Proposed Building and Roof Plan – MDRF and Transfer/Processing Facility	2.0-27
Figure 2.0-11	Proposed Building Elevations – Truck Facility	2.0-29
Figure 2.0-12	Proposed Signage	2.0-41
Figure 3.0-1	Area Analyzed in the Columbia Solar Project Mitigated Negative Declaration	3.0-9
Figure 3.2-1	State of California Greenhouse Gases Emissions Inventory.....	3.2-4
Figure 3.4-1	FEMA Flood Zones.....	3.4-7
Figure 3.7-1	Project Study Roadways and Intersections TIA, Figure 3.....	3.7-3
Figure 3.7-2	Existing Conditions: Peak Hour Traffic Volumes, Lane Configuration and Traffic Control TIA	3.7-7
Figure 3.7-3	Existing Transit Routes TIA, Figure 4.....	3.7-11
Figure 3.7-4	Trip Distribution TIA, Figure 6	3.7-21
Figure 3.7-5	AM/PM Trip Assignment: Maximum Permitted Operating Conditions TIA, Figure 7	3.7-23
Figure 3.7-6	AM/PM Trip Assignment: Typical Operating Conditions TIA, Figure 8	3.7-25
Figure 3.7-7	Cumulative Conditions: Peak Hour Traffic Volumes, Lane Configuration and Traffic Control TIA, Figure 11.....	3.7-31
Figure 3.8-1	Biological Community Types.....	3.8-3
Figure 3.8-2	Special-Status Species in the Project Vicinity	3.8-7

ES - EXECUTIVE SUMMARY

This section provides an overview of the proposed Mt. Diablo Resource Recovery Park project (project; proposed project) and the environmental analysis. For additional detail regarding specific issues, please consult the appropriate section (3.1 through 3.8) in Chapter 3, Environmental Analysis, of this Draft Environmental Impact Report (Draft EIR; DEIR).

The City of Pittsburg was identified as the lead agency for the proposed project. In accordance with Section 15082 of the California Environmental Quality Act (CEQA) Guidelines, the City prepared and distributed a Notice of Preparation (NOP) of an EIR on May 18, 2011 (SCH# 2011052053). This notice was circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the proposed project. The NOP is presented in **Appendix A**. In addition, an Initial Study was prepared for the project and released for public review at the same time as the NOP. The Initial Study is also included in **Appendix A**. The City filed a Notice of Completion with the State Clearinghouse for the Draft EIR on December 16, 2014, concurrently kicking off a 45-day public review period for the Draft EIR document and associated technical appendices. The public review period on the Draft EIR ends on January 30, 2015, after which the City will respond in writing to all environmental comments received and incorporate those into a Final Environmental Impact Report (FEIR) for consideration by the City of Pittsburg City Council.

ES1 PURPOSE AND SCOPE OF THE ENVIRONMENTAL IMPACT REPORT

This Draft EIR provides an analysis of the potential environmental effects associated with the approval of the proposed project, pursuant to CEQA (California Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (14 California Code of Regulations, Section 15000, et seq.). For a complete description of the project, see Section 2.0, Project Description, of this DEIR.

The DEIR analysis focuses on potential impacts that could result from development of the proposed project. Where appropriate, some impacts are analyzed under future conditions, which assume buildout of reasonably foreseeable projects in the area as appropriate under cumulative analysis conditions. All project-specific impacts are measured against the conditions that existed at the time of release of the Notice of Preparation (May 2011).

ES2 PROJECT CHARACTERISTICS

The proposed project consists of a Conditional Use Permit (CUP) to expand the capacity, operations, and land area of the existing Mt. Diablo Recycling Facility (MDRF) and the Recycling Center and Transfer Station (RCTS). The expanded facility will be called the Mt. Diablo Resource Recovery Park (MDRRP). The MDRRP will consist of the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, and Organics Processing Facility (currently known as the Green Material Processing Operations Area), which are existing facilities proposed for operational expansion. The project also includes a proposal for a new Biomass Gasification Unit, the addition of a 15-acre parcel adjacent to and west of the existing site for vehicle and equipment storage, and the addition of the 3.5-acre parcel located south of the existing site for a new truck maintenance facility and yard that would be relocated from a site east of the MDRRP across Loveridge Road. Concurrently, the solid waste permit is being revised to reflect the proposed project components. A summary of the proposed operational and physical changes to the facility is provided below.

MT. DIABLO RECYCLING FACILITY

The proposed project would result in the following changes to the existing Mt. Diablo Recycling Facility:

- Increase the permitted tonnage from 500 tons per day (TPD) to 1,000 TPD.
- Add a second processing line for commercial material consistent with AB 341, which requires a commercial recycling program.
- Include additional commingled recyclable materials for processing.
- Add solar panels to the rooftop to generate 800 kilowatts of energy.
- Expand area to provide additional parking and commodity and equipment storage.

TRANSFER/PROCESSING FACILITY

The proposed project would result in the following changes to the existing RCTS:

- Increase the permitted tonnage of municipal solid waste transferred and processed at the facility from 1,500 to 2,700 TPD.
- Add commercial and residential food waste processing capacity within the building to produce up to 480 TPD of compost and/or anaerobic digestion feedstock.
- Add solar panels to the rooftop to generate 800 kilowatts-hours of energy (combined output with the panels on the roof of the MDRF).
- Expand area to provide additional parking and commodity and equipment storage.

ORGANICS PROCESSING FACILITY

The project proposes the following changes to the existing Green Material Processing Area:

- Allow the processing of co-collected green material and food material from residential sources.
- Increase permitted tonnage from 200 to 800 TPD with up to 10,000 cubic yards of storage.
- Increase the permitted operating hours from 7 a.m. to 6 p.m. to 24 hours per day.
- Add a second grinder.

MIXED C&D PROCESSING FACILITY

The project proposes the following changes to the existing Mixed C&D Processing Facility:

- Add additional bays to the existing processing line.
- Add a second similar processing line.

- Increase the permitted tonnage from 450 to 1,000 TPD.
- Add additional processing for dry commercial recyclables and self-haul wastes.
- Expand areas for storage of commodities and equipment, and parking.
- Increase the operating hours from 7 a.m. to 5 p.m. to 4 a.m. to 10 p.m.

BIOMASS GASIFICATION UNIT

The project proposes to construct and operate a Biomass Gasification Unit (BGU) on a currently undeveloped site located at the northwestern corner of the project site. The proposed BGU portion of the project would include the following:

- Construct and operate a BGU.
- Allow 24-hour operation and maintenance of the unit.
- Utilize 40 TPD of clean wood chips processed at the on-site Organics Processing Facility or the Material Processing Area as the fuel source for the BGU.
- Generate 1 megawatt per hour of renewable energy primarily for use for on-site operations.
- Install transmission lines to power the Mt. Diablo Recycling Facility and the Mixed C&D Processing Facility and to sell excess electricity to Pacific Gas and Electric (PG&E).

TRUCK MAINTENANCE FACILITY AND YARD

The project proposes to construct and operate a Truck Maintenance Facility and Yard on an approximate 3.5 acre area located at the southeastern portion of the site (former GWF site). The proposed facility would replace an existing facility currently located east of the project site across Loveridge Road. The proposed Truck Maintenance Facility and Yard would include the following:

- Construct and operate an 18,000 square foot building, comprised of a 15,600 square foot shop and a 2,400 square foot office/storage area, with 2,000 square feet of open air canopies.
- Relocate the existing truck fueling island from the MDRF main parking area.

ADDITIONAL LAND

The project proposes to add land to accomplish the following:

- Add 15 acres along the westerly border for vehicle and equipment storage, and containerized commodity storage.
- Add the 3.5-acres along the southerly border for the truck maintenance facility and yard discussed above.

ES3 PROJECT ALTERNATIVES SUMMARY

The CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project that could feasibly attain the basic objectives of the project and reduce the degree of environmental impact. Section 5.0, Alternatives to the Project, provides a qualitative analysis of alternatives as compared to the proposed project. Alternatives identified for the proposed project include the following:

Alternative 1—No Project Alternative. Alternative 1, the no project alternative, assumes the existing Mt. Diablo Recycling Center and Transfer Station would continue to operate under its current permitted capacities and that no physical improvements would be made at the project site. This alternative also assumes that no revisions would be made to the facility's current Solid Waste Facility Permit issued by the California Department of Resources Recycling and Recovery (CalRecycle). The facility is currently permitted to process a throughput of 2,650 tons per day (TPD).¹ The facility currently processes less than its permitted capacity, approximately 1,181 TPD. This alternative assumes that the facility would ultimately increase operations to the permitted levels (a 125 percent increase from existing operations), with a proportionate increase in the number of truck and vehicle trips entering and leaving the site. The current permitted capacity is less than the total capacity requested for the proposed project, which is 5,500 TPD.

Alternative 2—Biomass and Solar Alternative. Alternative 2, the biomass and solar alternative, assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, or Organics Processing Facility, with the exception of the 40 tons per day increase in clean wood chips to fuel the biomass plant. This alternative assumes only the construction of the Biomass Gasification Unit on approximately 3.5 acres of expansion land and installation of the solar panels would move forward. Because the facility's capacities would not be substantially increased, no revisions to the facility's Solid Waste Facility Permit would be requested and the proposed addition of sort lines, bays, and other equipment would not be required.

Alternative 3—Limited Expansion Alternative (Typical Operating Conditions). Alternative 3, the limited expansion alternative, assumes that there would be increases at the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, or Organics Processing Facility. The existing facility has historically operated below the facility's permitted levels. While the DEIR analysis assumes that the expanded facility under the proposed project would operate every day at the maximum permitted level currently requested, the limited expansion alternative assumes the permit would seek an expansion to only 55 percent of the requested permit level of the proposed project. Therefore, the operating condition of the facility under the limited expansion alternative (operating at 55 percent of the maximum permitted level under the proposed project) would be 3,050 tons per day (TPD), compared to 5,500 TPD for the proposed project. This alternative was analyzed as "typical operating conditions" in the traffic impact study and in Section 3.7, Transportation and Circulation of this DEIR.

ES4 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

Comments received on the NOP are included in **Appendix A** of this Draft EIR. Comments that are related to the scope of the environmental analysis are summarized in Section 1.0, Introduction, and include issues such as traffic operations, solid waste operations, odor and wastewater service. Additional comments were received that did not concern the adequacy or scope of the environmental analysis under CEQA.

Concerns raised in response to the NOP were considered during the preparation of the Draft EIR.

ES5 SUMMARY OF ENVIRONMENTAL IMPACTS

Table ES-1 displays a summary of project impacts and proposed mitigation measures that would avoid or minimize potential impacts. In the table, the level of significance is indicated both before and after the implementation of each mitigation measure. For detailed discussions of project impacts and mitigation measures, the reader is referred to the technical environmental analysis in Sections 3.1 through 3.8 in this Draft EIR.

Of the potential environmental impacts discussed in the Draft EIR, the following air quality and traffic impacts are considered significant and unavoidable. CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance.

The significant and unavoidable project impacts are in the following air quality and traffic topic areas. The traffic topic areas are further identified as “typical operating conditions” at approximately 55 percent of permitted capacity and “maximum permitted operating conditions” at 100 percent permitted capacity (see Section 3.7, Transportation and Circulation, of this Draft EIR for further discussion of typical and maximum operating conditions):

- Short-Term Construction Emissions (Impact 3.1.1). Mitigation identified for the project, which include measures to reduce fugitive dust, area-source, and mobile-source emissions, would reduce maximum daily construction emissions but not below the BAAQMD’s significance threshold of 54 lbs/day for each pollutant. Therefore, short-term construction emissions remain significant and unavoidable.
- Project-Specific Traffic Impacts (Impact 3.7.1). Mitigation identified for the project, which includes payment of Capital Improvement Program (CIP) fees, would improve level of service at impacted intersections to less than significant. However, while the improvements are listed in the CIP, there is no funding plan identified. Since funding for the full improvement is not certain, this impact remains significant and unavoidable.
 - *Typical Operating Conditions*—Based on Contra Costa Transportation Authority (CCTA) methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from level of service (LOS) B to LOS high-D during the AM peak hour and would degrade from LOS E to LOS F (an increase in the volume-to-capacity ratio (V/C) of more than 0.01) during the PM peak hour.
 - *Maximum Permitted Operating Conditions*—Based on CCTA methodology, the SR 4 Eastbound Ramps/Loveridge Road intersection would degrade to LOS high-D (V/C of 0.85 to 0.90) during the PM peak hour, thus resulting in a significant impact. Additionally, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from LOS B to LOS F during the AM peak hour and would degrade from LOS

- E to LOS F (an increase in V/C of more than 0.01) during the PM peak hour. Based on the Highway Capacity Manual (HCM) methodology, both the SR 4 Eastbound Ramps/Loveridge Road and Pittsburg-Antioch Highway/Loveridge Road intersections would operate at LOS F during at least one of the peak hours.
- Cumulative Traffic Impacts (Impact 3.7.2. While most intersections studied in the DEIR would operate acceptably under cumulative conditions, the addition of project-generated traffic to projected future traffic would result in unacceptable conditions under typical operating conditions or maximum permitted operating conditions. The traffic study determined that widening along Loveridge Road to accommodate an additional northbound lane may be infeasible due to the railroad crossing and right-of-way constraints. Therefore, the operating conditions at this intersection remain significant and unavoidable.
 - *Typical Operating Conditions*—Based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of project traffic under typical operating conditions.
 - *Maximum Permitted Operating Conditions*—Based on CCTA methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade to LOS D during the AM peak hour and to LOS E during the PM peak hour. Based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of project traffic.

TABLE ES-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.1 Air Quality			
Impact 3.1.1 Construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.	PS	MM 3.1.1 a. The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following: 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day. 2. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 3. All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour. 4. All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 5. Where applicable, plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible.	SU

LS – Less than Significant PS – Potentially Significant

S – Significant

SU – Significant and Unavoidable

LCC – Less than Cumulatively Considerable

CC – Cumulatively Considerable

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		6. A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. Designated City compliance monitoring staff and/or department shall be notified of all complaints received. b. The following measures shall be implemented to reduce construction-generated mobile-source emissions: 1. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 2. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.	

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		3. Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards. c. The above measures or any additional or modified measures listed by the Bay Area Air Quality Management District at the time of construction shall be implemented to the degree mandated by the discretion of the City at the time of issuance of any development permits. Timing/Implementation: Measures shall be added as conditions of approval for all development permits Enforcement/Monitoring: City of Pittsburg Development Services Department	
Impact 3.1.2 Long-term operational emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.	PS	MM 3.1.2a The project applicant shall demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards. Timing/Implementation: Prior to operation of new facilities Enforcement/Monitoring: City of Pittsburg Development Services Department and Department of Environmental Affairs MM 3.1.2b The operator shall provide a report on the throughput tonnage processed at the facility that would result in operational emissions of NO_x at 90% of the allowable threshold of 54 pounds per day and 10 tons per year (i.e., 48.6 pounds of NO_x per day or nine tons of NO_x per year).	LS

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		The report shall be included as a condition of approval of the use permit and shall be completed by a qualified air quality professional within one year of approval of the use permit for the expansion. Project-generated tonnages and estimated emissions based on the report shall be evaluated commencing at the five-year state permit review and each year thereafter as tonnage reports are submitted to the City Department of Environmental Affairs and Development Services Department. Once the throughput tonnages reach the amount determined in the report to result in 48.6 pounds of NO_x daily or nine or more tons of NO_x annually, the operator shall prepare and submit project-generated emissions reports, as described in MM 3.1.2c. Timing/Implementation: Completion of the report shall be a condition of approval of the use permit and shall be completed prior to issuance of the Solid Waste Facility Permit. Enforcement/Monitoring: City of Pittsburg Development Services Department and Department of Environmental Affairs. MM 3.1.2c Once the project receives a tonnage throughput resulting in 90% of assumed Nox emissions (48.6 pounds of NO_x per day or nine tons of NO_x per year) as indicated by annual tonnage reports submitted to the City's Department of Environmental Affairs and Development	

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		Services Department, the operator shall obtain the services of a qualified specialist, approved by the City Development Services Department in conjunction with the Department of Environmental Affairs, to prepare and submit an annual air quality report showing project-generated NOx emissions. The annual emissions evaluation shall identify project-generated increases in emissions over those existing at the time of the approval of the use permit, any emission reduction strategies that have been implemented (i.e., use of cleaner equipment, etc.), and any emissions offsets or additional mitigation measures, as described in MM 3.1.2d, that will be implemented sufficient to achieve the threshold of 54 pounds of NOx per day or 10 tons of NOx per year. Emissions analyses shall be submitted to the City by April 1 of the following year. Upon approval of the annual air quality report by the City, documentation of any emissions offsets or additional mitigation strategies that have been implemented shall be provided to the City within 30 calendar days. Timing/Implementation: Annually as described Enforcement/Monitoring: City of Pittsburg Development Services Department and Department of Environmental Affairs MM 3.1.2d Based on the information provided in the annual report described in MM 3.1.2c, the proposed project shall implement on-	

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NOx emissions to no more than 54 pounds per day or 10 tons of NOx per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NOx emissions may include, but are not limited to, the following: • Use of alternatively fueled vehicles and off-road equipment • Electrification of on-site equipment. • Reductions in the number of pieces of motorized equipment and/or hours of use. • Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, ARB's Tier 4i emission standards, or equivalent. • Secure emission reduction credits (ERCs) to offset NOx emissions per BAAQMD Regulations 2-2-215, 302, and 303. Timing/Implementation: Annually as described Enforcement/Monitoring: City of Pittsburgh Development Services Department and Department of Environmental Affairs	
Impact 3.1.3 Implementation of the proposed project would not contribute to traffic volumes at primarily affected intersections that would exceed BAAQMD's screening criteria. As a result, localized concentrations of mobile-	LS	None required.	LS

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
source CO are not projected to exceed applicable ambient air quality standards.			
Impact 3.1.4 Implementation of the proposed project would not result in incremental increases in risk or hazards at nearby sensitive receptors that would exceed applicable significance thresholds.	LS	Implement mitigation measure MM 3.1.2a	LS
Impact 3.1.5 Subsequent land use activities associated with implementation of the proposed project would not create objectionable odors affecting a substantial number of people due to compliance with an Operations and Odor Impact Minimization Plan submitted with the proposed land use application.	LS	None required.	LS
Impact 3.1.6 The proposed project, in combination with emission sources in the San Francisco Bay Area Air Basin, would result in a cumulatively considerable net increase of criteria air pollutants and precursors.	LCC	Implement mitigation measures MM 3.1.1 and MM 3.1.2a through d.	LCC
Impact 3.1.7 The proposed project, in combination with nearby emission sources, would not result in predicted risks or hazards that would exceed applicable significance thresholds at nearby sensitive receptors.	LCC	Implement mitigation measure MM 3.1.2a	LCC
Impact 3.1.8 Implementation of the proposed project would not result in a cumulatively considerable increase of odorous emissions that would adversely impact nearby sensitive receptors.	LCC	None required.	LCC

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.2 Climate Change and Greenhouse Gases			
Impact 3.2.1 Implementation of the proposed project would not result in a net increase in greenhouse gas emissions that could potentially conflict with the goals of AB 32 or result in a significant impact on the environment.	LCC	None required.	LCC
3.3 Hazards and Hazardous Materials			
Impact 3.3.1 Implementation of the proposed project would result in the routine transport, use, and disposal of hazardous materials during both construction and operation that could pose a potential hazard to the public and the environment. However, federal, state, and local regulations provide a comprehensive regulatory system for handling, using, and transporting hazardous materials in a manner that protects human health and the environment	LS	None required.	LS
Impact 3.3.2 Construction workers could be exposed to hazardous materials during site preparation. However, compliance with existing applicable worker health and safety laws and regulations would minimize potential for exposure.	LS	MM 3.3.2a The project applicant shall either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire current project site and proposed site preparation and construction activities. The completed plan shall be implemented during all project construction activities. The plan shall address the potential for workers to be exposed to contaminated soils and shall provide specific measures to be implemented to ensure worker health and safety. These measures may include site controls, use of protective clothing, soil watering, hazard awareness training for workers, and/or emergency medical response procedures.	LS

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		Timing/Implementation: Prior to issuance of grading permits for the 18.5 acre expanded site Enforcement/Monitoring: City of Pittsburg Development Services Department/Department of Toxic Substances Control (DTSC)	
		MM 3.3.2b The project applicant shall comply with all relevant requirements of the Covenant to Restrict Use of Property, Environmental Restriction (Re: A limited portion of County of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site L-A Property, DTSC site code number 520024), DOC-2010-0132574-00 recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010. Timing/Implementation: During Site Preparation and Construction Enforcement/Monitoring: City of Pittsburg Development Services Department/DTSC	
Impact 3.3.3 Construction and operation of the proposed project would not interfere with implementation of the City's Emergency Operations Plan (EOP).	LS	None required.	LS
Impact 3.3.4 Implementation of the proposed project, along with other proposed, planned, approved, and reasonably foreseeable projects in the area, would have a less than cumulatively considerable impacts related to hazards and hazardous materials.	LCC	None required.	LCC

ES EXECUTIVE SUMMARY

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.4 Hydrology and Water Quality			
Impact 3.4.1 On-site drainage is treated by existing on-site water quality measures to minimize pollutant load. Wastewater generated on-site is treated at the Delta Diablo Sanitation District Wastewater Treatment Plant, which is in compliance with all applicable water quality standards and waste discharge requirements.	LS	None required.	LS
Impact 3.4.2 Implementation of the proposed project would not result in the depletion of groundwater supplies or interference with groundwater recharge.	LS	None required.	LS
Impact 3.4.3 Implementation of the proposed project would result in a slight increase in on-site stormwater runoff. However, the existing on-site drainage system has adequate capacity to accept, treat, and convey increased flows. In the case that the 3.5 acre area to the south is rerouted to the ditch, a 0.2 acre detention system would be constructed to not exceed the available capacity of the downstream ditch.	LS	None required.	LS
Impact 3.4.4 Construction activities could introduce pollutants and sediments into stormwater runoff on the project site, potentially degrading downstream surface drainages and groundwater.	LS	None required.	LS
Impact 3.4.5 Operation of the proposed project would introduce sediments and other contaminants typically associated with commercial development into stormwater runoff, potentially resulting in the degradation of downstream surface water and underlying groundwater quality.	LS	None required.	LS

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 3.4.6 A portion of the project site proposed for development is located within a flood zone. In addition, the project site is located in proximity to the Suisun Bay/Sacramento River Delta and may be at risk of flooding as a result of seiche/tsunami waves. However, compliance with existing City standards would minimize potential hazards.	LS	None required.	LS
Impact 3.4.7 The proposed project, in combination with approved, proposed, and other reasonably foreseeable projects in the cumulative setting area, would not contribute significantly to degradation of water quality in area surface drainages and groundwater supplies.	LCC	None required.	LCC
Impact 3.4.8 The proposed project, in combination with approved, proposed, and other reasonably foreseeable projects in the cumulative setting area, would place structures within a flood zone. However, compliance with existing City standards would minimize potential hazards.	LCC	None required.	LCC
3.5 Land Use			
Impact 3.5.1 The proposed project is consistent with the existing land use designation and zoning district for the site and requires a Use Permit.	LS	None required.	LS
Impact 3.5.2 The proposed project, in combination with other approved, proposed, and reasonably foreseeable projects in the cumulative study area, could conflict with the City's Zoning Ordinance.	LCC	None required.	LCC

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
3.6 Public Services and Utilities			
Impact 3.6.1.1 Implementation of the proposed project could result in an increased demand for fire protection services, requiring new or expanded CCCFPD facilities or equipment.	LS	None required.	LS
Impact 3.6.1.2 The project proposes modifications to the layout of the facilities and operations on the project site that may result in inadequate access for emergency vehicles and personnel in the event of a fire or other emergency situation.	LS	<i>None required.</i>	LS
Impact 3.6.1.3 The project would contribute to cumulative demand for fire protection and emergency medical services.	LCC	None required.	LCC
Impact 3.6.2.1 Implementation of the proposed project would substantially increase the facility's water demands. However, the City and its wholesale provider would have sufficient water supplies available to meet the project's demand.	LS	None required.	LS
Impact 3.6.2.2 The proposed project, in combination with other cumulative development, would increase demand for potable water.	LCC	None required.	LCC
Impact 3.6.3.1 The proposed project could exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.	LS	None required.	LS
Impact 3.6.3.2 Implementation of the proposed project could require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	LS	None required.	LS

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 3.6.3.3 Implementation of the proposed project could result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	LS	None required.	LS
Impact 3.6.3.4 The proposed project, combined with other cumulative development, would increase demand for wastewater treatment facilities.	LCC	None required.	LCC
3.7 Transportation and Circulation			
Impact 3.7.1 Implementation of the proposed project would result in the degradation of operations at two study intersections.	S	MM 3.7.1a The proposed project shall contribute their fair share to implement the SR 4 widening project, which would result in improvements at the SR 4 Eastbound Ramps/Loveridge Road intersection that would increase capacity. These improvements include: • Convert the existing configuration from a "T" intersection to a four-leg intersection. • Modify eastbound approach from its current configuration which provides one shared left-turn/through lane and one right-turn lane to provide two left-turn lanes and one right-turn lane. • Modify southbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two left-turn lanes and two through lanes. • Modify northbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two through lanes and one right-turn lane.	SU

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		Timing/Implementation: Payment of fees shall be included as a condition of approval of a Conditional Use Permit Enforcement/Monitoring: City of Pittsburg Development Services Department MM 3.7.1b The proposed project shall contribute their fair share to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection: • Install a dedicated eastbound right-turn lane on Pittsburg-Antioch Highway. • Install a second westbound left-turn lane on Pittsburg-Antioch Highway. • Upgrade existing traffic signal equipment to accommodate the changed intersection lane configurations. Timing/Implementation: Payment of fees shall be included as a condition of approval of a Conditional Use Permit Enforcement/Monitoring: City of Pittsburg Development Services Department	
Impact 3.7.2 Operations at the Pittsburg-Antioch Highway/Loveridge Road intersection are projected to degrade with the addition of project traffic.	CC	MM 3.7.2 The project applicant shall pay the project's fair share of the cost to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection: • Install an additional left-turn lane on the westbound Pittsburg-Antioch Highway approach. • Install a dedicated left-turn lane on the northbound Loveridge Road approach. • Convert the existing shared left-	CC SU

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		turn/through lane on the northbound Loveridge Road approach to be a through-only lane. • Modify signal phasing in the north/south direction from split phase to having protected left-turns. • Upgrade existing traffic signal equipment to accommodate the recommended intersection lane configurations. Timing/Implementation: Payment of fees shall be included as a condition of approval of a Conditional Use Permit Enforcement/Monitoring: City of Pittsburg Development Services Department	
Impact 3.8.1 Implementation of project-related activities could result in substantial adverse effects, either directly or through habitat modifications, to special-status species.	LS	MM 3.8.1a Burrowing Owl. Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFS's <i>Staff Report on Burrowing Owl Mitigation (Staff Report)</i>, published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped. If burrowing owls are found during the breeding season (February 1-August 31), the project proponent shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include	LS

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		establishment of a 250-foot no disturbance buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1-January 31), the project proponent shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow. If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing 1-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow. Timing/Implementation: Prior to and during construction activities Enforcement/Monitoring: City of Pittsburg Development Services Department MM 3.8.1b Swainson's Hawk. Prior to any ground disturbance that occurs during the nesting season (March 15-September 15), a qualified	

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		biologist will conduct a preconstruction survey no more than one month prior to construction, to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site. If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and CDFW. While the nest is occupied, project-related activities outside the 1,000 foot buffer can take place. Timing/Implementation: Prior to and during construction activities Enforcement/Monitoring: City of Pittsburg Development Services Department MM 3.8.1c Golden Eagle. Prior to any ground disturbance that occurs during the nesting season (January 1 – August 31), a qualified biologist shall conduct a preconstruction survey not more	

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		than one month prior to construction, to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest is prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged. Timing/Implementation: Prior to and during construction activities Enforcement/Monitoring: City of Pittsburg Development Services Department MM 3.8.1d Non-covered Raptor Surveys. If clearing and/or construction activities will occur during the raptor nesting season (January 15–August 15), preconstruction surveys to identify active raptor nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, and a 500-foot buffer (if feasible). If active nest sites are identified within 500 feet of project activities, the applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid	

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		construction-related disturbances to nesting raptors. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 250 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 250 feet) of LOPs may be adjusted through consultation with the CDFW and/or East Contra Costa County HCP/NCCP Implementing Entity. Timing/Implementation: Prior to and during construction activities Enforcement/Monitoring: City of Pittsburg Planning Department MM 3.8.1e Nesting Bird Surveys. If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer. If active nest sites are identified within 200 feet of project activities, the applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and	

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
		construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or East Contra Costa County HCP/NCCP Implementing Entity. Timing/Implementation: Prior to and during construction activities Enforcement/Monitoring: City of Pittsburg Planning Department	
Impact 3.8.2 Implementation of project-related activities may result in substantial adverse effects, either directly or through habitat modifications, to riparian habitat or sensitive natural communities.	LS	None required.	LS
Impact 3.8.3 Implementation of project-related activities would not result in substantial adverse effects to federally protected wetlands.	NI	None required.	NI
Impact 3.8.4 Implementation of project-related activities would not result in substantial adverse effects to wildlife movement.	NI	None required.	NI
Impact 3.8.5 The proposed project would not conflict with any policies, ordinances or plans, including the East Contra Costa County HCP/NCCP.	LS	Implement mitigation measures MM 3.8.1a through MM 3.8.1e .	LS
Impact 3.8.6 The proposed project, in combination with other reasonably foreseeable projects, could result in mortality and loss of habitat for special-status species and sensitive habitat. However, the ECCC HCP/NCCP addresses and mitigates regional biological resource impacts.	LCC	Implement mitigation measures MM 3.8.1a through MM 3.8.1e .	LCC

1.0 INTRODUCTION

This Draft Environmental Impact Report (Draft EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The City of Pittsburg (Pittsburg; City) is the lead agency for the environmental review of the proposed Mt. Diablo Resource Recovery Park project (project; proposed project) evaluated herein and has the principal responsibility for approving the project. This Draft EIR assesses the potentially significant environmental impacts that may result from approval of the proposed project and subsequent development under the project.

This section summarizes the purpose of the Environmental Impact Report (EIR) and describes the environmental procedures that are to be followed according to CEQA. It also discusses the intended uses of the EIR and describes the EIR's scope and organization, contact person, and impact terminology.

1.1 TYPE AND PURPOSE OF THE EIR

The City of Pittsburg has prepared this Draft EIR to provide the public, trustee agencies, and responsible agencies with information about the potential environmental effects of the proposed project. As described in CEQA Guidelines Section 15121(a), an EIR is a public informational document that assesses potential environmental effects of a proposed project and identifies mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development, where feasible, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

CEQA requires the preparation of an environmental impact report prior to approving any project that may have a significant adverse effect on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]). The City has determined that the proposed action is a project within the definition of CEQA.

The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a project EIR pursuant to State CEQA Guidelines Section 15161. Project EIRs are defined by State CEQA Guidelines Section 15161 as:

The most common type of EIR examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development of the project. The EIR shall examine all phases of the project including planning, construction, and operation.

By preparing a project EIR, the City intends to allow the entire project, if approved, to proceed without additional CEQA analysis, absent the kinds of changed circumstances or project modifications that trigger the preparation of a subsequent EIR, supplemental EIR, or addendum (see State CEQA Guidelines Sections 15162–15164).

1.0 INTRODUCTION

This Draft EIR utilizes technical information provided by the project applicant (Contra Costa Waste Service), the applicant's existing Use Permit, the City of Pittsburg General Plan and Zoning Code, and information gathered from federal, state, and local agencies, as well as any other data supported by the State CEQA Guidelines (see Section 15148 [Citation] and 15150 [Incorporation by Reference]). By utilizing these provisions of the State CEQA Guidelines, the City, in preparing this Draft EIR, has been able to make maximum feasible and appropriate use of this technical information.

1.2 INTENDED USES OF THE EIR

This Draft EIR is intended to evaluate the environmental impacts of the project to the greatest extent possible. This Draft EIR, prepared in accordance with State CEQA Guidelines Section 15126, will be used as the primary environmental document to evaluate all planning and permitting actions associated with the project. The actions by the City include, but are not limited to, the following:

- Approval of Use Permit Application
- Design Review
- Solid Waste Permit

1.3 KNOWN RESPONSIBLE AND TRUSTEE AGENCIES

"Responsible agency" means a public agency that proposes to carry out or approve a project for which a lead agency is preparing or has prepared an EIR or Negative Declaration. For the purpose of CEQA, the term "responsible agency" includes all California public agencies, other than the lead agency, that have discretionary approval power over the project or an aspect of the project. The following agencies are identified as potential responsible agencies:

- Bay Area Air Quality Management District
- California Department of Toxic Substances Control
- California Department of Transportation (Caltrans)
- State Water Resources Control Board
- California Department of Resources, Recycling and Recovery (CalRecycle)

"Trustee agency" means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. There are no identified trustee agencies for the proposed project.

1.4 ORGANIZATION AND SCOPE OF THE DRAFT EIR

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a brief summary of the proposed actions and its consequences, a description of the project, a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The environmental issues addressed in this Draft EIR were established through environmental documentation of existing projects located in the vicinity and private and public agency responses to the Notice of Preparation/Initial Study (NOP/IS).

1.0 INTRODUCTION

This Draft EIR is organized in the following manner:

Executive Summary (State CEQA Guidelines Section 15123) – Includes a summary of the characteristics of the proposed project, known areas of controversy, and issues to be resolved, and provides a concise summary matrix of the project's environmental impacts, proposed mitigation measures, and identification of alternatives that reduce or avoid at least one environmental effect of the proposed project.

Introduction – Provides an introduction and overview describing the purpose, type, and intended use of the EIR. This section also identifies responsible agencies and describes the organization of the EIR and the review and certification process, as well as includes a summary of comments received on the NOP.

Project Description – Provides a detailed description of the proposed project, including intended objectives, background information, and physical and technical characteristics.

Technical Sections – Each contains an analysis of environmental topic areas as identified below. Each subsection contains a description of the existing setting of the project area, identifies project-related impacts, and recommends mitigation measures.

This section also includes an introduction to the environmental analysis that describes the general assumptions used to evaluate project-specific and cumulative environmental impacts. Specific analyses are provided in each environmental issue area section:

- Air Quality
- Climate Change and Greenhouse Gases
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Public Services and Utilities
- Transportation and Circulation
- Biological Resources

Cumulative Impacts – Discusses the cumulative impacts associated with the proposed project and includes mitigation measures. As required by State CEQA Guidelines Section 15130, the EIR discusses cumulative impacts when the project's incremental effect is cumulatively considerable.

Project Alternatives – State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project which could feasibly attain most of the basic objectives of the project while avoiding and/or lessening any of the significant environmental effects of the project. This alternatives analysis provides a comparative analysis between the project and the selected alternatives.

CEQA-Mandated Sections – Contains discussions and analysis of various topical issues mandated by State CEQA Guidelines Section 15126.2. These issues include growth-inducing impacts, significant environmental effects that cannot be avoided if the project is implemented and significant irreversible environmental changes, and effects not found to be significant.

1.0 INTRODUCTION

Report Preparers – Lists all authors and agencies that assisted in the preparation of the EIR by name, title, and company or agency affiliation.

Appendices – Includes all notices and correspondence pertinent to the Draft EIR, as well as technical materials prepared and used to support the analysis. Appendices are included on a CD at the back of the Draft EIR.

1.5 ENVIRONMENTAL REVIEW PROCESS

NOTICE OF PREPARATION AND INITIAL STUDY

In accordance with Section 15082 of the State CEQA Guidelines, the City prepared an NOP/IS for the project on May 18, 2011. The NOP/IS was circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the proposed project. The issues and concerns identified in responses to the NOP/IS document, as summarized below, are addressed in this Draft EIR. The NOP/IS comments are presented in **Appendix A**.

The Initial Study completed for the proposed project concluded that the preparation of an EIR would be required for the project. The City also held a scoping meeting for the project on June 2, 2011. Concerns and comments received during the scoping meeting were considered during preparation of the Draft EIR. The City received letters from the following federal, state, and local agencies and other interested parties:

Agency/Name	Date	Summary of Comments
City of Antioch	June 16, 2011	• The EIR should analyze the project's potential effects to the Keller Canyon Landfill's current projected life span. • The City of Antioch requests an opportunity to review and comment on the project's proposed odor minimization plan and the project's potential odor impacts on the city. • The EIR and supporting traffic impact analysis should address any potential impacts to roadways and intersections in Antioch and provide mitigation if necessary.
Delta Diablo Sanitation District	June 20, 2011	• The EIR should analyze the capacity of the facility's existing on-site wastewater collection system. Should the project require increased capacity at the on-site system, a hydraulic analysis should be prepared to determine any impacts to related district facilities. • If an industrial waste discharge permit is required for the project, the application for such permit should be submitted to the district's industrial pretreatment department. • The EIR should analyze the project's potential contribution to projected wastewater flow increases as described in the District Conveyance System Master Plan to determine potential impacts to existing and planned district facilities. • The district's wastewater treatment facility has a permitted average dry weather flow of 22.7 million gallons per day (mgd). In 2010, the actual dry weather flow influent to the plant was 13.2 mgd. • The district provides recycled water for industrial and landscape irrigation use. The EIR should address the potential for recycled water use on the project site. • The district operates the Delta Household Hazardous Waste Collection Facility located in Pittsburg.

1.0 INTRODUCTION

California Department of Transportation	June 22, 2011	• The department's "Guide for Preparation of Traffic Impact Studies" should be used to determine the scenarios and methodologies to be used in the traffic impact study for the proposed project. • The traffic impact study should including following: - o Regional and local maps and site plan showing all project access points and internal driveways, state and local roadways and intersections, state right-of-way, parking, and transit facilities. - o Project-related trip generation, distribution, and assignment and associated methodologies and assumptions. - o Average daily traffic and peak hour volumes and levels of service for all significantly affected roadways as determined by the department's level of service threshold for existing, existing plus project, cumulative, and cumulative plus project scenarios. - o Schematic illustrations of traffic conditions for each scenario. - o An evaluation of the project's consistency with the City's General Plan Circulation Element and the County's Congestion Management Plan. - o Mitigation for each roadway and intersection where level of service would exceed the applicable threshold. - o Consideration of trip-reducing measures.
Native American Heritage Commission (NAHC)	July 15, 2011	• The EIR must assess whether the project will have an adverse impact on historical resources within the area of project effect (APE) and, if it would, mitigation must be provided. • In order to assess the project's potential impact to historical resources the lead agency should do the following: - o Contact the appropriate regional archaeological information center for a records search. - o Contact the NAHC for a sacred lands file check and list of appropriate Native American contacts for consultation. • A lack of surface evidence of archaeological resources does not preclude their subsurface existence; therefore, the EIR should include mitigation that provides for the identification and evaluation of accidentally discovered resources and, if necessary, monitoring of ground-disturbing activities by a certified archaeologist • The EIR should include mitigation with provisions for the disposition of recovered artifacts and the discovery of human remains.

DRAFT EIR

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Upon completion of the Draft EIR, the City filed a Notice of Completion (NOC) with the state Office of Planning and Research to begin the public review period (Public Resources Code Section 21161).

1.0 INTRODUCTION

PUBLIC NOTICE/PUBLIC REVIEW

Concurrent with the NOC, the City provided public notice of the availability of the Draft EIR for public review and invited comment from the general public, agencies, organizations, and other interested parties. Consistent with CEQA Guidelines Section 15105, the review period for this Draft EIR will be 45 days. Public comment on the Draft EIR will be accepted both in written form and orally at a public meeting. All comments or questions regarding the Draft EIR should be addressed to:

Dana Hoggatt Ayers, Planning Manager
Development Services Department, Planning Division
65 Civic Avenue
Pittsburg, CA 94565
Phone: (925) 252-4920
Fax: (925) 252-4814
E-mail: dhoggatt@ci.pittsburg.ca.us

RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR (FEIR) will be prepared. The FEIR will respond to CEQA issues raised in written and oral comments received during the Draft EIR public review period.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

Upon review and certification of the FEIR, the Planning Commission and/or City Council, as appropriate, may take action to approve, revise, or reject the project. A decision to approve the project would be accompanied by written findings in accordance with CEQA Guidelines Section 15091 (Findings) and, if applicable, Section 15093 (Statement of Overriding Considerations). A Statement of Overriding Considerations requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve a project. A mitigation monitoring and reporting program (MMRP), as described below, would also be adopted for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. The MMRP will be designed to ensure that these measures are carried out during project implementation.

MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code Section 21081.6(a) requires lead agencies, at the time of project approval, to adopt an MMRP to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The specific "reporting or monitoring" program required by CEQA is not required to be included in the EIR; it will be presented to City decision-makers for adoption. Throughout the EIR, however, mitigation measures have been clearly identified and presented in language that will facilitate establishment of a monitoring and reporting program. Any mitigation measures adopted by the City as conditions for approval of the project will be included in the MMRP to ensure and verify compliance.

2.0 PROJECT DESCRIPTION

Contra Costa Waste Service, Inc., submitted a Conditional Use Permit Application Package to the City of Pittsburg (Pittsburg; City) to expand the capacity, operations, and land area of its existing solid waste and recycling facility. The application also includes construction of a new Biomass Gasification Unit and relocation of the truck maintenance facility and yard currently located east of Loveridge Road to within the project boundaries. The project site is in Pittsburg. The City of Pittsburg is the lead agency with final authority to approve the project, which is the proposed Mt. Diablo Resource Recovery Park project (project; proposed project).

The purpose of the project description is to describe the proposed project in a way that will be meaningful to the public, reviewing agencies, and decision-makers. As described in Section 15124 of the California Environmental Quality Act (CEQA) Guidelines, the project description in an environmental impact report (EIR) is required to contain the following information:

- The location of the proposed project.
- A statement of project objectives.
- A general description of the project's technical, economic, and environmental characteristics.
- A statement briefly describing the intended uses of the EIR.

The CEQA Guidelines state that a project description need not be exhaustive but should provide the level of detail needed for the evaluation and review of potential environmental impacts. The project description is the starting point for all environmental analysis required by the State CEQA Guidelines. Section 15146 of the State CEQA Guidelines states that the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity, which is described in the EIR. The following project description will serve as the basis of the environmental analysis for the proposed project.

2.1 PROJECT LOCATION AND SETTING

PROJECT LOCATION

The project site is approximately 36 acres located in Pittsburg in eastern Contra Costa County. As shown on **Figure 2.0-1**, the site is on the western side of Loveridge Road just north of Pittsburg-Antioch Highway and State Route (SR) 4, and just south of the Burlington Northern and Santa Fe (BNSF) railroad and the shoreline of New York Slough. The project site encompasses the existing facility (17.5 acres), plus 18.5 acres located west and south of the existing facility. The site is located in the Antioch North Quadrangle and within the Los Medanos Land Grant.

PROJECT SITE CONDITIONS

A portion of the project site (approximately 17.5 acres) is currently developed as the Mt. Diablo Recycling Facility (MDRF), Recycling Center and Transfer Station (RCTS), Green Material Processing Operations Area), and Mixed Construction & Demolition Processing Area (Mixed C&D Processing Area) (collectively referred to as the "existing facility"). As shown on **Figure 2.0-2**, the MDRF and RCTS consist of two large interconnected industrial buildings immediately adjacent to Loveridge Road that have a total floor area of 190,804 square feet. Just south of these buildings is the main parking area, which is accessed by a private roadway that connects with Loveridge Road and curves to the northwest around the parking area. This parking area contains a fueling facility. The roadway continues north along the west side of the existing buildings, providing

2.0 PROJECT DESCRIPTION

access to the public scales and scale house and self-haul drop-off area. The BNSF railroad is located on the northwestern border of the project site, and a railroad spur runs into the site west of the RCTS.

The Green Material Processing Operations Area is located just south of the parking area. This area is unpaved and contains large stockpiles of unprocessed and processed plant materials and equipment such as wheel loaders. For processing, green material is stockpiled and then chipped and ground on a pad constructed with compacted gravel that is sloped to drain. Material is then loaded from the stockpile into transfer trailers where the material is transported to a permitted facility for composting or for use as alternative daily cover at a landfill.

To the west is the Mixed C&D Processing Area, which contains equipment for sorting and processing C&D materials, a large grinder, two 70-foot scales, one 35-foot scale, a second scale house, large stockpiles of unprocessed and processed C&D materials, and other equipment for loading and transport.

Approximately 18.5 acres of land to the west and south of the existing facility are also included as part of the proposed project, 10 acres of which are vacant. Approximately 5 acres of this area is currently used by the applicant for parking and storage. A portion of this area has been surfaced with compacted gravel. Approximately 3.5 acres of the 18.5-acre area, along the southerly border of the existing facility, was the former GWF Power Systems facility. GWF ceased operations and the improvements have been removed from the site.

A second access point from Loveridge Road is located at the northern end of the site, where additional parking is provided. A third access point from Loveridge Road, located at the southern end of the site, provides access to the 3.5-acre area to the south and a fire lane that stretches to the western boundary. A total of 79 parking spaces are currently provided on the project site. An approximately 3-acre parcel located on the east side of Loveridge Road at the northern tip of the project site is currently used for truck storage and maintenance purposes.

Landscaping and/or slatted chain-link fencing provide screening along the southern and eastern boundaries of the processing areas, as well as along a portion of the western boundary. A monument sign is located at the main entrance to the facility, with numerous informational, directional, and cautionary signs throughout the project site. Pole-mounted lighting is provided along the access road and in the parking area, processing areas, and other outdoor portions of the site.

On-site drainage is controlled through the use of drainage ditches and underground pipelines surrounding the perimeter of the existing facility that direct surface water flows toward an outfall along the western edge of the existing facility. The ditches include a landscaped stormwater treatment planter located along the eastern side of the MDRF building and a landscaped stormwater pretreatment bioswale located along the western edge of the existing facility. These facilities discharge stormwater via the outfall to an existing drainage ditch on the vacant lot to the west owned by USS-POSCO. This existing ditch traverses the 15-acre parcel to the west and the USS-POSCO site, flowing east to west away from the existing facility. The existing ditch conveys the stormwater generated from the existing facility, the 15-acre parcel to the west, and the eastern portions of the USS POSCO site to an existing 36-inch culvert that then discharges to an existing evaporation basin located near the northern portion of the USS-POSCO site.

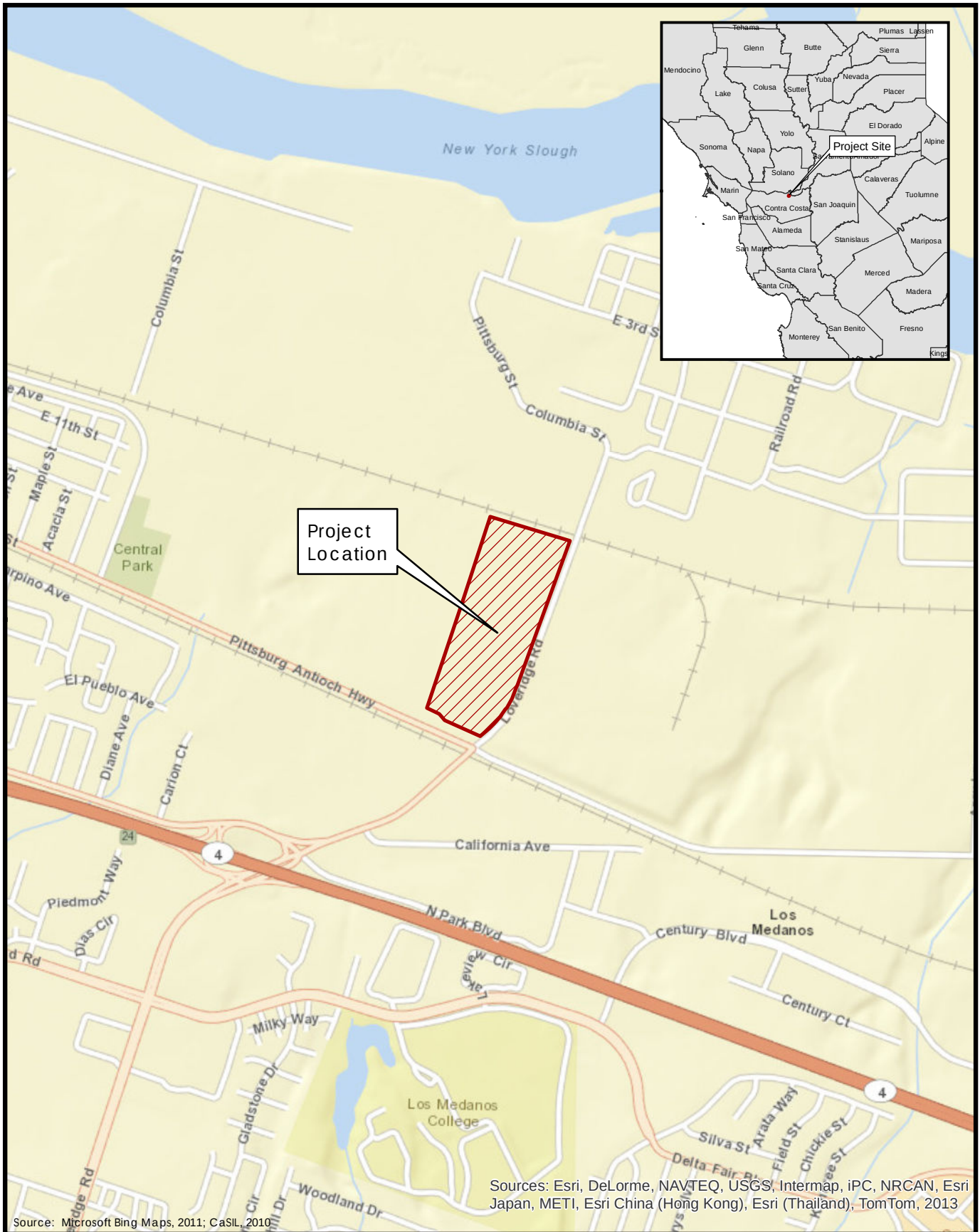
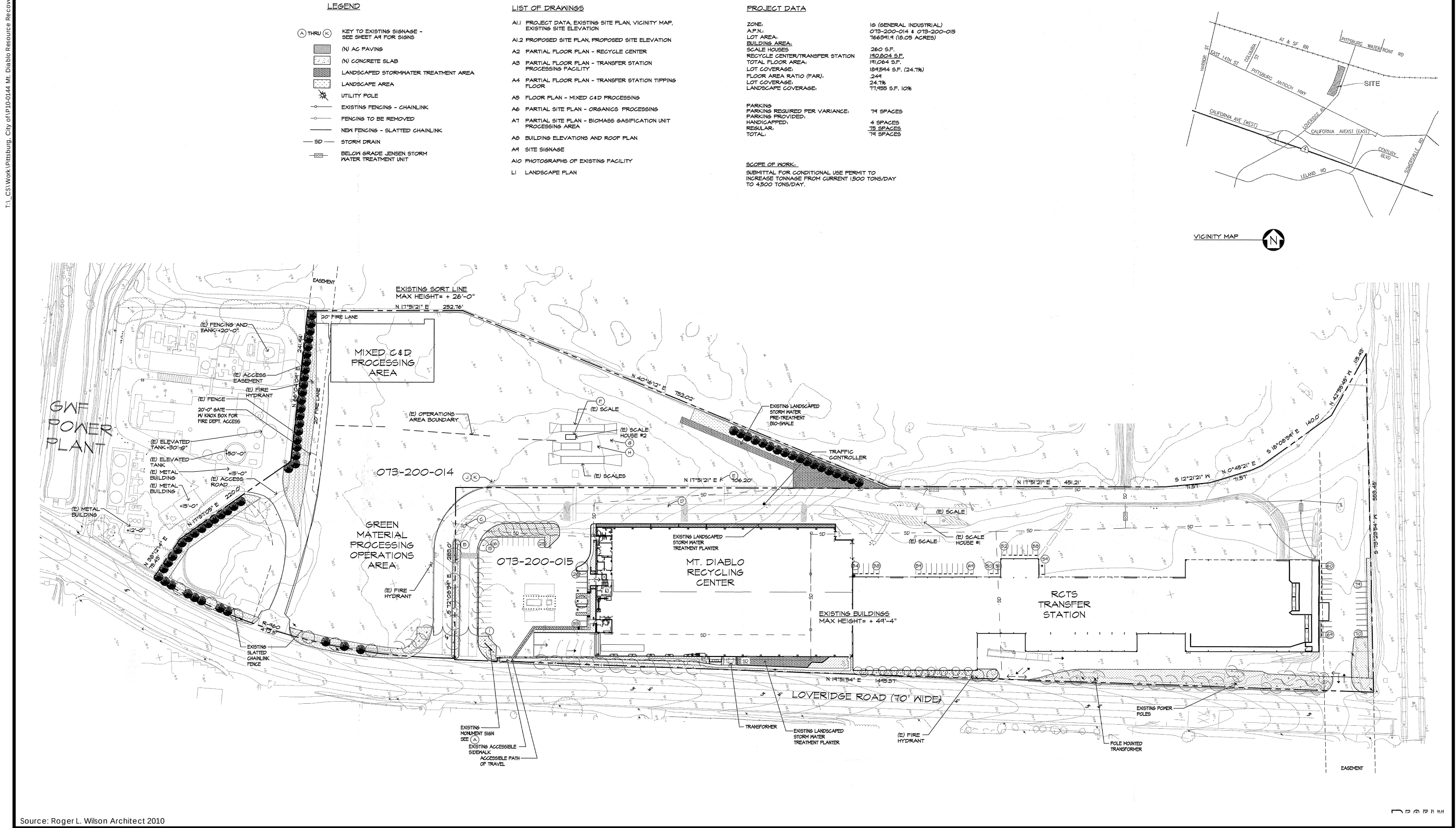


Figure 2.0-1
Project Location



Source: Roger L. Wilson Architect 2010

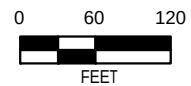


Figure 2.0-2
Existing Site Plan
PMC

The 3.5-acre former GWF site is almost entirely located in a separate watershed from the remainder of the project site and drains to Kirker Creek located along the southern boundary of this area. An existing on-site drainage system consists of concrete swales, inlets, and pipelines. This system conveys the on-site drainage from most of this 3.5-acre area into Kirker Creek via two separate outfalls, one located on the western side and the other located on the eastern side of the property. A small portion of this area in the northwest corner drains overland to the remainder of the project site (see **Figure 2.0-3**) (CBG 2014).

CURRENT OPERATIONS

The existing facility receives, sorts, processes, recycles, and transports municipal solid waste and recyclables, green waste, and C&D waste. In addition, portions of the site are used for parking, equipment storage, and containerized and uncontainerized commodity storage. The existing facility operates pursuant to a conditional use permit, and some operations (RCTS and Mixed C&D Processing Area) are covered by a solid waste facility permit (see additional discussion in subsection 2.2). The existing facility is permitted for 2,200 tons per day (TPD) with 1,500 TPD for RCTS, which includes the Mixed C&D Processing Area, 500 TPD for the MDRF, and 200 TPD for the Green Material Processing Area. The existing facility currently employs 83 full-time employees. A detailed summary of the existing facility and the individual operations (both actual and permitted) is provided below and in **Table 2.0-1**.

The current operations will continue under the proposed project (some operations are proposed to change under the project as described herein) and are summarized as follows:

Mt. Diablo Recycling Facility (MDRF)

The MDRF is a recycling facility that sorts and processes a variety of mixed recyclable materials, primarily from residential sources, including newspaper, cardboard, junk mail, and magazines, as well as California Redemption Value (CRV) and non-CRV glass, plastic, and aluminum. Material is dumped onto the tipping floor of the enclosed facility and pushed onto a conveyor hopper, where it travels along a series of sorting belts and screens. This processing equipment separates the material, after which it is stored in enclosed containers (also known as bunkers) and baled daily for storage and transport. This facility operates approximately 20 hours per day (it is permitted to operate 24 hours per day), seven days a week, and has a permitted capacity of 500 TPD.

Recycling Center and Transfer Station (RCTS)

The RCTS sorts and transfers municipal solid waste, including bulk materials from the public, green waste, wood waste, and mixed C&D debris. The RCTS accepts waste directly from the public. Waste materials are weighed at a drive-up scale and are then sorted on the tipping area floor and transferred to the appropriate on-site facility for further sorting, processing, and transport off-site for recycling or reuse. Materials that cannot be recycled are stored and then transported to a permitted landfill. This facility accepts electronic waste (E-waste), such as cell phones, computers, and televisions, and carpet, used oil, and tires. No hazardous, infectious, or liquid waste materials are accepted. A load check program is implemented to screen for such materials in incoming waste loads. Recovered household hazardous wastes are temporarily stored in a designated area in accordance with state regulations. This facility operates 24 hours per day as permitted, with a permitted capacity of 1,500 TPD. The facility receives waste from the general public from 7:00 a.m. to 6:00 p.m., seven days a week. The project applicant refers to this facility as the Transfer/Processing Facility.

2.0 PROJECT DESCRIPTION

Mixed C&D Processing Area

The Mixed C&D Processing Area consists of a 9,831-square-foot concrete pad that serves as a base for the C&D processing equipment and provides a stable platform for the loading of materials onto the sorting equipment. The equipment includes a loading hopper, elevated pick-line and walkways, storage bins beneath the pick-line, and shade canopies over the pick-line and workstations. Processing material is delivered to the facility in debris box trucks and commercial vehicles. After sorting, non-recyclable wastes are stockpiled and then loaded into transfer vehicles for transport to a permitted landfill for disposal within 48 hours. Recyclable materials are stored, processed, and marketed as recycled products. Fine materials separated during sorting are used as alternative daily cover at a landfill.

The Mixed C&D Processing Area currently operates from 7:00 a.m. to 5:00 p.m. seven days a week. The Mixed C&D Processing Area has a permitted capacity of 450 TPD, and the material received in this area is included within the 1,500 TPD permitted by the Solid Waste Facility Permit (SWFP) for the RCTS. Notwithstanding any limit imposed by the existing conditional use permit, the SWFP does not contain a limitation on the amount of material that may be processed in the Mixed C&D Processing Area.

The project applicant refers to this area as the Material Processing Facility.

Green Material Processing Operations Area

Green materials and wood waste are delivered to the existing Green Material Processing Operations Area from collection vehicles.¹ Green materials are stockpiled on storage pads that are constructed with compacted gravel, prior to chipping and grinding. Processed green materials are loaded onto transfer trailers and transported to a permitted facility for composting or may be used as alternative daily cover at a landfill. Wood chips are loaded onto transfer trailers and transported to biomass energy facilities or used as decorative materials for landscaping. This facility operates from 7:00 a.m. to 6:00 p.m. seven days a week. A Local Enforcement Agency (LEA) Notification created this operation in 2008 allowing up to 200 TPD of green waste to be received and processed separately from the materials processed under the RCTS permit. The tonnage processed at this area is excluded from solid waste permitting requirements.

The project applicant refers to this area as the Organics Processing Area.

Existing General Plan Designations and Zoning

The project site is designated by the City of Pittsburg General Plan as Industrial, which permits manufacturing, wholesale, warehousing and distribution, commercial and business services, research and development, agricultural, food and drug, industrial processing, and storage uses. The surrounding properties are also designated as Industrial. **Figure 2.0-4** shows the existing General Plan land use designations of the project site and adjacent properties.

¹ Green waste collection vehicles are the same size and type as typical garbage collection vehicles. They run on fixed routes throughout the residential service areas and pick up once a week or every other week, as scheduled.



LEGEND

- EXISTING STORM DRAIN
- EXISTING DRAINAGE SWALE
- EXISTING DRAINAGE DITCH
- EXISTING DRAINAGE DITCH (CONCRETE)
- EXISTING OUTFALL
- EXISTING STORMWATER QUALITY TREATMENT FACILITY

Source: Carlson, Barbee & Gisben, Inc.

NOT TO SCALE



Figure 2.0-3
Existing Drainage Facilities
PMC

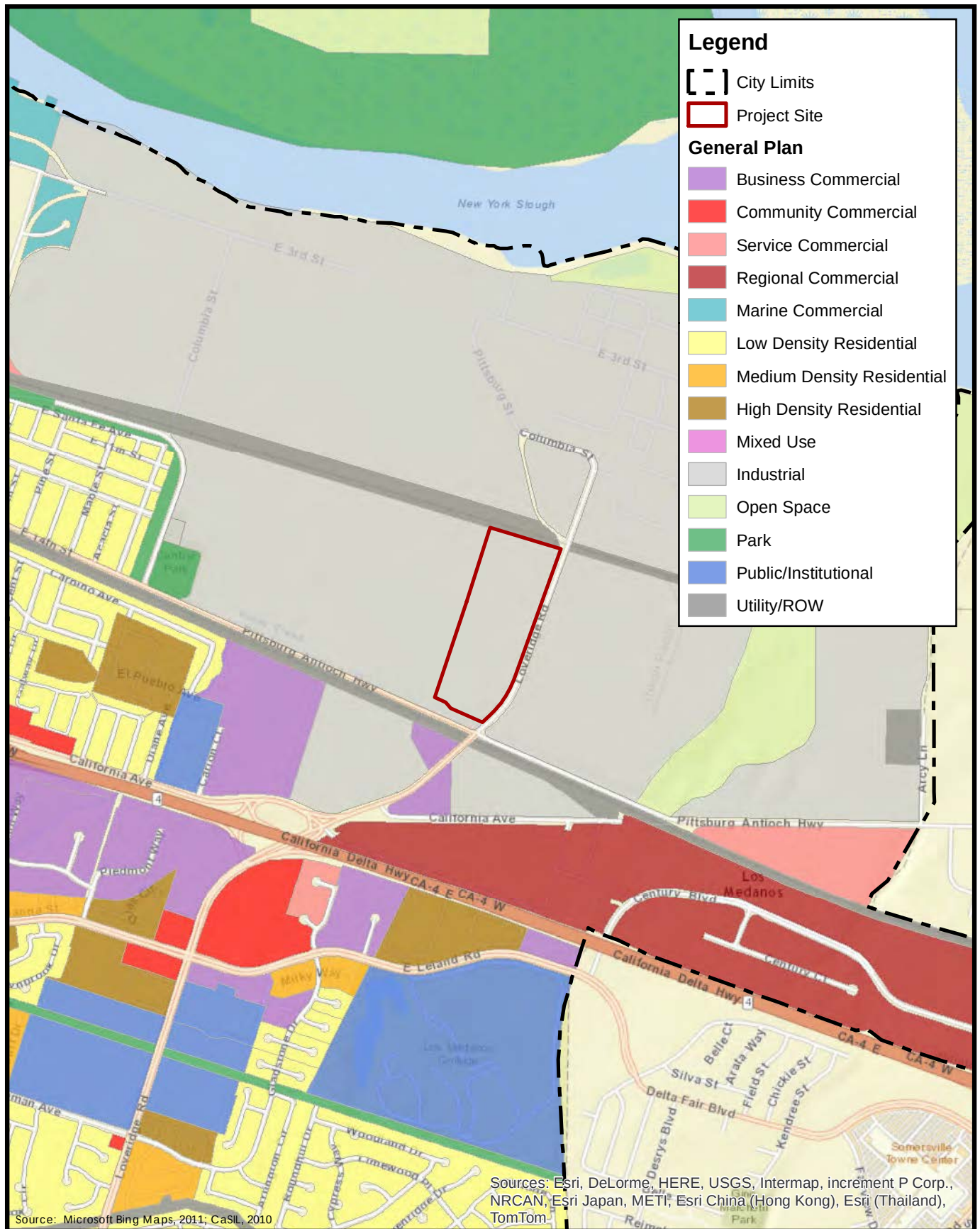


Figure 2.0-4
Existing General Plan Land Use Designations

Approximately 21 acres of the project site is zoned IG (General Industrial), and the remaining portion of the project site (15 acres) is zoned IL (Limited Industrial) pursuant to the Pittsburgh Municipal Code (City of Pittsburgh 2010). The IG and IL zoning districts provide for intense industrial uses on large parcels occupied by or directly adjacent to existing heavy industrial uses, as well as on small parcels in the vicinity of heavy industrial uses. Large recycling facilities, such as the project, require a Use Permit to operate within these zoning districts. All other properties surrounding the site are zoned IG. **Figure 2.0-5** shows the existing zoning of the project site and adjacent properties.

Surrounding Uses

Figure 2.0-6 shows the current uses of properties adjacent to the project site. Northwest of the project site, across the BNSF railroad, is an industrial facility operated by USS-POSCO Industries, which manufactures flat sheets of rolled steel. Northeast of the site, also across the BNSF railroad, is an industrial facility operated by Dow Chemical, which manufactures primarily agricultural and pest-control chemicals. East of the site, across Loveridge Road, are a vacant parcel, and two other large industrial facilities. South of the project site are East 14th Street and a Union Pacific Railroad (UPRR) spur line beyond. West of the project site is vacant land owned by USS-POSCO. The City approved the Columbia Solar Energy project on portions of this site, but it has not yet been constructed. The Contra Costa Industrial Park and other industrial uses are located across Loveridge Road to the northeast of the project site. There is an existing residential neighborhood about 2,900 feet (approximately one-half mile) west of the project site. The nearest residential area to the proposed project site is an approximately 4.4-acre medium density residential site approximately 1,500 feet southwest of the project site. The City Council approved General Plan and rezoning amendments to allow residential uses on the site in October 2013; however, the tentative map for the project site (Sunnyside Estates subdivision) is still pending.

2.2 PROJECT BACKGROUND AND HISTORY

The City of Pittsburgh certified an EIR for the original facility (which consisted of only the RCTS) on February 21, 1995 (SCH No. 94063017) and issued a Conditional Use Permit (CUP) on March 6, 1995. A Solid Waste Facility Permit was issued from the City of Pittsburgh Solid Waste Management Division to operate the RCTS at 1,500 TPD. On December 13, 1995, the California Integrated Waste Management Board, the state oversight agency at the time, concurred with the Solid Waste Facility Permit, which is reviewed every five years and was modified to address additional recycling programs. On March 27, 2007, the City of Pittsburgh adopted a Negative Declaration and approved a Use Permit to physically expand the facility and add the Mt. Diablo Recycling Facility. On January 12, 2010, the City adopted another Negative Declaration (SCH No. 2009112035) and approved operational changes to the MDRF's Use Permit to expand its capacity to 500 TPD. As noted above, the Green Material Processing Area is operating at a peak flow of 200 TPD. The combined permitted tonnage for all project components is 2,200 TPD.

The project applicant is seeking to expand the existing facility to allow a permitted combined capacity of 5,500 TPD and to add 18.5 acres to the existing facility site for parking, commodity storage, future construction of a Biomass Gasification Unit, and relocation of the truck maintenance facility and yard, which would include an 18,000-square-foot structure in the southeastern portion of the project site (former GWF Power Systems facility).

2.0 PROJECT DESCRIPTION

2.3 PROJECT OBJECTIVES

REGULATORY BACKGROUND

Global Warming Solutions Act of 2006 (AB 32)

In 2006, the California Legislature adopted Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006, establishing a cap on statewide greenhouse gas (GHG) emissions. A scoping plan for AB 32, entitled *Climate Change Proposed Scoping Plan: A Framework for Change*, was adopted by the California Air Resources Board (CARB) in December 2008. The scoping plan has a range of GHG reduction actions and measures to reduce GHG emissions associated with the solid waste industry, including reducing methane emissions at landfills, increasing waste diversion, composting and other beneficial uses of organic materials, and mandating commercial recycling. Compliance with the applicable measures contained in the AB 32 Scoping Plan is a primary objective of the proposed project.

Mandated Commercial Recycling and the 75 Percent Recycling Goal (AB 341)

In 2011, the California Legislature adopted AB 341 to clarify the responsibilities in implementing mandatory commercial recycling requirements for businesses that generate four or more cubic yards of commercial solid waste per week and multi-family residential dwellings with five or more units, which require local jurisdiction requirements for education, outreach, monitoring, and reporting. Through enactment of AB 341, the Legislature also directed the California Department of Resources Recycling and Recovery (CalRecycle) to propose a plan for the next step in the evolution of California's solid waste stream management. The law establishes a policy goal for California that not less than 75 percent of the solid waste generated is source-reduced, recycled, or composted by 2020. It also requires CalRecycle to provide a report to the Legislature by January 1, 2014, detailing strategies to achieve that policy goal.

PROJECT OBJECTIVES

- Serve as the regional recycling facility for eastern and central Contra Costa County, including the cities of Pittsburg, Concord, Oakley, Discovery Bay, and Antioch, parts of the unincorporated county, and Rio Vista in Solano County.
- Assist the City of Pittsburg and Contra Costa County in reducing greenhouse gas emissions and complying with the measures of the adopted AB 32 Scoping Plan by 2020 by generating renewable energy, increasing solid waste diversion rates, and expanding programs to provide recycling to businesses and multi-family residences.
- Assist the City of Pittsburg and Contra Costa County in maintaining compliance with AB 939 mandates requiring 50 percent diversion of solid waste from landfills and preparing to accommodate future AB 939 goals and mandates, such as assisting in the statewide recycling goal of a 75 percent recycling rate by 2020, consistent with AB 341.
- Upgrade and improve the existing facility to allow for more efficient service and to incorporate measures to reduce GHG emissions. The improvements include (1) an expansion of current recycling efforts, (2) the construction of a Biomass Gasification Unit to generate 1 megawatt per hour of electrical power using 10,400 tons of waste wood per year, and (3) installation of solar panels on the rooftops of the two existing buildings to produce up to 800 kilowatt-hours of renewable energy.

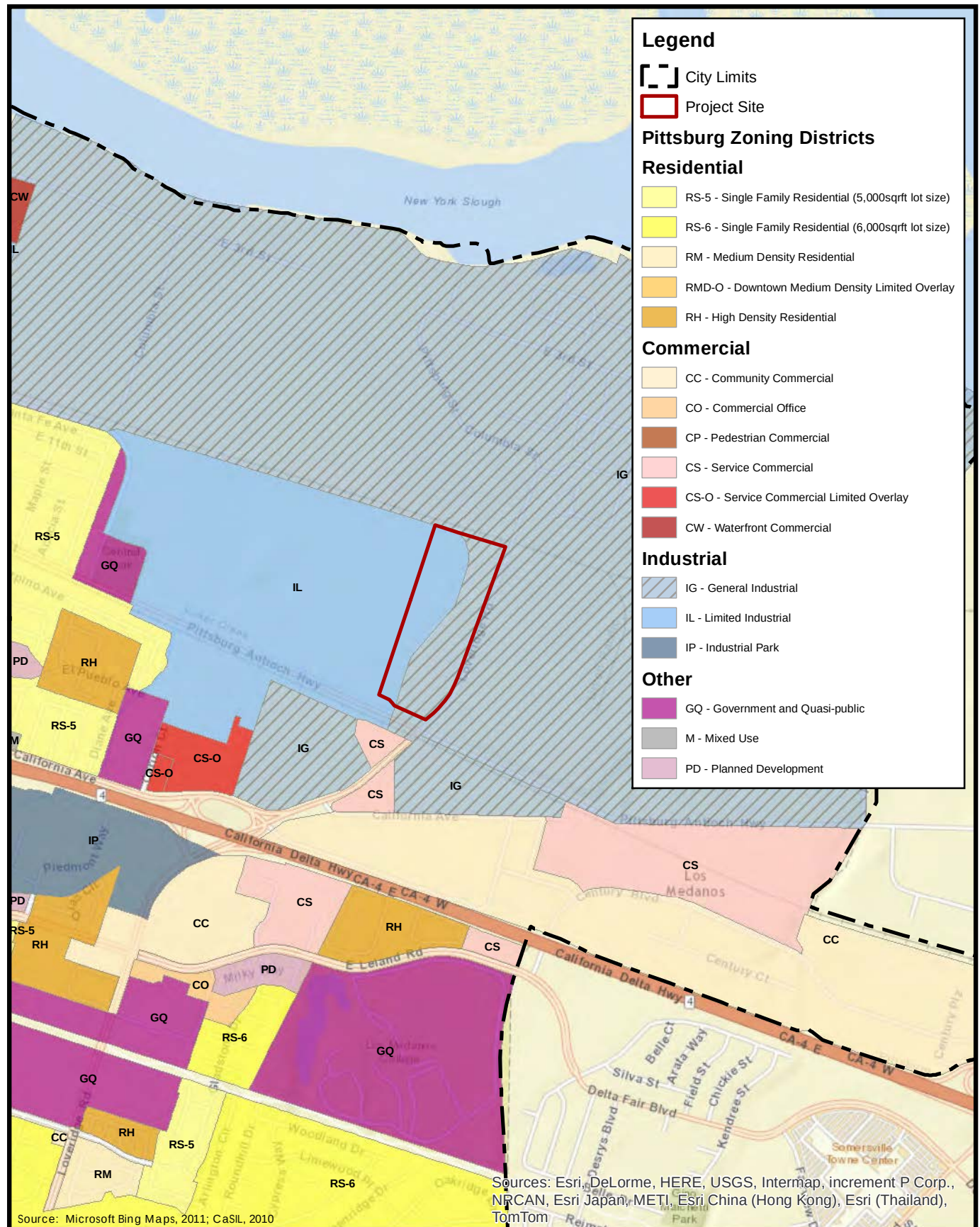


Figure 2.0-5
Existing Zoning Districts



Figure 2.0-6
Surrounding Uses

- Assist the City of Pittsburg and Contra Costa County in implementing the mandatory commercial recycling program required by AB 341.
- Increase facility capacities and expand hours of operation to better serve customers and to meet projected solid waste generation rates until the year 2035.
- Increase efficiency and productivity of the facility by including a new truck maintenance facility and yard within the project site.
- Consolidate all project components under one Solid Waste Facility Permit issued by the City of Pittsburg Local Enforcement Agency and with the concurrence of the California Department of Resources Recycling and Recovery (CalRecycle).

2.4 CHARACTERISTICS OF THE PROPOSED PROJECT

The proposed project consists of a request for a Conditional Use Permit (CUP) for the expansion, reorganization, and operation of the existing facility on a 36-acre site. The expanded facility will be called the Mt. Diablo Resource Recovery Park (MDRRP). The MDRRP will consist of the MDRF, Transfer/Processing Facility (formerly referred to as Recycling Center and Transfer Station), Material Processing Area (formerly referred to as Mixed C&D Processing Area), and an Organics Processing Area (formerly referred to as Green Material Processing Operations Area). **Table 2.0-1** provides a summary of the proposed changes to the operations of these existing facilities, while detailed descriptions of each are provided below.² Depending on the materials entering the facility, individual project components would be allowed to operate up to the design capacity of each individual component, though the facility would not exceed the overall permitted capacity of 5,500 TPD. **Figure 2.0-7** illustrates the proposed overall site plan.

The proposed MDRRP facility would also include a new Biomass Gasification Unit at the northwesterly portion of the project site (see **Figure 2.0-8**) and a truck maintenance facility and yard at the southeastern portion of the site (former GWF Power Systems facility) (see **Figure 2.0-9**). **Figure 2.0-10** shows the proposed building elevations for the MDRF and Transfer/Processing Facility, while **Figure 2.0-11** shows the proposed building elevations for the truck maintenance facility.

² As required by CEQA, the baseline analysis used in this EIR to analyze environmental impacts of the project uses the actual hours of operation and not the permitted hours of operation (CEQA Guidelines Section 15125(a)).

2.0 PROJECT DESCRIPTION

This page intentionally left blank

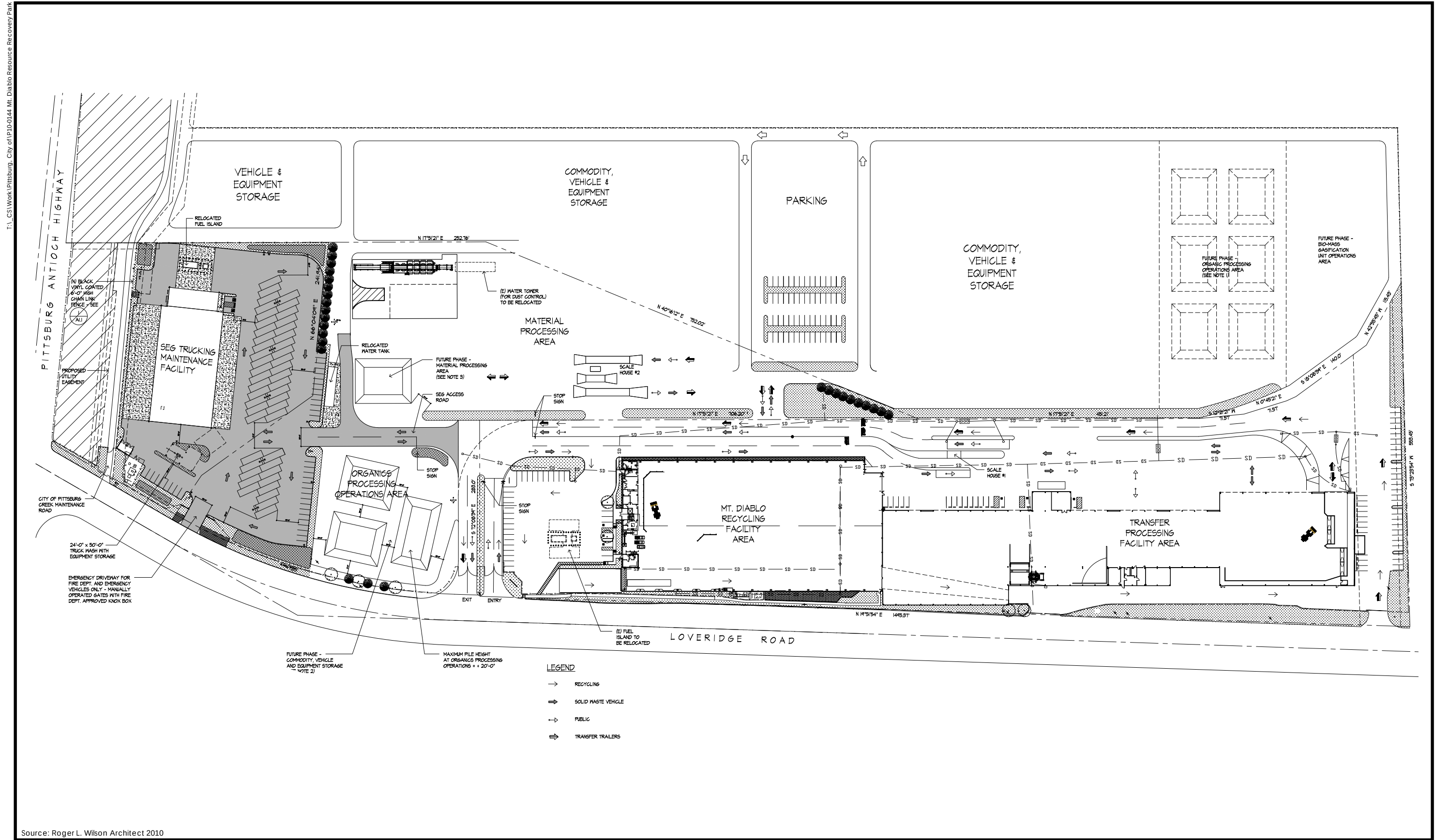
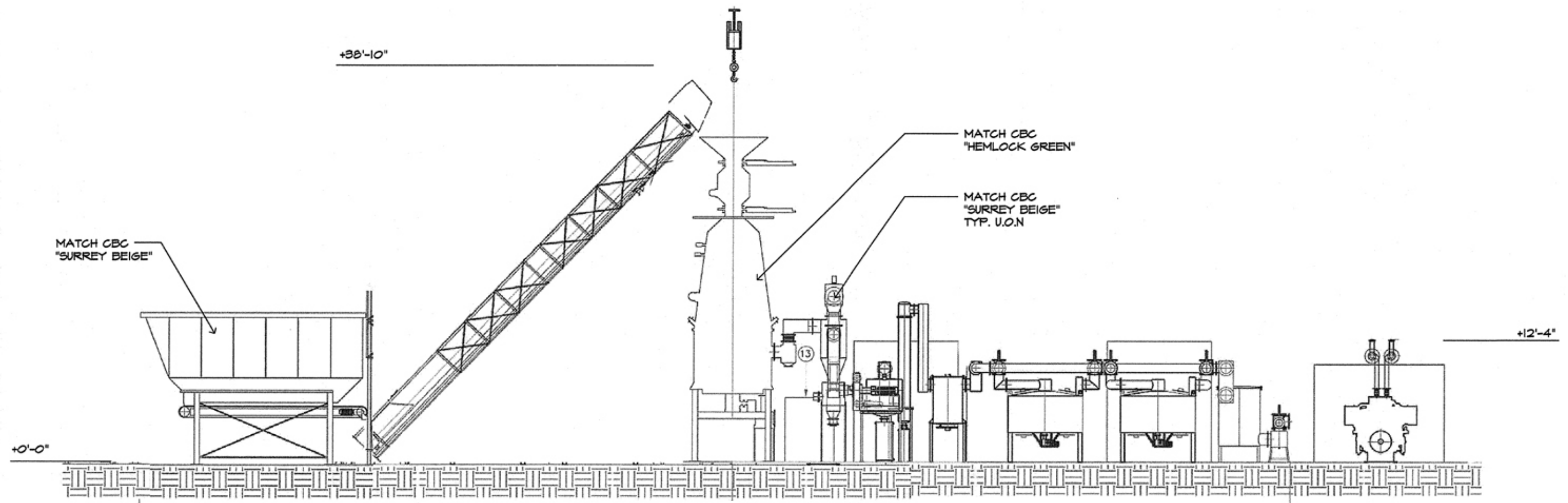


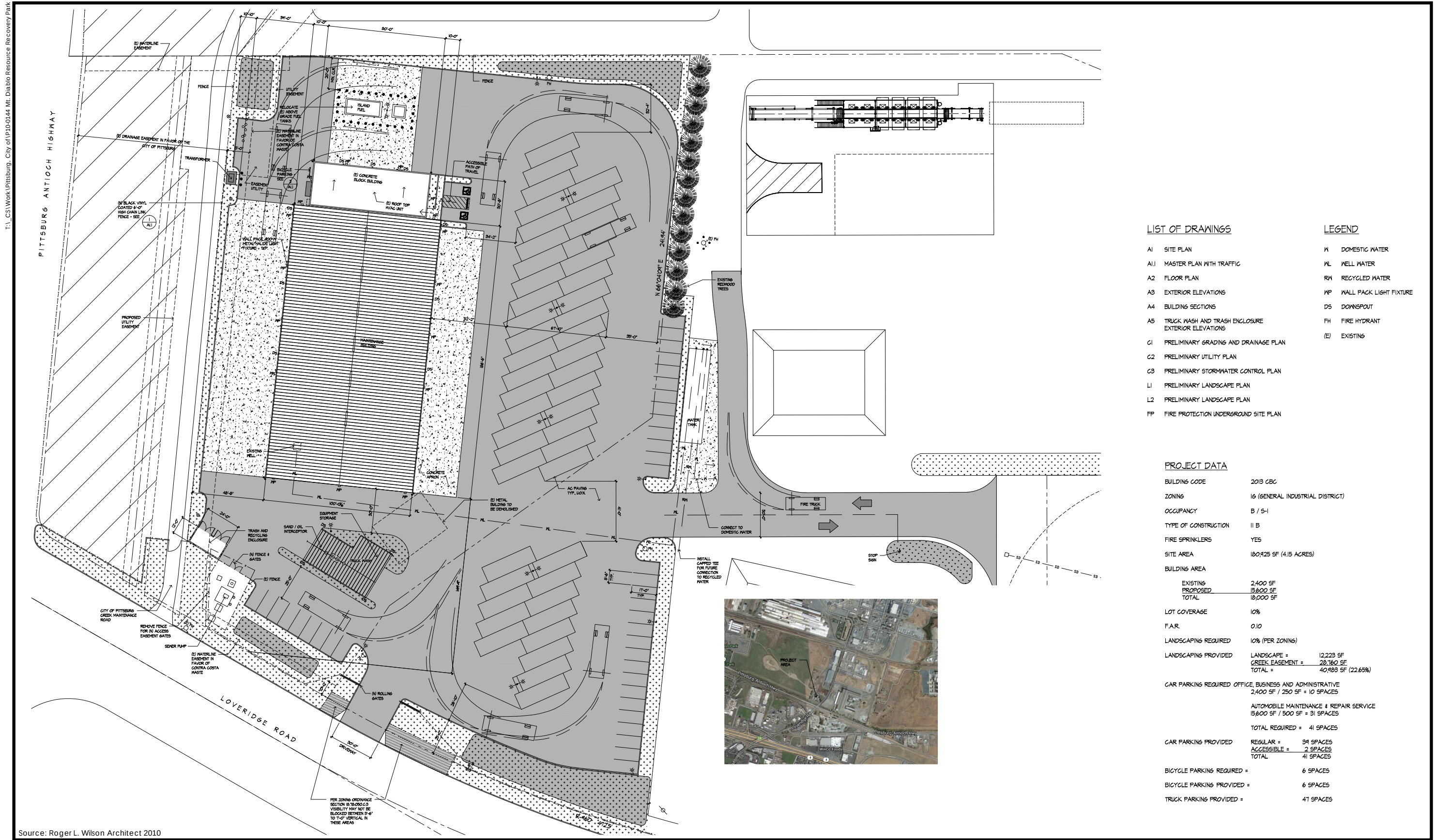
Figure 2.0-7
Proposed Site Plan
PMC®



Source: Roger L. Wilson Architect 2010

NOT TO SCALE

Figure 2.0-8
Proposed Elevation – Biomass Gasification Unit

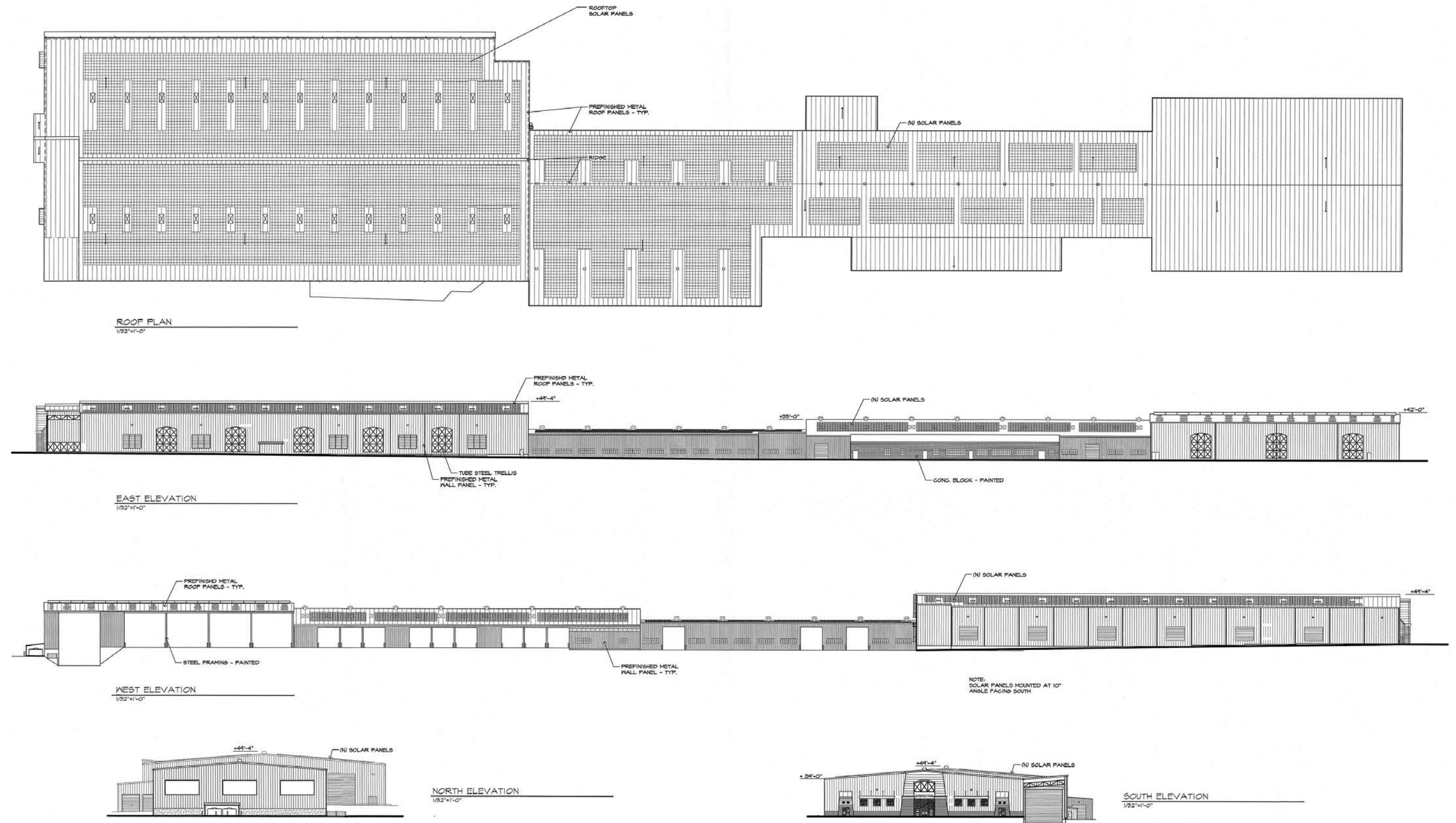


NOT TO SCALE



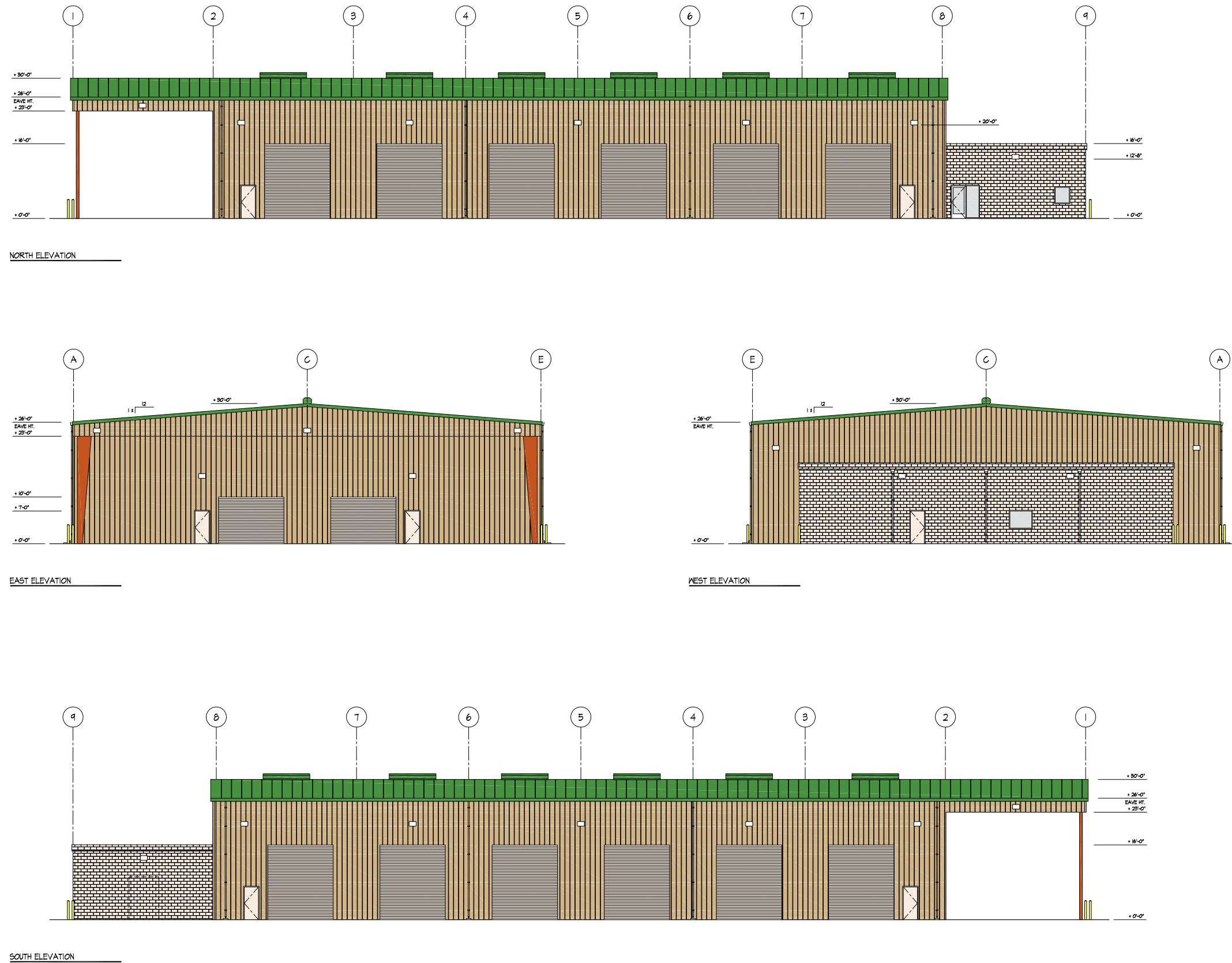
Figure 2.0-9
Proposed Site Plan - Truck Facility





Source: Roger L. Wilson Architect 2010

Figure 2.0-10
Proposed Building Elevations and Roof Plan – MDRF and Transfer/Processing Facility



Source: Roger L. Wilson Architect 2010

NOT TO SCALE

Figure 2.0-11
Proposed Building Elevations - Truck Facility
PMC

**TABLE 2.0-1
COMPARISON OF EXISTING AND PROPOSED OPERATIONS**

	Existing	Proposed
Facility Name	Mt. Diablo Recycling Facility	Mt. Diablo Recycling Facility
Solid Waste Facility Permit (SWFP) Type	Exempt from SWFP – less than 10% residual	Revision to SWFP 07-AC-0043
Material Types	Residential Recyclables Mixed Commercial Recyclables	Residential Recyclables Mixed Commercial Recyclables
Projected Average Capacity	500 TPD	1,000 TPD
Permitted Hours of Operations	24 hours	24 hours
Actual Hours of Operations	7:00 a.m. to 6:00 p.m. (public) 3 a.m. to 12 a.m. (commercial)	n/a
Number of Employees	27 peak shift	40 peak shift
Operations Name	Recycling Center and Transfer Station	Transfer/Processing Facility
SWFP Type	SWFP 07-AC-0043	Revision to SWFP 07-AC-0043
Material Types	Municipal Solid Waste Electronic Waste	Municipal Solid Waste Commercial Food Waste Residential Food Waste Electronic Waste
Projected Average Capacity	1,500 TPD	2,700 TPD
Permitted Hours of Operations	24 hours	24 hours
Actual Hours of Operations	7:00 a.m. to 6:00 p.m. (public) 3:00 a.m. to 1:00 a.m. (commercial)	n/a
Number of Employees	8 peak shift	16 peak shift
Operations Name	Green Materials Processing Operations Area	Organics Processing Area
SWFP Type	Enforcement Agency Notification 07-AC-0044	Revision to SWFP 07-AC-0043
Material Types	Green Waste Wood Waste	Green Waste Wood Waste Co-Collected Green Waste and Food Scraps (Residential)

2.0 PROJECT DESCRIPTION

	Existing	Proposed
Projected Average Capacity	200 TPD	800 TPD
Permitted Hours of Operations	7:00 a.m. to 6:00 p.m.	24 hours
Actual Hours of Operations	7:00 a.m. to 6:00 p.m.	n/a
Number of Employees	4 peak shift	8 peak shift
Operations Name	Mixed C&D Processing Area	Material Processing Area
SWFP Type	SWFP 07-AC-0043	Revision to SWFP 07-AC-0043
Material Types	Mixed Construction and Demolition Debris	Mixed Construction and Demolition Debris and dry commercial waste and self-haul wastes
Projected Average Capacity	450 TPD	1,000 TPD
Permitted Hours of Operations	7:00 a.m. to 5:00 p.m.	4:00 a.m. to 10:00 p.m.
Actual Hours of Operations	7:00 a.m. to 5:00 p.m.	n/a
Number of Employees	7 peak shift	24 peak shift

MT. DIABLO RECYCLING FACILITY

The proposed project would result in the following physical changes to the existing MDRF:

- Increase capacity from 500 TPD to 1,000 TPD
- Add a second processing line for commercial material including additional dry commingled recyclable materials and self-haul waste for processing
- Add solar panels to the rooftop to generate 800 kilowatt-hours of energy (combined output with the panels on the roof of the Transfer Processing Facility)

Following are detailed descriptions of the proposed improvements and operational and permit changes listed above.

Commercial Recycling and Materials

AB 341 requires that a mandated commercial recycling program start by July 1, 2012. CalRecycle adopted relevant regulations in December 2011. The regulation was approved by the Office of Administrative Law on May 7, 2012, and became effective immediately. Approximately half of the state's waste stream comprises commercial waste.

Consistent with AB 341, the proposed MDRF would add a second processing line to allow additional processing of commercial material, as shown on **Figure 2.0-7**. The MDRF would operate indoors up to 24 hours per day (as currently permitted) and process 1,000 TPD of mixed recyclables.

Solar Panels

The project includes the addition of solar panels to the rooftop of the MDRF building (solar panels are also proposed to be located on the Transfer/Processing Facility). **Figure 2.0-10a** illustrates the proposed building elevations with installation of the solar panels. These buildings could support approximately 1,000 kilowatt panels with the capability to generate up to 800 kilowatt-hours of renewable energy. Current regulations allow the installation of solar panels administratively; however, the installation of the solar panels is being included in the proposed project to further the project's objective of producing renewable energy and reducing greenhouse gas (GHG) emissions.

TRANSFER/PROCESSING FACILITY

The proposed project would result in the following changes to the existing RCTS:

- Increase capacity from 1,500 TPD to 2,700 TPD
- Add commercial and residential food waste processing capacity in the building to produce up to 480 TPD (out of the 2,700 TPD) of compost and/or anaerobic digestion feedstock
- Add solar panels to the rooftop to generate 800 kilowatt-hours of energy (combined output with the panels on the roof of the MDRF)

2.0 PROJECT DESCRIPTION

Following are detailed descriptions of the proposed improvements and operational and permit changes listed above.

Capacity

The project applicant proposes to continue a 24-hour permitted operation and increase the capacity to transfer and process up to 2,700 TPD as part of this project component.

Commercial Food Waste

The indoor operations would include commercial food waste processing equipment to remove contaminants from source-separated food waste received in commercial waste loads and food material, and to process the food waste and material into organic feedstock for composting facilities or anaerobic digestion facilities. Food waste that is part of the commercial solid wastes includes source-separated food wastes generated by stores, offices, and other commercial sources, excluding residences and industrial wastes per Section 17225.12 of Title 14 of the California Code of Regulations (CCR). Food material, as defined in Section 17852(a)(2) of Title 14, means any material that was acquired for animal or human consumption, that is separated from the municipal solid waste stream, and that does not meet the definition of agricultural material. Food material may include material from food facilities as defined in Health and Safety Code Section 113785, grocery stores, institutional cafeterias (such as at prisons, schools, and hospitals), or residential food scrap collection. Contaminants may include glass, plastics, corks, forks, napkins, and silverware from restaurants and cafeterias. Contamination levels vary from 2 to 10 percent of the incoming food waste feedstock. The location of the food waste processing equipment is shown on **Figure 2.0-7**.

Food Waste Processing Operations

The food waste processing equipment would be located inside the Transfer/Processing Facility. The proposed equipment for the facility includes, but is not limited to, a hopper, sort line conveyor, sort line grinder feed conveyor, hammermill grinder, grinder discharge conveyor, and stacking conveyor for loading a truck or bins to transport separated food waste to a compost or anaerobic digestion facility. The storage of food waste is limited to 48 hours, but these materials will typically be processed in less than 24 hours between the receipt of the material and the load-out of the processed organic feedstock.

Processed food waste would be required to be free of plastic, glass, silverware, and other contaminants that could cause damage to a grinder or be deleterious to the wet anaerobic digestion process. Primarily, the operator plans to use a depackaging unit that can separate large volumes of food material from surrounding packaging, filtering out contaminants to create an organic pulp.

Alternatively, plastic and other contaminant material would be removed manually on a sort line. A horizontal hammermill grinder is proposed for use with this type of operation. Material would be fed through a feed conveyor into the hammermill grinder. The hammermill would break the material into smaller pieces. Below the hammermill's hammer circle would be a series of grates. The material would remain inside the hammermill and be crushed or torn between the hammers and grates until its size is sufficiently reduced to pass through the grates, where it would be discharged onto a conveyor below.

For either system operator, a transfer truck would receive the processed food waste from the food waste processing equipment. The anticipated system capacity would be 20 tons per hour but may

vary depending on the materials being sorted and any future upgrades or additions. Similar mechanisms or procedures may be incorporated into the system.

Residential Food Waste

In addition to the food waste processing equipment, indoor food waste processing would also include food waste, food material, co-collected food waste and green waste from residential sources, and/or green waste being placed in large bunkers and mixed in various blends to produce organic feedstock for composting facilities or anaerobic digestion facilities. Please note that some of these materials will be processed at the Organics Processing Facility.

Commercial and Residential Food Waste Mixing Bunker Operations

Food waste, food material, and co-collected green waste with food waste from residential and commercial sources would be placed in large bunkers and mixed in various blends to produce organic feedstock for composting facilities or anaerobic digestion facilities. The storage of food waste and green waste commingled with food waste would be limited to 48 hours but will typically be processed in less than 24 hours from receipt of the material to the load-out of the processed organic feedstock. Food waste and green waste would be mixed in bunkers in the Transfer/Processing Facility, with blends up to 50 percent food waste. A front-end loader would top-load transfer trailers of mixed organic feedstock for delivery to off-site, permitted facilities. The organic feedstock mix would be used as feedstock for compost or an anaerobic digestion process.

Solar Panels

The installation of the solar panels on this project component will produce renewable energy and reduce GHG emissions. Solar panels would be added to the rooftop of the Transfer/Processing Facility and Mt. Diablo Recycling Facility buildings, which could support approximately 1,000 kilowatt panels with the capability to generate up to 800 kilowatt-hours of renewable energy.

ORGANICS PROCESSING FACILITY

The project proposes the following physical changes to the existing Green Material Processing Area:

- Allow the processing of co-collected green material and food material from residential sources
- Provide for up to 10,000 cubic yards of storage
- Increase the permitted operating hours from 7 a.m. to 6 p.m. to 24 hours per day and capacity from 200 TPD to 800 TPD
- Add a second grinder

Following are detailed descriptions of the proposed improvements and operational and permit changes listed above.

2.0 PROJECT DESCRIPTION

Collection of Green Waste with Food Material and Wood Waste

The co-collection of green waste with food material from residential sources (co-collected residential organics) is an emerging trend in California to meet CalRecycle's Strategic Directive No. 6 to divert 50 percent of the organic materials from landfilling by 2020, and for the AB 32 Scoping Plan, to increase compost use. The amount of residential food material varies from 5 to 10 percent of the green waste volume, based on seasonal factors and special holiday events. Food material is defined in state regulations (Title 14) to include residential food scrap collection.

The co-collected residential organics would be delivered to the site from collection vehicles. A peak of 400 TPD of material could be received during the peak season on the all-weather operational pad or would be delivered indoors inside of the Transfer/Processing Facility and mixed with food waste in the proposed bunker.³ A site-specific Operations Plan and Odor Impact Minimization Plan (in **Appendix B**) has been prepared as part of the proposed project, which includes multiple design and operational measures to reduce odors, including an outdoor storage time limit of 48 hours, and would only allow co-collected food material from residential sources to be stored outside.

The Organics Processing Facility would have capacity to store up to 10,000 cubic yards of organic material in four stockpiles that could reach up to 80 feet wide and 80 feet long, with an average height of 15 feet and a peak height of 20 feet. The stockpiles will be separated by fire lanes consistent with applicable fire district standards. One stockpile will be for the storage of incoming co-collected residential organics, and the second stockpile will be for the processed residential organics. The third stockpile will be for the storage of wood wastes, and the fourth stockpile for the processed wood chips. The specific stockpile locations and grinding area will need to vary over time to receive and process the materials but will follow these basic guidelines.

The co-collected residential organics would be stockpiled on a pad for a maximum period of 48 hours. Chipping and grinding generally occurs on the day of receipt. The processed co-collected residential organics material storage pad would be constructed with compacted gravel and sloped to drain. The pad would have year-round access where transfer trailers could be loaded out in a timely manner. The processed material would be loaded from the stockpile into transfer trailers in order to transfer the material to a permitted facility for composting or to be used as feedstock at an anaerobic digestion facility.

Wood waste would continue to be delivered to the site from roll-off vehicles and the public's vehicles and then recovered from the Material Processing Facility Area. A peak of 400 TPD of wood waste may be received during the peak season on an all-weather operational pad and would be part of Solid Waste Facility Permit activity. For purposes of design and operations capacity, the wood waste from the Mixed Material Processing Facility is factored into the calculations. For the purposes of the Solid Waste Facility Permit, the tonnage of the wood waste within the mixed C&D waste has been assigned to the Material Processing Area.

The wood waste would continue to be stockpiled on a pad for a proposed maximum period of 15 days. Chipping and grinding will generally occur daily. The storage pad will be constructed with compacted gravel and sloped to drain. Wood chips not used at the proposed Biomass Gasification Unit (see below) would be loaded from the stockpile into transfer trailers and transported to other facilities.

³ The Organics Processing Facility operational area would be included in the Solid Waste Facility Permit since the amount of putrescible material may exceed 1 percent, and no longer qualify as green material that could be permitted under an Enforcement Agency Notification Tier, as with current operations. Putrescible material is material that is subject to putrefaction, or the decomposition of animal proteins, which can give off a putrid odor.

Grinder

A second grinder would be added to the outdoor operations areas of the facility and used at both the Organics Processing Facility and the Material Processing Area.

MATERIAL PROCESSING AREA

The project proposes the following physical changes to the existing Mixed C&D Processing Area:

- Add additional bays to the existing processing line to achieve 500 TPD capacity for the line
- Add a second processing line with 500 TPD capacity to process a total of 1,000 TPD
- Add additional processing for dry commercial recyclables and self-haul wastes
- Expand areas for storage of commodities and equipment, and for parking
- Increase the operating hours from 7:00 a.m. to 5:00 p.m. to 4:00 a.m. to 10:00 p.m.

The project applicant proposes to extend the hours of operation at this facility during the peak construction season from the late spring to the fall. Additional bays and processing lines will be added to the processing line to increase the diversion rate for these materials. The western portion of the project site (approximately 10 acres) will be used for commodity, vehicle, and equipment storage and the 5-acre area will continue to be used for parking and storage.

ADDITIONAL LAND

An 18.5-acre area west and south of the existing facility is included in the proposed project. Approximately 15 acres of this area will be used for containerized commodity storage, equipment storage, the organics processing area, parking, and the proposed Biomass Gasification Unit, and organics processing area. The applicant currently uses 5 acres of this area for parking and storage. While portions of this area contain some pavement and gravel areas that are in poor condition, the project applicant proposes to pave or surface this area with impervious surfaces. Approximately 3.5 acres of this area (former GWF site) will be used for the proposed truck maintenance facility and yard (discussed further below).

BIOMASS GASIFICATION UNIT

The proposed Biomass Gasification Unit (BGU) portion of the project would include the following physical improvements:

- Construct and operate a BGU
- Allow 24-hour operation and maintenance of the BGU
- Utilize 40 TPD of clean wood chips processed at the Organics Processing Facility or the Material Processing Area as the fuel source for the BGU
- Generate 1 megawatt per hour of renewable energy primarily for use for on-site operations

2.0 PROJECT DESCRIPTION

- Install transmission lines to power the MDRF and the Material Processing Area and to sell excess electricity to Pacific Gas and Electric (PG&E)

The project applicant proposes to construct and operate the BGU on a currently undeveloped area of the project site located at the northwesterly portion of the project site (see **Figure 2.0-7**). **Figure 2.0-8** provides the proposed site plan specifically for the BGU. The proposed BGU would be designed to allow 24-hour operation and maintenance, would be constructed of metal, and would feature colors and materials similar to the current color scheme of the Mt. Diablo Recycling Facility.

The proposed BGU would utilize proven gasification technologies that convert biomass into a synthetic natural gas (“syngas”) through the process of thermo-chemical conversion. The BGU would use clean wood chips processed at the on-site Organics Processing Facility or the Material Processing Area as the fuel source. The thermo-chemical biomass gasification process “cooks” biomass in an oxygen-starved environment. By depriving the fuel of sufficient oxygen, the biomass does not burn but rather gives off a hydrogen-rich syngas. As the biomass gives off the syngas, it is transformed into bio-char and ash of approximately 1 to 5 percent of the volume of biomass fuel. The syngas is then captured, cleaned by a series of scrubbers and filters, and cooled before being sent as fuel to the genset. The syngas would be used to fuel a specially modified natural gas genset that would provide renewable electricity and heat to the structures and equipment on-site.

Bio-char and ash would be removed from the conversion chamber using pumped slurry. This slurry would then be cooled and filtered. The resulting char byproduct would be separated out using a special mechanical separator for resale as a soil amendment, sequestering carbon in the ground for up to 1,000 years. The water would again be filtered, cooled, and recirculated.

Power Generation

The power units are based on a spark-ignited engine genset. Depending on the model chosen, the engines are capable of providing up to 1 megawatt (net) operating on syngas. The applicant would customize the system to allow syngas carburetion for this engine and provide standard paralleling switchgear for electrical output with up to 1 megawatt per hour.

Transmission Lines

All proposed transmission lines would be underground and connect to the Mt. Diablo Recycling Facility and the Material Processing Area. A feed-in tariff is available for selling excess electricity back to PG&E during off-peak periods. As such, the project includes construction of underground transmission lines to the current utility lines in order to sell excess electricity.

TRUCK MAINTENANCE FACILITY AND YARD

The project proposes the construction of a truck maintenance facility and yard that would replace an existing facility currently located east of the project site across Loveridge Road. The facility would consist of a 30-foot-tall, 18,000-square-foot building comprising a 15,600-square-foot shop and a 2,400-square-foot office/storage area, with 2,000 square feet of open air canopies on the eastern side of the building (see **Figure 2.0-11** for proposed building elevations). This facility would also include a new truck fueling island that would be relocated from the MDRF main parking area. The facility will be used for the repair and maintenance of the facility’s approximately 60 commercial and residential refuse trucks, as well as RCTS and MDRF equipment. The truck maintenance facility and yard includes a 47-space parking/storage area

for the trucks and a wash area. This area also provides 41 parking spaces for employees and other persons. No painting will occur on the site (see **Figure 2.0-9**).

The truck maintenance facility and yard will have 11 full-time mechanical and shop support personnel. Operational hours will be 9 a.m. to midnight Monday through Friday, 7 a.m. to 5 p.m. on Saturday, and 9 a.m. to 5 p.m. on Sunday.

SOLID WASTE FACILITY PERMIT

The project applicant proposes to obtain one solid waste permit to cover the proposed project. The existing solid waste permit covers the RTCS and the Material Processing Facility but is not required for the existing MDRF or Green Materials Processing Operations Area. If the expanded operations as proposed are approved, a solid waste permit will be required for all project components. The permit would be issued by the City of Pittsburg Local Enforcement Agency and with the concurrence of the California Department of Resources Recycling and Recovery (CalRecycle).

OPERATIONS AND EMPLOYMENT

The proposed hours of operations for the four existing operational components are shown in **Table 2.0-1** above. **Table 2.0-1** also shows the anticipated number of full-time employees at each of these project components during a peak shift.

The proposed truck maintenance facility and yard will operate between 9:00 a.m. and 12:00 a.m. on weekdays, between 7 a.m. and 5 p.m. on Saturdays, and between 9:00 a.m. and 5:00 p.m. on Sundays and would employ 11 full-time mechanic and shop personnel. The BGU component would be permitted to operate 24 hours per day with 2 employees.

The proposed project would employ a total of 145 employees (an increase of 62 employees), with up to 90 employees working during a peak shift (an increase of 44 employees).

DUST MINIMIZATION PLAN

A Dust Minimization Plan (**Appendix C**) was prepared as part of the proposed project to protect public health and air quality. The plan summarizes the current dust control practices implemented at the facility, which include the use of two dedicated street sweepers and a water truck as well as requirements to cover truckloads with tarps and limit speed to 15 miles per hour. Dust control on the site would be accomplished with watering according to the schedule used at the facility. The plan also proposes specific measures to control dust during project construction and operation. These measures apply to both indoor and outdoor operations at each facility. Measures include paving of access roads, use of misting systems and equipment sprayers, strict enforcement of storage time limits, covering or watering of stockpiles, wind-level monitoring, and worker education/awareness training.

OPERATIONS AND ODOR IMPACT MINIMIZATION PLAN

An Operations and Odor Impact Minimization Plan (**Appendix B**) was prepared as part of the proposed project to minimize odor emissions and prevent nuisances in the surrounding area. The plan identifies potential sensitive receptors in the area and establishes odor monitoring and complaint response protocols. In addition, the plan provides design and operational considerations and procedures to minimize odor emissions associated with the proposed

2.0 PROJECT DESCRIPTION

project. These include proper drainage to prevent standing water, screening of incoming loads to eliminate unacceptable waste materials, strict enforcement of storage time limits, monitoring of stockpiles to ensure optimal conditions, and worker education/awareness training. The plan also includes a contingency plan to control odors should they occur.

LIGHTING AND LANDSCAPING

Minimal new light sources and landscaping would be added as part of the project. New light sources would be added to the proposed Truck Maintenance Facility with light sources directed to pathways and roadways. In addition, parking lot light sources would be shielded or directed away from the project boundaries in accordance with Pittsburg Municipal Code Section 18.82.030, Glare.

Landscaping would be installed on the project site in order to achieve the minimum 10 percent lot coverage per the City's property development regulations for the IL and IG zoning districts (Municipal Code Section 18.54.115).

SIGNAGE

The project applicant proposes to add numerous signs throughout the project site, including a new monument sign at the site's main entrance. Illustrations of the proposed signs are provided on **Figure 2.0-12**, while the locations of the proposed signs are shown on **Figure 2.0-7**.

PARKING

As described above, 79 parking spaces are currently provided on the project site. An additional 60 parking spaces are proposed in the western portion of the site, and 41 parking spaces would be added at the Truck Maintenance Facility (see **Figure 2.0-7**). Therefore, a total of 180 standard-sized parking spaces would be available for employees and the public scattered throughout the project site. According to the facility's approved parking variance, the project must provide a minimum of one parking stall per 2,450 square feet of building area. With the addition of the proposed truck maintenance facility, the overall facility would have a total floor area of 208,804 square feet and a minimum parking requirement of 86 stalls. Therefore, the project would exceed the minimum parking standard by 88 stalls.

ACCESS AND CIRCULATION

As described above, there are currently three points of access to the project site, all from Loveridge Road. No changes to the existing site access and circulation are proposed as part of this project. Site access points and internal roadways are shown on **Figure 2.0-7**.

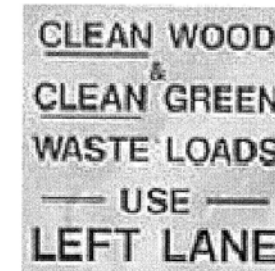
The project applicant proposes to revise the facility's use permit to allow additional trucks and collection vehicles to access the site. The project would increase its anticipated vehicle trips from 1,200 trips per day to 5,620 trips per day.



A MONUMENT SIGN
1/2" = 1'-0"



B SIGN
NTS



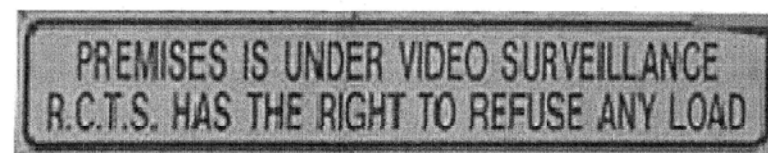
C SIGN
NTS



D SIGN
NTS



E SIGN
NTS



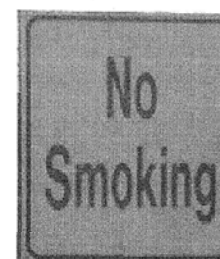
F SIGN
NTS



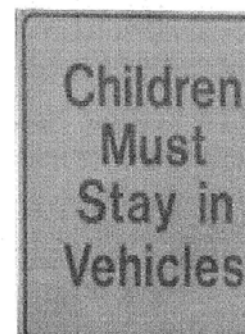
G SIGN
NTS



H SIGN
NTS



J SIGN
NTS



K SIGN
NTS

Source: Roger J. Wilson Architect 2010

NOT TO SCALE



Figure 2.0-12
Proposed Signage

STORM DRAINAGE

Stormwater runoff generated within the existing site will continue to be collected and conveyed by the existing on-site storm drainage system of ditches and pipelines previously described. The existing on-site system and existing drainage ditch across the USS-POSCO site have adequate capacity for the additional runoff generated by the proposed development.

The proposed development on the 15-acre parcel to the west will include the replacement of the existing open ditch on this parcel with a 36-inch-diameter pipeline. The proposed development of this parcel including complete impervious surfaces, either pavement or covered structures, will increase the stormwater peak flows from this parcel from 9.2 cubic feet per second (cfs) to 15.8 cfs. The 36-inch pipeline and the downstream existing ditch and 36-inch culvert have adequate capacity to convey the increased peak flows from the existing site and the fully developed 15-acre area.

Redevelopment of the former GWF site would include the installation of a new on-site stormwater system that will collect and convey site runoff to Kirker Creek via the two existing outfall locations. This proposed stormwater system will incorporate a detention component to ensure the peak flows from this portion of the project site do not exceed the existing conditions. The detention component will likely include an underground vault that will provide adequate storage to attenuate the peak flows and not exceed existing peak flows (CBG 2014). Alternatively, the project applicant may choose to reroute drainage from this area northward to the remainder of the project site to be discharged into the existing ditch on the USS-POSCO property.

CONSTRUCTION

Major construction activities associated with the proposed project would include the construction of the C&D processing line, Biomass Gasification Unit, and truck maintenance facility and yard, as well as drainage improvements and paving/surfacing on approximately 18.5 acres of the project site. The remaining activities would consist of interior tenant improvements and installation of new equipment inside or on the exterior of the existing buildings.

The construction schedule for the C&D processing line is approximately four weeks. Site preparation and paving would take approximately one week and would require very limited to no grading, as the site is flat and compacted from previous use. Approximately 13 truckloads of concrete would be needed to pour a 5,940-square-foot pad to support the processing line. The processing line components would be delivered via flatbed truck and assembled with a crane over a one-week period. Electrical and mechanical contractors would then complete assembly over a two-week period.

The construction schedule for the Biomass Gasification Unit is approximately ten weeks and could start in 2016, if City approval is granted. Site preparation and paving would take approximately one week and would require minor grading. Approximately nine truckloads of concrete would be needed to pour a 4,000-square-foot pad to support the BGU. The BGU components would be delivered via flatbed truck and assembled with a crane unit over a period of approximately five weeks. Electrical and mechanical contractors would then install the electrical system and piping over a four-week period.

Construction of the proposed truck maintenance facility and yard would require minor grading as the site is flat and compacted from previous use (former GWF site). Grading and undergrounding of utilities is expected to take six weeks, construction of the building including

2.0 PROJECT DESCRIPTION

the pad is expected to take eight months, and site work/landscaping is expected to take two months, for a total construction period of approximately one year.

Construction of drainage improvements would include the replacement of the existing open ditch with a 36-inch-diameter pipeline. The project may also include rerouting drainage from the 3.5-acre area from draining to Kirker Creek to draining into the existing ditch on the USS-POSCO property. If drainage is rerouted to the ditch, a detention system will be constructed on-site in order to detain the rerouted flows and not exceed the capacity of the existing ditch. The detention volume required is approximately 0.2 acre-feet. The detention system would consist of underground pipes with meters or aboveground ditches or swales.

Portions of the site are paved or contain some surfacing that is in poor condition. Approximately 10 acres of the site have no pavement. The applicant proposes to replace and/or pave or surface these areas (approximately 18.5 acres) with impervious surfaces.

Installation of the proposed commercial recycling and food waste processing equipment would require the use of a concrete saw to modify the existing concrete pads within the MDRF and Transfer/Processing Facility in order to install the recessed conveyors.

RAIL HAUL OPERATIONS PLAN

With the advent of federal Subtitle D (Subpart 257 and 258, Title 40, Federal Code of Regulations) in 1993, regional landfills have replaced local landfills as a cost-effective landfill disposal option. The purpose of the rail haul option would be to offer an alternative to hauling solid waste using conventional collection trucks for considerable distances across Contra Costa County. The BNSF Railroad is located to the northwest of the project site, and a railroad spur exists on the property west of the Transfer/Processing Facility. The Rail Haul Operations Plan is a future option being considered by the project applicant but is not proposed for implementation at this time. Therefore, this option will be evaluated in the DEIR at a programmatic level. Should it be proposed at a later date, further CEQA analysis would be required.

Under the Rail Haul Operations Plan option, solid waste collection directed to the Transfer/Processing Facility at the Mt. Diablo Resource Recovery Park would be unloaded on the tipping floor. From the tipping floor, unrecyclable solid waste would be placed in collection containers for long-haul by rail to a permitted regional landfill.

2.5 REQUIRED APPROVALS

The proposed project will require the following approvals:

- City of Pittsburg – Conditional Use Permit and Design Review
- City of Pittsburg – Solid Waste Management Division
- California Department of Resources Recycling and Recovery (CalRecycle) – Solid Waste Facility Permit Revision
- Bay Area Air Quality Management District – Regulation 2 Permit Revisions
- State Water Resources Control Board – General Construction Permit

Additional approvals may be required from the following agencies:

- California Department of Toxic Substances Control
- California Department of Transportation (Caltrans)

2.0 PROJECT DESCRIPTION

REFERENCES

- CARB (California Air Resources Board). 2008. *Climate Change Proposed Scoping Plan: A Framework for Change*.
- CBG (Carlson, Barbee & Gibson, Inc.). 2014. *Drainage Assessment, Mount Diablo Resource Recovery Park SEG Trucking Maintenance Facility, Pittsburg, California*.
- City of Pittsburg. 2001. *City of Pittsburg General Plan*.
- . 2010. Pittsburg Municipal Code. Accessed February 8, 2011. <http://www.codepublishing.com/ca/pittsburg/>.
- Contra Costa Waste Service, Inc. 2010. Conditional Use Permit Application Package: Mt. Diablo Resource Recovery Park. Prepared by Edgar and Associates.

3.0 ASSUMPTIONS

3.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS AND ASSUMPTIONS USED

The following is an introduction to the project-specific and cumulative environmental impacts analysis and general assumptions used in the analysis. The reader is referred to the individual technical sections of this Draft Environmental Impact Report (Draft EIR) regarding specific assumptions, methodology, and significance criteria used in the analysis.

3.1 ANALYSIS ASSUMPTIONS GENERALLY USED TO EVALUATE THE IMPACTS OF THE PROJECT

BASELINE ENVIRONMENTAL CONDITIONS ASSUMED IN THE DRAFT EIR

Section 15125(a) of the California Environmental Quality Act (CEQA) Guidelines requires that an EIR include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation (NOP) is published. The CEQA Guidelines also specify that this description of the physical environmental conditions is to serve as the baseline physical conditions by which a lead agency determines whether impacts of a project are considered significant. The baseline analysis used in this EIR is based upon the existing operations of the facility (see **Table 2.1-1**).

The environmental setting conditions of the project site and the surrounding area are described in detail in the technical sections of the Draft EIR (see Sections 3.1 through 3.8). In general, these setting discussions describe the setting conditions of the project site and the surrounding area as they existed when the NOP for the project was released on May 18, 2011. In addition, the Draft EIR includes current information on the status of proposed and approved large-scale development projects in the region (see subsection 3.3, Approach to the Cumulative Impact Analysis, below).

GENERAL PLAN CONSISTENCY ANALYSIS

As required by CEQA Guidelines Section 15125(d), each technical section of the Draft EIR (Sections 3.1 through 3.8) has been evaluated for consistency with policies contained in the existing City of Pittsburg General Plan (2001).

PROJECT CONSTRUCTION EFFECTS

Construction and installation of the proposed development and improvements would generate dust, equipment noise, water runoff, and increase or disrupt traffic. Project construction impacts specific to each area of environmental analysis are evaluated in the technical sections of the Draft EIR (Sections 3.1 through 3.8).

Project Buildout Assumptions

For the environmental analysis, it is assumed that construction/installation of the proposed development and improvements would occur on the project site as described in Section 2.0, Project Description. Project operational impacts, such as traffic, air quality, hydrology, biological resources, and hazards, are evaluated in the technical sections of the Draft EIR (Sections 3.1 through 3.8). The EIR generally relies on the buildout assumptions contained in the City of Pittsburg General Plan; however, other large-scale projects may also be considered in the cumulative context, as appropriate for the topic. **Table 3.0-1** includes the name, type of development, associated acreage, and status of other large-scale proposed and approved development projects in the area. The projects listed below located within the City limits were taken from the City's "Project Pipeline List" contained on its website. The location of each project is also described in **Table 3.0-1**. The cumulative setting also includes existing projects.

3.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS AND ASSUMPTIONS USED

**TABLE 3.0-1
PROPOSED AND APPROVED RESIDENTIAL PROJECTS IN THE CUMULATIVE STUDY AREA**

Project	No. of Units	Site Acreage	Location	Status
Single-Family Residential				
Montreux	368	148.3	West of Kirker Pass, just south of city limits	Pending
Sky Ranch	415	163	Buchanan Road, west of Somersville Road	Approved
Sunnyside Estates	33	4.4	Carion Court	Pending
Tuscany Meadows	917	135.6	Buchanan Road, southwest of Somersville Road	Pending
Apartments/Condominiums				
Los Medanos Apartments	30	0.29	SE corner of Los Medanos & E. 9 th Street	Approved
Esperanza Apartments (San Marco)	300	13.3	South of Leland Road, East of San Marco Boulevard	Pending
Tuscany Meadows	365	14.6	Buchanan Road, southwest of Somersville Road	Pending

**TABLE 3.0-2
PROPOSED AND APPROVED NONRESIDENTIAL PROJECTS IN THE CUMULATIVE STUDY AREA**

Project/Description	Bldg. Sq. Ft.	Site Acreage	Location	Status
Industrial				
ARB, Inc. Construction of an additional to an existing industrial use.	2,103 (add'n)	1.43	1875 Loveridge Road	Under Construction
Columbia Solar Construction of a 20-megawatt (MW) ground mounted solar photovoltaic array and related infrastructure.	–	115	900 Loveridge Road	Under Construction
K 2 Pure Establishment of a manufacturing plant for the production of electrochemical units.	40,000 +	15	901 Loveridge Road	Built
Long-Range Planning Projects				
James Donlon Blvd. Extension (Buchanan Bypass) & Southeast Hills Annexation, including General Plan Amendment and Rezoning. Construction of a new 1.71 mile long roadway south of the current City boundary.	–	TBD	South of the existing city limits and east of Kirker Pass Road	EIR Certified
Southwest Hills/Faria Annexation Annexation of undeveloped land into the City of Pittsburg, the Contra Costa Water District and the Delta Diablo Sanitation District.	–	606	Southwest Hills	Pending; NOP released on March 7, 2014. DEIR underway

3.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS AND ASSUMPTIONS USED

Project/Description	Bldg. Sq. Ft.	Site Acreage	Location	Status
Keller Canyon Landfill Expansion Request amendment to existing land use permit to increase the daily tonnage limit, and other operational changes.	-	2,000	901 Bailey Road, Contra Costa County	Pending: NOP released in August 2009.

3.2 STRUCTURE OF THE ENVIRONMENTAL IMPACT ANALYSIS

Sections 3.1 through 3.8 of this Draft EIR contain a description of current setting conditions, the applicable regulatory framework, an evaluation of the direct and indirect environmental effects resulting from the implementation of the proposed project, identification of General Plan policies and Municipal Code sections that mitigate environmental effects, additional feasible mitigation measures, and identification of whether significant environmental effects of the project would remain after application of applicable policies and codes, and feasible mitigation measures. The individual technical sections of the Draft EIR include the information discussed below.

EXISTING SETTING

The subsection includes a description of the physical setting conditions associated with the technical area of discussion, consistent with CEQA Guidelines Section 15125. As identified above, the existing setting is based on conditions as they existed when the NOP for the project was released on May 18, 2011.

REGULATORY FRAMEWORK

This subsection consists of the identification of applicable federal, state, regional, and local plans, policies, laws, and regulations that apply to the technical area of discussion.

IMPACTS AND MITIGATION MEASURES

The Impacts and Mitigation Measures subsection identifies direct and indirect environmental effects associated with implementation of the proposed project and identifies ways to mitigate environmental effects, as applicable. Standards of significance are identified and used to determine whether identified environmental effects are considered significant and require the application of mitigation measures. Each environmental impact analysis is identified numerically (e.g., Impact 3.3.1 – Hazard to the Public Through Routine Transport, Use, or Disposal of Hazardous Materials) and is supported by substantial evidence included in the discussion.

Mitigation measures for the proposed project were developed through a thorough review of the environmental effects of the project site by consultants with technical expertise as well as by environmental professionals. The mitigation measures identified consist of performance standards that identify clear requirements that would avoid or minimize significant environmental effects. The use of performance standard mitigation is allowed under CEQA Guidelines Section 15126.4(a) and is supported by case law (*Sacramento Old City Association v. City Council of Sacramento* [3d. Dist 1991] 229 Cal.App.3d 1011, 1028 [280 Cal.Rptr. 478]).

3.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS AND ASSUMPTIONS USED

3.3 APPROACH TO THE CUMULATIVE IMPACT ANALYSIS

DEFINITION OF CUMULATIVE SETTING

CEQA Guidelines Section 15130 requires that EIRs include an analysis of the cumulative impacts of a project when the project's effect is considered cumulatively considerable. In general, the cumulative setting conditions considered in this Draft EIR are based on the City's existing land use plans (General Plan and Zoning Ordinance). The project site contains approximately 36 acres and encompasses parcels that are currently designated in the General Plan as Industrial and zoned IG (General Industrial) District and IL (Limited Industrial) District. Additional discussion regarding land use and zoning consistency is included in Section 2.0, Project Description, and Section 3.5, Land Use, of this Draft EIR.

Cumulative setting conditions also consider existing, proposed, approved, and reasonably foreseeable large-scale development projects in the project vicinity, as listed in **Tables 3.0-1 and 3.0-2**, in the analysis of the Draft EIR. These lists are intended to describe large-scale development activities in the vicinity of the project (cumulative study area) and are not intended to be an all-inclusive list of projects in the City of Pittsburg and adjacent jurisdictions.

The cumulative setting varies for each environmental issue area, depending upon the resources affected and any relevant boundaries. For example, some issue areas such as hazards have relatively site-specific impact potential, while other resource areas such as air quality are studied on a regional basis, covering the entire air basin within which a proposed project lies. Each technical section of the Draft EIR includes a description of the geographic extent of the applicable cumulative setting, based on the characteristics of the environmental issues under consideration as set forth in Section 15130(b) of the CEQA Guidelines.

CONSIDERATION OF CUMULATIVE IMPACTS

Each technical section in the Draft EIR includes a description of the cumulative setting geographic extent based on the characteristics of the environmental issue under consideration as set forth in Section 15130(b) of the CEQA Guidelines. Each section also considers whether the project's contribution to anticipated significant environmental effects that would occur under cumulative setting conditions is cumulatively considerable (i.e., a significant effect).

"Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (CEQA Guidelines Section 15065(a)(3)). Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time (CEQA Guidelines Section 15355(b)). The determination of whether the project's impact on cumulative conditions is considerable is based on a number of factors, including consideration of applicable public agency standards, consultation with public agencies, and expert opinion. Section 4.0, Cumulative Impacts, provides a summary of the cumulative impacts associated with the proposed project. Cumulative impacts are based on the project's contribution to development compared with cumulative baseline conditions.

3.4 COMMON TERMINOLOGY USED IN THE DRAFT EIR

Identified below are common terms used throughout this document.

CEQA TERMINOLOGY

Cumulatively Considerable Impact: Cumulatively considerable means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Less Than Cumulatively Considerable Impact: A less than cumulatively considerable impact results when the incremental effects of an individual project would not contribute significantly to a cumulative impact.

Less Than Significant Impact: A less than significant impact would cause no substantial change in the environment and no mitigation would be required.

No Impact: No adverse change to the environment would occur.

Potentially Significant Impact: A potentially significant impact is one that may or may not occur and where a definite determination cannot be made. Feasible mitigation measures and/or project alternatives are identified to avoid or reduce the project's effects on the environment to a less than significant level.

Significant Impact: A significant impact would cause (or would potentially cause) a substantial adverse change in the physical conditions of the environment. Significant impacts are identified by the evaluation of project effects using specified standards of significance. Mitigation measures and/or project alternatives are identified to reduce project effects on the environment.

Significant and Unavoidable Impact: A significant and unavoidable impact would result in a substantial change in the environment that cannot be avoided or mitigated to a less than significant level if the project is implemented.

Standards of Significance: A set of criteria used by the lead agency to determine at what level or "threshold" an impact would be considered significant. Significance criteria used in this EIR include the State CEQA Guidelines; factual or scientific information; regulatory performance standards of local, state, and federal agencies; and City goals, objectives, and policies.

GENERAL TERMINOLOGY

City: City of Pittsburgh.

Applicant: Any person or other legal entity who applies to the City to develop or improve any portion of the real property within the project boundaries. The term "applicant" shall include all successors in interest. The applicant for this project is Contra Costa Waste Service, Inc.

Project: The development or improvement of the project site, as defined by the project application and set forth in the Project Description. May also be referred to as the proposed project.

Project Site: The real property described by the project application. The project site in this EIR is a 36 acre area located at 1300 Loveridge Road in the City of Pittsburgh.

3.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS AND ASSUMPTIONS USED

3.5 ENVIRONMENTAL IMPACT REPORTS UTILIZED IN THIS EIR

This Draft EIR utilizes technical information and analyses from previously prepared environmental documents that are relevant to the consideration of environmental effects of the proposed project, which is supported by the CEQA Guidelines (see Sections 15148 [Citation] and 15150 [Incorporation by Reference]). These environmental documents are incorporated into this EIR by reference. By utilizing provisions of the CEQA Guidelines, the City, in preparing this Draft EIR, has been able to make maximum feasible and appropriate use of the technical information in these environmental documents. These documents and other referenced materials are available for review upon request at the City of Pittsburg Planning Division at 65 Civic Avenue, Pittsburg, California 94565. In addition to the materials cited, the following documents have been utilized in this Draft EIR:

- City of Pittsburg General Plan EIR (State Clearinghouse No. 1999072109)
- Pittsburg/Bay Point BART Station Area Specific Plan EIR (Recirculated) (State Clearinghouse No. 2010122023)
- Recycling Center and Transfer Station Final EIR (State Clearinghouse No. 94063017)
- Columbia Solar Project Mitigated Negative Declaration (State Clearinghouse No. 2013012038) (**Appendix D**)

3.6 CHANGES TO THE PROPOSED PROJECT SINCE CIRCULATION OF THE NOP

The project description in the Notice of Preparation on May 18, 2011 stated that all project-related activities would remain within the existing facility footprint. Since that time, the project applicant has finalized a design capacity study indicating that additional area would be needed to efficiently operate the facility. Therefore, the project applicant has added to the project 18.5 acres of land adjacent to the existing site and made revisions to the proposed site plan including relocating the BGU and organics processing operations area (future phase) to the northwesterly portion of the site and adding a truck maintenance facility and yard in the southeasterly corner. The remaining portions of the 18.5 acres would be used for parking, vehicle and equipment storage, and containerized commodity storage.

The additional 18.5 acres can be described as four separate areas: the 3.5-acre former GWF facility, an approximately 5-acre portion that is currently surfaced with compacted gravel used by Contra Costa Waste Services for storage and parking, and two undeveloped areas (approximately 2.5 acres and 7.5 acres), both of which have been analyzed for development in the Columbia Solar Project Mitigated Negative Declaration (MND; SCH# 2013012038; **Appendix D**). These areas are discussed further below.

The former GWF site is almost entirely paved and all improvements associated with the former operation have been removed since publication of the NOP. Because the site is almost entirely paved, the redevelopment of the site as a truck maintenance facility and yard would not result in a substantial change from existing conditions with regard to footprint-related effects on this site.

The central 5-acre portion of the addition is currently being used by Contra Costa Waste Services for storage and parking, so the use of that site would not change from existing conditions.

COLUMBIA SOLAR PROJECT MITIGATED NEGATIVE DECLARATION

The Columbia Solar Project Mitigated Negative Declaration (MND) analyzed the potential environmental impacts on the Columbia Solar site, which included 15 acres of land that is part of the proposed project but is not currently part of the existing facility (see **Figure 3.0-1** and **Appendix D**). The City Council found, based on the analysis in the MND and the record before it, that there was no substantial evidence that the Columbia Solar Project would have a significant effect on the environment and adopted the MND on May 6, 2013. The Columbia Solar Project included ground disturbance (redistribution and smoothing of surface soils, gravel surfacing for roads, substation and surrounding areas), minor grading, pouring of various concrete foundations to support equipment, and installation of solar panels and an electrical substation on the site. The proposed project would include smoothing/leveling of surface soils and addition of gravel or paving for storage of equipment and commodities as well as minor grading and pouring of a 4,000 square foot concrete pad to support the proposed BGU. These improvements would not differ substantially from the assumptions under the Columbia Solar Project. Therefore, the Columbia Solar Project Mitigated Negative Declaration adequately describes footprint-related effects on this portion of the project site.

The following resource areas were adequately addressed in the MND, as discussed below, and these topics are not addressed further in this Draft EIR. Potential effects related to other resource areas are addressed in the appropriate technical sections of this Draft EIR.

Aesthetics

The MND determined that development on the site would not substantially affect a scenic vista, damage scenic resources, degrade the character of the site, or result in substantial light or glare. The MND considered the development of solar panels up to 22 feet tall, a static mast at 50 feet tall and towers approximately 60 to 90 feet tall. The MND determined that the height, bulk, pattern, scale, and character of the solar project would not conflict with the visual character of the existing surrounding predominately industrial land uses. The proposed project would use the site for parking, equipment and commodity storage, an organic processing operations area, and a biomass gasification unit. These proposed uses would not exceed the proposed heights analyzed in the MND and would have a similar industrial character. The MND concluded that the solar project would also be consistent with the industrial character of the area and that the aesthetic impacts of the solar project would, therefore, be less than significant.

Agricultural Resources

The project site is not zoned for agriculture, is not under a Williamson Act Contract, and contains no farmland. The Farmland Mapping and Monitoring Program (FMMP), administered by the California Department of Conservation (DOC), designates the entire project area as Urban and Built-Up Land. The project site does not contain trees or forest land. Therefore, there would be no impact with respect to forest or agricultural resources.

Cultural Resources

The portion of the project site analyzed in the MND, has no building or structures, and a historic aerial map review indicated that no previous structures were built within the project footprint. There would be no impact on historic structures.

3.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS AND ASSUMPTIONS USED

A cultural resource records search was conducted through the Northwest Information Center for the Columbia Solar Project, which found no previously recorded cultural resources within the project boundaries and no known prehistoric archaeological sites within a one mile radius. A search of the Native American Heritage Commission (NAHC) Sacred Lands File failed to indicate the presence of Native American cultural resources in the immediate project area. The portions of the project site reviewed under the MND have been intensively disturbed by landfilling activities from 1939 to 1992 and by solid waste management unit remediation activities approved by the Department of Toxic Substances Control (DTSC) with a Corrective Action Measures Completion Report submitted in 2005. Historically, the entire Project site was utilized to dispose of industrial waste materials including slag, scale, dried sludge, construction debris, and other wastes. Due to its history of intensive surface and subsurface disturbance native soil horizons that could contain significant archaeological resources are not anticipated to be encountered and there would be no impact. Similarly, native soil horizons that could contain significant paleontological resources are not anticipated to be encountered during project construction due to the previously disturbed nature of the site and because there would be minimal grading in conjunction with the proposed project.

A cultural resource records search was conducted through the California Historical Resources Information System (CHRIS) Northwest Information Center and search of the Native American Heritage Commission (NAHC) Sacred Lands File did not indicate any known burials within the project area, or within one mile of the project area and failed to indicate the presence of Native American cultural resources in the immediate project area.

Geology and Soils

There is no active or potentially active fault zone, Seismic Hazard Zone, or Alquist-Priolo Earthquake Fault Zone on the site or surrounding areas, so there is no evidence of a potential earthquake fault rupture hazard. The closest active fault is the Clayton segment of the Clayton-Marsh Creek-Greenville Fault, located more than six miles to the southwest. Other major faults in the region include the Green Valley/Concord Fault (10 miles west), Calaveras Fault (15 miles west), Rogers Creek Fault Zone (27 miles west), Hayward Fault Zone (28 miles west), and the San Andreas Fault Zone (41 miles west). Strong ground motions could occur in the vicinity of the project from an earthquake on any of these regional faults. Strong seismic ground shaking would be a potentially substantial seismic hazard if structures are not appropriately designed. The potential for seismic ground motions to damage structures is mitigated through proper design and construction to withstand predicted ground motions, codified in the California Building Code seismic standards. The California Building Code seismic standards are designed to mitigate the potential for people or structures to be exposed to substantial risks from seismically-induced ground motions. Conformance with this code would be assured through the Building Permit process of the City of Pittsburg. Adherence to City and California Building Code requirements would limit the risk of damage or injury from seismic ground shaking to level that is less than significant.

Similarly, geological hazards due to other soil constraints, such as clay soils, soil collapse, expansive soils, liquefaction or lateral spreading would be mitigated through compliance with California Building Code requirements. In addition, the project site is generally flat, so it would not result in landslides, loss of topsoil, or substantial soil erosion. Due to site conditions and adherence to City and California Building Code requirements, impacts related to geology would be less than significant.



Legend

- Area Analyzed in the Columbia Solar Project Mitigated Negative Declaration
- Project Area

Source: Columbia Solar Energy, LLC

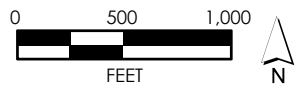


Figure 3.0-1
Area Analyzed in the Columbia Solar Project
Mitigated Negative Declaration

Mineral Resources

The Project site area is classified by the California Department of Conservation as Mineral Resource Zone (MRZ)-1. This designation means that the State has determined adequate information exists to indicate “that no significant mineral deposits are present” or to judge that “little likelihood exists for their presence.” No important mineral resources have been identified on the project site, so there would be no impact related to mineral resources.

3.1 AIR QUALITY

This section examines the air quality in the region of the proposed project, including a summary of applicable air quality regulations and potential air quality impacts associated with the proposed project. The reader is also referred to Section 3.2, Climate Change and Greenhouse Gases, for a discussion on climate change and associated environmental effects. This section is based on an analysis of project-related operational air quality impacts prepared by Air Permitting Specialists (2014) and an analysis of project-related construction air quality impacts by Ambient Air Quality & Noise Consulting (2013).

3.1.1 EXISTING SETTING

The proposed project is located in Pittsburg in eastern Contra Costa County, within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The BAAQMD is the regional air quality agency for the San Francisco Bay Area Air Basin (SFBAAB), which comprises all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, the southern portion of Sonoma County, and the southwestern portion of Solano County. Air quality in this area is determined by such natural factors as topography, meteorology, and climate, in addition to the presence of existing air pollution sources and ambient conditions.

REGIONAL CLIMATE, TOPOGRAPHY, AND AIR POLLUTION POTENTIAL

The SFBAAB is characterized by complex terrain, consisting of coastal mountain ranges, inland valleys, and bays that distort normal wind flow patterns. The Coast Range splits, resulting in a western coast gap and an eastern coast gap that allow air to flow in and out of the air basin and the Central Valley.

High Pressure Cell

During the summer, the large-scale meteorological condition that dominates the West Coast is a semi-permanent high pressure cell centered over the northeastern Pacific Ocean. This high pressure cell typically keeps storms from affecting the California coast. Hence, the SFBAAB experiences little precipitation in the summer months. Winds tend to blow onshore from the north/northwest during this time.

The steady northwesterly flow induces upwelling of cold water from below. This upwelling produces a band of cold water off the California coast. When air approaches the California coast, already cool and moisture-laden from its long journey over the Pacific, it is further cooled as it crosses this bank of cold water. This cooling often produces condensation, resulting in a high incidence of fog and stratus clouds along the Northern California coast in the summer.

Generally in the winter, the Pacific high pressure system weakens and shifts southward, winds tend to flow offshore, upwelling ceases, and storms occur. During the winter rainy periods, inversions (layers of warmer air over colder air; see below) are weak or nonexistent, winds are usually moderate, and air pollution potential is low. The Pacific high periodically becomes dominant, bringing strong inversions, light winds, and high pollution potential.

Topography

The complex terrain of the SFBAAB, particularly in the higher elevations, distorts the normal wind flow patterns in the air basin. The greatest distortion occurs when low-level inversions are present and the air beneath the inversion flows independently of air above the inversion, a condition that is common in the summertime (BAAQMD 2010a).

3.1 AIR QUALITY

The only major break in California's Coast Range occurs in the SFBAAB. Here the Coast Range splits into western and eastern ranges. Between the two ranges lies San Francisco Bay. The gap in the western coast range is known as the Golden Gate, and the gap in the eastern coast range is the Carquinez Strait. These gaps allow air to pass into and out of the SFBAAB and the Central Valley (BAAQMD 2010a).

Wind Patterns

During the summer, winds flowing from the northwest are drawn inland through the Golden Gate and over the lower portions of the San Francisco Peninsula. Immediately south of Mount Tamalpais, the northwesterly winds accelerate considerably and come more directly from the west as they stream through the Golden Gate. This channeling of wind through the Golden Gate produces a jet that sweeps eastward and splits off to the northwest toward Richmond and to the southwest toward San Jose when it meets the East Bay hills (BAAQMD 2010a).

Wind speeds may be strong locally in areas where air is channeled through a narrow opening, such as the Carquinez Strait, the Golden Gate, or the San Bruno gap. For example, the average wind speed at San Francisco International Airport in July is about 17 knots (from 3 p.m. to 4 p.m.), compared with only 7 knots at San Jose and less than 6 knots at the Farallon Islands. The air flowing in from the coast to the Central Valley, called the sea breeze, begins developing at or near ground level along the coast in late morning or early afternoon. As the day progresses, the sea breeze layer deepens and increases in velocity while spreading inland. The depth of the sea breeze depends in large part on the height and strength of the inversion. If the inversion is low and strong, and hence stable, the flow of the sea breeze will be inhibited and stagnant conditions are likely to result (BAAQMD 2010a).

In the winter, the SFBAAB frequently experiences stormy conditions with moderate to strong winds, as well as periods of stagnation with very light winds. Winter stagnation episodes are characterized by nighttime drainage flows in coastal valleys. Drainage is a reversal of the usual daytime air flow patterns; air moves from the Central Valley toward the coast and back down toward the Bay from the smaller valleys in the SFBAAB (BAAQMD 2010a).

Temperature

Summertime temperatures in the SFBAAB are determined in large part by the effect of differential heating between land and water surfaces. Because land tends to heat up and cool off more quickly than water, a large-scale gradient (differential) in temperature is often created between the coast and the Central Valley, and small-scale local gradients are often produced along the shorelines of the ocean and bays. The temperature gradient near the ocean is also exaggerated, especially in summer, because of the upwelling of cold ocean-bottom water along the coast. On summer afternoons, the temperatures at the coast can be 35° Fahrenheit (F) cooler than temperatures 15 to 20 miles inland. At night, this contrast usually decreases to less than 10°F (BAAQMD 2010a).

In the winter, the relationship of minimum and maximum temperatures is reversed. During the daytime, the temperature contrast between the coast and inland areas is small, whereas at night the temperature variation is large (BAAQMD 2010a).

Precipitation

The SFBAAB is characterized by moderately wet winters and dry summers. Winter rains account for about 75 percent of the average annual rainfall. The amount of annual precipitation can vary greatly from one part of the SFBAAB to another, even within short distances. In general, total annual rainfall can reach 40 inches in the mountains, but it is often less than 16 inches in sheltered valleys (BAAQMD 2010a).

During rainy periods, ventilation (rapid horizontal movement of air and injection of cleaner air) and vertical mixing are usually high, and thus pollution levels tend to be low. However, frequent dry periods occur during the winter where mixing and ventilation are low and pollutant levels build up (BAAQMD 2010a).

Air Pollution Potential

The potential for high pollutant concentrations developing at a given location depends on the quantity of pollutants emitted into the atmosphere in the surrounding area or upwind and the ability of the atmosphere to disperse the contaminated air. The topographic and climatological factors discussed above influence the atmospheric pollution potential of an area. Atmospheric pollution potential, as the term is used here, is independent of the location of emission sources and is instead a function of factors described below.

Wind Circulation

Low wind speed contributes to the buildup of air pollution because it allows more pollutants to be emitted into the air mass per unit of time. Light winds occur most frequently during periods of low sun (fall and winter, and early morning) and at night. These are also periods when air pollutant emissions from some sources are at their peak, namely, commute traffic (early morning) and wood-burning appliances (nighttime). The problem can be compounded in valleys, when weak flows carry the pollutants upvalley during the day and cold air drainage flows move the air mass downvalley at night. Such restricted movement of trapped air provides little opportunity for ventilation and leads to buildup of pollutants to potentially unhealthy levels (BAAQMD 2010a).

Solar Radiation

The frequency of hot, sunny days during the summer months in the SFBAAB is another important factor that affects air pollution potential. It is at the higher temperatures that ozone is formed. In the presence of ultraviolet sunlight and warm temperatures, reactive organic gases and oxides of nitrogen react to form secondary photochemical pollutants, including ozone. Because temperatures in many of the air basin's inland valleys are so much higher than near the coast, the inland areas are especially prone to photochemical air pollution. In late fall and winter, solar angles are low, resulting in insufficient ultraviolet light and warming of the atmosphere to drive the photochemical reactions. Ozone concentrations do not reach significant levels in the SFBAAB during these seasons (BAAQMD 2010a).

Inversions

An inversion is a layer of warmer air over a layer of cooler air. Inversions affect air quality conditions significantly because they influence the mixing depth, i.e., the vertical depth in the atmosphere available for diluting air contaminants near the ground. The highest air pollutant concentrations in the SFBAAB generally occur during inversions (BAAQMD 2010a).

3.1 AIR QUALITY

There are two types of inversions that occur regularly in the SFBAAB. One is more common in the summer and fall, while the other is most common during the winter. The frequent occurrence of elevated temperature inversions in summer and fall months acts to cap the mixing depth, limiting the depth of air available for dilution (BAAQMD 2010a).

The inversions typical of winter, called radiation inversions, are formed as heat quickly radiates from the earth's surface after sunset, causing the air in contact with it to rapidly cool. Radiation inversions are strongest on clear, low-wind, cold winter nights, allowing the buildup of such pollutants as carbon monoxide and particulate matter. When wind speeds are low, there is little mechanical turbulence to mix the air, resulting in a layer of warm air over a layer of cooler air next to the ground. Mixing depths under these conditions can be as shallow as 50 to 100 meters (164 to 328 feet), particularly in rural areas. Urban areas usually have deeper minimum mixing layers because of heat island effects and increased surface roughness. During radiation inversions downwind transport is slow, the mixing depths are shallow, and turbulence is minimal (BAAQMD 2010a).

Although each type of inversion is most common during a specific season, either inversion mechanism can occur at any time of the year. Sometimes both occur simultaneously. Moreover, the characteristics of an inversion often change throughout the course of a day. The terrain of the SFBAAB also induces significant variations among subregions (BAAQMD 2010a).

LOCAL ATMOSPHERIC CONDITIONS

Although air pollution potential is strongly influenced by climate and topography, the air pollution that occurs in a location also depends on the amount of air pollutant emissions in the surrounding area or transported from more distant places. Air pollutant emissions generally are highest in areas that have high population densities, high motor vehicle use, and/or industrialization. The contaminants created by photochemical processes in the atmosphere, such as ozone, may result in high concentrations many miles downwind from the sources of their precursor pollutants (BAAQMD 2010a).

Varying climatological and topographic conditions, the location of emission sources, and susceptibility to emissions transport can combine to result in substantial variations in air pollution potential within inhabited subregions of the SFBAAB (BAAQMD 2010a).

Carquinez Strait Subregion

Within the SFBAAB, there are eleven major climatological subregions (BAAQMD 2010a). Pittsburg, and thus the proposed project area, is located in the Carquinez Strait subregion. It is the only sea-level gap between the Bay and the Central Valley. The Carquinez Strait subregion includes the lowlands bordering the strait to the north and south, and includes the area adjoining the Suisun Bay and the western part of the Sacramento-San Joaquin Delta as far east as Bethel Island. The subregion extends from Rodeo in the southwest and Vallejo in the northwest to Fairfield on the northeast and Brentwood on the southeast.

Prevailing winds are from the west in the Carquinez Strait. During the summer and fall months, high pressure offshore coupled with low pressure in the Central Valley causes marine air to flow eastward through the Carquinez Strait. The wind is strongest in the afternoon. Afternoon wind speeds of 15 to 20 miles per hour (mph) are common throughout the Carquinez Strait subregion. Annual average wind speeds are 8 mph in Martinez and 9 to 10 mph farther east. Sometimes atmospheric conditions cause air to flow from the east. East winds usually contain more pollutants than the cleaner marine air from the west. In the summer and fall months, this can

cause elevated pollutant levels to move into the central SFBAAB through the strait. These high pressure periods are usually accompanied by low wind speeds, shallow mixing depths, higher temperatures, and little or no rainfall.

Summer mean maximum temperatures reach about 90°F in the subregion. Mean minimum temperatures in the winter are in the high 30s. Temperature extremes are especially pronounced in sheltered areas farther from the moderating effects of the strait itself. Many industrial facilities with significant air pollutant emissions—e.g., chemical plants and refineries—are located within the Carquinez Strait subregion. The pollution potential of this area is often moderated by high wind speeds. However, upsets at industrial facilities can lead to short-term pollution episodes, and emissions of unpleasant odors may occur at any time. Receptors downwind of these facilities could suffer more long-term exposure to air contaminants than individuals elsewhere. Areas of the subregion that are traversed by major roadways, such as Interstate 80, may also be subject to higher local concentrations of carbon monoxide and particulate matter, as well as certain toxic air contaminants, such as benzene (BAAQMD 2010a).

AMBIENT AIR QUALITY STANDARDS

Both the US Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) established ambient air quality standards for common air pollutants. These ambient air quality standards are levels of contaminants that represent safe levels intended to avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called “criteria” pollutants because the health and other effects of each pollutant are described in criteria documents. The federal and state ambient standards were developed independently with differing purposes and methods, although both processes attempted to avoid health-related effects. As a result, federal and state standards differ in some cases. In general, California standards are more stringent. This is particularly true for nitrogen dioxide (NO₂) and coarse particulate matter (PM₁₀). The federal and California state ambient air quality standards and BAAQMD attainment status are summarized in **Table 3.1-1**.

CURRENT AMBIENT AIR QUALITY

The BAAQMD operates a regional air quality monitoring network that regularly measures the concentrations of the five major criteria air pollutants. Air quality conditions in the SFBAAB have improved significantly since the BAAQMD was created in 1955. Ambient concentrations and the number of days on which the region exceeds standards have declined dramatically. Neither state nor national ambient air quality standards have been violated in recent decades for NO₂, sulfur dioxide, sulfates, lead, hydrogen sulfide, or vinyl chloride.

3.1 AIR QUALITY

**TABLE 3.1-1
FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS AND ATTAINMENT STATUS**

Pollutant	Averaging Time	State Standard	Attainment Status	Federal Primary Standard	Attainment Status
Ozone (O ₃)	1-Hour	0.09 ppm	N	—	—
	8-Hour	0.07 ppm	N	0.075 ppm	N
Carbon Monoxide (CO)	1-Hour	20 ppm	A	35 ppm	A
	8-Hour	9.0 ppm		9.0 ppm	A
Nitrogen Dioxide (NO ₂)	Annual Average	0.03 ppm	—	0.053 ppm	A
	1-Hour	0.18 ppm	A	0.1 ppm	U
Sulfur Dioxide (SO ₂)	24-Hour	0.04 ppm	A	0.14 ppm	A
	Annual	—	—	0.030 ppm	A
	1-Hour	0.25 ppm	A	0.075 ppm	A
Respirable Particulate Matter (PM ₁₀)	Annual Average	20 µg/m ³	N	—	—
	24-Hour	50 µg/m ³	N	150 µg/m ³	U
Fine Particulate Matter (PM _{2.5})	Annual Average	12 µg/m ³	N	12 µg/m ³	A
	24-Hour	—	—	35 µg/m ³	N
Lead	30-day Average	1.5 µg/m ³	A	—	—
	Calendar Quarter	—	—	1.5 µg/m ³	A
	Rolling 3-Month	—	—	0.15 µg/m ³	U/A
Sulfates	24-Hour	25 µg/m ³	A	No National Standards	
Hydrogen Sulfide	1-hour	0.03 ppm	U		
Vinyl Chloride	24-hour	0.01 ppm	N/A		
Visibility-Reducing Particulate Matter	8-hour	Extinction coefficient of 0.23 per kilometer—visibility of 10 miles or more	U		

Source: BAAQMD 2012a

Notes: ppm = parts per million, µg/m³ = micrograms per cubic meter. N = nonattainment; A = attainment; U = unclassified; N/A = no information available

The nearest ambient air quality monitoring station to the proposed project site is the Concord-2975 Treat Boulevard monitoring station, located to the west of the project site. **Table 3.1-2** summarizes historical occurrences of pollutant levels for this monitoring station, based on the last three years of available data (i.e., 2011–2013). The number of days for which state and federal ambient air quality standards have been exceeded during this same monitoring period is also presented. As depicted, federal and state ozone standards have been exceeded on multiple days over the last three years. No exceedances of the federal PM₁₀ standards were measured during the years 2011 to 2013; however, the state standard for PM₁₀ was exceeded an estimated six days in 2011. Federal PM_{2.5} standards were exceeded an estimated two days in 2011 and one day in 2013. There have been no days during which measured concentrations of carbon monoxide or NO₂ exceeded federal or state ambient air quality standards during the last three years of available data.

TABLE 3.1-2
AMBIENT AIR QUALITY MONITORING DATA

Pollutant Standards	2011	2012	2013
Ozone			
Max 1-hour concentration (ppm)	0.099	0.093	0.074
Max 8-hour concentration (ppm) (state/federal)	0.079/0.078	0.086/0.085	0.062/0.062
Number of days above state/federal 1-hr standard	2/0	0/0	0/0
Number of days above state/federal 8-hour standard	5/2	3/2	0/0
Respirable Particulate Matter (PM₁₀)			
Max 24-hour concentration (µg/m ³) (state/federal)	58.8/55.9	35.4/33.7	50.5/47.6
Number of days above state standard (measured/estimated)	1/6	0/0	1/0
Number of days above federal standard (measured/estimated)	0/0	0/0	0/0
Fine Particulate Matter (PM_{2.5})			
Max 24-hour concentration (µg/m ³)	47.5	32.2	36.2
Number of days above federal standard (measured/estimated)	2/2	0/0	1/1
Carbon Monoxide (CO)			
Max 1-hr/8-hr concentration (ppm)	1.6/1.24	1.2/0.82	N/A
Number of days above state/federal 8-hour standards	0/0	0/0	N/A
Number of days above state/federal 1-hour standard	0/0	0/0	N/A
Nitrogen Dioxide (NO₂)			
Max 1-Hour concentration (ppm)	42.4	39.6	44.6
Number of days above state standard	0	0	0

Source: CARB 2014; USEPA 2014

Based on ambient monitoring data obtained from the Concord-2975 Treat Boulevard monitoring station.

3.1 AIR QUALITY

AIR POLLUTANTS OF CONCERN AND HEALTH EFFECTS

The most problematic pollutants in the region include ozone and particulate matter. The health effects and major sources of these pollutants are described below. Toxic air contaminants are a separate class of pollutants and are discussed later in this section.

Ozone

Ground-level ozone (O_3), commonly referred to as smog, is greatest on warm, windless, sunny days. Ozone is not emitted directly into the environment, but is formed in the atmosphere by complex chemical reactions between reactive organic gases (ROG) and nitrogen oxide (NO_x) in the presence of sunlight. The main sources of ROG and NO_x , often referred to as ozone precursors, are combustion processes (including motor vehicle engines), the evaporation of solvents, paints, and fuels, and biogenic sources. Automobiles are the single largest source of ozone precursors in the SFBAAB. Tailpipe emissions of ROG are highest during cold starts, hard acceleration, stop-and-go conditions, and slow speeds. They decline as speeds increase up to about 50 mph, then increase again at high speeds and high engine loads. ROG emissions associated with evaporation of unburned fuel depend on vehicle and ambient temperature cycles. NO_x emissions exhibit a different curve; emissions decrease as the vehicle approaches 30 mph and then begin to increase with increasing speeds (BAAQMD 2010a).

Ozone levels usually build up during the day and peak in the afternoon hours. Short-term exposure can irritate the eyes and cause constriction of the airways. Besides causing shortness of breath, ozone can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema. Chronic exposure to high ozone levels can permanently damage lung tissue. Ozone can also damage plants and trees, as well as materials such as rubber and fabrics (BAAQMD 2010a).

Particulate Matter

Particulate matter (PM) can be divided into different size fractions. Coarse particles (PM_{10}) are between 2.5 and 10 microns in diameter and arise primarily from natural processes, such as wind-blown dust or soil. Fine particles ($PM_{2.5}$) are less than 2.5 microns in diameter and are produced mostly from combustion or burning activities. Fuel burned in cars and trucks, power plants, factories, fireplaces, and woodstoves produces fine particles.

The level of $PM_{2.5}$ in the air is a public health concern because it can bypass the body's natural filtration system more easily than larger particles and can lodge deep in the lungs. The health effects vary depending on a variety of factors, including the type and size of particles. Research has demonstrated a correlation between high PM concentrations and increased mortality rates. Elevated PM concentrations can also aggravate chronic respiratory illnesses, such as bronchitis and asthma (BAAQMD 2010a).

Carbon Monoxide

Carbon monoxide (CO) is an odorless, colorless gas that is formed by the incomplete combustion of fuels. At high concentrations, CO reduces the oxygen-carrying capacity of the blood and can cause dizziness, headaches, unconsciousness, and even death. CO can also aggravate cardiovascular disease. Relatively low concentrations of CO can significantly affect the amount of oxygen in the bloodstream because CO binds to hemoglobin more strongly than oxygen.

Elevated CO concentrations are usually localized and are often the result of a combination of high traffic volumes and traffic congestion. Elevated CO levels develop primarily during winter periods of light winds or calm conditions combined with the formation of ground-level temperature inversions. Wintertime CO concentrations are higher because of reduced dispersion of vehicle emissions and because CO emissions rates from motor vehicles increase as temperature decreases. However, CO emissions and ambient concentrations have decreased significantly in recent years. These improvements are due largely to the introduction of cleaner-burning motor vehicles and motor vehicle fuels. CO is still a pollutant that must be closely monitored, however, due to its severe effect on human health.

Nitrogen Dioxide

Nitrogen dioxide (NO₂) is a brownish, highly reactive gas that is present in all urban environments. The major human-made sources of NO₂ are combustion devices such as boilers, gas turbines, and mobile and stationary reciprocating internal combustion engines. Construction devices emit primarily nitric oxide (NO), which reacts through oxidation in the atmosphere to form NO₂. The combined emissions of NO and NO₂ are referred to as NO_x. Because NO₂ is formed and depleted by reactions associated with ozone, the NO₂ concentration in a particular geographic area may not be representative of the local NO_x emission sources.

Inhalation is the most common route of exposure to NO₂. Because NO₂ has relatively low solubility in water, the principal site of toxicity is in the lower respiratory tract. The severity of adverse health effects depends primarily on the concentration inhaled rather than the duration of the exposure. Exposure can result in a variety of acute symptoms, including coughing, difficulty with breathing, vomiting, headache, and eye irritation. Symptoms that are more significant may include chemical pneumonitis or pulmonary edema with breathing abnormalities, cyanosis, chest pain, and rapid heartbeat.

Sulfur Dioxide

Sulfur dioxide (SO₂) is produced by such stationary sources as coal and oil combustion, steel mills, refineries, and pulp and paper mills. The major adverse health effects associated with exposure to SO₂ pertain to the upper respiratory tract. SO₂ is a respiratory irritant with constriction of the bronchioles occurring with inhalation of SO₂ at 5 parts per million (ppm) or more. On contact with the moist mucous membranes, SO₂ produces sulfurous acid, which is a direct irritant. Similar to NO₂, the severity of adverse health effects depends primarily on the concentration inhaled rather than the duration of the exposure. Exposure to high concentrations of SO₂ may result in edema of the lungs or glottis and respiratory paralysis.

Toxic Air Contaminants

In addition to the criteria pollutants discussed above, toxic air contaminants (TACs) are another group of pollutants of concern. TACs are considered either carcinogenic or noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For regulatory purposes, carcinogenic TACs are assumed to have no safe threshold below which health impacts would not occur and cancer risk is expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

There are many different types of TACs, with varying degrees of toxicity. Sources of TACs include industrial processes such as petroleum refining and chrome plating operations, commercial

3.1 AIR QUALITY

operations such as gasoline stations and dry cleaners, and motor vehicle exhaust. Public exposure to TACs can result from emissions from normal operations, as well as from accidental releases of hazardous materials during upset conditions. The health effects of TACs include cancer, birth defects, neurological damage, and death.

Diesel Exhaust

Diesel exhaust is a TAC of growing concern in California. According to the *California Almanac of Emissions and Air Quality* (CARB 2009), the majority of the estimated health risk from TACs can be attributed to relatively few compounds, the most important being PM from diesel-fueled engines (diesel particulate matter, or DPM). In 1998, CARB identified DPM as a toxic air contaminant. DPM differs from other toxic air contaminants in that it is not a single substance but rather a complex mixture of hundreds of substances. The exhaust from diesel engines contains hundreds of different gaseous and particulate components, many of which are toxic. Many of these compounds adhere to the particles, and because diesel particles are so small, they penetrate deep into the lungs. DPM has been identified as a human carcinogen. Mobile sources, such as trucks, buses, automobiles, trains, ships, and farm equipment, are by far the largest source of diesel emissions. Studies show that DPM concentrations are much higher near heavily traveled highways and intersections. BAAQMD research indicates that mobile-source emissions of DPM represent a substantial portion of the ambient background risk from toxic air contaminants in the San Francisco Bay Area Air Basin (BAAQMD 2010a).

Unlike criteria pollutants, there are no ambient air quality standards for TACs because no safe levels of TACs can be determined. Instead, TAC impacts are evaluated by calculating the health risks associated with a given exposure. Two types of risk are usually assessed: chronic non-cancer risk and acute non-cancer risk. Both the State of California and the BAAQMD implement programs of identifying and reducing DPM health risks. These programs include implementation and enforcement of new regulatory standards for all new on-road, off-road, and stationary diesel-fueled engines and vehicles, new retrofit requirements for existing on-road, off-road, and stationary diesel-fueled engines and vehicles, and new diesel fuel regulations to reduce the sulfur content of diesel fuel as required by advanced diesel emission control systems. Land uses where individuals could be exposed to high levels of diesel exhaust include:

- Railroad operations
- Warehouses
- Schools with a high volume of bus traffic
- High volume highways (such as Interstate 80)
- High volume arterials and local roadways with a high level of diesel traffic

Land Use Compatibility with TAC Emission Sources

CARB published an informational guide entitled *Air Quality and Land Use Handbook: A Community Health Perspective* in 2005. The purpose of this guide is to provide information to aid local jurisdictions in addressing issues and concerns related to the placement of sensitive land uses near major sources of air pollution. The CARB handbook includes recommended separation distances for various land uses that are based on relatively conservative estimations of emissions based on source-specific information. However, these recommendations are not site-specific and should not be interpreted as defined “buffer zones.” For informational purposes, it should be

noted that the recommendations of the handbook are advisory and need to be balanced with other state and local policies (CARB 2005). Depending on site- and project-specific conditions, an assessment of potential increases in exposure to TACs may be warranted for proposed development projects located within the distances identified. CARB-recommended separation distances for various sources of emissions are summarized in **Table 3.1-3**.

TABLE 3.1-3
RECOMMENDATIONS ON SITING NEW SENSITIVE LAND USES NEAR AIR POLLUTANT SOURCES

Source Category	Advisory Recommendations
Freeways and High-Traffic Roads	Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day.
Distribution Centers	Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week).
	Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.
Rail Yards	Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard.
	Within 1 mile of a rail yard, consider possible siting limitations and mitigation approaches.
Ports	Avoid siting new sensitive land uses immediately downwind of ports in the most heavily impacted zones. Consult local air districts or CARB on the status of pending analyses of health risks.
Refineries	Avoid siting new sensitive land uses immediately downwind of petroleum refineries. Consult with local air districts and other local agencies to determine an appropriate separation.
Chrome Platers	Avoid siting new sensitive land uses within 1,000 feet of a chrome plater.
Dry Cleaners Using Perchloroethylene	Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines, provide 500 feet. For operations with three or more machines, consult with the local air district.
	Do not site new sensitive land uses in the same building with perchloroethylene dry cleaning operations.
Gasoline Dispensing Facilities	Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50-foot separation is recommended for typical gas-dispensing facilities.

Source: CARB 2005

Note: Recommendations are advisory, are not site-specific, and may not fully account for future reductions in emissions, including those resulting from compliance with existing/future regulatory requirements, such as reductions in diesel-exhaust emissions anticipated to occur with continued implementation of CARB's Diesel Risk Reduction Plan.

Asbestos

Asbestos is the common name for a group of naturally occurring fibrous silicate minerals that can separate into thin but strong and durable fibers. Naturally occurring asbestos, which CARB identified as a TAC in 1986, is located in many parts of California and is commonly associated with ultramafic rock. The project site has been previously developed and is not located near any areas that are likely to contain ultramafic rock.

3.1 AIR QUALITY

Odors

Typically odors are regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache).

With respect to odors, the human nose is the sole sensing device. The ability to detect odors varies considerably among the population and overall is quite subjective. Some individuals have the ability to smell minute quantities of specific substances; others may not have the same sensitivity but may have sensitivities to odors of other substances. In addition, people may have different reactions to the same odor; in fact, an odor that is offensive to one person (e.g., from a fast-food restaurant) may be perfectly acceptable to another. It is also important to note that an unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. This is because of the phenomenon known as odor fatigue, in which a person can become desensitized to almost any odor and recognition only occurs with an alteration in the intensity.

Quality and intensity are two properties present in any odor. The quality of an odor indicates the nature of the smell experience. For instance, if a person describes an odor as flowery or sweet, then the person is describing the quality of the odor. Intensity refers to the strength of the odor. For example, a person may use the word "strong" to describe the intensity of an odor. Odor intensity depends on the odorant concentration in the air. When an odorous sample is progressively diluted, the odorant concentration decreases. As this occurs, the odor intensity weakens and eventually becomes so low that the detection or recognition of the odor is quite difficult. At some point during dilution, the concentration of the odorant reaches a detection threshold. An odorant concentration below the detection threshold means that the concentration in the air is not detectable by the average human.

From January 1, 2008, to present, no confirmed odor complaints have been filed with the BAAQMD for the existing Mt. Diablo Recycling Center and Transfer Station. The BAAQMD received one unconfirmed complaint on July 1, 2009, for which the BAAQMD was unable to confirm the source of the odor complaint. No unconfirmed or confirmed odor complaints for the existing facility have been received since 2009 (BAAQMD 2012c, 2014).

NEARBY LAND USES AND SENSITIVE RECEPTORS

Existing land uses in the vicinity of the project site consist predominantly of industrial uses and vacant land. The nearest sensitive land uses are residential dwellings, the nearest of which are located approximately one-half mile west of the project site. In addition, Martin Luther King Jr. Junior High School and the Martin Luther King Children's Center are located approximately one-half mile southwest of the project site, adjacent to and south of El Pueblo Avenue. A proposed residential development project (Sunnyside Estates) would be located approximately 1,700 feet from the southwestern boundary of the existing project site.

3.1.2 REGULATORY FRAMEWORK

Air quality in the SFBAAB is addressed through the efforts of various federal, state, regional, and local government agencies. These agencies work jointly, as well as individually, to improve air quality through legislation, regulations, planning, policy making, education, and a variety of programs. The agencies primarily responsible for improving the air quality in the SFBAAB, including the City of Pittsburgh, are discussed below, along with their individual responsibilities.

FEDERAL**US Environmental Protection Agency**

The USEPA is responsible for enforcing the federal Clean Air Act (CAA) and the 1990 amendments to it (CAAA) and the national ambient air quality standards (federal standards) that the USEPA establishes. These standards identify levels of air quality for six criteria pollutants, which are considered the maximum levels of ambient (background) air pollutants considered safe, with an adequate margin of safety, to protect public health and welfare. The six criteria pollutants are O₃, CO, NO₂, SO₂, PM₁₀, and lead. The USEPA also has regulatory and enforcement jurisdiction over emissions sources beyond state waters (outer continental shelf) and sources that are under the exclusive authority of the federal government, such as aircraft, locomotives, and interstate trucking.

As part of its enforcement responsibilities, the USEPA requires each state with nonattainment areas to prepare and submit a State Implementation Plan that demonstrates the means to attain the federal standards. The State Implementation Plan must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs.

Hazardous Air Pollutant Program

Title III of the federal CAAA requires the USEPA to promulgate national emissions standards for hazardous air pollutants (NESHAPs). The NESHAPs may differ for major sources than for area sources of hazardous air pollutants (HAPs). (Major sources are defined as stationary sources with potential to emit more than 10 tons per year (TPY) of any HAP or more than 25 TPY of any combination of HAPs; all other sources are considered area sources.) The emissions standards are to be promulgated in two phases. In the first phase (1992–2000), the USEPA developed technology-based emissions standards designed to produce the maximum emissions reduction achievable. These standards are generally referred to as requiring maximum achievable control technologies (MACT). For area sources, the standards may be different, based on generally available control technology. In the second phase (2001–2008), the USEPA was required to promulgate health risk-based emissions standards, where deemed necessary, to address risks remaining after implementation of the technology-based NESHAP standards. The CAAA required the USEPA to promulgate vehicle or fuel standards containing reasonable requirements that control toxic emissions, at a minimum, to benzene and formaldehyde. Performance criteria were established to limit mobile-source emissions of toxics, including benzene, formaldehyde, and 1,3-butadiene. In addition, Section 219 required the use of reformulated gasoline in selected US cities (those with the most severe ozone nonattainment conditions) to further reduce mobile-source emissions (BAAQMD 2010a).

STATE**California Air Resources Board**

CARB, a department of the California Environmental Protection Agency, oversees air quality planning and control throughout California. It is primarily responsible for ensuring implementation of the 1989 amendments to the California Clean Air Act (CCAA), responding to the federal CAAA requirements, and regulating emissions from motor vehicles and consumer products within the state. CARB has established emissions standards for vehicles sold in California and for various types of equipment available commercially. It also sets fuel specifications to further reduce vehicular emissions.

3.1 AIR QUALITY

The amendments to the CCAA establish ambient air quality standards for the state (state standards) and a legal mandate to achieve these standards by the earliest practical date. These standards apply to the same six criteria pollutants as the federal CAA and also include sulfate, visibility, hydrogen sulfide, and vinyl chloride. They are more stringent than the federal standards and, in the case of PM₁₀ and NO₂, far more stringent.

Toxic Air Contaminant Programs

California regulates TACs primarily through the Tanner Air Toxics Act (Assembly Bill [AB] 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588). The Tanner Act sets forth a formal procedure for CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and adopted the USEPA's list of hazardous air pollutants as TACs. Most recently, diesel exhaust particulate was added to the CARB list of TACs. Once a TAC is identified, CARB then adopts an Airborne Toxics Control Measure for sources that emit that particular contaminant. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure below that threshold. If there is no safe threshold, the measure must incorporate toxic best available control technology to minimize emissions. None of the TACs identified by CARB have a safe threshold.

The Hot Spots Act requires that existing facilities that emit toxic substances above a specified level:

- Prepare a toxic emission inventory.
- Prepare a risk assessment if emissions are significant.
- Notify the public of significant risk levels.
- Prepare and implement risk reduction measures.

CARB has adopted diesel exhaust control measures and more stringent emission standards for various on-road mobile sources of emissions, including transit buses, and off-road diesel equipment (e.g., tractors, generators). In February 2000, CARB adopted a new public transit bus fleet rule and emissions standards for new urban buses. These new rules and standards provide for (1) more stringent emissions standards for some new urban bus engines beginning with 2002 model year engines, (2) zero-emission bus demonstration and purchase requirements applicable to transit agencies, and (3) reporting requirements with which transit agencies must demonstrate compliance with the urban transit bus fleet rule. Milestones include the low sulfur diesel fuel requirement and tighter emissions standards for heavy-duty diesel trucks (2007) and off-road diesel equipment (2011) nationwide. Over time, the replacement of older vehicles will result in a vehicle fleet that produces substantially fewer TACs than under current conditions.

Mobile-source emissions of TACs (e.g., benzene, 1,3-butadiene, diesel PM) have been reduced significantly over the last decade and will be reduced further in California through a progression of regulatory measures (e.g., Low Emission Vehicle/Clean Fuels and Phase II reformulated gasoline regulations) and control technologies. With implementation of CARB's Risk Reduction Plan, it is expected that diesel PM concentrations will be reduced by 75 percent in 2010 and 85 percent in 2020 from the estimated year 2000 level. Adopted regulations are also expected to continue to reduce formaldehyde emissions from cars and light-duty trucks. As emissions are reduced, it is expected that risks associated with exposure to the emissions will also be reduced (BAAQMD 2010a).

Senate Bill 656

In 2003, the California Legislature enacted Senate Bill (SB) 656 to reduce public exposure to PM₁₀ and PM_{2.5}. CARB approved a list of the most readily available, feasible, and cost-effective control measures that can be employed by air districts to reduce PM₁₀ and PM_{2.5} (collectively referred to as PM) in 2004. The list is based on rules, regulations, and programs existing in California as of January 1, 2004, for stationary, area-wide, and mobile sources. In 2005, air districts adopted implementation schedules for selected measures from the list. The implementation schedules identify the appropriate subset of measures and the dates for final adoption, implementation, and the sequencing of selected control measures. In developing the implementation schedules, each air district prioritized measures based on the nature and severity of the PM problem in their area and cost-effectiveness. Consideration was also given to ongoing programs such as measures being adopted to meet national air quality standards or the state ozone planning process.

LOCAL

Bay Area Air Quality Management District

The BAAQMD attains and maintains air quality conditions in the San Francisco Bay Area Air Basin through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The BAAQMD clean air strategy includes the preparation of plans for the attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution. The BAAQMD also inspects stationary sources of air pollution and responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements programs and regulations required by the CAA, CAAA, and CCAA. The BAAQMD also limits emissions and public exposure to emissions, including toxic air contaminants, through a number of programs, rules, and regulations. BAAQMD regulations applicable to the proposed project may include, but are not limited to, the following:

- **Regulation 2 – Permits:** Specifies the requirements for issuance of authorities to construct and permits to operate for stationary emission sources. Includes requirements for the review of new emissions sources, including sources of toxic air contaminants.
- **Regulation 6 – Particulate Matter:** Limits the quantity of particulate matter in the atmosphere by controlling emissions rates, concentration, visible emissions, and opacity.
- **Regulation 7 – Odorous Substances:** Establishes general limitations on odorous substances and specific emission limitations on certain odorous compounds.
- **Regulation 8 – Organic Compounds:** Limits the emission of organic pollutants from permitted stationary sources.
- **Regulation 9 – Inorganic Gaseous Pollutants:** Limits inorganic gaseous pollutants from permitted stationary sources.
- **Regulation 10 – Standards of Performance for New Stationary Sources:** Establishes emission and/or performance standards for permitted stationary sources.
- **Regulation 11 – Hazardous Pollutants:** Sets emission and/or performance standards for hazardous pollutants, including emissions of asbestos. The BAAQMD prioritizes TAC-emitting stationary sources based on the quantity and toxicity of the TAC emissions and the proximity of the facilities to sensitive receptors.

3.1 AIR QUALITY

Bay Area 2010 Clean Air Plan

As stated above, the BAAQMD prepares plans to attain ambient air quality standards in the SFBAAB. The BAAQMD prepares ozone attainment plans for the national ozone standard and clean air plans for the California standard both in coordination with the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG). With respect to applicable air quality plans, the BAAQMD prepared the *Bay Area 2010 Clean Air Plan* to address nonattainment of the national 1-hour ozone standard in the SFBAAB, as well as nonattainment of the California ambient air quality standards. The purpose of the *Bay Area 2010 Clean Air Plan* is to (BAAQMD 2010a):

- Update the Bay Area 2005 Ozone Strategy in accordance with the requirements of the California Clean Air Act to implement “all feasible measures” to reduce ozone.
- Consider the impacts of ozone control measures on particulate matter (PM), air toxics, and greenhouse gases in a single, integrated plan.
- Review progress in improving air quality in recent years.
- Establish emission control measures to be adopted or implemented in the 2009–2012 time frame.

City of Pittsburg General Plan

The City adopted its current General Plan in 2001. **Appendix F** provides those General Plan policies relevant to air quality and to the proposed project as well as a preliminary evaluation of the project’s consistency with these policies. While this DEIR discusses the project’s consistency with the General Plan pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15125(d), the appropriate reviewing authority will ultimately make the determination of the project’s consistency with the General Plan.

3.1.3 IMPACTS AND MITIGATION MEASURES

STANDARDS OF SIGNIFICANCE

Per Appendix G of the State CEQA Guidelines and the BAAQMD recommendations, air quality impacts are considered significant if implementation of the proposed project would:

- 1) Conflict with or obstruct implementation of the applicable air quality plan.
- 2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- 3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).
- 4) Expose sensitive receptors to substantial pollutant concentrations.
- 5) Create objectionable odors affecting a substantial number of people.

As stated in CEQA Appendix G, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. On June 2, 2010, the BAAQMD's board of directors unanimously adopted thresholds of significance to assist local jurisdictions during the review of projects that are subject to CEQA. These thresholds of significance were designed to establish the level at which the BAAQMD believed air pollution emissions associated with proposed projects that are subject to CEQA would cause significant environmental impacts to human health and welfare. The BAAQMD's justification for the adopted thresholds of significance was incorporated into Appendix D of the BAAQMD's (2010a) updated *California Environmental Quality Act Air Quality Guidelines*.

On March 5, 2012, the Alameda County Superior Court issued a judgment finding that the BAAQMD had failed to comply with CEQA when it adopted the thresholds. The court did not determine whether the thresholds were valid on the merits, but found that the adoption of the thresholds was a project under CEQA. The court issued a writ of mandate ordering the BAAQMD to set aside the thresholds and cease dissemination of them until the BAAQMD had complied with CEQA. The BAAQMD appealed the Alameda County Superior Court's decision. The Court of Appeal of the State of California, First Appellate District, reversed the trial court's decision. The Court of Appeal's decision was appealed to the California Supreme Court, which granted limited review, and the matter is currently pending further review.

In light of the pending litigation, BAAQMD is no longer recommending that the 2010 significance thresholds be used as a generally applicable measure of a project's significant air quality impacts. Lead agencies will therefore need to determine appropriate air quality thresholds of significance based on substantial evidence in the record. The 2010 significance thresholds are based on substantial evidence, as identified in Appendix D of the BAAQMD's (2010a) *California Environmental Quality Act Air Quality Guidelines*. Given that the trial court's judgment does not pertain to the scientific soundness of the 2010 significance thresholds and given that these thresholds are supported by substantial evidence, as provided by the BAAQMD in Appendix D of the Air Quality Guidelines, these thresholds are used in this DEIR for the evaluation of air quality impacts, as noted below (BAAQMD 2010a, 2012b).

Criteria Air Pollutants and Precursors

Short-Term Construction Emissions

Construction-generated emissions exceeding 54 pounds per day (lbs/day) of ROG, NO_x, and/or PM_{2.5} (exhaust) and 82 lbs/day of PM₁₀ (exhaust) would be considered to have a potentially significant impact. Short-term increases of criteria air pollutants in excess of these thresholds would also be considered to have a potentially significant conflict with implementation of the BAAQMD's (2010b) *Bay Area 2010 Clean Air Plan*. Emissions of fugitive dust (PM₁₀/PM_{2.5}) would be considered potentially significant if BAAQMD-recommended best management practices for the control of construction-generated emissions have not been incorporated as part of the proposed project.

Long-Term Operational Emissions

Operational emissions exceeding 54 lbs/day of ROG, NO_x, and/or PM_{2.5} (exhaust) and 82 lbs/day of PM₁₀ (exhaust) would be considered to have a potentially significant impact. Annual emissions exceeding 10 tons/year of ROG, NO_x, and/or PM_{2.5} (exhaust) and 15 tons/year of PM₁₀ (exhaust) would also be considered to have a potentially significant impact. Long-term increases of

3.1 AIR QUALITY

criteria air pollutants in excess of these thresholds would also be considered to have a potentially significant conflict with implementation of the BAAQMD's *Bay Area 2010 Clean Air Plan*.

Localized Carbon Monoxide Concentrations

The proposed project would be considered to have a potentially significant impact if the project would contribute to localized CO concentrations that would exceed California ambient air quality standards of 9.0 ppm (8-hour average) or 20.0 ppm (1-hour average).

Risks and Hazards

The proposed project would be considered to have a potentially significant impact if the project would contribute to localized concentrations of TACs at sensitive receptors that would result in an increased cancer risk greater than 10 per million persons or a non-cancer risk that exceeds a Hazard Index of 1.0. Increases in cumulative risk would be considered potentially significant if increased cancer risk would exceed 100 per million or if non-cancer risk would exceed a Hazard Index of 10.0.

Odors

Odors would be considered potentially significant if the project would create objectionable odors affecting a substantial number of people or contribute to conditions where an existing source of odors has resulted in five or more complaints per year averaged over a three-year period.

METHODOLOGY

The assessment of air quality impacts was conducted in accordance with BAAQMD-recommended methodologies and includes evaluation of short-term construction and long-term operational emissions. The methodologies used for evaluation of short-term construction and long-term operational emissions are discussed below.

Short-Term Construction Emissions

Construction activities associated with the proposed project are described in **Table 3.1-4**. Because the site is largely developed, construction of the new proposed facilities is not anticipated to require extensive site preparation. The remaining activities would consist of interior tenant improvements and installation of new equipment inside or on the exterior of the existing buildings, which would require minimal use of off-road equipment, such as a forklift for material handling and a concrete saw.

Emissions associated with short-term construction activities were quantified by Ambient Air Quality & Noise Consulting using the California Emissions Estimator Model (CalEEMod), version 2013.2.2. Emissions modeling was conducted for each of the primary construction phases based on default parameters contained in the model for the BAAQMD region and on construction data and activity schedule durations identified for the proposed project. Construction modeling assumptions are summarized in **Table 3.1-4** and included in **Appendix E**.

**TABLE 3.1-4
SUMMARY OF CONSTRUCTION ACTIVITIES**

Construction Activity	Activity Requirements/Duration
Truck Maintenance Facility and Yard and Parking and Commodity Storage Area	• Minor site preparation/grading required; however, to be conservative, site preparation and grading requirements were based on default parameters contained in CalEEMod • Construct an approximate 18,000-square-foot maintenance building • Install asphalt or other impervious surface over approximately 18.5 acres • Approximately 160 days overall construction period
Biomass Gasification Unit Installation and Concrete Pad	• No grading – subgrade compacted over the years • 100 foot x 40 foot x 6 inch concrete pad to be poured in less than one week; 9 truckloads of concrete • Flatbed trucks to deliver biomass unit and accessory equipment – 10 trucks over 4 weeks • Crane unit to assemble over 5 weeks • Electrical and mechanical contractors to wire over 4 weeks • 10 weeks for installation time
2nd Mixed C&D Facility Installation and Construction of Concrete Pad	• No grading – subgrade compacted over the years • 165 foot x 36 foot x 6 inch concrete pad to be poured in less than one week • 13 truckloads of concrete • Flatbed trucks to deliver processing equipment – 3 trucks over 1 week • Crane unit to assemble over 1 week • Electrical and mechanical contractors to wire over 2 weeks • 4 weeks for installation time
Installation of Commercial Processing Line Indoors	• Saw-cut current concrete pad inside Mt. Diablo Recycling Center • Flatbed trucks to deliver processing equipment – 6 trucks over 2 weeks • Crane unit to assemble over 2 weeks • Electrical and mechanical contractors to wire over 2 weeks • 4 weeks for installation time
Installation of Food Waste Processing Area Indoors	• Saw-cut current concrete pad inside Transfer/Processing Facility • Flatbed trucks to deliver processing equipment – 2 trucks over 1 week • Crane unit to assemble over 1 week • Electrical and mechanical contractors to wire over 2 weeks • 4 weeks for installation time
Installation of solar panels to rooftops	• Flatbed trucks to deliver units – 16 trucks over 2 weeks • Crane unit to assemble over 2 weeks • Electrical and mechanical contractors to wire over 4 weeks • 6 weeks for installation time

Source: Edgar & Associates, Inc. 2012, 2013

Notes: Construction emissions modeling was conducted for each of the construction phases based on the information provided by the project applicant, as noted above. Emissions modeling included the addition of a forklift for material handling activities for each of the proposed construction activities. Construction worker employee commute trips were based on default parameters contained in the CalEEMod computer program.

3.1 AIR QUALITY

Long-Term Operational Emissions

Criteria Air Pollutants and Precursors

The proposed increase in the daily acceptance rate would lead to increased usage of equipment and an increase in vehicular traffic. The latter consists of increased traffic associated with employees/self-haul vehicles as well as an increase in the number of trucks that would transport the additional material to and from the facility. The changes in equipment use and mobile sources are summarized in **Tables 3.1-5** and **3.1-6**, respectively. In addition to on-site equipment and additional vehicle trips, the project includes a Biomass Gasification Unit that would generate up to 1 megawatt of electric power. The biogas would be combusted in an internal combustion engine and the engine would be connected to an electric generator. The engine would operate 24 hours per day, 365 days per year.

Emissions of criteria air pollutants and precursors were estimated using emission factors derived from existing documentation and various computer models, including the EMFAC2011, OFFROAD, and CalEEMod computer programs. Emissions were modeled for both existing and proposed project conditions for determination of overall net increases in daily and annual emissions. Emissions from mobile sources are based on average trip length, peak daily, and average annual vehicle miles traveled derived from the traffic analysis prepared for this project. On-road vehicle emissions were quantified based on emissions factors derived from the EMFAC2011 computer model. Emissions associated with the on-site operation of off-road equipment were based on operational data provided by the project applicant. Emissions associated with the proposed biogas unit are based on manufacturer data and permit data obtained from representative sources (APS 2014). Refer to **Appendix E** for additional modeling assumptions and results.

TABLE 3.1-5
SUMMARY OF MOTOR VEHICLE TRIPS

Activity	Vehicle Type	Operating Schedule	Round-Trip Length (miles)	Current Peak Daily Vehicles	Maximum Future Permitted Daily Vehicles	Net Increase in Daily Vehicles	Net Increase in Annual Vehicles
Employee Vehicles/Self-Haul	Light Duty	7 days/week 52 weeks/yr 365 days/yr	23	900	4,220	3,320	1,211,800
Collection Trucks	Heavy Duty	5 days/week 52 weeks/yr	17	180	840	660	171,600
Long-Haul Trucks	Heavy Duty	5 days/week 52 weeks/yr 260 days/yr	17	120	560	440	114,400

Source: APS 2014

$\text{Annual vehicles} = \text{vehicles/day} \times \text{days/year}$

TABLE 3.1-6
LIST OF CURRENT AND FUTURE ON-SITE EQUIPMENT

Operational Activity/Equipment	Equipment Use Existing Conditions			Equipment Use Proposed Project Conditions		
	No. of Pieces	Hours per Day	Hours per Year	No.	Hours per Day	Hours per Year
Transfer Processing Facility						
Front-End Loaders	4	16	23,296	10	24	87,360
Excavators	1	4	1,456	2	16	11,648
Skip Loaders	1	4	1,456	1	4	1,456
Sweeper	2	6	4,368	2	10	7,280
Forklift	1	2	728	2	4	2,912
Recycling Center						
Front-End Loaders	1	16	4,160	2	16	11,648
Forklift	3	16	12,480	6	16	34,944
C & D Processing Area						
Front-End Loaders	1	4	832	2	8	5,824
Excavator	1	8	1,664	2	8	5,824
Organic Processing Area						
Front-End Loaders	2	8	4,160	2	16	11,648
Biomass Gasification Unit						
Loaders	—	—	—	1	16	5,824

Source: APS 2014

Toxic Air Contaminants

Emissions of TACs associated with short-term construction and long-term operation of the proposed project would be primarily associated with emissions of diesel particulate matter (DPM). Methodologies used for the evaluation of short-term construction and long-term operational exposure to TACs are discussed below.

Short-Term Construction Activities

The nearest existing sensitive receptors consist of residential dwellings, the nearest of which are located approximately 2,900 feet (approximately one-half mile) west of the project site, and Martin Luther King Jr. Junior High School, which is located approximately one-half mile southwest of the project site. The nearest anticipated sensitive receptors would be at Sunnyside Estates, a proposed subdivision that would be located approximately 1,700 feet from the southwestern corner of the project site. Given that no sensitive receptors are located within 1,000 feet of the project and construction of the proposed project would not require extensive site preparation activities, short-term health risks associated with project construction would be considered minimal and were qualitatively assessed.

3.1 AIR QUALITY

Long-Term Operational Activities

Long-term operation-related exposure of sensitive receptors to emissions of TACs and associated health risks were quantitatively assessed by Air Permitting Specialists (2014). Based on the analysis conducted, the pollutant of primary concern associated with the long-term operation of the proposed project is DPM. The Biomass Gasification Unit will also release trace amounts of toxic air pollutants. The amounts of these pollutants and their toxicity are 10 to 100 times lower than DPM. Nonetheless, TAC emissions from the Biomass Gasification Unit were also included in the analysis. TAC emissions included in the analysis are summarized in **Table 3.1-7**. Emissions modeling was based on the same operational parameters discussed above for the evaluation of criteria air pollutants and precursors (APS 2014).

TABLE 3.1-7
SUMMARY OF TOXIC AIR CONTAMINANTS INCLUDED IN THE ANALYSIS

Diesel-Exhaust Particulate Matter
1,3-Butadiene
Acetaldehyde
Acrolein
Benzene
Carbon Tetrachloride
Chlorobenzene
Chloroform
Ethylbenzene
Formaldehyde
Methanol
Methylene Chloride
Napthalene
Styrene
Toluene
Vinyl Chloride
Xylene

Source: APS 2014

Dispersion modeling conducted as part of the health risk assessment prepared by APS was performed using the Hazard Assessment and Reporting Protocol (HARP) dispersion model, version 1.4d. Predicted health risks at nearby receptor locations were quantified based on a 70-year period of exposure, assuming an inhalation exposure pathway. The dispersion modeling was based on calculated 70-year average emission factors derived from the CalEEMod, OFFROAD, and EMFAC2011 computer models. For years extending beyond the limitations of these models (i.e., years 2063 to 2092), year 2040 emission factors were assumed (APS 2014).

Emissions from on-site equipment were modeled as an area source. Emissions from idling trucks were modeled as three separate point sources. The proposed Biomass Gasification Unit was modeled as a single point source. Meteorological data (hourly wind speed, wind direction, surface temperature) was based on year 2005 to 2008 data obtained in Pittsburg, provided by BAAQMD staff. A total of 3,382 receptors were modeled over a rectangular grid area of 3.4 kilometers. Discrete receptors were also located at the nearby Martin Luther King Jr. Junior High School. Age sensitivity factors were applied in accordance with BAAQMD-recommended methodology. The risk assessment included evaluation of cancer, chronic non-cancer, and acute health risks (APS 2014). It is important to note that the dispersion modeling and health risk

assessment prepared by APS assumed that the proposed biomass plant and related activities would be located near the southern boundary of the project site. However, the biomass plant is currently proposed to be located near the northern boundary of the project site, approximately 0.3 miles farther from the nearest off-site sensitive receptors than included in the model. Because pollutant concentrations would diminish with increased distance from the source, the findings of the APS analysis would be considered conservative and actual concentrations/predicted health risks would likely be lower. Refer to **Appendix E** for additional modeling assumptions and results.

Localized Mobile-Source Carbon Monoxide Concentrations

The proposed project's contribution to localized mobile-source carbon monoxide concentrations was assessed using the BAAQMD's screening methodology. Based on BAAQMD guidance, projects meeting all of the following screening criteria would be considered to have a less than significant impact related to localized CO concentrations (BAAQMD 2010a):

- Project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans.
- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The project would not result in an affected intersection experiencing more than 44,000 vehicles per hour or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

Odors

Emissions of odors were qualitatively assessed in accordance with BAAQMD-recommended methodologies taking into account the history of odor complaints associated with the existing facility, the proximity of nearby receptors, and odor complaints from similar biomass power plants.

PROJECT IMPACTS AND MITIGATION MEASURES

Short-Term Construction Emissions of Criteria Air Pollutants and Precursors

Impact 3.1.1 Construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts. This impact is considered to be **potentially significant**.

The proposed project will result in short-term emissions from construction activities. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact. Emissions commonly associated with construction activities include fugitive dust from soil disturbance, fuel combustion from mobile heavy-duty diesel- and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities. Off-road construction equipment is often diesel-powered and can be a substantial source of NO_x emissions, in addition to PM₁₀ and PM_{2.5} emissions. Worker commute trips and the application of architectural coatings are typically the dominant sources of ROG emissions.

3.1 AIR QUALITY

Estimated daily construction-generated emissions of ROG, NO_x, and particulate matter (PM₁₀ and PM_{2.5}) associated with project construction are summarized in **Table 3.1-8**. Estimated maximum daily emissions are also included, which assumes that multiple construction-related activities could occur on the same day. Based on the modeling conducted, the highest daily emissions would likely occur during year 2015, which would include construction of the proposed concrete pad, food waste processing line improvements, solar panel installation, and construction of the proposed maintenance building and paved parking areas. Assuming that multiple activities could occur simultaneously on any given day, construction-generated emissions of ROG and NO_x could potentially exceed the significance threshold of 54 lbs/day. As a result, short-term emissions of ROG and NO_x would be considered to have a **potentially significant** impact. Maximum daily emissions of exhaust PM would not exceed applicable thresholds.

Although not proposed for implementation at this time, the hauling of waste via the adjacent rail line is being considered as a potential future option. It is conceivable that this option may require additional infrastructure improvements, which may result in short-term increases of criteria air pollutants and precursors. However, the type and extent of rail haul option improvements is not known at this time, so it would be speculative to provide construction related modeling for that option.

As noted previously, the Bay Area is currently designated nonattainment for the PM₁₀ and PM_{2.5} ambient air quality standards. As a result, the BAAQMD considers uncontrolled emissions of fugitive dust to also have a **potentially significant** impact.

TABLE 3.1-8
SHORT-TERM UNMITIGATED DAILY EMISSIONS OF CRITERIA AIR POLLUTANTS AND PRECURSORS

Construction Activity	Const. Year	Pounds per Day (lbs/day)							
		ROG	NO _x	PM ₁₀			PM _{2.5}		
				Fug.	Exh.	Total	Fug.	Exh.	Total
Summer Conditions									
Biomass Gasification Unit Installation	2016	1.20	12.11	0.37	0.55	0.92	0.10	0.51	0.61
2 nd Mixed C&D Facility Installation	2016	1.21	12.28	0.38	0.56	0.94	0.10	0.51	0.61
Concrete Pad Installation	2015	0.27	2.33	.28	.04	.32	.08	0.03	0.11
Commercial Processing Line Improvements	2014	2.11	18.73	.37	1.04	1.41	0.10	0.99	1.09
Food Waste Processing Line Improvements	2015	1.98	17.73	0.37	0.97	1.34	0.10	0.93	1.02
Solar Panel Installation	2015	1.28	12.88	0.38	0.59	0.96	0.10	0.54	0.64
Maintenance Building & Parking Lot Construction	2015	61.38	79.16	18.24	9.03	21.33	9.98	3.77	12.82
Maximum Daily Emissions – Year 2014 ⁽¹⁾		2.11	18.73	0.37	1.04	1.41	0.10	1.00	1.09
Maximum Daily Emissions – Year 2015 ⁽¹⁾		64.91	112.10	19.26	10.63	23.95	10.25	5.27	14.59
Maximum Daily Emissions – Year 2016 ⁽¹⁾		2.41	24.39	0.72	1.11	1.86	0.20	1.02	1.22
Significance Threshold ⁽²⁾		54	54	–	82	–	–	54	–
Exceeds Threshold?		Yes	Yes	–	No	–	–	No	–
Winter Conditions									
Biomass Gasification Unit Installation	2016	1.22	12.19	0.37	0.55	0.92	0.10	0.51	0.61
2 nd Mixed C&D Facility Installation	2016	1.23	12.37	0.38	0.56	0.94	0.10	.51	.61
Concrete Pad Installation	2015	0.32	2.46	.28	0.04	0.32	0.08	0.03	0.11
Commercial Processing Line Improvements	2014	2.14	18.83	0.37	1.04	1.41	0.10	0.99	1.09

Construction Activity	Const. Year	Pounds per Day (lbs/day)							
		ROG	NO _x	PM ₁₀			PM _{2.5}		
				Fug.	Exh.	Total	Fug.	Exh.	Total
Food Waste Processing Line Improvements	2015	2.00	17.81	0.37	0.97	1.34	0.10	0.93	1.02
Solar Panel Installation	2015	1.30	12.97	0.38	0.59	0.96	0.10	0.54	0.64
Maintenance Building & Parking Lot Construction	2015	61.80	79.18	18.24	4.04	21.33	9.98	3.90	12.82
Maximum Daily Emissions – Year 2014⁽¹⁾		2.14	18.83	0.37	1.04	1.41	0.10	0.99	1.09
Maximum Daily Emissions – Year 2015⁽¹⁾		65.41	112.43	19.26	5.63	23.95	10.25	5.40	14.59
Maximum Daily Emissions – Year 2016⁽¹⁾		2.45	24.56	0.75	1.11	1.86	0.20	1.02	1.22
Significance Threshold⁽²⁾		54	54	–	82	–	–	54	–
Exceeds Threshold?		Yes	Yes	–	No	–	–	No	–

Source: Ambient Air Quality & Noise Consulting 2013

Fug = Fugitive; Exh = Exhaust

1. Maximum daily emissions assumes some construction activities could potentially occur simultaneously. Totals may not sum due to rounding. Emissions exceeding the threshold are depicted in bold font.

2. The BAAQMD's recommended threshold for fugitive PM emissions is based on implementation of best management practices.

Mitigation Measures

MM 3.1.1

- a. The proposed project shall implement BAAQMD-recommended best management practices for the control of fugitive dust including, but not limited to, the following:
 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved areas of vehicle travel) shall be watered two times per day.
 2. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 3. All vehicle speeds on on-site unpaved areas shall be limited to a maximum of 15 miles per hour.
 4. All parking areas, equipment pads, and driveways shall be paved as soon as possible. Equipment pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 5. Where applicable, vegetative ground cover (fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible.
 6. A publicly visible sign shall be posted at the site entrance identifying the telephone number and name of the person to contact at the construction site regarding dust complaints. The phone number of the City contact person and/or department shall also be posted to ensure compliance. All complaints, including any necessary corrective actions implemented to address the complaint, shall be documented and responded to within 48 hours. The designated City compliance monitoring staff and/or department shall be notified of all complaints received.

3.1 AIR QUALITY

- b. The following measures shall be implemented to reduce construction-generated mobile-source emissions:
 - 1. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
 - 2. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - 3. Heavy-duty (i.e., 25 horsepower or greater) off-road construction equipment shall, at a minimum, meet Tier 3 emission standards.
- c. To the extent possible, construction of the proposed maintenance building shall utilize pre-coated building materials and low-VOC-content architectural coatings.

Timing/Implementation: Measures shall be added as conditions of approval for all development permits

Enforcement/Monitoring: City of Pittsburg Development Services Department

With implementation of the above mitigation measures, maximum daily construction-related emissions of ROG would be reduced to approximately 58 lbs/day and NO_x would be reduced to approximately 61 lbs/day, or less. The proposed mitigation measure also includes best management practices for the control of fugitive dust emissions, as recommended by the BAAQMD. With mitigation, maximum daily emissions would still be projected to exceed the BAAQMD's significance threshold of 54 lbs/day for each pollutant. It is important to note that to ensure a conservative analysis, maximum daily emissions were calculated assuming that all facility improvements identified for a given year (excluding initial site preparation and grading activities) could potentially occur on the same day. Actual emissions would vary depending on the specific construction activities conducted. Nonetheless, given that detailed construction schedules for the proposed improvements are not yet available and because maximum daily emissions with mitigation would be projected to exceed BAAQMD's significance thresholds, this impact would be considered **significant and unavoidable**.

Long-Term Operational Emissions of Criteria Air Pollutants and Precursors

Impact 3.1.2 Long-term operational emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts. This impact is considered to be **potentially significant**.

The proposed project consists of a proposed expansion of the existing facility, construction of the truck maintenance building, and installation of a proposed Biomass Gasification Unit. The proposed project would increase the permitted hours of operation to 24 hours per day. Overall net increases in emissions, in comparison to existing operations, would be primarily associated

with the increased use of off-road equipment and on-road haul trucks, as well as the operation of the proposed Biomass Gasification Unit.

Net increases in daily operational emissions attributable to the proposed project are summarized in **Tables 3.1-9** and **3.1-10**, respectively. Overall net increases in operational emissions attributable to the proposed project are also presented.

TABLE 3.1-9
LONG-TERM UNMITIGATED DAILY EMISSIONS OF CRITERIA AIR POLLUTANTS AND PRECURSORS

Scenario	Maximum Daily Emissions (lbs/day) ¹			
	ROG	NO _x	PM ₁₀	PM _{2.5} ²
Existing Conditions				
Off-Road Equipment	9.5	68.0	4.2	4.2
On-Road Vehicles	1.8	12.1	0.4	0.4
Total	11.3	80.0	4.6	4.6
Proposed Project Conditions				
Off-Road Equipment	31.9	229.3	13.3	13.3
On-Road Vehicles ³	6.9	47.7	1.8	1.8
Biomass Gasification Unit	2.0	6.1	0.9	0.9
Total	40.8	283.1	16.0	16.0
Net Increase				
	29.5	203.1	11.4	11.4
Significance Threshold				
	54	54	82	54
Exceeds Significance Threshold?				
	No	Yes	No	No

Source: APS 2014

1. Maximum daily emissions from modeling outputs. Totals may not sum due to rounding.
2. Emissions of PM_{2.5} conservatively assumes that emissions would be equivalent to PM₁₀.
3. On-road vehicle emissions for the proposed project are based on projected maximum permitted operating conditions derived from the traffic analysis prepared for this project (Fehr & Peers 2012).
4. Relocation of the existing maintenance building is not anticipated to result in increased vehicle trips or off-road/stationary equipment use. Increased emissions associated with changes in energy use would be negligible (i.e., 0.13 lbs/day/pollutant, or less).

TABLE 3.1-10
LONG-TERM UNMITIGATED ANNUAL EMISSIONS OF CRITERIA AIR POLLUTANTS AND PRECURSORS

Scenario	Annual Emissions (tons/year) ¹			
	ROG	NO _x	PM ₁₀	PM _{2.5} ²
Existing Conditions				
Off-Road Equipment	1.6	11.3	0.7	0.7
On-Road Vehicles	0.2	1.7	0.1	0.01
Total	1.8	11.3	0.8	0.8

3.1 AIR QUALITY

Scenario	Annual Emissions (tons/year) ¹			
	ROG	NO _x	PM ₁₀	PM _{2.5} ²
Proposed Project Conditions				
Off-Road Equipment	6.0	42.2	2.8	2.8
On-Road Vehicles ³	0.9	6.5	0.2	0.2
Biomass Gasification Unit	1.1	1.1	0.5	0.5
Total	8.0	49.8	3.5	3.5
Net Increase	6.2	38.5	2.7	2.7
Significance Threshold	10	10	15	10
Exceeds Significance Threshold?	No	Yes	No	No

Source: APS 2014

1. Annual emissions are from modeling outputs. Totals may not sum due to rounding.
2. Emissions of PM_{2.5} conservatively assumes that emissions would be equivalent to PM₁₀.
3. On-road vehicle emissions for the proposed project are based on projected maximum permitted operating conditions derived from the traffic analysis prepared for this project (Fehr & Peers 2012)
4. Relocation of the existing maintenance building is not anticipated to result in increased vehicle trips or off-road/stationary equipment use. Increased emissions associated with changes in energy use would be negligible (i.e., 0.13 lbs/day/pollutant, or less).

As depicted, the proposed project would result in net increases in daily emissions of approximately 29.5 lbs/day of ROG, 203.1 lbs/day of NO_x, 11.4 lbs/day of PM₁₀, and 11.4 lbs/day of PM_{2.5}. Net increases of annual operational emissions would total approximately 6.2 tons/year of ROG, 38.5 tons/year of NO_x, 2.7 tons/year of PM₁₀, and 2.7 tons/year of PM_{2.5}. Net increases in daily and annual operational emissions for ROG, PM₁₀, and PM_{2.5} would not exceed applicable significance thresholds. However, based on the modeling conducted, project-generated increases of NO_x would exceed the BAAQMD's significance thresholds of 54 lbs/day and 10 tons/year. As a result, net increases of NO_x would be considered to have a **potentially significant** impact.

Mitigation Measures

MM 3.1.2a The project applicant shall demonstrate that all heavy-duty off-road equipment (i.e., 25 hp or greater) used at the project site meets, at a minimum, CARB's Tier 4i emission standards.

Timing/Implementation: *Prior to operation of new facilities*

Enforcement/Monitoring: *City of Pittsburg Development Services Department and Department of Environmental Affairs*

MM 3.1.2b The operator shall provide a report on the throughput tonnage processed at the facility that would result in operational emissions of NO_x at 90 percent of the allowable threshold of 54 pounds per day and 10 tons per year (i.e., 48.6 pounds of NO_x per day or 9 tons of NO_x per year). The report shall be included as a condition of approval of the use permit and shall be completed by a qualified air quality professional within one year of approval of the use permit for the expansion. Project-generated tonnages and

estimated emissions based on the report shall be evaluated commencing at the five-year state permit review and each year thereafter as tonnage reports are submitted to the City Department of Environmental Affairs and Development Services Department. Once the throughput tonnages reach the amount determined in the report to result in 48.6 pounds of NO_x daily or 9 or more tons of NO_x annually, the operator shall prepare and submit project-generated emissions reports, as described in mitigation measure MM 3.1.2c.

Timing/Implementation: *Completion of the report shall be a condition of approval of the use permit and shall be completed prior to issuance of the Solid Waste Facility Permit*

Enforcement/Monitoring: *City of Pittsburgh Development Services Department and Department of Environmental Affairs*

MM 3.1.2c

Once the project receives a tonnage throughput resulting in 90 percent of assumed NO_x emissions (48.6 pounds of NO_x per day or 9 tons of NO_x per year) as indicated by annual tonnage reports submitted to the City's Department of Environmental Affairs and Development Services Department, the operator shall obtain the services of a qualified specialist, approved by the City Development Services Department in conjunction with the Department of Environmental Affairs, to prepare and submit an annual air quality report showing project-generated NO_x emissions. The annual emissions evaluation shall identify project-generated increases in emissions over those existing at the time of the approval of the use permit, any emission reduction strategies that have been implemented (i.e., use of cleaner equipment, etc.), and any emissions offsets or additional mitigation measures, as described in mitigation measure MM 3.1.2d, that will be implemented sufficient to achieve the threshold of 54 pounds of NO_x per day or 10 tons of NO_x per year. Emissions analyses shall be submitted to the City by April 1 of the following year. Upon the City's approval of the annual air quality report, documentation of any emissions offsets or additional mitigation strategies that have been implemented shall be provided to the City within 30 calendar days.

Timing/Implementation: *Annually as described*

Enforcement/Monitoring: *City of Pittsburgh Development Services Department and Department of Environmental Affairs*

MM 3.1.2d

Based on the information provided in the annual report described in mitigation measure MM 3.1.2c, the proposed project shall implement on-site control measures and/or purchase emissions offsets sufficient to limit net increases (as defined) in operational NO_x emissions to no more than 54 pounds per day or 10 tons of NO_x per year. Measures shall be implemented on an ongoing basis corresponding to increases in operational activities. Measures to be implemented to reduce operational NO_x emissions may include, but are not limited to, the following:

- Use of alternatively fueled vehicles and off-road equipment.

3.1 AIR QUALITY

- Electrification of on-site equipment.
- Reduction in the number of pieces of motorized equipment and/or hours of use.
- Replacement/conversion of existing off-road equipment sufficient to meet, at a minimum, CARB's Tier 4i emission standards, or equivalent.
- Secure emission reduction credits (ERCs) to offset NO_x emissions per BAAQMD Regulations 2-2-215, 302, and 303.

Timing/Implementation: *Annually as described*

Enforcement/Monitoring: *City of Pittsburg Development Services
Department and Department of Environmental
Affairs*

Mitigation measure **MM 3.1.2a** would require any new heavy-duty equipment used on-site to meet CARB's Tier 4i emissions standards or equivalent. In comparison to uncontrolled equipment, CARB's Tier 4i emission standards can reduce equipment NO_x emissions by approximately 95 percent, or more, depending on the type and size of the equipment (SCAQMD 2014). Assuming that all new off-road equipment would meet CARB's more stringent Tier 4i emissions standards, net increases in operational emissions would be reduced to approximately 75 lbs/day and approximately 12 tons/year.

Recognizing that the tonnage accepted at the site will ramp up over time, mitigation measures **MM 3.1.2b** through **MM 3.1.2d** require the project applicant prepare a report indicating the throughput tonnage processed at the facility and an annual air quality report and to implement those measures recommended by the annual air quality report or as conditions of the use permit to ensure that operational emissions do not exceed the significance threshold of 54 lbs/day. Assuming project operations were to occur 365 days per year, compliance with the daily significance threshold of 54 lbs/day would also ensure compliance with the annual threshold of 10 tons/year. With mitigation, this impact would be **less than significant**.

Exposure of Sensitive Receptors to Localized Concentrations of Mobile-Source Carbon Monoxide

Impact 3.1.3 Implementation of the proposed project would not contribute to traffic volumes at primarily affected intersections that would exceed the BAAQMD's screening criteria. As a result, localized concentrations of mobile-source CO are not projected to exceed applicable ambient air quality standards. This is considered to be a **less than significant** impact.

Localized CO concentrations near roadway intersections are a function of traffic volume, speed, and delay. Transport of CO is extremely limited because it disperses rapidly with distance from the source under normal meteorological conditions. However, under specific meteorological conditions, CO concentrations near roadways and/or intersections may reach unhealthy levels with respect to sensitive receptors, often referred to as a "CO hotspot."

Based on BAAQMD guidance, projects meeting all of the following screening criteria would be considered to have a less than significant impact to localized CO concentrations (BAAQMD 2010a):

- Project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans.
- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The project would not result in an affected intersection experiencing more than 44,000 vehicles per hour or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

Peak-hour traffic volumes for primarily affected intersections, under maximum permitted conditions, are summarized in **Table 3.1-11**. As depicted, peak hour intersection volumes at primarily affected intersections would range from a low of 1,893 vehicles per hour to a high of 5,471 vehicles per hour (Fehr & Peers 2012). Peak-hour traffic volumes would not contribute to intersections experiencing more than 44,000 vehicles per hour, nor would the project contribute to intersections where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

State Route 4 (SR 4) is identified in the Contra Costa Congestion Management Program (CMP) network. CMP legislation requires that level of service (LOS) standards be adopted for the designated CMP network roadways. For the segment of SR 4 located in the vicinity of Loveridge Road, the Contra Costa CMP establishes a peak-hour traffic standard of LOS F. Based on the traffic analysis prepared for this project, projected LOS at the SR4/Loveridge Road intersection with project implementation would be LOS D or better. Implementation of the proposed project would not conflict with the Contra Costa Congestion Management Program East County Action Plan. For these reasons, the proposed project's contribution to localized concentrations of mobile-source CO would be considered **less than significant**.

Mitigation Measures

None required.

TABLE 3.1-11
PEAK-HOUR TRAFFIC VOLUMES CUMULATIVE PLUS PROJECT

Intersection	Peak-Hour Traffic Volumes	
	AM	PM
East Leland Road and Loveridge Road	4,284	5,471
State Route 4 EB Off-Ramp and Loveridge Road	3,194	3,499
California Avenue and Loveridge Road	3,660	4,022
California Avenue and Shopping Center Drive	2,535	2,526
Pittsburg-Antioch Highway and Loveridge Road	3,141	3,037
Buchanan Road and Loveridge Road	2,111	2,593
Pittsburg-Antioch Highway and Auto Center Drive	1,893	2,793
BAAQMD Screening Criteria	44,000	44,000
Exceeds BAAQMD Screening Criteria?	No	No

Source: Fehr & Peers 2012

Based on projected maximum permitted operating conditions derived from the traffic analysis prepared for this project.

3.1 AIR QUALITY

Exposure of Sensitive Receptors to Substantial Concentrations of Toxic Air Contaminants

Impact 3.1.4 Implementation of the proposed project would not result in incremental increases in risk or hazards at nearby sensitive receptors that would exceed applicable significance thresholds. With implementation of proposed mitigation, this is considered a **less than significant** impact.

Short-Term Exposure

Construction projects can result in short-term increases of TACs, as well as emissions of airborne fugitive dust. Emissions of diesel particulate matter (DPM) emitted from diesel-fueled construction vehicles are of particular concern. DPM consists of gaseous and particulate matter containing various TACs such as formaldehyde, benzene, and metals. Under CARB guidelines, DPM is used as a surrogate that characterizes the various components contained in the exhaust mixture. As noted earlier in this section, CARB identified DPM as a toxic air contaminant in 1998.

Health risks associated with TAC exposure are largely based on the dose to which receptors are exposed. Dose is dependent on both the concentration and the duration of exposure. The assessment of health-related risks associated with DPM exposure is typically based on a 70-year period of exposure.

As noted earlier in this section, the proposed project is not anticipated to require extensive site preparation. As a result, extensive use of off-road diesel-fueled vehicles would not be required for the project. In addition, the use of diesel-powered off-road equipment would be temporary and of short duration, with individual construction activities occurring over an estimated 1- to 10-week period. Furthermore, given that the nearest sensitive receptors are located roughly one-half mile from the project site and given the high dispersion characteristics of DPM, construction of the proposed improvements would not be expected to create conditions where the probability of contracting cancer is greater than 10 in 1 million for nearby receptors. As a result, health impacts associated with short-term exposure to construction-generated TACs would be considered **less than significant**.

Long-Term Exposure

As noted earlier in this section, evaluation of the proposed project's contribution to localized concentrations of TACs and associated health risks was conducted by Air Permitting Specialists (2014). The principal toxic air contaminant associated with the long-term operation of the proposed project is DPM attributable to the operation of off-road equipment and, to a lesser extent, on-road mobile sources. In addition to DPM, there would be trace amounts of organic emissions associated with the gasifier. The amounts and toxicity of these emissions are 10 to 100 times lower than DPM.

Based on the modeling conducted, the existing maximally impacted receptor (MIR) would occur at residential land uses located west of the project site, approximately 2,900 feet from the project site. Based on the modeling conducted, the predicted cancer risk at the MIR would be 10.8 cancers per million. The 70-year cancer risk would exceed the BAAQMD threshold of significance of 10 cancers per million. The predicted chronic and acute hazard index at the MIR would be less than 0.01 and 0.08, respectively, which would not exceed the hazard index of 1. Predicted PM_{2.5} concentrations at the MIR would be 0.02 µg/m³ and would not exceed the significance threshold of 0.3 µg/m³.

In addition, a residential rezoning (Sunnyside Estates) has been approved for a development north of SR 4, adjacent to and east of Clarion Court (approximately 2,100 feet from the project site). Based on the modeling conducted, the predicted cancer risk at this land use would be less than 10 cancers per million. The 70-year cancer risk would not exceed the BAAQMD threshold of significance of 10 cancers per million. Likewise, predicted chronic and acute hazard indices, as well as predicted PM_{2.5} concentration, would not exceed applicable thresholds at this approved residential land use.

Given that the predicted incremental increase in cancer risk at the existing MIR would exceed applicable thresholds, this impact would be considered **potentially significant**. As previously noted, the modeling assumed that the proposed biomass plant and related activities would be located near the southern boundary of the project site, as previously proposed. However, as currently proposed, the biomass plant would be located near the northern boundary of the project site, approximately 0.3 miles farther from the nearest off-site sensitive receptors. Because pollutant concentrations would diminish with increased distance from the source, the findings of this analysis would be considered conservative and actual concentrations/predicted health risks would likely be lower. Refer to **Appendix E** for additional modeling assumptions and results.

Mitigation Measures

Implement mitigation measure **MM 3.1.2a**.

Mitigation measure **MM 3.1.2a** requires any new heavy-duty off-road equipment (i.e., 25 hp, or greater) to meet, at a minimum, CARB's Tier 4i emission standards. In comparison to uncontrolled equipment, the use of Tier 4i-compliant equipment can reduce PM emissions from on-site equipment by approximately 95 percent, or more, depending on the type and size of the equipment being used (SCAQMD 2014). With implementation of the mitigation measure, incremental increases in cancer risk at the MIR would be reduced to less than 1 in one million, below the BAAQMD's threshold of significance of 10 in one million. With mitigation, this impact is considered **less than significant**.

Create Objectionable Odors Affecting a Substantial Number of People

Impact 3.1.5 Subsequent land use activities associated with implementation of the proposed project would not create objectionable odors affecting a substantial number of people due to compliance with an Odor Impact Minimization Plan submitted with the proposed land use application. Thus, this impact is considered to be **less than significant**.

The occurrence and severity of odor impacts depend on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of the receptors. While offensive odors rarely cause any physical harm, they still can be very unpleasant, leading to considerable distress among the public and often generating citizen complaints to local governments and regulatory agencies.

The proposed project would result in increased waste processing rates, which would require increased on-site retention of organic waste materials. Organic waste materials may be a source of odors, particularly when stored in exterior areas under anaerobic conditions. It is important to note that biomass power plants are not identified as a major odor source by the BAAQMD.

To minimize potential odor impacts associated with the proposed increase in processing rates, the proposed project would operate under the parameters of an Odor Impact Minimization

3.1 AIR QUALITY

Plan, which was prepared for the proposed project to minimize odor emissions and prevent nuisances in the surrounding area. The Odor Impact Minimization Plan includes various changes to existing on-site operations including but not limiting the outdoor storage of waste materials to 48 hours, and storage of only co-collected food material from residential sources in outdoor areas. No commercial food waste would be stored in outdoor areas. The plan identifies potential sensitive receptors in the area and establishes odor monitoring and complaint response protocols. The plan also provides design and operational considerations and procedures to minimize odor emissions associated with the proposed project. These include proper drainage to prevent standing water, screening of incoming loads to eliminate unacceptable waste materials, strict enforcement of storage time limits, monitoring of stockpiles to ensure optimal conditions, and worker education/awareness training. The plan also includes a contingency plan to control odors should they occur. Furthermore, the proposed project would be subject to BAAQMD Regulation 7, Odorous Substances, which limits the discharge of odorous substances that may result in nuisance impacts to nearby receptors. For these reasons and given that the nearest off-site receptors are located approximately one-half mile from the project site, this impact would be considered **less than significant**.

Mitigation Measures

None required.

3.1.4 CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

CUMULATIVE SETTING

The setting for the cumulative air quality analysis consists of the San Francisco Bay Area Air Basin.

CUMULATIVE IMPACTS AND MITIGATION MEASURES

Cumulatively Considerable Net Increase of Nonattainment Criteria Pollutants and Precursors

Impact 3.1.6 The proposed project, in combination with emission sources in the San Francisco Bay Area Air Basin, would result in a cumulatively considerable net increase of criteria air pollutants and precursors. With implementation of proposed mitigation measures, this impact would be considered **less than cumulatively considerable**.

As shown in **Table 3.1-1**, the SFBAAB is in nonattainment status for O₃, PM₁₀, and PM_{2.5}. Therefore, continued generation of these pollutants at levels that exceed thresholds would contribute to exceedances in a nonattainment area. This would be considered a significant cumulative impact. As noted in Impact 3.1.3, the proposed project would not contribute to localized concentrations of mobile-source CO that, when combined with background concentrations from cumulative sources in the area, would be anticipated to exceed applicable ambient air quality standards. However, as identified in Impact 3.1.1 and Impact 3.1.2, the proposed project would result in increased short-term construction and long-term operational emissions of NO_x in excess of project-level significance thresholds, as well as short-term emissions of fugitive dust. Because significance thresholds are designed to achieve attainment for these pollutants in the SFBAAB, net increases in unmitigated project-generated emissions could interfere with corresponding regional air quality planning efforts. For this reason, the proposed project's contribution to cumulative regional air quality impacts would be considered **cumulatively considerable**.

Mitigation Measures

Implementation of mitigation measures **MM 3.1.1** and **MM 3.1.2a** through **MM 3.1.2d** would reduce short-term construction and long-term operational emissions of NO_x to below applicable significance thresholds. Because the proposed project would not exceed significance thresholds with mitigation, the proposed project would not result in a net increase of NO_x or fugitive dust that would interfere with regional air quality planning efforts. With mitigation, this impact would be considered **less than cumulatively considerable**.

Cumulatively Considerable Contribution to Localized Concentrations of Toxic Air Contaminants

Impact 3.1.7 The proposed project, in combination with nearby emission sources, would not result in predicted risks or hazards that would exceed applicable significance thresholds at nearby sensitive receptors. With implementation of proposed mitigation, this is considered a **less than cumulatively considerable** impact.

Cumulative risk impacts attributable to the proposed project, in combination with existing sources, were evaluated in the air quality assessment prepared by APS for this project (2014). In accordance with BAAQMD-recommended methodologies, the assessment of cumulative impacts included existing sources within 1,000 feet of the project site. Individual hazards and risks were then summed to identify the cumulative cancer risks and hazards at the maximally impacted receptor (MIR).

The health modeling conducted for the project focused on exposure to DPM (diesel particulate matter) released from on-site equipment and idling trucks based on a 70-year exposure to determine averaged residential cancer risk. Based on the modeling conducted, the predicted cumulative cancer risk at the existing MIR would be 102 cancers per million. The predicted 70-year cancer risk at the existing MIR, as well as at the proposed residential land uses located north of SR 4 adjacent to and east of Clarion Court, would be projected to exceed the BAAQMD cumulative significance threshold of 100 cancers per million. The predicted chronic hazard index at the existing MIR would be 0.13 and the predicted acute hazard index would be 0.03, which would not exceed the cumulative chronic or acute hazard index of 10. Predicted PM_{2.5} concentrations at the existing MIR would be 3.64 µg/m³, which would exceed the cumulative significance threshold of 0.8 µg/m³ (APS 2014). These levels would also be representative of predicted concentrations at the proposed residential land uses located adjacent to Clarion Court. Given that the predicted cumulative cancer risk and PM_{2.5} concentrations would exceed applicable thresholds, the proposed project's cumulative contribution to localized emissions of TACs and associated risk impacts would be considered **cumulatively considerable**. Refer to **Appendix E** for additional modeling assumptions and results.

Mitigation Measures

Mitigation measure **MM 3.1.2a** requires any new heavy-duty off-road equipment (i.e., 25 hp, or greater) to be used at the project site to meet, at a minimum, CARB's Tier 4i emission standards. In comparison to uncontrolled equipment, the use of Tier 4i-compliant equipment can reduce PM emissions from on-site equipment by 95 percent or more. With implementation of the proposed mitigation measure, off-site cancer risk at the MIR would be reduced to below the BAAQMD's threshold of significance of 100 in one million. Predicted increases in ambient PM_{2.5} concentrations would be reduced to approximately 0.01 µg/m³, below the cumulative significance threshold of 0.8 µg/m³ and the project's incremental risk at the nearest residential

3.1 AIR QUALITY

area due to ambient PM_{2.5} increase would be 0.01 (APS 2014). With mitigation, the project's contribution to this impact is considered **less than cumulatively considerable**.

Cumulatively Considerable Contribution to Localized Concentrations of Odorous Emissions

Impact 3.1.8 Implementation of the proposed project would not result in a cumulatively considerable increase of odorous emissions that would adversely impact nearby sensitive receptors. This is considered a **less than cumulatively considerable** impact.

There are no major sources of odorous emissions have been identified in the project area that would combine with potential odors from the project site. In addition, as noted in Impact 3.1.5, the proposed project would not result in significant increases in odors that would adversely affect a substantial number of people. As a result, the proposed project's cumulative contribution to localized concentrations of odors would be considered **less than cumulatively considerable**.

Mitigation Measures

None required.

REFERENCES

- Ambient Air Quality & Noise Consulting. 2013. *Memorandum: Construction-Generated Emissions, Mt. Diablo Resource Recovery Park.*
- APS (Air Permitting Specialists). 2014. *Analysis of Air Quality Impacts and Greenhouse Gas Emissions, Mount Diablo Resources Recovery Park.*
- BAAQMD (Bay Area Air Quality Management District). 2010a. *California Environmental Quality Act Air Quality Guidelines.*
- . 2010b. *Bay Area 2010 Clean Air Plan.*
- . 2012a. “Air Quality Standards and Attainment Standards.” Accessed August 25, 2012. http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm.
- . 2012b. “Updated CEQA Guidelines.” Accessed August 25, 2012. <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx>.
- . 2012c. Public Records Request. Odor Complaints-Recycling Center and Transfer Station, 1300 Loveridge Road, Pittsburg, CA. 2008–2011.
- . 2014. Public Records Request. Odor Complaints-Recycling Center and Transfer Station, 1300 Loveridge Road, Pittsburg, CA. 2010–present.
- CARB (California Air Resources Board). 2005. *Air Quality and Land Use Handbook: A Community Health Perspective.*
- . 2009. *The California Almanac of Emissions and Air Quality: 2009 Edition.*
- . 2011. *2011 Carl Moyer Program Guidelines.* Accessed August 25, 2012. <http://www.arb.ca.gov/msprog/moyer/guidelines/current.htm>.
- . 2014. “Air Quality and Emissions.” Accessed October 23, 2014. <http://www.arb.ca.gov/adam/index.html>.
- CCTA (Contra Costa Transportation Authority). 2009. *Contra Costa Congestion Management Program.*
- City of Pittsburg. 2001. *City of Pittsburg General Plan 2020.*
- Edgar & Associates, Inc. 2012. Equipment list dated June 13, 2012; updated August 6, 2012.
- . 2013. Project Construction Schedule & Equipment.
- Fehr & Peers. 2012. Memorandum: “Trip Generation for Mt. Diablo Resource Recovery Park – Revised.”
- SCAQMD (South Coast Air Quality Management District). 2014. Table II – Off-Road Engine Emission Rates & Comparison of Uncontrolled to Tiered Rates and Tiered to Tiered Rates.

3.1 AIR QUALITY

USEPA (US Environmental Protection Agency). 2010. *Monitor Values Report: Criteria Air Pollutants*. Accessed August 25, 2012. <http://www.epa.gov/air/data/monvals.html>.

———. 2014. *Monitor Values Report: Criteria Air Pollutants*. Accessed October 23, 2014. http://www.epa.gov/airquality/airdata/ad_rep_mon.html.

3.2 CLIMATE CHANGE AND GREENHOUSE GAS

This section provides a discussion on the proposed project's effect on greenhouse gas (GHG) emissions and the associated effects of climate change. The California Environmental Quality Act (CEQA) requires that lead agencies consider the reasonably foreseeable adverse environmental effects of projects they are considering for approval. This section is based on an analysis of project-related GHG analysis prepared by Air Permitting Specialists (2014) as well as the *Mt. Diablo Resource Recovery Park Greenhouse Gas Impact Assessment for the City of Pittsburg Generated Waste Stream for the Baseline Scenario, 2020 and 2035*, prepared by Edgar & Associates (2012) included in **Appendix E**. The reader is referred to Section 3.1, Air Quality, for a discussion of project impacts associated with air quality.

3.2.1 EXISTING SETTING

EXISTING CLIMATE SETTING

To fully understand global climate change, it is important to recognize the naturally occurring “greenhouse effect” and to define the GHGs that contribute to this phenomenon. Various gases in the earth's atmosphere, classified as atmospheric GHGs, play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Following are descriptions of the primary GHGs attributed to global climate change, including a description of their physical properties, primary sources, and contribution to the greenhouse effect.

Carbon Dioxide

Carbon dioxide (CO₂) is a colorless, odorless gas. CO₂ is emitted in a number of ways, both naturally and through human activities. The largest source of CO₂ emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, industrial facilities, and other sources. A number of specialized industrial production processes and product uses such as mineral production, metal production, and the use of petroleum-based products can also lead to CO₂ emissions. The atmospheric lifetime of CO₂ is variable because it is so readily exchanged in the atmosphere (USEPA 2008a).

Methane

Methane (CH₄) is a colorless, odorless gas that is not flammable under most circumstances. CH₄ is the major component of natural gas, about 87 percent by volume. It is also formed and released to the atmosphere by biological processes occurring in anaerobic environments. Methane is emitted from a variety of both human-related and natural sources. Human-related sources include fossil fuel production, animal husbandry (enteric fermentation in livestock and manure management), rice cultivation, biomass burning, and waste management. These activities release significant quantities of methane to the atmosphere. Natural sources of methane include wetlands, gas hydrates, permafrost, termites, oceans, freshwater bodies, non-wetland soils, and other sources such as wildfires. Methane's atmospheric lifetime is about 12 years (USEPA 2006a).

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

Nitrous Oxide

Nitrous oxide (N_2O) is a clear, colorless gas with a slightly sweet odor. N_2O is produced by both natural and human-related sources. Primary human-related sources of N_2O are agricultural soil management, animal manure management, sewage treatment, mobile and stationary combustion of fossil fuels, adipic acid production, and nitric acid production. N_2O is also produced naturally from a wide variety of biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N_2O is approximately 120 years (USEPA 2006b).

Hydrofluorocarbons

Hydrofluorocarbons (HFCs) are man-made chemicals, many of which have been developed as alternatives to ozone-depleting substances for industrial, commercial, and consumer products. The only significant emissions of HFCs before 1990 were of the chemical HFC-23, which is generated as a byproduct of the production of HCFC-22 (or Freon 22, used in air conditioning applications). The atmospheric lifetime for HFCs varies from just over a year for HFC-152a to 260 years for HFC-23. Most of the commercially used HFCs have atmospheric lifetimes of less than 15 years (e.g., HFC-134a, which is used in automobile air conditioning and refrigeration, has an atmospheric life of 14 years) (USEPA 2006c).

Perfluorocarbons

Perfluorocarbons (PFCs) are colorless, highly dense, chemically inert, and nontoxic. There are seven PFC gases: perfluoromethane (CF_4), perfluoroethane (C_2F_6), perfluoropropane (C_3F_8), perfluorobutane (C_4F_{10}), perfluorocyclobutane (C_4F_8), perfluoropentane (C_5F_{12}), and perfluorohexane (C_6F_{14}). Natural geological emissions have been responsible for the PFCs that have accumulated in the atmosphere in the past; however, the largest current source is aluminum production, which releases CF_4 and C_2F_6 as byproducts. The estimated atmospheric lifetimes for CF_4 and C_2F_6 are 50,000 and 10,000 years, respectively (EFCTC 2003; USEPA 2006a).

Nitrogen Trifluoride

Nitrogen trifluoride (NF_3) is an inorganic, colorless, odorless, toxic, nonflammable gas used as an etchant in microelectronics. Nitrogen trifluoride is predominantly employed in the cleaning of the plasma-enhanced chemical vapor deposition chambers in the production of liquid crystal displays and silicon-based thin film solar cells. It has a global warming potential of 17,200 carbon dioxide equivalents (CO_2e). While NF_3 may have a lower global warming potential than other chemical etchants, it is still a potent GHG. In 2009, NF_3 was listed by California as a high global warming potential GHG to be listed and regulated under Assembly Bill (AB) 32 (Section 38505 Health and Safety Code).

Sulfur Hexafluoride

Sulfur hexafluoride (SF_6) is an inorganic compound that is colorless, odorless, nontoxic, and generally nonflammable. SF_6 is primarily used as an electrical insulator in high voltage equipment. The electric power industry uses roughly 80 percent of all SF_6 produced worldwide. Significant leaks occur from aging equipment and during equipment maintenance and servicing. SF_6 has an atmospheric life of 3,200 years (USEPA 2008b).

Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. Gases with high global warming potential, such as HFCs, PFCs, and SF₆, are the most heat-absorbent. Methane traps over 21 times more heat per molecule than CO₂, and N₂O absorbs 310 times more heat per molecule than CO₂. Often, estimates of GHG emissions are presented in carbon dioxide equivalents (CO₂e), which weight each gas by its global warming potential. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO₂ were being emitted. **Table 3.2-1** shows the global warming potentials for different GHGs for a 100-year time horizon.

TABLE 3.2-1
GLOBAL WARMING POTENTIAL FOR GREENHOUSE GASES

Greenhouse Gas	Global Warming Potential
Carbon Dioxide (CO ₂)	1
Methane (CH ₄)	21
Nitrous Oxide (N ₂ O)	310
Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs)	6,500
Sulfur Hexafluoride (SF ₆)	23,900

Source: BAAQMD 2006

As the name implies, global climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern, respectively. California is a significant emitter of CO₂ in the world and produced 477 million gross metric tons of carbon dioxide equivalents in 2008. Consumption of fossil fuels in the transportation sector was the single largest source of California's GHG emissions in 2008, accounting for 36.4 percent of total GHG emissions in the state. This category was followed by the electric power sector (including both in-state and out-of-state sources) (24.3 percent) and the industrial sector (19.3 percent) (CARB 2010).

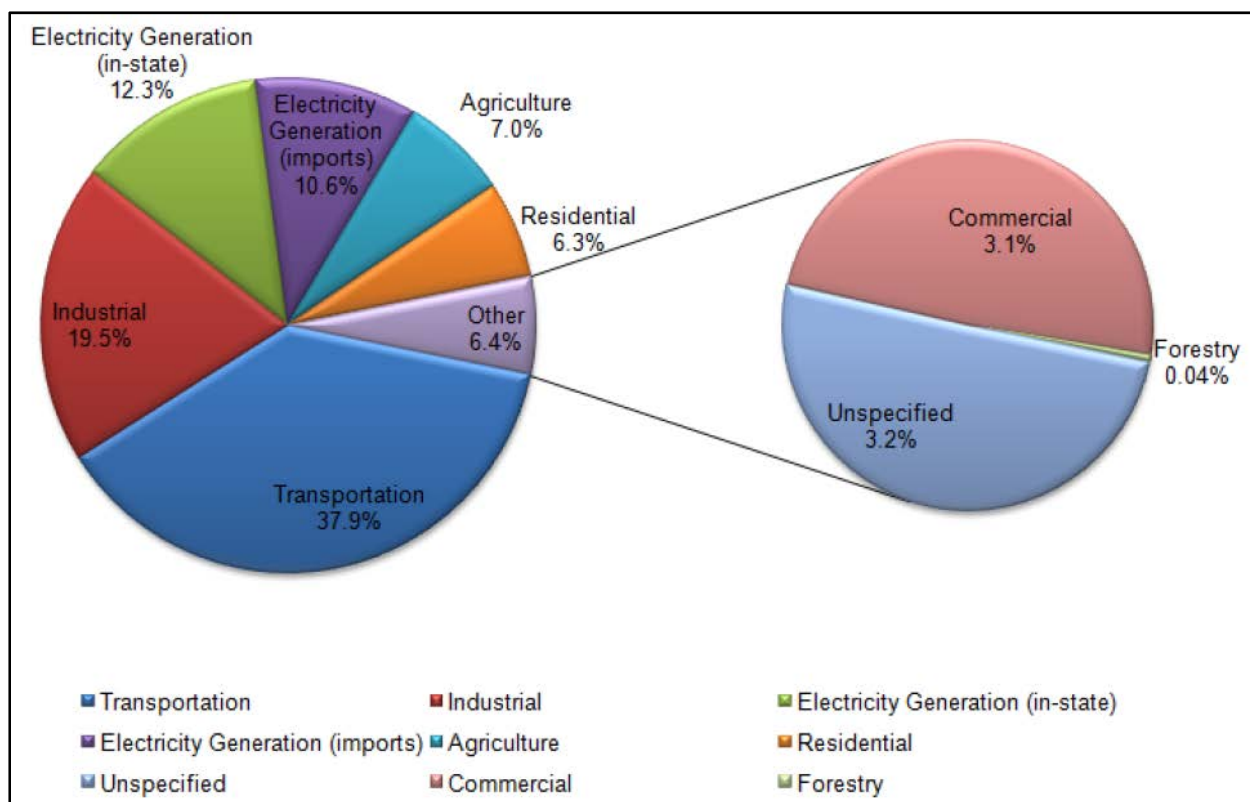
SOURCES OF GHG EMISSIONS

On a global scale, GHG emissions are predominantly associated with activities related to energy production; changes in land use, such as deforestation and land clearing; industrial sources; agricultural activities; transportation; waste and wastewater generation; and commercial and residential land uses. Worldwide, energy production including the burning of coal, natural gas, and oil for electricity and heat is the largest single source of global GHG emissions (USEPA 2014).

In 2009, GHG emissions in California totaled 457 million metric tons of carbon dioxide equivalents (MMTCO₂e). In California, the transportation sector is the largest contributor, accounting for approximately 38 percent of total statewide GHG emissions. Emissions associated with electricity generation are the second largest contributor, totaling roughly 23 percent, with almost equal contributions from in-state and imported electricity. On a global scale, California had the fourteenth largest carbon dioxide emissions and the nineteenth largest per capita emissions (CARB 2011). The State of California GHG emissions inventory is depicted in **Figure 3.2-1**.

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

FIGURE 3.2-1
STATE OF CALIFORNIA GREENHOUSE GASES EMISSIONS INVENTORY



Source: CARB 2011

Note: Totals may not sum due to rounding. Unspecified includes evaporative losses and emissions from use of ozone-depleting substances (ODS) substitutes, which could not be attributed to an individual sector.

EFFECTS OF GLOBAL CLIMATE CHANGE

The effects of climate change in California are the subject of substantial scientific research conducted by experts at various state universities and research institutions. With more than a decade of concerted research, scientists have established that the early signs of climate change are already evident in the state—as shown, for example, in increased average temperatures, changes in temperature extremes, reduced snowpack in the Sierra Nevada, sea level rise, and ecological shifts.

Many of these changes are accelerating—locally, across the country, and around the globe. As a result of emissions already released into the atmosphere, California will face intensifying climate changes in coming decades. Generally, research indicates that California should expect overall hotter and drier conditions with a continued reduction in winter snow (with concurrent increases in winter rains), as well as increased average temperatures and accelerating sea-level rise. In addition to changes in average temperatures, sea level, and precipitation patterns, the intensity of extreme weather events is also changing (CNRA 2009).

Climate change temperature projections identified in the 2009 California Climate Adaptation Strategy suggest the following (CNRA 2009):

- Average temperature increase is expected to be more pronounced in the summer than in the winter season.
- Inland areas are likely to experience more pronounced warming than coastal regions.
- Heat waves are expected to increase in frequency, with individual heat waves also showing a tendency toward becoming longer, and extending over a larger area, thus more likely to encompass multiple population centers in California at the same time.
- As GHGs remain in the atmosphere for decades, temperature changes over the next 30 to 40 years are already largely determined by past emissions. By 2050, temperatures are projected to increase by an additional 1.8 to 5.4°F (an increase one to three times as large as that which occurred over the entire twentieth century).
- By 2100, the models project temperature increases between 3.6 and 9°F.

Precipitation levels are expected to change over the twenty-first century, though models differ in determining where and how much rain and snowfall patterns will change (CNRA 2009). Eleven out of twelve precipitation models run by the Scripps Institution of Oceanography suggest a small to significant (12–35 percent) overall decrease in precipitation levels by mid-century (CNRA 2009). In addition, higher temperatures increase evaporation and make for a generally drier climate, as higher temperatures hasten snowmelt. Moreover, the 2009 California Climate Adaptation Strategy concludes that more precipitation will fall as rain rather than as snow, with important implications for water management in the state. California communities have largely depended on runoff from yearly established snowpack to provide water supplies during the warmer, drier months of late spring, summer, and early autumn. With rainfall and meltwater running off earlier in the year, the State will face increasing challenges of storing water for the dry season while protecting Californians downstream from floodwaters during the wet season.

Changes in average temperature and precipitation are significant. Yet gradual changes in average conditions are not all for which California must prepare. In the next few decades, it is likely that the state will face a growing number of climate change–related extreme events such as heat waves, wildfires, droughts, and floods. Because communities, infrastructure, and other assets are at risk, such events can cause significant damages and are already responsible for a large fraction of near-term climate-related impacts every year (CNRA 2009).

Most climate projections developed to date, including those used in this section of the DEIR, produce gradual if sometimes substantial changes for a given climate variable. In the past, rapid climate changes have been observed and scientists are increasingly concerned about additional abrupt changes that could push natural systems past thresholds beyond which they could not recover. Such events have been recorded in paleoclimatological records but current global climate models cannot predict when they may occur again (CNRA 2009). Such abrupt changes have been shown to occur over very short periods of time (a few years to decades) and thus represent the most challenging situations to which society and ecosystems would need to adapt (CNRA 2009). Short of being able to predict such abrupt changes, scientists are focusing their attention on aspects of the climate and earth system called “tipping elements” that can rapidly bring about abrupt changes.

Tipping elements refer to thresholds where increases in temperature cause a chain reaction of mutually reinforcing physical processes in the earth’s dynamic cycles. The most dangerous of these include the following (CNRA 2009):

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

- A reduction in Arctic sea ice, which allows the (darker) polar oceans to absorb more sunlight, thereby increasing regional warming, accelerating sea ice melting even further, and enhancing Arctic warming over neighboring (currently frozen) land areas.
- The release of methane (a potent GHG), which is currently trapped in frozen ground (permafrost) in the Arctic tundra, will increase with regional warming and melting of the ground, leading to further and more rapid warming and resulting in increased permafrost melting.
- Continued warming in the Amazon could cause significant rainfall loss and large-scale dying of forest vegetation, which will further release CO₂.
- The accelerated melting of Greenland and the West Antarctic Ice Sheet observed in recent times, together with regional warming over land and in the oceans, involves mechanisms that can reinforce the loss of ice and increase the rate of global sea-level rise.

According to the 2009 California Climate Adaptation Strategy, the impacts of global warming in California have the potential to include, but are not limited to, the areas discussed below.

Public Health

Climate change is expected to lead to an increase in ambient (i.e., outdoor) average air temperature, with greater increases expected in summer than in winter months. Larger temperature increases are anticipated in inland communities as compared to the California coast. The potential health impacts from sustained and significantly higher than average temperatures include heat stroke, heat exhaustion, and the exacerbation of existing medical conditions such as cardiovascular and respiratory diseases, diabetes, nervous system disorders, emphysema, and epilepsy. Numerous studies have indicated that there are generally more deaths during periods of sustained higher temperatures, and these are due to cardiovascular causes and other chronic diseases. The elderly, infants, and socially isolated people with pre-existing illnesses who lack access to air conditioning or cooling spaces are among the most at risk during heat waves (CNRA 2009).

Floods and Droughts

The impacts of flooding can be significant. Results may include population displacement, severe psychosocial stress with resulting mental health impacts, exacerbation of pre-existing chronic conditions, and infectious disease (CNRA 2009). Additionally, impacts can range from a loss of personal belongings, and the emotional ramifications from such loss, to direct injury and/or mortality.

Drinking water contamination outbreaks in the United States are associated with extreme precipitation events. Floodwaters may contain household, industrial, and agricultural chemicals as well as sewage and animal waste. Flooding and heavy rainfall events can wash pathogens and chemicals from contaminated soils, farms, and streets into drinking water supplies. Flooding may also overload storm and wastewater systems, or flood septic systems, also leading to possible contamination of drinking water systems. Runoff from rainfall is also associated with coastal contamination that can lead to contamination of shellfish and contribute to foodborne illness (CNRA 2009).

Drought impacts develop more slowly over time. Risks to public health that Californians may face from drought include impacts on water supply and quality, food production (both agricultural and commercial fisheries), and risks of waterborne illness. As surface water supplies are reduced as a result of drought conditions, the amount of groundwater pumping is expected to increase to make up for the water shortfall. The increase in groundwater pumping has the potential to lower the water tables and cause land subsidence (CNRA 2009). Communities that utilize well water will be adversely affected by drops in water tables or through changes in water quality. Groundwater supplies have higher levels of total dissolved solids compared to surface waters. This introduces a set of effects for consumers, such as repair and maintenance costs associated with mineral deposits in water heaters and other plumbing fixtures, and on public water system infrastructure designed for lower salinity surface water supplies. Drought may also lead to increased concentration of contaminants in drinking water supplies (CNRA 2009).

Water Resources

The state's water supply system already faces challenges to provide water for California's growing population. Climate change is expected to exacerbate these challenges through increased temperatures and possible changes in precipitation patterns. The trends of the last century—especially increases in hydrologic variability—will likely intensify in this century. We can expect to experience more frequent and larger floods and deeper droughts (CNRA 2009). The rising sea level will threaten the Delta water conveyance system and increase salinity in near-coastal groundwater supplies (CNRA 2009). Planning for and adapting to these simultaneous changes, particularly their impacts on public safety and long-term water supply reliability, will be among the most significant challenges facing water and flood managers this century.

Agriculture

Increased GHG emissions could cause widespread changes to the agriculture industry, reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25 percent of the water supply they need. California's farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less than optimal development for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts. In addition, continued global climate change could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued global climate change could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

Forests and Landscapes

Global climate change has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, wildfire occurrence statewide could

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

increase from 57 percent to 169 percent by 2085 (CNRA 2009). However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks will not be uniform throughout the state.

Fishing

Studies found that as a result of changes in ocean conditions, the distribution and abundance of major fish stocks will change substantially. Impacts to fisheries related to El Niño/Southern Oscillation illustrate how climate directly affects marine fisheries on a short-term basis. Higher sea surface temperatures in 1997–1998 during El Niño had a great impact on market squid, California's largest fishery by volume. The California Regional Assessment Group reports that landings fell to less than 1,000 metric tons in that season, down from 110,000 tons in the 1996–1997 season. Other unusual events, such as poor salmon returns, a series of plankton blooms, and seabird die-offs, also occurred.

Coastline

With climate changes, recreational facilities and developed coastlines will be more vulnerable to hurricanes, storm surges, and flooding. Increasing population growth in coastal areas is a reason for further concern, since these areas could be more vulnerable to climate change impacts. Impacts of expected sea level rise and increased storm surges are numerous. Beachfront homes and harbors as well as wetlands may flood. Sewage systems may be overwhelmed by storm runoff and high tides.

Sea Level Rise

The San Francisco Bay Conservation and Development Commission (BCDC) issued a report on sea level rise in April 2009, which states that sea level along the West Coast rises approximately 7.9 inches per century, or approximately 0.08 inches per year. However, the rate of sea level rise is increasing. During the period of 1993–2003, the rate was approximately 0.12 inches per year, which could demonstrate the result of human-induced warming on sea level. The BCDC uses the same sea level rise estimates that are used by California Climate Action Team-funded assessments. These estimates anticipate the sea level in the Bay Area will rise 16 inches by mid-century and 55 inches by the end of the century. This data was used to make maps of projected flood areas but does not take into consideration existing shoreline protections; if an area is below sea level, it is shown as vulnerable on their maps despite any existing projections. By mid-century, approximately 180,000 acres of the Bay Area could be flooded, and 213,000 acres could be flooded by the end of the century. A large amount of development along the shoreline is vulnerable to flooding and erosion. Because of Bay Area topography, 100 percent of the development located in 100-year floodplain areas will likely flood by the year 2050. Also, different parts of the Bay Area are more vulnerable to flooding and erosion than others. Several large commercial and industrial developments in the vulnerable areas may be inundated by 2100, including 93 percent of both the Oakland and the San Francisco airports. Half of the vulnerable development is residential, and approximately 270,000 people would be at risk of flooding and problems with erosion. Approximately 4,300 acres of waterfront parks are expected to flood by 2100 (BCDC 2009).

The Bay Area currently has approximately 300 miles of public access to and along the San Francisco Bay shoreline. Of that access, 87 percent is located in areas vulnerable to flooding and erosion by 2100. It may be very hard to relocate or re-create access opportunities in areas farther inland. Jetties and seawalls may have to be raised and strengthened to protect harbors that are used for shipping, recreation, and tourism.

Pittsburg, which encompasses the proposed project, is located in the eastern Bay Area. Much of the developed Bay Area shoreline will require enhanced shoreline protection, which will be developed regionally to maximize safety and minimize impacts on sensitive Bay resources including public access, visual resources, and soil stability. Structural shoreline protections common to the Bay Area include seawalls, riprap revetments, and levees. These protections are reliable but expensive to build and maintain and often cause significant impacts to resources. Incorporating ecosystem elements with engineering elements would provide balanced and long-term shoreline protection.

3.2.2 REGULATORY FRAMEWORK

FEDERAL

International Regulation and the Kyoto Protocol

The United States participates in the United Nations Framework Convention on Climate Change (UNFCCC). While the United States signed the Kyoto Protocol, which would have required reductions in GHGs, Congress never ratified the protocol. The federal government chose voluntary and incentive-based programs to reduce emissions and has established programs to promote climate technology and science. In 2002, the United States announced a strategy to reduce the greenhouse gas intensity of the American economy by 18 percent over a 10-year period from 2002 to 2012.

As part of the commitments to the UNFCCC, the US Environmental Protection Agency (USEPA) has developed an inventory of anthropogenic emissions by sources and removals by sinks of all greenhouse gases. This inventory is periodically updated, with the latest update in 2010. The USEPA reports that total US emissions rose by 14 percent from 1990 to 2007, while the US gross domestic product increased by 59 percent over the same period. A 2.9 percent decrease in emissions was noted from 2007 to 2008, which is reported to be attributable to climate conditions, reduced use of petroleum products for transportation, and increased use of natural gas over other fuel sources. The inventory notes that the transportation sector emits about 32 percent of CO₂ emissions, with 53 percent of those emissions coming from personal automobile use. Residential uses, primarily from energy use, accounted for 21 percent of CO₂ emissions (USEPA 2010a).

As a part of the USEPA's responsibility to develop and update an inventory of US greenhouse gas emissions and sinks, the USEPA compared trends of other various US data. Over the period between 1990 and 2008, GHG emissions grew at an average rate of about 0.7 percent per year. Population growth was slightly higher at 1.1 percent, while energy and fossil fuel consumption grew at 0.9 and 0.8 percent, respectively. Gross domestic product and energy generation grew at much higher rates.

Federal Regulation and the Clean Air Act

In the past, the USEPA has not regulated greenhouse gases under the Clean Air Act because it asserted that the act did not authorize the USEPA to issue mandatory regulations to address global climate change and that such regulation would be unwise without an unequivocally established causal link between GHGs and the increase in global surface air temperatures. However, the US Supreme Court held that the USEPA must consider regulation of motor vehicle GHG emissions. In *Massachusetts v. Environmental Protection Agency et al.*, twelve states and cities, including California, together with several environmental organizations, sued to require the USEPA to regulate GHGs as pollutants under the Clean Air Act (127 S. Ct. 1438 [2007]). The court ruled that

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

GHGs fit within the Clean Air Act's definition of a pollutant and that the USEPA did not have a valid rationale for not regulating GHGs. In response to this ruling, the USEPA made an endangerment finding that GHGs pose a threat to the public health and welfare. This is the first step necessary for the establishment of federal GHG regulations under the Clean Air Act.

In April 2010, the USEPA issued the final rule on new standards for GHG emissions and fuel economy for light-duty vehicles in model years 2017–2025. In November 2010, the USEPA published *PSD and Title V Permitting Guidance for Greenhouse Gases*, which provides the basic information that permit writers and applicants need to address GHG emissions regulated under the Clean Air Act. In that document, the USEPA described the “Tailoring Rule” in the regulation of GHG emissions. With the Tailoring Rule, the USEPA established a phased schedule in the regulation of stationary sources. The first phase of the Tailoring Rule began January 2, 2011, and focuses the GHG permitting programs on the largest sources with the most Clean Air Act permitting experience. Then, in step two beginning June 1, 2011, the rule expanded to cover large sources of GHGs that may not have been previously covered by the Clean Air Act for other pollutants. The rule also describes the USEPA's commitment to future rulemaking that will describe subsequent steps of the Tailoring Rule for GHG permitting (USEPA 2010b).

Mandatory Greenhouse Gas Reporting Rule

In response to the Consolidated Appropriations Act, the USEPA issued the Greenhouse Gas Reporting Rule (74 FR 56260), which requires reporting of GHG emissions and other relevant information from large sources and suppliers in the United States. The USEPA's Greenhouse Gas Reporting Program will assist the USEPA, as well as members of the public and industry, to better understand sources of GHG emissions and to reduce emissions in the future.

STATE

Assembly Bill 1493

Assembly Bill (AB) 1493 (Pavley) of 2002 (Health and Safety Code Sections 42823 and 43018.5) requires the California Air Resources Board (CARB) to develop and adopt the nation's first GHG emission standards for automobiles. These standards are also known as Pavley I. The California Legislature declared in AB 1493 that global warming is a matter of increasing concern for public health and the environment. It cites several risks that California faces from climate change, including a reduction in the state's water supply, an increase in air pollution caused by higher temperatures, harm to agriculture, an increase in wildfires, damage to the coastline, and economic losses caused by higher food, water, energy, and insurance prices. The bill also states that technological solutions to reduce GHG emissions would stimulate California's economy and provide jobs. In 2004, the State of California submitted a request for a waiver from federal clean air regulations, as the State is authorized to do under the Clean Air Act, to allow the State to require reduced tailpipe emissions of CO₂. In late 2007, the USEPA denied California's waiver request and declined to promulgate adequate federal regulations limiting GHG emissions. In early 2008, the State brought suit against the USEPA related to this denial.

In January 2009, President Obama instructed the USEPA to reconsider the Bush Administration's denial of California's and 13 other states' requests to implement global warming pollution standards for cars and trucks. In June 2009, the USEPA granted California's waiver request, enabling the State to enforce its GHG emissions standards for new motor vehicles beginning with the current model year.

Also in 2009, President Obama announced a national policy aimed at both increasing fuel economy and reducing GHG pollution for all new cars and trucks sold in the US. The new standards would cover model years 2012 to 2016 and would raise passenger vehicle fuel economy to a fleet average of 35.5 miles per gallon by 2016. When the national program takes effect, California has committed to allowing automakers who show compliance with the national program to also be deemed in compliance with state requirements. California is committed to further strengthening these standards beginning in 2017 to obtain a 45 percent GHG reduction from the 2020 model year vehicles.

Executive Order S-3-05

Executive Order S-3-05 (State of California) proclaims that California is vulnerable to the impacts of climate change. It declares that increased temperatures could reduce the Sierra's snowpack, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To combat those concerns, the Executive Order established total greenhouse gas emission targets. Specifically, emissions are to be reduced to the 2000 level by 2010, to the 1990 level by 2020, and to 80 percent below the 1990 level by 2050.

The Executive Order directed the secretary of the California Environmental Protection Agency (CalEPA) to coordinate a multi-agency effort to reduce greenhouse gas emissions to the target levels. The secretary will also submit biannual reports to the governor and state legislature describing (1) progress made toward reaching the emission targets, (2) impacts of global warming on California's resources, and (3) mitigation and adaptation plans to combat these impacts. To comply with the Executive Order, the secretary of CalEPA created a Climate Action Team made up of members from various state agencies and commissions. The Climate Action Team released its first report in March 2006 and continues to release periodic reports on progress. The report proposed to achieve the targets by building on voluntary actions of California businesses, local government and community actions, as well as through state incentive and regulatory programs.

Executive Order S-6-06

Executive Order S-6-06 (State of California), signed on April 25, 2006, established two primary goals related to the use of biofuels within California, including: (1) by 2010, 20 percent of its biofuels need to be produced within California; increasing to 40 percent by 2020 and 75 percent by 2050; and (2) by 2010, 20 percent of the renewable electricity should be generated from biomass resources within the state, maintaining this level through 2020.

Assembly Bill 32, the California Global Warming Solutions Act of 2006

AB 32 (Health and Safety Code Sections 38500, 38501, 28510, 38530, 38550, 38560, 38561–38565, 38570, 38571, 38574, 38580, 38590, 38592–38599) requires that statewide GHG emissions be reduced to 1990 levels by the year 2020. The gases that are regulated by AB 32 include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, nitrogen trifluoride, and sulfur hexafluoride. The reduction to 1990 levels will be accomplished through an enforceable statewide cap on GHG emissions that will be phased in starting in 2012. To effectively implement the cap, AB 32 directs CARB to develop and implement regulations to reduce statewide GHG emissions from stationary sources. AB 32 specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then CARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

AB 32 requires that CARB adopt a quantified cap on greenhouse gas emissions representing 1990 emissions levels and disclose how it arrives at the cap, institute a schedule to meet the emissions cap, and develop tracking, reporting, and enforcement mechanisms to ensure that the state achieves reductions in GHG emissions necessary to meet the cap. AB 32 also includes guidance to institute emissions reductions in an economically efficient manner and conditions to ensure that businesses and consumers are not unfairly affected by the reductions.

Climate Change Scoping Plan

In October 2008, CARB published its Climate Change Proposed Scoping Plan, which is the State's plan to achieve GHG reductions in California required by AB 32. The Scoping Plan contains the main strategies California will implement to achieve reduction of 169 million metric tons (MMT) of CO₂e, or approximately 30 percent from the state's projected 2020 emissions level of 596 MMTCO₂e under a business-as-usual scenario (this is a reduction of 42 MMTCO₂e, or almost 10 percent, from 2002–2004 average emissions). The Scoping Plan also includes CARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. The largest proposed GHG reduction recommendations are from improving emissions standards for light-duty vehicles (estimated reductions of 31.7 MMTCO₂e), implementation of the Low Carbon Fuel Standard (15.0 MMTCO₂e) program, energy efficiency measures in buildings and appliances and the widespread development of combined heat and power systems (26.3 MMTCO₂e), and a renewable portfolio standard for electricity production (21.3 MMTCO₂e). The Scoping Plan identifies the local equivalent of AB 32 targets as a 15 percent reduction below baseline GHG emissions level, with baseline interpreted as GHG emissions levels between 2003 and 2008.

A key component of the Scoping Plan is the Renewables Portfolio Standard, which is intended to increase the percentage of renewables in California's electricity mix to 33 percent by year 2020, resulting in a reduction of 21.3 MMTCO₂e. Sources of renewable energy include, but are not limited to, biomass, wind, solar, geothermal, hydroelectric, and anaerobic digestion. Increasing the use of renewables will decrease California's reliance on fossil fuels, thus reducing GHG emissions.

The Scoping Plan states that land use planning and urban growth decisions will play important roles in the state's GHG reductions because local governments have primary authority to plan, zone, approve, and permit how land is developed to accommodate population growth and the changing needs of their jurisdictions. (Meanwhile, CARB is also developing an additional protocol for community emissions.) CARB further acknowledges that decisions on how land is used will have large impacts on the GHG emissions that will result from the transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas emissions sectors. The Scoping Plan states that the ultimate GHG reduction assignment to local government operations is to be determined. With regard to land use planning, the Scoping Plan expects that approximately 5.0 MMTCO₂e will be achieved associated with implementation of Senate Bill 375, which is discussed further below. The Climate Change Proposed Scoping Plan was approved by CARB on December 11, 2008.

CARB approved the First Update of the Scoping Plan on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. CARB's Key Action for the Waste Sector focused on eliminating organics from landfills starting in 2016 and financing the in-state infrastructure development of composting and anaerobic digestion facilities. CARB's Key Action for Short-Lived Climate Pollutants such as methane is to develop a comprehensive strategy by 2015 that will focus on methane generated at landfills from the disposal of organic wastes.

Senate Bill 1368

Senate Bill (SB) 1368 (codified at Public Utilities Code Chapter 3) is the companion bill of AB 32. SB 1368 required the California Public Utilities Commission (CPUC) to establish a greenhouse gas emissions performance standard for baseload generation from investor-owned utilities by February 1, 2007. The bill also required the California Energy Commission (CEC) to establish a similar standard for local publicly owned utilities by June 30, 2007. These standards cannot exceed the greenhouse gas emission rate from a baseload combined-cycle natural-gas-fired plant. The legislation further requires that all electricity provided to California, including imported electricity, must be generated from plants that meet the standards set by the CPUC and the CEC.

Senate Bill 1078 and Governor's Order S-14-08 (California Renewables Portfolio Standards)

Senate Bill 1078 (Public Utilities Code Sections 387, 390.1, 399.25 and Article 16) addresses electricity supply and requires that retail sellers of electricity, including investor-owned utilities and community choice aggregators, provide a minimum 20 percent of their supply from renewable sources by 2017. This Senate Bill will affect statewide GHG emissions associated with electricity generation. In 2008, Governor Schwarzenegger signed Executive Order S-14-08, which set the Renewables Portfolio Standard target to 33 percent by 2020. It directed state government agencies and retail sellers of electricity to take all appropriate actions to implement this target. The proposed project area would receive energy service from the investor-owned Pacific Gas and Electric Company.

Prior to the Executive Order, the CPUC and the CEC were responsible for implementing and overseeing the Renewables Portfolio Standard. The Executive Order shifted that responsibility to CARB, requiring it to adopt regulations by July 31, 2010. CARB is required by current law, AB 32 of 2006, to regulate sources of greenhouse gases to meet a state goal of reducing greenhouse gas emissions to 1990 levels by 2020 and an 80 percent reduction of 1990 levels by 2050. The CEC and the CPUC are expected to serve in advisory roles to help CARB develop the regulations to administer the 33 percent by 2020 requirement. Additionally, the CEC and the CPUC will continue their implementation and administration of the 20 percent requirement. The Executive Order also stipulates that CARB may delegate to the CPUC and the CEC any policy development or program implementation responsibilities that would reduce duplication and improve consistency with other energy programs. CARB is also authorized to increase the target and accelerate and expand the time frame.

The general definition under the State Renewables Portfolio Standard for biomass is any organic material not derived from fossil fuels, including agricultural crops, agricultural wastes and residues, waste pallets, crates, dunnage, manufacturing, and construction wood wastes, landscape and right-of-way tree trimmings, mill residues that result from milling lumber, rangeland maintenance residues, sludge derived from organic matter, and wood and wood waste from timbering operations. Biomass feedstock from state and national forests is allowable under the definition.

Executive Order S-13-08: The Climate Adaptation and Sea Level Rise Planning Directive

On November 14, 2008, Governor Schwarzenegger issued Executive Order S-13-08 in order to reduce and assess California's vulnerability to climate change and sea level rise. The Executive Order initiated four major actions:

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

- Initiate California's first statewide climate change adaptation strategy that will assess the state's expected climate change impacts, identify where California is most vulnerable, and recommend climate adaptation policies by early 2009.
- Request the National Academy of Sciences establish an expert panel to report on sea level rise impacts in California to inform state planning and development efforts.
- Issue interim guidance to state agencies for how to plan for sea level rise in designated coastal and floodplain areas for new projects.
- Initiate a report on critical existing and planned infrastructure projects vulnerable to sea level rise. The California Natural Resources Agency released this report in 2009 as the California Adaptation Strategy.

Mandatory Reporting of Greenhouse Gas Emissions

Reporting of greenhouse gases by major sources is required by the California Global Warming Solutions Act (AB 32, 2006). Revisions to the existing CARB mandatory GHG reporting regulation were considered at the board hearing on December 16, 2010. The revised regulation was approved by the California Office of Administrative Law and became effective on January 1, 2012. The revised regulation affects industrial facilities, suppliers of transportation fuels, natural gas, natural gas liquids, liquefied petroleum gas, and carbon dioxide, operators of petroleum and natural gas systems, and electricity retail providers and marketers.

LOCAL

Bay Area Air Quality Management District

The Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines were developed to assist lead agencies in evaluating air quality impacts for projects and plans in the San Francisco Bay Area Air Basin. The guidelines were updated in 2010 to include guidance on assessing GHG and climate change impacts as required under CEQA Section 15183.5(b) and to establish thresholds of significance for impacts related to GHG emissions. These thresholds can be used to assess plan-level and project-level impacts and allow a lead agency to determine that a project's impact on GHG emissions is less than significant if it is in compliance with a Qualified Greenhouse Gas Reduction Strategy.¹

City of Pittsburg 2005 Greenhouse Gas Emissions Inventory

In 2007, the Contra Costa County Climate Leaders (4CL) program was formed as a network for the county and its 19 cities to provide support for measuring and reducing GHG emissions. As part of the 4CL program, Pittsburg and 15 other local governments in Contra Costa County joined the Cities for Climate Protection program offered by ICLEI-Local Governments for Sustainability.

Two separate emission inventories were prepared for the City of Pittsburg's GHG emissions inventory—a community inventory and a municipal operations inventory. The community inventory includes GHG emissions resulting from activities that occur within the Pittsburg city limits, such as industrial, transportation, commercial, residential, and waste disposal, in the year 2005 as well as those projected for 2020. The municipal operations inventory includes GHG

¹ See discussion under "Standards of Significance" regarding history of judicial review of the BAAQMD CEQA Guidelines.

emissions from activities that are recorded for City accounts, such as energy use from water treatment and pumping, facility energy use, vehicle fleet gasoline and diesel consumption, employee commute trips, the electrical use of streetlights, and waste disposed, also in the year 2005 and as projected for 2020.

With a quantified GHG emissions inventory, the City of Pittsburg next plans to establish a reduction target and develop a climate action plan, which is under development at the time of this writing. Key climate action strategies will be assessed during the development of the climate action plan, which will suggest what degree of reduction is an appropriate target.

3.2.3 IMPACTS AND MITIGATION MEASURES

STANDARDS OF SIGNIFICANCE

Per Appendix G of the State CEQA Guidelines, the City considers impacts related to climate change significant if implementation of the proposed project would result in any of the following:

- 1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- 2) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

As stated in Appendix G, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. On June 2, 2010, the BAAQMD's Board of Directors unanimously adopted thresholds of significance to assist local jurisdictions during the review of projects that are subject to CEQA. These thresholds of significance were designed to establish the level at which the BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA. The BAAQMD's justification for the adopted thresholds of significance was incorporated into Appendix D of the BAAQMD's (2010) updated *California Environmental Quality Act Air Quality Guidelines*.

On March 5, 2012, the Alameda County Superior Court issued a judgment finding that the BAAQMD had failed to comply with CEQA when it adopted the thresholds. The court did not determine whether the thresholds were valid on the merits, but found that the adoption of the thresholds was a project under CEQA. The court issued a writ of mandate ordering the BAAQMD to set aside the thresholds and cease dissemination of them until the BAAQMD had complied with CEQA. The BAAQMD appealed the Alameda County Superior Court's decision. The Court of Appeal of the State of California, First Appellate District, reversed the trial court's decision. The Court of Appeal's decision was appealed to the California Supreme Court, which granted limited review, and the matter is currently pending further review.

In view of the trial court's order, which remains in place pending final resolution of the case, the BAAQMD is no longer recommending that the 2010 significance thresholds be used as a generally applicable measure of a project's significant impacts. Lead agencies will therefore need to determine appropriate thresholds of significance based on substantial evidence in the record. The 2010 significance thresholds, which include significance thresholds for GHG emissions, are based on substantial evidence, as identified in Appendix D of the BAAQMD's *California Environmental Quality Act Air Quality Guidelines*. Given that the trial court's judgment does not pertain to the scientific soundness of the 2010 significance thresholds and given that these thresholds are supported by substantial evidence, as provided by the BAAQMD in

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

Appendix D of the Air Quality Guidelines, these thresholds are used in this DEIR for the evaluation of operational GHG impacts, as noted below (BAAQMD 2010, 2012):

- Operational emissions from stationary sources: 10,000 metric tons (MT) of CO₂e per year
- Operational emissions from non-stationary sources: compliance with a Qualified GHG Reduction Strategy; or 1,100 MTCO₂e per year; or 4.6 MTCO₂e per service population

Operational GHG emissions from non-stationary sources, which include the operation of off-road heavy-duty equipment and on-road vehicle travel to and from the project site, exceeding the above significance threshold of 1,100 MTCO₂e per year would be considered to contribute substantially to a cumulative impact and the impact would be considered significant. In addition, GHG emissions resulting from on-site stationary sources, which include the proposed Biomass Gasification Unit, exceeding the threshold of 10,000 MTCO₂e would be considered to contribute substantially to a cumulative impact. If mitigation can be applied to reduce the emissions such that the proposed project meets its share of emission reductions needed to address the cumulative impact, the project would be considered less than significant. The BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, quantification and disclosure of construction-generated GHG emissions that would occur during construction is recommended. To be conservative, construction-generated GHG emissions were amortized over the estimated life of the project and included with operational emissions for comparison to the significance thresholds. A project life of 25 years was assumed for the proposed project, which is a typically applied assumption for nonresidential land uses.

METHODOLOGY

Greenhouse gas emissions-related impacts were assessed in accordance with methodologies recommended by the BAAQMD and in comparison to the recommended BAAQMD significance thresholds.

Short-term construction-generated GHG emissions associated with the proposed project were calculated using the California Emissions Estimator Model (CalEEMod), version 2013.2.2, based on default parameters contained in the model. Construction equipment requirements and phase schedules were based on project-specific information provided by the project applicant. Modeling assumptions and output files are included in **Appendix E**.

Long-term operational emissions of GHG emissions were derived from the *Analysis of Air Quality Impacts and Greenhouse Gas Emissions, Mount Diablo Resource Recovery Park*, prepared by Air Permitting Specialists (2014). Emissions from on-road motor vehicles and off-road equipment use were quantified for existing and proposed project conditions based, in part, on the operational characteristics previously discussed in Section 3.1, Air Quality. Emission factors were derived from the CalEEMod, OFFROAD, and EMFAC2011 computer programs. The proposed project would facilitate GHG emissions reductions by recycling the waste it manages and furnishing feedstock for composting and biomass energy. Recycling reduces the demand for raw or virgin materials, while remanufacturing with recycled materials generally reduces overall energy use. Recycling also results in increased carbon sequestration by forests since fewer trees need to be harvested for wood and paper products. In addition, well-managed composting ultimately results in increased soil carbon storage, and end use of compost results in reduced demand for water, fertilizer, and other soil inputs. Furthermore, the production of biomass energy reduces the demand for fossil fuels. GHG emission reductions resulting from these project features were derived from the *Mt. Diablo Resource Recovery Park Greenhouse Gas Impact Assessment for the City of Pittsburg Generated Waste Stream for the Baseline Scenario, 2020 and 2035*,

prepared by Edgar & Associates (2012) (see **Appendix E**). This analysis was peer reviewed by PMC prior to the release of this Draft EIR.

PROJECT IMPACTS AND MITIGATION MEASURES

AB 32 Compliance and GHG Emissions

Impact 3.2.1 Implementation of the proposed project would not result in a net increase in greenhouse gas emissions that could potentially conflict with the goals of AB 32 and thus would not result in a significant impact on the environment. The proposed project would result in the avoidance of 154,692 MTCO₂e annually by the year 2020 and 213,697 MTCO₂e annually by the year 2035. The proposed project would result in fewer GHG emissions compared with current conditions and the net greenhouse gas emissions from the proposed project are below the BAAQMD significance thresholds. The proposed project would be considered to have a **less than cumulatively considerable** impact on greenhouse gas emissions.

GHG emissions associated with the operation of the proposed project would include emissions from sources associated with human activity (i.e., anthropogenic), as well as sources associated with natural processes (i.e., biogenic). Anthropogenic emissions would include those associated with the operation of on-road motor vehicles and off-road equipment, whereas biogenic sources would include those associated with the decomposition of wood waste. The release of GHG emissions from anthropogenic sources is believed to increase global temperature by changing the radiative transfer properties of the atmosphere. GHG emissions consist primarily of CO₂ with trace amounts of CH₄ and N₂O. For the combustion of diesel, the primary fuel that will be used with on-site equipment and trucks, methane and nitrous oxide will contribute less than 0.5 percent to the overall greenhouse gases. Collectively, the total emissions of CO₂, CH₄, and N₂O are reported in terms of carbon dioxide equivalents or CO₂e.

Short-Term GHG Emissions

Estimated increases in GHG emissions associated with construction of the proposed project were quantified using the CalEEMod computer program based on default model parameters and construction equipment requirements and schedule durations provided by the project applicant. Based on the modeling conducted, annual emissions of greenhouse gases associated with construction of the proposed project would total approximately 12 to 665 MTCO₂e per year. In total, project construction would generate approximately 707 MTCO₂e. When amortized over the assumed 25-year life of the project, annual GHG emissions would total approximately 28.3 MTCO₂ per year.

Long-Term GHG Emissions

The consumption and disposal of resources require energy and emit GHG emissions. As waste is sent to the landfill, it decomposes and emits methane gas. By providing additional opportunities to reduce waste generated and recycle or compost waste that cannot be eliminated, waste disposal trends within the community can be reduced. This decreased waste will in turn reduce GHG emissions associated with waste disposal. GHG emissions for existing and proposed project conditions, in comparison to BAAQMD-recommended significance thresholds, are summarized below. Emissions estimates are presented for both on-site stationary sources and non-stationary sources in comparison to applicable significance thresholds, as recommended by the BAAQMD.

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

On-Site Permitted Stationary Sources

Based on the modeling conducted, direct emissions associated with the operation of the proposed Biomass Gasification Unit would total approximately 7,818 MTCO_{2e} per year. GHG emissions associated with the operation of the proposed Biomass Gasification Unit would not exceed the BAAQMD's significance threshold of 10,000 MTCO_{2e} for permitted stationary sources. As a result, operation of the proposed Biomass Gasification Unit, in and of itself, would not contribute to a significant net increase of GHG emissions that would either directly or indirectly have a significant impact on the environment, or conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Non-Stationary Sources

As noted in the analysis of air quality impacts and greenhouse gas emissions for the Mt. Diablo Resource Recovery Park (see **Appendix E**), the project would result in an increase of 17,629 MTCO_{2e} emissions from non-stationary sources, including emissions from mobile sources and on-site material handling activities. However, this increase does not factor GHG emission reductions associated with project recycling activities and energy generated by the Biomass Gasification Unit. This analysis is provided below.

Project Greenhouse Gas Emission Reduction

Currently, recycling activities at the Mt. Diablo Resource Recovery Park result in a net reduction of statewide and global GHG emissions. The proposed project consists of an expansion of current recycling efforts, resulting in more recycled materials as well as a Biomass Gasification Unit that would generate 1 megawatt of electrical power. Both of these project components would reduce the amount of GHG emissions when compared with existing conditions as demonstrated below.

Biomass Gasification Unit

The project proposes to construct a Biomass Gasification Unit that would generate 1 megawatt of electrical power using 10,400 tons of waste wood per year (Edgar & Associates 2012). The parasitic energy requirements are 25 percent of the generated electricity, so 750 kilowatts (kW) would be available to offset utility-provided electricity, although downtime for maintenance is assumed to be 5 percent (Edgar & Associates 2012). The GHG emissions reduction benefits of generating on-site biogenic energy are estimated using the California Climate Action Registry emissions factor for utility-provided electricity in California. The balance of wood waste would be shipped to off-site biomass energy facilities, and the GHG impacts for those facilities are arrived at using CARB emission factors (Edgar & Associates 2012).

Utility-provided electric power in California has a carbon intensity of 309 kilograms CO_{2e} per megawatt-hour provided (Edgar & Associates 2012) and includes only anthropogenic power sources. Using this emission factor and considering that the power generated from the Biomass Gasification Unit is biogenic and would provide 750 kW of power to the grid, it would displace 1,929 MTCO_{2e} of indirect anthropogenic electricity emissions per year (see **Table 3.2-2**) (Edgar & Associates 2012).

Avoided Landfill Emissions

The total emissions avoided by recycling are the avoided landfill methane emissions plus the emissions avoided by the use of recycled materials. According to Edgar & Associates (2012),

current recycling operations at the Mt. Diablo Resource and Recovery Park result in a reduction of 14,627 MTCO₂e on an annual basis. Implementation of the proposed project would result in an even greater reduction of 154,692 MTCO₂e on an annual basis by the year 2020 and 213,697 MTCO₂e by the year 2035 (see **Table 3.2-2**) (Edgar & Associates 2012).

TABLE 3.2-2
SUMMARY OF GHG EMISSION REDUCTIONS

Scenario	GHG Emissions (MTCO ₂ e/year)
Current Facility Operations	
Existing GHG Reductions from End Use of Recycled Materials	-12,925
Existing GHG Reductions Resulting from Recycling as Opposed to Landfill Disposal	-1,702
Total Emissions	-14,627
Proposed Facility Operations – Year 2020	
2020 GHG Reductions from End Use of Recycled Materials	-141,903
2020 GHG Reductions Resulting from Recycling as Opposed to Landfill Disposal	-12,789
Total Emissions¹	-154,692
Proposed Facility Operations – Year 2035	
2035 GHG Reductions from End Use of Recycled Materials	-195,133
2035 GHG Reductions Resulting from Recycling as Opposed to Landfill Disposal	-18,564
Total Emissions¹	-213,697

Source: Edgar & Associates 2012

Note: ¹ GHG emissions reductions include avoided emissions from the Biomass Gasification Unit. Note that this includes both on- and off-site biomass energy generation. For on-site biomass energy, only 449 MTCO₂e per year is a result of City of Pittsburgh waste.

Taking into account these avoided emissions, the proposed project would result in an overall net decrease in emissions from non-stationary sources of GHG emissions as depicted in **Table 3.2-2**. This table also depicts emissions associated with the beneficial landfill use of fines, landfilled waste, and recycling recovery emissions.² As shown, the proposed project would result in a substantial increase in avoided emissions due to an increase of material recycled.

It is also important to note that the proposed project would result in increased waste processing rates, which would require increased on-site retention of organic waste materials. The decomposition of organic waste materials may be a potential source of on-site GHG emissions, particularly when stored in exterior areas under anaerobic conditions. However, an Odor Impact Minimization Plan has been prepared for the proposed project, which includes various changes to existing on-site operations. These proposed changes in operations would limit the outdoor storage of co-collected waste materials to 48 hours in outdoor areas. In addition, no commercial food waste would be stored in outdoor areas. These operational changes would minimize the potential for anaerobic conditions and the on-site generation of GHG emissions associated with

² Fines are recovered from the construction and demolition facility and used beneficially at the landfill as alternative daily cover or as wet weather pad. In addition to providing materials for recycling, composting, and biomass energy feedstock, the Mt. Diablo Resource Recovery Park disposes of material that enters the transfer station and residuals from their recovery operations.

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

the decomposition of waste. As a result, the potential GHG emissions associated with the on-site decomposition of collected waste materials would be considered to result in a minimal contribution to overall GHG emissions. While short-term storage of the organic waste materials associated with project operations would generate some GHGs due to decomposition, these emissions would be less than if these materials were diverted to a composting facility or disposed in a landfill instead of being processed at the project.

Conclusion

With the inclusion of amortized construction-generated GHG emissions, implementation of the proposed project would result in increased emissions from on-site stationary sources and non-stationary sources totaling approximately 25,450 MTCO₂e per year. However, these increases in GHG emissions would be more than offset by avoided emissions that would result with project implementation, including reductions in energy production emissions and avoided landfill emissions. As noted above, the proposed project would result in the avoidance of 154,692 MTCO₂e annually by the year 2020 and 213,697 MTCO₂e annually by the year 2035. The proposed project would therefore not result in a net increase in GHG emissions that would exceed the BAAQMD significance threshold of 1,100 MTCO₂e annually. The proposed project would result in fewer GHG emissions compared with current conditions and is therefore a benefit to the environment. Therefore, the proposed project would not result in a cumulatively considerable contribution of greenhouse gas emissions.

Mitigation Measures

None required.

REFERENCES

- Ambient Air Quality & Noise Consulting. 2013. Memorandum: "Construction-Generated Emissions, Mt. Diablo Resource Recovery Park."
- APS (Air Permitting Specialists). 2014. *Analysis of Air Quality Impacts and Greenhouse Gas Emissions, Mount Diablo Resources Recovery Park.*
- BAAQMD (Bay Area Air Quality Management District). 2006. *Source Inventory of Bay Area Greenhouse Gas Emissions.*
- . 2010. *California Environmental Quality Act Air Quality Guidelines.*
- . 2012. "Updated CEQA Guidelines." Accessed August 25, 2012. <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx>.
- BCDC (San Francisco Bay Conservation and Development Commission). 2009. (April) Draft Staff Report. *Living with a Rising Bay: Vulnerability and Adaptation in San Francisco Bay and on its Shoreline.* http://www.bcdc.ca.gov/planning/climate_change/climate_change.shtml.
- California Climate Action Registry. 2009. *California Climate Action Registry General Reporting Protocol Version 3.1.*
- CARB (California Air Resources Board). 2004. *Climate Change Emissions Control Regulations.*
- . 2010. *California Greenhouse Gas Inventory for 2000–2008.* <http://www.arb.ca.gov/cc/inventory/data/data.htm>.
- . 2011. *California Greenhouse Gas Emissions Inventory: 2000–2009.* http://www.arb.ca.gov/cc/inventory/pubs/reports/ghg_inventory_00-09_report.pdf.
- CEC (California Energy Commission). 2008. *Building Energy Efficiency Standards for Residential and Nonresidential Buildings.* <http://www.energy.ca.gov/title24/>.
- City of Pittsburg. 2001. *City of Pittsburg General Plan 2020: Draft Environmental Impact Report.*
- . 2009. *Draft 2005 Greenhouse Gas Emissions Inventory.*
- CNRA (California Natural Resources Agency). 2009. *2009 California Climate Adaptation Strategy.*
- CPUC (California Public Utilities Commission). 2007. *Interim Opinion on Phase 1 Issues: Greenhouse Gas Emissions Performance Standard. Decision 07-01-039.* http://docs.cpuc.ca.gov/published/FINAL_DECISION/64072.htm.
- Edgar & Associates. 2012. *Mt. Diablo Resource Recovery Park Greenhouse Gas Impact Assessment for the City of Pittsburg Generated Waste Stream for the Baseline Scenario, 2020 and 2035.*
- EFCTC (European Fluorocarbons Technical Committee). 2003. *Fluorocarbons and Sulphur Hexafluoride: Perfluorocarbons (PFCs) Fact Sheet.*

3.2 CLIMATE CHANGE AND GREENHOUSE GASES

Fehr & Peers. 2012. Memorandum: "Trip Generation for Mt. Diablo Resource Recovery Park – Revised."

USEPA (US Environmental Protection Agency). 2006a. "Methane." <http://www.epa.gov/methane/index.html>.

———. 2006b. "Nitrous Oxide." <http://www.epa.gov/nitrousoxide/index.html>.

———. 2006c. "High Global Warming Potential Gases." <http://www.epa.gov/highgwp/scientific.html>.

———. 2008a. *Climate Change – Greenhouse Gas Emissions: Carbon Dioxide*.

———. 2008b. "SF₆ Emission Reduction Partnership for Electric Power Systems: Basic Information." <http://www.epa.gov/electricpower-sf6/basic.html>.

———. 2010a. *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2008*.

———. 2010b. *PSD and Title V Permitting Guidance for Greenhouse Gases*.

———. 2014. "Sources of Greenhouse Gas Emissions." <http://www.epa.gov/climatechange/ghgemissions/sources.html>.

3.3 HAZARDS AND HAZARDOUS MATERIALS

3.3 HAZARDS AND HAZARDOUS MATERIALS

This section of the Draft EIR (DEIR) addresses the potential environmental impacts of the proposed project related to hazards and hazardous materials. The project site's hazardous materials use history is described and surrounding hazardous materials sites are identified. The impact analysis focuses on potential impacts associated with the transport, use, and disposal of hazardous materials associated with the proposed project as well as potential impacts to the proposed project related to existing hazardous materials sites in the area. The impact analysis also addresses emergency access to and surrounding the site. The information in this section is based on review of the Pittsburg General Plan and associated EIR, the City's Emergency Response Plan and Hazardous Waste Management Plan (HWMP), applicable federal, state, and local regulations related to hazardous materials, and hazardous materials incidents databases. The reader is referred to Section 3.4, Hydrology and Water Quality, for information related to flooding hazards.

The City published a Notice of Preparation (NOP) for the project. A copy of the NOP, along with comments received during the public review period, is contained in **Appendix A**. No comments were received related to hazards or hazardous materials.

3.3.1 EXISTING SETTING

HAZARDOUS MATERIALS AND WASTE DEFINED

According to 22 California Code of Regulations (CCR) Section 66261.20, the term "hazardous substance" refers to both hazardous materials and hazardous wastes and both are classified according to four properties: toxicity, ignitability, corrosiveness, and reactivity. A hazardous material is defined by 22 CCR Section 66261.10 as a substance or combination of substances that may cause or significantly contribute to an increase in serious, irreversible, or incapacitating illness or may pose a substantial presence or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

Public health is potentially at risk whenever hazardous materials are or will be used. It is necessary to differentiate between the hazard of these materials and the acceptability of the risk they pose to human health and the environment. A hazard is any situation that has the potential to cause damage to human health and the environment. The risk to health and public safety is determined by the probability of exposure and to the inherent toxicity of a material (DTSC 2011).

Factors that can influence health effects when human beings are exposed to hazardous materials include the dose the person is exposed to, the frequency of exposure, the duration of exposure, the exposure pathway (route by which a chemical enters a person's body), and the individual's unique biological susceptibility.

Hazardous wastes are hazardous substances that no longer have practical use, such as materials that have been discarded, discharged, spilled, or contaminated or are being stored until they can be disposed of properly (22 CCR Section 66261.10). Soil that is excavated from a site containing hazardous materials is a hazardous waste if it exceeds specific 22 CCR criteria. While hazardous substances are regulated by multiple agencies, as described under the Regulatory Framework subsection below, cleanup requirements for hazardous wastes are determined on a case-by-case basis according to the agency with lead jurisdiction over the project.

3.3 HAZARDS AND HAZARDOUS MATERIALS

EXISTING SETTING

Contra Costa County is one of the largest generators of hazardous waste in the state, with the majority of this waste generated by industrial uses located along waterfronts. Most significant of these uses are the petroleum and chemical processing plants in the northeastern portion of Pittsburg, in which the project site is located. Potential hazards associated with these uses and transport of hazardous materials is related to the toxicity, flammability, and explosivity of petroleum and chemical materials (City of Pittsburg 2001).

HAZARDOUS MATERIALS SITES IN PROJECT AREA

GeoTracker is the State Water Resources Control Board's online database that provides access to statewide environmental data and tracks regulatory data for the following types of sites:

- Leaking underground fuel tank (LUFT) cleanup sites;
- Cleanup Program Sites (CPS; also known as Site Cleanups and formerly known as Spills, Leaks, Investigations, and Cleanups [SLIC] sites);
- Military sites (consisting of military underground storage tank [UST] sites, military privatized sites, and military cleanup sites [formerly known as DoD non UST]);
- Land disposal sites (landfills); and
- Permitted UST facilities.

In October of 2013, a search was performed using GeoTracker to identify any known or suspected (reported but not yet confirmed) sources of environmental hazards within 3 miles of the project site. Beyond 3 miles, any impact on the site is remote and unlikely.

The GeoTracker search identified 117 records within 3 miles of the project site. Of those records, 68 represented past incidents and issues that have been remediated and their records closed and that do not present a concern for the project site or the proposed project. The remaining 49 records and their approximate locations relative to the project site are listed in **Table 3.3-1** below.

As shown in the table, the site of the existing facility (Site No. 1, Former Crown Cork and Seall Company, Inc.) is identified as a known hazardous release site by the State Water Resources Control Board (SWRCB). Its current status is listed as "Open – Verification Monitoring" which, according to the SWRCB, indicates that remediation phases at the site are essentially complete, a monitoring/sampling program is occurring to confirm successful completion of cleanup at the site, and no additional active remediation is considered necessary (SWRCB 2013).

As described in Chapter 2.0, Project Description, the project includes an 18.5-acre addition to the existing facility. With the exception of the existing 3.5-acre GWF property and a 5-acre area currently used by the facility for parking and storage, the addition area was analyzed for development in the Columbia Solar Energy Project Mitigated Negative Declaration (MND; SCH# 2013012038; **Appendix D**). According to the Columbia Solar MND, this portion of the addition is identified on the California Department of Toxic Substances Control (DTSC) list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 as well as in the SWRCB's Geotracker database as a subarea of the USS-POSCO Industries (UPI) site (Site No. 2, USS-POSCO, WMU II). The current status of the larger USS-POSCO Industries site is listed by the SWRCB as "Open" and by DTSC as "Active." According to DTSC, an "Active" case indicates that an investigation

and/or remediation is currently in progress. However, remediation to commercial/industrial standards was approved for the subarea (Site L-A) in 2005. Corrective actions taken on this portion of the site are discussed further below.

PROJECT SITE BACKGROUND

Past Uses

The project site and surrounding properties have a long history involving the use, storage, and management of hazardous materials related to various industrial operations. Prior to 1954, the site was owned by United States Steel Corporation (now known as USS-POSCO Industries). The western portion of the project site was used by USS-POSCO as part of a landfill for disposal of metal slag, wire mill scale, waste oils, grease, paints, spent solvents, sodium dichromate, and miscellaneous wastes from 1930 to 1980. Landfill materials and potential associated contaminants may also underlie areas of the southwestern portion of the site of the existing facility. The site of the existing facility was occupied by various steel can and metal shearing manufacturing operations from approximately 1954 to 1992. These operations involved the use of numerous chemical compounds that can be grouped into three general categories: (1) food-grade enamels, coatings, and sealing compounds; (2) solvents and thinners; and (3) lubricants and hydraulic oils.

Previous Hazardous Materials Investigations and Corrective Actions

Existing Facility

Investigation of potential impacts related to the potential release of hazardous materials at the project site was begun in 1985 and included a series of evaluations of site history and soil and groundwater sampling and remediation activities (City of Pittsburg 1995). Remediation has been completed on the site and groundwater wells are now monitored by the San Francisco Bay Regional Water Quality Control Board to ensure contaminant levels remain below applicable standards (SWRCB 2011).

Addition Areas

As described above, the addition, excluding the former GWF facility, is listed as a subarea (Site L-A) of the larger USS-POSCO Industries site. Under a corrective action for the larger USS-POSCO Industries site, supervised by DTSC, this area was characterized and a number of individual disposal locations were identified and remediated to DTSC-approved site-specific clean-up levels. The completed corrective action measures included excavation and offsite disposal of known materials with hazardous constituent concentrations exceeding cleanup levels (URS 2009a; DTSC 2010). The cleanup levels are designed to be protective for industrial/commercial worker exposures. Construction worker exposure would be further controlled to safe levels by a project-specific Soil Management Plan (SMP) and Health and Safety Plan (HSP) required by a restrictive land use covenant (LUC).

3.3 HAZARDS AND HAZARDOUS MATERIALS

**TABLE 3.3-1
IDENTIFIED HAZARDOUS MATERIALS/RELEASE SITES WITHIN 3 MILES OF THE PROJECT SITE**

No.	Site Name	Status	Distance	Direction
1	FORMER CROWN CORK AND SEAL COMPANY, INC	OPEN - VERIFICATION MONITORING	0.00	
2	USS-POSCO, WMU II	OPEN	0.00	
3	USS INDUSTRIAL PARK	OPEN - SITE ASSESSMENT	0.05	SOUTH
4	USS REALTY DEVELOPMENT	OPEN - SITE ASSESSMENT	0.06	EAST
5	USS STEEL POSCO – PITTSBURG	OPEN – INACTIVE	0.12	NORTH
6	USS INDUSTRIAL PARK SITE #2	OPEN – SITE ASSESSMENT	0.17	NORTH
7	KNA CALIFORNIA	OPEN - SITE ASSESSMENT	0.18	EAST
8	DOW CHEMICAL CO PITTSBURG FACILITY – LANDFILL	OPEN	0.24	NORTH
9	DOW CHEMICAL CO PITTSBURG FACILITY	OPEN - REMEDIATION	0.24	NORTH
10	SALT RIVER CONSTRUCTION	OPEN – SITE ASSESSMENT	0.90	NORTHEAST
11	GWF POWER SYSTEMS INC	OPEN – INACTIVE	0.92	NORTHWEST
12	KOCH CARBON BAY AREA BULK TERMINAL	OPEN – VERIFICATION MONITORING	1.04	NORTHWEST
13	DIABLO SERVICES	OPEN – INACTIVE	1.18	NORTHWEST
14	HIGHLANDS RANCH PHASE II	OPEN – REMEDIATION	1.24	SOUTH
15	MANVILLE SALES CORP	OPEN – INACTIVE	1.31	NORTHWEST
16	GREAT AMERICAN CLEANERS	OPEN – ASSESSMENT AND INTERIM REMEDIAL ACTION	1.41	SOUTH
17	SHELL SS (EX-TEXAXO/REGAL)	OPEN - ELIGIBLE FOR CLOSURE	1.44	SOUTHEAST
18	PG&E ANTIOCH SERVICE YARD	OPEN – SITE ASSESSMENT	1.50	SOUTHEAST
19	REDDING PETROLEUM	OPEN – REMEDIATION	1.52	NORTHWEST
20	USA GASOLINE CORPORATION	OPEN – VERIFICATION MONITORING	1.54	SOUTHEAST
21	PITTSBURG REDEVELOPMENT #1	OPEN – ELIGIBLE FOR CLOSURE	1.55	NORTHWEST
22	BELL GAS	OPEN – REMEDIATION	1.56	NORTHWEST
23	PITTSBURG 81 088, CITY OF	OPEN – INACTIVE	1.60	WEST
24	PETRO EXPRESS	OPEN – REMEDIATION	1.60	EAST
25	CAMP STONEMAN	OPEN - INACTIVE	1.70	SOUTHWEST

3.3 HAZARDS AND HAZARDOUS MATERIALS

No.	Site Name	Status	Distance	Direction
26	BAY POINT CORNER LOT	OPEN - INACTIVE	1.71	SOUTHWEST
27	ANCHOR GLASS LANDFILL	OPEN	1.76	EAST
28	USA GASOLINE STATION NO. 127	OPEN – SITE ASSESSMENT	1.85	SOUTHWEST
29	BEACON	OPEN – SITE ASSESSMENT	1.86	SOUTHWEST
30	FORT KNOX PITTSBURG	OPEN – INACTIVE	1.87	SOUTHWEST
31	SUPERIOR CAR WASH	OPEN – VERIFICATION MONITORING	1.91	SOUTHWEST
32	CITY OF ANTIOCH CORPORATION YARD	OPEN – VERIFICATION MONITORING	1.96	EAST
33	ANTIOCH LANDFILL	OPEN	1.99	SOUTH
34	MEXICO AUTO WRECKERS	OPEN – INACTIVE	2.02	NORTHWEST
35	MIRANT DELTA PITTSBURG POWER PLANT	OPEN – VERIFICATION MONITORING	2.27	NORTHWEST
36	GAS FOR LESS	OPEN – REMEDIATION	2.27	EAST
37	TOSCO – FACILITY #5963	OPEN – ELIGIBLE FOR CLOSURE	2.41	SOUTHEAST
38	PANTELL'S MUSIC BOX	OPEN – ELIGIBLE FOR CLOSURE	2.42	EAST
39	ANCHOR GLASS	OPEN	2.54	EAST
40	A STREET EXTENSION	OPEN – ELIGIBLE FOR CLOSURE	2.74	EAST
41	HICKMONT CANNERY (FORMER)	OPEN – INACTIVE	2.81	EAST
42	HICKMOTT CANNERY (FORMER)	OPEN – ELIGIBLE FOR CLOSURE	2.81	EAST
43	SILVERA PROPERTY	OPEN – REMEDIATION	2.88	EAST
44	UNOCAL #3946	OPEN – VERIFICATION MONITORING	3.00	SOUTHEAST
45	SHELL SS CASE #2	OPEN – REMEDIATION	3.02	SOUTHEAST
46	ANTIOCH DELTA COVE PROJECT	OPEN – INACTIVE	3.03	SOUTHEAST
47	FULTON SHIPYARD	OPEN – SITE ASSESSMENT	3.04	EAST
48	FORMER SERVICE STATION	OPEN - VERIFICATION MONITORING	3.04	SOUTHEAST
49	NARCO	OPEN – INACTIVE	3.05	WEST

Source: SWRCB 2013; SWRCB 2014

Notes: Does not include closed and remediated records.

3.3 HAZARDS AND HAZARDOUS MATERIALS

In 2005, the DTSC approved the Corrective Action Measures Completion Report submitted by UPI, affirming that the landfill area soils had been sufficiently remediated. A final condition of the landfill area remediation was the recording of an LUC between UPI and DTSC. The LUC limits future uses of the site to commercial or industrial uses and specifically prohibits certain other uses such as agriculture, schools, or hospitals. The LUC also requires that any earth moving activity at the site be performed in accordance with the SMP and HSP (USS-POSCO and DTSC, 2010). The SMP requires monitoring for potentially unknown deposits of hazardous materials during any site grading activities, and their testing and removal if encountered. Responsibility for removal and disposal of contaminated soil or material, if it is encountered, is expected to remain the responsibility of UPI. Furthermore, the SMP requires dust control during grading, restriction of public access to the site, and construction worker health and safety monitoring measures to protect workers and the public. The HSP implements a comprehensive health and safety program for site workers (URS 2009b).

HAZARDOUS WASTE MANAGEMENT IN PITTSBURG

Many industrial operations in the City of Pittsburg involve the use or production of hazardous materials. Most significant are the petroleum and chemical processing plants in the northeastern portion of the city. According to the City's Hazardous Waste Management Plan, 11 large-quantity generators produced approximately 79,500 tons of hazardous waste in 1989. Of this tonnage, about 45 percent was treated on-site and 55 percent was shipped off-site for treatment or recycling. The HWMP estimates that about 2,300 metric tons of hazardous waste is produced by small-quantity generators per year (projected in 1990). The majority is in the form of waste oil from vehicle maintenance shops. Hazardous waste reduction efforts by large generators are estimated to have decreased the amount of waste produced by more than 80 percent since 1990, which primarily resulted from improved production processes at industrial facilities, such as USS-POSCO (City of Pittsburg 2001).

TRANSPORT OF HAZARDOUS MATERIALS

The California Highway Patrol and California Department of Transportation have primary responsibility in regulating the transportation of hazardous waste and materials. Recently, the City designated roadways within Pittsburg that are acceptable for transport of hazardous materials. These roadways are all located within the industrial areas north of State Route (SR) 4, including (City of Pittsburg 2001, p. 10-20):

- Loveridge Road;
- Pittsburg-Antioch Highway;
- Tenth Street/Willow Pass; and
- North Parkside Drive.

3.3.2 REGULATORY FRAMEWORK

FEDERAL

Federal Clean Air Act (42 U.S.C. Section 7401 et seq.)

Administered by the United States Environmental Protection Agency (USEPA), the federal Clean Air Act (CAA) regulates hazardous air pollutants from stationary and mobile sources via National

Ambient Air Quality Standards (NAAQS). Section 112 of the Clean Air Act requires issuance of technology-based standards for major sources and certain area sources. Major sources are defined as a stationary source or group of stationary sources that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants. An area source is any stationary source that is not a major source. For major sources, Section 112 requires that the USEPA establish emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants. These emission standards are commonly referred to as maximum achievable control technology or MACT standards (USEPA 2011).

Federal Clean Water Act (33 U.S.C. Section 1251 et seq.)

The federal Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Under the Clean Water Act, the USEPA implements pollution control programs such as setting wastewater standards for industry and setting water quality standards for all contaminants in surface waters (USEPA 2011).

The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. Industrial, municipal, and other facilities must obtain permits through the USEPA's National Pollutant Discharge Elimination System (NPDES) permit program if their discharges go directly to surface waters. In California, the USEPA has authorized the state to administer the NPDES permit program. As such, the NPDES permit program is discussed further under the "State" subheading below.

Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. Section 9601 et seq.)

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) provides a federal "superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the USEPA identifies parties responsible for any release and assure their participation in the cleanup. The USEPA is authorized to implement CERCLA in all 50 states and in United States territories, though Superfund site identification, monitoring, and response activities are coordinated through the state environmental protection or waste management agencies. The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country and included several site-specific amendments, definition clarifications, and technical requirements (USEPA 2011).

Resource Conservation and Recovery Act (42 U.S.C. Section 6901 et seq.)

The Resource Conservation and Recovery Act (RCRA) gives the USEPA the authority to control hazardous waste from "cradle to grave," including the generation, transportation, treatment, storage, and disposal of hazardous waste. The RCRA also sets forth a framework for the management of nonhazardous solid wastes.

The federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to the RCRA that focus on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the USEPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program (USEPA 2011).

3.3 HAZARDS AND HAZARDOUS MATERIALS

Occupational and Safety Health Act (29 U.S.C. Section 651 et seq.)

The Occupational and Safety Health Act (OSHA) is intended to ensure worker and workplace safety by requiring that employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. OSHA is a division of the United States Department of Labor that oversees the administration of the act and enforces standards in all 50 states.

Toxic Substances Control Act 15 U.S.C. Section 2601 et seq.

The Toxic Substances Control Act (TSCA) provides the USEPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint (USEPA 2011).

Various sections of the TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for “new chemical substances” before manufacture.
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found.
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a “significant new use” that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and recordkeeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform the USEPA, except where the USEPA has been adequately informed of such information.

Federal Hazardous Materials Transportation Law and Hazardous Materials Regulations (49 U.S.C. Section 5101 et seq.)

The federal hazardous materials transportation law is the basic statute regulating hazardous materials transportation in the United States. Section 5101 of the federal hazmat law states that the purpose of the law is to protect against the risks to life, property, and the environment that are inherent in the transportation of hazardous material in intrastate, interstate, and foreign commerce.

The Hazardous Materials Regulations (HMR) are administered by the Pipeline and Hazardous Material Safety Administration (PHMSA) and implement the federal hazmat law. The HMR govern the transportation of hazardous materials via highway, rail, vessel, and air by addressing hazardous materials classification, packaging, hazard communication, emergency response information, and training. The HMR also issues procedural regulations, including provisions on registration and public sector training and planning grants (49 CFR Parts 105, 106, 107, and 110). The Pipeline and Hazardous Material Safety Administration issues the HMR (PHMSA 2011).

STATE

Unified Program

The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of the following six environmental and emergency response programs (CalEPA 2011):

- The Hazardous Waste Generator (HWG) program and Hazardous Waste Onsite Treatment activities;
- The Aboveground Storage Tank (AST) program Spill Prevention Control and Countermeasure Plan requirements;
- The Underground Storage Tank (UST) program;
- The Hazardous Materials Release Response Plans and Inventory (HMRRP) program;
- California Accidental Release Prevention (CalARP) program; and
- The Hazardous Materials Management Plans and the Hazardous Materials Inventory Statement (HMMP/HMIS) requirements.

The state agencies responsible for these programs set the standards, while local governments implement the standards. The California Environmental Protection Agency (CalEPA) oversees implementation of the Unified Program as a whole, and the local Certified Unified Program Agency (CUPA) is required to consolidate, coordinate, and make consistent the administrative requirements, permits, fee structures, and inspection and enforcement activities for these six program elements. Most CUPAs have been established as a function of a local environmental health or fire department. The Contra Costa County Health Services Department, Hazardous Materials Division, is the CUPA for Contra Costa County.

REGIONAL

Contra Costa County Health Services Department, Hazardous Materials Division

As previously stated, the Contra Costa County Health Services Department, Hazardous Materials Division (CCHSHM), is the CUPA for Contra Costa County. As such, the CCHSHM implements the programs in the county discussed below.

Hazardous Materials Business Plan Program

The Hazardous Materials Business Plan (HMBP) program regulates businesses that store 55 gallons of hazardous materials as a liquid, 500 pounds of hazardous materials as a solid, or 200 cubic

3.3 HAZARDS AND HAZARDOUS MATERIALS

feet of hazardous materials as a gas. For regulated businesses, there is an annual inventory-reporting requirement that involves completing forms sent out by the CCHSHM every December. In addition to the annual reporting requirement, a regulated business is required to have a current emergency response plan and site diagram on file at the CCHSHM. A copy of these documents is forwarded to the local fire departments so they are aware of the hazardous materials on site. These documents fulfill the requirements of federal law (SARA), as well as state regulations.

The Recycling Center and Transfer Station (RCTS) was required to prepare and submit a Hazardous Materials Business Plan to the County Health Services Department in accordance with state law prior to start of operations.

Hazardous Waste Generator Program

This program ensures the safe and legal handling, storage, and disposal of hazardous waste by inspecting businesses in Contra Costa County that generate hazardous waste and issuing permits and inspecting businesses in the county that perform certain treatments of hazardous waste. Universal waste and silver recovery are also included in the program (CCHSHM 2011).

California Accidental Release Prevention (CalARP) Program

The CalARP Program is designed to prevent catastrophic accidental releases of highly toxic or flammable chemicals. Regulated facilities are required to have prevention programs, including risk management and safety plans, to prevent releases. The plans include identification of regulated materials on-site, worst-case scenarios in terms of off-site consequences of an accidental release, an accidental release prevention program, a five-year accident history, and proposed changes to improve safety. In addition, engineers assigned to the CalARP program conduct regular audits of regulated facilities to ensure compliance with applicable regulations and to verify that potential problems are adequately addressed (Contra Costa Board of Supervisors 2009, p. 6).

Underground Storage Tank Program

This program is intended to protect the public health from exposure to hazardous materials stored in underground storage tanks (USTs), including the protection of groundwater from contamination. Activities to obtain these objectives include annual inspections and the issuance of operating permits, which are also issued for UST system installation, removals, upgrades, and repairs. CCHSHM personnel witness specified phases of the work being conducted on the UST system to ensure that the work is conforming to plans approved by the CCHSHM (CCHSHM 2011).

Aboveground Petroleum Storage Act Program

This program applies to petroleum and petroleum products and byproducts that are stored in aboveground 55-gallon drums or larger containers. The owners/operators of such tanks are required to prepare a Spill Prevention Control and Countermeasure Plan (SPCCP) conforming to applicable federal regulations and including a facility diagram, the type of oil in each container, discharge prevention measures, secondary containment or other discharge/drainage controls, countermeasures for discharge discovery, response and cleanup, methods of disposal of recovered materials, and an emergency contact list (Contra Costa Board of Supervisors 2009, p. 7).

Two large aboveground petroleum storage tanks are located in the main parking area of the project site and are used to fuel trucks associated with the facility. The facility has an approved SPCCP for these tanks.

Hazardous Materials Area Plan

The Contra Costa County Hazardous Materials Area Plan (HMAP) describes the overall hazardous materials emergency response organization within Contra Costa County, establishes the lines of authority and coordination for hazardous materials incidents affecting Contra Costa County, and identifies the roles and responsibilities of local, state, and federal government agencies necessary to minimize the impacts of a hazardous materials incident.

Industrial Safety Ordinance

The Industrial Safety Ordinance requires regulated facilities to implement safety programs to prevent chemical accidents from occurring that could have a detrimental impact to the surrounding communities.

LOCAL

City of Pittsburg Hazardous Waste Management Plan

The City's adopted Hazardous Waste Management Plan (HWMP), prepared in 1990, describes the generation, transport, and disposal of hazardous waste in the city, including both large and small generators.

City of Pittsburg Emergency Response Plan

The City of Pittsburg Emergency Operations Plan (EOP) was last updated in 2005 (City Council Resolution No. 05-10223). The EOP outlines procedures for educating the public about emergency preparedness and also establishes procedures for City response to emergency situations, including management of communication systems, provision of medical assistance, and maintenance of local financing structures and government leadership roles in the aftermath of a significant emergency event (City of Pittsburg 2005).

City of Pittsburg General Plan

The City adopted its current General Plan in 2001. **Appendix F** provides those General Plan policies relevant to hazards and hazardous materials and to the proposed project as well as a preliminary evaluation of the project's consistency with these policies. While this DEIR discusses the project's consistency with the General Plan pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15125(d), the appropriate reviewing authority will ultimately make the determination of the project's consistency with the General Plan.

3.3.3 IMPACTS AND MITIGATION MEASURES

STANDARDS OF SIGNIFICANCE

The impact analysis provided below is based on the CEQA Guidelines Appendix G thresholds of significance. The proposed project would have a significant impact related to hazards and hazardous materials if it would:

3.3 HAZARDS AND HAZARDOUS MATERIALS

- 1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- 2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- 3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- 4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- 5) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.
- 6) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.
- 7) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- 8) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

The Initial Study prepared for the proposed project (see **Appendix A**) determined that the project would have no impact or a less than significant impact related to significance thresholds 3, 5, 6, and 8. In addition, the Columbia Solar Project Mitigated Negative Declaration (State Clearinghouse No. 2013012038; **Appendix D**) found no potentially significant impacts in the area of Hazards and Hazardous Materials as a result of development of the 15 acre vacant site onto which the proposed project would expand. Therefore, these issues are not discussed further in this section. For a discussion of air emissions, see Section 3.1, Air Quality.

METHODOLOGY

The following impact analysis is based on a review of the project site's historical uses and hazardous materials investigations and remediation activities as provided in the records of the State Water Resources Control Board and the California Department of Toxic Substances Control, as well as information provided in the 1995 EIR for the existing facility (City of Pittsburg 1995). This information was used to identify potential hazards to construction workers, facility employees, and the public. The analysis is also based on a review of the proposed site plan and facility operations to identify potential impacts related to the handling of unexpected hazardous materials in the waste stream entering the facility. Finally, the City's Emergency Operations Plan and the proposed site plan and traffic impact analysis were reviewed to determine the project's potential to interfere with the movement of emergency response vehicles or the evacuation plans for the city.

PROJECT IMPACTS AND MITIGATION MEASURES

Hazard to the Public through Routine Transport, Use, or Disposal of Hazardous Materials (Standard of Significance 1)

Impact 3.3.1 Implementation of the proposed project would result in the routine transport, use, and disposal of hazardous materials during both construction and operation that could pose a potential hazard to the public and the environment. However, federal, state, and local regulations provide a comprehensive regulatory system for handling, using, and transporting hazardous materials in a manner that protects human health and the environment. This impact is therefore considered **less than significant**.

No hazardous, infectious, or liquid wastes are accepted at the facility, and the proposed project would not change this. However, household hazardous wastes such as batteries, paints, and oil, as well as hazardous wastes recovered from incoming loads that illegally contain it, are occasionally included in solid waste dropped off by the public and by commercial waste haulers. The facility operates a load check program to screen and filter out such materials in incoming waste loads. Recovered hazardous materials are temporarily stored in a designated area (shown on **Figure 2.0-6**) and transferred off-site for proper disposal in accordance with applicable state and local regulations. This load check program will continue at the facility with project implementation. As discussed in the Regulatory Framework subsection, the facility would update its HMBP and be required to comply with the annual inventory reporting requirement and have a current emergency response plan and site diagram on file at the CCHSHM. The reporting would take into account any increase in hazardous materials associated with the increase in overall solid waste processed at the facility. Therefore, the risk to the public from exposure to hazardous wastes in the waste stream entering the facility would be controlled by existing regulations and would not substantially differ from the current operations.

The facility is an industrial operation with numerous pieces of mechanical equipment that require the handling, use, and storage of hazardous substances such as fuels, oils, lubricants, antifreeze, batteries, solvents and other hazardous substances and waste for routine fueling, maintenance and repair. The addition of a second sorting line at the Material Processing Area as well as the proposed Biomass Gasification Unit (BGU) could increase the amount of such hazardous substances handled, used, and stored on the project site. Because the proposed truck maintenance facility and yard would be relocated from a property east of Loveridge Drive, its operation on the project site would not result in a net increase in hazardous substances used, stored or transported to the area. All hazardous materials present on the project site would continue to be handled, used, and stored in compliance with all applicable federal, state, and local regulations including the facility's updated HMBP, as discussed previously. The project also proposes to relocate the existing fueling station, including both above ground storage tanks, from the MDRF main parking lot to the site of the proposed truck maintenance facility and yard. The facility's current SPCCP would require update and County approval ensuring compliance with applicable federal regulations, as described in the Regulatory Framework subsection. Further, transport of such materials to the project site would be subject to Federal Motor Carrier Safety Administration (FMCSA) regulations concerning highway routing of hazardous materials, hazardous materials endorsements for a commercial driver's license, highway hazardous material safety permits, and financial responsibility requirements for motor carriers of hazardous materials. CCR Title 26, Division 6, which would be monitored by the California Highway Patrol on off-site state highways, requires strict adherence to regulations designed to prevent leakage and spills of material in transit and provides detailed information to cleanup crews in the event of an accident. Under the Rail Haul Operations Plan option, unrecyclable solid waste from the

3.3 HAZARDS AND HAZARDOUS MATERIALS

tipping floor would be placed in collection containers for long-haul by rail to a permitted regional landfill. Transport of solid waste under this option would also be required to comply with applicable regulations with regard to prevention of leakage and spills.

Therefore, even though the proposed project would result in the routine transport, handling, use, and disposal of hazardous materials, the project would be subject to federal, state, and local regulations regarding hazardous materials as discussed above. These regulations provide a comprehensive regulatory system for handling, using, and transporting hazardous materials in a manner that protects human health and the environment to the greatest extent practicable. Therefore, with adherence to existing state, federal, and local regulations, potential hazards to the public and the environment resulting from the proposed project would be reduced to a **less than significant** level.

Mitigation Measures

None required.

Exposure of Persons to Hazardous Materials During Project Construction (Standards of Significance 2 and 4)

Impact 3.3.2 Construction workers could be exposed to hazardous materials during site preparation. However compliance with existing applicable worker health and safety laws and regulations would minimize potential for exposure. With mitigation, this impact would be **less than significant**.

As described above, the project site and surrounding properties have a long history of industrial use involving the use, storage, transport, and disposal of potentially hazardous chemicals, metals, and other materials. Implementation of the proposed project would involve minimal ground disturbance at the site of the proposed truck maintenance facility and yard, BGU and Material Processing Area as well as in those areas proposed for parking and equipment/commodity storage (see **Figure 2.0-7**). In addition, some excavations would be required for the undergrounding of utilities.

The 1995 EIR for the existing facility (City of Pittsburg 1995) indicates that landfill materials with potential associated contaminants may underlie areas of the southwestern portion of the 1995 project site and the adjacent parcel to the west, which encompasses the Mixed C&D Processing Facility. The 1995 EIR also indicates that soil sampling and testing of the site of the former GWF Facility was found in 1989 to contain elevated concentrations of soluble lead (up to 28 milligrams per liter) and Total Petroleum Hydrocarbons (TPH) (up to 290,000 milligrams per kilogram). Although the soil contamination on this parcel was removed by GWF Power prior to development, it is unclear if any such remediation occurred at the adjacent site which is included in the site of the proposed truck maintenance facility and yard. In addition, as described previously, the western portion of the project site was part of the larger USS-POSCO Industries site and was used as part of a landfill for disposal of metal slag, wire mill scale, waste oils, grease, paints, spent solvents, sodium dichromate, and other miscellaneous wastes. Although remediation of this site was completed to commercial/industrial standards and approved in 2005 with land use restrictions, residual contaminants could remain in the soil.

Ground disturbance by construction workers could expose contaminated soils on the project site. The proposed ground-disturbing activities on the site of the existing facility would be limited). Approximately 18.5 acres of the project site will be repaved or resurfaced. . Compliance with

existing worker safety health and safety laws and regulations at these locations would minimize the potential for worker exposure and associated health risks.

Ground disturbing activities on the undeveloped parcels within the western portion of the project site (addition area) would be performed in conformance with the SMP and HSP prepared as part of corrective actions for the larger USS-POSCO Industries site ensuring that the public, workers and the environment would be protected in the event that residual hazardous constituents are encountered.

Furthermore, as required by Mitigation Measure D-1 in the 1995 EIR (City of Pittsburg 1995), a Construction Worker Site Health and Safety Plan was prepared for the site that identifies areas of known contaminant releases and safety procedures for performing work in those areas, as well as procedures in the event unknown contamination is discovered during work. To minimize the potential for exposure and health risks, mitigation measures **MM 3.3.2a** and **MM 3.3.2b** require the applicant to update this existing plan or prepare a new plan for the proposed project and comply with the land use restrictions for the western portion of the project site. Therefore, this impact is **less than significant** with incorporation of mitigation.

Mitigation Measures

MM 3.3.2a The project applicant shall either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire current project site and proposed site preparation and construction activities. The completed plan shall be implemented during all project construction activities. The plan shall address the potential for workers to be exposed to contaminated soils and shall provide specific measures to be implemented to ensure worker health and safety. These measures may include site controls, use of protective clothing, soil watering, hazard awareness training for workers, and/or emergency medical response procedures.

Timing/Implementation: Prior to issuance of grading permits for the 18.5 acre expanded site.

Enforcement/Monitoring: City of Pittsburg Development Services Department

MM 3.3.2b The project applicant shall comply with all relevant requirements of the *Covenant to Restrict Use of Property, Environmental Restriction (Re: A limited portion of County of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site L-A Property, DTSC site code number 520024), DOC-2010-0132574-00 recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010.*

Timing/Implementation: During Site Preparation and Construction

Enforcement/Monitoring: City of Pittsburg Development Services Department

3.3 HAZARDS AND HAZARDOUS MATERIALS

Interference with Emergency Response Plans (Standard of Significance 7)

Impact 3.3.3 Construction and operation of the proposed project would not interfere with implementation of the City's Emergency Operations Plan (EOP). This impact would be **less than significant**.

The City's EOP outlines procedures for educating the public about emergency preparedness and establishes procedures for City response to emergency situations, including management of communication systems, provision of medical assistance, and maintenance of local financing structures and government leadership roles in the aftermath of a significant emergency event (City of Pittsburgh 2005).

Implementation of the proposed project would have no impact on the public education aspects of the EOP. In addition, the project site is not located near any significant communication or medical facilities or infrastructure and would have no effect on access to and operation of such facilities. Furthermore, the project would not result in unacceptable levels of service or delay at area intersections or along area roadways and would not, therefore, interfere with emergency response efforts. This impact would be **less than significant**.

Mitigation Measures

None required.

3.3.4 CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

CUMULATIVE SETTING

The cumulative setting for hazards associated with the proposed project includes proposed, planned, approved, and reasonably foreseeable projects listed in **Tables 3.0-1** through **3.0-3** in Section 3.0, Introduction to the Environmental Analysis and Assumptions Used, of this DEIR.

CUMULATIVE IMPACTS AND MITIGATION MEASURES

Cumulative Hazardous Materials Exposure

Impact 3.3.4 Implementation of the proposed project, along with other proposed, planned, approved, and reasonably foreseeable projects in the area, would have a **less than cumulatively considerable** impacts related to hazards and hazardous materials.

Hazardous material, human health, and safety impacts, as described in State CEQA Guidelines Appendix G, are typically site-specific and not cumulative by nature. Therefore, the cumulative setting for hazardous materials is limited to the project site and the area immediately surrounding the project site. Cumulative hazardous materials impacts would result if the proposed project or other existing, planned, or reasonably foreseeable projects within the cumulative setting area would substantially increase the total amount of hazardous materials being transported over public roadways or being used, stored, or disposed in the area or would newly expose the public to existing hazardous conditions.

As shown in **Table 3.0-3**, there are proposed, planned, approved, or otherwise reasonably foreseeable industrial projects within 3 miles of the project site that could involve hazardous

materials. While implementation of these projects could increase the total amount of hazardous materials in the area, the proposed project would not contribute significantly to this increase based on the day-to-day operations at the site. As described in Impact 3.3.1 above, no hazardous, infectious, or liquid wastes are accepted at the Mt. Diablo facility, and the proposed project would not change this. While small amounts of common household hazardous wastes such as batteries, paints, and oil, as well as hazardous wastes recovered from incoming loads that illegally contain it, are occasionally included in the general solid waste stream entering the facility, a load check program is implemented to screen and remove such materials from the normal waste stream. Any hazardous wastes discovered are temporarily stored on-site in a designated area until they can be properly disposed of in accordance with applicable state and local regulations. Furthermore, all hazardous substances used in the routine fueling, maintenance and repair of equipment and vehicles on the project site would be handled in accordance with all applicable federal, state and local regulations thereby minimizing potential hazards to workers, the public and the environment. Therefore, the proposed project would not contribute significantly to the anticipated cumulative increase in hazardous materials in the area. This impact would be **less than cumulatively considerable**.

Mitigation Measures

None required.

3.3 HAZARDS AND HAZARDOUS MATERIALS

REFERENCES

- CalEPA (California Environmental Protection Agency). 2011. Accessed February 15. <http://www.calepa.ca.gov/>.
- CCHSHM (Contra Costa County Health Services Department, Hazardous Materials Division). 2011. Accessed February 15. <http://cchealth.org/groups/hazmat/>.
- City of Pittsburg. 1995. *Final Environmental Impact Report Recycling Center and Transfer Station State Clearinghouse No. 94063017 Volume I*.
- . 2001. *City of Pittsburg General Plan*.
- . 2005. *City of Pittsburg Emergency Operations Plan*.
- Contra Costa County Board of Supervisors. 2009. *Staff Report on the Determination and Apportionment of CUPA Fees*. June 23.
- Contra Costa County Health Services Department. 2009. *Contra Costa County Hazardous Materials Area Plan*.
- Contra Costa Waste Services. 2010. Conditional Use Permit Application Package: Mt. Diablo Resource Recovery Park. Prepared by Edgar and Associates.
- DTSC (California Department of Toxic Substances Control). 2010. *Land Use Covenant Recording and Completion of the Corrective Action Remedy for Site L-A, USS-POSCO Industries, 900 Loveridge Road, Pittsburg, CA, EPA ID No. CAD 009 150 194*. Letter to Dave Allen (USS-POSCO Industries) from Andrew Berna-Hicks (DTSC) dated July 26, 2010.
- . 2013. Accessed October 10. <http://www.dtsc.ca.gov/>.
- PHMSA (United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration). 2011. Accessed February 11. <http://www.phmsa.dot.gov/>.
- SWRCB (State Water Resources Control Board). 2013. Accessed October 10. GeoTracker. <http://geotracker.waterboards.ca.gov/>.
- . 2014. Accessed June 18, 2014. GeoTracker. <http://geotracker.waterboards.ca.gov/>.
- URS Corporation. 2009a. *Soil Management Plan Site L-A Grading, Trenching, and Excavating Activities (Revision 1)*.
- . 2009b. *Health and Safety Plan Site L-A Grading, Trenching, and Excavating Activities (Revision 1)*.
- USEPA (US Environmental Protection Agency). 2011. Laws and Regulations. Accessed February 11. <http://www.epa.gov/lawsregs/index.html>.
- USS-POSCO Industries and DTSC. 2010. *Covenant to Restrict Use of Property, Environmental Restriction (RE; A limited portion of Country of Contra Costa APN 073-200-021 UPI Pittsburg Facility Site L-A Property, DTSC site code number 520024)*. DOC-2010-0132574-00 recorded by the Contra Costa County Clerk-Recorder's office on July 1, 2010.

3.4 HYDROLOGY AND WATER QUALITY

3.4 HYDROLOGY AND WATER QUALITY

This section of the Draft EIR (DEIR) addresses the potential environmental impacts of the proposed project related to hydrology and water quality. The existing surface water and groundwater hydrologic conditions of the project site and surrounding area are characterized, and a summary of relevant laws and regulations as they apply to the proposed project is provided. The impact analysis focuses on potential degradation of water quality, depletion of groundwater supplies, alteration of existing drainage patterns, and flooding hazards. Information used in the preparation of this section was obtained primarily from the Pittsburg General Plan and Municipal Code, Federal Emergency Management Agency (FEMA) maps and data, the City's 2010 Urban Water Management Plan, and the Conditional Use Permit Application Package for the proposed project. This section was also based on a Preliminary Stormwater Control Plan and a Drainage Assessment prepared for the proposed project by Carlson, Barbee & Gibson, Inc. in July and October 2014, respectively (see **Appendix G**).

The City published a Notice of Preparation (NOP) for the project. A copy of the NOP, along with comments received during the public review period, is contained in **Appendix A**. No comments were received related to hydrology and water quality.

3.4.1 EXISTING SETTING

CLIMATE AND PRECIPITATION

The project area has a dry Mediterranean climate with hot summers and mild winters. Average summer temperatures range from lows in the 50s (Fahrenheit) to highs in the upper 90s. Winter temperatures range from the low 30s to the 60s. In the summer, a steady marine wind blows through the Golden Gate and up through the Sacramento-San Joaquin Delta. Wind velocities of 15 to 30 miles an hour or more are common as this cool marine air moves in to replace the rising warmer inland air. Average precipitation is 13 inches a year, occurring November through April. The hot, dry season of May through October creates a high demand for landscape water (City of Pittsburg 2011b).

SURFACE HYDROLOGY

According to the City's General Plan (2001), the developed portions of the city are within two major watersheds: Kirker and Lawler creeks. The western portion of the city is within the Lawler Creek watershed, which drains into the Suisun Bay. The central and eastern portions of the city, including the project site, are within the Kirker Creek watershed, which drains into New York Slough. The Kirker Creek watershed has an overall area of 8,539 acres and is the most significant watershed in the city. Approximately 7 miles in length, Kirker Creek originates in the southern hills and flows north along Nortonville Road through the city. In the southern hills, the creek and its tributary channels have sufficient capacity to carry peak stormwater flows. Further downstream, however, natural flow capacity declines as the creek channel flattens. Urbanization north of Buchanan Road further decreases capacity as the channel becomes restricted and enclosed by storm drain culverts. Reduction in permeable soils caused by development also increases the total volume and rate of runoff (City of Pittsburg 2001). Land uses in the area within the Kirker Creek drainage basin are primarily urban (City of Pittsburg 2011b).

GROUNDWATER HYDROLOGY

The project site overlays the Pittsburg Plain Groundwater Basin (DWR Basin No. 2-4). The surface area of this basin is approximately 18 square miles and is bounded by the Suisun Bay on the north, the Tracy basin on the east, and the Clayton basin on the west. The southern boundary

3.4 HYDROLOGY AND WATER QUALITY

extends inland 1 to 3 miles from the Suisun Bay. There is little data available for this basin, including total storage capacity and inflows/outflows. However, hydrographs created from California Department of Water Resources (DWR) well data in the basin indicate that groundwater levels have remained fairly stable over the period of record with the exception of static water level drops and subsequent recovery associated with the 1976 to 1977 and 1987 to 1992 drought periods (City of Pittsburg 2011b).

WATER QUALITY

Sources of water pollutants are generally grouped into two categories: point sources and non-point sources. Point sources — fixed structures or land uses — can potentially affect surface water and groundwater supplies by discharging into the local storm drain system. These discharges consist mostly of effluent from industrial facilities and municipal wastewater systems, and are regulated under the federal Clean Water Act through the National Pollutant Discharge Elimination System (NPDES). Non-point sources of pollution include general pollutants from streets, open areas, agricultural fields, and urban lands. Runoff from these sources is generally not collected and directed into a wastewater treatment plant because it is difficult to regulate and manage. This includes runoff from roads and parking lots due to leaking cars and exhaust emissions, as well as industrial emissions and erosion (City of Pittsburg 2001).

Many of the city's industrial and service commercial sites are point sources of soil and groundwater contamination. Examples of substances released by these businesses are petroleum hydrocarbons, metals, and volatile organic compounds. Contamination may be due to leaking underground storage tanks, surface chemical releases, and accidental spills. Non-point sources affecting the Kirker Creek watershed include organic waste produced by cattle in the rangelands south of the city limits as well as stormwater runoff from the surrounding urban area. These materials are ultimately washed into local stream and drainage channels and carried by Kirker Creek through the city and into the San Joaquin Delta (City of Pittsburg 2011a).

The California Clean Water Act Section 303(d) list identifies water bodies with impaired water quality. According to this list, the Suisun Bay is an impaired water body for the following contaminants: chlordane (non-point sources), DDT (non-point sources), dieldrin (non-point sources), dioxin compounds (atmospheric deposition), exotic species (ballast water), furan compounds (atmospheric deposition), mercury (multiple sources), nickel (unknown point source), polychlorinated biphenyls (unknown non-point sources), selenium (exotic species, industrial point sources, natural sources). Total Maximum Daily Loads (TMDLs) for the San Francisco Bay, which includes the Suisun Bay, were adopted to address mercury and polychlorinated biphenyls (PCBs), respectively. TMDLs to address the remaining contaminants are proposed for completion in 2019 (SWRCB 2006).

DRAINAGE AND FLOODING

Soils

The Natural Resources Conservation Service (NRCS) has defined the following four soil group designations:

Group A: Low runoff potential soils having high infiltration rates even when thoroughly wetted and consisting chiefly of deep, well-drained sands or gravels. These soils have a high rate of water transmission.

- Group B:* Soils having *moderate infiltration* rates when thoroughly wetted and consisting chiefly of moderately deep to deep, moderately well to well-drained sandy-loam with moderately fine to moderately coarse textures. These soils have a moderate rate of water transmission.
- Group C:* Soils having a *low infiltration* rate when thoroughly wetted and consisting chiefly of silt-loam soils with a layer that impedes downward movement of water, or soils with moderately fine to fine texture. These soils have a slow rate of water transmission.
- Group D:* *High runoff potential* soils having very slow infiltration rates when thoroughly wetted and consisting chiefly of clay soils with a high swelling potential, soils with a permanent high water table, soils with a clay pan or clay layer at or near the surface, and shallow soils over nearly impervious material. These soils have slow rate of water transmission.

According to the University of California Online Soil Survey, the project site contains Capay Clay, Rincon Clay Loam 0 to 2 percent slopes, and Rincon Clay Loam 2 to 9 percent slopes soils. These soils are classified as hydrologic groups C and D which exhibit slow to very slow infiltration rates (UCD 2013).

Topography and Existing Drainage Patterns

The project site sits at an elevation of approximately 30 feet above mean sea level (msl) and is relatively flat, sloping slightly toward the northwest. Drainage within the northerly portion of the project site, excluding the area proposed for development as a truck maintenance facility and yard, is controlled through the use of drainage ditches and underground pipelines surrounding the perimeter of the existing facility that direct surface water flows toward an outfall along the western edge of the project site. The ditches within the project site include a landscaped stormwater treatment planter located along the eastern side of the MDRF building and a landscaped stormwater pretreatment bioswale located along the western edge of the existing facility. These facilities discharge stormwater via the outfall to an existing drainage ditch on the USS POSCO site. This existing ditch traverses the adjacent 15-acre parcel to the west and the USS POSCO site, flowing east to west away from the existing facility. The existing ditch conveys the stormwater generated from the existing facility site, the 15-acre parcel to the west, and the eastern portions of the USS POSCO site through an existing 36-inch culvert discharging to an existing evaporation basin located near the northern center portion of the USS POSCO site.

The 3.5 acres to the south proposed for development as a truck maintenance facility and yard is the former GWF site and is almost entirely paved. The site drains primarily to Kirker Creek which is located along the southern boundary of this area. This is a separate watershed from the surrounding Contra Costa Waste and USS Posco sites. There is an existing on-site drainage system that consists of concrete swales, inlets and pipelines. This system conveys the on-site drainage from the majority of this 3.5 acre area into Kirker Creek via two separate outfalls, one located on the western side and the other located on the eastern side of the property. A small portion of this area, in its northwest corner, drains overland to the remainder of the project site and is controlled as described above (see **Figure 2.0-2**) (Contra Costa Waste Services 2010).

Flooding Hazards

The western and southern portions of the project site are located within the 100-year flood zone (see **Figure 3.4-1**). The remainder of the site is outside both the 100- and 500-year flood zones (FEMA 2009). In addition, the project site is located less than 1 mile south of the Suisun Bay/Sacramento River Delta and may be at risk of flooding as a result of seiche/tsunami waves. Due to its close proximity to the Suisun Bay, which connects with the Pacific Ocean, the site may also be affected by sea level rise in the future as a result of global climate change.

3.4.2 REGULATORY SETTING

FEDERAL

Clean Water Act

The Clean Water Act (CWA) regulates the water quality of all discharges into waters of the United States including wetlands and perennial and intermittent stream channels. Section 401, Title 33, Section 1341 of the CWA sets forth water quality certification requirements for “any applicant applying for a federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters.” Section 404, Title 33, Section 1344 of the CWA in part authorizes the US Army Corps of Engineers to:

- Set requirements and standards pertaining to such discharges: subparagraph (e);
- Issue permits “for the discharge of dredged or fill material into the navigable waters at specified disposal sites”: subparagraph (a);
- Specify the disposal sites for such permits: subparagraph (b);
- Deny or restrict the use of specified disposal sites if “the discharge of such materials into such area will have an unacceptable adverse effect on municipal water supplies and fishery areas”: subparagraph (c);
- Specify type of and conditions for non-prohibited discharges: subparagraph (f);
- Provide for individual state or interstate compact administration of general permit programs: subparagraphs (g), (h), and (j);
- Withdraw approval of such state or interstate permit programs: subparagraph (i);
- Ensure public availability of permits and permit applications: subparagraph (o);
- Exempt certain federal or state projects from regulation under this Section: subparagraph (r); and
- Determine conditions and penalties for violation of permit conditions or limitations: subparagraph (s).

Section 401 certification is required prior to final issuance of Section 404 permits from the US Army Corps of Engineers.

Federal Emergency Management Agency

The City of Pittsburg is a participant in the National Flood Insurance Program (NFIP), a federal program administered by the Federal Emergency Management Agency (FEMA). Participants in the NFIP must satisfy certain mandated floodplain management criteria. The National Flood Insurance Act of 1968 has adopted as a desired level of protection, an expectation that developments should be protected from flood water damage of the Intermediate Regional Flood (IRF). The IRF is defined as a flood that has an average frequency of occurrence on the order of once in 100 years, although such a flood may occur in any given year. The City is occasionally audited by the DWR to ensure the proper implementation of FEMA floodplain management regulations.

STATE AND REGIONAL

Porter-Cologne Water Quality Act

The Porter-Cologne Water Quality Act governs the coordination and control of water quality in the state and includes provisions relating to non-point source pollution. The California Coastal Commission, pursuant to the Coastal Act, specified duties regarding the federally approved California Coastal Management Program. This law requires that the State Water Resources Control Board, along with the California Coastal Commission, regional boards, and other appropriate state agencies and advisory groups, prepare a detailed program to implement the state's non-point source management plan on or before February 1, 2001. The law also requires that the state board, in consultation with the commission and other agencies, submit copies of prescribed state and regional board reports containing information related to non-point source pollution, on or before August 1 of each year.

Regional Water Quality Control Board, San Francisco Bay Region

The San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) provides planning, monitoring, and enforcement techniques for surface water and groundwater quality in the San Francisco Bay region. The SFBRWQCB is responsible for developing and maintaining a basin plan for the region that provides specific information for individual waterways in the region and establishes monitoring techniques to control pollutant levels within the waterways. The SFBRWQCB also monitors stormwater quality from construction activities through the NPDES permitting process.

San Francisco Bay Regional Water Quality Control Plan (Basin Plan)

The San Francisco Bay Regional Water Quality Control Plan covers approximately 4,603 square miles including portions of nine counties: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma. This region is characterized by its dominant feature, 1,100 square miles of the 1,600-square-mile San Francisco Bay Estuary, the largest estuary on the west coast of the United States, where fresh waters from California's Central Valley mix with saline waters of the Pacific Ocean. The plan describes the beneficial uses to be protected in these waterways, water quality objectives to protect those uses, and implementation measures to ensure those objectives are achieved (SFBRWQCB 2010).

3.4 HYDROLOGY AND WATER QUALITY

National Pollutant Discharge Elimination System (NPDES)

The NPDES permit system was established in the CWA to regulate municipal and industrial discharge to surface waters of the United States. Each NPDES permit contains limits on allowable concentrations and mass emissions of pollutants contained in the discharge. Permits require the municipal authority to evaluate the quality of its stormwater discharge and receiving waters, identify areas of pollutant loading, and implement a program of best management practices (BMPs) to control pollutant discharges to the maximum extent practicable. It is within the existing authority of the SFBRWQCB to issue an NPDES permit for any stormwater outfall that discharges to the waters in the region.

Municipal Stormwater Permitting Program

Discharges from municipal separate storm sewer systems (MS4s) are regulated because of concern over the high concentration of pollutants found in those discharges. MS4 permits were issued by the various Regional Water Quality Control Boards (RWQCBs) in two phases.

Under Phase I, which started in 1990, the RWQCBs have adopted NPDES General Permit stormwater permits for medium (serving between 100,000 and 250,000 people) and large (serving 250,000 people) municipalities. Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. These permits are reissued as the permits expire.

As part of Phase II, the State Water Resources Control Board (SWRCB) adopted a General Permit for the Discharge of Storm Water from Small MS4s (WQ Order No. 2003-0005-DWQ) to provide permit coverage for smaller municipalities, including non-traditional small MS4s, which are governmental facilities such as military bases, public campuses, and prison and hospital complexes.

The MS4 permits require the discharger to develop and implement a Stormwater Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in Section 402(p) of the Clean Water Act. The management programs specify what best management practices will be used to address certain program areas. The program areas include public education and outreach, illicit discharge detection and elimination, construction and post-construction, and good housekeeping for municipal operations. In general, medium and large municipalities are required to conduct chemical monitoring; small municipalities are not.

The City has prepared a Stormwater Management Plan and has obtained coverage under the SWRCB's General Permit for Small MS4s (WQ Order No. 2003-0005-DWQ).

General Construction Activity Stormwater Permits and Stormwater Pollution Prevention Plans

In accordance with NPDES regulations, the State of California requires that any construction activity affecting 1 acre or more obtain a General Construction Activity Stormwater Permit (General Permit) to minimize the potential effects of construction runoff on receiving water quality. Performance standards for obtaining and complying with the General Permit are described in NPDES General Permit No. CAS000002, Waste Discharge Requirements, Order No. 2009-0009-DWQ (as amended by 2010-0014-DWQ and 2012-006-DWQ) adopted September 2, 2009, and effective as of July 1, 2010.

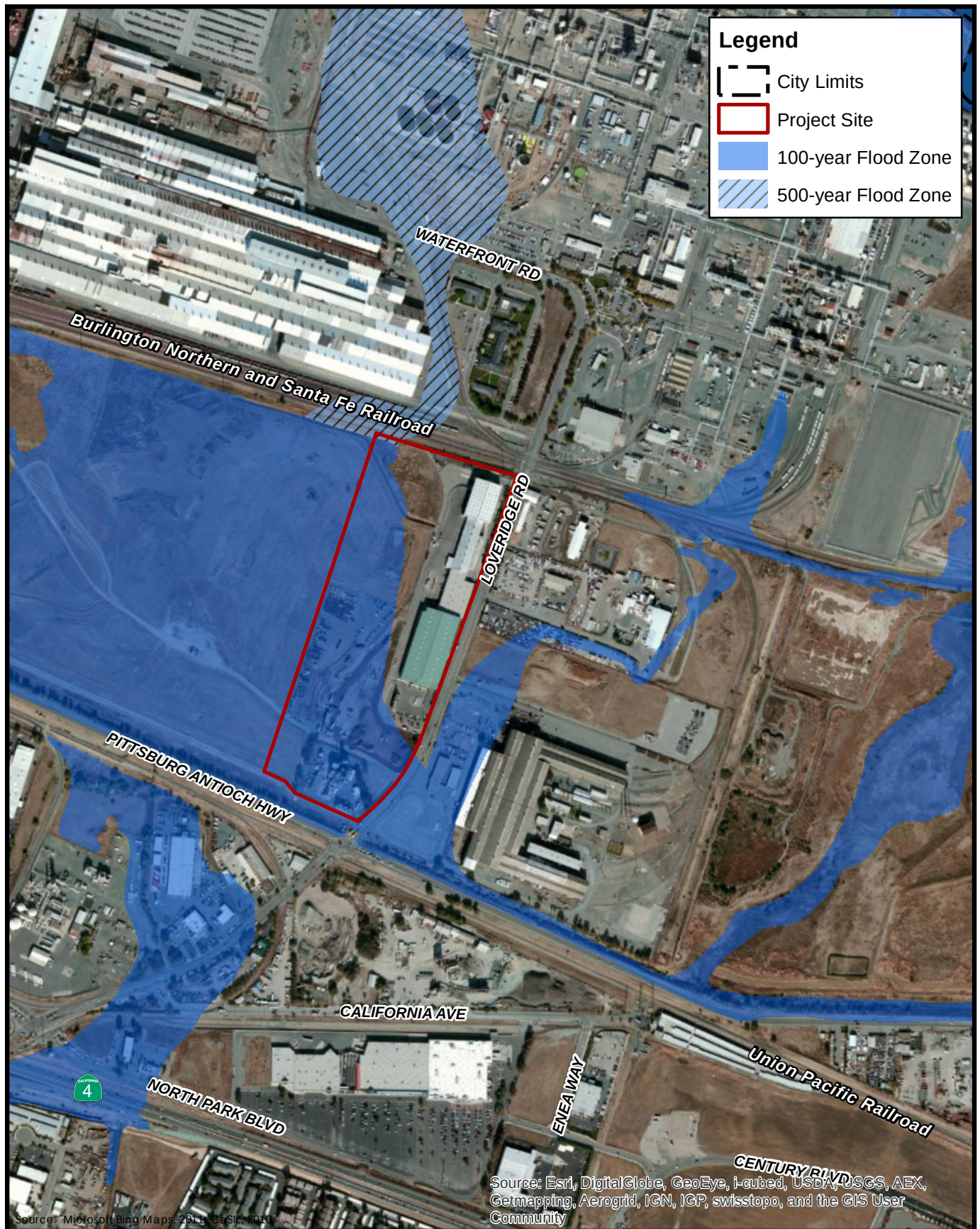


Figure 3.4-1
FEMA Flood Zones

General Permit applicants are required to submit to the appropriate regional board Permit Registration Documents (PRDs) for the project, which include a Notice of Intent (NOI), risk assessment, site map, signed certification statement, an annual fee, and a stormwater pollution prevention plan (SWPPP). The permit program is risk-based wherein a project's risk is based on its potential to cause sedimentation and the risk of such sedimentation on the receiving waters. A project's risk determines its water quality control requirements ranging from Risk Level 1, which consist of only narrative effluent standards, implementation of best management practices, and visual monitoring, to Risk Level 3, which consist of numeric effluent limitations, additional sediment control measures, and receiving water monitoring. Additional requirements include compliance with post-construction standards focusing on low impact development, preparation of rain event action plans, increased reporting requirements, and specific certification requirements for certain project personnel.

The SWPPP must include implementing BMPs to reduce construction effects on receiving water quality by implementing erosion control measures and reducing or eliminating non-stormwater discharges. Examples of typical construction BMPs included in SWPPPs include, but are not limited to, using temporary mulching, seeding, or other suitable stabilization measures to protect uncovered soils; storing materials and equipment to ensure that spills or leaks cannot enter the storm drain system or surface water; developing and implementing a spill prevention and cleanup plan; and installing sediment control devices such as gravel bags, inlet filters, fiber rolls, or silt fences to reduce or eliminate sediment and other pollutants from discharging to the City's drainage system or receiving waters.

LOCAL

Contra Costa County Clean Water Program

In October 2009, the San Francisco Bay Regional Water Quality Control Board adopted a Municipal Regional Permit (MRP) governing discharges from municipal storm drains operated by 76 local government entities, including those in western and central Contra Costa County. Eastern Contra Costa cities are currently implementing the MRP requirements. Provision C.3 of the MRP included specific requirements for development projects and was in effect from 2005 until 2009. Additional requirements will be phased in during the five-year term of the MRP (Contra Costa Clean Water Program 2010).

The C.3 requirements are separate from, and in addition to, requirements for erosion and sediment control and for pollution prevention measures during construction. Project site designs must minimize the area of new roofs and paving. To the maximum extent practicable, pervious surfaces should be used in place of impervious surfaces such as paving to allow runoff to infiltrate underlying soil. Runoff from impervious areas must be captured and treated. The MRP specifies the sizes and types of facilities that may be used. In addition, project applicants must prepare plans and execute agreements to ensure the stormwater treatment and flow-control facilities are maintained in perpetuity (Contra Costa Clean Water Program 2010). Contra Costa municipalities have prepared a Stormwater C.3 Guidebook to assist applicants with stormwater requirements, reviews, and submittals.

City of Pittsburg General Plan

The City adopted its current General Plan in 2001. **Appendix F** provides those General Plan policies relevant to hydrology/water quality and the proposed project as well as a preliminary evaluation of the project's consistency with these policies. While this DEIR discusses the project's consistency with the General Plan pursuant to CEQA Guidelines Section 15125(d), the

3.4 HYDROLOGY AND WATER QUALITY

appropriate reviewing authority will ultimately make the determination of the project's consistency with the General Plan.

City of Pittsburg Municipal Code

Chapter 15.80: Floodplain Management

The purpose of Chapter 15.80 of the Municipal Code is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas. As such, this chapter places restrictions and certain requirements on development and activities that may be dangerous due to water or erosion hazards; increase erosion or flood heights or velocities; be vulnerable to floods; alter natural floodplains, stream channels, or natural protective barriers that channel floodwaters; include filling, grading, or dredging that increases risk of flood damage; or unnaturally divert floodwaters.

Chapter 15.88: Grading, Erosion, and Sediment Control

This chapter of the Municipal Code requires all land-disturbing or land-filling activities or soil storage to be undertaken in a manner designed to minimize surface runoff, erosion, and sedimentation. This chapter also provides criteria for projects required to obtain a grading permit.

Chapter 15.104: Stormwater Management Plan for Kirker Creek Watershed Drainage Area

The City has determined that the existing drainage facilities within the Kirker Creek watershed are inadequate and significant improvements are required to reduce the risk of flooding. This chapter of the Municipal Code requires physical improvements at the site of new development to contain all runoff on-site or the payment of a fee to fund the construction of the needed drainage infrastructure.

Properties located north of the Pittsburg-Antioch Highway are located along the downstream portion of the creek and do not contribute to flooding risks in the watershed. As such, these properties, including the project site, are exempt from the drainage fee.

3.4.3 IMPACTS AND MITIGATION MEASURES

STANDARDS OF SIGNIFICANCE

The impact analysis provided below is based on the State CEQA Guidelines Appendix G thresholds of significance. The project would have a significant impact related to hydrology, water quality, or water supply if it would:

- 1) Violate any water quality standards or waste discharge requirements.
- 2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

- 3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.
- 4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.
- 5) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.
- 6) Otherwise substantially degrade water quality.
- 7) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
- 8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows.
- 9) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- 10) Inundation by seiche, tsunami, or mudflow.

The Initial Study prepared for the proposed project (see **Appendix A**) determined that there would be no impact related to the placement of housing within a 100-year flood hazard area or inundation by mudflow (significance threshold 7). Water supply (significance threshold 2) is addressed in Section 3.6, Public Services and Utilities. Therefore, these issues are not discussed further in this section.

METHODOLOGY

Analysis of impacts to hydrology and water quality were based on a review of the project site's existing drainage patterns and water quality treatment facilities and proposed construction activities as well as the facility's existing and proposed water demands. The analysis also includes identification of the existing flood hazard areas within the site and the locations and characteristics of the proposed structures. Where potential impacts are identified, existing federal, state, and local regulations were reviewed to determine applicability. The Rail Haul Operations Plan option would not contribute to any potential water quality or flooding issues and, therefore, is not further addressed in this section.

PROJECT IMPACTS AND MITIGATION MEASURES

Violate Water Quality Standards or Waste Discharge Requirements (Standard of Significance 1)

Impact 3.4.1 The project would not violate any water quality standards or waste discharge requirements. On-site drainage is treated by existing on-site water quality measures to minimize pollutant load. Wastewater generated on-site is treated at the Delta Diablo Sanitation District Wastewater Treatment Plant, which is in compliance with all applicable water quality standards and waste discharge requirements. Therefore, this impact would be **less than significant**.

3.4 HYDROLOGY AND WATER QUALITY

The project site is relatively flat, sloping slightly toward the northwest. On-site drainage in the northerly portion of the site is controlled through the use of drainage ditches and underground pipelines surrounding the perimeter of the existing facility that direct surface water flows toward an outfall along the western edge of the project site. The ditches include a landscaped stormwater treatment planter located along the eastern side of the MDRF building and a landscaped stormwater pretreatment bioswale located along the western edge of the project site. Drainage in the southerly portion of the site is primarily controlled through an existing on-site drainage system that consists of concrete swales, inlets and pipelines that discharge via two existing outfalls directly into the adjacent Kirker Creek. A small portion of this southerly area drains toward the north into the remainder of the project site (see **Figure 2.0-2**).

The existing water quality treatment measures in the northerly portion of the project site remove pollutants and sediments from on-site drainage, protecting downstream waters on the existing facility and these measures would remain in place and would continue to treat site drainage after implementation of the proposed project. When development in the expansion area extends into the 15 acre parcel to the west, the existing ditch within this parcel that drains the existing site and the 15 acre parcel would be replaced with a 36-inch underground pipeline. The proposed development of this parcel including complete impervious surfaces will increase the stormwater peak flows from this parcel from 9.2 cfs to 15.8 cfs. The 36-inch pipeline, the downstream existing ditch, and 36-inch culvert have adequate capacity to convey the increased peak flows from the existing site and the fully developed 15 acre area.

Redevelopment of the southerly portion of the site as the proposed truck maintenance facility and yard would include the installation of a new on-site stormwater system that would continue to convey site runoff to Kirker Creek via the two existing outfall locations. However, the proposed system would include stormwater quality treatment measures and would improve the quality of the stormwater that has historically drained from the site to Kirker Creek. The proposed stormwater system would incorporate a detention component to ensure the peak flows from the project site do not exceed the existing conditions. This detention component would address the re-routing of the stormwater from the portion of this area that currently drains north to the remainder of the project site. The detention component would likely include an underground vault that would provide adequate storage to attenuate the peak flows and not exceed existing peak flows (CBG 2014a; CBG 2014b).

While some modifications to the site drainage are proposed, the source of the storm drainage water would be controlled to not exceed the downstream facilities. Additionally, the proposed project would incorporate water quality measures and the water quality would not be substantially altered, as the use on the project site and the water quality measures would be similar to current conditions.

Further, all wastewater generated on the project site would be conveyed to and treated at the Delta Diablo Sanitation District Wastewater Treatment Plant, which is in compliance with all applicable water quality standards and waste discharge requirements. This impact would be **less than significant**.

Mitigation Measures

None required

Deplete Groundwater Supplies or Interfere with Recharge (Standard of Significance 2)

Impact 3.4.2 Implementation of the proposed project would not result in the depletion of groundwater supplies or interference with groundwater recharge. This impact would be **less than significant**.

The City of Pittsburg extracts groundwater from two municipal wells to supplement its surface water supply. In 2010, the City extracted approximately 1,061 acre-feet, or 12 percent of its total water supplies, from the groundwater aquifer. According to the City's 2010 Urban Water Management Plan, the City anticipates extracting a maximum of 1,500 acre-feet per year through year 2030, or up to 13 percent of its total water supply. Therefore, regardless of the project's water demand, additional groundwater would not be extracted by the City. Instead, the City projects that it will increase the amount of water purchased from the Contra Costa Water District (CCWD) and Delta Diablo Sanitation District to meet future potable and non-potable recycled water demands. The CCWD obtains its water supplies almost entirely from surface water sources through the Central Valley Project (CCWD 2011). Therefore, implementation of the proposed project would not deplete groundwater supplies.

Although the proposed project would create additional impervious surface area on the site, these additional areas of the project site have been heavily disturbed by either existing operations on the site or by historic industrial uses and activities by USS POSCO and GWF Energy and have been compacted and/or paved to accommodate those activities. In addition, project site soils are in Hydrologic Groups C and D, indicating slow to very slow infiltration rates (UCD 2013), so these areas do not currently provide substantial groundwater recharge. Therefore, the proposed project would not interfere with groundwater recharge. This impact would be **less than significant**.

Mitigation Measures

None required

Alter Drainage Patterns/Exceed Capacity of Drainage System (Standards of Significance 3, 4 & 5)

Impact 3.4.3 Implementation of the proposed project would result in a slight increase in on-site stormwater runoff. However, the existing on-site drainage system has adequate capacity to accept, treat, and convey increased flows. In the case that the 3.5 acre area to the south is rerouted to the ditch, a 0.2 acre detention system would be constructed to not exceed the available capacity of the downstream ditch. This impact would be **less than significant**.

See Impacts 3.4.1 and 3.4.2 above. On-site drainage in the northerly portion of the site is controlled through the use of drainage ditches and underground pipelines surrounding the perimeter of the existing facility that direct surface water flows toward an outfall along the western edge of the project site. The ditches include a landscaped stormwater treatment planter located along the eastern side of the MDRF building and a landscaped stormwater pretreatment bioswale located along the western edge of the project site. These facilities discharge stormwater via the outfall to an existing drainage ditch on the USS POSCO site. This existing ditch traverses the adjacent 15-acre parcel to the west and the USS POSCO site, flowing east to west away from the existing facility. The existing ditch conveys the stormwater generated from the existing facility, the 15-acre parcel to the west and the eastern portions of the USS POSCO site through an existing 36-inch culvert discharging to an existing evaporation basin located near the northern center of the USS POSCO site. Drainage in the southerly portion of the site is primarily controlled through an

3.4 HYDROLOGY AND WATER QUALITY

existing on-site drainage system that consists of concrete swales, inlets and pipelines that discharge via two existing outfalls directly into the adjacent Kirker Creek. A small portion of this southerly area drains toward the north into the remainder of the project site and is controlled as described above. (see **Figure 2.0-2**).

The proposed development within the 15 acre parcel to the west will include placement of impervious surfaces throughout the parcel. This increase of impervious surfaces will increase the stormwater peak flows from this parcel from 9.2 cfs to 15.8 cfs. The 36-inch pipeline proposed to replace the ditch within this parcel and the downstream existing ditch and 36-inch culvert to the west have adequate capacity to convey the increased peak flows from the existing site and the fully developed 15 acre area.

The proposed project may include rerouting the 3.5 acre area to the south from draining to Kirker Creek to draining into the existing ditch on the USS POSCO property. In the case that this area is rerouted to the ditch, a detention system will be constructed in order to detain the rerouted flows and not exceed the capacity of the existing ditch (CBG 2014a). The detention volume required is approximately 0.2 acre-feet. Therefore, on-site stormwater runoff would not exceed the available capacity of the existing drainage system. Therefore, this impact would be **less than significant**.

Mitigation Measures

None required

Degrade Water Quality During Construction (Standards of Significance 5 & 6)

Impact 3.4.4 Construction activities could introduce pollutants and sediments into stormwater runoff on the project site, potentially degrading downstream surface drainages and groundwater. Compliance with existing regulations intended to protect water quality from such activities would reduce this impact to a level that is **less than significant**.

The project site is located within the Kirker Creek watershed which drains into New York Slough. The City has identified stormwater within the urbanized portions of this watershed as being a source of pollution in Kirker Creek. Construction activities often introduce pollutants and sediments into stormwater drainage as it flows across a construction site and into downstream surface drainages. For instance, site preparation activities such as grading and vegetation removal can result in the exposure of raw soil materials to the natural elements (wind, rain, etc.). During rainstorm events, soil erosion can impact surface runoff by increasing the amount of silt and debris carried by runoff. In addition, refueling and parking of construction equipment and other vehicles on-site during construction may result in spills of oil, grease, or related pollutants that may discharge into surface drainages. Improper handling, storage, or disposal of fuels and hazardous materials or improper cleaning of machinery close to drainage facilities or surface waters could cause water quality degradation.

There is no proposed construction activity on the existing facility site; however, grading and construction is proposed on the 18-acre expansion area located to the west and south of the existing site. The expansion area is divided into a 15-acre expansion area located west of the existing facility and the 3.5 acre, former GWF site located to the south of the existing facility. The 15-acre expansion area to the west of the existing facility is undeveloped and much of the land is heavily disturbed and compacted. The area would require minimal grading in order to create an even surface for vehicle parking and equipment and container storage. With regard to

drainage, existing stormwater from the 15-acre area flows north and east to west into an existing ditch near the northern property line that conveys drainage to a large depression on USS POSCO land. Drainage from the 15-acre expansion area would continue in accordance with existing conditions and would therefore be subject to the existing Industrial Discharge Permit on the site.

The 3.5-acre GWF parcel south of the existing project site currently drains to Kirker Creek, a regulated waterway. Grading and construction activity will occur on the 3.5-acre parcel in conjunction with the development of the truck maintenance facility and installation of a parking lot and stormwater facilities. The site exceeds one acre of construction area; therefore, the 3.5-acre site would be subject to the General Permit, including preparation of a SWPPP. The SWPPP would include BMPs to reduce construction effects on receiving water quality by implementing erosion control measures and reducing or eliminating non-stormwater discharges. Compliance with the SWPPP and implementation of BMPs would ensure that grading activities would not negatively affect receiving waters. Therefore, this impact would be **less than significant**.

Mitigation Measures

None required

Degrade Water Quality During Operation (Standards of Significance 5 & 6)

Impact 3.4.5 Operation of the proposed project would introduce sediments and other contaminants typically associated with commercial development into stormwater runoff, potentially resulting in the degradation of downstream surface water and underlying groundwater quality. This impact would be **less than significant**.

The proposed project would increase the amount of impervious surface on the project site by approximately 15 acres, thereby potentially increasing runoff leaving the site. In addition, the project would increase the permitted capacity of the facility for green and wood wastes and construction and demolition waste, which would be stored in the associated outdoor processing areas. The presence of these materials could potentially increase the pollutant load of stormwater runoff as it flows through the processing areas. Such pollutants could include oil and grease, heavy metals, chemicals, fertilizers and pesticides, and other urban pollutants. However, the existing facility already has in place stormwater treatment facilities that would minimize the pollutant load in stormwater leaving the site and protect downstream surface drainages and the underlying groundwater aquifer. The project also proposes additional areas for parking trucks and other equipment as well as storage of containerized commodities in the western portion of the site that could result in the leakage of fuels, oils, lubricants and other materials onto the ground which could enter drainages. As discussed above, the existing ditch in the northwest portion of the addition area that drains that parcel would be replaced with a 36-inch underground pipeline. This would not increase sediments or contaminants in stormwater. Stormwater discharges from the site would continue to be regulated under the NPDES general permit (No. CAS000001) for discharges of stormwater associated with industrial activities. Therefore, this impact would be **less than significant**.

Mitigation Measures

None required

3.4 HYDROLOGY AND WATER QUALITY

Flooding Hazards (Standards of Significance 8, 9 & 10)

Impact 3.4.6 A portion of the project site proposed for development is located within a flood zone. In addition, the project site is located in proximity to the Suisun Bay/Sacramento River Delta and may be at risk of flooding as a result of seiche/tsunami waves. This is a **less than significant** impact.

As shown on **Figure 3.4-1**, the southern and western portions of the project site are located within the 100-year flood zone. This portion of the site includes the locations of the proposed BGU, Truck Maintenance Facility and Yard, C&D sort line, and additional areas for parking and containerized commodity storage. The proposed BGU, Truck Maintenance Facility and Yard, and C&D sort line would be designed and constructed in accordance with Section 15.80.050 of the Municipal Code, which provides specific standards for construction within special flood hazard areas. These standards include requirements related to anchoring of structures, use of flood-resistant construction materials and methods, and minimum base floor elevations and flood proofing. Compliance with these existing standards would minimize the potential for structure damage and safety risks as a result of flooding. No structures are proposed within the parking and storage areas. The remainder of the site is outside both the 100- and 500-year flood zones (FEMA 2009).

The project site is located nearly 1 mile south of the Suisun Bay/Sacramento River Delta and may be at risk of flooding as a result of seiche/tsunami waves. However, projected wave height and tsunami run-up is expected to be small in the interior portions of the San Francisco Bay. Some coastal inundation and damage could occur if a tsunami or seiche coincided with very high tides or an extreme storm. The project site is located nearly a full mile from the coastline, further minimizing the potential damage to the project site as a result of seiche or tsunami waves. This impact would be **less than significant**.

Mitigation Measures

None required

3.4.4 CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

CUMULATIVE SETTING

For surface water impacts, the cumulative setting consists of the Kirker Creek watershed which has an overall area of 8,539 acres. Land uses within this watershed primarily consist of urban uses (City of Pittsburg 2001, 2011b). For groundwater impacts, the cumulative setting consists of the surface area overlying the Pittsburg Plain Groundwater Basin (DWR Basin No. 2-4). The surface area of the basin is approximately 18 square miles and is bounded by the Suisun Bay on the north, the Tracy Basin on the east, and the Clayton Basin on the west. The southern boundary extends inland 1 to 3 miles from the Suisun Bay (City of Pittsburg 2011b).

CUMULATIVE IMPACTS AND MITIGATION MEASURES

Cumulative Impact to Water Quality

Impact 3.4.7 The proposed project, in combination with approved, proposed, and other reasonably foreseeable projects in the cumulative setting area, would not contribute significantly to degradation of water quality in area surface drainages and groundwater supplies. This impact would be **less than cumulatively considerable**.

Cumulative development in the Kirker Creek watershed and the Pittsburg Plain Groundwater Basin would increase the amount of pollutants that could have an effect on surface water and groundwater quality. Ground-disturbing construction activities would be limited, including minimal excavations (e.g., trenching for utilities) and minimal grading would occur within areas that would be equipped with water quality treatment facilities. The project would add impervious surfaces in areas that have been previously disturbed and compacted and currently provide no opportunity for ground infiltration. Therefore, although the other planned, proposed, and approved projects in the cumulative setting area could result in significant water quality impacts, the proposed project's contribution to this impact would be **less than cumulatively considerable**.

Mitigation Measures

None required

Cumulative Flooding Hazards

Impact 3.4.8 The proposed project, in combination with approved, proposed, and other reasonably foreseeable projects in the cumulative setting area, would place structures within a flood zone. However, compliance with existing City standards would minimize potential hazards. This impact would be **less than cumulatively considerable**.

The southern portion of the project, which is proposed for development with a truck maintenance facility and second sort line in the C&D processing facility, is designated by FEMA as a 100-year flood zone (see Impact 3.4.6). Other proposed, approved, and reasonably foreseeable projects in the city could also place nonresidential structures within a flood zone. However, all such development projects would be required to comply with Pittsburg Municipal Code Chapter 15.80.050, which provides specific standards for construction in special flood hazard areas. These standards include requirements related to anchoring of structures, use of flood-resistant construction materials and methods, and minimum base floor elevations and flood proofing. Compliance with these existing standards would minimize any potential for structure damage and safety risks as a result of flooding. Therefore, this impact would be **less than cumulatively considerable**.

Mitigation Measures

None required

3.4 HYDROLOGY AND WATER QUALITY

REFERENCES

- CBG (Carlson, Barbee & Gibson). 2014a. *Drainage Assessment Mount Diablo Resource Recovery Park SEG Trucking Maintenance Facility Pittsburg, California.*
- . 2014b. *Preliminary Stormwater Control Plan.*
- CCWD (Contra Costa Water District). 2011. *2010 Urban Water Management Plan.*
- City of Pittsburg. 2001. *City of Pittsburg General Plan.*
- . 2011a. *City of Pittsburg Municipal Code.*
- . 2011b. *City of Pittsburg 2010 Urban Water Management Plan.*
- Contra Costa Clean Water Program. 2011. Accessed July 25. <http://www.cccleanwater.org/>.
- Contra Costa Waste Services. 2010. Conditional Use Permit Application Package: Mt. Diablo Resource Recovery Park. Prepared by Edgar and Associates.
- FEMA (Federal Emergency Management Agency). 2009. *Digital Flood Insurance Rate Map (DFIRM), Contra Costa County, California, USA.*
- SFBRWQCB (San Francisco Bay Regional Water Quality Control Board). 2010. *San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan).*
- SWRCB (State Water Resources Control Board). 2006. *2006 Clean Water Act Section 303(d) List of Water Quality Limited Segments.*
- UCD (University of California, Davis). 2013. *California Soil Resource Lab Online Soil Survey.* Accessed October 15, 2013. <http://casoilresource.lawr.ucdavis.edu/soilweb/>

3.5 LAND USE

This section of the Draft EIR (DEIR) addresses the potential environmental impacts of the proposed project related to land use and planning. The existing land use characteristics of the project site and surrounding area are described in the context of the Pittsburg General Plan (2001) and Zoning Ordinance and other adopted plans and policies. The impact analysis focuses on consistency with applicable land use plans and policies. Information used in the preparation of this section was obtained primarily from applicable land use plans, site reconnaissance, and aerial photography.

The City published a Notice of Preparation (NOP) for the project. A copy of the NOP, along with comments received during the public review period, is contained in **Appendix A**. Comments received related to land use were considered in the preparation of this section.

3.5.1 EXISTING SETTING

The 36 acre project site is located along Loveridge Road north of East 14th Street and south of the Burlington Northern and Santa Fe (BNSF) railroad.

EXISTING LAND USES

A 17.5-acre portion of the project site is currently developed and operated as the Mt. Diablo Recycling Facility (MDRF), Recycling Center and Transfer Station (RCTS), Mixed Construction and Demolition Processing Area, and Green Material Processing Area. The existing site plan is shown in **Figure 2.0-2**. The project applicant also currently uses an approximately 5-acre area west of the existing facility for parking and storage. Immediately south of the existing facility is the former power plant site once owned by GWF Power Systems (approximately 3.5 acres). The project applicant proposes to use this area for a truck maintenance facility. West of the existing facility is approximately 15 acres of vacant land and the project applicant proposes to use this area for commodity, vehicle and equipment storage.

The northern portion of the property is located adjacent to the BNSF Line and a railroad spur already exists on the property. Northwest of the project site, across the BNSF railroad, is an industrial facility operated by USS-POSCO Industries, which manufactures flat rolled steel sheets. Northeast of the site, also across the BNSF railroad, is an industrial facility operated by Dow Chemical. East of the site, across Loveridge Road, are the Christenson Recycling Center, a vacant parcel, and two other large industrial facilities. South of the project site is the Union Pacific Railroad.

EXISTING GENERAL PLAN DESIGNATIONS AND ZONING

The project site is designated by the City of Pittsburg General Plan as Industrial, which permits manufacturing, wholesale, warehousing and distribution, commercial and business services, research and development, agricultural, food and drug, industrial processing, and storage uses. The surrounding properties are also designated as Industrial. **Figure 2.0-4** shows the existing General Plan land use designations of the project site and adjacent properties.

The site is zoned IG (General Industrial) District and IL (Limited Industrial) District which provide for intense industrial uses and service-oriented commercial and limited industrial uses in transitional areas between heavy and residential and commercial land uses. Large recycling facilities, such as the project, require a Use Permit within the IG and IL Districts.

The property located west of the project site is zoned IL (Limited Industrial) District, while all other properties surrounding the site are zoned IG District. **Figure 2.0-5** shows the existing zoning of the project site and adjacent properties.

3.5 LAND USE

3.5.2 REGULATORY SETTING

LOCAL

City of Pittsburg General Plan

The City adopted its current General Plan in 2001. **Appendix F** provides those General Plan policies relevant to land use and the proposed project as well as a preliminary evaluation of the project's consistency with these policies. While this DEIR discusses the project's consistency with the General Plan pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15125(d), the appropriate reviewing authority will ultimately make the determination of the project's consistency with the General Plan.

3.5.3 IMPACTS AND MITIGATION MEASURES

STANDARDS OF SIGNIFICANCE

The impact analysis provided below is based on the CEQA Guidelines Appendix G thresholds of significance. The project would have a significant impact related to land use if it would:

- 1) Physically divide an established community.
- 2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- 3) Conflict with any applicable habitat conservation plan or natural community conservation plan.

The Initial Study prepared for the proposed project (see **Appendix A**) determined that the project would not physically divide an established community or conflict with the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan. Further, the Columbia Solar Project Mitigated Negative Declaration (State Clearinghouse No. 2013012038) found no potentially significant impacts in the area of Land Use as a result of development and use of the 15 acre vacant site onto which the proposed project would expand. Therefore, these issues (significance thresholds 1 and 3) are not discussed further in this section.

METHODOLOGY

Evaluation of potential land use impacts associated with the proposed project was based on review of applicable land use planning documents including the Pittsburg General Plan and Zoning Ordinance, as well as consultation with appropriate agencies and field review of the project site and surrounding area.

PROJECT IMPACTS AND MITIGATION MEASURES

Conflict with Applicable Land Use Plans (Standard of Significance 2)

Impact 3.5.1 The proposed project is consistent with the existing land use designation and zoning district for the site and requires a Use Permit. This impact is **less than significant**.

The project site has an Industrial General Plan land use designation that permits commercial services, industrial processing, and storage uses (City of Pittsburg 2001). The proposed project is a permitted use under the Industrial land use designation, and no conflicts with respect to land use designation would occur.

The project site is zoned IG and IL, which provide for intense industrial uses and service-oriented commercial and limited industrial uses in transitional areas between heavy industry and residential and commercial land uses, respectively. Large recycling facilities are conditionally permitted uses within the IG and IL Districts. The project is the subject of Use Permit Application No. 10-712. As the proposed project includes a request for a Use Permit that is currently under review, this impact is **less than significant**.

Mitigation Measures

None required.

3.5.4 CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

CUMULATIVE SETTING

The cumulative setting for land use consists of the industrial area along the Loveridge Road corridor located generally north of the Pittsburg-Antioch Highway and east of Harbor Street. This area is an established and mostly developed industrial area located on the banks of New York Slough. The majority of this area is designated for industrial uses with some low-density residential uses at its southwestern corner and some open space along the banks of New York and Dowest sloughs. Refer to **Tables 3.0-1** through **3.0-3** in Section 3.0, Introduction to the Environmental Analysis and Assumptions Used, for a list of proposed and future projects in this area of the city.

CUMULATIVE IMPACTS AND MITIGATION MEASURES

Cumulative Land Use Impacts

Impact 3.5.2 The proposed project, in combination with other approved, proposed, and reasonably foreseeable projects in the cumulative study area, could conflict with the City's Zoning Ordinance. This is considered to be a **less than cumulatively considerable** impact.

As described under Impact 3.5.1 above, the project site is zoned IG and IL where the proposed project would be conditionally permitted with an approved Use Permit. Other proposed and reasonably foreseeable projects in the cumulative study area may result in the need for similar zoning approvals. Design review approval and conditional use permits are discretionary activities by the City that would require the City's review, which would include a determination by the City for conformance with the General Plan and zoning and would also consider potential incompatibility issues. Therefore, the potential environmental effects associated with future projects would be evaluated as part of the review process for those projects. This impact would be **less than cumulatively considerable**.

Mitigation Measures

None required.

3.5 LAND USE

REFERENCES

City of Pittsburg. 2001. *City of Pittsburg General Plan*.

———. 2010. *Pittsburg Municipal Code*. Accessed February 8, 2011.
<http://www.codepublishing.com/ca/pittsburg/>.

Contra Costa Waste Services. 2010. Conditional Use Permit Application Package: Mt. Diablo Resource Recovery Park. Prepared by Edgar and Associates.

3.6 PUBLIC SERVICES AND UTILITIES

This section of the Draft EIR (DEIR) evaluates the potential impacts of the proposed project on fire protection, water supply, and wastewater services.

The City published a Notice of Preparation (NOP) for the project. A copy of the NOP, along with comments received during the public review period, is contained in **Appendix A**. Comments received related to public services and utilities were considered in the preparation of this section.

3.6.1 FIRE PROTECTION

In this section, the existing fire protection services provided in the project area are discussed and the project's potential to increase demand for such services is evaluated. In addition, the adequacy of emergency access to the site is evaluated. This analysis is based on a review of the Conditional Use Permit Application Package for the proposed project (Contra Costa Waste Services 2010) and consultation with the Contra Costa County Fire Protection District.

3.6.1.1 EXISTING SETTING

Contra Costa County Fire Protection District

Service Area

The Contra Costa County Fire Protection District (CCCYPD or District) provides fire protection and suppression services for the City of Pittsburg and surrounding Bay Point community. In addition, the District provides primary fire protection service to the majority of the county, including the cities of Antioch, Clayton, Concord, Lafayette, Martinez, Pleasant Hill, and San Pablo. The District also provides fire prevention services to all unincorporated areas of the county, including the communities of Alamo (north of Livorna), Bay Point, El Sobrante, North Richmond, and Pacheco. The CCCYPD is also contracted to provide fire prevention, plan review, and fire investigation services to Bethel Island, Brentwood, Byron, Discovery Bay, Knightsen, and Oakley. The eastern portion of the county is protected by the East Contra Costa Fire Protection District (ECCYPD). The CCCYPD has a mutual aid agreement with the ECCYPD for emergency response (Leach 2009).

Stations

The CCCYPD operates out of 30 fire stations located throughout its service area. The District's Battalion 8 serves the cities of Pittsburg and Antioch, as well as the surrounding unincorporated area, including Bay Point, from eight stations. Three of these stations are located within the City of Pittsburg: (1) Station 84 located at 1903 Railroad Avenue; (2) Station 85 located at 2331 Loveridge Road; and (3) Station 87 located at 800 West Leland Road. Station 85, located less than 1 mile south of the project site, is the primary responding station to the project site.

Response Times and Ratings

The CCCYPD receives approximately 42,000 urban fire calls per year from within its service area. About 10,500, or 25 percent, of these calls are from East County, which includes the City of Pittsburg (City of Pittsburg 2001, p. 11-14). The District has an objective to uphold a five-minute primary response time to 90 percent of all service calls. Generally, service can be provided in this time frame to areas located within 1.5 miles of a fire station (City of Pittsburg 2001, p. 11-14). As described above, the project site is located less than 1 mile north of Station 85, so it is assumed response time to the project site would be less than the five-minute objective.

3.6 PUBLIC SERVICES AND UTILITIES

The CCCFPD operates a countywide early warning system for industrial fires. Called the Community Warning System (CWS), sirens installed at industrial facilities automatically sound when an incident occurs. The system alerts residents via television and radio announcements.

The CCCFPD has an Insurance Service Office (ISO) rating of 3 (Leach 2009). The ISO is a private organization that surveys fire departments in cities and towns across the United States and rates fire protection service providers on a scale from 1 to 10, with 1 being the highest and 10 being lowest. This rating considers a community's fire defense capacity versus fire potential and then uses the score to set property insurance premiums for homeowners and commercial property owners (City of Pittsburg 2001, p. 11-14). The ISO rating is based on a number of factors, including personnel, facilities, response times, fire flow capacities, and the general character of development in the area (Contra Costa County 2001, p. 8-12).

3.6.1.2 REGULATORY FRAMEWORK

State

California Occupational Safety and Health Administration

In accordance with the California Code of Regulations, Title 8 Sections 1270 "Fire Prevention" and 6773 "Fire Protection and Fire Fighting Equipment," the California Occupational Safety and Health Administration has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

Uniform Fire Code

The Uniform Fire Code (UFC) contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. The UFC also contains specialized technical regulations related to fire and life safety.

California Health and Safety Code

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code, which includes regulations for building standards, including fire protection and notification systems, facilities fire suppression training, fire protection devices such as extinguishers, and smoke alarms in high-rise buildings and child-care facilities.

Local

City of Pittsburg General Plan

The City adopted its current General Plan in 2001. **Appendix F** provides those General Plan policies relevant to the proposed project, as well as a preliminary evaluation of the project's consistency with these policies. While this DEIR discusses the project's consistency with the General Plan pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15125(d), the City will ultimately make the determination of the project's consistency with the General Plan.

3.6.1.3 IMPACTS AND MITIGATION MEASURES**Standards of Significance**

The impact analysis provided below is based on the CEQA Guidelines Appendix G thresholds of significance. The project would have a significant impact related to public services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant physical environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

- 1) Fire protection services
- 2) Police protection
- 3) Schools
- 4) Parks
- 5) Other public facilities

The Initial Study prepared for the proposed project (see **Appendix A**) determined that the project would have no impact or a less than significant impact related to police protection services, schools, parks, and other public facilities. Further, the Columbia Solar Project Mitigated Negative Declaration (State Clearinghouse No. 2013012038; **Appendix D**) found no potentially significant impacts in the areas of Public Services and Utilities as a result of development and use of the 15 acre vacant site onto which the proposed project would expand. Therefore, these issues (significance thresholds 2, 3, 4, and 5) are not discussed further in this section. The Rail Haul Operations Plan option would not contribute to any potential public services issues and therefore is not addressed in this section.

Methodology

The analysis of fire protection impacts is based upon review of the project, applicable City regulations, and consultations with the CCCFPD.

Project Impacts and Mitigation Measures**Increased Demand for Fire Protection Services**

Impact 3.6.1.1 Implementation of the proposed project could result in an increased demand for fire protection services, requiring new or expanded CCCFPD facilities or equipment. This impact is **less than significant**.

The project proposes to increase the total number of full-time employees employed by the facility as well as the number of employees present on the site during a peak shift. In addition, the project proposes to expand the types, capacities, and hours of operations at the facility, which will result in the storage of a greater amount of various waste materials on the site. The project also proposes to construct and operate a truck maintenance facility and yard, a biomass gasification unit and solar panels and electrical conveyance infrastructure on the site. These project components could pose a greater risk of fire and/or emergency conditions on the site, thereby increasing demand for fire protection and emergency medical services.

3.6 PUBLIC SERVICES AND UTILITIES

The CCCFPD has an objective to uphold a five-minute primary response time to 90 percent of all service calls. Generally, service can be provided in this time frame to areas located within 1.5 miles of a fire station (City of Pittsburg 2001, p. 11-14). The project site has been provided fire protection and emergency medical services by the CCCFPD for many years. In January 2011, the District completed construction of its Station 85 less than 1 mile south of the project site and relocated Station 84 closer to the project site in 2009. The completion of these facilities significantly improved response times to the project site, so response times to the project site are within the District's objective of five minutes.

The project will be required to incorporate the following preventative measures in accordance with the California Fire Code (CFC) to reduce the risk of fire and aid in fire suppression on the site (CCCFPD 2010):

All green waste, wood waste, and wood chip piles on the project site shall not exceed 20 feet in height, 80 feet in width, and 80 feet length (Project Description, CFC Section 1908.3).

Material-handling equipment (e.g., front loaders) shall be readily available for moving wood chips and hogged material (wood waste material produced from lumber production processes), wood fines, and raw product during firefighting operations (CFC Section 1908.9).

The owner or operator of the facility shall develop a plan for monitoring, controlling, and extinguishing spot fires. The plan shall be submitted to the CCCFPD for review and approval (CFC Section 1908.10).

An operational plan indicating procedures and schedules for the monitoring, inspection, and restricting of excessive internal temperatures in static piles shall be submitted to the fire code official for review and approval. Internal pile temperatures shall be monitored and recorded weekly. Records shall be kept on file at the facility and made available for inspection (CFC Section 1908.6).

Portable fire extinguishers with a minimum rating of 4A:60B:C shall be provided on all vehicles and equipment operating on piles and at all processing equipment (CFC Section 1908.8).

Three (3) sets of fire sprinkler plans for the new commercial recycling sort line and the new food waste sort line shall be submitted to the CCCFPD for review and approval prior to installation (CFC Section 903.2).

Three (3) sets of plans and specifications for the biomass gasification unit shall be submitted to the CCCFPD for review and approval prior to installation to ensure compliance with minimum requirements related to fire and life safety (CFC Section 903.2).

Three (3) sets of plans and specifications for the truck maintenance facility and yard shall be submitted to the CCCFPD for review and approval prior to installation to ensure compliance with minimum requirements related to fire and life safety (CFC Section 903.2).

Given the recent CCCFPD facility improvements, the existing requirements of the CFC, and consultation with CCCFPD staff, it is not anticipated that implementation of the proposed project would adversely affect the District's response times to the project site or other properties in its service area (Leach 2009). Furthermore, no new or expanded facilities would be needed to serve the project. Therefore, this impact is **less than significant**.

Mitigation Measures

None required.

Provide Inadequate Emergency Access

Impact 3.6.1.2 The project proposes modifications and expansion to the layout and operations of the existing facility that may result in inadequate access for emergency vehicles and personnel in the event of a fire or other emergency situation. This impact is **less than significant**.

Within the outdoor operations area of the site, waste materials are stored in large piles prior to processing (i.e., grinding) or transport off-site. If the wrong items are disposed together, the items can combust and can result in a fire in a garbage truck or on the transfer station floor. However, there is no indication that the facility expansion would alter the mix of refuse such that there would be an increase in the risk of fire. The proposed site plans for the outdoor operations areas and the proposed truck maintenance facility and yard (see **Figures 2.0-7** and **2.0-9**) include additional structures, modifications to the location and size of these waste material piles, and modifications to access and fire lanes. CCCFPD completed preliminary reviews of the proposed project and provided specific requirements for the project to receive district approval. These requirements, provided as **Appendix H**, include the following:

- Submit 3 sets of all project plans including site improvement plans (showing all existing and proposed hydrant locations and fire apparatus access), fire sprinkler plans, biomass gasification unit plans and specifications, and photo voltaic plans and specifications for CCCFPD review and approval prior to start of construction
- Provide minimum 20 foot width and 45 foot turning radius for all fire apparatus access roads between storage piles
- Provide minimum 20 foot wide, paved emergency apparatus access roadways with not less than 13 feet 6 inches of vertical clearance to within 150 feet of travel distance to all portions of the exterior walls of all proposed structures
- Where access roadways would be less than 28 feet in width, post signs or paint curbs red with the words “No Parking – Fire Lane”
- Where access roadways would be greater than 28 feet but less than 36 feet, post signs or paint curbs red restricting parking to only the side of the road that does not have hydrants.
- Fire apparatus access gates shall be a minimum 20 feet wide, slide horizontally or swing inward, be located a minimum of 30 feet from the street and be equipped with a Knox Company padlock.
- Restrict storage piles to 25 feet in height, 150 feet in width and 250 feet in length
- Readily provide material-handling equipment onsite for moving materials during fire-fighting operations
- Develop a CCCFPD-approved operations plan for monitoring, controlling, and extinguishing spot fires

3.6 PUBLIC SERVICES AND UTILITIES

- Develop a CCCFPD-approved operations plan for the routine monitoring, recording and controlling of internal storage pile temperatures
- Provide portable fire extinguishers with a minimum rating of 4A:60B:C on all vehicles and equipment operating on piles and at all processing equipment
- Provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1,500 gallons per minute (GPM)
- Provide one fire hydrant of the East Bay type
- Install an approved automatic fire sprinkler system within the proposed truck maintenance facility and yard complying with the 2013 edition of National Fire Protection Association (NFPA) 13.
- Provide traffic signal pre-emption systems on any new or modified traffic signals installed with the project
- Obtain approval and necessary permits from CCCFPD prior to installation of flammable or combustible liquid storage tanks at the proposed truck maintenance facility and yard.

These CCCFPD requirements (Leach 2013; CCCFPD 2014) must be included in project plans to receive approval by CCCFPD and will be incorporated as conditions of project approval. Thus the project would comply with all applicable federal, state and local standards related to emergency access. Therefore, this impact is less than significant.

Mitigation Measures

None required.

3.6.1.4 CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

Cumulative Setting

The cumulative setting or study area consists of the entire service area of the CCCFPD, which includes the cities of Antioch, Clayton, Concord, Lafayette, Martinez, Pittsburg, Pleasant Hill, and San Pablo as well as numerous unincorporated areas of the county. The reader is referred to **Table 3.0-1** for a list of approved, proposed, and reasonably foreseeable projects in the cumulative study area.

Cumulative Impacts and Mitigation Measures

Cumulative Impacts to Fire Protection Services

Impact 3.6.1.3 The project would contribute to cumulative demand for fire protection and emergency medical services. This impact is **less than cumulatively considerable**.

Implementation of approved, pending, and proposed development projects in the CCCFPD service area would result in additional calls for service and may necessitate the construction of new or expansion of existing District facilities and/or the acquisition of additional equipment and staff. However, as described in Impact 3.6.1.1 above, the proposed project consists of

improvements to and expansion of an existing facility that currently receives fire protection services from the CCCFPD. Furthermore, the project will be required to implement numerous fire prevention and suppression measures to reduce fire risks on the site. As such, the project is not anticipated to significantly increase demand for fire protection services or trigger the need for new or expanded facilities, equipment, or staff.

When future fire protection and emergency medical facilities are required, the location, size of facility, and potential environmental impacts resulting from the provision of new fire protection and emergency medical facilities and equipment would need to be determined. A project-level CEQA document would analyze the potential environmental impacts of a fire facility project. Such an analysis, along with any necessary mitigation measures, would occur once an application for a project is submitted to the appropriate agency. The physical impacts resulting from the construction of new fire protection and emergency medical related facilities are generally short-term, temporary air quality and noise impacts. Other adverse impacts (i.e., water quality, erosion, biological resources, etc.) may result, depending on site-specific conditions and proximity to waterways and other important resource areas. CCCFPD review of new development projects for adequate water supply and pressure, fire hydrants, access to structures by firefighting equipment and personnel, compliance with established fire codes, and on-site fire suppression systems would ensure that the cumulative impacts of development in the CCCFPD's service area are less than significant, and the project's fire protection impact is **less than cumulatively considerable**.

Mitigation Measures

None required.

3.6.2 WATER SUPPLY

3.6.2.1 EXISTING SETTING

Water Supply

The City of Pittsburg is the public water purveyor for the city, including the project site.

According to the City's 2010 Urban Water Management Plan, the City obtains approximately 85 percent of its raw water supply from the Contra Costa Water District (CCWD) through the US Bureau of Reclamation (USBR) Central Valley Project (CVP) pursuant to a contractual arrangement allowing the City to obtain such quantity of water as is necessary to meet its needs, subject to rationing restrictions in the event of drought or other extraordinary circumstances.

The CCWD has a contract with the USBR for 195,000 acre-feet per year of CVP water to serve its customers which, in addition to the City of Pittsburg, include the community of Bay Point, the cities of Antioch, Concord, and Martinez, and portions of the cities of Brentwood, Oakley, and Pleasant Hill. In March 2005, the CCWD renewed its water service contract with the USBR for a period of 40 years, through February 2045.

The City supplements this CCWD water with groundwater supplies drawn from two local municipal wells and a small amount of recycled water (City of Pittsburg 2005). Historical and projected future water supplies for the City are shown in **Table 3.6.2-1**.

3.6 PUBLIC SERVICES AND UTILITIES

TABLE 3.6.2-1
PAST, CURRENT, AND PROJECTED WATER SUPPLIES (AFY)

Water Supply Source	2000	2005	2010	2015	2020	2025	2030
Purchased from CCWD	9,190	11,552	7,815	9,248	10,078	10,973	11,937
City-produced Groundwater	1,336	1,000	1,061	1,500	1,500	1,500	1,500
Recycled Water ¹	0	70	459	465	465	479	498
TOTAL	10,526	12,552	8,876	10,748	11,578	12,473	13,437

Source: City of Pittsburg 2005, 2011

Notes:

1 – Recycled water not included in total

Water Demand and Use

In 2007, the City averaged 10.3 million gallons per day (mgd) of water use with a peak of 16.2 mgd in the summer (City of Pittsburg 2011). Average water demand in the city in 2010 was 122 gallons per capita per day (gpcpd). However, usage without additional water conservation measures is expected to average 170 gpcpd. **Table 3.6.2-2** provides past, current, and projected water use data for the period 1980 to 2030.

TABLE 3.6.2-2
PAST, CURRENT, AND PROJECTED WATER USE

Year	Population	Water Use		
		mg (annual)	AFY	gpcpd
1980	33,500	2,057	6,313	168
1985	39,800	2,413	7,405	166
1990	46,500	3,120	9,575	184
1995	51,500	3,185	9,774	169
2000	56,513	3,541	10,526	172
2005	62,171	3,322	11,061	147
2010	64,967	2,892	8,876	122
2015	70,680	3,502	10,748	136
2020	76,896	3,772	11,578	134
2025	83,658	4,064	12,473	133
2030	91,015	4,378	13,437	132

Source: City of Pittsburg 2011

Supply/Demand Comparison

The CCWD's future supply projections assume adequate availability of surface water sources delivered through their contract with the USBR along with other available sources and short-term purchases. The supply and demand forecasts presented in **Tables 3.6.2-1** and **3.6.2-2** indicate that the City does not anticipate supply deficits in normal years due to the stability of the raw water supply. The CCWD has indicated that current demands can be met under all supply conditions. However, starting in 2010, during the second and third year of a multiyear drought, short-term water purchases would most likely need to be reduced by five to 15 percent. The CCWD has further indicated that it believes the maximum amount of short-term conservation expected to be necessary under drought conditions would be 15 percent of demand.

Water Supply Reliability and Planned Water Supply Projects

Contra Costa Water District

In 2002, the CCWD prepared a Future Water Supply Study (FWSS) which included measures to ensure adequate water supplies to meet its wholesale municipal customers' projected demands. These measures included renewal of the CCWD's water service contract for CVP water, which has been completed; implementation of an expanded conservation program, which is ongoing; and water transfers to bridge the gap between projected demand and supplies. The CCWD has secured a long-term transfer agreement with the East Contra Costa Irrigation District to transfer surplus irrigation water. Currently, up to 9,700 acre-feet per year are available under the agreement. In the future, this agreement will provide up to 12,200 acre-feet per year.

The water supply reliability goal adopted by the CCWD's Board of Directors is to meet 100 percent of demand in normal years and a minimum of 85 percent of demand during a drought. Implementation of the FWSS would provide a minimum of 22,000 acre-feet of additional supply through water transfer agreements. A combination of short-term water purchases and drought demand management are planned to meet any remaining supply deficit (City of Pittsburg 2005).

City of Pittsburg

As described above, in average precipitation years, the City anticipates having sufficient water supplies to meet its customers' needs through 2030. In a second consecutive dry year, however, the City will probably need to enter into a Stage I water shortage response. A Stage I water shortage response is planned to address up to a 10 percent reduction of supply and includes a voluntary customer rationing program. In the third consecutive dry year, or in the event of a major system failure, the City may continue a Stage I water shortage response or move into a Stage II water shortage response. A Stage II water shortage response is planned to address up to a 20 percent reduction of supply and includes continuation of voluntary rationing, building permit restrictions, and water shortage pricing. In addition, the City's Water Conservation Ordinance includes prohibitions on various wasteful water uses such as lawn watering during midday hours, washing sidewalks and driveways with potable water, and allowing plumbing leaks to go uncorrected.

In addition to the City's water conservation efforts described above, the City also continually examines supply enhancement options, including additional water recycling, conjunctive use, water transfers, and additional imported water supplies through its participation in the East County Water Management Association and collaboration with its principal raw water suppliers.

3.6 PUBLIC SERVICES AND UTILITIES

The City is working with the Delta Diablo Sanitation District (DDSD) to further develop irrigation and industrial recycled water uses. The DDSD currently provides recycled water to the Delta Energy Center and the Los Medanos Energy Center, thus reducing demand for City water supplies. The DDSD also provides recycled wastewater to the City for park and landscaping irrigation purposes. In addition, the City is pursuing the construction of additional groundwater wells for which the City has commissioned a groundwater study and well site selection, design, and construction. The new wells will supplement the existing wells sites already in use by the City and allow the City to more fully identify and use the existing groundwater supply.

Infrastructure

Raw water is conveyed by the CCWD to the city through the Contra Costa Canal and is treated at the City's 32-mgd Water Treatment Plant (WTP). In addition to the WTP, the City's water system consists of two groundwater wells, eight distribution reservoirs, and five booster stations. The reservoirs serve four pressure zones and have a total capacity of 17 million gallons (mg) providing operational, emergency, and fire flow storage. In addition, the system consists of approximately 211 miles of water mains and includes 3,576 valves, 17,500 meters and service lines, and 1,300 fire hydrants.

3.6.2.2 REGULATORY FRAMEWORK

Federal

Safe Drinking Water Act

The Safe Drinking Water Act is the main federal law that ensures the quality of Americans' drinking water. The act authorizes the United States Environmental Protection Agency (USEPA) to set national health-based standards for drinking water, known as the National Primary Drinking Water Regulations, to protect against both naturally occurring and man-made contaminants that may be found in drinking water. The regulations set enforceable maximum contaminant levels for particular contaminants in drinking water and require ways to treat water to remove contaminants. Each standard also includes requirements for water systems to test for contaminants in the water to make sure standards are achieved. In addition to setting these standards, the USEPA provides guidance, assistance, and public information about drinking water, collects drinking water data, and oversees state drinking water programs (USEPA 2004). The USEPA oversees the states, localities, and water suppliers that implement the standards. The Safe Drinking Water Act applies to every public water system in the United States.

State

California Safe Drinking Water Act

The California Safe Drinking Water Act was passed to build on and strengthen the federal Safe Drinking Water Act. The act authorizes the California Department of Public Health to enforce both the federal and state acts and protect the public from contaminants in drinking water through regulation of public water systems (Scorecard 2012).

California Department of Public Health Drinking Water Program

The California Department of Public Health's (CDPH) Drinking Water Program is within the Division of Drinking Water and Environmental Management. The program regulates public drinking water systems and is responsible for the enforcement of the federal and California Safe Drinking Water

Acts and the regulatory oversight of 7,500 public water systems. The CDPH Field Office Branch staff performs field inspections, issues operating permits, reviews plans and specifications for new facilities, takes enforcement actions for noncompliance with laws and regulations, reviews water quality monitoring results, and supports and promotes water system security. In addition, Field Office Branch staff members are involved in funding infrastructure improvements, conducting source water assessments, evaluating projects utilizing recycled treated wastewater, and promoting and assisting public water systems in drought preparation and water conservation (CDPH 2012). The CDPH also establishes maximum contaminant levels (MCLs) that are at least as stringent as those developed by the USEPA, as required by the federal Safe Drinking Water Act. The CDPH lists any contaminants that may have any adverse health effects, based on expert opinion, and may occur in public water systems, including all the substances for which federal MCLs exist (Scorecard 2012). The CDPH works with the USEPA, the State Water Resources Control Board, Regional Water Quality Control Boards, and a wide variety of other parties interested in the protection of drinking water supplies (CDPH 2012).

Urban Water Management Planning Act and Amendments

The California Department of Water Resources (DWR) provides urban water management planning services to local and regional urban water suppliers. In 1983, the California Legislature enacted the Urban Water Management Planning Act (Water Code Sections 10610–10656). The act states that every urban water supplier that provides water to 3,000 or more customers, or that provides over 3,000 acre-feet of water annually, should make every effort to ensure the appropriate level of reliability in its water service sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry years. The act requires that urban water suppliers develop water management plans to actively pursue the efficient use of available supplies. The act describes the contents of the urban water management plans as well as how urban water suppliers should adopt and implement the plans (DWR 2012). The adopted plan must be updated at least once every five years on or before December 31 in years ending in five and zero. An urban water supplier that does not prepare, adopt, and submit its urban water management plan to the DWR is ineligible to receive drought assistance from the State of California.

The CCWD's latest Urban Water Management Plan (UWMP) was adopted in 2010 and covers the entire CCWD service area. This includes the City of Pittsburg. The conclusions of the UWMP were utilized in the preparation of the CCWD's Future Water Study. Likewise, the City of Pittsburg prepared a UWMP in 2010, including consideration of existing and projected future growth in the city.

Senate Bill (SB) 610 and Assembly Bill 910

Local

City of Pittsburg General Plan

The General Plan serves as the overriding policy document for land use in the City of Pittsburg. The reader is referred to **Appendix F** for an analysis of the proposed project's consistency with General Plan policies related to water supply. While this DEIR discusses the project's consistency with the General Plan pursuant to State CEQA Guidelines Section 15125(d), the appropriate reviewing authority will ultimately make the determination of the project's consistency with the General Plan.

3.6 PUBLIC SERVICES AND UTILITIES

Pittsburg Municipal Code

Title 13 of the Pittsburg Municipal Code provides regulation of water supply and wastewater handling in the City of Pittsburg. Section 13.18 includes specific requirements and prohibitions toward the goal of conserving water in the city.

3.6.2.3 IMPACTS AND MITIGATION MEASURES

Standards of Significance

The impact analysis provided below is based on the CEQA Guidelines Appendix G thresholds of significance. The project would have a significant impact related to water supply if it would:

- 1) Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- 2) Have insufficient water supplies available to serve the project from existing entitlements and resources and/or require new or expanded entitlements.

Methodology

Water use information was provided by the applicant and shared with utilities. A separate analysis of methods of extending recycled water to the site was provided by Carlson, Barbee & Gibson, Inc., Engineers (2011).

Project Impacts and Mitigation Measures

Adequate Water Supply (Standards of Significance 1 and 2)

Impact 3.6.2.1 Implementation of the proposed project would substantially increase the facility's water demands. However, the City and its wholesale provider would have sufficient water supplies available to meet the project's demand. This impact would be **less than significant**.

The City of Pittsburg currently treats and supplies domestic water to the existing facility, while water for fire suppression purposes is provided via a private water supply. Implementation of the proposed project would increase the facility's water demand from the current approximately 20,000 gallons per day (gpd) (22 acre-feet per year) to approximately 40,000 gpd (45 acre-feet per year). This increased water demand would be attributed to operation of the proposed biomass gasification unit and expanded operations and in the outdoor processing areas. Because the proposed truck maintenance facility and yard would be relocated from a property east of Loveridge Drive, it would result in no net increase in water demand.

The City's water treatment plant has a capacity of 32 mgd. The City currently averages a total water demand of approximately 11 mgd, with peak usage at approximately 17 mgd. The City projects that its total average daily water demand in 2030 would be approximately 17 mgd, which leaves a remaining treatment capacity of 15 mgd. As the proposed project would increase the City's total water demand by a relatively small 20,000 gpd, or approximately 0.02 mgd, it would not result in the need for a new water treatment plant or expansion or modification of the existing plant.

During the NOP process, the DDSO requested that the EIR evaluate the potential for the proposed project to use reclaimed water. Reclaimed water would best be utilized for dust suppression during project operations. The dust suppression demand for the project at full buildout is estimated to be 25,000 gpd (approximately 28 acre feet per year).

There are two potential sources of non-potable water within proximity of the project site. The first is the DDSO's recycled water system. The DDSO operates a recycled water system that supplies recycled water generated at its Wastewater Treatment Plant (WWTP) to various industrial sites, parks, and golf courses within their service area. The recycled water generated by the DDSO meets the California Department of Public Health's Title 22 regulations and is acceptable for all uses and human contact, except for drinking. The DDSO has indicated that the recycled water system has capacity to meet the proposed demand for the project site (CBG 2012). The DDSO recycled water system includes an 18-inch supply and 12-inch return pipelines in Pittsburg-Antioch Highway near the project site. Should the extension of the recycled water system become part of the proposed project, the lines would be located in existing public rights-of-way that are paved (CBG 2011). Thus, no significant environmental impacts would occur if service was extended.

The second potential source is the CCWD's raw water system. The CCWD operates raw water pipelines which convey raw water from the Contra Costa Canal to the industrial uses north of Pittsburg-Antioch Highway, including the project site. The CCWD raw water system includes an 18-inch pipeline, referred to as Lateral 14, which crosses to the north side of Kirker Creek just east of the Contra Costa Industrial Park (CCIP). The CCWD has indicated that the raw water system has capacity to meet the proposed demand for the project site (CBG 2012). Because there would be adequate treated and non-potable water to serve the project, this would be considered a **less than significant** impact.

Mitigation Measures

None required.

Cumulative Water Supply

Impact 3.6.2.2 The proposed project, in combination with other cumulative development, would increase demand for potable water. The project's contribution is **less than cumulatively considerable**.

The City anticipates having sufficient water supplies to meet its customers' needs through 2030. As shown in **Tables 3.6.2-1** and **3.6.2-2**, the projected demand would be met by a combination of water provided by the CCWD, City-produced groundwater, and recycled water, and recycled water and groundwater would be used to supplement CCWD supplies. The CCWD has indicated that current demands can be met under all supply conditions. However, starting in 2010, during the second and third year of a multiyear drought, short-term water purchases would most likely need to be reduced by 5 to 15 percent. The CCWD has further indicated that it believes the maximum amount of short-term conservation expected to be necessary under drought conditions would be 15 percent of demand. The City's water conservation efforts to achieve any reductions in dry years are described above. The City also continually examines supply enhancement options, including additional water recycling, conjunctive use, water transfers, and additional imported water supplies, through its participation in the East County Water Management Association and collaboration with its principal raw water suppliers. Therefore, based on the current projected demand and supply, there is adequate water to meet the cumulative demand. This would be considered a less than significant cumulative impact, and the project's contribution is **less than cumulatively considerable**.

3.6 PUBLIC SERVICES AND UTILITIES

Mitigation Measures

None required.

3.6.3 WASTEWATER SERVICE

3.6.3.1 EXISTING SETTING

The existing wastewater facilities serving the project site are privately owned and maintained. Wastewater flows from the site are currently conveyed to an existing pump station located on the west side of the on-site buildings, near the scale house. A 4-inch force main then conveys flows from the pump station south, parallel to the building, and then turns eastward, generally in alignment with the site's main access driveway to Loveridge Road. The force main then turns prior to Loveridge Road and continues Southward and connects to an existing four-inch force main within the 3.5 acre area to the south (former GWF Power Site). This four-inch force main conveys the flows across the Kirker Creek culverts and across the Loveridge Road/Pittsburg-Antioch Highway Intersection and connects to the existing DDSD truck main within Pittsburg-Antioch Highway. The DDSD trunk main conveys flows west to east and eventually discharges to the DDSD Wastewater Treatment Plant (CBG 2011, p. 1-2).

Existing Wastewater Storage Tanks

There are two 4,500-gallon wastewater storage tanks located on the north side of the Mt. Diablo Recycling Facility/Recycling Center and Transfer Station buildings. These tanks store wastewater collected from the floor of the transfer truck loading well. The wastewater consists of rainwater that flows into the truck well and liquids from the garbage material being processed. The wastewater is pumped from the floor into the tanks and stored. The wastewater accumulates and is then tested to confirm compliance with DDSD requirements. Once the DDSD confirms that the wastewater is acceptable to be treated at its wastewater treatment plant, a vacuum truck empties the tanks and transfers the wastewater directly to the DDSD treatment plant. This wastewater is not discharged into the on-site sanitary sewer system.

Existing On-Site Pump Station

A field assessment of the existing pump station located on the west side of the existing facility was conducted in November 2011 by Coleman Engineering (CBG 2011). This pump station was found to be in fair condition. The pipelines and pump were operable and functioning as needed to convey the typical wastewater flows generated by the current on-site operations. The existing pump has a pumping capacity of 75 gallons per minute (gpm). The pumps are controlled by a simple timer that is currently set to operate the pumps twice per day for duration sufficient to convey all wastewater from the site (CBG 2011, p. 1-2).

Existing On-Site Force Main

The existing force main within the project site and leaving the pump station described above is a 4-inch-diameter pipeline. There is one clean-out located just after the pump station as the force main turns southward. The site staff indicated that the system has backed up in the past due to the force main clogging with debris, such as rags or straps. Additional, clean outs have been since installed on the force main to reduce potential clogging and facilitate maintenance (CBG 2011, p. 1-2).

DDSD Wastewater Treatment Plant

The DDSD treatment plant is located north of State Route (SR) 4, just east of the City of Pittsburg city limits. Existing DDSD wastewater treatment facilities have a capacity of 16.5 mgd. In 2010, the DDSD treated an average of 13.4 mgd. The treated effluent is discharged to New York Slough and the Sacramento-San Joaquin Delta. The treated effluent is regulated under the National Pollutant Discharge Elimination System (NPDES) permit system, which is administered under the auspices of the USEPA.

The DDSD has adopted a District Master Plan that includes a phased treatment plant expansion to ultimately provide 24 mgd capacity (average dry weather flow) in order to accommodate anticipated growth in the City of Pittsburg, City of Antioch, and unincorporated Bay Point (City of Pittsburg 2001). The anticipated growth included in the District Master Plan is at a more intense development scale than is proposed by the City of Pittsburg General Plan (2001; see Section 4.1, Land Use and Planning).

3.6.3.2 REGULATORY FRAMEWORK

Federal

Clean Water Act

The Clean Water Act (CWA) is the primary federal legislation governing surface water quality protection. The statute employs a variety of regulatory and non-regulatory tools to sharply reduce pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. These tools are employed to achieve the broader goal of restoring and maintaining the chemical, physical, and biological integrity of the nation's waters so that they can support the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water. Pollutants regulated under the CWA include "priority" pollutants, including various toxic pollutants; "conventional" pollutants, such as biochemical oxygen demand, total suspended solids, fecal coliform, oil and grease, and pH; and "non-conventional" pollutants, including any pollutant not identified as either conventional or priority. The CWA regulates both direct and indirect discharges (USEPA 2004).

Local

City of Pittsburg General Plan

The City adopted its current General Plan in 2001. **Appendix F** provides those General Plan policies relevant to wastewater and the proposed project as well as a preliminary evaluation of the project's consistency with these policies. While this DEIR discusses the project's consistency with the General Plan pursuant to CEQA Guidelines Section 15125(d), the appropriate reviewing authority will ultimately make the determination of the project's consistency with the General Plan.

3.6.3.2 IMPACTS AND MITIGATION MEASURES

Standards of Significance

The impact analysis provided below is based on the CEQA Guidelines Appendix G thresholds of significance. The project would have a significant impact related to wastewater if it would:

3.6 PUBLIC SERVICES AND UTILITIES

- 1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- 2) Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- 3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Methodology

The following analysis of potential wastewater service impacts is based on a technical memorandum prepared by Wood Rodgers, Inc. (2011), which provided the results of a detailed wastewater study for the project. Additional information is provided by a technical memorandum by Carlson, Barbee & Gibson, Inc. (2011). Both studies (provided as **Appendix I**) involved research, correspondence with adjacent property owners, and field visits to identify and describe the existing infrastructure currently serving the project site. The studies then provided a comparison of the capacities of this existing infrastructure to the flows anticipated to be generated under three different scenarios: Existing Flows, Proposed Flows with Biomass Discharge Added, and Master Planned Flows. Anticipated project flows were determined based on information provided by the project applicant.

Project Impacts and Mitigation Measures

Wastewater Treatment Impacts (Standard of Significance 1)

Impact 3.6.3.1 The proposed project could exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. This impact is **less than significant**.

The proposed project will increase the wastewater flows from the project site from approximately 20,000 gpd to 61,200 gpd. The increase is associated with additional employee shifts and the incorporation of a Biomass Gasification Unit. The Biomass Gasification Unit is proposed to be implemented in two phases, each generating a wastewater flow of 20,000 gpd. As operations at the facility would be similar to that of the existing operations, the characteristics of the wastewater generated on site would not substantially differ from existing operations. If an industrial waste discharge permit is required for the project, the project applicant would be required to submit the application to the DDSD's industrial pretreatment department.

The proposed ultimate wastewater flows from the proposed project are estimated to be the sum of 40,000 gpd generated from the ultimate biomass unit and 1,200 gpd generated from 90 peak shift employees, totaling 41,200 gpd. Because the proposed truck maintenance facility and yard would be relocated from a property east of Loveridge Drive, it would result in no net increase in wastewater generation. The City of Pittsburg Wastewater Collection System Master Plan assigns a peaking factor of 2.11 based on flow monitoring to establish peak flows. Applying this peaking factor, the peak wastewater flows from the proposed MDRRP project are approximately 86,930 gpd (60.4 gpm).

The DDSD existing permit capacity is for 16.5 mgd with a 2010 daily treatment of 13.4 mgd, with a remaining capacity of 3.1 mgd. The proposed project would result in an increase of 41,200 gpd (0.0412 mgd), or approximately 1.3 percent of the available capacity. This would not exceed remaining treatment capacity and would not alter treatment operations. This impact is considered **less than significant**.

Mitigation Measures

None required.

Wastewater Infrastructure Impacts (Standard of Significance 2)

Impact 3.6.3.2 Implementation of the proposed project could require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. This impact is **less than significant**.

The Wood Rodgers (2011) technical review of the wastewater system recommended that additional evaluation be conducted to determine the capacity of the existing pump station and collection system. This additional evaluation was completed by Carlson, Barbee & Gibson, Inc. in December 2011 (see **Appendix I**). According to CBG (2011), the existing on-site pump station is in fair condition and has an existing pumping capacity of 75 gpm, which exceeds the proposed ultimate peak flow of 60.4 gpm. No improvements would be required to the existing on-site pump station in order to convey flows from the proposed MDRRP expansion (CBG 2011).

The existing collection system can adequately handle the projected wastewater without the need for substantial improvement. This impact is considered **less than significant**.

Mitigation Measures

None required.

Increased Demand for Wastewater Services (Standard of Significance 3)

Impact 3.6.3.3 Implementation of the proposed project could result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. This impact is **less than significant**.

As described previously, wastewater currently generated at the project site is primarily domestic waste from employee restrooms and kitchen facilities (CBG 2011). Rainwater that flows into the truck well and liquids from the garbage material being processed is also collected in storage tanks where it is tested to confirm compliance with DDSD requirements prior to transport via vacuum truck directly to the DDSD treatment plant. The proposed project would increase the volume of wastewater generated on the project site.

The DDSD has wastewater conveyance and treatment facilities planned and under construction to increase system capacity. The DDSD collects Capital Facility Capacity Charges to build capacity as it is consumed by new connections. Capacity is constructed by the DDSD as prescribed in its Conveyance and Treatment Plant Master Plans. The Master Plans use City planning data for communities in the DDSD service area. The proposed project is identified in the

3.6 PUBLIC SERVICES AND UTILITIES

City sewer collection system planning documents as part of sewer basin DP105. In the 2010 Master Plan, the parcels are within DDSD Master Plan Sewer Basin 2-8, Pittsburg Industrial South. Sewer Basin 2-8 has a contributing area of 363 acres and an existing average dry weather flow of 0.18 mgd, which will increase to 0.28 mgd at buildout (DDSD 2011). The comparatively small amount of projected wastewater from the facility of 0.04 mgd is within the planned wastewater for the basin. This impact is considered **less than significant**.

Mitigation Measures

None required.

Cumulative Demand for Wastewater Services

Impact 3.6.3.4 The proposed project, combined with other cumulative development, would increase demand for wastewater treatment facilities. This impact is less than significant, and the project's contribution would be **less than cumulatively considerable**.

Future growth in the City of Pittsburg would increase demand for wastewater treatment. Existing DDSD wastewater treatment facilities have a capacity of 16.5 mgd. In 2010, the DDSD treated an average of 13.4 mgd. The DDSD has adopted a District Master Plan that includes a phased treatment plant expansion to ultimately provide 24 mgd capacity (average dry weather flow) in order to accommodate anticipated growth in the City of Pittsburg, City of Antioch, and unincorporated Bay Point (City of Pittsburg 2001). The anticipated growth included in the District Master Plan is at a more intense development scale than is proposed by the City of Pittsburg General Plan. Consequently, the cumulative development in the city would be able to be accommodated by the expanded treatment plant. This would be a less than significant cumulative impact, and the project's contribution would be **less than cumulatively considerable**.

Mitigation Measures

None required.

REFERENCES

- CBG (Carlson, Barbee & Gibson, Inc.). 2011. *Mount Diablo Resource Recovery Park, Wastewater System Improvements, Pittsburg, CA*.
- . 2012. *Mount Diablo Resource Recovery Park, Non-Potable Water Extension, Pittsburg, CA*.
- CDPH (California Department of Public Health). 2012. Drinking Water Program. Accessed September 5. <http://www.cdph.ca.gov/programs/pages/dwp.aspx>.
- City of Pittsburg. 2001. *City of Pittsburg General Plan*.
- . 2005. *2005 Urban Water Management Plan*.
- . 2011. *2010 Urban Water Management Plan*.
- Contra Costa County. 2001. *Pittsburg/Bay Point BART Station Area Specific Plan Environmental Impact Report*. CCCFPD (Contra Costa County Fire Protection District). 2011. Contra Costa County Fire Protection District. Accessed April 26. <http://www.cccfpd.org/index.php>.
- Contra Costa Waste Services. 2010. *Conditional Use Permit Application Package: Mt. Diablo Resource Recovery Park*. Prepared by Edgar and Associates.
- DDSD (Delta Diablo Sanitation District). 2011. Comment letter on Notice of Preparation.
- DWR (California Department of Water Resources). 2009. About Urban Water Management. Accessed September 5. <http://www.water.ca.gov/urbanwatermanagement/>.
- Leach, Ted. 2009. Fire Inspector, Contra Costa County Fire Protection District. E-mail correspondence with Rebecca Atkinson of PMC.
- . 2010. Letter to Ms. Leigha Schmidt.
- . 2013. Letter to Ms. Leigha Schmidt. August 29.
- Scorecard. 2012. Scorecard Goodguide. Accessed September 5. http://scorecard.goodguide.com/chemical-groups/one-list.tcl?short_list_name=camcl.
- USEPA (US Environmental Protection Agency). 2004. *Understanding the Safe Drinking Water Act*. Accessed August 26. <http://nepis.epa.gov/EPA/html/DLwait.htm?url=/Exe/ZyPDF.cgi?Dockey=30006614.PDF>.
- Wood Rodgers. 2011. *City of Pittsburg Mt. Resource Recovery Park Wastewater Study – Draft*.

3.7 TRANSPORTATION AND CIRCULATION

This section of the Draft EIR (DEIR) describes transportation and circulation conditions in the area of the proposed project and identifies impacts associated with the development of the proposed project. The analysis focuses on potential impacts to the roadway, transit, internal site circulation, and bicycle/pedestrian systems, and evaluates the project's consistency with the City of Pittsburg General Plan transportation policies. Significant impacts are identified for each system and, as necessary, mitigation measures are identified to address those impacts. All technical analyses related to this section are contained in **Appendix J**. The analysis in this section was prepared by Fehr & Peers.

3.7.1 EXISTING SETTING

STUDY AREA

The Transportation Impact Analysis prepared for the proposed project (see **Appendix J**) analyzed the following study intersections, which are shown on **Figure 3.7-1**.

1. East Leland Road/Loveridge Road
2. SR 4 Eastbound Ramps/Loveridge Road
3. California Avenue/Northpark Boulevard/Loveridge Road
4. SR 4 Westbound Ramps/California Avenue
5. Pittsburg-Antioch Highway/Loveridge Road
6. Buchanan Road/Loveridge Road
7. W 10th Street/Auto Center Drive (Antioch)
8. Loveridge Road/Project South Driveway
9. Loveridge Road/Project North Driveway

EXISTING CONDITIONS

Roadway System

The project site is located on the west side of Loveridge Road, primarily surrounded by industrial uses. The roadways in the study area are described below, and their locations in relation to the site are shown on **Figure 3.7-1**.

SR 4 is an east–west divided highway that provides regional access to East Contra Costa County. SR 4 stretches from Interstate 80 (I-80) to the west to Alpine County to the east. In the vicinity of the project site, it serves approximately 110,000 vehicles per day (vpd) and provides two lanes in each direction. However, construction is currently under way to widen SR 4 to provide four lanes in each direction between Railroad Avenue and Hillcrest Avenue.

The SR 4 corridor widening project, which will widen the highway from four to eight lanes between the Railroad Avenue and Hillcrest Road interchanges, is currently under construction. The segment between Railroad Avenue and Somersville Road has been completed, and the segment from Somersville Road to Hillcrest Avenue in Antioch is scheduled for completion in late 2015. This project has affected the study intersections as follows:

3.7 TRANSPORTATION AND CIRCULATION

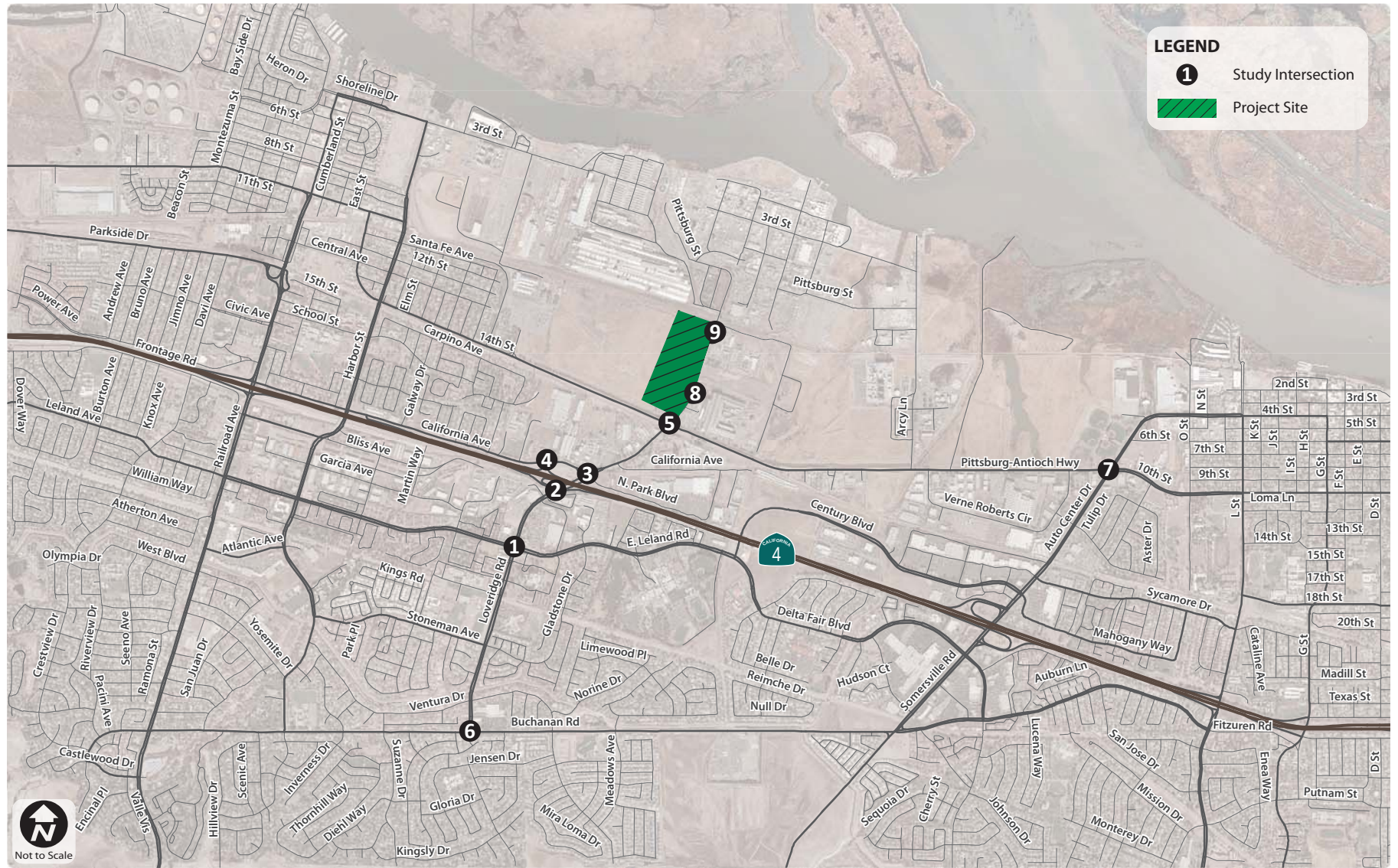
1. SR 4 Eastbound Ramps/Loveridge Road (Intersection #2) – The intersection is modified from being a “T” intersection to a four-leg intersection. The eastbound approach (SR 4 Eastbound Off-Ramp) is widened to accommodate an additional left-turn lane, providing two left-turn lanes and one right-turn lane. Previously, two SR 4 Eastbound On-Ramps provided access from northbound and southbound Loveridge Road. Those are now consolidated into one on-ramp, which is aligned with the off-ramp. Additionally, the new on-ramp is widened to three lanes, with two lanes for mixed flow traffic and one lane for high occupancy vehicle (HOV) traffic. The southbound approach is widened from two lanes to four lanes, providing two left-turn lanes and two through lanes. The northbound approach is widened to accommodate a new right-turn pocket, providing two through lanes and one right-turn lane.
2. California Avenue/North Park Boulevard/Loveridge Road (Intersection #3) – The westbound approach is modified to convert the shared through/right-turn lane into a dedicated right-turn lane, providing two left-turn lanes, one through lane, and one right-turn lane. The northbound approach is modified from its current configuration, which provides one left-turn lane, one shared left-turn/through lane, one through lane, and one right-turn lane to provide two left-turn lanes, one through lane, and one shared through/right-turn lane. Additionally, the pork-chop islands which currently allow free right turns at the eastbound and southbound approaches are removed.
3. SR4 Westbound Ramps/California Avenue (Intersection #4) – The westbound approach is widened to accommodate a new through lane, providing two left-turn lanes, two through lanes, and one right-turn lane. The eastbound approach is widened to accommodate a new through lane, providing one left-turn lane, one through lane, and one shared through/right-turn lane.

Loveridge Road is a north–south arterial roadway that provides direct access to the project site. Loveridge Road stretches from the Pittsburg Waterfront to the north to Buchanan Road to the south. North of the SR 4 Interchange, it is an undivided roadway with two lanes in each direction. South of the SR 4 Interchange, it is a divided roadway with two lanes in each direction. There is an on-street bike lane on the east side of Loveridge Road north of the SR 4 Interchange and along both sides of the street to the south. Loveridge Road has a posted speed limit of 40 miles per hour (mph) north of Pittsburg-Antioch Highway, and a posted speed of 35 mph south of Pittsburg-Antioch Highway.

Pittsburg-Antioch Highway is an east–west arterial roadway located just south of the project site. Pittsburg-Antioch Highway stretches from Harbor Street to the west to Auto Center Drive in Antioch to the east, where it becomes West 10th Street. In the vicinity of the project site, it is an undivided roadway with one lane in each direction and has a posted speed limit of 45 mph.

Auto Center Drive is a north–south arterial roadway located east of the project site. Auto Center Drive stretches from West 10th Street to the north, where it becomes West 4th Street. To the south, it becomes Somersville Road at the SR 4 Interchange. In the vicinity of the project site, it provides two lanes in each direction with a center two-way left-turn lane (TWLTL) and has a posted speed limit of 35 mph.

Buchanan Road is an east–west arterial roadway located south of the project site. Buchanan Road stretches from Railroad Avenue to the west to Contra Loma Boulevard in Antioch to the east. In the vicinity of the project site, it provides one lane in each direction with a painted median. The roadway has a posted speed limit of 35 mph. There is an on-street bike lane on both sides of Buchanan Road.



Source: Fehr & Peers, 2011

Figure 3.7-1
Project Study Roadways and Intersections

California Avenue is an east–west collector roadway located south of the project site. California Avenue is a two-lane roadway (one lane in each direction) that stretches from Railroad Avenue to the west to Harbor Street where it becomes two lanes in each direction to Loveridge Road. The roadway then continues east of Loveridge Road (700-foot offset/north on Loveridge Road) with one lane in each direction to Markstein Road.

Leland Road is an east–west arterial roadway located south of the project site. Leland Road stretches from San Marco Boulevard in the west to Century Boulevard in the east, where it becomes Delta Fair Boulevard. In the vicinity of the project site, it provides two lanes in each direction with a landscaped center median and has a posted speed limit of 35 mph. There is an on-street bike lane on both sides of East Leland Road.

Existing Traffic Volumes

Weekday morning (7:00 to 9:00 AM) and evening (4:00 to 6:00 PM) peak period intersection turning movement counts were collected at all study intersections in October 2011 as part of the traffic study prepared for the proposed project. The existing peak period traffic counts are provided in Appendix A of **Appendix J**. For each intersection count period, the hour with the highest traffic volume was identified as the peak hour. The peak hour turning movement volumes are represented on **Figure 3.7-2**. These volumes are used in the intersection operations analysis. **Figure 3.7-2** also presents the intersection lane configurations and traffic control devices.

Existing Intersection Operations

Existing intersection operations, which are based upon the conditions at the time the Notice of Preparation (NOP) was circulated, were evaluated for the weekday AM and PM peak hours at all study intersections. **Table 3.7-1** summarizes the intersection analysis results.

As shown, all study intersections and project driveways operate at acceptable levels except for the Pittsburg-Antioch Highway/Loveridge Road intersection, which operates at level of service (LOS) E during the PM peak hour based on the Contra Costa Transportation Authority (CCTA) methodology and LOS F during both peak hours based on the Highway Capacity Manual (HCM) method. Poor operations are primarily experienced for the westbound left-turn and through movements in the AM peak hour and the northbound right-turn and eastbound through movements in the PM peak hour. These movements accommodate heavy demand for traffic avoiding the congested SR 4 corridor. Because the conditions evaluated in this Draft EIR are based upon the conditions at the time the NOP was circulated, actual conditions would likely be better than disclosed below. For instance, improvements recently completed and those currently under construction on SR 4 are expected to reduce cut-through traffic at this intersection as well as at other local intersections along parallel routes, resulting in improved operations when completed. Detailed intersection LOS calculation worksheets are presented in Appendix B of **Appendix J**.

3.7 TRANSPORTATION AND CIRCULATION

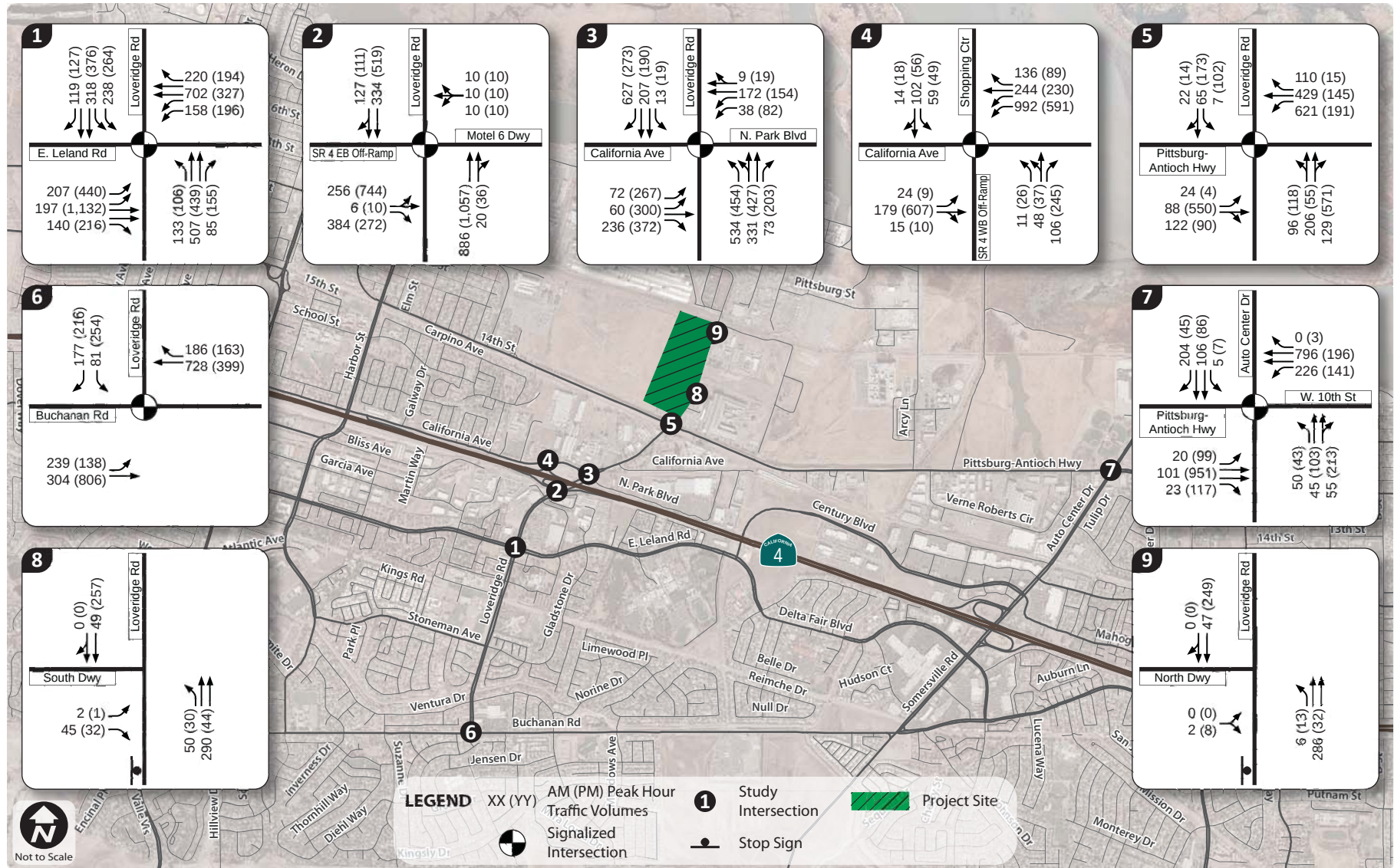
**TABLE 3.7-1
EXISTING INTERSECTION PEAK HOUR LEVELS OF SERVICE**

Location	Control ¹	Peak Hour	Delay ²	LOS ³ (HCM)	V/C ⁴	LOS ³ (CCTA)
1. East Leland Road/Loveridge Road	Signal	AM	41	D	0.515	A
		PM	43	D	0.6929	A
2. SR 4 Eastbound Ramps/Loveridge Road	Signal	AM	23	C	0.504	A
		PM	57	E	0.768	C
3. California Avenue/North Park Boulevard/Loveridge Road	Signal	AM	21	C	0.639	A
		PM	31	C	0.506	A
4. SR 4 Westbound Ramps/California Avenue	Signal	AM	30	C	0.550	A
		PM	29	C	0.649	A
5. Pittsburg-Antioch Highway/Loveridge Road	Signal	AM	100	F	0.687	B
		PM	101	F	0.968	E
6. Buchanan Road/Loveridge Road	Signal	AM	48	D	0.609	B
		PM	28	C	0.616	B
7. W 10 th Street/Auto Center Drive	Signal	AM	20	B	0.395	B
		PM	19	B	0.507	A
8. Loveridge Road/Project South Driveway	SSSC	AM	2 (9)	A (A)	–	–
		PM	2 (9)	A (A)		
9. Loveridge Road/Project North Driveway	SSSC	AM	0 (9)	A (A)	–	–
		PM	1 (9)	A (A)		

Source: Fehr & Peers 2011

Notes:

1. Signal = signalized Intersection; SSSC = side-street stop-controlled intersection
2. Delay presented as seconds per vehicle; for side-street stop-controlled intersections, delay presented as intersection average (worst approach).
3. LOS = level of service
4. CCTA volume-to-capacity (V/C) ratios. Signalized intersection level of service based on Technical Procedures (Contra Costa Transportation Authority 2006).



Source: Fehr & Peers, 2011

Figure 3.7-2
Existing Conditions: Peak Hour Traffic Volumes,
Lane Configuration and Traffic Control

Existing Site Trips

The City's traffic consultant collected manual vehicle counts at the Loveridge Road driveways to estimate existing vehicle trips generated by the site. Daily and peak hour car and truck counts were collected on Thursday, January 27, 2011. The existing site trips are shown in **Table 3.7-2**.

TABLE 3.7-2
EXISTING TRIP GENERATION

Vehicle Type	Daily ¹	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Car ²	900	42	37	79	32	31	63
Truck ³	300	14	12	26	11	10	21
TOTAL	1,200	56	49	105	43	41	84

Source: Fehr & Peers 2011

Notes:

1. Based on transactional information provided to Fehr & Peers, and represents total trips, including inbound and outbound trips. For CalRecycle permitting, one round trip is equal to 2 of these daily trips.
2. Car is defined as a private, two-axle vehicle, including pickup trucks and employee vehicles.
3. Truck is defined as a transfer truck or refuse truck.

As shown in **Table 3.7-2**, the existing operation on the site generates 1,200 total daily trips, with 105 trips occurring during the AM peak hour and 84 trips occurring during the PM peak hour.

Bicycle and Pedestrian Facilities

The California Department of Transportation (Caltrans) standards provide for three distinct types of bikeway facilities, as generally described below:

- Class I Bikeway (Bike Path) provides a completely separate right-of-way for the exclusive use of bicycles and pedestrians. Vehicle and pedestrian cross-flow is minimized.
- Class II Bikeway (Bike Lane) provides a restricted right-of-way designated for the use of bicycles with a striped lane on a street or highway. Bike lanes are generally 5 feet wide. Vehicle and pedestrian cross-flow is permitted. In some cases, vehicle parking is permitted adjacent to bike lanes.
- Class III Bikeway (Bike Route) provides a right-of-way designated by signs of pavement markings for shared use between bicyclists and motor vehicles.

In the vicinity of the project site, there are Class II bike lanes along Loveridge Road, East Leland Road, and Buchanan Road. Additionally, there is a Class I bike path along the Delta De Anza Regional Trail, which is located south of the project site between East Leland Road and Buchanan Road. As part of the East County Bikeway Plan, a bicycle facility is planned along Auto Center Drive and Somersville Road.

Sidewalks are not provided along Loveridge Road north of the SR 4 Interchange, including along the project frontage. However, sidewalks are generally provided along the roadways south of SR 4 within the project site.

3.7 TRANSPORTATION AND CIRCULATION

Transit Access

Tri Delta Transit is the transit provider in the area serving East Contra Costa County, including Brentwood, Oakley, Pittsburg, and Bay Point. In addition, Tri Delta Transit provides a connection to the Bay Area Rapid Transit (BART) station at Pittsburg/Bay Point. **Figure 3.7-3** shows the existing transit services provided in the project area. The characteristics of the Tri Delta Transit routes operating in the area are summarized in Table 3 of **Appendix J**.

3.7.2 REGULATORY FRAMEWORK

STATE

Caltrans

Caltrans owns, operates, and maintains SR 4, which provides the primary access to eastern Contra Costa County, including the project site. Caltrans works with the Contra Costa Transportation Authority (CCTA) to monitor and implement improvements on SR 4.

REGIONAL

Contra Costa Transportation Authority

The first Congestion Management Program (CMP) for Contra Costa County was adopted in 1991 and has been updated every two years. The most recent update is the 2009 CMP. The CMP is administered by the CCTA and specifies that the transportation system within the county be monitored biennially for compliance with LOS standards. The LOS standard for the County CMP facilities has been set at LOS E for all roadways except those that were operating at LOS F when the first CMP was prepared. The CMP transportation system includes all of the state routes in the county and other Routes of Regional Significance.

The 2009 update of the Countywide Comprehensive Transportation Plan includes Action Plans for each sub-area within Contra Costa County. These Action Plans include planned Multimodal Transportation Service Objectives (MTSOs) for Routes of Regional Significance.

East County Action Plan for Routes of Regional Significance

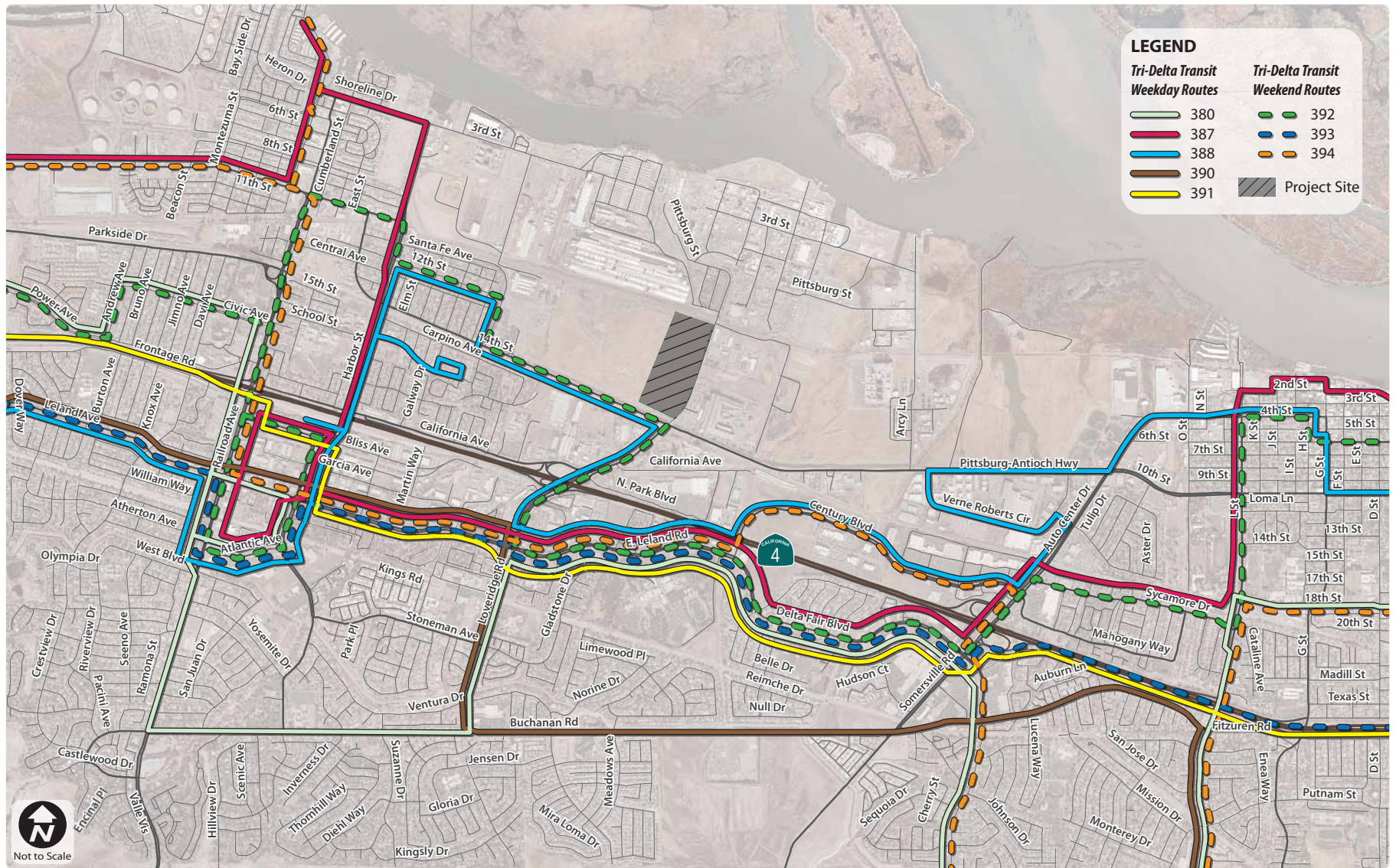
Adopted in August 2009, the East Contra Costa Action Plan for Routes of Regional Significance establishes the MTSOs for routes of regional significance in eastern Contra Costa County. The only MTSO applicable to the proposed project is:

- SR 4 – the Delay Index (DI) should not exceed 2.5 during the AM or PM peak hour

LOCAL

City of Pittsburg General Plan

The City adopted its current General Plan in 2001. **Appendix F** provides those General Plan policies relevant to transportation and circulation and to the proposed project as well as a preliminary evaluation of the project's consistency with these policies. While this DEIR discusses the project's consistency with the General Plan pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15125(d), the appropriate reviewing authority will ultimately make the determination of the project's consistency with the General Plan.



Source: Fehr & Peers, 2011

Figure 3.7-3
Existing Transit Routes
PMC

City of Pittsburg Municipal Code**Chapter 18.78 – Off-Street Parking and Loading**

Chapter 18.78 of the Pittsburg Municipal Code provides general parking standards as well as minimum parking space requirements by type of land use. According to this chapter, large recycling facilities, such as the proposed project, are required to provide six spaces plus one additional space per 1,000 square feet of gross floor area.

A parking variance for the existing facility was approved on June 10, 2008 (Resolution No. 9759) to allow a reduction in required on-site parking from 150 parking stalls to 79 stalls or a minimum standard of one parking stall per 2,450 square feet of building area. Based on this standard, the expanded project would require a total of 86 parking stalls. The project would add 41 parking stalls at the proposed truck maintenance facility as well as 60 parking stalls in the western portion of the site adjacent the proposed commodity storage areas. With these additional parking stalls, the facility would have a total of 180 stalls, which exceeds the minimum standard by 88 stalls.

Fee Programs

The proposed project will be subject to impact fees used to fund transportation improvements. Some of these improvements, such as the widening of SR 4, will benefit the project. Others improvements may be identified in the City's Five Year Capital Improvement Program or scheduled for eventual construction.

Fee programs affecting the project include:

- Local Transportation Mitigation Fee (LTMF), as described in Pittsburg Municipal Code Chapter 15.90, to fund local projects identified in the Capital Improvement Program
- Pittsburg Regional Transportation Development Impact Mitigation (PRTDIM), as described in Pittsburg Municipal Code Chapter 15.103, to fund local and regional-serving projects

3.7.3 IMPACTS AND MITIGATION MEASURES**LEVEL OF SERVICE CRITERIA**

To measure and describe the operational status of a local roadway network, transportation engineers and planners commonly use a grading system called level of service (LOS). LOS is a description of a transportation facility's operation, ranging from LOS A, indicating free-flow traffic conditions with little or no delay experienced by motorists, to LOS F, which describes congested conditions where traffic flows exceed design capacity, resulting in long queues and delays.

As required for compliance with the East Contra Costa County Action Plan and the County's Congestion Management and Growth Management programs, the analysis method outlined in the Technical Procedures update prepared by the Contra Costa Transportation Authority, known as CCTALOS, was utilized to analyze all signalized study intersections. To augment this analysis, the Transportation Research Board's 2000 Highway Capacity Manual (HCM) method and Synchro software were also used to analyze intersection operations at both signalized and unsignalized study intersections. This type of supplemental analysis is explicitly allowed in the CCTA's Technical Procedures, as the two methods are different in estimating intersection LOS.

For signalized intersections, only the CCTALOS-based analysis is used herein to identify project impacts and determine mitigation measures, according to the requirements of the City.

3.7 TRANSPORTATION AND CIRCULATION

Signalized Intersections

At each signalized study intersection, traffic conditions were evaluated using the CCTALOS method. The CCTALOS planning-level analysis uses various intersection characteristics (i.e., traffic volumes, lane geometry, and signal phasing) to estimate the volume-to-capacity (V/C) ratio of an intersection.

Unsignalized Intersections

For unsignalized (side-street stop-controlled) intersections, the method outlined in Chapter 17 of the Transportation Research Board's 2000 HCM was used. This method estimates the worst-approach total delay (measured in seconds per vehicle) experienced by motorists traveling through an intersection. Total delay is defined as the amount of time required for a driver to stop at the back of the queue, move to the first-in-queue position, and depart from the queue into the intersection.

Delay Index

The East Contra Costa Action Plan for Routes of Regional Significance establishes multimodal traffic service objectives (MTSOs) for routes of regional significance in eastern Contra Costa County. The MTSO used to measure freeway operations is peak hour Delay Index, as calculated by the methods prescribed by the CCTA. Delay Index is defined as the ratio of the peak hour congested travel time to free-flow travel time on each roadway segment. For example, a Delay Index of 2.0 means that it takes twice as long to travel a particular segment during the peak commute hour as during non-commute hours when traffic moves at free-flow speeds.

THRESHOLDS OF SIGNIFICANCE

The following thresholds are based on the adopted policies of the CCTA and the cities of Pittsburg and Antioch, which are more appropriate for use in the City of Pittsburg than those contained in Guidelines Appendix G. Based on these policies, a significant traffic impact would occur if the addition of project-generated traffic would result in any of the effects listed below:

1. Intersections

The proposed project would have a significant impact on intersections if one of the following occurs:

- Operations of a study intersection to decline from LOS low-D (a volume-to-capacity ratio of 0.84 for signalized intersections or an average delay of 45 seconds for unsignalized) or better to LOS high-D, E, or F.
- Deterioration in already unacceptable operations at a signalized intersection by a change in V/C ratio of more than 0.01 or a change in average delay of more than 5 seconds.
- Operations of an unsignalized study intersection to decline from an acceptable level to an unacceptable level, and the need for installation of a traffic signal at an unsignalized intersection, based on the Manual on Uniform Traffic Control Devices (MUTCD) Peak Hour Signal Warrant (Warrant 3).

2. Transit System

Transit impacts would be considered significant if any of the following occur:

- The project or any project-related mitigation measure disrupts existing transit services or facilities. This includes disruptions caused by proposed project driveways on transit streets, impacts to transit stops/shelters, and impacts to transit operations from traffic improvements proposed or resulting from the project.
- The project interferes with planned transit services or facilities.
- The project creates demand for public transit services above that which is provided or planned.
- The project conflicts or creates inconsistencies with adopted transit system plans, guidelines, policies, or standards.

3. Bicycle System

Bicycle impacts would be considered significant if any of the following occur:

- The project disrupts existing bicycle facilities.
- The project interferes with planned bicycle facilities. This includes failure to dedicate right-of-way for planned on- and off-street bicycle facilities included in an adopted Bicycle Master Plan.
- The project conflicts or creates inconsistencies with adopted bicycle system plans, guidelines, policies, or standards.

4. Pedestrian System

Pedestrian impacts would be considered significant if any of the following occur:

- The project disrupts existing pedestrian facilities. This includes adding new vehicular, pedestrian, or bicycle traffic to a facility already experiencing pedestrian safety concerns such as an adjacent crosswalk or school.
- The project interferes with planned pedestrian facilities.
- The project conflicts or creates inconsistencies with adopted pedestrian system plans, guidelines, policies, or standards.

5. Site Access and Parking

A site access or parking impact would be considered significant if the project would result in any of the following:

- An insufficient quantity of on-site parking for vehicles.
- Increases in off-site parking demand above that which is provided in the immediate project area.
- An insufficient quantity of on-site parking for bicycles.

3.7 TRANSPORTATION AND CIRCULATION

- Lack of or inaccessible and/or unsafe pedestrian connections between buildings and adjacent streets and transit facilities.
- Lack of or an insufficient ingress left-turn lane length at a driveway, causing the ingress left-turn vehicle queue to spill out onto the street's through travel lane.
- Lack of or an insufficient ingress right-turn lane length at a driveway, causing the ingress vehicle queue to spill out onto the street's through travel lane.

The Initial Study prepared for the proposed project (see **Appendix A**) determined that there would be no impact to air traffic patterns and a less than significant impact to public transit, bicycle, and pedestrian facilities (significance thresholds 2, 3, and 4). Access to the site is currently provided by side-street stop-controlled four driveways on Loveridge Road. No changes are proposed to the driveway location, traffic control or access restrictions as part of the Project, so there would be no change with regard to access impacts (significance threshold 5). As discussed above, the facility would provide 180 parking stalls, which exceeds the minimum standard by 88 stalls. There would be no impact related to parking (significance threshold 5). Therefore, these issues are not discussed further in this section.

METHODOLOGY

Trip Generation

Trip generation rates were calculated based on the existing site trips and the actual tonnage processed at the site. The actual tonnage processed on the day the driveway counts were collected is presented in **Table 3.7-3**. As shown, the tonnage processed at the existing site on this date was 1,181 tons per day (TPD).

TABLE 3.7-3
ACTUAL TONNAGE PROCESSED AT EXISTING SITE

Existing Facility	Thursday, Jan. 27, 2011 (TPD ¹)
Mt. Diablo Recycling Facility (MDRF)	98
Recycling Center and Transfer Station (RCTS)	782
Green Material Processing Operations Area	51
Mixed Construction and Demolition Processing Area	250
TOTAL	1,181

Source: Fehr & Peers 2012

Notes:

1. TPD = tons per day

Based on the existing trip generation characteristics of the site, the tons processed, and the ratio of cars versus truck traffic at the site, the following trip rates (listed by vehicle type) were calculated:

Daily:	762.07 car trips per 1,000 TPD 254.02 truck trips per 1,000 TPD
AM Peak Hour:	66.89 car trips per 1,000 TPD (53% in/47% out) 22.02 truck trips per 1,000 TPD (54% in/46% out)
PM Peak Hour:	53.34 car trips per 1,000 TPD (51% in/49% out) 17.78 truck trips per 1,000 TPD (52% in/48% out)

The estimated trip generation for the proposed project was derived using the calculated trip rates for cars and trucks, as well as the maximum permitted capacity information of the expanded facility as contained in the project description (see Section 2.0). For purposes of this analysis, trucks are defined as large haul vehicles such as refuse and transfer trucks, and cars are defined as private vehicles, including automobiles and pickup trucks. Using these classifications, approximately 75 percent of the traffic generated by the project site is from cars and 25 percent from large trucks. **Table 3.7-4** presents the site trip generation of the existing facility and expanded site under maximum permitted operating conditions as well as the net new project trips. Trip generation estimates are provided for both cars and trucks under daily, AM peak hour, and PM peak hour conditions.

TABLE 3.7-4
PROJECT TRIP GENERATION UNDER MAXIMUM PERMITTED OPERATING CONDITIONS

Vehicle Type	Units ¹	Daily ⁴	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Existing Operations								
Car ²	1.18	900	42	37	79	32	31	63
Truck ³	1.18	300	14	12	26	11	10	21
TOTAL		1,200	56	49	105	43	41	84
Expanded Site Under Maximum Permitted Operating Conditions								
Car ²	5.54	4,220	197	174	371	150	145	295
Truck ³	5.54	1,400	65	57	122	51	47	98
TOTAL		5,620	262	231	493	201	192	393
Net New Project Trips								
Car		3,320	155	137	292	118	114	232
Truck		1,100	51	45	96	40	37	77
TOTAL		4,420	206	182	388	158	151	309

Source: Fehr & Peers 2012

Notes:

1. Unit = thousand tons per day
2. Calculated car trip generation rates:
Daily rate = 308.77
AM rate = 12.49; Enter = 57%, Exit = 43%
PM rate = 14.28; Enter = 50%, Exit = 50%
3. Calculated truck trip generation rates:
Daily rate = 1,360.03
AM rate = 81.21; Enter = 53%, Exit = 47%
PM rate = 60.68; enter = 51%, Exit = 49%
4. Based on transactional information provided to Fehr & Peers, and represents total trips, including inbound and outbound trips. For CalRecycle permitting, one round trip is equal to 2 of these daily trips.

As shown in **Table 3.7-4**, under maximum permitted operating conditions, the project could increase the total number of vehicles on the roadway network by approximately 4,420 vehicles per day, adding approximately 388 vehicles during the AM peak hour and 309 vehicles during the PM peak hour.

3.7 TRANSPORTATION AND CIRCULATION

Typical Operating Conditions

The trip generation estimates presented in **Table 3.7-4** assumes that the expanded facility would operate at the maximum permitted level (5,500 TPD) every day, which in reality is likely to occur only a few days per year. Operating at a full-time maximum capacity level is unlikely as evidenced by current conditions that show a much lower volume of traffic. During the day when the driveway counts were taken, the actual average tonnage processed represented approximately 50 percent of the total permitted capacity (1,181 TPD processed with 2,200 TPD maximum permitted capacity). Because of the difference between permitted capacity and processing based on observed conditions, this DEIR also illustrates environmental impacts from a more realistic, typical operating condition.

Although the facility currently processes only 50 percent of the maximum processing capacity, recognizing the anticipated improvements associated with the project and the expectations of the applicant for additional tonnage at the facility, Fehr & Peers prepared a model of traffic where the facility receives 55 percent of expanded maximum permitted capacity. Fifty percent of the proposed maximum permitted capacity of the expanded site is approximately 2,770 TPD; therefore, the operating condition of the facility operating at 55 percent of the maximum permitted level would be 3,050 TPD.

Table 3.7-5 presents the trip generation of the existing site as well as the proposed expansion of the site under typical operating conditions, as well as the net new project trips.

TABLE 3.7-5
PROJECT TRIP GENERATION UNDER TYPICAL OPERATING CONDITIONS

Vehicle Type	Units ¹	Daily ⁴	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Existing Operations								
Car ²	1.18	900	42	37	79	32	31	63
Truck ³	1.18	300	414	12	26	11	10	21
TOTAL		1,200	56	49	105	43	41	84
Expanded Site Under Typical Permitted Operating Conditions								
Car ²	3.05	2,320	108	96	204	83	80	163
Truck ³	3.05	770	36	31	67	28	26	53
TOTAL		3,090	144	127	271	111	105	216
Net New Project Trips								
Car		1,420	66	59	125	51	49	100
Truck		470	22	19	41	17	15	32
TOTAL		1,890	88	78	166	68	65	132

Source: Fehr & Peers 2012

Notes:

1. Unit = Thousand tons per day
2. Calculated car trip generation rates:
Daily rate = 308.77
AM rate = 12.49; Enter = 57%, Exit = 43%
PM rate = 14.28; Enter = 50%, Exit = 50%
3. Calculated truck trip generation rates:
Daily rate = 1,360.03

AM rate = 81.21; Enter = 53%, Exit = 47%

PM rate = 60.68; enter = 51%, Exit = 49%

4. Based on transactional information provided to Fehr & Peers, and represents total trips, including inbound and outbound trips. For CalRecycle permitting, one round trip is equal to 2 of these daily trips.

As shown in **Table 3.7-5**, under potential typical operating conditions, the project is expected to increase the total number of vehicles on the roadway network by approximately 1,890 vehicles per day, including approximately 166 vehicles during the AM peak hour and 132 vehicles during the PM peak hour.

Passenger Car Equivalent

Large trucks, such as those that currently serve the site, operate differently on the roadway system than passenger vehicles. They take longer to accelerate and decelerate, and occupy a physically larger space. Due to the large percentage of truck traffic generated by the site, truck-trips were converted into passenger car equivalents (PCEs) to account for their impact on roadway operations. PCE rates are based on the size and carrying capacity of the vehicle. According to the Transportation Research Board's Special Report 223, heavy vehicles range from 1.5 to 3.7 PCEs. An average PCE rate of 3.7 was conservatively applied for large haul trucks used for this analysis, as it includes only the largest types of trucks, (garbage/recycling collection trucks, large self-haul vehicles, and transfer trailer trucks), while pickup trucks were included in the "car" vehicle type defined for this project. This rate has been used in previous studies prepared by Fehr & Peers for similar facilities.

The PCE rate was multiplied by the total number of anticipated net new truck trips as a result of the project, as summarized in **Table 3.7-6**, to determine the passenger-car-equivalent trip generation. The total project PCE trips are presented for both project scenarios.

TABLE 3.7-6
NET NEW PROJECT TRIP GENERATION USING PASSENGER CAR EQUIVALENTS (PCE)

Vehicle Type	PCE Rate ¹	Daily ²	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Net New Project Trips Under Maximum Permitted Operating Conditions								
Cars	1.0 – 1.5	4,770	220	206	426	177	140	317
Trucks	2.7 – 3.7	3,410	156	137	293	126	115	241
TOTAL PROJECT PCE TRIPS		8,180	376	343	719	303	255	558
Net New Project Trips Under Typical Operating Conditions								
Cars	1.0 – 1.5	1,940	89	89	178	76	54	130
Trucks	2.7 – 3.7	1,460	68	57	125	54	46	100
TOTAL PROJECT PCE TRIPS		3,400	157	146	303	130	100	230

Source: Fehr & Peers 2012

Notes:

1. PCE = passenger car equivalent; Cars: Employee/ Visitor = 1.0, Self Haul = 1.5; Trucks: Collection Truck = 2.7, Long Haul = 3.7
2. Total trips, including inbound and outbound trips. For CalRecycle permitting, one round trip is equal to 2 of these daily trips.

3.7 TRANSPORTATION AND CIRCULATION

As shown in **Table 3.7-6**, under maximum permitted operating conditions, the project is estimated to generate 8,180 new daily PCE trips, with approximately 719 PCE trips occurring during the AM peak hour and 558 PCE trips occurring during the PM peak hour. Under typical operating conditions, the project is estimated to generate 3,400 new daily PCE trips, with approximately 303 PCE trips occurring during the AM peak hour and 230 PCE trips occurring during the PM peak hour.

Trip Distribution and Assignment

Trip distribution is defined as the direction of approach and departure that vehicles would use to arrive at and depart from the site. An estimated distribution of project trips based on existing travel patterns, general service area of the facility, and relative locations of other similar uses in the region is presented on **Figure 3.7-4**. New trips generated by the project under both maximum permitted and typical operating conditions, as shown in **Table 3.7-6**, were assigned to the roadway network according to the trip distribution shown on **Figure 3.7-4**. The resulting trip assignment by intersection is presented on **Figure 3.7-5** and **Figure 3.7-6** for maximum permitted and typical operating conditions, respectively.

PROJECT IMPACTS AND MITIGATION MEASURES

Exceedence of LOS Thresholds at Study Intersections (Standard of Significance 1)

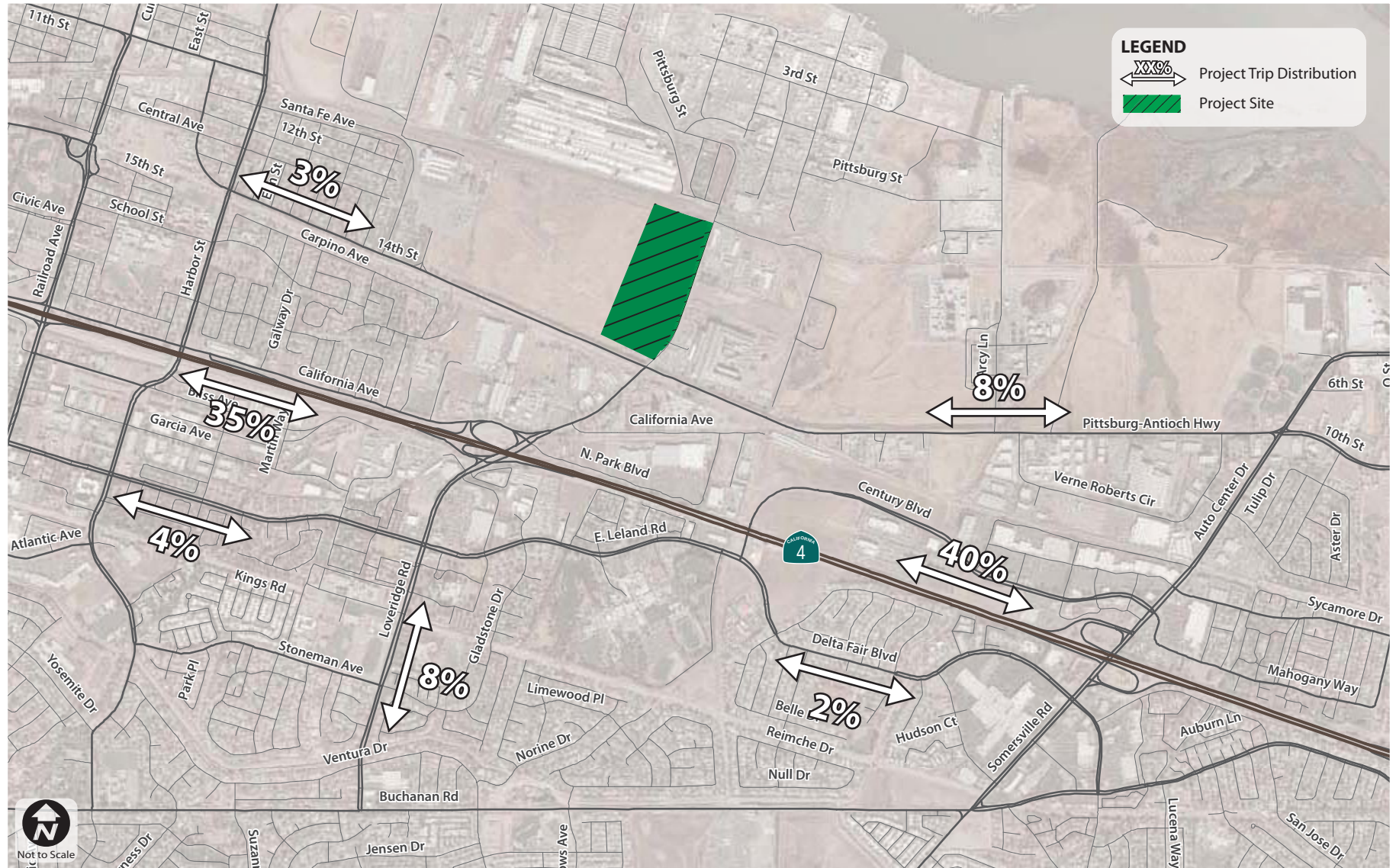
Impact 3.7.1 Implementation of the proposed project would result in the degradation of operations at two study intersections. This would be a **significant** impact.

The peak hour project volumes were added to the existing traffic volumes to determine Existing Plus Project traffic volumes. **Table 3.7-7** provides the results of the Existing and Existing Plus Project intersection analyses. Under Existing Conditions, all study intersections and project driveways operate at acceptable levels except for the Pittsburgh-Antioch Highway/Loveridge Road intersection, which operates at LOS E during the PM peak hour based on the CCTA methodology. Impacts for the signalized intersections are identified based on the CCTA LOS method.

Typical Operating Conditions

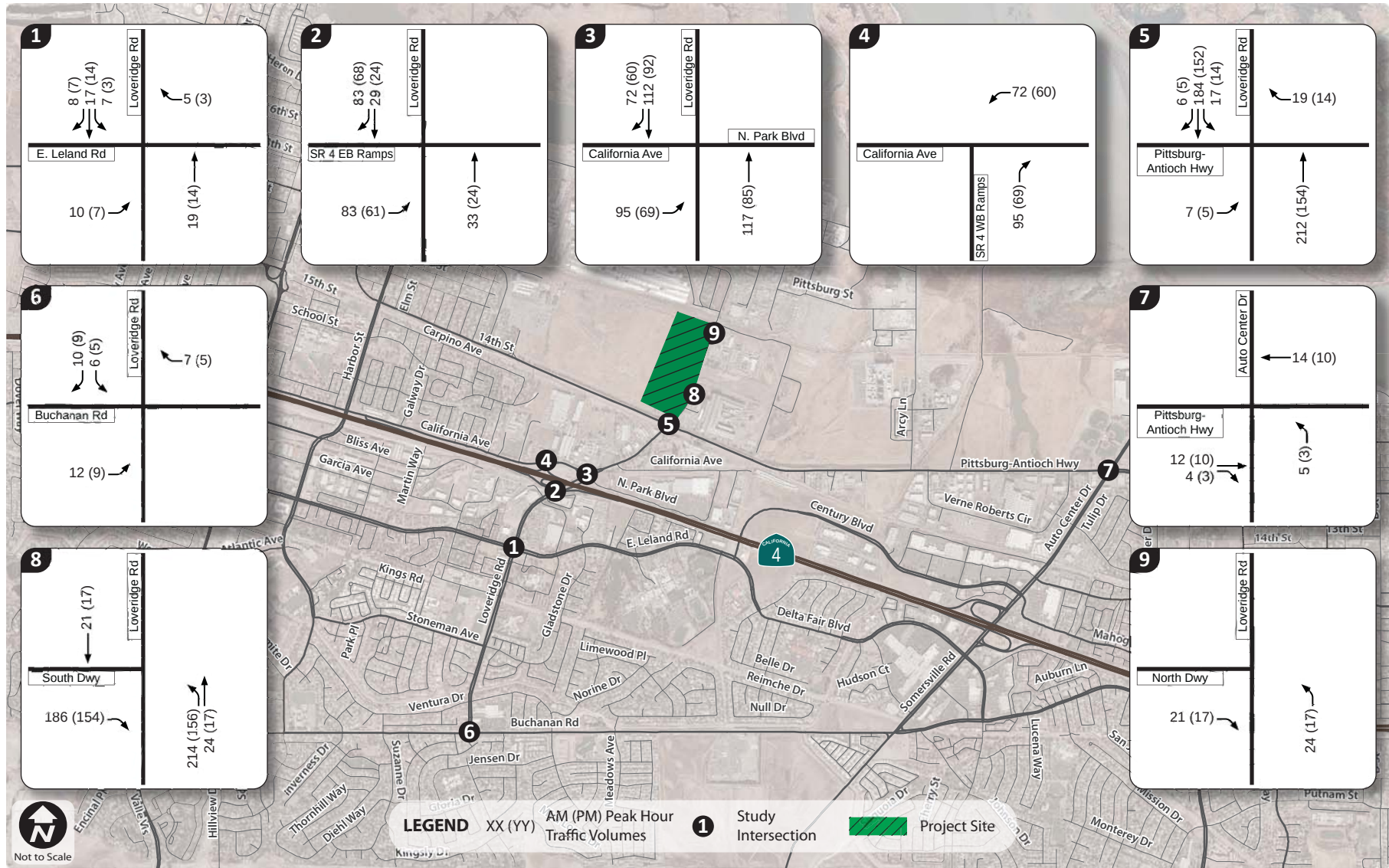
Table 3.7-7, indicates that based on CCTA methodology with the addition of project traffic under typical operating conditions, the Pittsburgh-Antioch Highway/Loveridge Road intersection would degrade from LOS B to a LOS high-D during the AM peak hour, and would degrade from LOS E to LOS F (an increase in V/C of more than 0.01) during the PM peak hour, thus resulting in a significant impact.

Based on the HCM methodology, both SR 4 Eastbound Ramps/Loveridge Road and the Pittsburgh-Antioch Highway/Loveridge Road intersections would operate at LOS E or F during at least one of the peak hours with the addition of project traffic under typical operating conditions. The project driveways would continue to operate at acceptable service levels.



Source: Fehr & Peers, 2011





Source: Fehr & Peers, 2011

Figure 3.7-6
AM/PM Trip Assignment: Typical Operating Conditions

Maximum Permitted Operating Conditions

Table 3.7-7, indicates that based on CCTA methodology with the addition of project traffic under maximum permitted operating conditions, the SR 4 Eastbound Ramps/Loveridge Road intersection would degrade to a LOS high-D (V/C of 0.85 to 0.90) during the PM peak hour, thus resulting in a significant impact. Additionally, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from LOS B to LOS F during the AM peak hour and would degrade from LOS E to LOS F (an increase in V/C of more than 0.01) during the PM peak hour, thus resulting in a significant impact.

Based on the HCM methodology, both the SR 4 Eastbound Ramps/Loveridge Road and Pittsburg-Antioch Highway/Loveridge Road intersections would operate at LOS F during at least one of the peak hours with the addition of project traffic under maximum permitted operating conditions. The project driveways would continue to operate at acceptable service levels.

Mitigation Measures

MM 3.7.1a The proposed project shall contribute their fair share to implement the SR 4 widening project, which would result in improvements at the SR 4 Eastbound Ramps/Loveridge Road intersection that would increase capacity. These improvements include:

- Convert the existing configuration from a “T” intersection to a four-leg intersection.
- Modify eastbound approach from its current configuration which provides one shared left-turn/through lane and one right-turn lane to provide two left-turn lanes and one right-turn lane.
- Modify southbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two left-turn lanes and two through lanes.
- Modify northbound approach from its current configuration which provides one through lane and one shared through/right-turn lane to provide two through lanes and one right-turn lane.

Timing/Implementation: *Payment of fees shall be included as a condition of approval of a Conditional Use Permit*

Enforcement/Monitoring: *City of Pittsburg Development Services Department*

The proposed project will contribute their fair share to implement these improvements through the payment of local and regional traffic impact fees already in place. As noted above, the improvements, which are within the Caltrans right-of-way, are currently under construction and are projected to be completed by late 2014. As shown on **Table 3.7-8**, after implementation of these improvements, the intersection would improve to LOS B during the PM peak hour, reducing this impact to a level of less than significant.

3.7 TRANSPORTATION AND CIRCULATION

TABLE 3.7-7
EXISTING AND EXISTING PLUS PROJECT PEAK HOUR INTERSECTION LEVEL OF SERVICE

Intersection	Control ¹	Peak Hour	Existing Conditions				Existing Plus Project (Maximum Permitted Operating Conditions)				Existing Plus Project (Typical Operating Conditions)			
			Delay ²	LOS ³ HCM	V/C ⁴	LOS ³ CCTA	Delay ²	LOS ³ HCM	V/C ⁴	LOS ³ CCTA	Delay ²	LOS ³ HCM	V/C ⁴	LOS ³ CCTA
1. East Leland Rd/ Loveridge Rd	Signal	AM	41	D	0.515	A	42	D	0.539	A	41	D	0.525	A
		PM	43	D	0.629	A	44	D	0.642	B	44	D	0.635	B
2. SR 4 Eastbound Ramps/ Loveridge Rd	Signal	AM	23	C	0.504	A	44	D	0.562	A	27	C	0.514	A
		PM	57	E	0.768	C	86	F	0.865	D	69	E	0.810	D
3. California Ave/Northpark Blvd/Loveridge Rd	Signal	AM	21	C	0.639	A	34	C	0.788	C	26	C	0.697	B
		PM	31	C	0.506	A	38	D	0.595	A	34	C	0.539	A
4. SR 4 Westbound Ramps/California Ave	Signal	AM	30	C	0.550	A	27	C	0.606	B	29	C	0.574	A
		PM	29	C	0.649	A	29	C	0.694	B	29	C	0.669	B
5. Pittsburg-Antioch Hwy/ Loveridge Rd	Signal	AM	100	F	0.687	B	> 200	F	1.100	F	> 200	F	0.866	D
		PM	101	F	0.968	E	> 200	F	1.185	F	189	F	1.064	F
6. Buchanan Rd/Loveridge Rd	Signal	AM	48	D	0.609	B	54	D	0.633	B	50	D	0.620	B
		PM	28	C	0.616	B	30	C	0.623	B	29	C	0.619	B
7. W 10 th St/Auto Center Dr	Signal	AM	20	B	0.395	B	21	C	0.412	A	21	C	0.402	A
		PM	19	B	0.507	A	20	C	0.514	A	19	B	0.510	A
8. Loveridge Rd/Project South Driveway	SSSC	AM	2 (9)	A (A)	–	–	8 (13)	A (B)	–	–	5 (10)	A (A)	–	–
		PM	2 (9)	A (A)			8 (13)	A (B)			5 (10)	A (A)		
9. Loveridge Rd/Project North Driveway	SSSC	AM	0 (9)	A (A)	–	–	2 (9)	A (A)	–	–	1 (9)	A (A)	–	–
		PM	1 (9)	A (A)			2 (9)	A (A)			1 (9)	A (A)		

Source: Fehr & Peers 2011

Notes:

1. Signal = signalized intersection; SSSC = side-street stop-controlled intersection

2. Delay presented as seconds per vehicle; for side-street stop-controlled intersections, delay presented as intersection average (worst approach)

3. LOS = level of service

4. CCTA volume-to-capacity (V/C) ratios. Signalized intersection level of service based on Technical Procedures (Contra Costa Transportation Authority 2006).

MM 3.7.1b The proposed project shall contribute their fair share to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:

- Install a dedicated eastbound right-turn lane on Pittsburg-Antioch Highway.
- Install a second westbound left-turn lane on Pittsburg-Antioch Highway.
- Upgrade existing traffic signal equipment to accommodate the changed intersection lane configurations.

Timing/Implementation: Payment of fees shall be included as a condition of approval of a Conditional Use Permit

Enforcement/Monitoring: City of Pittsburg Development Services Department

The proposed project shall contribute their fair share to implement these improvements through the payment of local and regional traffic impact fees. The widening of Pittsburg-Antioch Highway from a two-lane roadway to a four-lane roadway is identified in the City of Pittsburg's Capital Improvement Program (CIP) as project ST-59. Additionally, the reconfiguration of the eastbound approach, as documented above, is consistent with an improvement project included in the CIP. Further, the project is on the Traffic Mitigation Fee (TMF) list, which makes it eligible to receive local and regional traffic mitigation funds. As shown on **Table 3.7-8**, after implementation of this measure, the intersection would improve to LOS C during the AM peak hour and result in a lower V/C than without project conditions during the PM peak hour. Therefore, this mitigation measure would reduce this impact to less than significant. However, while the improvement is listed in the CIP, there is no funding plan identified. Since funding for the full improvement is not certain it is unlikely that this improvement will be in place before the project is completed; therefore this impact remains **significant and unavoidable**.

3.7.4 CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

CUMULATIVE SETTING

Cumulative (Year 2030) traffic volumes were derived from the Contra Costa County Travel Demand Model (TDM) and include planned roadway improvements. The model volumes and existing turning movement count data were used to estimate future intersection turn movements using the Furness method. The resulting traffic volumes are shown on **Figure 3.7-7**.

Cumulative Intersection Operations

The Cumulative and Cumulative Plus Project intersection analysis results are provided in **Table 3.7-8**. As shown, under cumulative conditions, all study intersections and project driveways are projected to operate at acceptable levels. Detailed intersection LOS calculation worksheets are provided in Appendix C of **Appendix J**.

3.7 TRANSPORTATION AND CIRCULATION

Typical Operating Conditions

With the addition of project traffic under typical operating conditions based on the CCTA methodology, all study intersections and project driveways are projected to operate at acceptable levels. However, based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of typical operating condition project traffic, creating a significant impact.

Maximum Permitted Operating Conditions

With the addition of project traffic under maximum permitted operating conditions based on CCTA methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade to LOS D during the AM peak hour and to LOS E during the PM peak hour. Based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of project traffic under maximum permitted and typical operating conditions.

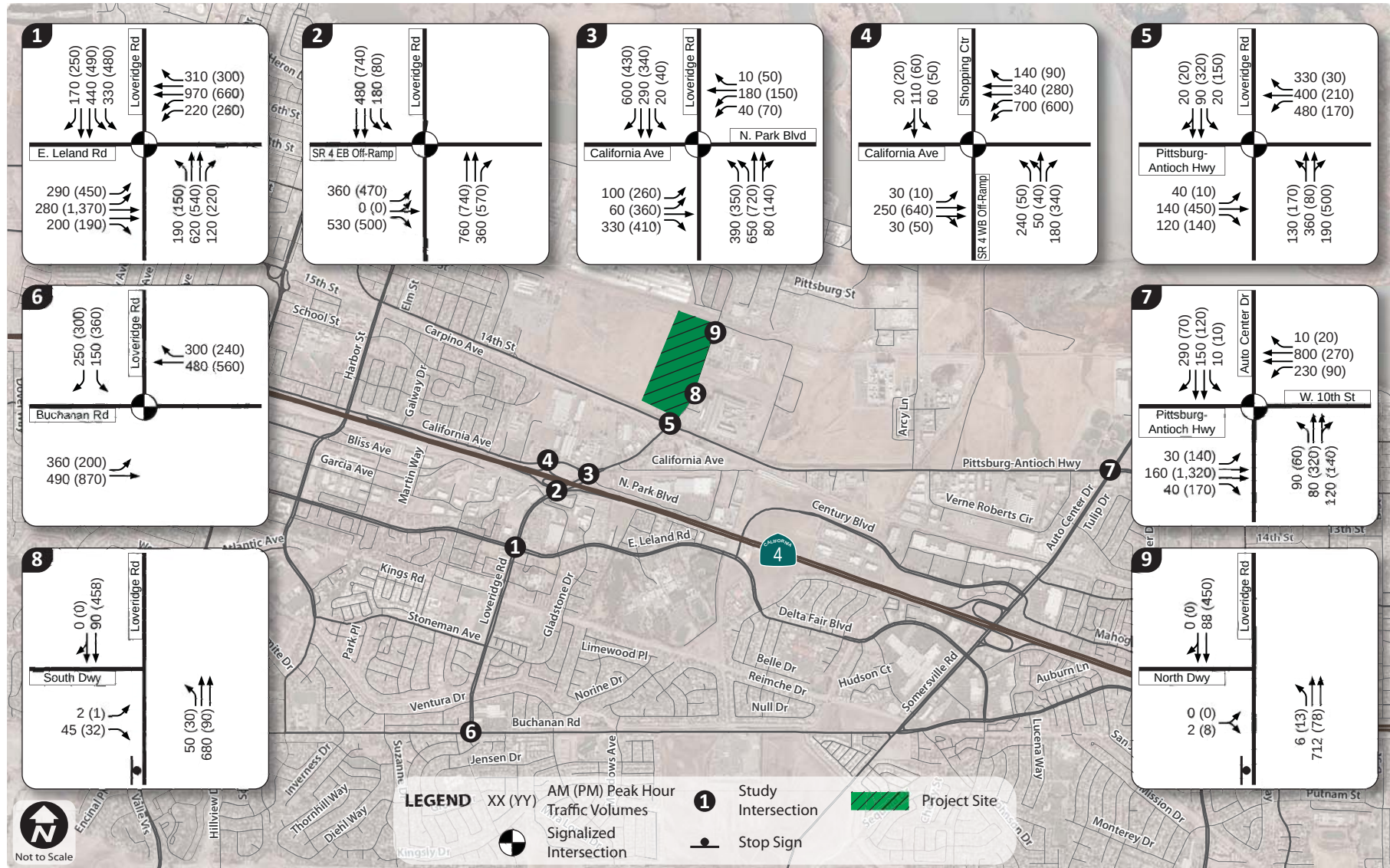
The driveways would continue to operate at acceptable service levels.

Cumulative Traffic Impacts

Impact 3.7.2 Operations at the Pittsburg-Antioch Highway/Loveridge Road intersection are projected to degrade with the addition of project traffic. This would result in a **cumulatively considerable** impact.

Based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of typical operating condition project traffic, creating a significant impact.

With the addition of project traffic under maximum permitted operating conditions based on CCTA methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade to LOS D during the AM peak hour and to LOS E during the PM peak hour. Based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of project traffic under maximum permitted and typical operating conditions.



Source: Fehr & Peers, 2011

Figure 3.7-7
AM/PM Trip Assignment: Peak Hour Traffic Volumes,
Lane Configuration and Traffic Control

Mitigation Measures

MM 3.7.2

The project applicant shall pay the project's fair share of the cost to implement the following measures at the Pittsburg-Antioch Highway/Loveridge Road intersection:

- Install an additional left-turn lane on the westbound Pittsburg-Antioch Highway approach.
- Install a dedicated left-turn lane on the northbound Loveridge Road approach.
- Convert the existing shared left-turn/through lane on the northbound Loveridge Road approach to be a through-only lane.
- Modify signal phasing in the north/south direction from split phase to having protected left-turns.
- Upgrade existing traffic signal equipment to accommodate the recommended intersection lane configurations.

Timing/Implementation: *Payment of fees shall be included as a condition of approval of a Conditional Use Permit*

Enforcement/Monitoring: *City of Pittsburg Development Services Department*

As shown in **Table 3.7-8**, under typical operating conditions, the proposed project would have a less than significant impact on the operations at this intersection. As shown on **Table 3.7-9**, after implementation of this measure, the intersection would improve to LOS B and C during the AM and PM peak hours, respectively. However, widening along Loveridge Road to accommodate an additional northbound lane is constrained due to proximity to the railroad crossing, so improvements to this portion of Loveridge Road would likely be infeasible. Therefore, the operating conditions at this intersection remain significant and unavoidable, and the project's contribution to the impact under maximum permitted conditions would be **cumulatively considerable**.

3.7 TRANSPORTATION AND CIRCULATION

TABLE 3.7-8
CUMULATIVE (2030) AND CUMULATIVE (2030) PLUS PROJECT PEAK HOUR INTERSECTION LEVEL OF SERVICE

Intersection	Control	Peak Hour	Cumulative Conditions				Cumulative Plus Project (Maximum Permitted Operating Conditions)				Cumulative Plus Project (Typical Operating Conditions)			
			Delay ²	LOS ³ HCM	V/C ⁴	LOS ³ CCTA	Delay ²	LOS ³ HCM	V/C ⁴	LOS ³ CCTA	Delay ²	LOS ³ HCM	V/C ⁴	LOS ³ CCTA
1. East Leland Road/ Loveridge Road	Signal	AM	48	D	0.689	B	49	D	0.713	C	48	D	0.699	B
		PM	53	D	0.825	D	54	D	0.838	D	53	D	0.831	D
2. SR 4 Eastbound Ramps/ Loveridge Road	Signal	AM	27	C	0.587	A	37	D	0.670	B	31	C	0.623	B
		PM	25	C	0.648	B	31	C	0.697	B	28	C	0.669	B
3. California Avenue/ North Park Boulevard/ Loveridge Road	Signal	AM	37	D	0.603	B	59	E	0.704	C	34	C	0.646	B
		PM	32	C	0.532	A	33	C	0.586	A	31	C	0.552	A
4. SR 4 Westbound Ramps/ California Avenue	Signal	AM	27	C	0.494	A	28	C	0.549	A	27	C	0.518	A
		PM	26	C	0.488	A	29	C	0.561	A	27	C	0.508	A
5. Pittsburg-Antioch Highway/Loveridge Road	Signal	AM	61	E	0.615	B	180	F	0.895	D	107	F	0.737	C
		PM	58	E	0.782	C	136	F	0.922	E	86	F	0.829	D
6. Buchanan Road/ Loveridge Road	Signal	AM	38	D	0.576	A	45	D	0.599	A	41	D	0.586	A
		PM	34	C	0.715	C	35	D	0.722	C	35	C	0.718	C
7. W 10th Street/ Auto Center Drive	Signal	AM	31	C	0.473	A	32	C	0.489	A	31	C	0.480	A
		PM	26	C	0.600	B	27	C	0.607	B	26	C	0.603	B
8. Loveridge Road/ Project South Driveway	SSSC	AM	1 (9)	A (A)	—	—	6 (13)	A (B)	—	—	3 (10)	A (A)	—	—
		PM	1 (10)	A (A)	—	—	7 (15)	A (B)	—	—	4 (11)	A (B)	—	—
9. Loveridge Road/ Project North Driveway	SSSC	AM	0 (9)	A (A)	—	—	8 (9)	A (A)	—	—	8 (9)	A (A)	—	—
		PM	0 (10)	A (A)	—	—	8 (9)	A (A)	—	—	8 (8)	A (A)	—	—

Source: Fehr & Peers 2011

Note: Results in **bold** represent unacceptable levels of service, **bold italics** represent significant impact.

1. Signal = signalized intersection; SSSC = side-street stop-controlled intersection

2. Delay presented as seconds per vehicle; for side-street stop-controlled intersections, delay presented as Intersection average (worst approach).

3. LOS = level of service

4. CCTA volume- to- capacity (V/C) ratios. Signalized intersection level of service based on Technical Procedures (Contra Costa Transportation Authority 2006)

TABLE 3.7-9
CUMULATIVE PLUS PROJECT MITIGATED PEAK HOUR INTERSECTION LEVEL OF SERVICE

Intersection	Control ¹	Peak Hour	Without Project				Plus Project				Plus Project Mitigated			
			Delay ²	LOS ³ HCM	V/C ⁴	LOS ³ CCTA	Delay ²	LOS ³ HCM	V/C ⁴	LOS ³ CCTA	Delay ²	LOS ³ HCM	V/C ⁴	LOS ³ CCTA
Maximum Permitted Operating Conditions														
5. Pittsburg-Antioch Highway/Loveridge Road	Signal	AM PM	61 58	E E	0.615 0.782	B C	180 136	F F	0.895 0.922	D E	55 63	D E	0.625 0.742	B C

Source: Fehr & Peers, 2011.

Note: Results in **bold** represent unacceptable levels of service, **bold italics** represent significant impact.

1. Signal = signalized intersection.

2. Delay presented as seconds per vehicle.

3. LOS = level of service

4. CCTA volume-to-capacity (V/C) ratios. Signalized intersection level of service based on Technical Procedures (Contra Costa Transportation Authority 2006).

3.7 TRANSPORTATION AND CIRCULATION

REFERENCES

- Caltrans (California Department of Transportation). 2004. *Caltrans Highway Design Manual*.
- City of Pittsburg. 2004. *Pittsburg 2020: A Vision for the 21st Century, City of Pittsburg General Plan*.
- . 2010. *Pittsburg Municipal Code*. Accessed March 22, 2011.
<http://www.codepublishing.com/ca/pittsburg/>.
- Contra Costa County. 1991. *Contra Costa County Congestion Management Program*.
- Fehr & Peers. 2011. *Transportation Impact Analysis Mt. Diablo Resource Recovery Park*.
- . 2012. *Memorandum: Trip Generation for Mt. Diablo Resource Recovery Park – Revised*.
- Transportation Research Board, National Research Council. 2000. *Highway Capacity Manual*.

3.8 BIOLOGICAL RESOURCES

This section describes the existing biological resources, including special-status species and sensitive habitat known to occur and/or have the potential to occur on the 36-acre proposed project site (study area). In addition, the section includes a summary of the regulations and programs that provide protective measures to special-status species, an analysis of impacts to biological resources that could result from project implementation, and a discussion of mitigation measures necessary to reduce impacts to a less than significant level, where feasible.

Note to the reader: As of January 1, 2013, the agency formerly known as the California Department of Fish and Game (CDFG) changed its name to the California Department of Fish and Wildlife (CDFW). For purposes of this discussion, the agency names and abbreviations are interchangeable.

3.8.1 EXISTING SETTING

Several steps were taken to characterize the environmental setting in the project vicinity. Project-related documentation, including the biological resources reports prepared by Mosaic Associates LLC (2013 and 2014; **Appendix K**), was reviewed to collect site-specific data regarding habitat suitability for special-status species, as well as the identification of potentially jurisdictional waters. Additional information was obtained from a variety of outside data sources and can be found in the reference list at the end of the section. Preliminary database searches were performed to identify special-status species with the potential to occur in the area.

Database searches were performed on the following websites:

- US Fish and Wildlife Service's (USFWS) Sacramento Office Species Lists (2013a)
- USFWS's Critical Habitat Portal (2013b)
- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) (2013a)
- California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants of California (2013)

A search of the USFWS Sacramento Office's database was performed for the Antioch North, Denverton, Birds Landing, Rio Vista, Jersey Island, Brentwood, Antioch South, Clayton, and Honker Bay, California, US Geological Survey (USGS) 7.5-minute quadrangles to identify special-species within their jurisdiction that may be affected by project components. A query of the USFWS Critical Habitat Portal identified no critical habitat within the study area. A query of the CNDDDB provided a list of known occurrences for special-status species within a 1- and 5-mile radius of the study area. The CNPS database was queried to identify special-status plant species with the potential to occur in the Antioch North, California, USGS 7.5-minute quadrangle. Raw data from the database queries is provided in **Appendix K**. Please see **Table 3.8-1** for a summary of the database search results and conclusions regarding the potential for special-status species to be impacted by project-related activities.

3.8 BIOLOGICAL RESOURCES

BIOLOGICAL COMMUNITIES

The study area comprises four biological communities: urban, ruderal grassland, Kirker Creek, and drainage ditch. These biological community types are depicted in **Figure 3.8-1** and are described below. The community descriptions are primarily derived the CDFW's (2013a) *A Guide to Wildlife Habitats of California* and the site biological resources report (Mosaic Associates 2013; **Appendix K**).

Urban

Urban land comprises approximately 23.11 acres of the study area and includes a recently demolished power plant operated by GWF Power Systems, an old detention basin, the operating facility of the Mt. Diablo Recycling Facility, a vacant area used for stockpiling ground aggregate, and several access roads connecting the features of the site.

The site of the former GWF power plant is directly south of the current Mt. Diablo Recycling Facility. The northern, eastern, and western boundaries of the GWF site are planted with nonnative eucalyptus trees and two Fremont cottonwood (*Populus fremontii*) trees. These trees represent potential nesting sites for various migratory birds and raptors. Other than the trees, weedy annual vegetation grows in fragments between the hardscape and along the edges of disturbance. Common plant species include milk thistle (*Lactuca serriola*), butcher grass (*Conyza canadensis*), ripgut brome (*Bromus diandrus*), common mallow (*Malva neglecta*), yellow star-thistle (*Centaurea solstitialis*), and telegraph weed (*Heterotheca grandiflora*). Developed areas generally have a low habitat value for wildlife because of the high degree of disturbance, although a number of species adapted for disturbed conditions can utilize these areas.

Ruderal Grassland

The study area contains approximately 12 acres of ruderal annual grassland, which includes 5 acres currently covered with gravel that was previously permitted under the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) for temporary impacts. The project site was historically used as a landfill and has been subject to extensive disturbance. Piles of debris are found throughout the site. The predominant substrate is a loose mixture of rock and nonnative sandy soils.

The ruderal grasslands in the study area comprise sparse nonnative vegetation dominated by a mixture of annual grasses and weeds including black mustard (*Brassica nigra*), Italian thistle (*Carduus pycnocephalus*), stinkweed (*Dittrichia graveolens*), pepperweed (*Lepidium latifolium*), wild radish (*Raphanus sativus*), soft chess (*Bromus hordeaceus*), yellow star-thistle, and rat-tail fescue (*Vulpia myuros*). Small mammal burrows are widely distributed and abundant throughout the ruderal areas. Small mammals observed in past surveys include black-tailed jackrabbit (*Lepus californicus*), cottontail rabbit (*Sylvilagus bachmani*), and California ground squirrel (*Spermophilus beecheyi*).

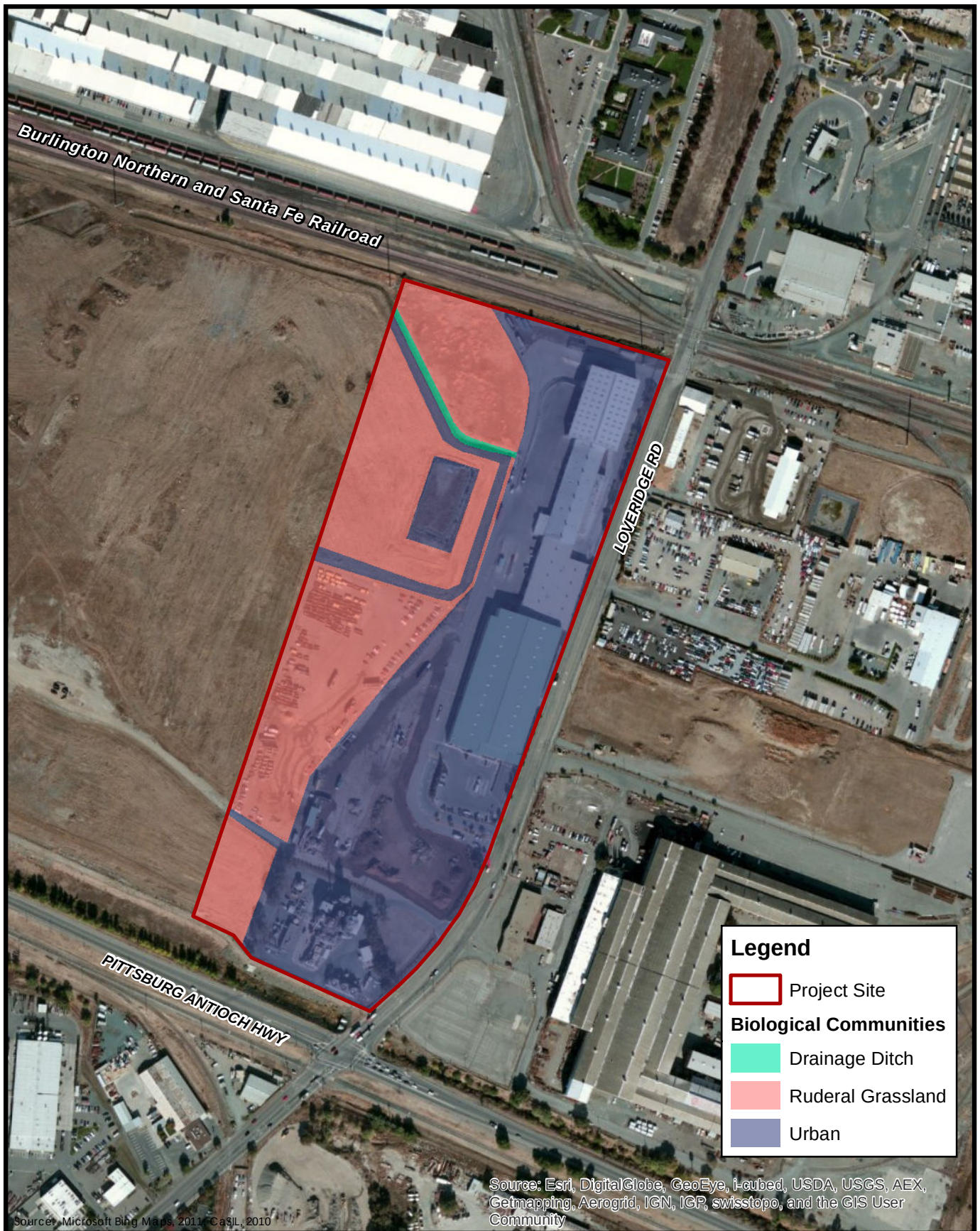


Figure 3.8-1
Biological Communities with the Project Site

Kirker Creek

A portion of Kirker Creek runs along the southern boundary of the study area, directly to the south of the former site of the GWF power plant. Kirker Creek is an ephemeral creek that is normally dry April through November; however, irrigation and urban runoff can keep some areas of the creek wet throughout the year. A roadway is located north of the creek, and the banks of the creek are lined with riprap. No construction is proposed in or near Kirker Creek.

A mixture of native and exotic vegetation grows in Kirker Creek. Wild oat (*Avena fatua*) telegraph weed, prickly Russian thistle (*Salsola tragus*), and common mallow are the dominant species growing in and around the creek. Castor bean shrubs (*Ricinus communis*) grow in the gaps of the riprapped bank. The wetter areas of the streambed are thickly vegetated with wild oat, umbrella sedge (*Cyperus eragrostis*), curly dock (*Rumex crispus*), dallisgrass (*Paspalum dilatatum*), rough cocklebur (*Xanthium strumarium*), pepperweed, and American sloughgrass (*Beckmannia syzigachne*).

Riparian trees and shrubs west and east of the study area provide habitat for a variety of wildlife species; however, the limited and ruderal nature of the vegetation established along the creek limits its habitat value.

Drainage Ditch

A man-made drainage ditch is located near the northern boundary of the study area and is surrounded by ruderal grassland. The earthen drainage ditch carries stormwater runoff from the recycling facility. There are approximately 650 linear feet of the ditch in the study area. Runoff enters the ditch from a culvert at the west edge of the recycling facility and flows west until the ditch empties into a seasonal freshwater marsh approximately 0.25 mile west of the study area. The ditch is sparsely vegetated with black mustard, ripgut brome, wild oat, Italian thistle, fiddle dock (*Rumex pulcher*), rabbitsfoot grass (*Polypogon monspeliensis*), umbrella sedge, and pepperweed.

TRC Solutions prepared a delineation of waters of the United States for the Columbia Solar project in December 2012 for the western portion of the study area, including the section of the man-made ditch on-site. The jurisdictional determination by the US Army Corps of Engineers (USACE) concluded that there were no wetlands or other waters present in the area surveyed that were subject to the USACE authority under Section 404 of the federal Clean Water Act (**Appendix K**). As part of the project, the drainage ditch will be replaced with a 36-inch underground storm drain line.

SPECIAL-STATUS SPECIES

Special-status plant and animal species are those that are afforded special recognition by federal, state, or local resource agencies or organizations. Special-status species are of relatively limited distribution and generally require specialized habitat conditions. Special-status species are defined as:

- 1) Listed, proposed, or candidate for listing under the California or federal Endangered Species Acts
- 2) Protected under other regulations (e.g., local policies, Migratory Bird Treaty Act)
- 3) CDFW Species of Special Concern and California Fully Protected Species
- 4) Listed as species of concern (List 1A, 1B, or 2 plants) by the CNPS

3.8 BIOLOGICAL RESOURCES

- 5) Species that receive consideration during environmental review under the California Environmental Quality Act (CEQA)

Figure 3.8-2 depicts the locations of special-status species recorded within a 1-mile radius of the study area. The habitat preferences for each special-status species were carefully reviewed and considered in the context of the study area limits. Species defined as having no potential for occurrence are not expected to occur based on the known elevation or distribution range of the species or the lack of suitable habitat.

Special-Status Plant Species

Based on database search results, no special-status plant species have the potential to occur in the study area. In addition, the history of past disturbance and extensive surrounding development precludes the potential presence of special-status plants.

Special-Status Wildlife Species

Based on database search results and past occurrences, four special-status wildlife species have the potential to occur in the study area. Each species considered in the impact analysis is described below based on data obtained from the CDFW's (2013c) California Wildlife Habitat Relationships System Life History Accounts and Range Maps as well as other published data sources, as cited.

Burrowing Owl (*Athene cunicularia*)

Burrowing owls are a California species of special concern. Burrowing owls are typically year-round residents of open, dry grassland and desert habitats at elevations up to 5,300 feet. They can also be found in grass, forb, and open shrub stages of ponderosa pine and pinyon-juniper habitats. This species typically uses small mammal burrows for roosting and nesting cover, but they may dig their own burrow in friable soil. Man-made structures, such as pipes and culverts, are used for cover when burrows are scarce.

Numerous small mammal burrows have been observed in the ruderal areas of the study area. These areas provide suitable foraging, roosting, and breeding habitat for burrowing owls. No individuals or sign were observed during previous site surveys; however, one burrowing owl was observed approximately 1,000 feet west of the study area during a planning survey for the Columbia Solar project on October 30, 2012 (TRC Solutions 2013). In addition, the presence of potentially suitable habitat and the presence of five CNDDDB occurrences within 5 miles of the study area result in the potential for this species to be impacted by project-related activities.

Golden Eagle (*Aquila chrysaetos*)

Golden eagles are a California fully protected species found throughout the state ranging from sea level to 11,500 feet. Golden eagles are mostly permanent residents, but some will migrate throughout California. This species is typically found in mountain areas, rolling hills, deserts, and sage-juniper flats. Golden eagles require open terrain for hunting and large trees or cliffs for nesting. Golden eagles have been documented nesting in oaks, pines, eucalyptus, and western sycamore (Hunt et al. 1998).

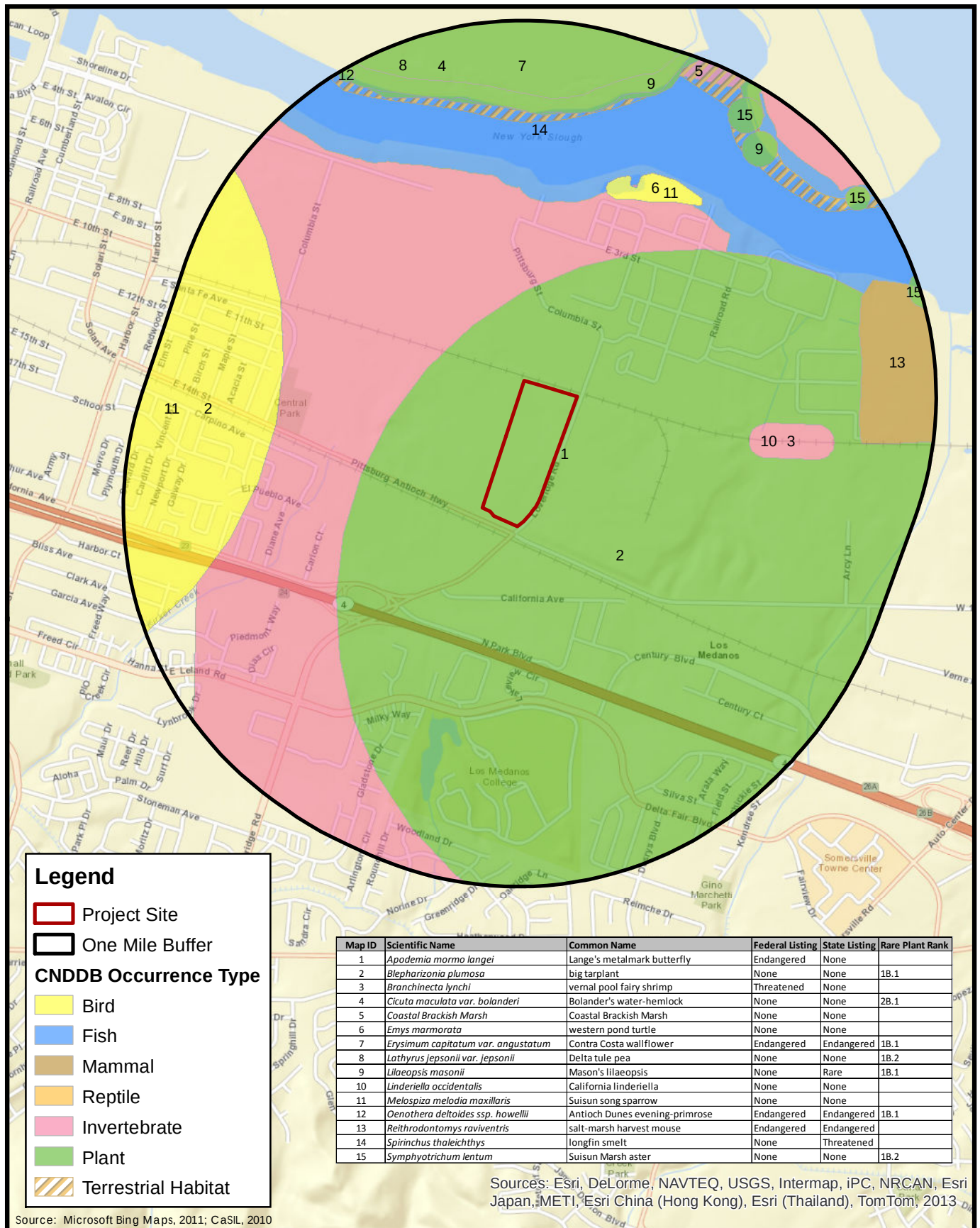


Figure 3.8-2
Recorded Occurrences of Special-Status Species
within One-Mile of the Project Site

The ruderal grassland on-site represents potential foraging habitat for golden eagles, and the large eucalyptus trees on the perimeter of the GWF site may be potential, if marginal, nesting habitat for the species. The database queries conducted during the literature review did not reveal the potential for this species to occur within the study area. However, two golden eagles (one adult, one immature) were observed by TRC biologists during October 2012 surveys for the Columbia Solar project, approximately 850 feet west of the study area (TRC Solutions 2013). The adult was reported to have been observed perching on the fence along the southern boundary of the study area, while the immature eagle was reported to have circled the trees south of the site. No courtship or nesting behaviors were reported by the TRC biologists.

Swainson's Hawk (*Buteo swainsonii*)

Swainson's hawks are listed by the State of California as threatened. This species is typically a complete migrant in that they breed in North America and winter in South America. Swainson's hawks typically arrive at their breeding grounds in early to mid-April and begin their southern migration in early September. The majority of breeding Swainson's hawks occur in two disjunct populations in California, the Great Basin, and the Central Valley, although they can be found in desert, shrubsteppe, grassland, and agricultural habitats across the state. This species is not an obligate riparian species; the correlation with riparian habitat is variable and dependent on the availability and distribution of suitable nest sites in proximity to high-value foraging habitat (Woodbridge 1998). Swainson's hawks have been documented nesting in cottonwoods, oaks, eucalyptus, and black walnut (Schlorff and Bloom 1984). Foraging habitats are generally low-growing row or field crops, dryland and irrigated pastures, and open habitats with short vegetation and small mammals. Agricultural areas are often preferred over natural grassland habitats because of the increased presence of prey in these artificially constructed areas.

The database queries conducted during the literature review did not reveal the potential for this species to occur in the vicinity of the study area. However, one Swainson's hawk was reported to have been observed by biologists on April 26, 2010, approximately 1 mile northwest of the study area. This occurrence was reported in the July 8, 2010, East Contra Costa County HCP/NCCP Planning Survey Report for Site L-A Material Stockpile project (TRC Solutions 2013). The ruderal grasslands in the study area provide low quality foraging habitat for Swainson's hawk, and the large trees on-site could serve as potential nest sites.

White-Tailed Kite (*Elanus leucurus*)

White-tailed kites are a California fully protected species. This species is a year-round resident of coastal and valley lowlands. They are typically found near agricultural areas in herbaceous and open stages of most habitat types. White-tailed kites forage in grasslands, meadows, farmlands, and emergent wetlands, and they use stands of deciduous trees with dense canopies as cover for roosting and nesting.

Ruderal grassland areas in the study area provides foraging habitat for white-tailed kite, while trees on-site provide potential nesting sites. The presence of suitable habitat and the presence of a CNDDDB occurrence within 5 miles of the study area result in the potential for this species to be impacted by project-related activities.

3.8 BIOLOGICAL RESOURCES

**TABLE 3.8-1
SPECIES SUMMARY**

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/Absent	Rationale
Plants							
<i>Amsinckia grandiflora</i>	large-flowered fiddleneck	FE	SE	1B.1	Cismontane woodland, and valley and foothill grassland. Elev: 902–1,804 feet. Blooms: April–May (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet.
<i>Anomobryum julaceum</i>	slender silver moss	—	—	2.2	Damp rock and soil on outcrops in broadleafed upland forest, lower montane coniferous forest, and North Coast coniferous forest. Usually on roadcuts. Elev: 328–3,281 feet (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet. Suitable habitat is not present.
<i>Arctostaphylos auriculata</i>	Mt. Diablo manzanita	—	—	1B.3	Cismontane woodland and sandstone soils in chaparral. Elev: 443–2,133 feet. Blooms: Jan–March (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet. Suitable habitat is not present.
<i>Arctostaphylos manzanita</i> ssp. <i>laevigata</i>	Contra Costa manzanita	—	—	1B.2	Rocky chaparral. Elev: 1,640–3,609 feet. Blooms: Jan–Apr (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet. Suitable habitat is not present.
<i>Astragalus tener</i> var. <i>tener</i>	alkali milk-vetch	—	—	1B.2	Alkaline areas in playas, vernal pools, and adobe clay valley and foothill grasslands. Elev: 3–197 feet. Blooms: Mar–June (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Atriplex cordulata</i> var. <i>cordulata</i>	heartscale	—	—	1B.2	Saline or alkaline areas in chenopod scrub, meadows, seeps, and valley and foothill grassland. Elev: 0–1,837 feet. Blooms: Apr–Oct (CNPS 2013).	A	No effect. Suitable habitat not present.

3.8 BIOLOGICAL RESOURCES

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/Absent	Rationale
<i>Atriplex depressa</i>	brittlescale	—	—	1B.2	Alkaline and clay areas in chenopod scrub, meadows, seeps, playas, vernal pools, and valley and foothill grasslands. Elev: 3–1,050 feet. Blooms: Apr–Oct (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Atriplex joaquinana</i>	San Joaquin spearscale	—	—	1B.2	Alkaline chenopod scrub, meadows, seeps, playas, and valley and foothill grasslands. Elev: 3–2,740 feet. Blooms: Apr–Oct (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Blepharizonia plumosa</i>	big tarplant	—	—	1B.1	Usually clay in valley and foothill grasslands. Elev: 98–1,657 feet. Blooms: July–Oct (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet.
<i>California macrophylla</i>	round-leaved filaree	—	—	1B.1	Clay soils in cismontane woodland and valley and foothill grasslands. Elev: 49–3,937 feet. Blooms: March–May (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet.
<i>Calochortus pulchellus</i>	Mt. Diablo fairy-lantern	—	—	1B.2	Chaparral, cismontane woodland, riparian woodland, and valley and foothill grassland. Elev: 98–2,756 feet. Blooms: Apr–June (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet.
<i>Chloropyron molle</i> ssp. <i>molle</i>	soft bird's-beak	FE	SR	1B.2	Coastal salt marshes and swamps. Elev: 0–10 feet. Blooms: July–Nov (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Cirsium hydrophilum</i> var. <i>hydrophilum</i>	Suisun thistle	FE	—	1B.1	Salt marshes and swamps. Elev: 0–10 feet. Blooms: June–Sept (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Cicuta maculata</i> var. <i>bolanderi</i>	Bolander's water-hemlock	—	—	2.1	Coastal, fresh or brackish marshes and swamps. Elev: 0–656 feet. Blooms: July–Sept (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Cryptantha hooveri</i>	Hoover's cryptantha	—	—	1A	Inland dunes and sandy valley and foothill grasslands. Elev: 30–492 feet. Blooms: Apr–May (CNPS 2013).	A	No effect. Suitable habitat not present.

3.8 BIOLOGICAL RESOURCES

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/Absent	Rationale
<i>Downingia pusilla</i>	dwarf downingia	—	—	2.2	Vernal pools and mesic valley and foothill grasslands. Elev: 3–1,460 feet. Blooms: Mar–May (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Eriogonum nudum</i> var. <i>psychicola</i>	Antioch Dunes buckwheat	—	—	1B.1	Inland dunes. Elev: 0–66 feet. Blooms: July–Oct (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Eriogonum truncatum</i>	Mt. Diablo buckwheat	—	—	1B.1	Sandy areas in chaparral, coastal scrub, and valley and foothill grasslands. Elev: 10–1,148 feet. Blooms: Apr–Dec (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Erysimum capitatum</i> var. <i>angustatum</i>	Contra Costa wallflower	FE	SE	1B.1	Inland dunes. Elev: 10–66 feet. Blooms: Mar–July (CNPS 2013).	A	No effect. Suitable habitat not present.
	Critical habitat, Contra Costa wallflower	X	—	—		P	No effect. Critical habitat not present.
<i>Eschscholzia rhombipetala</i>	diamond-petaled California poppy	—	—	1B.1	Alkaline and clay valley and foothill grasslands. Elev: 0–3,199 feet. Blooms: Mar–Apr (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Fritillaria liliaceae</i>	fragrant fritillary	—	—	1B.2	Often on serpentinite soils in cismontane woodland, coastal prairie, coastal scrub, and valley and foothill grassland. Elev: 10–1,345 feet. Blooms: Feb–Apr (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Helianthella castanea</i>	Diablo helianthella	—	—	1B.2	Chaparral, cismontane woodland, coastal scrub, riparian woodland, broadleafed upland forest, and valley and foothill grasslands. Elev: 197–4,265 feet. Blooms: Mar–June (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet.
<i>Hesperolinon breweri</i>	Brewer’s western flax	—	—	1B.2	Usually serpentinite, in chaparral, cismontane woodland, and valley and foothill grasslands. Elev: 98–2,953 feet. Blooms: May–July (CNPS 2013).	A	No effect. Suitable habitat not present.

3.8 BIOLOGICAL RESOURCES

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/Absent	Rationale
<i>Isocoma arguta</i>	Carquinez goldenbush	—	—	1B.1	Alkaline valley and foothill grassland. Elev: 3–66 feet. Blooms: Aug–Dec (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Lasthenia conjugens</i>	Contra Costa goldenfields	FE	—	1B.1	Mesic areas in vernal pools, cismontane woodland, alkaline playas, and valley and foothill grasslands. Elev: 0–1,542 feet. Blooms: Mar–June (CNPS 2013).	A	No effect. Suitable habitat not present.
	Critical habitat, Contra Costa goldfields	X	-	-		A	No effect. Critical habitat not present.
<i>Lathyrus jepsonii</i> var. <i>jepsonii</i>	Delta tule pea	—	—	1B.2	Freshwater and brackish marshes and swamps. Elev: 0–13 feet. Blooms: May–Sept (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Lilaeopsis masonii</i>	Mason's lilaeopsis	—	SR	1B.1	Riparian scrub, and brackish or freshwater marshes and swamps. Elev: 0–33 feet. Blooms: Apr–Nov (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Limosella australis</i>	Delta mudwort	—	—	2.1	Usually mud banks in riparian scrub, and freshwater or brackish marshes and swamps. Elev: 0–10 feet. Blooms: May–Aug (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Madia radiata</i>	showy golden madia	—	—	2.1	Cismontane woodland, and valley and foothill grasslands. Elev: 82–3,986 feet. Blooms: Mar–May (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet.
<i>Malacothamnus hallii</i>	Hall's bush-mallow	—	—	1B.2	Chaparral and coastal scrub. Elev: 33–2,493 feet. Blooms: May–Oct (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Navarretia nigelliformis</i> ssp. <i>radians</i>	shining navarretia	—	—	1B.2	Sometimes clay in cismontane woodland, vernal pools, and valley and foothill grassland. Elev: 249–3,281 feet. Blooms: Apr–July (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet.
<i>Neostapfia colusana</i>	Colusa grass	FT	SE	1B.1	Large, adobe vernal pools. Elev: 16–656 feet. Blooms: May–Aug (CNPS 2013).	A	No effect. Suitable habitat not present.

3.8 BIOLOGICAL RESOURCES

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/Absent	Rationale
<i>Oenothera deltoides</i> ssp. <i>howellii</i>	Antioch Dunes evening-primrose	FE	SE	1B.1	Inland dunes. Elev: 0–98 feet. Blooms: Mar–Sep (CNPS 2013).	A	No effect. Suitable habitat not present.
	Critical habitat, Antioch Dunes evening-primrose	X	—	—		A	No effect. Critical habitat not present.
<i>Plagiobothrys hystriculus</i>	bearded popcorn-flower	—	—	1B.1	Often in vernal swales in vernal pool margins and mesic valley and foothill grasslands. Elev: 0–899 feet. Blooms: Apr–May (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Senecio aphanactis</i>	chaparral ragwort	—	—	2.2	Sometimes alkaline in chaparral, cismontane woodland, and coastal scrub. Elev: 49–2,625 feet. Blooms: Jan–Apr (CNPS 2013).	A	No effect. Study area elevation range is 20–40 feet. Suitable habitat not present.
<i>Sidalcea keckii</i>	Keck's checker-mallow	FE	—	1B.1	Serpentine and clay soils in cismontane woodland and valley and foothill grasslands. Elev: 246–2,133 feet. Blooms: Apr–June (CNPS 2013).	A	No effect. Suitable habitat not present.
<i>Symphyotrichum lentum</i>	Suisun Marsh aster	—	—	1B.2	Brackish and freshwater marshes and swamps. Elev: 0–10 feet. Blooms: May–Nov (CNPS 2013).	A	No effect. Suitable habitat not present.
Invertebrates							
<i>Apodemia mormo langei</i>	Lange's metalmark butterfly	FE	—		Endemic to the Antioch Dunes (USFWS 2008)	A	No effect. Suitable habitat not present and outside species range.
<i>Branchinecta conservatio</i>	Conservancy fairy shrimp	FE	—		Various types of vernal pools (USFWS 2005).	A	No effect. Suitable habitat not present.
	Critical habitat, conservancy fairy shrimp	X	—			A	No effect. Critical habitat not present.
<i>Branchinecta longiantenna</i>	longhorn fairy shrimp	FE	—		Various types of vernal pools (USFWS 2005).	A	No effect. Suitable habitat not present.

3.8 BIOLOGICAL RESOURCES

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/ Absent	Rationale
<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	FT	—		Found only in vernal pools and vernal pool-like habitats. Distributed throughout the Central Valley, including Sacramento County (USFWS 2005).	A	No effect. Suitable habitat not present.
	Critical Habitat, vernal pool fairy shrimp	X	—			A	No effect. Critical habitat not present.
<i>Desmocerus californicus dimorphus</i>	valley elderberry longhorn beetle	FT	—		Dependent on host plant, elderberry (<i>Sambucus</i> spp.), which generally grows in riparian woodlands and upland habitats of the Central Valley. Current beetle distribution in Central Valley ranges from Shasta County to Fresno County (USFWS 1999).	A	No effect. Suitable habitat not present.
<i>Elaphrus viridis</i>	delta green ground beetle	FT	—		Grassland interspersed with vernal pools. Only documented in the greater Jepson Prairie in south-central Solano County (USFWS 2005).	A	No effect. Suitable habitat not present.
<i>Lepidurus packardii</i>	vernal pool tadpole shrimp	FE	—		Wide variety of ephemeral wetland habitats (vernal pools). Distributed throughout Central Valley and San Francisco Bay Area (USFWS 2005).	A	No effect. Suitable habitat not present.
	Critical habitat, vernal pool tadpole shrimp	X	—			A	No effect. Critical habitat not present.
Fish							
<i>Acipenser medirostris</i>	green sturgeon	FT	—		Oceanic waters, bays, and estuaries during non-spawning season. Spawning habitat = deep pools in large, turbulent, freshwater mainstems (NMFS 2005).	A	No effect. Although the adjacent Suisun Bay contains suitable habitat for these species, the project site does not contain any aquatic or riparian habitat and will not result in adverse impacts to the Suisun Bay.
<i>Archoplites interruptus</i>	Sacramento perch	—	SSC		Historically, Central Valley sloughs, slow-moving rivers, and lakes with beds of rooted emergent aquatic vegetation. Current distribution = artificially stocked farm ponds and reservoirs (USFWS 1995).	A	

3.8 BIOLOGICAL RESOURCES

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/Absent	Rationale
<i>Hypomesus transpacificus</i>	delta smelt	FT	SE		Brackish water below 25°C non-spawning season. Spawning habitat = shallow, fresh or slightly brackish backwater sloughs with good water quality and substrate (USFWS 1995).	A	
	Critical habitat, delta smelt	X	—			A	
<i>Oncorhynchus mykiss</i>	Central Valley steelhead	FT	—		Spawning habitat = gravel-bottomed, fast-flowing, well-oxygenated rivers and streams. Non-spawning = estuarine, marine waters (Busby et al. 1996).	A	No effect. Although the adjacent Suisun Bay contains suitable habitat for these species, the project site does not contain any aquatic or riparian habitat and will not result in adverse impacts to the Suisun Bay.
	Critical habitat, Central Valley steelhead	X	—			A	
<i>Oncorhynchus tshawytscha</i>	Central Valley spring-run chinook salmon	FT	ST		Currently found in the Sacramento-San Joaquin River Delta, the Sacramento River and its tributaries, including American, Yuba, and Feather rivers, and Mill, Deer, and Butte Creeks (NMFS 2009).	A	
	Critical habitat, Central Valley spring-run chinook salmon	X	—			A	
	winter-run chinook salmon, Sacramento River	FE	SE		Spawning habitat = fast moving, freshwater streams and rivers. Juvenile habitat = brackish estuaries. Non-spawning = marine waters (Myers et al. 1998).	A	No effect. Although the adjacent Suisun Bay contains suitable habitat for these species, the project site does not contain any aquatic or riparian habitat and will not result in adverse impacts to the Suisun Bay.
	Critical habitat, winter-run chinook salmon	X	-			A	
<i>Spirinchus thaleichthys</i>	longfin smelt	—	ST		Found close to shore, in bays and estuaries, and ascend coastal streams to spawn (Page and Burr 1991).	A	

3.8 BIOLOGICAL RESOURCES

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/ Absent	Rationale
Amphibians							
Ambystoma californiense	California tiger salamander, central population	FT	ST		Occurs in grasslands of the Central Valley and oak savannah communities in the Central valley, the Sierra Nevada and Coast ranges, and the San Francisco Bay Area. Needs seasonal or semi-permanent wetlands to reproduce, and terrestrial habitat with active ground squirrel or gopher burrows (Bolster 2010).	A	No effect. Suitable habitat not present.
	Critical habitat, California tiger salamander, central population	X	—			A	
Rana draytonii	California red-legged frog	FT	SSC		Occurs in various aquatic, riparian, and upland habitats. Needs aquatic habitats to breed, whether they be natural or artificial, such as stock ponds. In summer, they move to habitat that provides cover (USFWS 2002a).	A	No effect. Suitable habitat not present.
	Critical habitat, California red-legged frog	X	—			A	
Reptiles							
Anniella pulchra pulchra	silvery legless lizard	—	SSC		Occurs in sparsely vegetated areas of beach dunes, chaparral, pine-oak woodland, desert scrub, sandy washes, and stream terraces (Nafis 2013).	A	No effect. Suitable habitat not present.
Emys marmorata	western pond turtle	—	SSC		Found in a wide variety of habitats throughout California, but associated with permanent ponds, lakes, streams, irrigation ditches, and permanent pools along intermittent streams (CDFW 2013c).	A	No effect. Suitable habitat not present.
Masticophis lateralis euryxanthus	Alameda whipsnake (= striped racer)	FT	ST		Associated with chaparral and shrubland communities, but will range into adjacent grassland and woodlands (USFWS 2002b).	A	No effect. Suitable habitat not present.
	Critical Habitat, Alameda whipsnake	X	—			A	No effect. Critical habitat not present.

3.8 BIOLOGICAL RESOURCES

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/Absent	Rationale
<i>Thamnophis gigas</i>	giant garter snake	FT	ST		Marshes, sloughs, ponds, small lakes, low gradient streams, irrigation and drainage canals, rice fields and their associated uplands (USFWS 2012).	A	No effect. Suitable habitat not present.
Birds							
<i>Athene cunicularia</i>	burrowing owl	—	SSC		Open, flat expanses with short, sparse vegetation and few shrubs, level to gentle topography, and well-drained soils. Requires underground burrows or cavities for nesting and roosting. Can use rock cavities, debris piles, pipes, and culverts if burrows unavailable. Habitats include grassland, shrub steppe, desert, agricultural land, vacant lots, and pastures (CDFW 2012).	P	May affect. Suitable habitat present.
<i>Elanus leucurus</i>	white-tailed kite	—	FP		Occurs in herbaceous and open stages of valley lowland habitats, usually near agricultural land. Forages in undisturbed, open grasslands, meadows, farmlands, and emergent wetlands (CDFW 2013c).	P	May affect. Suitable habitat present.
<i>Geothlypis trichas sinuosa</i>	saltmarsh common yellowthroat	—	SSC		Breeds and winters in wet meadow, fresh emergent wetland, and saline emergent wetland habitats. Also breeds in valley foothill riparian, occasionally in desert riparian, annual grassland, and perennial grassland habitats (CDFW 2013c).	A	No effect. Suitable habitat not present.
<i>Laterallus jamaicensis coturniculus</i>	California black rail	—	ST/FP		Yearlong resident of saline, brackish, and fresh emergent wetlands (CDFW 2013c).	A	No effect. Suitable habitat not present.

3.8 BIOLOGICAL RESOURCES

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/ Absent	Rationale
<i>Melospiza melodia</i>	song sparrow (“Modesto” population)	—	SSC		Breeds and winters in riparian, fresh or saline emergent wetland, and wet meadows. Breeds in riparian thickets of willows, other shrubs, vines, tall herbs, and fresh or saline emergent vegetation (CDFW 2013c).	A	No effect. Suitable habitat not present.
<i>Melospiza melodia maxillaris</i>	Suisun song sparrow	—	SSC		Confined to tidal salt and brackish marshes fringing Carquinez Strait and Suisun Bay east to Antioch, at the confluence of the San Joaquin and Sacramento rivers (Shuford and Gardali 2008).	A	No effect. Although the adjacent Suisun Bay contains suitable habitat for these species, the project site does not contain any aquatic or riparian habitat and will not result in adverse impacts to the Suisun Bay.
<i>Rallus longirostris obsoletus</i>	California clapper rail	FE	SE		Requires intricate network of sloughs with small natural berms along tidal channels with relatively tall vegetation (USFWS 2010a).	A	
<i>Sternula antillarum browni</i>	California least tern	FE	SE		Nests and roosts in colonies on open beaches, forage near shore ocean waters and in shallow estuaries and lagoons (USFWS 2006).	A	
Mammals							
<i>Lasiurus blossevillii</i>	western red bat	—	SSC		Roosting habitat includes forests and woodlands, often in edge habitats adjacent to streams, fields, or urban areas (CDFW 2013c).	A	No effect. Suitable habitat not present.
<i>Reithrodontomys raviventris</i>	salt marsh harvest mouse	FE	SE		Salt marshes with dense stands of pickleweed; adjacent to upland, salt-tolerant vegetation (USFWS 2010a).	A	No effect. Suitable habitat not present.

3.8 BIOLOGICAL RESOURCES

Scientific Name	Common Name	Federal Status	State Status	CNPS Rare Plant Rank	General Habitat Characteristics	Habitat Present/Absent	Rationale
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	FE	ST		Occurs in desert-like habitats characterized by sparse or absent shrub cover, sparse ground cover, and short vegetative structure. Areas having open, level, sandy ground (USFWS 2010b).	A	No effect. Suitable habitat not present and surrounded by urban barriers.

Key	
Federal & State Status	CNPS Rare Plant Rank
(FE) Federal Endangered	<i>Rareness Ranks</i>
(FT) Federal Threatened	(1A) Presumed Extinct in California
(FC) Federal Candidate	(1B) Rare, Threatened, or Endangered in California and Elsewhere
(FD) Federally Delisted	(2B) Rare, Threatened, or Endangered in California, But More Common Elsewhere
(SE) State Endangered	<i>Threat Ranks</i>
(ST) State Threatened	(0.1) Seriously threatened in California
(SSC) State Species of Special Concern	(0.2) Fairly threatened in California
(FP) Fully Protected	(0.3) Not very threatened in California

Wildlife Movement Corridors

Wildlife corridors refer to established migration routes commonly used by resident and migratory species for passage from one geographic location to another. Corridors are present in a variety of habitats and link otherwise fragmented undisturbed areas. Maintaining the continuity of established wildlife corridors is important to sustain species with specific foraging requirements, preserve a species' distribution potential, and retain diversity among many wildlife populations. Therefore, resource agencies consider wildlife corridors to be a sensitive resource. The study area and surrounding lands have largely been converted to urban land uses. The intensity of this cover type significantly disrupts the movement of wildlife through the area.

3.8.2 REGULATORY FRAMEWORK

This section identifies environmental review and consultation requirements, as well as permits and approvals that must be obtained from local, state, and federal agencies before implementation of the project.

FEDERAL

Endangered Species Act

The Endangered Species Act of 1973 (ESA), as amended, provides protective measures for federally listed threatened and endangered species, including their habitats, from unlawful take (16 United States Code (USC) Sections 1531–1544). The ESA defines “take” to mean “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Title 50, Part 222, of the Code of Federal Regulations (50 CFR Section 222), further defines “harm” to include “an act which actually kills or injures fish or wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns including feeding, spawning, rearing, migrating, feeding, or sheltering.”

ESA Section 7(a)(1) requires federal agencies to utilize their authority to further the conservation of listed species. ESA Section 7(a)(2) requires consultation with the USFWS or the National Marine Fisheries Service (NMFS) if a federal agency undertakes, funds, permits, or authorizes (termed the federal nexus) any action that may affect endangered or threatened species, or designated critical habitat. For projects that may result in the incidental take of threatened or endangered species, or critical habitat and that lack a federal nexus, a Section 10(a)(1)(b) incidental take permit can be obtained from the USFWS and/or the NMFS.

Clean Water Act

The basis of the Clean Water Act (CWA) was established in 1948; however, it was referred to as the Federal Water Pollution Control Act. The act was reorganized and expanded in 1972 (33 USC Section 1251), and at this time the Clean Water Act became the commonly used name. The basis of the CWA is the regulation of pollutant discharges into waters of the United States, as well as the establishment of surface water quality standards.

Section 404

CWA Section 404 (33 USC Section 1344) established the program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Under this regulation, certain activities proposed within waters of the United States require that a permit be obtained

3.8 BIOLOGICAL RESOURCES

prior to initiation. These activities include, but are not limited to, placement of fill for the purposes of development, water resource projects (e.g., dams and levees), infrastructure development (e.g., highways and bridges), and mining operations.

The primary objective of this program is to ensure that the discharge of dredged or fill material is not permitted if a practicable alternative to the proposed activities exists that results in less impact to waters of the United States, or the proposed activity would result in significant adverse impacts to waters of the United States. To comply with these objectives, a permittee must document the measures taken to avoid and minimize impacts to waters of the United States and provide compensatory mitigation for any unavoidable impacts.

The US Environmental Protection Agency (USEPA) and the USFWS are assigned roles and responsibilities in the administration of this program; however, the US Army Corps of Engineers (USACE) is the lead agency in the administration of day-to-day activities, including issuance of permits. The agencies will typically assert jurisdiction over the following waters (1) traditional navigable waters (TNW); (2) wetlands adjacent to TNWs; and (3) relatively permanent waters (RPW) that are non-navigable tributaries to TNWs and have relatively permanent flow or seasonally continuous flow (typically three months), as well as (4) wetlands that directly abut RPWs. Case-by-case investigations are usually conducted by the agencies to ascertain their jurisdiction over waters that are non-navigable tributaries and do not contain relatively permanent or seasonal flow, wetlands adjacent to the aforementioned features, and wetlands adjacent to but not directly abutting RPWs. Jurisdiction is not generally asserted over swales or erosional features (e.g., gullies or small washes characterized by low-volume/short-duration flow events) or ditches constructed wholly within and draining only uplands that do not have relatively permanent flows.

The extent of jurisdiction within waters of the United States which lack adjacent wetlands is determined by the ordinary high water mark (OHWM). The OHWM is defined in 33 CFR Section 328.3(e) as the “line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.” Wetlands are further defined under 33 CFR Section 328.3 and 40 CFR Section 230.3 as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” and typically include “swamps, marshes, bogs, and similar areas.” The *Corps of Engineers Wetlands Delineation Manual* (USACE 1987) sets forth a standardized methodology for delineating the extent of wetlands under federal jurisdiction.

The 1987 Manual outlines three parameters that all wetlands, under normal circumstances, must contain positive indicators for to be considered jurisdictional. These parameters include (1) wetland hydrology, (2) hydrophytic vegetation, and (3) hydric soils (USACE 1987). In 2006, the USACE issued a series of Regional Supplements to address regional differences that are important to the functioning and identification of wetlands. The supplements present “wetland indicators, delineation guidance, and other information” that is specific to the region. The USACE requires that wetland delineations, submitted after June 5, 2007, be conducted in accordance with both the 1987 Manual and the applicable supplement.

Section 401

Under CWA Section 401 (33 USC Section 1341), federal agencies are not authorized to issue a permit and/or license for any activity that may result in discharges to waters of the United States,

unless a state or tribe where the discharge originates either grants or waives CWA Section 401 certification. CWA Section 401 provides states or tribes with the ability to grant, grant with conditions, deny, or waive certification. Granting certification, with or without conditions, allows the federal permit/license to be issued and remain consistent with any conditions set forth in the CWA Section 401 certification. Denial of the certification prohibits the issuance of the federal license or permit, and a waiver allows the permit/license to be issued without state or tribal comment. Decisions made by states or tribes are based on the proposed project's compliance with USEPA water quality standards as well as with applicable effluent limitations guidelines, new source performance standards, toxic pollutant restrictions, and any other appropriate requirements of state or tribal law. In California, the State Water Resources Control Board is the primary regulatory authority for CWA Section 401 requirements (additional details below).

Migratory Bird Treaty Act

Migratory birds are protected under the Migratory Bird Treaty Act (MBTA) of 1918 (16 USC Sections 703–711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR Section 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR Section 21). The majority of birds found in the project vicinity would be protected under the MBTA.

Bald and Golden Eagle Protection Act

The bald eagle and golden eagle are federally protected under the Bald and Golden Eagle Protection Act (16 USC Sections 668–668c). Under the act, it is illegal to take, possess, sell, purchase, barter, offer to sell or purchase or barter, transport, export, or import at any time or in any manner a bald or golden eagle, alive or dead, or any part, nest or egg of these eagles unless authorized by the Secretary of the Interior. Violations are subject to fines and/or imprisonment for up to one year. Active nest sites are also protected from disturbance during the breeding season.

Fish and Wildlife Coordination Act of 1958 (16 USC 661 et seq.)

The Fish and Wildlife Coordination Act requires that whenever any body of water is proposed or authorized to be impounded, diverted, or otherwise controlled or modified, the lead federal agency must consult with the USFWS, the state agency responsible for fish and wildlife management, and the National Marine Fisheries Service. Section 662(b) of the act requires the lead federal agency to consider the recommendations of the USFWS and other agencies. The recommendations may include proposed measures to mitigate or compensate for potential damages to wildlife and fisheries associated with a modification of a waterway.

Executive Order 11990 Protection of Wetlands (42 FR 26961, 25 May 1977)

Executive Order 11990 requires federal agencies to provide leadership and take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural qualities of these lands. Federal agencies are required to avoid undertaking or providing support for new construction located in wetlands unless (1) no practicable alternative exists, and (2) all practical measures have been taken to minimize harm to wetlands.

3.8 BIOLOGICAL RESOURCES

STATE

California Endangered Species Act

Under the California Endangered Species Act (CESA), the CDFW has the responsibility for maintaining a list of endangered and threatened species (Fish and Game Code (FGC) Section 2070). The CDFW also maintains a list of “candidate species,” which are species formally noticed as being under review for potential addition to the list of endangered or threatened species, and a list of “species of special concern,” which serve as species “watch lists.”

Pursuant to the requirements of the CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any state-listed endangered or threatened species may be present and determine whether the proposed project will have a potentially significant impact on such species. In addition, the CDFW encourages informal consultation on any proposed project that may impact a candidate species.

Project-related impacts to species on the CESA endangered or threatened list would be considered significant. State listed species are fully protected under the mandates of CESA. Take of protected species incidental to otherwise lawful management activities may be authorized under FGC Section 206.591. Authorization from the CDFW would be in the form of an incidental take permit.

California Fish and Game Code

Streambed Alteration Agreement (FGC Sections 1600–1607)

State and local public agencies are subject to FGC Section 1602, which governs construction activities that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated as waters of the state by the CDFW. Under FGC Section 1602, a discretionary Streambed Alteration Agreement must be issued by the CDFW to the project proponent prior to the initiation of construction activities on lands under CDFW jurisdiction. As a general rule, this requirement applies to any work undertaken in the 100-year floodplain of a stream or river containing fish or wildlife resources.

Native Plant Protection Act

The Native Plant Protection Act (FGC Sections 1900–1913) prohibits the taking, possessing, or sale in the state of any plants with a state designation of rare, threatened, or endangered (as defined by the CDFW). An exception in the act allows landowners, under specified circumstances, to take listed plant species, provided that the owners first notify the CDFW and give that state agency at least 10 days to retrieve the plants before they are plowed under or otherwise destroyed (FGC Section 1913). Project impacts to these species are not considered significant unless the species are known to have a high potential to occur in the area of disturbance associated with construction of the proposed project.

Birds of Prey

Under FGC Section 3503.5, it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

“Fully Protected” Species

California statutes afford fully protected status to a number of specifically identified birds, mammals, reptiles, and amphibians. These species cannot be taken, even with an incidental take permit. FGC Section 3505 makes it unlawful to take “any egret or egret, osprey, bird of paradise, gaur, numidi, or any part of such a bird.” FGC Section 3511 protects from take the following fully protected birds: (a) American peregrine falcon (*Falco peregrinus anatum*); (b) brown pelican (*Pelecanus occidentalis*); (c) California black rail (*Laterallus jamaicensis coturniculus*); (d) California clapper rail (*Rallus longirostris obsoletus*); (e) California condor (*Gymnogyps californianus*); (f) California least tern (*Sterna albifrons browni*); (g) golden eagle (*Aquila chrysaetos*); (h) greater sandhill crane (*Grus canadensis tabida*); (i) light-footed clapper rail (*Rallus longirostris levipes*); (j) southern bald eagle (*Haliaeetus leucocephalus leucocephalus*); (k) trumpeter swan (*Cygnus buccinator*); (l) white-tailed kite (*Elanus leucurus*); and (m) Yuma clapper rail (*Rallus longirostris yumanensis*).

FGC Section 4700 identifies the following fully protected mammals that cannot be taken: (a) Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*); (b) bighorn sheep (*Ovis canadensis*), except Nelson bighorn sheep (subspecies *Ovis canadensis nelsoni*); (c) Northern elephant seal (*Mirounga angustirostris*); (d) Guadalupe fur seal (*Arctocephalus townsendi*); (e) ring-tailed cat (genus *Bassariscus*); (f) Pacific right whale (*Eubalaena sieboldi*); (g) salt-marsh harvest mouse (*Reithrodontomys raviventris*); (h) southern sea otter (*Enhydra lutris nereis*); and (i) wolverine (*Gulo gulo*).

FGC Section 5050 protects from take the following fully protected reptiles and amphibians: (a) blunt-nosed leopard lizard (*Crotaphytus wislizenii silus*); (b) San Francisco garter snake (*Thamnophis sirtalis tetrataenia*); (c) Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*); (d) limestone salamander (*Hydromantes brunus*); and (e) black toad (*Bufo boreas exsul*).

FGC Section 5515 also identifies the following fully protected fish that cannot lawfully be taken even with an incidental take permit: (a) Colorado River squawfish (*Ptychocheilus lucius*); (b) thicktail chub (*Gila crassicauda*); (c) Mohave chub (*Gila mohavensis*); (d) Lost River sucker (*Catostomus luxatus*); (e) Modoc sucker (*Catostomus microps*); (f) shortnose sucker (*Chasmistes brevirostris*); (g) humpback sucker (*Xyrauchen texanus*); (h) Owens River pupfish (*Cyprinodon radiosus*); (i) unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*); and (j) rough sculpin (*Cottus asperimus*).

California Wetlands and Other Waters Policies

The California Resources Agency and its various departments do not authorize or approve projects that fill or otherwise harm or destroy coastal, estuarine, or inland wetlands. Exceptions may be granted if all of the following conditions are met: the project is water-dependent; no other feasible alternative is available; the public trust is not adversely affected; and adequate compensation is proposed as part of the project.

Porter-Cologne Water Quality Control Act

Porter-Cologne Water Quality Control Act of 1966 (California Water Code Section 13000 et seq.; CCR Title 23, Chapter 3, Subchapter 15) is the primary state regulation addressing water quality. The requirements of the act are implemented by the State Water Resources Control Board (SWRCB) at the state level and by the Regional Water Quality Control Board (RWQCB) at the local level. The RWQCB carries out planning, permitting, and enforcement activities related to

3.8 BIOLOGICAL RESOURCES

water quality in California. The act provides for waste discharge requirements and a permitting system for discharges to land or water. Certification is required by the RWQCB for activities that can affect water quality.

Clean Water Act, Section 401 Water Quality Certification

CWA Section 401 (33 USC Section 1341) requires that any applicant for a federal license or permit which may result in a pollutant discharge to waters of the United States obtain a certification that the discharge will comply with USEPA water quality standards. The state or tribal agency responsible for issuance of the Section 401 certification may also require compliance with additional effluent limitations and water quality standards set forth in state/tribal laws. In California, the SWRCB is the primary regulatory authority for CWA Section 401 requirements.

The San Francisco Bay Regional Water Quality Control Board) is responsible for enforcing water quality criteria and protecting water resources in the project area. In addition, the San Francisco Bay RWQCB is responsible for controlling discharges to surface waters of the state by issuing waste discharge requirements (WDR) or commonly by issuing conditional waivers to waste discharge requirements. The RWQCB requires that a project proponent obtain a CWA Section 401 water quality certification for CWA Section 404 permits issued by the USACE. A request for water quality certification (including waste discharge requirements) by the San Francisco Bay RWQCB and an application for a General Permit for Storm Water Discharges Associated with Construction Activities are prepared and submitted following completion of the CEQA environmental document and submittal of the wetland delineation to the USACE.

Delegated Permit Authority

California has been delegated permit authority for the National Pollutant Discharge Elimination System (NPDES) permit program including stormwater permits for all areas except tribal lands. Issuance of CWA Section 404 dredge and fill permits remains the responsibility of the USACE; however, the State actively uses its CWA Section 401 certification authority to ensure CWA Section 404 permits are in compliance with state water quality standards.

State Definition of Covered Waters

Under California state law, waters of the State means “any surface water or groundwater, including saline waters, within the boundaries of the state.” Therefore, water quality laws apply to both surface water and groundwater. After the US Supreme Court decision in *Solid Waste Agency of Northern Cook County v. US Army Corps of Engineers*, the Office of Chief Counsel of the SWRCB released a legal memorandum confirming the State’s jurisdiction over isolated wetlands. The memorandum stated that under the California Porter-Cologne Water Quality Control Act, discharges to wetlands and other waters of the state are subject to state regulation, and this includes isolated wetlands. In general, the SWRCB regulates discharges to isolated waters in much the same way as they do for waters of the United States, using Porter-Cologne Water Quality Control Act rather than Clean Water Act authority.

NONGOVERNMENTAL AGENCY

California Native Plant Society

The California Native Plant Society (CNPS) is a nongovernmental agency that classifies native plant species according to current population distribution and threat level in regard to extinction. The data is utilized by the CNPS to create/maintain a list of native California plants that have low

numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Plants of California (CNPS 2013). Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review.

The following identifies the definitions of the CNPS listings:

- List 1A: Plants believed to be extinct
- List 1B: Plants that are rare, threatened, or endangered in California and elsewhere
- List 2: Plants that are rare, threatened, or endangered in California, but are more numerous elsewhere

All of the plant species on List 1 and 2 meet the requirements of the Native Plant Protection Act Section 1901, Chapter 10, or FGC Section 2062 and Section 2067 and are eligible for state listing. Plants appearing on List 1 or 2 are considered to meet the criteria of CEQA Section 15380, and effects on these species are considered “significant.” Classifications for plants on List 3 (plants about which we need more information) and/or List 4 (plants of limited distribution), as defined by the CNPS, are not currently protected under state or federal law. Therefore, no detailed descriptions or impact analysis was performed on species with these classifications.

LOCAL

City of Pittsburg General Plan

The City of Pittsburg General Plan was adopted in 2001. The General Plan includes policies that relate to biological resources and habitat, including protection of hillsides, creekways, and wetlands. The proposed project was analyzed for compliance with these policies. While this DEIR considers the project's consistency with the General Plan pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15125(d), the appropriate reviewing authority will ultimately make the determination of the project's consistency with the General Plan.

East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan

The East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) serves as a comprehensive, multi-jurisdictional habitat conservation plan, pursuant to Section (a)(1)(B) of the federal Endangered Species Act, as well as a natural communities conservation plan under the California Natural Community Conservation Planning Act of 2001. The plan encompasses Brentwood, Clayton, Oakley, and Pittsburg, Contra Costa County, the Contra Costa Water District, and the East Bay Regional Park District. The overall biological goal of the HCP/NCCP is to conserve covered species and their habitats, as well as to maintain biological diversity and ecological processes while allowing for future economic growth in a rapidly urbanizing region.

Federal and state wildlife agencies approved permits required to implement the HCP/NCCP between July 24, 2007, and August 6, 2007. The City of Pittsburg adopted the HCP/NCCP later that year. The plan's primary intent is to provide for the conservation of a range of plants and animals and in return, provide take coverage and mitigation for projects throughout eastern Contra Costa County to avoid the cost and delays of mitigating biological impacts on a project-by-project basis. It would allow the incidental take (for development purposes) of species and their habitat from development. The City is a permittee to the HCP/NCCP, and any new proposed project is required to comply with applicable provisions of the plan.

3.8 BIOLOGICAL RESOURCES

3.8.3 IMPACTS AND MITIGATION MEASURES

STANDARDS OF SIGNIFICANCE

The impact analysis provided below is based on the application of the State CEQA Guidelines Appendix G thresholds of significance. A project is considered to have significant impacts if implementation of the project will:

- 1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.
- 2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the CDFW or USFWS.
- 3) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption, or other means.
- 4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- 5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- 6) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.
- 7) Reduce the number or restrict the range of an endangered, rare, or threatened plant or animal species or biotic community, thereby causing the species or community to drop below self-sustaining levels.

CEQA Guidelines Section 15380 further provides that a plant or wildlife species may be treated as “rare or endangered” even if not on one of the official lists if, for example, it is likely to become endangered in the foreseeable future.

METHODOLOGY

The impact assessment below discusses impacts from implementation of project activities. The impact assessment was based on the project description (Section 2.0), information described in the environmental setting, and the standards of significance described above. The impact analysis is organized by the significance criteria noted above: special-status plant and wildlife species, sensitive vegetation communities, federally protected wetlands, wildlife movement corridors, compliance with local plans and policies, and compliance with existing habitat conservation plans. Each impact category includes a description of the specific potential impacts as well as avoidance, minimization, and mitigation measures that can reduce potentially significant impacts.

PROJECT IMPACTS AND MITIGATION MEASURES**Special-Status Species (Standards of Significance 1 and 7)**

Impact 3.8.1 Implementation of project-related activities could result in substantial adverse effects, either directly or through habitat modifications, to special-status species, which would be considered a **potentially significant** impact.

The project area may provide suitable breeding and foraging habitat for burrowing owl, white-tailed kite, Swainson's hawk, and golden eagle, as well as nesting and/or foraging habitat for other migratory birds and raptors not identified in **Table 3.8-1**. Burrowing owl, golden eagle, and Swainson's hawk are all covered by the East Contra Costa County HCP/NCCP.

Portions of the study area not covered by hardscape provide suitable year-round roosting, nesting, and foraging habitat for burrowing owls. The presence of suitable habitat and documented occurrences in proximity to the study area result in the determination that implementation of project-related activities could result in significant impacts to this species, should it become established in areas proposed for disturbance. In order to reduce potential impacts to a less than significant level, mitigation measure **MM 3.8.1a** is required.

There is potentially suitable nesting and foraging habitat for Swainson's hawks, golden eagles, and white-tailed kites within and adjacent to the study area. The presence of suitable habitat and documented occurrences within 5 miles of the study area result in the determination that implementation of project-related activities could result in significant impacts to these species, should they be present on or adjacent to areas proposed for disturbance. In order to reduce potential impacts to a less than significant level, mitigation measures **MM 3.8.1b**, **MM3.8.1c**, and **MM 3.8.1d** are required.

All native breeding birds (except game birds during the hunting season), regardless of their listing status, are protected under the MBTA. Vegetation clearing during the nesting season could result in direct impacts to nesting birds should they be present. Furthermore, noise and other human activity could result in nest abandonment if nesting birds are within 200 feet (500 feet for raptors) of a work site. Due to the presence of suitable habitat for these species, implementation of project-related activities could result in significant impacts should species be present in areas proposed for disturbance. In order to reduce potential impacts to a less than significant level, mitigation measures **MM 3.8.1d** and **MM 3.8.1e** are required.

Mitigation Measures

MM 3.8.1a **Burrowing Owl.** Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (Staff Report), published March 7, 2012. Surveys shall take place no more than 30 days prior to construction and will establish the presence or absence of burrowing owl and/or habitat features and evaluate habitat use by owls. During the surveys, all burrows and burrowing owls will be identified and mapped.

If burrowing owls are found during the breeding season (February 1–August 31), the project applicant shall avoid all nest sites for the remainder of the breeding season or while the nest site is occupied by adults or young. Avoidance measures will include establishment of a 250-foot no disturbance

3.8 BIOLOGICAL RESOURCES

buffer zone surrounding the nest burrow. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using through establishment of a 160-foot protective buffer zone surrounding the active burrow.

If avoidance is not possible, passive relocation of occupied burrows shall be implemented outside the breeding season. Owls should be excluded from burrows by installing one-way doors in burrow entrances. These doors should be in place for no less than 48 hours prior to excavation, and the project area shall be monitored daily by a qualified biologist for one week to confirm that the owl has abandoned the burrow.

Timing/Implementation: *Prior to and during construction activities*

Enforcement/Monitoring: *City of Pittsburg Planning Department*

MM 3.8.1b

Swainson's Hawk. Prior to any ground disturbance that occurs during the nesting season (March 15–September 15), a qualified biologist will conduct a preconstruction survey no more than one month prior to construction to determine if occupied Swainson's hawk nests are present within 1,000 feet of the project site.

If occupied nests are documented, project-related activities within 1,000 feet of an occupied nest site shall be prohibited to prevent nest abandonment. Project-related activities can proceed normally if a qualified biologist determines that young have fledged prior to September 15. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Furthermore, if the active nest site is shielded from view and noise from the project site by other development, topography, or other features (including off-site features), the project applicant can apply to the HCP/NCCP Implementing Entity for a waiver of this avoidance measure. Waivers must also be approved by the USFWS and the CDFW. While the nest is occupied, project-related activities outside the 1,000-foot buffer can take place.

Timing/Implementation: *Prior to and during construction activities*

Enforcement/Monitoring: *City of Pittsburg Planning Department*

MM 3.8.1c

Golden Eagle. Prior to any ground disturbance that occurs during the nesting season (January 1–August 31), a qualified biologist shall conduct a preconstruction survey not more than one month prior to construction to determine whether active golden eagle nests are present within 0.5 mile of the project site. If active nests are present within 0.5 mile of the project site, project-related activities within 0.5 mile of the nest are prohibited to prevent

nest abandonment. If site-specific conditions or the nature of the covered activity indicate that a smaller buffer could be used, the HCP/NCCP Implementing Entity will coordinate with the CDFW and the USFWS to determine the appropriate buffer size. Project-related disturbance may proceed once a qualified biological monitor determines that the nest has failed or that the young birds have fledged.

Timing/Implementation: *Prior to and during construction activities*

Enforcement/Monitoring: *City of Pittsburg Planning Department*

MM 3.8.1d

Non-Covered Raptor Surveys. If clearing and/or construction activities will occur during the raptor nesting season (January 15–August 15), preconstruction surveys to identify active raptor nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area and a 500-foot buffer (if feasible).

If active nest sites are identified within 500 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to nesting raptors. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 250 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 250 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

Timing/Implementation: *Prior to and during construction activities*

Enforcement/Monitoring: *City of Pittsburg Planning Department*

MM 3.8.1e

Nesting Bird Surveys. If clearing and/or construction activities will occur during the migratory bird nesting season (February 15–August 15), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 30 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purpose of determining presence/absence of active nest sites within the proposed impact area, including a 200-foot buffer.

If active nest sites are identified within 200 feet of project activities, the project applicant shall impose a limited operating period (LOP) for all active nest sites prior to commencement of any project construction activities to avoid construction-related disturbances to migratory bird nesting activities. An LOP constitutes a period during which project-related activities (i.e., vegetation removal, earth moving, and construction) will not occur and will be imposed within 100 feet of any active nest sites until the nest is deemed inactive by a qualified biologist. Activities permitted within and the size (i.e., 100 feet) of LOPs may be adjusted through consultation with the CDFW and/or the East Contra Costa County HCP/NCCP Implementing Entity.

3.8 BIOLOGICAL RESOURCES

Timing/Implementation: Prior to and during construction activities

Enforcement/Monitoring: City of Pittsburg Planning Department

The special-status bird species identified above were determined to have the potential to be substantially adversely affected by project-related activities, either directly or through habitat modifications. Impacts to these species would be considered a potentially significant impact. However, mitigation measures **MM 3.8.1a** through **MM 3.8.1e** require surveys to ensure no birds are present or provide for measures to reduce the potential disturbance to nesting or fledgling birds to ensure impacts are reduced to a **less than significant** level.

Impacts to Riparian Habitat or Sensitive Natural Communities (Standard of Significance 2)

Impact 3.8.2 Implementation of project-related activities may result in substantial adverse effects, either directly or through habitat modifications, to riparian habitat or sensitive natural communities. This would be considered a **less than significant impact**.

Sensitive natural communities include those that are of special concern to resource agencies and those that are protected under CEQA, Section 1600 of the FGC, and Section 404 of the CWA. Potentially sensitive natural communities in the project vicinity include riparian and aquatic habitat associated with Kirker Creek. There would be no construction in the creek and there are no anticipated impacts to Kirker Creek as a result of the proposed project.

As discussed above, based on the delineation for the western portion of the study area including the section of the man-made ditch, the USACE concluded that there were no wetlands or other waters present in the area surveyed that were subject to the USACE authority under Section 404 of the federal Clean Water Act. Whether it is considered waters of the state subject to jurisdiction of CDFW is unclear. If the ditch is subject to Section 1600 of the FGC and/or the Porter-Cologne Act, the project applicant would be required to obtain a permit prior to fill of or construction in the ditch. However, the ditch is an ephemeral feature with little in-channel vegetation and habitat values associated with the ditch are virtually indistinguishable from the surrounding grassland. Therefore, the project would not result in substantial adverse effects, either directly or through habitat modifications, to riparian habitat or sensitive natural communities. This would be considered a **less than significant impact**.

Mitigation Measures

None required .

Impacts to Federally Protected Wetlands (Standard of Significance 3)

Impact 3.8.3 Implementation of project-related activities would not result in substantial adverse effects to federally protected wetlands. There would be **no impact**.

Implementation of project-related activities would not result in the disturbance, degradation, and/or removal of federally protected wetlands. The man-made drainage ditch near the northern boundary of the study area will be relocated. A delineation of the entire ditch was conducted for the Columbia Solar project in December 2012. The USACE determined that the ditch was an isolated feature and therefore not considered jurisdictional (City of Pittsburg 2013). Therefore, removal of the ditch will not be considered an impact to federally protected waters.

Further, there would be no construction in Kirker Creek. Therefore, no impacts to Kirker Creek are anticipated as a result of project activities, resulting in **no impact**.

Mitigation Measures

None required.

Impacts to Wildlife Movement (Standard of Significance 4)

Impact 3.8.4 Implementation of project-related activities would not result in substantial adverse effects to wildlife movement. There would be **no impact**.

The CDFW Biogeographic Information & Observation System Habitat Connectivity Viewer (2013d) was reviewed to determine whether the project site is located within an Essential Connectivity Area. The project does not occur within an Essential Connectivity Area, and the study area is surrounded on all sides by urban land use that already restricts wildlife movement. Implementation of project-related activities is not expected to result in impacts to the movement of native resident or migratory fish or wildlife species or established migratory corridors. As a result, **no impact** to the movements of any native resident or migratory wildlife corridors or the use of native wildlife nursery sites will occur as a result of the proposed project.

Mitigation Measures

None required.

Conflict with Local Policies or Ordinances or Conservation Plans (Standards of Significance 5 and 6)

Impact 3.8.5 The proposed project would not conflict with any policies, ordinances, or plans, including the East Contra Costa County HCP/NCCP. This would be considered a **less than significant** impact with implementation of measures identified for the project.

The proposed project does not include removal of any trees within the public right-of-way, so it would not conflict with Pittsburg Municipal Code Chapter 12.32 (Street Tree Ordinance), which regulates the removal and preservation of trees on public rights-of-way within the city. Nor would the project conflict with any of the policies described in the Contra Costa County General Plan or the City of Pittsburg General Plan.

The study area is located in the East Contra Costa County HCP/NCCP planning area; therefore, the project is subject to review for consistency with HCP/NCCP requirements, including Chapter 6.3, Surveys for Covered Activities, and Chapter 9.3.1, Mitigation Fees.

One component of the HCP/NCCP is mitigation fee zones, which are land areas that occur within the plan area and require a fee for development activities to occur. The proposed project is located in a HCP/NCCP development fee zone. A standard condition for the proposed project includes the payment of these fees to comply with the overlying habitat conservation plan. The project applicant would be required to submit fees to the City in accordance with the requirements of the East Contra Costa County HCP/NCCP. Another component of the HCP/NCCP is that projects are required to conduct species-specific surveys and monitoring. Mitigation measures **MM 3.8.1a** through **MM 3.8.1e** satisfy the survey requirements for this component. Without species-specific surveys and monitoring, this would be a potentially significant impact.

3.8 BIOLOGICAL RESOURCES

Mitigation Measures

Implement mitigation measures **MM 3.8.1a** through **MM 3.8.1e**.

With implementation of mitigation measures and adherence to the standard conditions and requirements, any impacts will be **less than significant** and ensure the project will not conflict with the East Contra Costa County HCP/NCCP.

3.8.4 CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

CUMULATIVE SETTING

The surrounding area of Contra Costa County as a whole must be considered for the purpose of evaluating land use conversion issues associated with biological resources on a cumulative level. In particular, this cumulative setting condition includes proposed and approved projects, existing land use conditions, and planned development under the General Plan, existing land use conditions, and planned and proposed land uses in the region.

Continued development in the region could directly and indirectly affect biological resources. The development of natural areas could cause loss of wildlife habitats or plant communities. The proposed project could contribute incrementally to the cumulative loss of wildlife habitat values, special-status species and their potential habitat, and wetland resources in the county and in the region.

The cumulative impact analysis below focuses on the proposed project's contribution to the loss of special-status species and to sensitive and critical habitat.

CUMULATIVE IMPACTS AND MITIGATION MEASURES

Cumulative Biological Resource Impacts

Impact 3.8.6 The proposed project, in combination with other reasonably foreseeable projects, could result in mortality and loss of habitat for special-status species and sensitive habitat. However, the East Contra Costa County HCP/NCCP addresses and mitigates regional biological resource impacts. Implementation of the HCP/NCCP and project mitigation would make this a **less than cumulatively considerable** impact.

Future development in the surrounding area would contribute to cumulative impacts on special-status species and sensitive and critical habitats. Furthermore, increased development and disturbance created by human activities (e.g., fires, increased nighttime lighting, and reduced access to habitat and movement corridors) could result in direct mortality, habitat loss, and deterioration of habitat suitability. Therefore, cumulative impacts on special-status species and sensitive habitat are considered significant. Implementation of the proposed project may result in degradation of wildlife habitat through a variety of actions which, when combined with other habitat impacts occurring from development in the surrounding area could result in mortality and loss of habitat for special-status species and sensitive habitat. Therefore, the project's contribution to that impact would be considerable.

The vegetation communities/habitats in the study area represent only a small portion of the communities/habitats available for special-status species in the project vicinity. In addition, the proposed project would not result in a drastic change to land use in the project vicinity. The study area is surrounded on all sides by extensive development and would not contribute to further fragmentation of the landscape.

The East Contra Costa County HCP/NCCP encompasses 174,018 acres and includes all unincorporated county land east of Concord. In addition, most of the cities in the region participate in the HCP/NCCP. The plan's goal is to conserve covered species and their habitats, as well as to maintain biological diversity and ecological processes while allowing for future economic growth in a rapidly urbanizing region.

Mitigation Measures

Implement mitigation measures **MM 3.8.1a** through **MM 3.8.1e**.

Implementation of mitigation measures **MM 3.8.1a** through **MM 3.8.1e**, along with adherence to the standard conditions and requirements of the East Contra Costa County HCP/NCCP described previously, would mitigate the project's contribution to impacts to special-status species and sensitive habitats, thereby reducing the proposed project's contribution to cumulative impact to **less than cumulatively considerable**.

3.8 BIOLOGICAL RESOURCES

REFERENCES

- Bolster, B. C. 2010. *A Status Review of the California Tiger Salamander* (*Ambystoma californiense*). Sacramento: CDFG.
- Busby, P. J., T. C. Wainwright, G. J. Bryant, L. J. Lierheimer, R. S. Waples, F. W. Waknitz, and I. V. Lagomarsino. 1996. *Status Review of West Coast Steelhead from Washington, Idaho, Oregon, and California*. NOAA Technical Memorandum NMFS-NWFSC-27. Seattle, WA.
- CDFW (California Department of Fish and Wildlife). 2012. *Staff Report on Burrowing Owl Mitigation*.
- . 2013a. California Natural Diversity Database – October 1, 2013, update. Sacramento: CDFW Biogeographic Data Branch.
- . 2013b. *A Guide to Wildlife Habitats of California* (online edition). Sacramento: CDFW Biogeographic Data Branch. Accessed October 17, 2013. http://www.dfg.ca.gov/biogeodata/cwhr/wildlife_habitats.asp.
- . 2013c. California Wildlife Habitat Relationships System Life History Accounts and Range Maps (online edition). Sacramento: CDFW Biogeographic Data Branch. Accessed October 17, 2013. <http://www.dfg.ca.gov/biogeodata/cwhr/cawildlife.aspx>.
- . 2013d. Biogeographic Information & Observation System Habitat Connectivity Viewer. Sacramento: CDFW Biogeographic Data Branch. Accessed October 17, 2013. <http://bios.dfg.ca.gov/>.
- City of Pittsburg. 2013. *Initial Study, Columbia Solar Energy Project*.
- CNPS (California Native Plant Society). 2013. Inventory of Rare and Endangered Plants of California (online edition, v8-01a). Sacramento: CNPS. Accessed October 17, 2013.
- Hunt, W. G., R. E. Jackman, T. L. Brown, D. E. Driscoll, and L. Culp. 1998. *A population study of golden eagles in the Altamont Pass Wind Resource Area: population trend analysis 1997*. Report to National Renewable Energy.
- Mosaic Associates, LLC. 2013. *Biological Resources Report, Mt. Diablo Resources Recovery Park, 1300 Loveridge, Pittsburg CA*.
- . 2014. *Biological Resources Report, Mt. Diablo Resources Recovery Park, 1300 Loveridge, Pittsburg CA*.
- Myers, J. M., R. G. Kope, G. J. Bryant, D. Teel, L. J. Lierheimer, T. C. Wainwright, W. S. Grant, F. W. Waknitz, K. Neely, S. T. Lindley, and R. S. Waples. 1998. *Status Review of Chinook Salmon from Washington, Idaho, Oregon, and California*. NOAA Technical Memorandum NMFS-NWFSC-35.
- Nafis, Gary. 2013. *A Guide to the Reptiles and Amphibians of California*. Accessed October 18, 2013. <http://www.californiaherps.com>.
- NMFS (National Marine Fisheries Service). 2005. *Green Sturgeon (Acipenser medirostris) Status Review Update*. Santa Cruz, CA: NMFS Southwest Fish Science Center.

- Page, L. M., and B. M. Burr, 1991. *A Field Guide to Freshwater Fishes of North America North of Mexico*. Boston: Houghton Mifflin.
- Schlorff, Ronald W., and Peter H. Bloom. 1984. *Importance of riparian systems to nesting Swainson's hawks in the Central Valley of California*. In Warner, Richard E.; Hendrix, Kathleen M., eds. *California riparian systems: Ecology, conservation, and productive management*. Proceedings of a conference; September 17–19, 1981; Davis, CA. Berkeley: University of California Press.
- Shuford, W. D., and Gardali, T., editors. 2008. *California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California*. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, CA, and CDFG, Sacramento, CA.
- TRC Solutions, Inc. 2007. *Jurisdictional Determination Form Instructional Guidebook*. USACE and US Environmental Protection Agency.
- . 2013. *Application Form and Planning Survey Report to Comply with and Receive Permit Coverage under the East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan*. November 27, 2013, revised February 11, 2013.
- USACE (US Army Corps of Engineers). 1987. *Corps of Engineers Wetland Delineation Manual. Technical Report Y-87-1*. Vicksburg, MS: USACE Waterways Experiment Station.
- USFWS (US Fish and Wildlife Service). 1995. *Sacramento-San Joaquin Delta Native Fishes Recovery Plan*. Portland, OR: USFWS.
- . 1999. *Conservation Guidelines for the Valley Elderberry Longhorn Beetle*. Sacramento: USFWS.
- . 2002a. *Recovery Plan for California Red-Legged Frog (Rana aurora draytonii)*. Portland, OR: USFWS.
- . 2002b. *Draft Recovery Plan for Chaparral and Scrub Community Species East of San Francisco Bay, California*. Portland, OR: USFWS.
- . 2005. *Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon*. Portland, OR: USFWS.
- . 2006. *California Least Tern 5-Year Review*. Carlsbad, CA: USFWS.
- . 2008. *Lange's Metalmark 5-Year Review*. Sacramento: USFWS.
- . 2010a. *Draft Recovery Plan for Tidal Marsh Ecosystems of Northern and Central California*. Sacramento: USFWS.
- . 2010b. *San Joaquin Kit Fox 5-Year Review*. Sacramento: USFWS.
- . 2012. *Giant Garter Snake (Thamnophis gigas) 5-Year Review: Summary and Evaluation*. Sacramento: USFWS.

3.8 BIOLOGICAL RESOURCES

- . 2013a. Sacramento Fish & Wildlife Office Species List (online edition). Sacramento: USFWS. Accessed October 17, 2013. http://www.fws.gov/sacramento/es_species/Lists/es_species_lists-form.cfm.
- . 2013b. Critical Habitat Portal (online edition). Accessed October 17, 2013.
- Woodbridge, B. 1998. "Swainson's Hawk (*Buteo swainsoni*).". In *The Riparian Bird Conservation Plan: a strategy for reversing the decline of riparian-associated birds in California*. California Partners in Flight.

This section summarizes the cumulative impacts associated with the proposed Mt. Diablo Resource Recovery Park project using the same environmental issue areas as Section 3.0 of this Draft Environmental Impact Report (Draft EIR; DEIR). Cumulative impacts are the result of combining the potential effects of the project with other existing, approved, proposed, and reasonably foreseeable projects in the region. The following discussion considers the cumulative impacts of the relevant environmental issue areas.

4.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that an EIR contain an assessment of the cumulative impacts that could be associated with the proposed project. According to CEQA Guidelines Section 15130(a), “an EIR shall discuss cumulative impacts of a project when the project’s incremental effect is cumulatively considerable.” “Cumulatively considerable” means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (as defined by Section 15130). As defined in CEQA Guidelines Section 15355, a cumulative impact consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. A cumulative impact occurs from:

... the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

In addition, CEQA Guidelines Section 15130(b) identifies that the following elements are necessary for an adequate cumulative analysis:

- 1) Either:
 - (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or
 - (B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.
- 2) A definition of the geographic scope of the area affected by the cumulative effect and a reasonable explanation for the geographic limitation used;
- 3) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available; and
- 4) A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project’s contribution to any significant cumulative effects.

4.0 CUMULATIVE IMPACT ANALYSIS

Where a lead agency is examining a project with an incremental effect that is not cumulatively considerable, a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable.

APPROACH TO THE CUMULATIVE IMPACT ANALYSIS

The analysis of cumulative impacts for each environmental factor can employ one of two methods to establish the effects of other past, current, and probable future projects. A lead agency may select a list of projects, including those outside the control of the agency, or alternatively, a summary of projects. These projects may be from an adopted general plan or related planning document, or from a prior environmental document that has been adopted or certified, and they may describe or evaluate regional or area-wide conditions contributing to the cumulative impact. The analysis provided in this Draft EIR utilizes both approaches.

Definition of Cumulative Setting

The cumulative setting conditions considered in this DEIR are based on the City of Pittsburg General Plan, which guides local land use in Pittsburg and provides a framework within which future development is expected to occur. The General Plan was analyzed for its guidance and requirements applicable to each section of this DEIR, and the assumptions contained within were incorporated into the cumulative analysis presented in the technical sections of this DEIR (Sections 3.1 through 3.8) as well as this section. Where applicable, the cumulative analysis considers as part of the cumulative setting a list of major development projects expected to occur in the vicinity of the proposed project. See Section 3.0, Assumptions, Table 3.0-1 and 3.0-2 for a listing of these projects and their expected buildout conditions. The cumulative setting considers background traffic volumes and patterns on regional and state highways (e.g., State Route [SR] 4), background air quality conditions, and other associated environmental conditions that occur within the region, both inside and outside the immediate vicinity of the project. In the case of services and utilities, the planning of those agencies that provide the services/utilities was considered and applied to the assumptions of the cumulative setting. For example, future water supply planning by the Contra Costa Water District (CCWD) was utilized in determining cumulative water supply need and expected customer load.

Each technical section of the Draft EIR includes a description of the geographic setting in the context of cumulative impacts based on the characteristics of the environmental issue under consideration as set forth in Section 15130(b) of the State CEQA Guidelines. For some issues, such as air quality, the area is large, often extending over city and county lines to other parts of the Bay Area.

4.2 CUMULATIVE IMPACTS ANALYSIS

This subsection provides a summary of overall cumulative impacts of the proposed expansion for the Mt. Diablo Resource Recovery Park, as required by Section 15130 of the CEQA Guidelines. The goal of such an exercise is twofold: first, to determine whether the overall long-term impacts of all such projects would be cumulatively significant; and second, to determine whether the proposed project itself would cause a cumulatively considerable (and thus significant) incremental contribution to any such cumulatively significant impacts. (See CEQA Guidelines Section 15130[a]–[b], Section 15355[b], Section 15064[h], Section 15065[c]; *Communities for a Better Environment v. California Resources Agency* [2002] 103 Cal.App.4th 98, 120.) In other words, the required analysis intends to create a broad context in which to assess the proposed project's incremental contribution to anticipated cumulative development impacts, viewed on a geographic scale beyond the project site itself, and then to determine whether the project's

incremental contribution to any significant cumulative impacts from all projects is itself significant (i.e., cumulatively considerable in CEQA parlance).

Pursuant to Section 15130 of the CEQA Guidelines, “(t)he discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impacts to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact.” The proposed project is considered to have a significant cumulative effect if:

- 1) The cumulative effects of development without the project are not significant and the project's additional impact is substantial enough, when added to the cumulative effects, to result in a significant impact; or
- 2) The cumulative effects of development without the project are already significant and the project contributes measurably to the effect. The term “measurably” is subject to interpretation. The standards used herein to determine measurability are that either the impact must be noticeable to a reasonable person, or must exceed an established threshold of significance.

Identified below is a brief summary of the cumulative impacts that would result from the implementation of the proposed project and future development in the vicinity. The following cumulative impacts of the proposed project are specifically identified in Sections 3.1 through 3.8 of this Draft EIR. The reader is referred to the various environmental issue areas of these sections for further details and analysis of the cumulative impacts.

AIR QUALITY

Cumulative Emissions in a Nonattainment Area

Cumulative development in the San Francisco Bay Area Air Basin, which is in nonattainment status for ozone (O₃), coarse particulate matter (PM₁₀), and fine particulate matter (PM_{2.5}), would result in generation of O₃, PM₁₀, and PM_{2.5} that would contribute to further exceedances in a nonattainment area. This would be considered a significant cumulative impact. The proposed project would contribute to these emissions; however, with implementation of mitigation measures MM 3.1.1 through MM 3.1.2 through C, the project's contribution would be reduced to below applicable significance thresholds. Because significance thresholds are designed to achieve attainment for these pollutants in the basin, reduction of the project contribution to below thresholds would ensure the project's contribution would be **less than cumulatively considerable**.

Cumulative Emissions Resulting in Risks or Hazards at Nearby Sensitive Receptors

The assessment of cumulative impacts included existing sources within 1,000 feet of the project site to identify the cumulative cancer risks and hazards at the maximally impacted receptor (MIR). Predicted PM_{2.5} concentrations at the MIR would be 0.06 micrograms per cubic meter (µg/m³) and would not exceed the cumulative significance threshold of 0.8 µg/m³. Given that the predicted cumulative cancer risk, hazard index, and PM_{2.5} concentrations would not exceed applicable thresholds, the cumulative impact would be considered **less than cumulatively considerable**.

4.0 CUMULATIVE IMPACT ANALYSIS

Cumulative Increase of Odorous Emissions

There have been no confirmed odor complaints filed with the Bay Area Air Quality Management District for the existing Mt. Diablo Recycling Center and Transfer Station. One unconfirmed complaint was received by the BAAQMD on July 1, 2009, for which the BAAQMD was unable to confirm the source of the odor complaint. Therefore, the existing use is not considered a major source of odorous emissions in the project area. The proposed expansion would be subject to an Odor Impact Minimization Plan to ensure that the increased intake does not result in significant increases in odors that would adversely affect a substantial number of people. As a result, the cumulative impact related to localized concentrations of odors **would be considered less than cumulatively considerable**.

CLIMATE CHANGE AND ENERGY

Cumulative Greenhouse Gas Emissions That Could Potentially Conflict with the Goals of AB 32

The threshold used to determine whether the proposed project would contribute to the cumulative is 10,000 metric tons of carbon dioxide equivalents per year (MTCO_{2e}/year) for operational emissions from stationary sources and compliance with a Qualified GHG Reduction Strategy, or 1,100 MTCO_{2e}/year or 4.6 MTCO_{2e}/service population for operational emissions from non-stationary sources. For stationary sources, the operation of the proposed Biomass Gasification Unit would generate approximately 3,719 MTCO_{2e}/year, which is below the significance threshold of 10,000 MTCO_{2e} for permitted stationary sources. For non-stationary sources, with the inclusion of amortized construction-generated GHG emissions, the overall net increase in GHG emissions from non-stationary sources would total 21,497 MTCO_{2e}/year. This exceeds the significance threshold of 1,100 MTCO_{2e}/year. However, the proposed project would result in a substantial increase in avoided emissions due to an increase of material recycled. Recycling operations occurring under current conditions at the Mt. Diablo Recycling Facility result in the avoidance of 14,627 metric tons of CO_{2e} annually (see page 3.2-19). With implementation of the proposed project, operations at the Mt. Diablo Resource Recovery Park would result in the avoidance of 154,692 metric tons of CO_{2e} annually by the year 2020 and 213,697 MTCO_{2e} annually by the year 2035 (see Table 3.2-2 in Section 3.2, Greenhouse Gas and Climate Change). Therefore, considering avoided emissions, the project **would not result in a cumulatively considerable contribution to greenhouse gas emissions**.

HAZARDS AND HAZARDOUS MATERIALS

Cumulative Exposure to Hazards and Hazardous Materials

There are proposed, planned, approved, or otherwise reasonably foreseeable projects in the vicinity of the project site that would involve hazardous materials, including the Pittsburg Medical Center, various trucking and automotive operations, manufacturing uses, chemical processing, and a household hazardous waste collection facility. These facilities could contribute to increased exposure to hazardous materials. However, there is a substantial body of regulations related to transport, use, and disposal of hazardous materials during both construction and operation designed to reduce potential exposure to hazardous materials. Compliance with these regulations pursuant to state, county, and local oversight is required, not optional, and compliance would be required of the proposed project and other projects in the project vicinity. Specifically, the operator would update the existing Hazardous Materials Business Plan and continue to report annually on material intake to the Contra Costa County Health Services Department, Hazardous Materials Division. Compliance with these regulations would ensure that the potential for exposure to hazardous materials **would be less than cumulatively considerable**.

HYDROLOGY AND WATER QUALITY

Cumulative Impacts to Water Quality

Cumulative development in the Kirker Creek watershed and Pittsburg Plain Groundwater Basin would increase the amount of pollutants that could have an effect on surface water and groundwater quality. The proposed project would include construction and operational changes within a small area (approximately 15,000 square feet) of the project site that has been previously disturbed. In addition, the project site is already equipped with water quality treatment facilities, including a landscaped stormwater treatment planter and a landscaped stormwater pretreatment bioswale, which are intended to remove pollutants and sediments from on-site drainage, protecting downstream waters. This would ensure that the project's contribution to increased pollutants in the watershed **would be less than cumulatively considerable**.

Cumulative Flooding Hazards

Proposed, approved, and reasonably foreseeable projects in the city could place nonresidential structures within a flood zone. However, all such development projects would be required to comply with Pittsburg Municipal Code Chapter 15.80.050, which provides specific standards for construction in special flood hazard areas. These standards include requirements related to anchoring of structures, use of flood-resistant construction materials and methods, and minimum base floor elevations and flood proofing. Compliance with these existing standards would minimize any potential for structure damage and safety risks as a result of flooding. This would ensure the impact **would be less than cumulatively considerable**.

LAND USE

Cumulative Land Use Compatibility Impact

Proposed and reasonably foreseeable projects in the cumulative study area may result in the need for zoning approvals. Design review approval and conditional use permits are discretionary activities by the City that would require review by the City, which would include a determination by the City for conformance with the General Plan and Zoning Ordinance, review of which would also consider potential incompatibility and nuisance issues. Therefore, the potential environmental effects associated with future projects would be evaluated as part of the review process for those projects. This impact **would be less than cumulatively considerable**.

PUBLIC SERVICES AND UTILITIES

Cumulative Impacts to Fire Protection Services

Implementation of approved, pending, and proposed development projects in the Contra Costa Fire Protection District (CCFPD) service area would result in additional calls for service and may necessitate the construction of new or expansion of existing district facilities. The CCFPD reviews new development projects for adequate water supply and pressure, fire hydrants, access to structures by firefighting equipment and personnel, compliance with established fire codes, and on-site fire suppression systems to ensure that demand for additional facilities would not be generated by the project and the cumulative impacts of development in the CCFPD's service area are less than significant. In addition, the proposed project consists of improvements to an existing facility that currently receives fire protection services from the CCFPD, and the project will be required to implement numerous fire prevention and suppression measures to

4.0 CUMULATIVE IMPACT ANALYSIS

reduce fire risks on the site. Furthermore, the project will incorporate preventative measures in accordance with the California Fire Code to reduce the risk of fire and aid in fire suppression on the site. Therefore, the project's fire protection impact is **less than cumulatively considerable**.

Cumulative Water Supply

The City anticipates having sufficient water supplies to meet its customers' needs through 2030, with projected demand met by a combination of water provided by CCWD, City-produced groundwater, and recycled water. The City adopted water conservation efforts to achieve necessary reductions in dry years. The City also continually examines supply enhancement options, including additional water recycling, conjunctive use, water transfers, and additional imported water supplies, through its participation in the East County Water Management Association and collaboration with its principal raw water suppliers. Therefore, based on the projected demand and supply, there is adequate water to meet the cumulative demand. This would be considered a **less than cumulatively considerable impact**.

Cumulative Demand for Wastewater Services

Future growth in the City of Pittsburg would increase demand for wastewater treatment. Existing Delta Diablo Sanitation District (DDSD) wastewater treatment facilities have a capacity of 16.5 million gallons per day (mgd). In 2010, the DDSD treated an average of 13.4 mgd. The DDSD has adopted a District Master Plan that includes a phased treatment plant expansion to ultimately provide 24 mgd capacity (average dry weather flow) in order to accommodate anticipated growth in the City of Pittsburg, City of Antioch, and unincorporated Bay Point. The anticipated growth included in the District Master Plan is at a more intense development scale than is proposed by the City of Pittsburg General Plan. Consequently, the cumulative development in the city would be able to be accommodated by the expanded treatment plant. This would be a less than significant cumulative impact, and the project's contribution is **less than cumulatively considerable**.

TRANSPORTATION AND CIRCULATION

Cumulative Impacts at Study Intersections

Operations at the Pittsburg-Antioch Highway/Loveridge Road intersection are projected to degrade from level of service (LOS) B to LOS high-D with the addition of project traffic during the AM peak hour under maximum permitted operating condition. Additionally, during the PM peak hour, the level of service is projected to degrade from LOS C to LOS E. Under typical operating conditions, the proposed project would have a less than significant impact on the operations at this intersection. After implementation of mitigation measure MM 3.7.2, the intersection would improve to LOS B and C during the AM and PM peak hours, respectively. However, widening along Loveridge Road to accommodate an additional northbound lane may be infeasible due to the railroad crossing and right-of-way constraints. Therefore, the operating conditions at this intersection remain significant and unavoidable, and the project's contribution to the impact under maximum permitted conditions would be **cumulatively considerable and significant and unavoidable**.

BIOLOGICAL RESOURCES**Cumulative Impacts on Special-Status Species and Sensitive Habitat**

Future development in the surrounding area would contribute to cumulative impacts on special-status species and sensitive and critical habitats. Furthermore, increased development and disturbance created by human activities (e.g., fires, increased nighttime lighting, and reduced access to habitat and movement corridors) could result in direct mortality, habitat loss, and deterioration of habitat suitability. Therefore, cumulative impacts on special-status species and sensitive habitat are considered significant. Implementation of the proposed project may result in degradation of wildlife habitat through a variety of actions which, when combined with other habitat impacts occurring from development in the surrounding area; therefore, the project's contribution to that impact could be considerable.

The vegetation communities/habitats within the PSA represent only a small portion of the communities/habitats available for special-status species in the project vicinity. In addition, the proposed project would not result in a drastic change to the land use in the project vicinity. The PSA is surrounded on all sides by extensive development and would not contribute to further fragmentation of the landscape.

The ECCC HCP/NCCP encompasses 174,018 acres and includes all unincorporated Contra Costa County land east Concord. In addition, most of the cities in the region participate in the ECCC HCP/NCCP. The goal of the ECCC HCP/NCCP is to conserve covered species and their habitats, as well as maintain biological diversity and ecological processes while allowing for future economic growth in a rapidly urbanizing region.

Implementation of mitigation measures **MM 3.8.1a** through **MM 3.8.1e**, along with adherence to the standard conditions and requirements of the ECCC HCP/NCCP described previously will mitigate the project's contribution to impacts to special-status species and sensitive habitats, thereby reducing the proposed project's contribution to the cumulative impacts to **less than cumulatively considerable**.

5.0 ALTERNATIVES

5.1 INTRODUCTION

GENERAL CEQA REQUIREMENTS

California Environmental Quality Act (CEQA) Guidelines Section 15126.6(a) states “an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The EIR need not consider every conceivable alternative, but rather consider a “reasonable range” of potentially feasible alternatives that foster informed decision-making and public participation. The range of potential alternatives to the proposed project shall include those alternatives that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects (CEQA Guidelines Section 15126.6(c)).

PROJECT OBJECTIVES

As described in Section 2.0, Project Description, the proposed project was created to meet the following objectives:

- Serve as the regional recycling facility for eastern and central Contra Costa County, including the cities of Pittsburg, Concord, Oakley, Discovery Bay, and Antioch, parts of the unincorporated county, and Rio Vista in Solano County.
- Assist the City of Pittsburg and Contra Costa County in reducing greenhouse gas (GHG) emissions and complying with the measures of the adopted AB 32 Scoping Plan by 2020 by generating renewable energy, increasing solid waste diversion rates, and expanding programs to provide recycling to businesses and multi-family residences.
- Assist the City of Pittsburg and Contra Costa County in maintaining compliance with AB 939 mandates requiring 50 percent diversion of solid waste from landfills and preparing to accommodate future AB 939 goals and mandates, such as assisting in the statewide recycling goal of a 75 percent recycling rate by 2020, consistent with AB 341.
- Upgrade and improve the existing facility to allow for more efficient service and to incorporate measures to reduce GHG emissions. The improvements include (1) an expansion of current recycling efforts, (2) the construction of a Biomass Gasification Unit to generate 1 megawatt per hour of electrical power using 10,400 tons of waste wood per year, and (3) installation of solar panels on the rooftops of the two existing buildings to produce up to 800 kilowatt-hours of renewable energy.
- Assist the City of Pittsburg and Contra Costa County in implementing the mandatory commercial recycling program required by AB 341.
- Increase facility capacities and expand hours of operation to better serve customers and to meet projected solid waste generation rates until the year 2035.
- Increase efficiency and productivity of the facility by including a new truck maintenance facility and yard within the project site.

5.0 PROJECT ALTERNATIVES

- Consolidate all project components under one Solid Waste Facility Permit issued by the City of Pittsburg Local Enforcement Agency and with the concurrence of the California Department of Resources Recycling and Recovery (CalRecycle).

SUMMARY OF SIGNIFICANT EFFECTS

The analysis presented in the technical sections of this Draft Environmental Impact Report (Draft EIR; DEIR) (Sections 3.1 through 3.8) determined that the following significant impacts would result from implementation of the proposed project:

- Construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts (Impact 3.1.1). Mitigation measures identified for the project would reduce the amount of reactive organic gases and oxides of nitrogen, but maximum daily emissions would still be projected to exceed the BAAQMD's significance threshold of 54 lbs/day for each pollutant.
- Project-Specific Traffic Impacts (Impact 3.7.1; Table 3.7-7). Mitigation identified for the project, which includes payment of Capital Improvement Program (CIP) fees, would improve level of service at impacted intersections to less than significant. However, while the improvements are listed in the CIP, there is no funding plan identified. Since funding for the full improvement is not certain, this impact remains significant and unavoidable.
 - Typical Operating Conditions—The Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from level of service (LOS) B to LOS high-D during the AM peak hour and would degrade from LOS E to LOS F (an increase in the volume-to-capacity ratio (V/C) of more than 0.01) during the PM peak hour.
 - Maximum Permitted Operating Conditions—The SR 4 Eastbound Ramps/ Loveridge Road intersection would degrade to LOS high-D (V/C of 0.85 to 0.90) during the PM peak hour, thus resulting in a significant impact. Additionally, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from LOS B to LOS F during the AM peak hour and would degrade from LOS E to LOS F (an increase in V/C of more than 0.01) during the PM peak hour.
- Cumulative Traffic Impacts (Impact 3.7.2; Table 3.7-8). While most intersections studied in the DEIR would operate acceptably under cumulatively conditions, the addition of project-generated traffic to projected future traffic would result in unacceptable conditions under typical operating conditions or maximum permitted operating conditions. The traffic study determined that widening along Loveridge Road to accommodate an additional northbound lane may be infeasible due to the railroad crossing and right-of-way constraints. Therefore, the operating conditions at this intersection remain significant and unavoidable.
 - Typical Operating Conditions—Based on the Highway Capacity Manual (HCM) methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of typical operating condition project traffic.
 - Maximum Permitted Operating Conditions—Based on Contra Costa Transportation Authority (CCTA) methodology, the Pittsburg-Antioch Highway/ Loveridge Road

intersection would degrade to LOS D during the AM peak hour and to LOS E during the PM peak hour. Based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of project traffic.

ALTERNATIVES CONSIDERED BUT REJECTED

CEQA Guidelines Section 15126.6(c) states that an EIR should identify any alternatives that were considered but rejected as infeasible by the lead agency during the scoping process, and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are (1) failure to meet most of the stated project objectives; (2) infeasibility; and (3) inability to avoid significant environmental impacts.

The following alternative was considered but rejected from further analysis in the EIR:

Off-Site Alternative—Off-site alternatives are generally evaluated in an environmental document to avoid, lessen, or eliminate the significant impacts of a project by considering the proposed development in an entirely different location. To be feasible, development of off-site locations must be able to fulfill the project purpose and meet most of the project's stated objectives. Given the nature of the proposed project (expansion of operations at an existing facility), the fundamental purpose of the project cannot be fulfilled at another site, and most of the project's stated objectives, as listed above and in Section 2.0, Project Description, of this DEIR, would not be met. Specifically, development of a new facility to serve eastern and central Contra Costa County would result in more construction impacts than modifications to an already existing facility designed to accommodate such tonnage and waste streams. For these reasons, an off-site alternative is considered infeasible pursuant to State CEQA Guidelines Section 15126.6(c) and is not discussed further in this section.

ALTERNATIVES ANALYZED IN THE EIR

Three alternatives to the proposed project are analyzed in this DEIR and are described below. As discussed above, the significant unavoidable impacts identified for the proposed project are related to traffic generated by car and truck trips to the facility. Therefore, the alternatives below include the no project alternative and two alternatives that would reduce trips associated with project operation.

When a proposed project involves revisions to an existing plan, policy or ongoing operation, the no project alternative should reflect the continuation of the existing plan, policy or operation into the future. (CEQA Guidelines Section 15126.6(e)(3)(A)). The EIR should also analyze the impacts of the no-project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on the current plans and consistent with available infrastructure and community services. (CEQA Guidelines Section 15126.6(e)(3)(C)). The purpose of the no project alternative is to provide a comparison of the environmental impacts that would result if the proposed project is not approved with those that would occur if the proposed project is approved. (CEQA Guidelines Section 15126.6(e)(1)).

The facility is currently subject to a conditional use permit (CUP) that allows it to operate at certain permitted levels. Historically, the facility has operated at levels lower than those permitted in the CUP. While the applicant does not operate the facility today (nor at the time the Notice of Preparation was released) at the permitted levels, the applicant can do so in the

5.0 PROJECT ALTERNATIVES

future. It is reasonable to assume that if the proposed project is not approved, the facility would ultimately increase operations, possibly to the current permitted levels. Therefore, the no project alternative assumes that if the proposed project is not approved, the applicant will operate in the future at the permitted levels. Consistent with CEQA Guidelines Section 15126.6(e)(3)(A), the no project alternative assumes the future continuation of the existing CUP at the permitted levels, as discussed below.

Alternative 1—No Project Alternative. Alternative 1, the no project alternative, assumes the existing Mt. Diablo Recycling Center and Transfer Station would continue to operate under its current permitted capacities and that no physical improvements would be made at the project site. This alternative also assumes that no revisions would be made to the facility's current Solid Waste Facility Permit issued by the California Department of Resources Recycling and Recovery (CalRecycle). The facility is currently permitted to process a throughput of 2,650 tons per day (TPD).¹ The facility currently processes less than its permitted capacity, approximately 1,181 TPD. This alternative assumes that the facility would ultimately increase operations to the permitted levels (a 125 percent increase from existing operations), with a proportionate increase in the number of truck and vehicle trips entering and leaving the site. The current permitted capacity is less than the total capacity requested for the proposed project, which is 5,500 TPD.

Alternative 2—Biomass and Solar Alternative. Alternative 2, the biomass and solar alternative, assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, or Organics Processing Facility, with the exception of the 40 tons per day increase in clean wood chips to fuel the biomass plant. This alternative assumes only the construction of the Biomass Gasification Unit on approximately 3.5 acres of expansion land and installation of the solar panels would move forward. Because the facility's capacities would not be substantially increased, no revisions to the facility's Solid Waste Facility Permit would be requested and the proposed addition of sort lines, bays, and other equipment would not be required.

Alternative 3—Limited Expansion Alternative (Typical Operating Conditions). Alternative 3, the limited expansion alternative, assumes that there would be increases at the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, or Organics Processing Facility. The existing facility has historically operated below the facility's permitted levels. While the DEIR analysis assumes that the expanded facility under the proposed project would operate every day at the maximum permitted level currently requested, the limited expansion alternative assumes the permit would seek an expansion to only 55 percent of the requested permit level of the proposed project. Therefore, the operating condition of the facility under the limited expansion alternative (operating at 55 percent of the maximum permitted level under the proposed project) would be 3,050 tons per day (TPD), compared to 5,500 TPD for the proposed project. This alternative was analyzed as "typical operating conditions" in the traffic impact study and in Section 3.7, Transportation and Circulation of this DEIR.

¹ Mt. Diablo Recycling Facility, 500 TPD; Recycling Center and transfer Station, 1,500 TPD; Green Material Processing, 200 TPD; Mixed Construction and Demolition Processing, 450 TPD.

Relationship of Alternatives to Project Objectives

Alternative 1—No Project Alternative

Alternative 1 would not meet any of the project objectives listed above. This alternative would not assist in the further reduction of greenhouse gas emissions and would not respond to any of the requirements of AB 32, as it would not result in the generation of renewable energy, would not increase the solid waste diversion rates of the cities and counties it serves beyond that currently permitted, and would not add a business and multi-family residential recycling program. In addition, this alternative would not respond to projected population growth and the associated increased solid waste generation in the facility's service area, expand hours of operation at the facility to better serve customers, or consolidate facilities under one permit.

Alternative 2—Biomass and Solar Alternative

Alternative 2 would not meet several of the project objectives listed above. This alternative would assist in the further reduction of greenhouse gas emissions, through solar and biogas electricity generation; however, it would not achieve the same avoided emissions of greenhouse gases that would be realized under the proposed project related to the avoided landfill methane emissions and the emissions avoided by the use of recycled materials. While this alternative would respond to some of the requirements of AB 32 by installing and operating alternative energy systems on site, it would not increase the solid waste diversion rates of the cities and counties it serves and would not add a business and multi-family residential recycling program. In addition, this alternative would not respond to projected population growth and increased solid waste generation in the facility's service area, would not expand hours of operation at the facility to better serve customers, and would not consolidate facilities under one permit.

Alternative 3—Limited Expansion Alternative

Alternative 3 would not meet some of the project objectives listed above. This alternative would assist in the further reduction of greenhouse gas emissions and would respond to some of the requirements of AB 32 by increasing the solid waste diversion rates of the cities and counties it serves and by adding a business and multi-family residential recycling program. This alternative would meet the objective to consolidate facilities under one permit. However, because this alternative limits the throughput at the facility to a level that is consistent with the current level of throughput relative to the facility's existing permitted capacity, this alternative may not be consistent with the objective related to significantly expanding the facility's capacities and hours of operation to meet projected population growth and better serve customers and to meet projected solid waste generation rates until the year 2035. It is likely that if this plant is not expanded, then another plant would have to be constructed or expanded, resulting in additional environmental impacts in order to accommodate future state-mandated waste diversion goals (see also off-site alternative considered and rejected above).

5.2 COMPARATIVE IMPACT ANALYSIS

For each project alternative, the significant environmental impacts are identified, as well as the impacts of the proposed project that would be avoided. If an alternative would cause one or more significant effects in addition to those that would be caused by the proposed project, the significant effects of the alternative are discussed but in less detail than the significant effects of the proposed project (CEQA Guidelines Section 15126.6(d)). The discussion for each alternative addresses potential impacts on each of the environmental issues presented in Section 3.0 of this

5.0 PROJECT ALTERNATIVES

DEIR. If a potential impact under an alternative is similar to that under the proposed project, the discussion will so note and no further analysis of the potential impact is conducted.

Table 5.0-2 provides a summary of the potential impacts of the alternatives evaluated in this section, as compared with the potential impacts of the proposed project.

**TABLE 5.0-2
COMPARISON OF ALTERNATIVES TO THE PROPOSED PROJECT BY IMPACT**

Impact	Proposed Project (Significance)	Alternative 1 No Project (Comparison)	Alternative 2 Biomass and Solar (Comparison)	Alternative 3 Limited Expansion (Comparison)
3.1 Air Quality				
3.1.1 Short-Term Construction Emissions of Criteria Air Pollutants and Precursors	SU	R	R	R
3.1.2 Long-Term Operational Emissions of Criteria Air Pollutants and Precursors	LTS + M	R	R	R
3.1.3 Exposure of Sensitive Receptors to Localized Concentrations of Mobile-Source Carbon Monoxide	LTS	R	R	R
3.1.4 Exposure of Sensitive Receptors to Substantial Concentrations of Toxic Air Contaminants	LTS	R	R	R
3.1.5 Create Objectionable Odors Affecting a Substantial Number of People	LTS	R	R	R
3.1.6 Cumulatively Considerable Net Increase of Nonattainment Criteria Pollutants and Precursors	LCC + M	R	R	R
3.1.7 Cumulatively Considerable Contribution to Localized Concentrations of Toxic Air Contaminants	LCC	R	R	R
3.1.8 Cumulatively Considerable Contribution to Localized Concentrations of Odorous Emissions	LCC	R	R	R
3.2 Climate Change and Greenhouse Gases				
3.2.1 AB 32 Compliance and GHG Emissions	LCC	I	I	I
3.3 Hazards and Hazardous Materials				
3.3.1 Hazard to the Public through Routine Transport, Use, or Disposal of Hazardous Materials	LTS	R	R	R
3.3.2 Exposure of Persons to Hazardous Materials During Project Construction	LTS + M	R	R	R
3.3.3 Interference with Emergency Operations Plans	LTS	R	R	R
3.3.4 Cumulative Hazardous Materials Exposure	LCC	R	R	R

Impact	Proposed Project (Significance)	Alternative 1 No Project (Comparison)	Alternative 2 Biomass and Solar (Comparison)	Alternative 3 Limited Expansion (Comparison)
3.4 Hydrology and Water Quality				
3.4.1 Violate Water Quality Standards or Waste Discharge Requirements	LTS	R	R	S
3.4.2 Deplete Groundwater Supplies or Interfere with Recharge	LTS	R	R	S
3.4.3 Alter Drainage Patterns/Exceed Capacity of Drainage System	LTS	R	R	S
3.4.4 Degrade Water Quality During Construction	LTS	R	R	S
3.4.5 Degrade Water Quality During Operation	LTS	R	R	S
3.4.6 Flooding Hazards	LTS	R	R	S
3.4.7 Cumulative Impact to Water Quality	LCC	R	R	S
3.4.8 Cumulative Flooding Hazards	LCC	R	R	S
3.5 Land Use				
3.5.1 Conflict with Applicable Land Use Plans	LTS	S	S	S
3.5.2 Cumulative Land Use Impacts	LCC	S	S	S
3.6 Public Services and Utilities				
3.6.1.1 Increased Demand for Fire Protection Services	LTS	R	R	R
3.6.1.2 Provide Inadequate Emergency Access	LTS + M	R	R	R
3.6.1.3 Cumulative Impacts to Fire Protection Services	LCC	R	R	R
3.6.2.1 Adequate Water Supply	LTS	R	R	R
3.6.2.2 Cumulative Water Supply	LCC	R	R	R
3.6.3.1 Wastewater Treatment Impacts	LTS	R	R	R
3.6.3.2 Wastewater Infrastructure Impacts	LTS	R	R	R
3.6.3.3 Increased Demand for Wastewater Services	LTS	R	R	R
3.6.3.4 Cumulative Demand for Wastewater Services	LCC	R	R	R
3.7 Transportation and Circulation				
3.7.1 Exceedance of LOS Thresholds at Study Intersections	SU	R	R	R
3.7.2 Cumulative Traffic Impacts	CC	R	R	R
3.8 Biological Resources				
3.8.1 Special-Status Species	LTS + M	R	S	S

5.0 PROJECT ALTERNATIVES

Impact	Proposed Project (Significance)	Alternative 1 No Project (Comparison)	Alternative 2 Biomass and Solar (Comparison)	Alternative 3 Limited Expansion (Comparison)
3.8.2 Impacts to Riparian Habitat or Sensitive Natural Communities	LTS + M	R	R	S
3.8.3 Impacts to Federally Protected Wetlands	NI	S	S	S
3.8.4 Impacts to Wildlife Movement	NI	S	S	S
3.8.5 Conflict with Local Policies or Ordinances or Conservation Plans	LTS	R	R	S
3.8.6 Cumulative Biological Resource Impacts	LCC	R	R	S

Notes: Significance is identified by the following: NI = No impact, LTS = less than significant, LTS + M = less than significant with mitigation, SU = significant and unavoidable, LCC = less than cumulatively considerable, CC = cumulatively considerable. Comparisons identified by the following: R = reduced impact over the proposed project, S = similar impact, I = Increased impact.

AIR QUALITY

Alternative 1—Reduced

The no project alternative would result in an increase in the operations to the permitted capacity of the facility (2,650 TPD), which would increase trips and operations at the project site compared to existing conditions. However, this would be less than the permitted capacity of 5,500 TPD allowed under the proposed project, so the impact would less than the proposed project.

Alternative 2—Reduced

Alternative 2 assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Recycling Center and Transfer Station or Mixed C&D Processing operations, but the Biomass Gasification Unit and installation of the solar panels would be included. Because the amount of materials processed under this alternative would be less than the proposed project, the number of trips to the facility and the handling of the material would be less than that of the proposed project. The Biomass Gasification Unit would generate emissions similar to those attributed to the Unit under the proposed project analysis. Therefore, emissions associated with operations of the facility would be reduced under this alternative compared to the proposed project.

Alternative 3—Reduced

Because Alternative 3 would limit operations to 55 percent of the permitted operating capacity of the proposed project, the operational emissions under this alternative would be proportionately less than the proposed project.

GREENHOUSE GASES

Alternative 1—Increased

The no project alternative would result in increases in the operations of the facility, which would result in an increase in trips at the project site. Therefore, there would be a direct increase in emissions of greenhouse gases from the facility under the no project alternative, although the increase would be less than the permitted capacity of the proposed project. However, the greenhouse gas emissions that would be avoided under the proposed project, due to increased recycling and benefits of the biogas unit, would not occur at the same extent as the proposed project. In fact, as discussed in Section 3.2, Climate Change and Greenhouse Gases, the proposed project would actually have a beneficial effect related to greenhouse gas emissions due to the increased recycling that would occur under the proposed project. Recycling reduces the demand for raw or virgin materials, while re-manufacturing with recycled materials generally reduces overall energy use. Recycling also results in increased carbon sequestration by forests since fewer trees need to be harvested for wood and paper products. In addition, well-managed composting ultimately results in increased soil carbon storage, and end use of compost results in reduced demand for water, fertilizer, and other soil inputs. The production of biomass energy also reduces the demand for fossil fuels. Therefore, the benefits of avoided emissions would not be achieved under this alternative.

Alternative 2—Increased

Alternative 2 assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Recycling Center and Transfer Station or Mixed C&D Processing operations, but the Biomass Gasification Unit and installation of the solar panels would be included. Because the amount of materials processed under this alternative would be less than the proposed project, the number of trips to the facility and the handling of the material would be reduced compared to the proposed project. The Biomass Gasification Unit would generate emissions similar to the proposed project. However, because recycling rates at the facility would not be increased under this alternative, the operations would not achieve the same level of avoided GHG emissions as the proposed project. Therefore, greenhouse gas emissions associated with operations of the facility would be increased under this alternative compared to the proposed project.

Alternative 3—Increased

The no project alternative would result in increases in the operations of the facility, which would result in an increase in trips at the project site. Therefore, there would be a direct increase in emissions of greenhouse gases from the facility under Alternative 3. Because Alternative 3 would limit operations to 55 percent of the permitted operating capacity of the proposed project, the facility would not achieve recycling rates similar to the proposed project and could therefore not result in beneficial effect related to greenhouse gas emissions due to the increased recycling that would occur under the proposed project. Therefore, this alternative would not achieve the same level of greenhouse gas emissions reductions through avoided emissions as the proposed project.

5.0 PROJECT ALTERNATIVES

HAZARDS AND HAZARDOUS MATERIALS

Alternative 1—Reduced

Because Alternative 1 assumes operation of the facility at its current maximum permitted level, compared to existing conditions Alternative 1 would increase the amount of waste processed at the facility, some of which could be hazardous. However, the current capacity is 2,650 TPD compared to 5,500 TPD under the proposed project 5,500 TPD, Therefore, the potential for exposure to hazardous materials during transport and handling under Alternative 1 would be reduced compared to the proposed project..

Alternative 2—Reduced

Alternative 2 assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Recycling Center and Transfer Station, Mixed C&D Processing Facility, or Organics Processing Facility, but the Biomass Gasification Unit and installation of the solar panels would be included. Because the amount of materials processed under this alternative would be less than the proposed project, the potential for exposure to hazardous materials during transport and handling would be reduced compared to the proposed project. This alternative would not result in increased traffic as would the proposed project, so there would be no impact on emergency plans. Because capacity would not be increased under this alternative, the contribution to hazardous materials exposure would be less than the proposed project.

Alternative 3—Reduced

Alternative 3 assumes that the permit for operation of the facility would allow up to 55 percent of the capacity allowed under the proposed project. Because this alternative includes expanded capacity for the transport and handling of solid waste that is less than the proposed project, the impact related to hazardous waste would be reduced relative to the proposed project. Exposure to materials emitted from the gasification unit is discussed above in Air Quality. Improvements to the site would be the same as the proposed project, but trips would be reduced, so impacts related to emergency access and evacuation plans would be reduced compared to the proposed project. Because the capacity would be reduced under this alternative, the contribution to hazardous materials exposure would be less than the proposed project.

HYDROLOGY AND WATER QUALITY

Alternative 1—Reduced

Alternative 1 would increase operations to permitted capacity, but there would not be any changes to the facilities on site and would not alter the capacity of the facility. Therefore, there would be no change to the hydrology on the site or changes to any discharges from the site. This alternative would not result in any changes related to surface water quality, flooding, or groundwater quality or quantity. This alternative's contribution to cumulative hydrologic and water quality effects would be less than the proposed project. Overall, impacts from this alternative would be reduced compared to the proposed project.

Alternative 2—Reduced

Alternative 2 assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Recycling Center and Transfer Station or Mixed C&D Processing operations, but the Biomass Gasification Unit and installation of the solar panels

would be included. This alternative would include construction of the Biomass Gasification Unit, which would alter the amount of impervious surfaces on the project site, but other improvements, such as the concrete pad at the Mixed C&D Processing Facility, would not be constructed. This alternative would include a 3.5-acre expansion of operations outside the current facility boundaries, compared to an 18.5-acres expansion for the project. Therefore, this alternative would result in less improved impervious surface being constructed, which would make this alternative's impact related to hydrology and flooding less than that of the proposed project.

Alternative 3—Similar

Alternative 3 would include construction of the same facilities as identified for the proposed project, but the permit would allow only 55 percent of the capacity as allowed under the permit sought for the proposed project. Because this alternative would include the same amount of impervious surface as the proposed project, its impact related to hydrology and flooding would be the same as that of the proposed project.

LAND USE

Alternative 1—Similar

The proposed project would expand into an area that is currently undeveloped, but the zoning allows the proposed use and there would be no impacts related to land use incompatibility or inconsistency with plans. Alternative 1 would not change any land uses compared to existing conditions. This alternative does not increase the capacity at the facility, the land uses would be the same as under existing conditions. The land use impacts would be the same as the proposed project.

Alternative 2—Similar

Alternative 2 assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Recycling Center and Transfer Station or Mixed C&D Processing operations, but the Biomass Gasification Unit and installation of the solar panels would be included. The land uses would be the same as the proposed project, so the land use impacts would be the same as the proposed project.

Alternative 3—Similar

Alternative 3 would include the same improvements and the same uses as the proposed project, albeit at a reduced capacity. Because this alternative includes the same uses, the land use impacts would be the same as the proposed project.

PUBLIC SERVICES AND UTILITIES

Alternative 1—Reduced

Because Alternative 1 would increase the operations of the facility to the permitted capacity, there would be an increase in demand for public services or facilities. The proposed project permitted capacity would be more than double the current permitted capacity. Therefore, impacts related to public services and utilities would be less than the proposed project.

5.0 PROJECT ALTERNATIVES

Alternative 2—Reduced

Alternative 2 assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Recycling Center and Transfer Station or Mixed C&D Processing operations, but the Biomass Gasification Unit and installation of the solar panels would be included. Because Alternative 2 would not increase the capacity of the solid waste handling at the facility, the impacts on services would be less than that of the proposed project.

Alternative 3—Reduced

Alternative 3 would include construction of the same facilities as identified for the proposed project, but the permit would allow only 55 percent of the capacity as allowed under the permit sought for the proposed project. Because the facility would be allowed to handle and process less solid waste than the proposed project, the demand for public services and utilities at the facility would be less than the proposed project.

TRANSPORTATION AND TRAFFIC

Alternative 1—Reduced

Alternative 1 would increase operations on the project site to operate at the permitted capacity of the facility, so there would be an increase in traffic under this alternative. The proposed project permitted capacity would be more than double the current permitted capacity, so there would be a corresponding increase in traffic. Therefore, this impact would be less than that of the proposed project.

Alternative 2—Reduced

Alternative 2 assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Recycling Center and Transfer Station or Mixed C&D Processing operations, but the Biomass Gasification Unit and installation of the solar panels would be included. This alternative would generate some additional trips to the facility to provide the green wood waste to fuel the Biomass Gasification Unit. However, because the other portions of the facility would not be expanded, this alternative would have proportionately fewer trips than the proposed project.

Alternative 3—Reduced

Alternative 3 would include construction of the same facilities as identified for the proposed project, but the permit would allow only 55 percent of the capacity as allowed under the permit sought for the proposed project. As discussed in Section 3.7, Transportation and Circulation, based on Contra Costa Transportation Authority (CCTA) methodology with the addition of project traffic under maximum permitted operating conditions (proposed project), the State Route (SR) 4 Eastbound Ramps/Loveridge Road intersection would degrade to a level of service (LOS) high-D (volume-to-capacity ratio (V/C) of 0.85 to 0.90) during the PM peak hour; the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from LOS B to LOS F during the AM peak hour and would degrade from LOS E to LOS F (an increase in V/C of more than 0.01) during the PM peak hour; and based on the Highway Capacity Manual (HCM) methodology, both the SR 4 Eastbound Ramps/Loveridge Road and Pittsburg-Antioch Highway/Loveridge Road intersections would operate at LOS F during at least one of the peak hours with the addition of project traffic under maximum permitted operating conditions. These are significant impacts.

Based on CCTA methodology with the addition of project traffic under this alternative, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from LOS B to LOS D during the AM peak hour and would degrade from LOS E to LOS F (an increase in V/C of more than 0.01) during the PM peak hour; and based on the HCM methodology, both the SR 4 Eastbound Ramps/Loveridge Road and the Pittsburg-Antioch Highway/Loveridge Road intersections would operate at LOS E or F during at least one of the peak hours with the addition of traffic under typical operating conditions. The level of service under this alternative would not degrade to the extent it would under the proposed project. Therefore, this alternative would result in a reduced impact compared to the proposed project; however, it would still result in significant impacts.

BIOLOGICAL RESOURCES

Alternative 1—Reduced

Alternative 1 would increase operations to permitted capacity, but there would not be any changes to the facilities on site and no construction activities would occur. Therefore, this alternative would not result in any impacts to special-status species, either directly or through habitat modification. This alternative would also have no impact on riparian habitat or other sensitive natural communities. The project site does not contain any federally protected wetlands and does not provide for wildlife movement or nursery sites. Therefore, similar to the proposed project, this alternative would have no impact on wetlands or wildlife movement. Also similar to the proposed project, this alternative would not result in the removal of any trees and would not conflict with the City's tree ordinance or any other City policies related to biological resources. This alternative would not involve any construction activities and would not be subject to ECCC HCP/NCCP mitigation fee requirements. This alternative's contribution to cumulative biological resource effects would be less than the proposed project. Overall, impacts from this alternative would be reduced compared to the proposed project.

Alternative 2—Reduced

Alternative 2 assumes that the facility's permitted capacities would not be increased and no new programs would be added to the Recycling Center and Transfer Station or Mixed C&D Processing operations, but the Biomass Gasification Unit and installation of the solar panels would be included. The proposed site of the Biomass Gasification Unit is unpaved and could, therefore, provide suitable habitat for burrowing owl, Swainson's hawk, golden eagles, and white-tailed kites. Therefore, this alternative could have impacts to special-status species similar to the proposed project requiring similar mitigation. This alternative would not affect the ditch onsite which may be a water of the U.S., therefore, potential impacts to riparian habitat and sensitive natural communities would be less than that of the proposed project. The project site does not contain any federally protected wetlands and does not provide for wildlife movement or nursery sites. Therefore, similar to the proposed project, this alternative would have no impact on either wetlands or wildlife movement. Also similar to the proposed project, this alternative would not conflict with the City's tree ordinance or any other City policies related to biological resources but would require payment of the required ECCC HCP/NCCP mitigation fees. This alternative's contribution to cumulative biological resource effects would be less than the proposed project. Overall, impacts from this alternative would be reduced compared to the proposed project.

Alternative 3—Similar

Alternative 3 would include construction of the same facilities as identified for the proposed project, but the permit would allow only 55 percent of the capacity as allowed under the permit

5.0 PROJECT ALTERNATIVES

south for the proposed project. Because this alternative would include the same construction activities in the same locations as the proposed project, its impact related to biological resources would be the same as that of the proposed project.

5.3 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Based upon the evaluation in this section, Alternative 1, the no project alternative, is considered to be the environmentally superior alternative. Alternative 1 would have fewer adverse environmental impacts than the proposed project and was determined to have the fewest negative impacts on the physical environment. However, Alternative 1 would not meet the objectives of the proposed project.

Under CEQA Guidelines Section 15126.6(e)(2), if the environmentally superior alternative is the no project alternative, another environmentally superior alternative must be identified. According to the analysis above, Alternative 2 would have the fewest environmental impacts when compared with the proposed project. Because this project would receive no additional waste other than clean wood chips for the biomass facility, resulting in significantly fewer truck trips than the proposed project, many of the impacts identified for the proposed project related to increased traffic and operational impacts at the facility would not occur. However, this alternative would only partially meet the project alternatives by assisting in the reduction of greenhouse gas emissions and would respond to some of the requirements of AB 32 by installing and operating alternative energy systems on site. This alternative also would not increase the solid waste diversion rates of the areas it serves and would not add a business and multi-family residential recycling program. In addition, this alternative would not respond to projected population growth and increased solid waste generation in the facility's service area, would not expand hours of operation at the facility to better serve customers, and would not consolidate facilities under one permit.

Alternative 3 assumes that the facility would be expanded to accept approximately half (55%) of the tonnage accepted under the project at full build-out, resulting in proportionately fewer truck trips and operational impacts. This alternative was analyzed in the Traffic Impact Study and is described as the project operating under "typical operating conditions." With regard to transportation-related impacts, as noted above, this alternative would result in degradation at the Pittsburg-Antioch Highway/Loveridge Road intersection from LOS B to LOS high-D in the AM peak hour. During the PM peak hour, the intersection is projected to experience an increase in V/C of more than 0.01 when already operating at unacceptable levels resulting in a significant impact. Under cumulative conditions, and based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of typical operating condition project traffic under the 55%/typical operating conditions alternative. Mitigation identified for the project, which includes payment of Capital Improvement Program (CIP) fees, would improve level of service at impacted intersections to less than significant. However, while the improvements are listed in the CIP, there is no funding plan identified. Since funding for the full improvement is not certain, the impact would remain significant and unavoidable under this alternative. This alternative would meet many of the project objectives; however, it could also be seen as a missed opportunity to leverage an existing facility that is capable of operating at a much larger scale with relatively little construction. As noted in Section 3.2, Climate Change and Greenhouse Gases, reductions of CH₄ associated with biomass energy projects that utilize wood wastes, such as the proposed project, are considered to have a substantial net reduction of GHG emissions and an overall beneficial greenhouse effect. Mandatory increases in recycling were one of the measures adopted in the AB 32 Scoping Plan by the California Air Resources Board pursuant to the California Global Warming Solutions Act. As a result, projected increases of GHGs emissions

associated with the transport and handling of recycling materials would be projected to occur in future years, whether or not they occur at this or other recycling facilities. However, as noted above, the proposed project's avoided emissions would actually exceed the direct emissions of the project, so the proposed project would be superior in terms of GHG emissions.

6.0 CEQA MANDATED SECTIONS

This section discusses topics statutorily required by the California Environmental Quality Act (CEQA) concerning the long-term implications of the proposed project. The topics discussed include growth-inducing impacts, significant irreversible environmental changes, including irretrievable commitment of resources, significant and unavoidable environmental impacts, and effect not found to be significant.

6.1 GROWTH-INDUCING IMPACTS

Public Resources Code (PRC) Section 21100(b)(5) specifies that the growth-inducing impacts of a project must be addressed in an environmental impact report (EIR). State CEQA Guidelines Section 15126(g) states that a proposed project is growth-inducing if it could “foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Included in the definition are projects that would remove obstacles to population growth. Growth-inducing impacts associated with the proposed project and expansion onto adjacent vacant land are described in Section 13, Population and Housing, of the Initial Study and in the Columbia Solar Project Mitigated Negative Declaration (State Clearinghouse No. 2013012038) (see **Appendix A**). As discussed therein, the proposed project does not include the construction of any housing or new businesses and would not extend infrastructure to other surrounding properties. The project would increase the number of employees at the facility by 62 (from 83 to 145). With an unemployment rate of 9.0 percent or approximately 47,800 people (as of August 2012), Contra Costa County’s existing workforce should be sufficient to fill these positions without requiring additional employees moving into the area or otherwise requiring the construction of new housing. Therefore, the proposed project would not directly induce substantial population growth in the city.

The proposed project would increase the capacity of solid waste handling for the cities and unincorporated communities it serves, thereby potentially removing a barrier to future development and growth. However, the availability of solid waste handling capacity would generally not be considered a service that would itself induce population growth. In fact, the proposed increase in the facility’s programs and capacities are in response to anticipated growth in the region as projected by the City’s General Plan and the Association of Bay Area Governments. Therefore, the proposed project would not induce growth beyond current projections.

6.2 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS

CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of less than significant. Section 15093(a) of the CEQA Guidelines allows the decision-making agency to determine whether the benefits of a proposed project outweigh the unavoidable adverse environmental impacts of implementing the project. The City can approve a project with unavoidable adverse impacts if it prepares a Statement of Overriding Considerations setting forth the specific reasons for making such a judgment.

The following impacts of the proposed project have been recognized as significant and unavoidable at the project level or in the cumulative context, and are specifically identified in Sections 3.1 through 3.8 of this Draft EIR. The reader is referred to the specific environmental issue area for further details and analysis of these significant and unavoidable impacts.

6.0 CEQA-MANDATED SECTIONS

AIR QUALITY

Impact 3.1.1 Construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.

The proposed project will result in short-term emissions from construction activities. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact. Emissions commonly associated with construction activities include fugitive dust from soil disturbance, fuel combustion from mobile heavy-duty diesel- and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities. Off-road construction equipment is often diesel-powered and can be a substantial source of NO_x emissions, in addition to PM₁₀ and PM_{2.5} emissions. Worker commute trips and the application of architectural coatings are typically the dominant sources of ROG emissions.

With implementation of mitigation measures identified for the project, maximum daily construction-related emissions of ROG would be reduced to approximately 58 lbs/day and NO_x would be reduced to approximately 61 lbs/day, or less. The proposed mitigation also includes best management practices for the control of fugitive dust emissions, as recommended by the BAAQMD. With mitigation, maximum daily emissions would still be projected to exceed the BAAQMD's significance threshold of 54 lbs/day for each pollutant. It is important to note that to ensure a conservative analysis, maximum daily emissions were calculated assuming that all facility improvements identified for a given year (excluding initial site preparation and grading activities) could potentially occur on the same day. Actual emissions would vary depending on the specific construction activities conducted. Nonetheless, given that detailed construction schedules for the proposed improvements are not yet available and because maximum daily emissions with mitigation would be projected to exceed BAAQMD's significance thresholds, this impact would be considered significant and unavoidable.

TRANSPORTATION AND CIRCULATION

Impact 3.7.1 Implementation of the proposed project would result in the degradation of operations at two study intersections.

Based on Contra Costa Transportation Authority (CCTA) methodology, with the addition of project traffic under typical operating conditions, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from LOS B to a LOS high-D during the AM peak hour, and would degrade from LOS E to LOS F (an increase in V/C of more than 0.01) during the PM peak hour, thus resulting in a significant impact.

Based on the Highway Capacity Manual (HCM) methodology, both SR 4 Eastbound Ramps/Loveridge Road and the Pittsburg-Antioch Highway/Loveridge Road intersections would operate at LOS E or F during at least one of the peak hours with the addition of project traffic under typical operating conditions. The project driveways would continue to operate at acceptable service levels.

Based on CCTA methodology with the addition of project traffic under maximum permitted operating conditions, the SR 4 Eastbound Ramps/Loveridge Road intersection would degrade to a LOS high-D (V/C of 0.85 to 0.90) during the PM peak hour, thus resulting in a significant impact.

Additionally, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from LOS B to LOS F during the AM peak hour and would degrade from LOS E to LOS F (an increase in V/C of more than 0.01) during the PM peak hour, thus resulting in a significant impact.

Based on the HCM methodology, both the SR 4 Eastbound Ramps/Loveridge Road and Pittsburg-Antioch Highway/Loveridge Road intersections would operate at LOS F during at least one of the peak hours with the addition of project traffic under maximum permitted operating conditions. The project driveways would continue to operate at acceptable service levels.

Impact 3.7.2 Operations at the Pittsburg-Antioch Highway/Loveridge Road intersection are projected to degrade with the addition of project traffic.

With the addition of project traffic under typical operating conditions, based on the CCTA methodology, all study intersections and project driveways are projected to operate at acceptable levels. However, based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of typical operating condition project traffic, creating a significant impact.

With the addition of project traffic under maximum permitted operating conditions based on CCTA methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade to LOS D during the AM peak hour and to LOS E during the PM peak hour. Based on the HCM methodology, the Pittsburg-Antioch Highway/Loveridge Road intersection would operate at LOS F during both AM and PM peak hours with the addition of project traffic under maximum permitted and typical operating conditions.

The driveways would continue to operate at acceptable service levels.

6.3 EFFECTS NOT FOUND TO BE SIGNIFICANT

CEQA Guidelines Section 15128 requires an EIR to contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. The CEQA Guidelines dictate that such a statement may be contained in an attached copy of an Initial Study. An Initial Study was prepared by the City of Pittsburg for the proposed project and was circulated with the Notice of Preparation (NOP) for public comment. A copy of the Initial Study, along with the NOP and comment letters, is attached in **Appendix A** of this Draft EIR. The Initial Study and the Columbia Solar Project Mitigated Negative Declaration concluded that the following issue areas would result in no impact or a less than significant impact given the existing conditions of the project site (e.g., none of the relevant resources are present on the project site) or the nature of the proposed project (e.g., the proposed project would not impact the relevant resources):

- Aesthetics
- Agriculture Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Mineral Resources
- Noise
- Population and Housing
- Recreation

In addition, the proposed project would have no impact or a less than significant impact associated with the following topics (see Sections 3.1 through 3.8), in some cases with mitigation:

- Generation of air emissions (mitigated)

7.0 REPORT PREPARERS

6.0 CEQA-MANDATED SECTIONS

- Generation of greenhouse gases
- Exposure to hazards or hazardous materials
- Effects on water quality, drainage, and groundwater recharge
- Flooding
- Land use impacts
- Demand for public services or utilities

PMC – EIR CONSULTANT

EIR Project Manager	Patrick Angell
Assistant Project Manager	Patrick Hindmarsh
Environmental Planner	Seth Myers
Environmental Planner	Kristin Faoro
Graphics	Louis Lillegard, Adam Grace
Geographic Information Systems	Jonathan Faoro
Document review/Production	Susan Wirth, Stephanie Wolfe

AMBIENT – AIR QUALITY CONSULTANT

AIR PERMITTING SPECIALIST – AIR QUALITY/HEALTH RISK CONSULTANT

WOOD ROGERS – WASTEWATER/RECYCLED WATER ENGINEER CONSULTANT

FEHR & PEERS ASSOCIATES – TRAFFIC CONSULTANT

CITY OF PITTSBURG

MT. DIABLO RESOURCE RECOVERY PARK

FINAL ENVIRONMENTAL IMPACT REPORT

SCH No. 2011052053

Prepared for:

CITY OF PITTSBURG
65 CIVIC AVENUE
PITTSBURG, CA 94565

Prepared by:



2729 PROSPECT PARK DRIVE, SUITE 220
RANCHO CORDOVA, CA 95670

APRIL 2015

CITY OF PITTSBURG
MT. DIABLO RESOURCE RECOVERY PARK
FINAL ENVIRONMENTAL IMPACT REPORT

SCH No. 2011052053

Prepared for:

CITY OF PITTSBURG
65 CIVIC AVENUE
PITTSBURG, CA 94565

Prepared by:

PMC
2729 PROSPECT PARK DRIVE, SUITE 220
RANCHO CORDOVA, CA 95670

APRIL 2015

1.0 INTRODUCTION

1.1	Background and Purpose of the EIR.....	1.0-1
1.2	Intended Uses of the EIR.....	1.0-2
1.3	Organization and Scope of the Final EIR	1.0-3

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT EIR

2.1	List of Commenters.....	2.0-1
2.2	Comments and Responses.....	2.0-1

3.0 MINOR REVISIONS TO THE DRAFT EIR

3.1	Introduction	3.0-1
3.2	Minor Changes and Edits to the Draft EIR.....	3.0-1

1.0 INTRODUCTION

This Final Environmental Impact Report (Final EIR; FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The City of Pittsburg (City) is the lead agency for the environmental review of the proposed Mt. Diablo Resource Recovery Park project (proposed project; project) and has the principal responsibility for approving the project. This FEIR assesses the expected environmental impacts resulting from approval and implementation of the proposed project, as well as responds to comments received on the Draft EIR (DEIR).

1.1 BACKGROUND AND PURPOSE OF THE EIR

OVERVIEW OF CEQA REQUIREMENTS FOR PREPARATION OF AN EIR

The City, acting as the lead agency, has prepared this EIR to provide the public and responsible/trustee agencies with information about the potential environmental effects of the proposed project. As described in the State CEQA Guidelines Section 15121(a), an EIR is a public informational document that assesses potential environmental effects of the proposed project and identifies alternatives and mitigation measures to the proposed project that could reduce or avoid its adverse environmental impacts.

CEQA requires the preparation of an environmental impact report prior to approving any "project" which may have a significant effect on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (State CEQA Guidelines Section 15378[a]). With respect to the proposed project, the City has determined that the proposed action is a project within the definition of CEQA.

PROJECT SUMMARY

The proposed project consists of a Conditional Use Permit (CUP) for the physical and operational expansion and reorganization of the existing Mt. Diablo Recycling Facility (MDRF) and Recycling Center and Transfer Station (RCTS) and design review for the new building. The expanded facility will be called the Mt. Diablo Resource Recovery Park (MDRRP). The MDRRP will consist of the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, and Organics Processing Facility, which are existing facilities proposed for operational expansion. In addition, the project would include the relocation of the existing truck maintenance facility and yard currently located east of Loveridge Road to within the project boundaries and the construction of a new Biomass Gasification Unit.

Please refer to Section 2.0, Project Description, of the Draft EIR for a detailed discussion of the proposed project.

1.0 INTRODUCTION

BACKGROUND OF ENVIRONMENTAL REVIEW PROCESS OF THE PROJECT

The following is an overview of the environmental review process for the proposed project that has led to the preparation of this FEIR.

Notice of Preparation and Initial Study

The City of Pittsburgh was identified as the lead agency for the proposed project and in accordance with Section 15082 of the State CEQA Guidelines, the City prepared and released a Notice of Preparation (NOP) of this EIR. The NOP was circulated to the public, local, state and federal agencies, and other interested parties for 30 days to solicit comments on the proposed project (SCH No. 2011052053). The NOP and full text of responses to the NOP are presented in Appendix A of the Draft EIR. An Initial Study for the project was prepared and released for public review along with the NOP. Its conclusions supported preparation of an EIR for the project. The Initial Study is also included in Appendix A of the Draft EIR. After releasing the NOP, a public scoping session was held, to receive additional comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR.

Draft EIR

The Draft EIR was released for a 45-day public and agency review on December 16, 2014, with the review period set to end on January 29, 2015. The DEIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. The DEIR was provided to interested public agencies and the public and was made available for review at City offices and on the City's website.

Final EIR

The City received comment letters from public agencies, interest groups, and the public regarding the Draft EIR. This document responds to the written comments received as required by CEQA. This document also contains minor edits to the Draft EIR, which are included in Section 3.0, Minor Revisions to the Draft EIR. This document in conjunction with the Draft EIR, constitutes the Final EIR.

Certification of the Final EIR/Project Consideration

The City will review and consider the Final EIR. If the City finds that the FEIR is "adequate and complete," the City may certify the FEIR. Upon review and consideration of the FEIR, the City may act upon the proposed project. A decision to approve the project would be accompanied by written findings in accordance with State CEQA Guidelines Section 15091 and, if applicable, Section 15093. The City would also adopt a Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures that have been incorporated into or imposed on the project to reduce or avoid significant effects on the environment. The MMRP will be designed to ensure that these measures are carried out during project implementation.

1.2 INTENDED USES OF THE EIR

The EIR is intended to evaluate the environmental impacts of adoption and implementation of the proposed project. This EIR, in accordance with CEQA Guidelines Section 15126, should be used as the primary environmental document to evaluate all subsequent actions taken by the City with regard to the proposed project.

KNOWN RESPONSIBLE AND TRUSTEE AGENCIES

In CEQA, the term “responsible agency” includes all public agencies other than the lead agency that may have discretionary actions associated with the implementation of the proposed project or an aspect of the project. Known responsible agencies for the proposed project include, but are not limited to, the following:

- Bay Area Air Quality Management District
- California Department of Toxic Substances Control
- California Department of Transportation (Caltrans)
- State Water Resources Control Board
- California Department of Resources, Recycling and Recovery (CalRecycle)

For the purpose of CEQA, the term “trustee agency” means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. The proposed project would have no effect on natural resources held in trust for the people of the State of California; therefore, no trustee agencies have been identified for the project.

1.3 ORGANIZATION AND SCOPE OF THE FINAL EIR

This document is organized in the following manner:

SECTION 1.0 – INTRODUCTION

Section 1.0 provides an overview of the EIR process to date and what the FEIR is required to contain.

Section 2.0 – COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT EIR

Section 2.0 provides a list of commenters, copies of written comments (coded for reference), and the responses to those written comments made on the Draft EIR.

Section 3.0 – MINOR REVISIONS TO THE DRAFT EIR

Section 3.0 provides a list of minor edits made to the Draft EIR initiated by City staff or as a result of comments received.

1.0 INTRODUCTION

This page intentionally left blank.

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT EIR

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

2.1 LIST OF COMMENTERS

The following individuals and representatives of organizations and agencies submitted written comments on the DEIR.

Letter	Individual or Signatory	Affiliation	Date
A	Scott Wilson	California Department of Fish and Wildlife	January 28, 2015
B	Beatrice Poroli	Cal Recycle	January 28, 2015
C	Scott Morgan	California State Clearinghouse	January 30, 2015
1	Mike Oliphant	Chevron Environmental Management Company	January 26, 2015
2	Bruce Ohlson	Bike East Bay, etc.	January 27, 2015
3	Michael Ziegler	Contra Costa Industrial Park	January 29, 2015
4	Kevin Nesse	Hall Equities Group	January 30, 2015
5	Patricia Curtin	Wendel, Rosen, Black and Dean LLP	January 30, 2015
6	Brendan Beasley	Hanergy USA Solar Solution Ltd.	January 30, 2015
7	Patricia Chapman	Delta Diablo	February 13, 2015

2.2 COMMENTS AND RESPONSES

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

State CEQA Guidelines Section 15088 requires that lead agencies evaluate all comments on environmental issues received on the DEIR and prepare a written response to each. The written response must address the significant environmental issue raised and must be detailed, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, there must be a good faith and reasoned analysis in the written response. However, lead agencies need only respond to significant environmental issues associated with the project and do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR (State CEQA Guidelines Section 15204).

State CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. State CEQA Guidelines Section 15204 also notes that commenters should provide an explanation and evidence supporting their comments. Pursuant to State CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence supporting such a conclusion.

State CEQA Guidelines Section 15088 also recommends that where a response to comments results in revisions to the Draft EIR, those revisions be incorporated as a revision to the Draft EIR or as a separate section of the Final EIR.

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

RESPONSES TO COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Agency and service provider comment letters are coded by letters and each issue raised in the comment letter is assigned a number (e.g., Comment Letter A, comment 1 is referred to as A-1).
- Individual and interest group comment letters are coded by numbers and each issue raised in the comment letter is assigned a number (e.g., Comment Letter 1, comment 1 is referred to as 1-1).

Where changes to the Draft EIR text result from responding to comments, those changes are included in the response and demarcated with revision marks (underline for new text, ~~strikeout~~ for deleted text).

Letter A



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



January 28, 2015

Ms. Dana Hoggatt-Ayers
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Dear Ms. Hoggatt-Ayers:

Subject: Mt. Diablo Resource Recovery Park, Draft Environmental Impact Report,
SCH #2011052053, City of Pittsburg, Contra Costa County

The California Department of Fish and Wildlife (CDFW) has reviewed the documents provided for the subject project, and we have the following comments.

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, CDFW may require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an LSAA is subject to the California Environmental Quality Act (CEQA). CDFW, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/>; or to request a notification package, contact CDFW's Bay Delta Regional Office at (707) 944-5500.

A-1

If you have any questions, please contact Mr. Robert Stanley, Environmental Scientist, at (707) 944-5573; or Ms. Annee Ferranti, Senior Environmental Scientist (Supervisory), at (707) 944-5554.

Sincerely,

Scott Wilson
Regional Manager
Bay Delta Region

cc: State Clearinghouse

Conserving California's Wildlife Since 1870

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

Letter A Scott Wilson, Regional Manager, California Department of Fish and Wildlife

Response A-1:

The commenter describes the conditions under which a Lake and Streambed Alteration Agreement (LSAA) would be required. Commenter states that an LSAA is subject to CEQA review and describes what is required in the DEIR to support the processing of an LSAA for the project.

The requirements of Fish and Game Code Sections 1600–1607 (Streambed Alteration Agreements) are described on DEIR page 3.8-26. The commenter is referred to DEIR Impact 3.8.2 on page 3.8-34 for an analysis of the project's potential impacts on waters of the United States. It is unclear if the section of man-made ditch present in the western portion of the project site is considered waters of the state subject to the jurisdiction of the California Department of Fish and Wildlife (CDFW). However, the ditch is an ephemeral feature with little in-channel vegetation, and habitat values associated with the ditch are virtually indistinguishable from the surrounding grassland. Consequently, the project would not result in substantial adverse effects, either directly or through habitat modifications, to riparian habitat or sensitive natural communities. Nonetheless, if it is determined to be subject to Fish and Game Code Section 1600 and/or the Porter-Cologne Act, the project applicant would be required to obtain a permit prior to fill of or construction in the ditch (DEIR page 3.8-32).

Letter B

California Environmental Protection Agency

Edmund G. Brown Jr., Governor



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027
P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

January 28, 2015

Ms. Dana Hoggatt Ayers, Planning Manager
Development Services Department
Planning Division
65 Civic Avenue
Pittsburg, CA 9456



Subject: SCH No. 2011052053 –Draft Environmental Impact Report (DEIR) for Conditional Use Permit for the Mt. Diablo Resource Recovery Park (MDRRP) (SWIS No. 07-AC-0043) in the City of Pittsburg, Contra Costa County

Dear Ms. Ayers:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

PROJECT DESCRIPTION

The City of Pittsburg, Development Services Department, acting as Lead Agency, has prepared and circulated a Draft Environmental Impact Report (DEIR) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project, which will, as described, require a revised Solid Waste Facilities Permit to permit the operation of the proposed project.

Mt. Diablo Resource Recovery Park (MDRRP) is located at 1300 Loveridge Road in the City of Pittsburg in north-central Contra Costa County. The project site is on the western side of Loveridge just north of Pittsburg-Antioch Highway and State Route 4, just south of the Burlington Northern and Santa Fe railroad and the shoreline of New York Slough.

The proposed project consists of the issuance of a Conditional Use Permit (CUP) to expand the capacity, operations, and land area of the existing Mt. Diablo Recycling Facility (MDRF), the Recycling Center and Transfer Station (RCTS), and the CCW Wood chipping/Grinding Operation. The expanded facility will be called the Mt. Diablo Resource Recovery Park (MDRRP). The project includes combining the three existing activities listed above into one permit and expanding the operations. The project also includes a proposal for a new Biomass Gasification Unit, the addition of a 15-acre parcel adjacent to and west of the existing site for vehicle and equipment storage, and the addition of the 3.5-acre parcel located south of the existing site for a new truck maintenance facility and yard that would be relocated from a site east of the MDRRP across Loveridge Road.

The MDRRP will encompass a total of 36 acres, with a total maximum permitted daily capacity of 5,500 tons per day (tpd), which will include 1,000 tpd of mixed construction and debris and 800 total tpd of green waste, wood waste and co-collected food/green waste. The facility will operate seven days a week, 24 hours a day, with a maximum of 5,620 vehicles per day. The only outdoor activities will be the Organic Processing area which will handling and process green waste, wood waste, and residual co-



ORIGINAL PRINTED ON 100% POST-CONSUMER CONTENT, PROCESSED CHLORINE FREE PAPER

B-1

Letter B Continued

DEIR MDRRP
January 28, 2015
Page 2 of 6

collected food/green waste and the Mixed Construction & Debris (C&D) Processing area which will handle and process mixed C&D. All other activities will occur indoors. Commercial food waste will only be handled indoors in the Transfer/Processing building.

B-1
cont.

COMMENTS

CalRecycle's comments on the DEIR are summarized in the table below. Where a specific location in the document is noted for the comment, please ensure the comment is addressed throughout all chapters of the DEIR, in addition to the specific location noted.

Section/ Subsection/Unit	Page and Location	Comment
Section 2 Project Description, Subsection 2.4 Characteristics of the Proposed Project	Page 2.0-19	The DEIR states "The facility's total maximum permitted daily capacity will be 5,500 tons per day." Please provide the assumptions, methods, and calculations performed to determine the total capacity (14 CCR, Section 18221.6 (g)).
	Page 2.0-33	Indicate the start of the operating day in order to calculate the amount of waste received per operating day (14 CCR, Section 18221.6 (e)). In addition, if the public and waste receipt hours differ from the material processing hours, each set of hours should be listed.
	Figure 2.0-7	Provide a site map detailing the traffic access routes and traffic circulation on-site. Figure 2.0-7 does not show the traffic flow within the 15 acre expansion, or the flow of traffic for the activities once they become one facility. Note that pursuant to 14 CCR, Section 17418.3, traffic flow through the facility shall be controlled to prevent interference with operations.
	N/A	Methods for site security for the entire facility (14 CCR, Section 17418.1) should be added to the EIR to address public health and safety and potential nuisance conditions generated by the proposed facility.
Section 2, Subsection 2.4, Mt. Diablo Facility	Page 2.0-33	Provide a detailed, legible site plan for this area. Pursuant to 14 CCR, Section 18221.6 (c), provide a "schematic drawing of the building and other structures showing layout and general dimensions of the operations area, including, but not limited to, unloading, storage, and loading areas."
	Page 2.0-33	Provide a description of equipment and how it will be used in waste processing for this activity. Note that pursuant to 14 CCR, Section 18221.6(l), a "description of transfer, recovery and processing equipment, including classification, capacity and the number of units" will need to be included in the Transfer/Processing Report required for permitting the proposed facility."
Section 2, Subsection 2.4, Transfer/ Processing Facility	Page 2.0-33	Provide detailed, legible site plans. Pursuant to 14 CCR, Section 18221.6 (c), provide a "schematic drawing of the building and other structures showing layout and general dimensions of the operations area, including, but not limited to, unloading, storage, and loading for the food waste."

B-2

DEIR MDRRP
January 28, 2015
Page 3 of 6

Letter B Continued

Section/ Subsection/Unit	Page and Location	Comment
	Page 2.0-34, Commercial Food Waste	Section 17852(a)(2) is cited to define "food material." However, this section defines "additives" not "food material." Please correct.
	Page 2.0-34, Commercial Food Waste	Figure 2.0-7 is cited to show the location of the food waste processing equipment within the transfer/processing building. Figure 2.0-7 fails to show the stated information. Provide a map that shows the information stated along with the schematics for the interior of the building.
	Page 2.0-34	Methods for vector control (14 CCR, Section 17410.4) should be elaborated in this section, or an additional section should be added to the EIR to address public health and safety and potential nuisance conditions generated by the addition of food waste.
Section 2, Subsection 2.4, Organic Processing Facility	Page 2.0-35	The DEIR lists a second location for the Organic Processing areas. However, no discussion regarding this new location is included in the DEIR. The EIR should clearly discuss the relationship between these two locations, how the transition will occur, whether they will operator concurrently, anticipated time for startup at the new location, amount of area dedicated for the activity, and how the activity will operate.
	Page 2.0-35	Provide more details for the handling and operation for the co-collected food/green waste.
	N/A	Methods for litter control (14 CCR, Section 17408.1), vector, bird and animal control (14 CCR, Section 17410.4), firefighting equipment (14 CCR, Section 17415.2), should be elaborated on in this section, or an additional section should be added to the EIR to address public health and safety and potential nuisance conditions generated by the proposed facility
Section 2.0, Subsection 2.4, Biomass Gasification Unit (Also see the section below for more comments regarding this Unit)	Page 2.0-37	Provide detailed, legible site plans. Pursuant to 14 CCR, Section 18221.6 (c), provide a schematic drawing of the building and other structures showing layout and general dimensions of the operations area, including, but not limited to, unloading, storage, and loading areas.
	Page 2.0-37	The DEIR states that the unit will "utilize 40 tpd of clean wood chips processed at the Organics Processing Facility or the Material Processing Area ..." Will this be its only fuel source?
	Page 2.0-38	It is unclear the total area that will used for this activity. The EIR should clearly identify the dimensions for this activity including a discussion for the operation and handling of the residual ash.
	Page 2.0-38	Methods for non-salvageable items (14 CCR, Section 17408.4), maintenance program (14 CCR, Section 17408.6), personnel health and safety (14 CCR, Section 17408.7), solid waste removal (14 CCR, Section 17410.1), training, (14 CCR 17410.3); vector, bird and animal control (14 CCR, Section 17410.4), firefighting equipment (14 CCR, Section 17415.2),

B-2
cont.

Letter B Continued

DEIR MDRRP
January 28, 2015
Page 4 of 6

Section/ Subsection/Unit	Page and Location	Comment
		and site security (14 CCR 17418.1) should be elaborated on in this section, or an additional section should be added to the EIR to address public health and safety and potential nuisance conditions generated by the proposed facility.
	Page 2.0-38	Provide a description of equipment and how it will be used in waste processing. Note that pursuant to 14 CCR, Section 18221.6(l), a "description of transfer, recovery and processing equipment, including classification, capacity and the number of units" will need to be included in the Transfer/Processing Report required for permitting the proposed facility.
Section 2, Subsection 2.4, Rail Haul Operations Plan	Page 2.0-45	This section states that the operation for rail haul operation will be evaluated in the DEIR at a programmatic level. Will the activity be evaluated in a programmatic level in this DEIR or a separate? If it will done in this DEIR, then more detail and analysis is needed. No additional information regarding this activity was provided in the document.
Section 3 Environmental Analysis, Subsection 3.1 Analysis Assumptions Generally Use to Evaluate the Impacts of the Project	Page 3.0-1, first paragraph	Table 2.1-1 is listed to show the existing operations. A copy of Table was not found. Include a copy.
Section 3.0, Subsection 3.3 Hazards and Hazardous Materials	Page 3.3-12	The first paragraph states that the Initial Study determined that the project would have no impact or less than significant impact related to significance threshold items 3, 5, 6, and 8. However the Initial study listed items 3 and 8 with potential significant thresholds.
Section 5.0 Project Alternatives	Pages ES-4, 5.0-4, & 5.0-8	Project Alternative 1 – this section states that the “facility is currently permitted to process a throughput of 2,650 tons per day (tpd).” Please note that the permitted tonnage currently for the facility is 1,500 tpd. Please correct.
Appendix B	Pages 4 & 5	OIMP reference sheets A1.2 and/or A6 within the plan, however, no sheets were found in the plan. Include a copy of the missing sheets.
Appendix B	N/A	The OIMP states that the storage limitation to no more the 7 days for green waste and 48 hours for co-collected green/food waste material. How will it be determined which loads are only green waste and which are green/food waste?

B-2
cont.

DEIR MDRRP
January 28, 2015
Page 5 of 6

Letter B Continued

Biogas Gasification Unit

The DEIR provides brief descriptions of a proposed biomass gasification unit (BGU). The proposed activity would use 40 tons per day of processed clean wood waste to generate one mega-watt/hour of energy for on-site use, and will operate 24 hours per day Monday thru Sunday. Ash and bio-char will be the end product. CalRecycle commented on the Notice of Preparation regarding the BGU and the technology that will be utilized (e.g., biomass conversion or gasification). Although some clarification was provided in the DEIR, a more detailed description of the BGU process and technology is requested to be included in the Final EIR. A more detailed description will assist in making permit determinations.

Public Resources Code (PRC) Section 40117 defines gasification as a non-combustion thermal process used to convert solid waste to a clean burning fuel to generate electricity. To qualify as gasification, the BGU must meet all the required criteria listed in PRC 40117 (including, (a) the technology does not use air or oxygen in the conversion process, except ambient air to maintain temperature control; (b) the technology produces no discharges of air contaminants or emissions, including greenhouse gases, as defined in subdivision (g) of Section 38505 of the Health and Safety Code; (c) the technology produces no discharges to surface or groundwaters of the state; (d) the technology produces no hazardous waste; (e) to the maximum extent feasible, the technology removes all recyclable materials and marketable green waste compostable materials from the solid waste stream prior to the conversion process and the owner or operator of the facility certifies that those materials will be recycled or composted; (f) the facility where the technology is used is in compliance with all applicable laws, regulations, and ordinances; and (g) the facility certifies to the board that any local agency sending solid waste to the facility is in compliance with this division and has reduced, recycled, or composted solid waste to the maximum extent feasible, and the board makes a finding that the local agency has diverted at least 30 percent of all solid waste through source reduction, recycling, and composting). The description provided in the DEIR related to the BGU does not describe how the BGU will meet the definition of gasification.

B-3

Biomass conversion is defined in PRC 40106 as the production of heat, fuels, or electricity by the controlled combustion of, or the use of other non-combustion thermal conversion technologies on, the following materials, when separated from other solid waste controlled combustion, when separated from other solid waste and used for producing electricity or heat from specific types of organic materials (i.e., agricultural crop residues; bark, lawn, yard, and garden clippings, leaves, silvicultural residue, and tree and brush pruning; wood, wood chips, and wood waste; and nonrecyclable pulp or nonrecyclable paper materials. Biomass conversion does not include the controlled combustion of recyclable pulp or recyclable paper materials, or does not include the controlled combustion of recyclable pulp or recyclable paper materials, or materials that contain sewage sludge, industrial sludge, medical waste, hazardous waste, or either high-level or low-level radioactive waste.

Complete definitions for gasification and biomass conversion can be reviewed at the following link:
<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=40001-41000&file=40100-40201>

The BGU must be adequately described to assist the LEA in determining applicable permitting and/or regulatory requirements based on the proposed technology.

CONCLUSION

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency preparing the EIR and in carrying out their responsibilities in the CEQA process.

Letter B Continued

DEIR MDRRP
January 28, 2015
Page 6 of 6

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this project.

If the environmental document is certified during a public hearing, CalRecycle staff requests ten days advance notice of this hearing. If the document is certified without a public hearing, CalRecycle staff requests ten days advance notification of the date of the certification and project approval by the decision making body.

If you have any questions regarding these comments, please contact me at 916.341.6411 or by e-mail at Beatrice.Poroli@calrecycle.ca.gov.

Sincerely,



Beatrice Poroli
Permitting and Assistance Branch
Waste Permitting, Compliance, and Mitigation Division
CalRecycle

cc: David Otsubo, Supervisor
Permitting and Assistance Branch

Laura Wright, Division Manager
Solid Waste Management Division
City of Pittsburg
65 Civic Avenue,
Pittsburg, CA 94565
lwright@ci.pittsburg.ca.us

**B-3
cont.**

Letter B **Beatrice Poroli, California Department of Resources Recycling and Recovery (Cal Recycle)**

Response B-1:

The commenter summarizes components of the project as described in the DEIR. This is not a comment on the adequacy of the EIR, no response is required.

Response B-2:

The commenter provides a table that contains requests for additional information related to operations of components of the facility. In general, the information requested is required to process the Solid Waste Facility Permit by CalRecycle and the project applicant would be required to submit this information to CalRecycle's satisfaction, prior to issuance of a permit.

As noted on DEIR page 2.0-1, with regard to the level of detail in the project description, CEQA Guidelines Section 15124, which contains the requirements for the project description in an EIR, specifically states that the project description "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." While the information requested by the commenter is required for permit processing by CalRecycle, the information would not add to a reviewer's general understanding of the project or change the analysis in the EIR. For instance, the precise dimensions of buildings or the location within the buildings where a particular process would take place – the commenter requests schematics for exterior and interior uses on the site - would not change the analysis in the EIR. The DEIR acknowledges these processes and analyzes the physical effects of those processes on the project site. To the extent that the location of a particular process is important to the potential for physical effects, such as drainage, those locations are considered in the DEIR.

In addition to requests for additional detail on facility operations, the commenter provides requests to correct text in the DEIR. Those comments are addressed below.

On page 2.0-34 (Project Description), the DEIR refers to California Code of Regulations Section 17852(a)(2) for the definitions of food material. The commenter requests that this reference be corrected. The text in the third sentence in the paragraph under heading "Commercial Food Waste" on DEIR page 2.0-34 is amended as follows:

Food material, as defined in Section 17852(a)(20) of Title 14, means any material that was acquired for animal or human consumption, that is separated from the municipal solid waste stream, and that does not meet the definition of agricultural material.

Regarding vector control, the MDRRP project involves the expansion of an existing facility that has been operational since 1995 and has proven to be well designed and safely operated. In conjunction with the maintenance of their Solid Waste Facility Permit, the Local Enforcement Agency (LEA) has provided monthly inspections of the facility for nearly 20 years, which reveal a record of consistency in protecting the public health, safety, and the environment.

Each operator of a Large Volume Transfer/Processing Facility that is required to obtain a Full Solid Waste Facility Permit, as set forth in Title 27, Division 2, Subdivision 1, Chapter 4, Subchapter 3, Articles 2.0 - 3.2, (commencing with section 21570) shall, at the time of application, file a Transfer/Processing Report (TPR) with the Local Enforcement Agency as required in section 17403.9 of Title 14. The TPR enables CalRecycle and the LEA to review all requirements of

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

California Code of Regulations - Title 14 to ensure they are fully addressed in conjunction with the issuance of a Solid Waste Facility Permit and its corresponding terms and conditions.

The MDRRP was designed to minimize the propagation or attraction of flies, rodents, or other vectors and the creation of nuisances by reason of solid wastes being handled at the operation. Other factors that were taken into consideration were dust control, noise control, public safety, and other pertinent matters related to the protection of public health at the facility. The operational controls and design for each of the potential environmental impacts are provided in detail in the specific sections of the TPR. Some of the language from key sections of the TPR is provided below:

8) Litter Control

A daily site walk by facility personnel focuses on ensuring that wind-blown litter is picked up and a clean appearance maintained. The site is surrounded by fencing which limits litter from blowing from the facility onto public roads or neighboring property. Portable litter fences are used if required by the wind speed and direction.

Each day a crew cleans litter from the public streets within 2,000 feet of the MDRRP and from the roadways inside the facility. Litter is cleaned more frequently under high-wind conditions.

Site personnel remove windblown litter and residuals daily from the Transfer/Processing Facility (TPF), including from underneath equipment and other out-of-the-way locations, to prevent accumulated material from interfering with safe operation.

The MDRF is located inside an enclosed building, so the potential for windblown litter is minimized. The street sweeper sweeps the MDRF when the facility is not operating and or is being maintained. The tipping floor is clear of recyclables at that time and can be swept.

Street sweepers are used to clean the paved roads within the MDRRP.

The collection and transfer trucks delivering material are enclosed, minimizing the potential for dropping litter. The Pittsburg City Municipal Code and the operator require that all trucks be covered, including open-topped trucks and pickup trucks.

The MPA and OPA are cleaned of litter during the daily site walk through and when needed during the day.

12) Nuisance Control

Odors, vectors, and litter are the most common nuisance conditions. The methods to manage vectors and litter are covered in the discussion of *Methods to Comply with the State Minimum Standards*. Control of odors is discussed here.

The DEIR (Impact 3.1.5, pages 3.1-33 and -34) found that the distance to the nearest receptors results in odors being a less than significant environmental impact and no mitigation measures are needed. The closest receptors are operations staff and management who are onsite during operating hours to monitor the operation. The MDRRP is located in an industrial area with the nearest residential receptors located more than 2,000 feet from the MDRRP boundary.

The Conditional Use Permit (CUP) issued by the City of Pittsburg may establish requirements for controlling nuisances. If required, the requirements would be integrated into the MDRRP operating practices, if not already employed.

The Odor Impact Minimization Plan (OIMP) includes protocols to identify and to minimize odor emissions and nuisances in the surrounding area. The OIMP is in Appendix C: Odor Impact Minimization Plan. The OIMP identifies potential sensitive receptors and establishes odor monitoring and complaint response protocols. In addition, the OIMP provides design and operational considerations and procedures to minimize odor emissions associated with the operation. These procedures include proper drainage to prevent standing water, screening of incoming loads to eliminate unacceptable waste materials, strict enforcement of storage time limits, monitoring of stockpiles to ensure conditions are optimal to minimize odors, and worker education/awareness training. The OIMP also includes a contingency plan to control odors should they occur.

To minimize odor releases, the project Operator imposes maximum holding times of less than the 48 hours allowed by Title 14 for all municipal solid waste (MSW), green waste, and/or food waste. These holding times were established to avoid nuisance problems. If a nuisance is caused by holding these materials, the offending material would be removed more frequently than the specified holding time. Daily inspections of the operating areas also serve to identify conditions that could potentially cause nuisances so they can be addressed before a problem occurs.

Odors related to breakdown of putrescible waste could occur in the MSW receiving and loadout area and the commercial food waste processing area of TPF. The area where residential food and green waste are processed at the OPA could also generate odors. The odors at the TPF are mitigated because the MSW and commercial food waste operations are inside the building and the materials are removed frequently for disposal (MSW) or further processing (food waste).

Odors are possible in the Mt. Diablo Recycling Facility (MDRF), the Organics Processing Area (OPA), or the Materials Processing Area (MPA) if MSW is included with the materials to be processed in those operations. The project Operator follows a screening program to observe the contents of vehicles and debris boxes delivering materials to identify potentially odor-causing materials and remove them. Odorous materials observed in the incoming material are removed and placed in a 40-yard bin. When the bin is filled, it is taken to the TPF and the contents dumped in the MSW pile or the loading pit.

The co-collected organic material in the OPA is usually ground on the day it is delivered and shipped out that night. The project Operator uses a probe to determine the temperature in the interior of the piles of ground materials; if the pile is too warm, the Operator will move the material off site for further processing to reduce the possibility of the material generating odors.

The expected holding time for each waste type of material is listed in TPR Table 29: Storage Times, below. These are expected holding times; the maximum holding time is 48 hours.

Table 29: Storage Times

Material Type	Holding time (Hours) *
MSW	24
Commercial food waste	8
Self-haul	12
C&D	24

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

Material Type	Holding time (Hours) *
Green waste	24
Co-collected food and green waste	24

*The maximum allowable holding time is 48 hours.

25) Vector, Bird and Animal Control

Birds are discouraged from entering the TPF and the MDRF because they are partially enclosed (the MDRF is nearly fully enclosed). Those that do enter fly out on their own or are trapped and removed. Materials are removed from the TPF tipping floors and it is cleaned daily, minimizing harboring of rodents and other vectors and minimizing the food available for the birds. The materials delivered to the MDRF are processed the day they arrive and are baled preventing attracting vectors.

Vectors and birds are not typically attracted to the material handled at the MPA due to the lack of available food. If a vector problem develops on site, control measures approved by the LEA will be implemented. The LEA and CCWS will devise the control measures at that time according to the scope of the problem.

The OPA receives food waste and green waste. The food materials are mixed with the green waste on the day of delivery, reducing the possibility that it will draw birds and vectors. The schedule for shipping the mix of food and green waste was set to avoid attracting vectors.

The Operator has a contract pest control firm that services the MDRRP monthly. They check traps, look for sign of vectors, and add needed controls.

29) Firefighting Equipment

Firefighting is described in the Appendix G: Emergency Response Plan. The Fire Department inspects the MDRRP annually and provides a certificate of compliance.

Adequate water supply is provided. The 3,000-gallon capacity water truck used for onsite dust suppression purposes is also available to suppress small fires. A fire hydrant is located adjacent to the MPA on the access road south of the processing equipment (shown on Figure 5: MPA Operations and Figure 6: OPA operations). The facility maintains a 100-foot hose at the MPA picking line that is used in an emergency. In addition, fire extinguishers are kept at several locations around the MDRRP.

Front-end loaders and excavators are available to aid by removing materials to combat fire or prevent its spread.

All firefighting equipment is maintained by a contractor and available on a continuous basis.

The fire control measures used are summarized below:

- Wood waste and wood chip piles do not exceed 20 feet in height, 80 feet in width, and 80 feet length to limit the spread of fire.
- Material-handling equipment (e.g., front loaders) is readily available for moving materials during firefighting operations.

- The Operator has a protocol for monitoring, controlling, and extinguishing spot fires.
- Portable fire extinguishers with a minimum rating of 4A:60B:C are provided on vehicles and equipment operating on piles and at the picking lines.
- Twenty-foot fire lanes are provided around combustible materials to allow for passage of fire trucks and minimize fire spread.

33) Site Security

A 6-foot slatted chain link fence with gated access points surrounds the MDRRP site. The entrance gate is closed and locked when the facility is not operating. Stadium lighting consisting of three 30-foot-high poles is installed to add to nighttime security and mitigate theft or damage.

The commenter states that more detail regarding the rail haul option disclosed on DEIR page 2.0-44 would be required if this option is analyzed in the EIR. As discussed on page 2.0-44, the applicant is not proposing the rail haul option for implementation at this time and no information was available for analysis in the DEIR. Therefore, if this option is proposed in the future, further environmental review would be required at that time.

The commenter states Table 2.1-1, referenced on page 3.0-1 was not included in the DEIR. The text in the last sentence in the first paragraph under heading "Baseline Environmental Conditions Assumed in the Draft EIR" on DEIR page 3.0-1 is amended as follows:

The baseline analysis used in this EIR is based upon the existing operations of the facility (see **Table 2.0-12.1-1**).

The commenter states that page 3.3-12 of the DEIR concludes that project would have no impact or a less than significant impact related to significance thresholds 3, 5, 6, and 8, but that the Initial Study listed items 3 and 8 with potential significant thresholds. Item 3 is related to emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; item 8 is related to exposure to wildland fires. The Initial Study is included in Appendix A of the DEIR. The Initial Study determined that there would be no impact related to emissions of hazardous materials within 1/4-mile of a school and no impact due to risks from wildland fires (See Initial Study pages 3.0-13 and -14). No correction is required.

The commenter states that the reference to the permitted capacity of the facility referenced in the discussion of Alternative 1 in Chapter 5.0, Alternatives, is 1,500 tons per day (tpd), not 2,650 tpd as noted in the DEIR. However, as noted in the footnote on DEIR page 5.0-4, the total tonnage refers to all components of the facility, not just the Recycling Center and Transfer Station. As noted in the footnote, the permitted capacities for the individual operations within the Mt. Diablo Resource Recovery Park (MDRRP) are as follows: Mt. Diablo Recycling Facility, 500 TPD; Recycling Center and Transfer Station, 1,500 TPD; Green Material Processing, 200 TPD; Mixed Construction and Demolition Processing, 450 TPD.

Response B-3:

The commenter requests a more detailed description of the Biomass Gasification Unit (BGU) process and technology, which will assist CalRecycle in making the permit determinations. The commenter provides additional information regarding the definition of the gasification and

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

biomass conversion processes. As noted in Response B-2, the information provided in the EIR should not exceed the detail beyond that needed for evaluation and review of the environmental impact. While the specific processes used in the gasification process would be considered by CalRecycle as part of their permit processing, the DEIR calculated emissions generated by the BGU based upon the tonnage of material used in the process. As noted above, as part of the permit process through CalRecycle, the project applicant will provide additional information regarding specific processes.

Letter C

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Edmund G. Brown Jr.
Governor



Ken Alex
Director

January 30, 2015

Dana Hoggatt Ayers
City of Pittsburg
Planning Department
65 Civic Avenue
Pittsburg, CA 94565-3418

Subject: Mt. Diablo Resource Recovery Park
SCH#: 2011052053

Dear Dana Hoggatt Ayers:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 29, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

C-1

Letter C Continued

Document Details Report State Clearinghouse Data Base

SCH# 2011052053
Project Title Mt. Diablo Resource Recovery Park
Lead Agency Pittsburg, City of

Type EIR Draft EIR
Description The proposed project consists of a Conditional Use Permit (CUP) for the operational expansion and reorganization of the existing Mt. Diablo Recycling Facility (MDRF) and Recycling Center and Transfer Station (RCTS). The expanded facility will be called the Mt. Diablo Resource Recovery Park (MDRRP). The MDRRP will consist of the Mt. Diablo Recycling Facility, Transfer/Processing Facility, Mixed Construction and Demolition (C&D) Processing Facility, and Organics Processing Facility, which are existing facilities proposed for operational expansion, as well as the newly proposed Biomass Gasification Unit and a relocation of a truck maintenance facility in an 18,000 sf structure in the southeastern portion of the project site.

Lead Agency Contact

Name Dana Hoggatt Ayers
Agency City of Pittsburg
Phone 925 252 4920
email
Address Planning Department
 65 Civic Avenue
City Pittsburg **State** CA **Zip** 94565-3418

Project Location

County Contra Costa
City Pittsburg
Region
Lat / Long 38.1° 9.87' N / 121.51° 29.4' W
Cross Streets Loveridge Road & Pittsburg-Antioch Hwy
Parcel No. 073-200-014 & 073-200-015
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 4
Airports
Railways BNSF & UPRR
Waterways New York Slough
Schools
Land Use PLU: Industrial
 Z: General Industrial;
 GPD: Industrial

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Public Services; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 4; Air Resources Board; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter C Continued

Document Details Report State Clearinghouse Data Base

Date Received	12/16/2014	Start of Review	12/16/2014	End of Review	01/29/2015
---------------	------------	-----------------	------------	---------------	------------

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter C Continued

California Environmental Protection Agency

Edmund G. Brown Jr., Governor



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

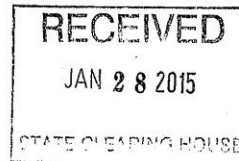
1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027

P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

January 28, 2015

Ms. Dana Hoggatt Ayers, Planning Manager
Development Services Department
Planning Division
65 Civic Avenue
Pittsburg, CA 9456

clear
1/28/15



Subject: SCH No. 2011052053 –Draft Environmental Impact Report (DEIR) for Conditional Use Permit for the Mt. Diablo Resource Recovery Park (MDRRP) (SWIS No. 07-AC-0043) in the City of Pittsburg, Contra Costa County

Dear Ms. Ayers:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

PROJECT DESCRIPTION

The City of Pittsburg, Development Services Department, acting as Lead Agency, has prepared and circulated a Draft Environmental Impact Report (DEIR) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project, which will, as described, require a revised Solid Waste Facilities Permit to permit the operation of the proposed project.

Mt. Diablo Resource Recovery Park (MDRRP) is located at 1300 Loveridge Road in the City of Pittsburg in north-central Contra Costa County. The project site is on the western side of Loveridge just north of Pittsburg-Antioch Highway and State Route 4, just south of the Burlington Northern and Santa Fe railroad and the shoreline of New York Slough.

The proposed project consists of the issuance of a Conditional Use Permit (CUP) to expand the capacity, operations, and land area of the existing Mt. Diablo Recycling Facility (MDRF), the Recycling Center and Transfer Station (RCTS), and the CCW Wood chipping/Grinding Operation. The expanded facility will be called the Mt. Diablo Resource Recovery Park (MDRRP). The project includes combining the three existing activities listed above into one permit and expanding the operations. The project also includes a proposal for a new Biomass Gasification Unit, the addition of a 15-acre parcel adjacent to and west of the existing site for vehicle and equipment storage, and the addition of the 3.5-acre parcel located south of the existing site for a new truck maintenance facility and yard that would be relocated from a site east of the MDRRP across Loveridge Road.

The MDRRP will encompass a total of 36 acres, with a total maximum permitted daily capacity of 5,500 tons per day (tpd), which will include 1,000 tpd of mixed construction and debris and 800 total tpd of green waste, wood waste and co-collected food/green waste. The facility will operate seven days a week, 24 hours a day, with a maximum of 5,620 vehicles per day. The only outdoor activities will be the Organic Processing area which will handling and process green waste, wood waste, and residual co-



ORIGINAL PRINTED ON 100% POST-CONSUMER CONTENT, PROCESSED CHLORINE FREE PAPER

Letter C Continued

DEIR MDRRP
January 28, 2015
Page 2 of 6

collected food/green waste and the Mixed Construction & Debris (C&D) Processing area which will handle and process mixed C&D. All other activities will occur indoors. Commercial food waste will only be handled indoors in the Transfer/Processing building.

COMMENTS

CalRecycle's comments on the DEIR are summarized in the table below. Where a specific location in the document is noted for the comment, please ensure the comment is addressed throughout all chapters of the DEIR, in addition to the specific location noted.

Section/ Subsection/Unit	Page and Location	Comment
Section 2 Project Description, Subsection 2.4 Characteristics of the Proposed Project	Page 2.0-19	The DEIR states "The facility's total maximum permitted daily capacity will be 5,500 tons per day." Please provide the assumptions, methods, and calculations performed to determine the total capacity (14 CCR, Section 18221.6 (g)).
	Page 2.0-33	Indicate the start of the operating day in order to calculate the amount of waste received per operating day (14 CCR, Section 18221.6 (e)). In addition, if the public and waste receipt hours differ from the material processing hours, each set of hours should be listed.
	Figure 2.0-7	Provide a site map detailing the traffic access routes and traffic circulation on-site. Figure 2.0-7 does not show the traffic flow within the 15 acre expansion, or the flow of traffic for the activities once they become one facility. Note that pursuant to 14 CCR, Section 17418.3, traffic flow through the facility shall be controlled to prevent interference with operations.
	N/A	Methods for site security for the entire facility (14 CCR, Section 17418.1) should be added to the EIR to address public health and safety and potential nuisance conditions generated by the proposed facility.
Section 2, Subsection 2.4, Mt. Diablo Facility	Page 2.0-33	Provide a detailed, legible site plan for this area. Pursuant to 14 CCR, Section 18221.6 (c), provide a "schematic drawing of the building and other structures showing layout and general dimensions of the operations area, including, but not limited to, unloading, storage, and loading areas."
	Page 2.0-33	Provide a description of equipment and how it will be used in waste processing for this activity. Note that pursuant to 14 CCR, Section 18221.6(I), a "description of transfer, recovery and processing equipment, including classification, capacity and the number of units" will need to be included in the Transfer/Processing Report required for permitting the proposed facility."
Section 2, Subsection 2.4, Transfer/ Processing Facility	Page 2.0-33	Provide detailed, legible site plans. Pursuant to 14 CCR, Section 18221.6 (c), provide a "schematic drawing of the building and other structures showing layout and general dimensions of the operations area, including, but not limited to, unloading, storage, and loading for the food waste."

Letter C Continued

DEIR MDRRP
January 28, 2015
Page 3 of 6

Section/ Subsection/Unit	Page and Location	Comment
	Page 2.0-34, Commercial Food Waste	Section 17852(a)(2) is cited to define "food material." However, this section defines "additives" not "food material." Please correct.
	Page 2.0-34, Commercial Food Waste	Figure 2.0-7 is cited to show the location of the food waste processing equipment within the transfer/processing building. Figure 2.0-7 fails to show the stated information. Provide a map that shows the information stated along with the schematics for the interior of the building.
	Page 2.0-34	Methods for vector control (14 CCR, Section 17410.4) should be elaborated in this section, or an additional section should be added to the EIR to address public health and safety and potential nuisance conditions generated by the addition of food waste.
Section 2, Subsection 2.4, Organic Processing Facility	Page 2.0-35	The DEIR lists a second location for the Organic Processing areas. However, no discussion regarding this new location is included in the DEIR. The EIR should clearly discuss the relationship between these two locations, how the transition will occur, whether they will operator concurrently, anticipated time for startup at the new location, amount of area dedicated for the activity, and how the activity will operate.
	Page 2.0-35	Provide more details for the handling and operation for the co-collected food/green waste.
	N/A	Methods for litter control (14 CCR, Section 17408.1), vector, bird and animal control (14 CCR, Section 17410.4), firefighting equipment (14 CCR, Section 17415.2), should be elaborated on in this section, or an additional section should be added to the EIR to address public health and safety and potential nuisance conditions generated by the proposed facility
Section 2.0, Subsection 2.4, Biomass Gasification Unit (Also see the section below for more comments regarding this Unit)	Page 2.0-37	Provide detailed, legible site plans. Pursuant to 14 CCR, Section 18221.6 (c), provide a schematic drawing of the building and other structures showing layout and general dimensions of the operations area, including, but not limited to, unloading, storage, and loading areas.
	Page 2.0-37	The DEIR states that the unit will "utilize 40 tpd of clean wood chips processed at the Organics Processing Facility or the Material Processing Area ..." Will this be its only fuel source?
	Page 2.0-38	It is unclear the total area that will used for this activity. The EIR should clearly identify the dimensions for this activity including a discussion for the operation and handling of the residual ash.
	Page 2.0-38	Methods for non-salvageable items (14 CCR, Section 17408.4), maintenance program (14 CCR, Section 17408.6), personnel health and safety (14 CCR, Section 17408.7), solid waste removal (14 CCR, Section 17410.1), training, (14 CCR 17410.3); vector, bird and animal control (14 CCR, Section 17410.4), firefighting equipment (14 CCR, Section 17415.2),

Letter C Continued

DEIR MDRRP
January 28, 2015
Page 4 of 6

Section/ Subsection/Unit	Page and Location	Comment
		and site security (14 CCR 174.18.1) should be elaborated on in this section, or an additional section should be added to the EIR to address public health and safety and potential nuisance conditions generated by the proposed facility.
	Page 2.0-38	Provide a description of equipment and how it will be used in waste processing. Note that pursuant to 14 CCR, Section 18221.6(l), a "description of transfer, recovery and processing equipment, including classification, capacity and the number of units" will need to be included in the Transfer/Processing Report required for permitting the proposed facility.
Section 2, Subsection 2.4, Rail Haul Operations Plan	Page 2.0-45	This section states that the operation for rail haul operation will be evaluated in the DEIR at a programmatic level. Will the activity be evaluated in a programmatic level in this DEIR or a separate? If it will done in this DEIR, then more detail and analysis is needed. No additional information regarding this activity was provided in the document.
Section 3 Environmental Analysis, Subsection 3.1 Analysis Assumptions Generally Use to Evaluate the Impacts of the Project	Page 3.0-1, first paragraph	Table 2.1-1 is listed to show the existing operations. A copy of Table was not found. Include a copy.
Section 3.0, Subsection 3.3 Hazards and Hazardous Materials	Page 3.3-12	The first paragraph states that the Initial Study determined that the project would have no impact or less than significant impact related to significance threshold items 3, 5, 6, and 8. However the Initial study listed items 3 and 8 with potential significant thresholds.
Section 5.0 Project Alternatives	Pages ES-4, 5.0-4, & 5.0-8	Project Alternative 1 – this section states that the "facility is currently permitted to process a throughput of 2,650 tons per day (tpd)." Please note that the permitted tonnage currently for the facility is 1,500 tpd. Please correct.
Appendix B	Pages 4 & 5	OIMP reference sheets A1.2 and/or A6 within the plan, however, no sheets were found in the plan. Include a copy of the missing sheets.
Appendix B	N/A	The OIMP states that the storage limitation to no more the 7 days for green waste and 48 hours for co-collected green/food waste material. How will it be determined which loads are only green waste and which are green/food waste?

Letter C Continued

DEIR MDRRP
January 28, 2015
Page 5 of 6

Biogas Gasification Unit

The DEIR provides brief descriptions of a proposed biomass gasification unit (BGU). The proposed activity would use 40 tons per day of processed clean wood waste to generate one mega-watt/hour of energy for on-site use, and will operate 24 hours per day Monday thru Sunday. Ash and bio-char will be the end product. CalRecycle commented on the Notice of Preparation regarding the BGU and the technology that will be utilized (e.g., biomass conversion or gasification). Although some clarification was provided in the DEIR, a more detailed description of the BGU process and technology is requested to be included in the Final EIR. A more detailed description will assist in making permit determinations.

Public Resources Code (PRC) Section 40117 defines gasification as a non-combustion thermal process used to convert solid waste to a clean burning fuel to generate electricity. To qualify as gasification, the BGU must meet all the required criteria listed in PRC 40117 (including, (a) the technology does not use air or oxygen in the conversion process, except ambient air to maintain temperature control; (b) the technology produces no discharges of air contaminants or emissions, including greenhouse gases, as defined in subdivision (g) of Section 38505 of the Health and Safety Code; (c) the technology produces no discharges to surface or groundwaters of the state; (d) the technology produces no hazardous waste; (e) to the maximum extent feasible, the technology removes all recyclable materials and marketable green waste compostable materials from the solid waste stream prior to the conversion process and the owner or operator of the facility certifies that those materials will be recycled or composted; (f) the facility where the technology is used is in compliance with all applicable laws, regulations, and ordinances; and (g) the facility certifies to the board that any local agency sending solid waste to the facility is in compliance with this division and has reduced, recycled, or composted solid waste to the maximum extent feasible, and the board makes a finding that the local agency has diverted at least 30 percent of all solid waste through source reduction, recycling, and composting). The description provided in the DEIR related to the BGU does not describe how the BGU will meet the definition of gasification.

Biomass conversion is defined in PRC 40106 as the production of heat, fuels, or electricity by the controlled combustion of, or the use of other non-combustion thermal conversion technologies on, the following materials, when separated from other solid waste controlled combustion, when separated from other solid waste and used for producing electricity or heat from specific types of organic materials (i.e., agricultural crop residues; bark, lawn, yard, and garden clippings, leaves, silvicultural residue, and tree and brush pruning; wood, wood chips, and wood waste; and nonrecyclable pulp or nonrecyclable paper materials. Biomass conversion does not include the controlled combustion of recyclable pulp or recyclable paper materials, or does not include the controlled combustion of recyclable pulp or recyclable paper materials, or materials that contain sewage sludge, industrial sludge, medical waste, hazardous waste, or either high-level or low-level radioactive waste.

Complete definitions for gasification and biomass conversion can be reviewed at the following link:
<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=prc&group=40001-41000&file=40100-40201>

The BGU must be adequately described to assist the LEA in determining applicable permitting and/or regulatory requirements based on the proposed technology.

CONCLUSION

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency preparing the EIR and in carrying out their responsibilities in the CEQA process.

Letter C Continued

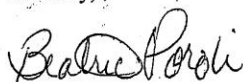
DEIR MDRRP
January 28, 2015
Page 6 of 6

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this project.

If the environmental document is certified during a public hearing, CalRecycle staff requests ten days advance notice of this hearing. If the document is certified without a public hearing, CalRecycle staff requests ten days advance notification of the date of the certification and project approval by the decision making body.

If you have any questions regarding these comments, please contact me at 916.341.6411 or by e-mail at Beatrice.Poroli@calrecycle.ca.gov.

Sincerely,



Beatrice Poroli
Permitting and Assistance Branch
Waste Permitting, Compliance, and Mitigation Division
CalRecycle

cc: David Otsubo, Supervisor
Permitting and Assistance Branch

Laura Wright, Division Manager
Solid Waste Management Division
City of Pittsburg
65 Civic Avenue,
Pittsburg, CA 94565
lwright@ci.pittsburg.ca.us

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

Letter C **Scott Morgan, Governor's Office of Planning and Research, State Clearinghouse**

Response C-1:

The letter acknowledges compliance with the State Clearinghouse review requirements for the DEIR. No response is required.

For responses to the attached CalRecycle letter, please refer to responses to Letter B.

Letter 1



Mike N. Oliphant
Project Manager
Superfund and Specialty
Portfolio

RECEIVED

JAN 30 2015

PLANNING DIVISION
Chevron Environmental
Management Company
P.O. Box 6012
San Ramon, CA 94583
Tel (925) 790 6431
Fax (925) 790 6772
mike.oliphant@chevron.com

January 26, 2015

Stakeholder Communication – City of Pittsburg

Ms. Dana Hoggatt Ayers
Planning Manager
Development Services Department, Planning Division
65 Civic Avenue
Pittsburg, CA 94565

**Subject: Comments on the Draft Environmental Impact Report for
Mount Diablo Resource Recovery Park Project**
Chevron Environmental Management Company
Historical Pipeline Portfolio–Bakersfield to Richmond

Dear Ms. Ayers:

On behalf of Chevron Environmental Management Company (CEMC), Leidos Engineering LLC (Leidos; CEMC contract consultant) recently reviewed the Draft Environmental Impact Report for Mount Diablo Resource Recovery Park Project (proposed project). The information contained in this letter may help you in planning this project and to understand something about Chevron's former pipeline operations in the city of Pittsburg, as residual weathered crude oil, abandoned pipeline, and asbestos-containing materials (ACM) could potentially be encountered during subsurface construction activities in these former pipeline rights of way (ROWs).

Portions of the former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) pipelines existed in the vicinity of the proposed project area. These formerly active pipelines were constructed in the early 1900s and carried crude oil from the Kern River Oil Fields (in and near Bakersfield) to the San Francisco Bay Area. Pipeline operations for the OVP ceased in the 1940s, and in the 1970s for the TAOC pipelines. When pipeline operations ceased, the pipelines were taken out of commission. The degree and method of decommissioning varied; in some instances the pipelines were removed, while in others, they remained in place. Because these pipelines have been decommissioned, with the majority of pipelines having been removed, they are not readily identified as underground utilities through the Underground Service Alert North System or utility surveys. Figure 1 illustrates the location of the former OVP and TAOC ROWs with respect to the proposed project area. The location of the pipelines shown on Figure 1 is based on historical as-built drawings and the approximated positional accuracy of the alignments is generally +/- 50 feet. The OVP and TAOC pipelines were installed at depths of up to 10 feet below ground surface. The steel pipelines were typically encased in a protective coating composed of coal tar and ACM.

Working under the direction of State regulatory agencies, CEMC conducted risk assessments at numerous locations with known historical crude-oil release points along the former OVP and TAOC pipelines. Analytical results from these risk assessments indicated that the crude-contaminated soil was non-hazardous. Accordingly, it is likely that if soil affected by the historical release of crude oil from these former pipelines is encountered during construction

1-1

Letter 1 Continued

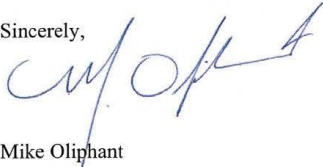
Ms. Dana Hoggatt Ayers – City of Pittsburg
January 26, 2015
Page 2 of 2

activities it may be reused as backfill on site. Properly abandoned crude-oil pipeline may be left in the ground. Parties conducting construction activities in the vicinity of these former pipeline ROWs may wish to use the information provided in this letter to help prepare for the possibility of encountering abandoned pipelines and pipeline-related ACM during the course of their work.

**1-1
cont.**

For more information regarding these historic pipelines, please visit <http://www.hppinfo.com/>. If you would like additional information, or would like to request more detailed maps, please contact Leidos consultants Mike Hurd (michael.t.hurd@leidos.com) at (510) 466-7161 or Daniel Anzelon (daniel.b.anzelon@leidos.com) at (858) 826-3316.

Sincerely,



Mike Oliphant

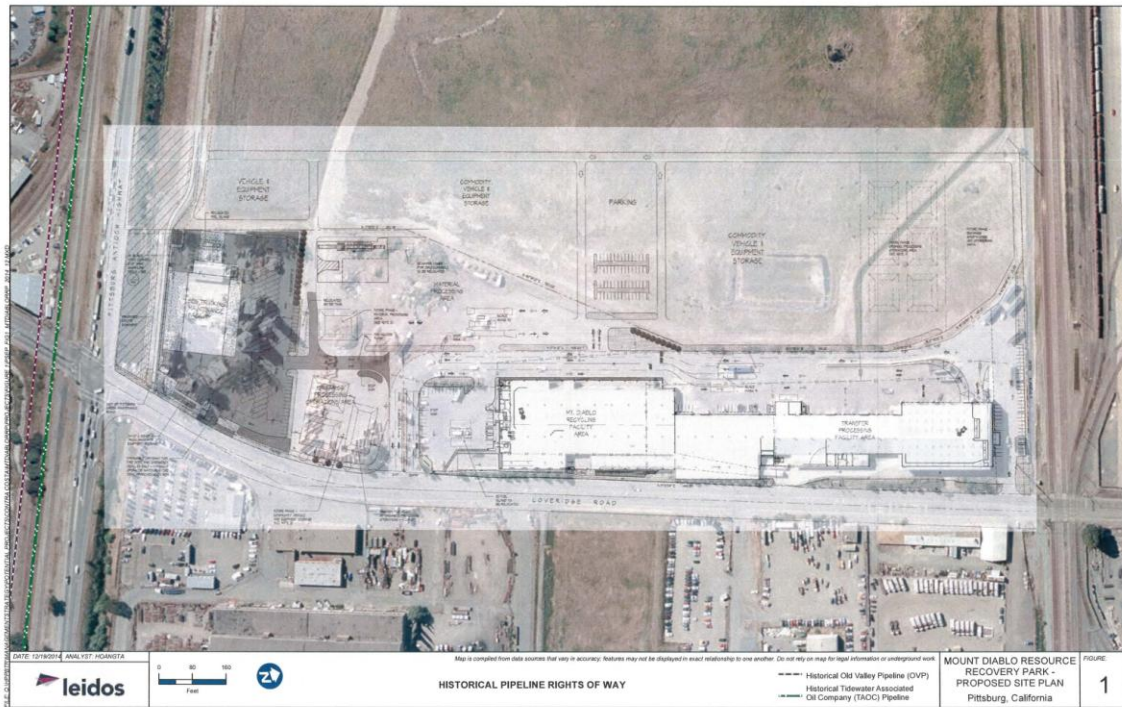
MO/klg

Enclosure:

Figure 1. Historical Pipeline Rights of Way – Mount Diablo Resource Recovery Park Project – Proposed Site Plan

cc: Mr. Mike Hurd – Leidos
1000 Broadway, Suite 675, Oakland, California 94607

Letter 1 Continued



2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

Letter 1 Mike Oliphant, Project Manager, Chevron Environmental Management Company

Response 1-1:

The commenter summarizes the history of Chevron's former pipeline operations in the project area and discusses the potential for encountering decommissioned oil pipelines and associated hazardous materials during proposed subsurface construction activities. The commenter describes risk assessments that were conducted at numerous locations with known historical crude oil release points along the former pipelines. The risk assessments determined the soil in these areas to be non-hazardous.

DEIR Impact 3.3.2 (see pages 3.3-15 through -17) acknowledges the potential for various hazardous materials to be encountered during subsurface construction activities. Mitigation measure MM 3.3.2a requires the applicant to either update the existing facility's Construction Worker Site Health and Safety Plan or prepare a new plan to include the entire project site and proposed site preparation and construction activities and provide measures to ensure worker health and safety. The information provided by commenter is noted for consideration during preparation of this plan.

Letter 2

January 27, 2015

Re: draft EIR for the Mt. Diablo Resource Recovery Park

Dana, Kristin, and to whom it may concern,

The expansion of the Recycling Center and Transfer Station into a resource recovery park is welcomed by all environmentally aware citizens. Materials should be recycled and reused rather than sent to the landfill. That said, however, any increase in traffic, especially large trucks, caused by such an expansion must be mitigated.

The increase in traffic accessing this project site will affect bicyclists using the public streets in the vicinity. Bicyclists are vulnerable road users, and their safety must be addressed when implementing this project. The conclusion made on Page 3.7-16 of the draft EIR that there would be no impacts to bicycle facilities is incorrect.

2-1

The Pittsburg-Antioch Highway is the only public street located north of Highway 4 that extends between and connects Pittsburg and Antioch . (North Park Boulevard is private.) The Pittsburg-Antioch Highway is listed in the bicycle planning document used for this draft of the EIR as the "north of Highway 4 trunk bicycle route." Increasing truck traffic on this street will have an impact on bicyclists and must be mitigated.

Note: TRANSPLAN's East County Bikeway Plan was superseded in 2004 by the Contra Costa Transportation Authority's Countywide Bicycle and Pedestrian Plan, which was updated in 2009. The current document says essentially the same thing as the older document, so the use of the outdated document need not be considered a fatal flaw in the draft EIR. The City of Pittsburg has adopted each of these bike plans into its general plan.

2-2

On page 3.7-18 of the draft EIR, typical operating conditions are discussed. The conclusion is reached that since the current project

2-3

Letter 2 Continued

operates most of the time at 50% of maximum processing capacity, then the proposed project can be projected to operate in essentially the same manner. This assumption might be construed to hold true for impacts to motor vehicles, but bicyclists are vulnerable road users whose safety must be considered, not just their delay. Delay figures assume that the vehicle (or bicycle) is in fact operating in the traffic lane. This is true for motor vehicles. It is patently absurd to assume that the bicyclist will be taking his (rightful) place in the line of traffic. Space must be provided on the public street for all legal road users.

2-3
cont.

According to the draft EIR (Figure 3.7-4), approximately 87% of the vehicles accessing the project site when it is in full operation will be using Loveridge Road. At full capacity of the proposed park (Table 3.7-4), this number will increase from 1200 to 5620 trips per day. This is a significant impact; it must be mitigated.

2-4

Loveridge Road was upgraded in 2002. Bicycle lanes were added to most of the street at that time. When Highway 4 was widened, bicycle lanes were included on the Loveridge Road overpass. As part of the permitting process for the proposed project, Caltrans-standard bicycle lanes must be installed on both sides of Loveridge Road between the project and California Avenue East, the extent of the construction zone for the freeway.

2-5

The draft EIR indicates that the project's impacts during normal operating conditions will be "cumulatively considerable" on the Pittsburg-Antioch Highway. Any adjustments to, reconstruction of, or widening of the Pittsburg-Antioch Highway and its intersection with Loveridge Road must maintain access for bicyclists in both the eastbound and the westbound directions.

2-6

The eastbound Pittsburg-Antioch Highway currently has a marked shoulder all the way to the limit line with Loveridge Road. Any adjustments to or reconstruction of this intersection must maintain access for bicyclists all the way up to the limit line.

Letter 2 Continued

When Tom Torlakson was a state senator, he authored legislation that created the Great Delta Trail. This trail extends from the Bay Trail in Martinez out into the delta near Bethel Island with additional mileage to be added at a future date. Pittsburg has not updated its general plan since the enabling legislation was signed into law and does not list this trail in any of its planning documents. The solar field that is being constructed on site LA of the steel mill has been conditioned to build a segment of the Great Delta Trail along its frontage with Kirker Creek/Pittsburg-Antioch Highway. The proposed Resource Recovery Park project should be conditioned to contribute a fair share to the construction of this trail as it continues east from the Loveridge Road intersection.

2-7

Construction of the on-street mitigations must be completed before the Mt. Diablo Resource Recovery Park receives a certificate of occupancy or an operating permit.

2-8

If you have any questions, please feel free to contact me.

Thank you for your concern with the safety of all modes of transportation operating on Pittsburg's public streets.

All best wishes,

Bruce "Ole" Ohlson

Bike East Bay
Delta Pedalers Bicycle Club
Contra Costa Countywide Bicycle Advisory Committee
CCTA Bicycle & Pedestrian Advisory Committee
Caltrans District 4 Bicycle Advisory Committee
Disclosure: Pittsburg Planning Commissioner
Pittsburg Planning Commission appointee to TRANSPAN

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

Letter 2 Bruce Ohlson, Bike East Bay, etc.

Response 2-1:

The commenter expresses support for the proposed project and states that the resulting increase in traffic would impact bicyclists and must be mitigated. The commenter also describes the importance of the Pittsburg-Antioch Highway as a bicycle route.

With regard to increases in vehicle trips associated with the project, the DEIR determined that under typical operating conditions, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from level of service (LOS) B to LOS high-D during the AM peak hour and would degrade from LOS E to LOS F (an increase in the volume-to-capacity ratio (V/C) of more than 0.01) during the PM peak hour (DEIR page 3.7-20). Under maximum operating conditions, the State Route (SR) 4 Eastbound Ramps/Loveridge Road intersection would degrade to LOS high-D (V/C of 0.85 to 0.90) during the PM peak hour, thus resulting in a significant impact. Additionally, the Pittsburg-Antioch Highway/Loveridge Road intersection would degrade from LOS B to LOS F during the AM peak hour and would degrade from LOS E to LOS F (an increase in V/C of more than 0.01) during the PM peak hour. Mitigation identified for the project, which includes payment of Capital Improvement Program (CIP) fees toward the identified improvements, would improve the level of service at impacted intersections to less than significant. However, while the improvements are listed in the CIP, no funding plan is identified. Since funding for the full improvement is not certain, this impact was found to remain significant and unavoidable.

The proposed project would generate approximately 4,420 new daily trips under maximum operating conditions (see Table 3.7-4 on DEIR page 3.7-18). As shown on Figure 3.7-4, approximately 8 percent of project trips (354 trips) would travel the Pittsburg-Antioch Highway east of Loveridge Road and approximately 3 percent (133 trips) would travel west of Loveridge Road. Table 3.7-4 (Draft EIR page 3.7-18) shows there would be 96 new AM peak-hour trips and 77 PM peak-hour trips generated by the project, which would equate to approximately 6 AM peak-hour trips on the Pittsburg-Antioch Highway east of Loveridge Road and approximately 2 PM peak-hour trips west of Loveridge Road. The General Plan projects 28,900 daily vehicle trips on the Pittsburg-Antioch Highway by 2025 (City of Pittsburg 2001); the project's contribution to total trips on this road would represent 1.7 percent of the total projected traffic. Thus, project traffic would not result in a significant impact on automobile traffic on this road segment or substantially increase safety risks to cyclists on this roadway and mitigation is not warranted.

Response 2-2:

The commenter states that the DEIR references an outdated bikeway plan. The text change is shown below. The revision does not result in any new analysis or change the impact determination of the water quality impacts of the DEIR.

The text in the second to last paragraph on page 3.7-9 of the DEIR is amended as follows:

In the vicinity of the project site, there are Class II bike lanes along Loveridge Road, East Leland Road, and Buchanan Road. Additionally, there is a Class I bike path along the Delta De Anza Regional Trail, which is located south of the project site between East Leland Road and Buchanan Road. As part of the East County Bikeway Plan 2009 Contra Costa Countywide Bicycle and Pedestrian Plan, Class II bicycle facilities are planned along Auto Center Drive and Somersville Road the Pittsburg-Antioch Highway east of Loveridge Road and along California Avenue east of Loveridge Road.

Note that the route from California Avenue to Markstein Drive to N.Park Boulevard to Century Boulevard utilizes public roadways that are accessible to bicycles and can be used as an alternate to the Pittsburg-Antioch Highway route to travel between the Cities of Pittsburg and Antioch.

Response 2-3:

The commenter references the discussion of the project's anticipated typical operating conditions provided on DEIR page 3.7-18 and states that the DEIR inappropriately evaluates impacts to bicycle traffic in terms of delay caused by additional project traffic because cyclists do not operate in the travel lane. The commenter states that the DEIR should evaluate impacts to cyclists in terms of safety and that separate space within the roadway must be provided for bicycle traffic.

The referenced discussion on DEIR page 3.7-18 describes the methodology used to calculate the project's vehicle trip generation. This discussion does not relate to the analysis of the project's impacts to bicycle facilities. The thresholds of significance for impacts to the bicycle system are provided on DEIR page 3.7-15. A significant impact to the bicycle system would occur if (1) the project disrupts existing bicycle facilities; (2) the project interferes with planned bicycle facilities; or (3) the project conflicts or creates inconsistencies with adopted bicycle system plans, guidelines, policies, or standards. The proposed project would add traffic to area roads but would not disrupt existing bicycle facilities or interfere with planned bicycle facilities. The roadway improvements to which the project would contribute pursuant to mitigation measures in the DEIR (see DEIR mitigation measures MM 3.7.1 and 3.7.2) would be designed and constructed in accordance with City standards, would maintain the existing Class II bicycle lanes located along Loveridge Road, and would provide accommodations for the future planned Class II bicycle lane along the Pittsburg-Antioch Highway east of Loveridge Road. Therefore, the project would not meet any of the significance criteria described above and would not result in a significant impact on bicycle facilities. The commenter is also referred to Response 2-1.

Response 2-4:

The commenter describes the anticipated distribution of project vehicle trips, which would occur primarily on Loveridge Road. The commenter states that the addition of project traffic on this roadway would be a significant impact that must be mitigated.

Impacts to the roadway system from the addition of project traffic are evaluated in Impacts 3.7.1 and 3.7.2 (see DEIR pages 3.7-20 through -35), which disclose that the addition of project traffic would result in unacceptable levels of service at multiple study intersections. As discussed in Response 2-1, mitigation identified for the project, which includes payment of CIP fees toward improvements at impacted intersections, would improve level of service at impacted intersections to less than significant. However, while the improvements are listed in the CIP, no funding plan is identified. Therefore, this impact was found to remain significant and unavoidable.

Response 2-5:

The commenter describes recent additions to the bicycle system in the project area and states that as a part of the permitting process for the proposed project, additional bicycle lanes must be installed on both sides of Loveridge Road between the project site and California Avenue East.

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

The General Plan identifies existing Class II bicycle lanes along both northbound and southbound Loveridge Road between the project site and California Avenue East. The 2009 Contra Costa Countywide Bicycle and Pedestrian Plan does not plan for any additional improvements to these existing facilities. The EIR cannot impose mitigation requiring improvements to the bicycle system, as there is no nexus between the project and the need for such improvements.

Response 2-6:

The commenter refers to DEIR Impact 3.7.2 (see pages 3.7-30 through -33), which concludes that under cumulative conditions, impacts to the Pittsburg-Antioch Highway would be cumulatively considerable. The commenter states that any improvements made to this roadway, in particular at its intersection with Loveridge Road, as part of the project must maintain access for bicyclists, both eastbound and westbound.

Bicycle access through this intersection would be maintained by either Class 2 bicycle facilities or by a shared through lane with motor vehicles. All roadway improvements resulting from project implementation would be designed and constructed in accordance with City standards and would maintain existing bicycle facilities and provide accommodations for future planned bicycle facilities. See also Response 2-3.

Response 2-7:

The commenter describes the establishment and location of the Great Delta Trail. The commenter notes that the City's General Plan was adopted prior to the establishment of this trail and thus does not identify or plan for the development of the trail. The commenter states that a solar project (Columbia Solar) in the vicinity of the project site was conditioned to construct a portion of the trail and states that the proposed project should similarly be conditioned to contribute to its construction.

The comment does not address the adequacy of the DEIR. The comment is noted for the decision-makers. It should be noted that while the applicant for the Columbia Solar project voluntarily agreed to support the completion of the regional trail within the city to the extent feasible, construction of the trail or payment of fees was not a condition of approval for the project. There is no nexus to recognize this as mitigation to a project impact. See also Response 2-5 regarding a nexus to project impacts.

Response 2-8:

The commenter states that the on-street mitigations must be completed prior to approval of a certificate of occupancy or operating permit for the proposed project.

It is not clear as to which on-street mitigations the commenter refers. Regarding roadway improvements required by DEIR mitigation measures MM 3.7.1a, MM 3.7.1b, and MM 3.7.2, these are planned and programmed improvements to which the project would be required to contribute its fair share of the cost to complete. The project applicant is not required to construct the improvements. The timing of construction of these improvements is not yet known.

Letter 3

January 29, 2015

TO: Dana Hoggatt Ayers, Planning Manager, City of Pittsburg, CA

FROM: Contra Costa Industrial Park, Loveridge Road, Pittsburg, CA
(mailing address: C/O HEG, 1855 Olympic Blvd. Ste.300, Walnut Creek, CA 94596)

RE: Comments to Mt. Diablo Resource Recovery Park DRAFT EIR

This letter comes to you from CCIP, LLC and Contra Costa Industrial Park II, L.P., are the owners of parcels 073-230-015-7, 073-230-032-2, and 073-230-0330 – collectively known as Contra Costa Industrial Park (CCIP) on Loveridge Road in Pittsburg.

This letter concerns the Draft EIR for the Mt. Diablo Resource Recovery Park as referenced State Clearing House No. 2011052053 dated December 16, 2014.

3-1

CCIP is located directly east of the property described in the EIR across Loveridge Road. The owners of CCIP have very deep concerns regarding the future degradation of air quality and the negative health impacts to sensitive human receptors which will result with the proposed Mount Diablo Resource Recovery Park.

3-2

The existing Mt. Diablo Recycling Center (MDRF) and the Recycling Center and Transfer Station (RCTS) currently create a large volume of airborne particulate matter as a result of their operations. The MDRF and RCTS are currently grinding up extensive quantities of organic waste materials (wood, green waste, garden cuttings etc.) on their existing site. Due to the strong winds that blow from west to east, a large amount of the material that MDRF and RCTS grinds and processes becomes airborne and falls on our property at CCIP across the street.

3-3

The amount of particulate material that the current operations of MDRF and RCTS generates that falls on CCIP is currently of such a magnitude that the owners of MDRF and RCTS have an employee whose job it is to continually sweep up this particulate and debris from CCIP. If MDRF and RCTS were not to currently take care to clean up their airborne materials that falls onto CCIP, we would soon be overwhelmed by the falling particulate from their operations.

Many of our tenants experience adverse health effects occasioned by the large quantity of the particulate matter that falls on our site and migrates indoors. They report severe physical irritants to their skin and respiratory systems. The particulate dust from MDRF and RCTS also coats the cars, trucks and materials of the tenants of CCIP. The large manufacturing tenants at CCIP include AnsaldoBreda, HASA, Concord Iron, RAD and others. Our tenants have asked us to solve this particulate problem. Many tenants have relocated from CCIP as a result of the nuisance of the impacts of the MDRF and RCTS particulate dust. Some of the tenant's employees have left the site due to the severity of their irritations. The Auto Auction tenant specifically left due to the intractable problem of dust continuing to cover their inventory. We been in contact with MDRF and RCTS over the years that this problem has been happening and

3-4

Letter 3 Continued

they have told us that they are working to solve their particulate problem. To date it has never been solved to our tenants' satisfaction.

**3-4
cont.**

In light of the considerable proposed expansion of the activities of MDRF and RCTS, the owners of CCIP are requesting that the City of Pittsburg require that any expansion plans proposed by MDRF and RCTS involve the complete mitigation of all dust, particulate and debris that may become airborne and impact CCIP or our other neighbors.

In addition, we believe it would be prudent to require an additional ambient air quality monitoring station to be placed to the immediate east of the proposed MDRF and RCTS expansion site as a condition of their expansion. We are willing to offer a location on our site for such an air monitoring station. The closest air monitoring station, which the EIR describes, is located at 2975 Treat Blvd. in Concord CA. That monitoring station is approximately 13 miles to the west of the subject development on the other side of the ridge of Willow Pass Road and as a result provides very little meaningful data as it applies to this site. Any useful data would necessarily need to be collected from a monitoring site downwind of the MDRF and RCTS expansion on Loveridge Road so that it could capture accurate samples of what the actual baseline air quality is at this east county location. In addition, such a monitoring site would be required to identify what future impacts that the proposed Mount Diablo Resource Recovery Park might have.

3-5

State CEQA guidelines and the BAAQMD consider that the particulate impacts from MDRF and RCTS are significant if the expose sensitive human receptors to substantial pollutant concentrations. Even prior to the expansion of MDRF and RCTS activities, there are current existing negative impacts on humans at CCIP. The materials that are airborne may include lead dust from household wood that has been delivered to MDRF and RCTS for recovery. As there are no air monitoring stations in east county or proximate to this site, we have no meaningful way to test what the future additional air quality impacts may be in order to protect the human receptors.

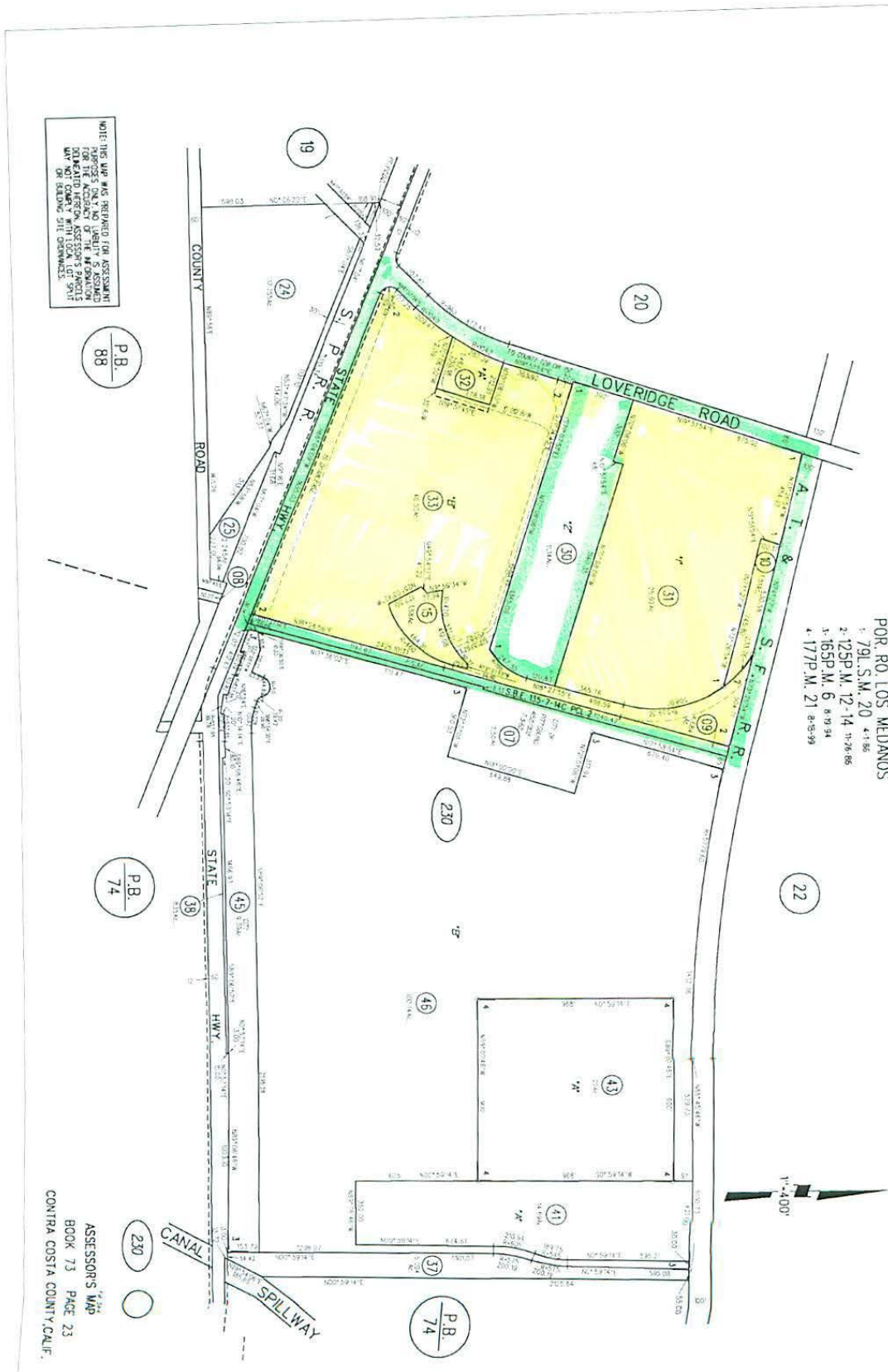
3-6

We look forward to the City of Pittsburg monitoring the operations of MDRF and RCTS so that they are in compliance with all applicable environmental statutes, especially in regard to air quality. If the operations of MDRF and RCTS are intensified with the creation of the proposed Mount Diablo Resource Recovery Park we expect that the City of Pittsburg should require that there should be absolutely no degradation of air quality on Loveridge Road. The proposed operations of the Mount Diablo Resource Recovery Park should be prohibited from any degradation of current or future air quality. Specifically they should be required to confine all their particulate dust, debris and emissions to their site. In addition, in order that the airborne environmental impacts of Mount Diablo Resource Recovery Park be mitigated it is necessary to require baseline testing on Loveridge Road and ongoing air quality sampling in the area to insure that there is no actual degradation of air quality as a result of their operations.

3-7

Thank you for your attention to this matter.

Sincerely, Michael Ziegler, Managing Agent for Contra Costa Industrial Park



2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

Letter 3 Michael Ziegler, Managing Agent, Contra Costa Industrial Park

Response 3-1:

The commenter describes the location of the Contra Costa Industrial Park (CCIP) and its proximity to the project site.

The comment is noted.

Response 3-2:

The commenter expresses concerns regarding the possible degradation of air quality and potential health impacts that could result from implementation of the proposed project.

The commenter does not identify specific health impacts of concern. With regard to localized emissions, DEIR Impacts 3.1.3 and 3.1.4 evaluate the project's potential to expose sensitive receptors to mobile-source carbon monoxide and toxic air contaminants, respectively. The DEIR concluded that project operation would not significantly increase health risks for sensitive receptors in the project area and that these impacts would be less than significant.

Regarding regional air emissions, DEIR Impact 3.1.1 acknowledges that project construction would result in the emission of criteria air pollutants and precursors and that this impact would remain significant and unavoidable with the implementation of all available, feasible mitigation (see DEIR page 3.1-26). DEIR Impact 3.1.2 similarly acknowledges that project operation would result in the emission of criteria air pollutants and precursors but concludes that implementation of mitigation measures MM 3.1.2a through MM 3.1.2d would reduce this impact to less than significant.

Response 3-3:

The commenter describes how the current operations of the existing facility create large volumes of airborne particulate matter that accumulate on the CCIP property requiring removal by MDRRP staff.

The commenter describes effects of the existing facility's current operations. While the DEIR considers the existing conditions in the project area for the analysis in the DEIR, the existing conditions are not a result of the project. It should be noted that particulate matter differs from dust. Particulate matter is composed of inhalable particles with a diameter of 10 microns or less and is regulated by the USEPA due to the potential to cause adverse health effects. Dust and sand are made up of particles larger than 10 microns, are not inhalable, and are not regulated by USEPA (USEPA 2013).

There is a misting system with deodorizer currently in place in the facility. In addition, the facility has purchased a truck with a brush and water system that is driven regularly in areas around the facility to suppress dust and other foreign materials in the cemented areas outside and inside the facility. This vehicle is made specifically for dust control in areas of the commercial/ public tipping areas. In addition to the misting system currently in place, the facility has purchased a moveable misting machine that can be placed in targeted areas while operating, for example the chipping and grinding areas to suppress dust from those operations. See also Response 3-4.

Response 3-4:

The commenter describes adverse health effects and nuisances experienced by CCIP tenants and attributes them to dust generated at the existing MDRRP facility. The commenter states that multiple tenants and/or their employees have left as a result of these conditions. The commenter states that CCIP staff contacted MDRRP staff to resolve these issues but they have not been satisfactorily resolved and requests that the City require the project applicant to mitigate for all dust and debris blown from the site as part of the proposed project.

The commenter describes effects of the existing facility's current operations. While the DEIR considers the existing conditions in the project area for the analysis in the DEIR, the existing conditions are not a result of the project. With regard to the potential for the project to exacerbate these existing conditions, the commenter is referred to DEIR Appendix C, which contains the project's proposed dust minimization plan. This plan includes several indoor and outdoor dust control measures in addition to those currently implemented at the existing facility. Current dust control measures are limited to the use of two street sweepers on paved surfaces and water trucks on unpaved surfaces as well as covering truck loads and limiting vehicle speed on site to 15 mile per hour (mph). These measures would continue to be implemented. Newly proposed measures include the following:

- Pave access roads and equipment storage areas to reduce dust generated by vehicles.
- Install misting systems in the tipping and transfer areas, over the food waste process area, and on grinding equipment to reduce dust generated as material is moved and processed.
- Add a second water truck to reduce dust generated in unpaved areas.
- Facility staff to monitor wind levels and inspect for dust migration and implement additional measures as necessary (use of water truck or suspension of specific activities) to reduce dust generation.
- Provide training for facility staff and truck drivers and implement an awareness and enforcement program for facility users.
- Suspend transferring and processing operations for construction/demolition and organic materials during periods of high winds when other methods are unsuccessful at preventing dust migration.
- Investigate and respond to all concerns regarding dust.

Implementation of these proposed measures would address existing dust generation as well as the potential to increase dust generation as a result of facility expansion.

With respect to health effects from dust generated at the facility, the facility does not now nor does it propose in the future to handle or process hazardous materials. While small amounts of hazardous materials may be present in the waste stream received at the facility, those materials would be sorted and disposed of at a proper facility, depending on the particular substance. The potential for the proposed project to expose sensitive receptors to substantial concentrations of toxic air contaminants, specifically diesel particulates from diesel-powered equipment, is evaluated in DEIR Impact 3.1.4 (see DEIR pages 3.1-33 and -34). The DEIR determined that with implementation of mitigation measure MM 3.1.2a, the project would not exceed the Bay Area Air Quality Management District's (BAAQMD) threshold of significance for

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

an increase in cancer risk resulting from exposure to toxic air contaminants in either the short or long term.

Response 3-5:

The commenter notes that the closest existing air quality monitoring station to the project site is located in Concord approximately 13 miles from the project site and requests that the City require installation of a similar air quality monitoring station on or immediately adjacent to the project site in order to obtain more accurate baseline air quality data in the project area and to record any changes in air quality as a result of the proposed project.

The air quality monitoring station located in Concord is operated by the California Air Resources Board (CARB). CARB monitoring stations monitor regional ambient levels of air pollutants and do not monitor individual facilities or dust levels. Furthermore, the DEIR determined that, with mitigation, project operation would not result in the long-term emission of criteria air pollutants above applicable BAAQMD thresholds and further air quality monitoring is not warranted.

Response 3-6:

The commenter references CEQA Guidelines and BAAQMD threshold criteria, which state that a project would have a significant impact if it would expose sensitive receptors to substantial pollutant concentrations. The commenter states that the current operation negatively affects people and that the proposed expansion would exacerbate these effects. The commenter suggests that dust blown from the project site could contain lead from household wood and recommends installation of an air quality monitoring station in order to identify the effects of the proposed project on air quality.

The commenter is referred to Response 3-2 regarding the project's potential air quality impacts evaluated in the DEIR. As discussed in Response 3-3, dust is considered a nuisance and is not a regulated air pollutant. Regarding lead from household wood waste, the removal of lead paint during building demolition and renovation is regulated at the federal and state levels to ensure worker safety. Therefore, construction and demolition materials accepted at the facility are not anticipated to contain lead-based paint. Furthermore, as discussed on DEIR page 2.0-8, construction and demolition materials entering the facility would be sorted and transported off-site for disposal or further processing. No grinding of these materials would occur on-site or contribute to dust migrating off-site.

Response 3-7:

The commenter asks that the City monitor the MDRRP facility and project implementation to ensure compliance with all applicable environmental statutes. The commenter expects the City to require the project to result in no air quality degradation and to confine all dust, debris, and emissions to the project site. The commenter requests air quality monitoring on the site to establish baseline air pollutant levels and identify any impacts to air quality resulting from the project.

The City would monitor implementation of air quality mitigation measure MM 3.1.1 (see DEIR page 3.1-25) and respond to dust complaints throughout project construction. Once operational, the City would continue to respond to dust complaints including through facility and equipment inspections to ensure proper implementation of proposed dust control measures.

The commenter is referred to Responses 3-2, 3-5, and 3-4.

Letter 4

Patrick Hindmarsh

From: Joan Lamphier <egret4@gmail.com>
Sent: Tuesday, February 17, 2015 10:01 AM
To: Patrick Hindmarsh
Subject: Fwd: FW: Comments to Mt Diablo Revoery Park Draft EIR
Attachments: 4.26.13 letter with attachments.pdf

FYI

----- Forwarded message -----

From: Dana Hoggatt <DHoggatt@ci.pittsburg.ca.us>
Date: Fri, Jan 30, 2015 at 1:16 PM
Subject: FW: Comments to Mt Diablo Revoery Park Draft EIR
To: "Joan Lamphier (egret4@gmail.com)" <egret4@gmail.com>

From: Kevin Nesse [mailto:KevinN@hallequitiesgroup.com]
Sent: Friday, January 30, 2015 11:06 AM
To: Dana Hoggatt
Subject: Comments to Mt Diablo Revoery Park Draft EIR

Dana,

Hall Equities Group manages CCIP on behalf of the Ownership.

I have attached a letter with pictures attached from April 2013 sent to Garaventa Enterprises regarding the concerns of the site and the effects on our property.

| 4-1

Mr. Ziegler's letter sums up the main issues we have with the site however I would like to stress the issues the Park causes to CCIP. Besides the dust and debris, he have health concerns including respiratory issues and possible heavy metal contamination. CCIP has lost revenue as tenants have either left or decided the site is hazardous do the Park across the street.

| 4-2

| 4-3

The air quality needs to be adequately tested with a monitoring station at the Park, or on CCIP property.

| 4-4

Letter 4 Continued

Thank you,

Kevin

Kevin Nesse

Senior Portfolio Manager – Industrial Properties

Hall Equities Group - CA-DRE #00241430

1855 Olympic Blvd., Suite 300

Walnut Creek, CA 94596

Office: [925-933-4000](tel:925-933-4000), ext. 239

Fax: [925-933-4150](tel:925-933-4150)

KevinN@hallequitiesgroup.com

Confidentiality Note: This email and any attachments may contain confidential and/or privileged information. Except for use by the intended recipients, or as expressly authorized by the sender, any person who receives this information is prohibited from disclosing, copying, distributing and/or using it. If you have received this email in error, please immediately delete it and all copies, and promptly notify the sender at the above telephone number or electronic mail address. Delivery of this email is not intended to waive any applicable privileges.

Letter 4 Continued



April 26, 2013

Mr. Sal Coniglio
Garaventa Enterprises
1300 Loveridge Road
Pittsburg CA 94565

Re: Garaventa Transfer Station – 1300 Loveridge Road, Pittsburg

Dear Sal,

I manage the Contra Costa Industrial Park property located at 1501 Loveridge Road in Pittsburg which is directly across the street from the transfer station. I wanted to follow up in reference to an email and phone conversation we had on April 8, 2013.

As we discussed at that time we have great concern in regards to the amount of dust and garbage that blows over on to our property from the transfer station on a regular basis. Our tenants continuously have to deal with paper, plastics, and dust blowing in to their space, all over the parking lot, and onto their vehicles. They should not have to operate their businesses under these conditions.

I am including some of the same pictures I sent earlier that were taken at the property on several different occasions. I am aware that if called, you guys will send one of your sweepers or some employees over to clean some of the debris up. While I believe I mention our appreciation of this in our conversation, I also stated this is not an acceptable solution on an ongoing basis. Something must be done to contain and prevent this from happening all together.

As I am sure you are aware, these facilities are very near the Delta which results in constant winds. I know most similar facilities I see have netting or something similar up high to better contain the dust, garbage, etc. from blowing all over the place. I had asked earlier that you consider putting up something as described or propose something similar as a preventative measure. As of today I have not received any further response from you. I have no other option but to insist this be addressed immediately.

I hope you will willingly take the steps to address our concerns right away as it is our desire to be a "good neighbor". However, our first priority is to our tenants and if necessary we will seek other options to ensure this happens.

Please feel free to give me a call should you have any questions or want to further discuss. I can be reached at (925)933-4000, ext. 242.

Sincerely,

Lisa Drummond
Industrial Portfolio Manager

enclosures

4-5

1855 Olympic Boulevard • Suite 250 • Walnut Creek • California • 94596 • Tel. 925-933-4000 • Fax 925-933-4150
www.hallequitiesgroup.com



Letter 4 Continued



Letter 4 Continued



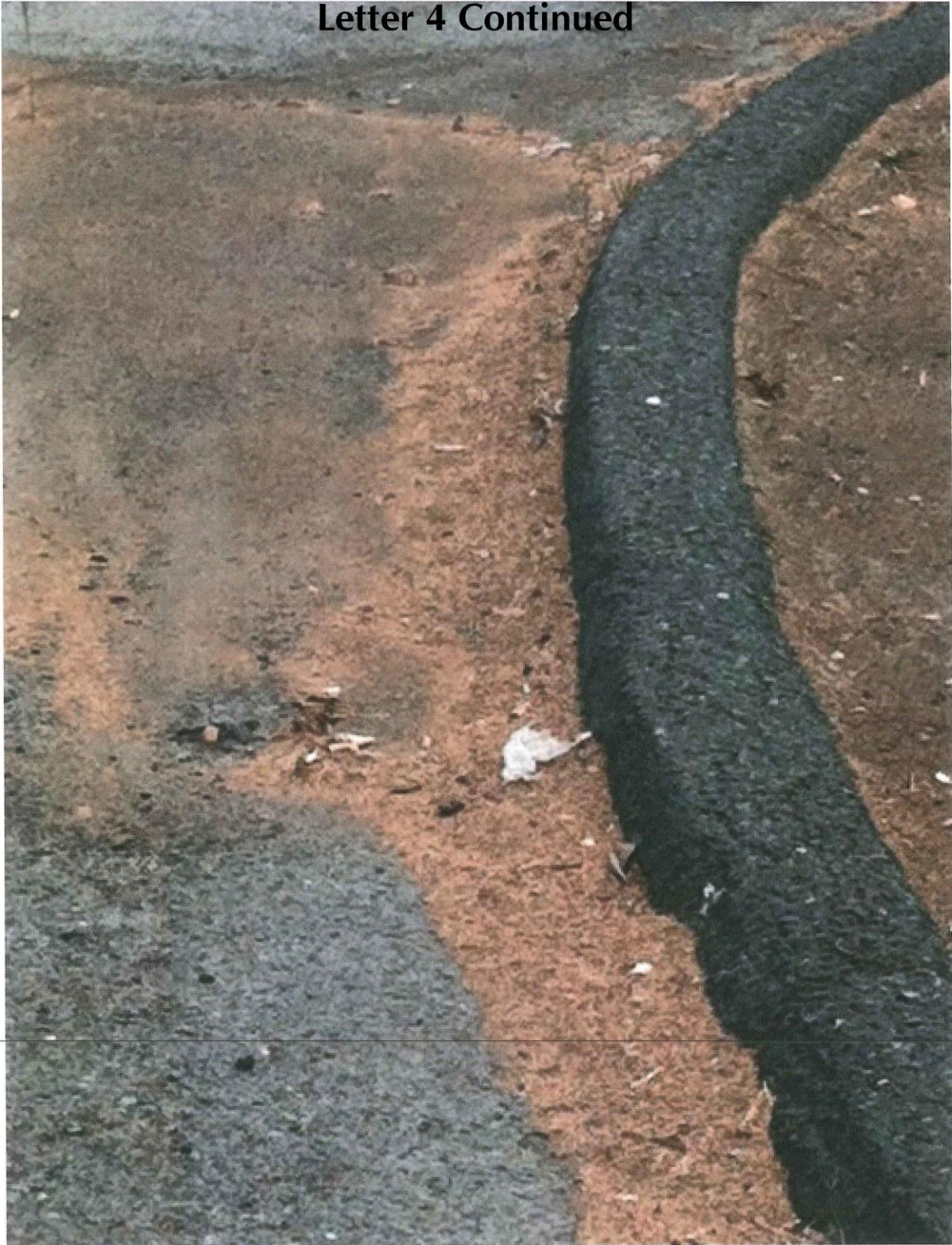
Letter 4 Continued



Letter 4 Continued



Letter 4 Continued



Letter 4 Continued



Letter 4 Continued





**Letter 4 Kevin Nesse, Senior Portfolio Manager – Industrial Properties,
Hall Equities Group**

Response 4-1:

The commenter submitted a letter sent to the project applicant in April 2013 by another representative of Hall Equities Group regarding concerns of the existing facility and effects on the Contra Costa Industrial Park (CCIP).

The comment references the conditions at the facility under existing conditions. See Response 2-5.

Response 4-2:

The commenter references correspondence from Michael Ziegler from CCIP (Letter 4) and reiterates that the existing facility creates dust and debris and causes respiratory health concerns and possible heavy metal contamination at the CCIP located near the project site.

The commenter describes possible effects of the existing facility's current operations. While the DEIR considers the existing conditions in the project area for the analysis in the DEIR, the existing conditions are not a result of the project.

The commenter is referred to Response 3-4 and DEIR page 2.0-39. The project proposes implementation of a dust minimization plan (see DEIR Appendix C), which includes specific measures to control dust during project construction and operation. The plan includes measures that are currently implemented at the existing facility such as the use of street sweepers and a water truck in addition to newly proposed measures such as the use of misting systems, the addition of a second water truck, paving of access roads, wind-level monitoring, and worker education/awareness training. In addition, mitigation measure MM 3.1.1 (see DEIR pages 3.1-26 and -27) requires the project to implement BAAQMD-recommended best management practices for the control of fugitive dust during project construction including the posting of contact information for dust complaints. Compliance with these existing regulations would minimize dust generation during project construction and operation and provide an opportunity for neighboring property owners to address dust complaints. See Response 3-4 regarding health effects of facility operations.

Response 4-3:

The commenter states that operation of the existing Mt. Diablo Resource Recovery Park (MDRRP) facility has resulted in the loss of tenants and associated revenue.

See Response 4-2. Per CEQA Guidelines Section 15131, the DEIR does not address the economic effects of the proposed project. The comment is noted for the decision-makers.

Response 4-4:

The commenter states that air quality testing should be performed on or in the vicinity of the project site.

See Response 3-5.

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

Response 4-5:

The commenter includes a letter dated April 26, 2013, which precedes the Draft EIR. The letter describes existing conditions on the neighboring property and ongoing complaints by CCIP tenants regarding dust and debris being blown from the project site onto CCIP property. The commenter requests that Garaventa Enterprises install a system of nets to contain debris on its property.

The commenter is referred to Response 2-2 regarding dust control. Generation of debris is addressed as a public nuisance under Pittsburgh Municipal Code Chapter 1.20 (Public Nuisances). The comment is noted for the decision-makers.

Letter 5



1111 Broadway, 24th Floor
Oakland, CA 94607-4036

T: 510-834-6600
F: 510-808-4729

www.wendel.com
pcurtin@wendel.com

January 30, 2015

VIA EMAIL DHOGGATT@CLPITTSBURG.CA.US

Dana Hoggatt Ayers
Planning Manager
Development Services Department, Planning Division
65 Civic Avenue
Pittsburg, CA 94565

Re: Mount Diablo Resource Recovery Park Draft EIR

Dear Ms. Ayers:

We represent the applicant of the proposed Mt. Diablo Resource Recovery Park project. This letter serves as our comments on the Draft Environmental Impact Report (DEIR) prepared for the proposed project.

The two comments below are to page 3.4-15 re Water Quality. Please note that the comments do not change the conclusion that the proposed project will have a less than significant impact on water quality.

1. At the top of the page, first partial paragraph h, last sentence.

In the last sentence, please strike "... and would therefore be subject to the existing industrial Discharge Permit on the site". Drainage from the 15-acre area will drain into the existing pond on the USS POSCO site and thus, will not reach any waters of the United States. Consequently, the drainage is not subject to a discharge permit.

2. Paragraph under discussion of Impact 3.4.5, second to the last sentence.

Please revise the sentence to state that the stormwater discharge from the 15-acre portion of the proposed project site is *not* regulated under the NPDES general permit. A suggestion is to substitute the word "regulated" to "un-regulated" in this sentence.

These comments are consistent with the Notice of Termination issued by the San Francisco Bay Regional Water Quality Control Board (March 28, 2014) which is attached.

5-1

017779.0002\3808834.1

Letter 5 Continued

Dana Hoggatt Ayers
January 30, 2015
Page 2

WENDEL, ROSEN, BLACK & DEAN LLP

Thank you for this opportunity to comment on the DEIR.

Very truly yours,

WENDEL, ROSEN, BLACK & DEAN LLP



Patricia E. Curtin

Enclosure
PEC:slk

cc: Client

017779.0002\3808834.1

Letter 5 Patricia Curtain, Wendel, Rosen, Black and Dean LLP

Response 5-1:

The commenter requests text revisions on DEIR page 3.4-15. The text changes are shown below. These revisions do not result in any new analysis or change the impact determination of the water quality impacts of the DEIR.

The text in the first partial paragraph on page 3.4-15 of the DEIR is amended as follows:

With regard to drainage, existing stormwater from the 15-acre area flows north and east to west into an existing ditch near the northern property line that conveys drainage to a large depression on USS POSCO land. Drainage from the 15-acre expansion area would continue in accordance with existing conditions ~~and would therefore be subject to the existing Industrial Discharge Permit on the site.~~

The text in the last sentence in the last paragraph on page 3.4-15 of the DEIR is amended as follows:

Stormwater discharges from the site would continue to be unregulated under the NPDES general permit (No. CAS000001) for discharges of stormwater associated with industrial activities. Therefore, this impact would be **less than significant**.

Letter 6

Kristin Pollot

From: Dana Hoggatt
Sent: Sunday, February 01, 2015 1:07 PM
To: Kristin Pollot
Subject: FW: Comment to Mt. Diablo Resource Recovery Park Draft EIR

Please save the email below to the project file in MUFFS, in the comments on 2014 DEIR folder. I am unable to get access to the shared drive at this time. I have already emailed this to the consultants. Thanks.

From: Brendan Beasley [<mailto:BrendanBeasley@hanergyamerica.com>]
Sent: Friday, January 30, 2015 5:04 PM
To: Dana Hoggatt
Cc: Tony Forte
Subject: Comment to Mt. Diablo Resource Recovery Park Draft EIR

Attn: Dana Hoggatt

On behalf of Columbia Solar Energy, LLC ("Columbia"), lessee of the 105-acre parcel that is adjacent to western edge of the proposed CCWSI expansion project (Mt. Diablo Resource Recovery Park), I submit this comment related the draft EIR dated December 2014. Columbia was not aware of the Draft EIR until January 28, 2015, however there has been previous correspondence between Columbia and CCWSI about both the Columbia solar farm project and the proposed Mt. Diablo Resource Recovery Park. Given the short period of time with the Draft EIR, Columbia has not confirmed whether the proposed runoff, referenced at Section 3.4 (page 3.4-14) of the Draft EIR into the ditch on the USS-POSSCO property to which Columbia is lessee can be accommodated by current solar project civil design or whether the proposed increased runoff conforms to prior written agreement between Columbia and CCWSI. Thus, Columbia reserves its right to object to the proposed runoff onto its project site until it has had the opportunity to review the Draft EIR with its hydrology advisors.

6-1

Regards,

Brendan Beasley
Project Counsel



Hanergy USA Solar Solution Ltd.
1350 Bayshore Highway, Suite 825
Burlingame, California 94010 USA
e brendanbeasley@hanergyamerica.com
w <http://www.hanergyamerica.com>
c 773.343.1428 | d 650.288.3722 x703 | f 650.288.3719

Letter 6 Brendan Beasley, Project Counsel, Hanergy USA Solar Solution Ltd.

Response 6-1:

The commenter states that it is not yet known if increased stormwater runoff from the project entering the existing drainage ditch on the USS-POSCO property west of the project site can be accommodated or if it would conform to a prior written agreement between Columbia and the project applicant.

Project impacts to drainage systems are addressed in Impact 3.4.3 (see DEIR pages 3.4-13 and -14). The analysis was based on a drainage assessment prepared for the proposed project (CBG 2013), which is available for review at the City of Pittsburg Community Development Department, Planning Division. As described in the DEIR, the project proposes to improve the drainage ditch and construct a detention facility to address the increased peak flows from the expanded site. The drainage assessment determined that these proposed facilities would have adequate capacity to convey peak flows, and the impact was determined to be less than significant.



Letter 7

February 13, 2015

VIA ELECTRONIC MAIL: KPollat@ci.pittsburg.ca.us

Ms. Kristin Pollat
City of Pittsburg
Planning Department
65 Civic Avenue
Pittsburg, CA 94565

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR MT. DIABLO
RESOURCE RECOVERY PROJECT, APN 073-200-014 AND 073-200-015

Dear Ms. Pollat:

Thank you for the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the Mount Diablo Resource Recovery Project. We are requesting several clarifications and corrections to the information in the document as it relates to Delta Diablo (District) facilities and the basis for which the District plans its facilities.

1. Name change: In January 2014, the District changed its name to Delta Diablo. Please note our new name. 7-1
2. Summary of Comments, Page 1.0-4, District comment, bullet 3 Incorrectly summarizes the request in the District's 2011 comment letter. The request, at the time of the initial study in 2011, was that the DEIR analyze the project's potential contribution to projected wastewater flow increases as described in the *City of Pittsburg Collection System Master Plan*. The District utilizes the City planning documents in the development of its master plans, which are not formally adopted but used for planning purposes. Subsequent to the 2011 letter, the proposed connection point to the sewerage system was changed to the location described in the DEIR. The requested analysis is no longer necessary for this study as it appears there is no net increase of wastewater flows from the prior parcel use. 7-2
3. Wastewater Service
 - a. Section 3.6.3.1 Wastewater Service: In 2011, at least a portion of the site was still discharging to the District's Stoneman Force Main as described in our letter of June 2011. Subsequent to that time, connection to the existing private 75 gallons per minute (gpm) pump station and private force main in Loveridge Road has been installed to serve the larger facility as described in the DEIR. Should the pumps trigger the need to increase the pump size either now or in the future, the project proponents are required to coordinate with the District to ensure compliance with District regulations. 7-3
 - b. Section 3.6.1 Wastewater Treatment Plant: Some of the information from the District's 2011 comment letter is outdated or incorrectly cited. Delta 7-4

2500 Pittsburg-Antioch Hwy • Antioch, CA 94509 • p 925.756.1900 • f 925.756.1961 • www.deltadiablo.org

TRANSFORMING WASTEWATER TO RESOURCES

Letter 7 Continued

Ms. Kristin Pollat

February 13, 2015

DRAFT ENVIRONMENTAL IMPACT REPORT FOR MT. DIABLO RESOURCE
RECOVERY PROJECT, APN 073-200-014 AND 073-200-015

Page 2

Diablo's Wastewater Treatment Plant NPDES Permit⁽¹⁾ currently allows an average dry weather flow of **19.5** million gallons per day (mgd). An Environmental Impact Report (EIR) for the expansion of the Wastewater Treatment Plant capacity to an average dry weather flow of 22.7 mgd was completed in April 1988. During the most recent reporting period, 2014, the average dry weather flow influent to the treatment plant was 12.9 mgd.

7-4
cont.

- c. Section 3.6.3.4 and Section 4.6.1: Cumulative Demand for Wastewater Services: While we agree with the DEIR conclusion that the project will have less than a significant cumulative impact, the basis on which that conclusion is made is flawed. The DEIR is incorrect in its statement that the District has adopted planning documents that are *at a more intense scale than is proposed by the City General Plan*. The adopted City General Plan and the City Collection System Master Plan are the documents used by the District in developing the District master plans, which are not formally adopted planning documents. A simplified explanation for the non-significance of cumulative impact for the proposed project is that the project utilizes existing wastewater capacity from a permitted connection from an existing 75 gpm private pump station. There is no net increase in wastewater flows from the proposed project development of the combined properties.

7-5

⁽¹⁾ NPDES No. CA0038547, Order No. R2-2014-0030, adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on August 13, 2014.

4. Recycled Water: As noted in the DEIR, the District's recycled water system has available capacity to serve the project site. The project applicant is working with the District to extend recycled water service to the site.

7-6

If you have any questions regarding these comments, please contact me at (925) 756-1939.

Sincerely,



Patricia Chapman
Acting Principal Engineer

PEC:clk

cc: Phil Govea, Engineering Services Director, Delta Diablo
Amanda Wong Roa, Environmental Compliance Engineer, Delta Diablo
District File DEV.02-DEVDOC-675
Chron File

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

Letter 7 Patricia Chapman, Acting Principal Engineer, Delta Diablo

Response 7-1:

The commenter states that the Delta Diablo Sanitation District has changed its name to Delta Diablo. The comment is noted; however, the change does not affect the adequacy of the analysis in the DEIR.

Response 7-2:

The commenter states that the DEIR incorrectly summarizes a portion of the NOP comment letter submitted by Delta Diablo for the proposed project. The commenter notes that the original comment is now moot, as the project would result in no net increase of wastewater flows. The text in the sixth bullet in the table on DEIR page 1.0-4 is amended as follows:

- The EIR should analyze the project's potential contribution to projected wastewater flow increases as described in the ~~District Conveyance System Master Plan~~City of Pittsburg Collection System Master Plan to determine potential impacts to existing and planned district facilities.

The revision does not result in the need for new analysis or change the impact determination of the water quality impacts of the DEIR.

Response 7-3:

The commenter states that, in 2011, a portion of the existing facility's wastewater was discharged to Delta Diablo's Stoneman Force Main. Subsequently, a private pump station and force main were installed to serve the entire facility. The commenter states that should the pump size need to be increased at any time, the project proponent must coordinate with Delta Diablo to ensure compliance with district regulations.

This is not a comment on the adequacy of the DEIR. The comment is noted.

Response 7-4:

The commenter states that some of the information provided in Delta Diablo's 2011 NOP comment letter and used to support preparation of the DEIR is now outdated or was incorrectly cited. The commenter provides updated information on the actual, permitted, and planned capacity of the wastewater treatment plant. The revision does not result in any new analysis or change the impact determination of the wastewater impacts of the DEIR.

The text in the first two paragraphs on page 3.6-15 of the DEIR is amended as follows:

The DDSD treatment plant is located north of State Route (SR) 4, just east of the City of Pittsburg city limits. Existing DDSD wastewater treatment facilities have a capacity of ~~16.5~~19.5 mgd. In ~~2010~~2014, the DDSD treated an average of ~~13.4~~12.9 mgd. The treated effluent is discharged to New York Slough and the Sacramento-San Joaquin Delta. The treated effluent is regulated under the National Pollutant Discharge Elimination System (NPDES) permit system, which is administered under the auspices of the USEPA.

An EIR for the expansion of the wastewater treatment plant capacity to an average dry weather flow of 22.7 mgd was completed in April 1988. In addition, the DDSD has adopted a District Master Plan that includes a phased treatment plant expansion to ultimately provide 24 mgd capacity (average dry weather flow) in order to accommodate anticipated growth in the City of Pittsburg, City of Antioch, and unincorporated Bay Point (City of Pittsburg 2001). The anticipated growth included in the District Master Plan is at a more intense development scale than is proposed by the City of Pittsburg General Plan (2001; see Section 4.1, Land Use and Planning).

Response 7-5:

The commenter agrees with the less than cumulatively considerable conclusion of DEIR Impact 3.6.3.4 (Cumulative Demand for Wastewater Services). However, the commenter states that the analysis supporting this conclusion is flawed because Delta Diablo's planning documents do not assume a more intense scale of growth than the City's General Plan, as stated in the DEIR. In fact, Delta Diablo's planning documents are based on the growth assumptions in the City's General Plan. The commenter states that the project's contribution to this cumulative impact is less than cumulatively considerable because it would result in no net increase in wastewater flows.

The text in the last paragraph on 3.6-18 of the DEIR is amended as follows:

Future growth in the City of Pittsburg would increase demand for wastewater treatment. Existing DDSD wastewater treatment facilities have a capacity of 16.519.5 mgd. In 20102014, the DDSD treated an average of 13.412.9 mgd. The DDSD has adopted a District Master Plan that includes a phased treatment plant expansion to ultimately provide 24 mgd capacity (average dry weather flow) in order to accommodate anticipated growth in the City of Pittsburg, City of Antioch, and unincorporated Bay Point (City of Pittsburg 2001). The anticipated growth included in the District Master Plan is ~~at a more intense development scale than is proposed by the City of Pittsburg General Plan.~~ based on the growth assumptions provided in the general plans for those municipalities served by the District. Consequently, the cumulative development in the city would be able to be accommodated by the expanded treatment plant. This would be a less than significant cumulative impact. Furthermore, the proposed project would result in no net increase in wastewater flow. Therefore, ~~and the project's contribution~~ would be **less than cumulatively considerable**.

The revision does not result in any new analysis or change the impact determination of the wastewater impacts of the DEIR.

Response 7-6:

The commenter states Delta Diablo's recycled water system has available capacity to serve the project and the project applicant is coordinating with Delta Diablo to extend recycled water service to the site.

The comment is noted.

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

REFERENCES

- CBG (Carlson, Barbee & Gibson). 2013. *Drainage Assessment Mount Diablo Resource Recovery Park – Expansion Areas, Pittsburg, California.*
- City of Pittsburg. 2001. *General Plan Pittsburg 2020: A Vision for the 21st Century.*
- Contra Costa Transportation Authority. 2009. *2009 Contra Costa Countywide Bicycle and Pedestrian Plan.*
- USEPA (US Environmental Protection Agency). 2013. *Particulate Matter (PM) Basic Information.*
<http://www.epa.gov/pm/basic.html>.

3.0 MINOR REVISIONS TO THE DRAFT EIR

3.1 INTRODUCTION

This section includes minor edits to the Draft EIR. These modifications resulted from responses to comments received during the Draft EIR public review period as well as staff-initiated changes.

Revisions herein do not result in new significant environmental impacts and do not constitute significant new information, nor do they alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text).

3.2 MINOR CHANGES AND EDITS TO THE DRAFT EIR

ES EXECUTIVE SUMMARY

No changes were made to this section.

1.0 INTRODUCTION

The text in the sixth bullet in the table on DEIR page 1.0-4 is amended as follows:

- The EIR should analyze the project's potential contribution to projected wastewater flow increases as described in the ~~District Conveyance System Master Plan~~City of Pittsburgh Collection System Master Plan to determine potential impacts to existing and planned district facilities.

2.0 PROJECT DESCRIPTION

The text in the third sentence in the paragraph under heading "Commercial Food Waste" on DEIR page 2.0-34 is amended as follows:

Food material, as defined in Section 17852(a)(20) of Title 14, means any material that was acquired for animal or human consumption, that is separated from the municipal solid waste stream, and that does not meet the definition of agricultural material.

3.0 INTRODUCTION TO THE ANALYSIS AND ASSUMPTIONS USED

The text in the last sentence in the first paragraph under heading "Baseline Environmental Conditions Assumed in the Draft EIR" on DEIR page 3.0-1 is amended as follows:

The baseline analysis used in this EIR is based upon the existing operations of the facility (see **Table 2.0-12.1-1**).

3.1 Air Quality

No changes were made to this section.

3.2 Climate Change and Energy

No changes were made to this section.

3.0 MINOR REVISIONS TO THE DRAFT EIR

3.3 Hazards

No changes were made to this section.

3.4 Hydrology and Water Quality

The text in the first partial paragraph on page 3.4-15 of the DEIR is amended as follows:

With regard to drainage, drainage, existing stormwater from the 15-acre area flows north and east to west into an existing ditch near the northern property line that conveys drainage to a large depression on USS POSCO land. Drainage from the 15-acre expansion area would continue in accordance with existing conditions ~~and would therefore be subject to the existing Industrial Discharge Permit on the site.~~

The text in the last sentence in the last paragraph on page 3.4-15 of the DEIR is amended as follows:

Stormwater discharges from the site would continue to be unregulated under the NPDES general permit (No. CAS000001) for discharges of stormwater associated with industrial activities. Therefore, this impact would be **less than significant**.

3.5 Land Use

No changes were made to this section.

3.6 Public Services and Utilities

The text in the first paragraph on page 3.6-10 of the DEIR is amended as follows:

In addition to the City's water conservation efforts described above, the City also continually examines supply enhancement options, including additional water recycling, conjunctive use, water transfers, and additional imported water supplies through its participation in the East County Water Management Association and collaboration with its principal raw water suppliers. The City is working with ~~the Delta Diablo Sanitation District~~ (DDSD) to further develop irrigation and industrial recycled water uses.

The text in the first two paragraphs on page 3.6-15 of the DEIR is amended as follows:

The DDSD treatment plant is located north of State Route (SR) 4, just east of the City of Pittsburg city limits. Existing DDSD wastewater treatment facilities have a capacity of ~~16.5~~19.5 mgd. In ~~2010~~2014, the DDSD treated an average of ~~13.4~~12.9 mgd. The treated effluent is discharged to New York Slough and the Sacramento-San Joaquin Delta. The treated effluent is regulated under the National Pollutant Discharge Elimination System (NPDES) permit system, which is administered under the auspices of the USEPA.

An EIR for the expansion of the wastewater treatment plant capacity to an average dry weather flow of 22.7 mgd was completed in April 1988. In addition, the DDSD has adopted a District Master Plan that includes a phased treatment plant expansion to ultimately provide 24 mgd capacity (average dry weather flow) in order to accommodate anticipated growth in the City of Pittsburg, City of Antioch, and unincorporated Bay Point (City of Pittsburg 2001). The anticipated growth included in the

District Master Plan is at a more intense development scale than is proposed by the City of Pittsburg General Plan (2001; see Section 4.1, Land Use and Planning).

The text in the last paragraph on 3.6-18 of the DEIR is amended as follows:

Future growth in the City of Pittsburg would increase demand for wastewater treatment. Existing DDSD wastewater treatment facilities have a capacity of ~~16.5~~19.5 mgd. In ~~2010~~2014, the DDSD treated an average of ~~13.4~~12.9 mgd. The DDSD has adopted a District Master Plan that includes a phased treatment plant expansion to ultimately provide 24 mgd capacity (average dry weather flow) in order to accommodate anticipated growth in the City of Pittsburg, City of Antioch, and unincorporated Bay Point (City of Pittsburg 2001. The anticipated growth included in the District Master Plan is ~~at a more intense development scale than is proposed by the City of Pittsburg General Plan~~based on the growth assumptions provided in the general plans for those municipalities served by the District. Consequently, the cumulative development in the city would be able to be accommodated by the expanded treatment plant. This would be a less than significant cumulative impact~~7~~. Furthermore, the proposed project would result in no net increase in wastewater flow. Therefore, and the project's contribution would be **less than cumulatively considerable**.

3.7 Transportation and Circulation

The text in the second to last paragraph on page 3.7-9 of the DEIR is amended as follows:

In the vicinity of the project site, there are Class II bike lanes along Loveridge Road, East Leland Road, and Buchanan Road. Additionally, there is a Class I bike path along the Delta De Anza Regional Trail, which is located south of the project site between East Leland Road and Buchanan Road. As part of the ~~East County Bikeway Plan~~2009 Contra Costa Countywide Bicycle and Pedestrian Plan, Class II bicycle facilities are planned along ~~Auto Center Drive and Somersville Road~~the Pittsburg-Antioch Highway east of Loveridge Road and along California Avenue east of Loveridge Road.

3.8 Biological Resources

No changes were made to this section.

4.0 CUMULATIVE IMPACTS

No changes were made to this section.

5.0 ALTERNATIVES

No changes were made to this section.

6.0 CEQA-MANDATED SECTIONS

No changes were made to this section.

7.0 REPORT PREPARERS

No changes were made to this section.

3.0 MINOR REVISIONS TO THE DRAFT EIR

This page intentionally left blank.



City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **Planning Commission of the City of Pittsburg** will conduct a public hearing on:

DATE: October 23, 2018
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Mt. Diablo Resource Recovery Park Enhancements Project, AP-18-1325 (UP, DR).

This is a public hearing on an application filed by Vincent Colvis of Contra Costa Waste Services Inc. requesting approval of: 1) an amendment to an existing use permit for operational enhancements and reorganization of the existing Mt. Diablo Resource Recovery Park (MDRRP) on a 36-acre site, and 2) design review of plans to construct four new structures totaling 86,855 square feet of new building and site improvements. The Commission is also being asked to consider the 1st Addendum to the Final Environmental Impact Report (FEIR) prepared for the project. The FEIR is available at the following webpage: <http://www.ci.pittsburg.ca.us/index.aspx?page=828>. The project site is located at 1300 Loveridge Road. The western portion of the property is the IG (General Industrial) District and the eastern portion of the property is within the IL (Limited Industrial) District. Assessor's Parcel Numbers 073-200-013, 073-200-014, 073-200-015, 073-200-026, 073-200-027, 073-200-028 and 073-200-029.

PROJECT PLANNER: Hector Rojas, (925) 252-4043 or HRojas@ci.pittsburg.ca.us

Why am I receiving this notice? You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

Where can I get more information about this project?

The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Mt. Diablo Resource Recovery Park Enhancements Project, AP-18-1325 (UP, DR)
Location: 1300 Loveridge Road, APNs: 073-200-013, 073-200-014, 073-200-015, 073-200-026, 073-200-027, 073-200-028 and 073-200-029



City of Pittsburgh

Community Development Department - Planning Division
65 Civic Avenue
Pittsburg, CA 94565



NOTICE OF PUBLIC HEARING

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT**

ITEM: America's Tire, AP-18-1329 (UP, AD, SE, TRP)

ORIGINATED BY: Don Thrailkill, America's Tire, 20225 N. Scottsdale Road, Scottsdale, AZ 85255

SUBJECT: This is a public hearing on a request for approval of: 1) use permit to establish a tire replacement business within an existing 7,826 square foot (s.f.) commercial space; 2) design review approval of plans for façade and parking lot improvements; 3) a sign exception to locate a freestanding sign within the public right-of-way; and 4) a tree removal permit to remove up to five protected trees on site. The project site is located at 2220-2224 Railroad Avenue, in the Railroad Avenue Specific Plan (RASP) PD (Planned Development, Ordinance No. 09-1319) District. Assessor's Parcel Nos. 087-042-019, 087-042-020, and 087-042-021.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 10108, approving Planning Application No. 18-1329, subject to conditions.

BACKGROUND:

The building at 2220 Railroad Avenue was originally constructed in 1978 and has historically housed auto repair and parts businesses, including "Super Auto," "Golden State Supply," and "Delta Auto Care and Smog." The building at 2220 Railroad has remained vacant since approximately 2012, with the exception of the Halloween Superstore, which temporarily occupies the building each fall.

The tenant space at 2222 Railroad Avenue was originally built in 1972, and has historically housed restaurant uses, including the current occupant, Wah Sing, for more than a decade. The tenant space at 2224 Railroad Avenue was originally constructed in 1980 as an office building but has housed the Railroad Junction School since 1984.

On November 2, 2009, the City Council adopted Ordinance No. 09-1319 establishing a PD District and approving the RASP for the areas closest to the Pittsburg Center BART Station.

PROJECT DESCRIPTION:

Existing Conditions: The main project site is a 0.77-acre parcel located along the west side of Railroad Avenue, approximately 1,000 feet south of State Route (SR) 4. As previously mentioned, the existing single-story building is vacant, and while structurally sound, is in need of cosmetic repairs. The main entry of the building is located along the eastern façade of the building, visible from Railroad Avenue, while the southern façade

Planning Commission Staff Report

is equipped with five existing service bays. Parking areas are located along the east (front) and west (rear) sides of the building. The southern side of the building is flanked by a shared drive aisle that leads to the rear of the property and is in need of repairs. The north side of the property includes a walkway leading from the front to the rear of the building but is adjacent to a significant grade differential.

The properties immediately south of the main project site also contain single-story buildings which are generally well-maintained, as well as a playground area which serves Railroad Junction School. The entire project area is separated from Railroad Avenue by an approximately 60-foot-wide landscaped area which is part of the City right-of-way.

See Attachment 3 for photos of the project site.

Surrounding Land Uses:

North: Various commercial establishments, including multiple fast food restaurants, Chase Bank, and 76 Gas Station

West: Pittsburg Park Apartments

South: Single Family Residential beyond the Wah Sing Restaurant and Railroad Junction School

East: Various multitenant commercial developments and office spaces

See Attachment 3 for a map of surrounding uses.

Proposed Project: The applicant is requesting multiple approvals as part of the proposed project.

Use Permit: The applicant is seeking approval of a use permit to reactivate the existing building at 2220 Railroad Avenue as a tire shop, a use similar to what has historically occupied the building. The front 1,600 s.f. of the first floor of the building would be utilized as a sales and display area, office, restrooms, and other miscellaneous uses, while the majority of the remainder of the ground floor would be utilized for service and tire storage, including recycled tires. Additionally, the applicant is proposing to construct a second-floor storage area totaling almost 3,000 s.f., which would be used for additional tire storage. The business has proposed operating hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. Saturdays. The use would employ 10 people.

Deliveries would be made twice each week, and would typically be made by a medium size, 40-foot wheelbase (WB-40) truck. The trucks would pull into the rear of the store, and park in the designated loading area. Trucks would not enter the parking area utilized by the day care facility, which would be separated via a gate and landscape area.

Design Review: As part of the proposed project, the applicant would update the front of the existing building at 2220 Railroad Avenue to create a more attractive façade. This would entail installing brick veneer on the majority of the eastern (front) face, as well as a new storefront system and fresh paint. The remaining building sides would also be refinished with fresh paint in a two-tone, subdued color scheme to help visually break-up large expanses of blank walls and make maintenance easier. The five roll-up doors along the southern façade would also be replaced and painted to match the adjacent walls. A new trash enclosure would be installed at the rear of the property, and a 42-inch high guardrail would be installed along the northern property line to provide additional safety along the significant grade differential.

The applicant is also proposing several parking lot improvements to both the main project site, as well as areas directly adjacent to the project. These changes include: 1) moving the existing bank of parking stalls serving Railroad Junction School and Wah Sing Restaurant approximately 10 feet north to provide a wider drive aisle adjacent to Railroad Junction School; 2) reducing the length of the existing median within the public right-of-way to allow for left turns directly into the Railroad Junction/Wah Sing parking area; 3) altering the curb radius at the northeast corner of the Wah Sing property to allow for easier egress, along with a stop sign; 4) new light poles; 5) an access gate within the western drive aisle between the Railroad Junction School and America's Tire properties to prevent a mixing of the traffic between the two sites and to increase safety; and 6) miscellaneous repaving and striping.

Sign Exception: The applicant is proposing to remove the existing freestanding sign within the public right-of-way advertising the Railroad Junction School, to replace it with an 8.5 by 10.5-foot freestanding sign (five-foot by 10-foot sign face), which would advertise for all three adjacent businesses. The sign exception entitlement is required, as the sign would be located within the public right-of-way; the sign otherwise meets all the requirements of the City's sign code for freestanding signs, including total sign area allowed and sign height.

Tree Removal Permit: The applicant is requesting approval to remove up to five existing palm trees, which are considered protected under PMC section 18.84.830(F). These trees are considered protected, as they measure at least 50-inches in circumference measured at four and one-half feet above grade and California native trees (California Fan Palms). Two of the palms are located at the southeast corner of the main project site, while three of the palms to be removed are located within the existing landscaped median, which is proposed to be relocated in order to provide a wider, safer drive aisle adjacent to Railroad Junction School. As shown in Attachment 3, all five existing palms have been neglected.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site has a General Plan land use designation of Mixed Use, which is generally intended to allow for greater flexibility of land uses around transit. The subject site is located in the Transit Village sub-area of the RASP and has a land use

Planning Commission Staff Report

designation of Community Commercial. The Community Commercial land use designation, and the goals and policies contained with the RASP, are intended to allow for a variety of commercial uses and service-oriented businesses at scales ranging from large retail stores serving the greater community to smaller businesses oriented towards neighborhood activity. Permitted uses include auto sales and service (Railroad Avenue Specific Plan, page 49).

Zoning/Railroad Avenue Specific Plan: The property is located in the Railroad Avenue Specific Plan (RASP) PD (Planned Development, Ord. 09-1319) District. Pursuant to Pittsburgh Municipal Code (PMC) section 18.53.030, land use and development regulations for properties located within the RASP area shall conform to the applicable use and development regulations identified in the RASP. The RASP outlines land use, design, and development goals and policies for the Specific Plan area.

Pursuant to the RASP, allowable land uses in this district are the same as those of the CC (Community Commercial) District as specified in Title 18 of the PMC; PMC section 18.52.010, lists “automobile repair, limited,” as a conditionally permitted use.

While the applicant is proposing to do minor building enhancements and construct minor accessory structures that trigger design review approval, these changes are considered administrative, and as such, do not trigger development policies geared toward development of new structures (e.g. building heights, setbacks, parking maximums, etc.). However, the project would be generally consistent with applicable design and development standards as contained within the RASP.

Attachments 4 through 5 provide a detailed project consistency analysis with the goals, policies, and design criteria set forth in the RASP.

Design Guidelines: In 2010, the Planning Commission adopted Resolution No. 9864 amending the City’s Development Review Design Guidelines (DRDGs). The DRDGs provide a framework for the design review of residential, commercial, and industrial projects. As shown in Attachment 6 of this report, the proposed project complies with the applicable DRDGs; however, as the proposed project would utilize and refresh an existing building, many policies are considered not applicable.

Sign Ordinance: Freestanding signs are subject to PMC Title 19 (“Signs”). As mentioned above, the application is seeking approval of a freestanding identification sign along with exceptions from the provisions of Title 19 regarding location of signage within the public right-of-way. The signage proposed is otherwise consistent with all other standards for freestanding signs for retail or service businesses.

PMC section 19.16.020 sets forth the maximum allowable sign area for retail and service uses, as well as maximum height and number of freestanding signs. The proposed freestanding signage structure would measure 8.5 feet tall, and 10.5 feet wide, with a five-foot tall by 10-foot wide signage area (50 square feet). PMC section 19.16.020(D)(1)(a) states freestanding signs for parcels containing fewer than four

Planning Commission Staff Report

businesses may not exceed 50 square feet or 50 percent of the sign area permitted for building signs on the principal street frontage of each business identified on the sign, whichever is less, except that the sign area may be at least 20 square feet. As the principal street frontage of the businesses on the three subject parcels exceeds 100 feet, the total freestanding signage area is limited to 50 square feet, which matches the proposed signage area.

PMC section 19.16.020(D)(2)(a) states the height of a freestanding sign may not exceed one foot for each 10 feet of lot frontage or 15 feet, whichever is less, no portion of the sign may be higher than the closest distance between the sign and a building, and notwithstanding the preceding restrictions, a freestanding sign may be at least five feet in height. The proposed lot frontage of the subject parcels is approximately 225 feet, and thus, the 8.5-foot-tall sign is considered appropriate.

Lastly, consistent with PMC section 19.16.020(D)(3)(b), the sign would be the only freestanding sign along the project's street frontage.

Required Use Permit Findings: In accordance with PMC section 18.16.040, a use permit may be granted only if the Planning Commission can make findings that the proposed use:

- A. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
- B. is not detrimental to the health, safety, and general welfare of the City;
- C. will not adversely affect the orderly development of property within the City;
- D. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
- E. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
- F. will not create a nuisance or enforcement problem within the neighborhood;
- G. will not encourage marginal development within the neighborhood;
- H. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law; and,
- I. is consistent with the City's approved funding priorities.

Required Design Review Findings: In accordance with PMC section 18.36.220(B), design review approval may be granted only if the Planning Commission can make findings that:

Planning Commission Staff Report

A. The structure conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality.

B. The structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable.

C. The exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value.

D. The structure is in harmony with proposed developments on land in the general area.

E. The application conforms with the criteria set forth in any applicable City adopted Design Guidelines.

Required Freestanding Sign and Sign Exception Findings: Pursuant to PMC section 19.12.020, the Planning Commission may approve a freestanding sign upon making one or more of the following findings:

1. the business is set back from the street or obscured from view by adjacent structures or vegetation in such a manner that adequate identification cannot be obtained from a sign placed on the building;

2. the sign is necessary to provide the business with a comparable degree of identity from the street as that available to businesses or uses on neighboring premises;

3. the size or width of the property upon which the business or use is located is such that a sign placed on the building would not adequately identify the premises occupied by that use;

4. the architectural style, material, or elements of construction are such that signs attached to the building would be in conflict with the provisions of Chapter 18.36 (Design Review) of the Zoning Ordinance; or

5. the sign is part of a master identification sign for a shopping center of four more individual businesses.

Pursuant to PMC section 19.08.020(C), the Planning Commission may grant exceptions to a sign regulation if the Commission finds that:

1. The proposed exception conforms as closely as possible to the sign size, number and placement regulations; and

2. The proposed exception is not inconsistent with the intent and purpose of the sign regulations of PMC Title 19; and,

3. Either:

- a. Strict adherence to the sign regulations does not allow adequate identification of the site because of the site's location or configuration, or because the proposed business or use is obscured from view by adjacent buildings or vegetation;
- b. The architectural style, materials, or construction elements of the building are such that a sign placed in conformance with the sign regulations would conflict with other aesthetic considerations; or
- c. The master sign program for the site is nonconforming, and a sign placed in conformance with sign regulations would be inconsistent with the master sign program. (Not applicable to this application)

Required Finding – Tree Removal Permit: In order to approve a tree removal permit, the Commission must determine, in accordance with PMC section 18.84.850.E, that preservation of the protected trees would severely reduce the scale or feasibility of the development.

Environmental: This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 32, 'Infill-Development Projects' of the state CEQA Guidelines, section 15332. The project qualifies for this CEQA exemption because it would: a) be consistent with the City's general plan and zoning; b) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) occupy a site having no value as habitat for endangered, rare or threatened species; d) result in no significant impacts to traffic, noise, air quality, or water quality; and e) occupy a site that is adequately served by utilities and public services.

Public Notice: On or prior to November 2, 2018, notice of the November 13, 2018, public hearing was posted at City Hall, near the proposed project site, and on the "Public Notices" section of the city's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the building, and to individuals who had previously filed written request for such notice, in accordance with PMC sections 18.14.020 and 18.32.010, and Government Code section 65091.

ANALYSIS:

Staff believes that the Planning Commission can make the required findings to approve the proposed project, subject to conditions.

Approving the proposed use would reduce the number of commercial vacancies along Railroad Avenue, in the heart of the Railroad Avenue Specific Plan area, adding to the

economic vitality of the area and helping to eliminate the voids along this important commercial corridor. Occupancy of the building, along with the proposed building enhancements, would also reduce blight, incentivize better property maintenance, and discourage loitering within the area, while creating a more comfortable atmosphere for visitors of neighboring businesses and pedestrians that would utilize the neighboring sidewalk and potential future pathways along Railroad Avenue to access the nearby BART station.

The proposed building enhancements would update the existing bland building façade with a refreshed look that is less likely to become dated over time, with brick veneer on the front of the building and a two-tone paint scheme with neutral colors intended to break-up the building mass along the three interior facades. The proposed earth tones would also be easier to maintain, and less likely to show scuffs, chips, and other discolorations, as opposed to the existing blue paint. The proposed guardrail along the northern project boundary would add a functional detail that adds an industrial architectural element to the side of the building which tends to be forgotten but may become a significant drive aisle for future development on vacant land northwest of the subject site. The rail also provides additional safety for employees or patrons utilizing the adjacent walkway, as there is a significant grade differential between the walkway and the adjacent property. The proposed trash enclosure would help ensure proper disposal of refuse generated from the business. The proposed parking lot changes have been designed to allow for better access to the businesses south of the proposed America's Tire location, as well as to eliminate traffic generated by America's Tire from overflowing into the adjacent parking lot.

Staff also believes the sign exception and approval of a freestanding sign within the right-of-way is warranted, as the wide right-of-way and location of the businesses is such that they are obscured from view in such a manner that adequate and equitable identification cannot be obtained from signs placed on the building alone. Further, the sign is otherwise consistent with the height, area, and number and placement regulations contained within Title 19, and can therefore be considered consistent with the intent of applicable regulations.

Lastly, staff believes the removal of the five existing, protected palm trees is warranted. The existing palm trees have been inadequately maintained and poorly located, and as such, do not provide the site with any aesthetic benefit, nor do they provide parking lot shading. In addition, removal of the three protected trees within the landscaped median would be required in order to relocate the median further north, a design feature requested by the operator of Railroad Junction in order to provide a wider, safer drive aisle adjacent to the school. Due to the poor health and size of the palms, relocation is likely infeasible, and would place an undue financial burden on the property owners. It should also be noted that an additional, non-native tree (Callery Pear) measuring more than 50 inches in circumference at four and one-half feet above grade and located on the main project site is slated for removal. However, pursuant to PMC section 18.84.830(F), this tree is not considered protected, as it has been determined the tree's location hinders vehicular access to the southern parcels, and its low canopy presents a

Planning Commission Staff Report

potential hazard to delivery trucks or other large vehicles entering the site, and thus does not provide a benefit to the project site.

Staff is recommending several key conditions be added in order to ensure the business is operated in a safe and clean manner. These include:

- 1) ensuring the use does not produce any unreasonable, disturbing or unnecessary odors;
- 2) ensuring that any fluid removal be performed in such a manner as to ensure that any spilled fluid will be in an area of secondary containment, and that leaking vehicle fluids be contained or drained from the vehicle immediately;
- 3) providing clean-up kits throughout the facility where there is potential for spills;
- 4) that vehicles not be stored overnight outside of the service bays;
- 5) no outdoor display of goods or products;
- 6) no repair or tire replacement be performed outside of the service bays; and
- 7) if the business uses, handles, or stores hazardous materials (chemicals) in quantities of or greater than 55 gallons (liquid), 500 pounds (solid) or 200 cubic feet (gas), then a Hazardous Materials Response Plan and Chemical Inventory shall be submitted to the Contra Costa Health Services Hazardous Material program.

Further, in order to ensure that the site alterations conform with the City's DRDGs, as well as the regulations contained within the Municipal Code, staff is recommending the following key conditions also be added:

- 1) Provision of in-lieu fees equal to the value of 15-gallon replacement trees at a 12-to-one ratio, installation, and one year of maintenance costs, per tree removed (currently estimated at approximately \$400 per tree but subject to final review by the City's Public Works Department).
- 2) Execution of a revocable encroachment agreement for location of the freestanding sign within the City right-of-way.
- 3) Installation of faux-brick and landscaping around the base of the sign to match the proposed building improvements.
- 4) The developer shall submit a final landscape plan which identifies the areas of each parcel that would receive replacement landscaping (in an amount equal to or greater than the amount of existing landscaping to be removed) in order to ensure any existing landscaping nonconformity is not further increased. Landscaping totals shall be calculated, and landscaping replaced on a parcel-by-parcel basis.

ACTION REQUIRED:

Move to adopt Resolution No. 10108 approving Planning Application No. 18-1329, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10108

Planning Commission Staff Report

2. Project Plans
3. Surrounding Uses Map/Existing Condition Photos/Trees Proposed for Removal
4. RASP Land Use, Design, and Development Goals and Policies
5. Development Review Design Guidelines
6. Letter of Opposition dated August 1, 2018
7. Letter of Opposition dated November 2, 2018
8. Public Hearing Notice & Vicinity Map

Prepared by: Jordan Davis, AICP, Senior Planner

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting Approval of: 1) a Use	)	Resolution No. 10108
Permit to Establish an Auto Repair	)	
Business; 2) Design Review; 3) a Sign	)	
Exception to Establish a Freestanding	)	
Sign within the Public Right-of-Way; and	)	
4) a Tree Removal Permit on Parcels	)	
Located at 2220-2224 Railroad Avenue,	)	
for, "America's Tire, AP-18-1329 (UP, AD,	)	
SE, TRP).")	)	

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On March 22, 2018, Don Thrailkill of America's Tire, Inc., filed Planning Application No. 18-1329, requesting approval of: 1) a use permit to establish a tire replacement and repair business; 2) design review of plans to enhance the façade of the existing building at 2220 Railroad Avenue, construct a trash enclosure, and make minor changes to the parking lot layout; 3) a sign exception to replace an existing freestanding sign within the City right-of-way; and 4) a tree removal permit to remove up to five protected trees. The subject properties are located at 2220-2224 Railroad Avenue in the PD (Planned Development, City Council Ordinance No. 09-1319) District, and have a Railroad Avenue Specific Plan (RASP) designation of *Community Commercial*. Assessor's Parcel Nos. 087-042-019, -020, and -021. Collectively, the America's Tire site and the adjacent site are referred to herein as the "project site".
- B. The proposed project is governed by the applicable goals and policies of the Pittsburgh General Plan, the RASP, the Pittsburgh Municipal Code (PMC), and the City's Design Review and Development Guidelines adopted by Planning Commission through Resolution No. 9864.
- C. On November 2, 2009, the City Council adopted Ordinance No. 09-1319 establishing a PD (Planned Development) District and approving the Railroad Avenue Specific Plan for the areas closest to the future BART Station at Railroad Avenue and State Route 4. The Railroad Avenue Specific Plan (Specific Plan) contains development and design standards intended to capitalize on future transit-oriented development growth potential around the future BART Station and to describe a preferred character and overall direction for development associated with the future BART Station.
- D. On or prior to November 2, 2018, notice of the November 13, 2018, public hearing was posted at City Hall, near the proposed project site, and on the "Public Notices" section of the city's website; was delivered for posting at the Pittsburgh Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of

property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the building, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091.

- E. On November 13, 2018, the Planning Commission held a public hearing on Planning Application No. 18-1329, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, “America’s Tire, AP-18-1329 (UP, AD, SE, TRP),” and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and are incorporated herein by reference.
 2. This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 32, ‘Infill-Development Projects’ of the state CEQA Guidelines, section 15332. The project qualifies for this CEQA exemption because, as described in the staff report, it will: a) be consistent with the City’s general plan and zoning; b) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) occupy a site having no value as habitat for endangered, rare or threatened species; d) result in no significant impacts to traffic, noise, air quality, or water quality; and e) occupy a site that is adequately served by utilities and public services.

Use Permit:

3. The use of the site at 2220 Railroad Avenue as a tire replacement and repair center will be in accordance with the objectives of the Zoning Ordinance, the purposes of the land use district in which it is located and will be appropriate to the specific location. The subject properties are located in the PD District and have a Railroad Avenue Specific Plan (RASP) designation of *Community Commercial*. The purpose of the *Community Commercial* land use designation is to allow for a variety of commercial uses and service-oriented businesses at scales ranging from large retail stores serving the greater community to smaller businesses oriented towards neighborhood activity. Pursuant to the RASP, allowable land uses in this district are the same as those of the CC (Community Commercial) District as specified in Title 18 of the PMC; PMC section 18.52.010, “automobile repair, limited,” is a conditionally permitted use.
4. The tire shop use will not be detrimental to the health, safety, and general welfare of the City, in that it will meet health and safety requirements of the Pittsburg Community Development Department, the Contra Costa County Fire Protection District, and the Environmental Health Division of Contra Costa Health Services.

5. The project will not adversely affect the orderly development of property within the City, in that the proposed use will occupy an existing commercial space, and the applicant is proposing no exterior building expansions or parking lot changes that would otherwise conflict with the goals, policies, and development standards contained within the RASP.
6. The project will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, rather the new occupancy of an empty tenant space will increase property values as well as the City's tax base.
7. The project will be consistent with the General Plan. The project site has a General Plan land use designation of *Mixed-Use*, which is intended to allow for greater flexibility of land uses around and accessible by transit. Consistent with General Plan Goal 2-G-20 and Policy 2-P-56, the City has adopted the RASP; the project site is located in the Transit Village sub-area of the RASP and has a land use designation of Community Commercial. The Community Commercial land use designation, and the goals and policies contained with the RASP, are intended to allow for a variety of commercial uses and service-oriented businesses at scales ranging from large retail stores serving the greater community to smaller businesses oriented towards neighborhood activity.
8. The use will not create a nuisance or enforcement problem within the neighborhood if conditions are added to require: 1) that the use does not produce an unreasonable, disturbing, or unnecessary emission of odors or noise at the property line of the site; 2) any vehicle fluid removal be performed in such a manner as to ensure that any spilled fluid will be in an area of secondary containment; 3) spill cleanup kits shall be provided throughout the facility; 4) the operator regularly inspect and maintain any interior floor drains to prevent blockages and overflow; 5) repair, servicing, or overnight parking of vehicles outside of the repair bays shall be prohibited; 6) no new or used tires and/or other automobile parts be stored or displayed outdoors; and 7) employees be trained on how to implement and use current Best Management Practices related to hazardous material storage. Further, the proposed use will also be required to meet performance standards as set forth by PMC chapter 18.82, which are intended to address and minimize ongoing safety, noise, odor and maintenance concerns that could arise.
9. The project will not encourage marginal development within the neighborhood, in that the use will occupy an existing commercial space and does not involve construction of a new building or building addition. Further, the construction of a separate trash enclosure and minor parking lot improvements will help ensure the site is properly maintained, and that access to the site is safe.
10. The use will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law, in that the use will operate in a building that has been designed to take advantage of existing infrastructure.

11. The project will not be inconsistent with the City's approved funding priorities, in that the use does not include any City funding.

Design Review:

12. The project will conform with good taste, good design and in general will not detract from the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that the new building finishes will enhance the appearance of the existing structure at 2220 Railroad Avenue by providing an attractive, refreshed exterior. The proposed colors will coordinate with a larger number of the surrounding buildings, utilizing different, yet complementary, stone accents and earth tones. Further, the proposed trash enclosure will be finished to match the renovated building at 2220 Railroad Avenue, and a condition of approval will require that any landscaping removed as part of the parking lot modifications be replaced in kind, which will help to ensure the site remain free of trash and other debris and further enhance the character and image of the City as a place of beauty and high quality.
13. The proposed building will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable, in that the interior building modifications will be built to standard building codes that include requirements to regulate construction and meet standard noise level requirements for the area.
14. The exterior design and appearance of the proposed project will not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value; rather, the project will improve the area by developing an unattractive, vacant building and dilapidated parking lot with unmaintained landscape areas with a well-designed building and more attractive parking area.
15. The proposed project will be in harmony with proposed developments on land in the general area, in that the building's colors, materials, and architecture will generally complement other commercial buildings in the 'Transit Village' subarea of the RASP, which tend to include neutral earth tones and varying stone accents.
16. The proposed project will generally be in conformance with the City's adopted DRDGs, specifically section IV.p, in that the project's color palette is compatible with adjacent development, as well as sections IV.a and IV.q, if conditions are added to require the landscaping be renovated within the existing planting areas, and that all downspouts or other appurtenances be painted to match the surface to which they are mounted.

Sign Exception:

17. Multiple businesses within the larger shopping center to be advertised are set back from the street or obscured from view by adjacent structures or vegetation in such a manner that adequate identification cannot be obtained from a sign placed on the

buildings alone. The existing building to be occupied by the applicant is set back approximately 130 feet from Railroad Avenue, with large, mature trees with wide canopies between the business and the street/sidewalk. In addition, the building occupied by Railroad Junction School maintains almost no building frontage parallel to Railroad Avenue and is also setback a significant distance from the street and sidewalk. The building occupied by Wah Sing Restaurant is also setback a significant distance from the street and sidewalk due to the wide landscaped right-of-way, which maintains some trees, and will likely be planted with more in the near future, further obscuring views of the commercial area.

18. For all the reasons described above, the freestanding sign is necessary to provide the business with a comparable degree of identity from the street as that available to businesses or uses on neighboring premises.
19. The proposed exception to allow the placement of the sign offsite within the public right-of-way conforms as closely as practicable to the sign size, number and placement regulations, and is consistent with the intent and purpose of the sign regulations. The offsite placement of the sign is warranted because the applicant's business is not predominantly visible from the street and cannot obtain adequate identification from building signage, largely due to the exceptionally wide landscaped shoulder of the right-of-way. Other than the location of the proposed sign, the sign conforms to all other applicable regulations in the Sign Ordinance.
20. Strict adherence to the sign regulations does not allow adequate identification of the site because of the site's configuration, such as the exceptionally wide landscaped shoulder of the right-of-way, and because the proposed business or use is obscured from view by adjacent buildings or vegetation.

Protected Tree Removal:

21. The burden to the applicant in preserving the trees greatly outweighs the trees' benefit to the public or environment. The existing palm trees have been inadequately maintained and poorly located, and as such, do not provide the site with any aesthetic benefit, nor do they provide parking lot shading. In addition, removal of the three protected trees within the landscaped median would be required in order to relocate the median further north, a design feature requested by the operator of Railroad Junction in order to provide a wider, safer drive aisle adjacent to the school. Due to the poor health and size of the palms, relocation is likely infeasible, and would place an undue financial burden on the property owners.
- B. The staff report entitled, "America's Tire, AP-18-1329 (UP, AD, SE, TRP)," dated October 23, 2018, is referenced hereto as additional support for the findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby approves Planning Application No. 18-1329, subject to the following conditions:

General Planning Conditions:

1. The project shall be constructed in substantial conformity with the project plans date stamped September 13, 2018, and the America's Tire site shall be operated substantially as presented to the Planning Commission in the staff report identified in Section 2, above, except as hereinafter modified. Construction and installation of the approved use in a manner inconsistent with this use permit shall be grounds for revocation of the use permit or sign exception.
2. The operator of the America's Tire site shall ensure the use does not produce an unreasonable, disturbing, or unnecessary emission of odors or noise at the property line of the site, in accordance with PMC sections 18.82.040 and 18.82.045.
3. Any vehicle fluid removal on the America's Tire site shall be performed in such a manner as to ensure that any spilled fluid will be in an area of secondary containment. Leaking vehicle fluids shall be contained or drained from the vehicle immediately.
4. The operator of the America's Tire site shall provide spill cleanup kits throughout the facility where there is a potential for spills that may enter storm drains or sanitary sewer drains.
5. The operator of the America's Tire site shall regularly inspect and maintain any interior floor drains of the use to prevent blockages and overflow.
6. The business operator of the America's Tire site shall ensure all employees of the business park personal vehicles within the rear parking area.
7. No automobile repair or tire replacements shall occur within the parking lot area of the America's Tire site or the concrete apron adjacent to the vehicle repair bays.
8. No vehicle fluid removal shall be performed outside of the building on the America's Tire site, or on asphalt or ground surfaces, whether inside or outside of the building, except in such a manner as to ensure that any spilled fluid will be in an area of secondary containment.
9. No person shall leave unattended drip parts/pans or other open containers containing vehicle fluid on the America's Tire site, unless such containers are in use or in an area of secondary containment.
10. Overnight parking of vehicles outside of the repair bays on the America's Tire site is prohibited.
11. Vehicle dismantling and/or storage of wrecked vehicles on the America's Tire site shall be prohibited.
12. The business operator of the America's Tire site shall ensure no new or used tires and/or other automobile parts shall be stored or displayed outdoors.

13. No person shall dispose of, nor permit the disposal, directly or indirectly of vehicle fluids, hazardous materials from the America's Tire site, or rinse water from parts' cleaning on-site into storm drains.
14. The business operator of the America's Tire site shall ensure that employees clean equipment, collect water and cleaning liquids, and dispose of water and cleaning liquids to the sanitary sewer, not to the exterior storm drain system or to any storm drain inlets/catch basins. The business operator of the America's Tire site shall ensure that no rinsing, washing or cleaning of any vehicles occurs on-site.
15. The business operator of the America's Tire site shall ensure the employees use dry cleanup methods where applicable.
16. The business operator of the America's Tire site shall ensure that detergents/degreasers are never used in the process of outdoor cleaning.
17. Employees of the America's Tire site shall be trained on how to implement and use current Best Management Practices related to vehicle maintenance, hazardous material/chemical storage, including those activities' potential for storm water and ground pollution and how to minimize those potentials.
18. No pallets, shipping or storage containers, drums, scrap materials, recyclable or otherwise, shall be stored outdoors on the America's Tire site, except as otherwise approved by the Planning Division.
19. The business operator of the America's Tire site shall not place any temporary structures, signs or banners onsite or offsite, nor hold any temporary uses not covered in this use permit or permitted as an ancillary use on site, without first applying for the appropriate permits from the Planning and Engineering Divisions, as required.
20. If the business on the America's Tire site uses, handles, or stores hazardous materials (chemicals) in quantities of or greater than 55 gallons (liquid), 500 pounds (solid) or 200 cubic feet (gas), then a Hazardous Materials Response Plan and Chemical Inventory shall be submitted to the Contra Costa Health Services Hazardous Material program.
21. Trailers delivering and unloading new merchandise for the America's Tire site shall not unload, stop, or park within any onsite driveway or aisle or in any customer/employee parking spaces.

Design Review:

22. Pursuant to PMC section 18.84.005(C), the proposed trash enclosure shall not exceed 10 feet in height; however, no portion of the enclosure roof having a pitch of 3:12 or greater may exceed 12 feet. Alternatively, the developer of the America's Tire site may relocate the trash enclosure to an area adjacent to the northern property line, subject to the approval of the City Planner.
23. The developer shall install a minimum three-foot wide landscape median along the

northern end of the parking stalls located along the northern boundary of APNs 087-042-020 and 087-042-021. A minimum of one tree for every four parking stalls shall be planted within the median.

24. The developer shall submit a final landscape plan which identifies the areas of each parcel that will receive replacement landscaping (in an amount equal to or greater than the amount of existing landscaping to be removed) in order to ensure any existing landscaping nonconformity is not further increased. Landscaping totals shall be calculated, and landscaping replaced on a parcel-by-parcel basis.
25. Proposed lighting standards shall include a three-foot-tall concrete base and shall not exceed a total of 15 feet in height. The developer shall submit a photometric plan prior to issuance of a building permit to ensure proposed lighting does not exceed the boundaries of the project site.
26. All paved surfaces on the project site shall be maintained in good condition and cleaned at least once a year, between July 15 and October 15 (just prior to the rainy season). Cleaning of paved surfaces shall incorporate Best Management Practices that capture and clean the dirty water prior to discharging it to the storm drain. The property owner(s) and/or business operator(s) shall hire only mobile surface cleaners that have been trained and are recognized by the Bay Area Stormwater Management Agencies Association (BASMAA), for cleaning of the parking and paved areas. Each property owner or business operator shall be responsible for the cleaning of their parcel.
27. The developer of the America's Tire site shall provide permanent, fixed bicycle parking for at least four (4) bicycles on-site in a location providing convenient access and natural surveillance. The design, color, and proposed location of the racks shall be reviewed and approved by Planning Division staff prior to issuance of a building permit.
28. All gutters, downspouts, roof flashing, and roof top vents on the America's Tire site shall be painted the same color as the surface to which they are adjacent.
29. All utility equipment attached to exterior walls on the America's Tire site shall be painted to match the building exterior to which they are directly attached.
30. All ground floor storefront windows on the America's Tire site shall maintain a minimum 70% visibility (i.e. may not be blacked out or covered with opaque materials). Sun shades installed in the end tenant storefront windows shall be commercial grade and operable (such as commercial roller shades, gliding window panels). No black out window coverings or tinting are permitted on any of the elevations.

Tree Removal:

31. Prior to the removal of a protected tree, the applicant shall select one of the following options for compliance with PMC section 18.84.885: a) replacement of the removed trees at a four-to-one ratio with 24-inch box trees; b) replacement of the trees at a twelve-to-one ration with 15-gallon trees; c) payment of in-lieu fees equal to the replacement trees' value, installation costs and one year of maintenance costs, as

calculated with a twelve-to-one ratio of 15-gallon trees; or d) a combination of replacement and payment of in-lieu fees. All protected trees to be removed shall be shown on a final landscape plan, to be submitted to the Planning Division prior to issuance of a building permit.

Freestanding Sign:

32. The final design and location of the freestanding sign shall ensure a minimum ten-foot setback from the crosswalk to the east and the apex of the curb radius to the west. The final location of the sign shall be subject to review and approval by the City Engineer.
33. Prior to issuance of a building permit for the freestanding sign, the developer or business operator of the America's Tire site shall enter into a revocable encroachment agreement and obtain a revocable encroachment permit from the Engineering Division.
34. The developer shall install faux brick similar to the main building, as well as attractive landscaping, around the base of the freestanding sign, in accordance with PMC section 19.12.020(D). The final design of the sign base and surrounding landscaping, including plant selections and layout, shall be subject to review and approval by the Planning Division prior to the issuance of a building permit.
35. Notwithstanding any private party agreements, the developer or business owner of the America's Tire site at 2220 Railroad Avenue (APN: 087-042-019) shall be responsible for maintaining the freestanding sign.
36. Advertising within the sign shall be limited to the tenants of APNs: 087-042-019; 087-042-020; and 087-042-021. Future changes to the sign fascia shall be subject to separate sign review and approval.

Submittals to the Engineering Division for review:

37. The developer shall submit to the City's Engineering Division, for review and comment, five (5) copies of the engineering plans, prepared by a registered civil engineer, to include but not be limited to the following:
 - A Site Plan;
 - A Striping and Drainage Plan;
 - A Utilities Plan;
 - A Landscaping and Irrigation Plan;
 - An Erosion and Sedimentation Control Plan; and
 - Offsite Improvements due to project Impacts.
38. The developer shall submit an engineer's estimated cost to the Engineering Division for review and approval, with the first plans submittal. This estimate shall include all costs associated with the site development improvements, excluding those costs associated with the construction of the building structure itself.

Engineering Fees:

39. The developer shall provide an initial payment for review of the improvement plan(s) with the first submittal. This fee is based on the engineer's estimated cost for site improvements, and shall be submitted with the plans. The Improvement Plan Review fee is 6% of the cost of the improvements. A payment of 50% of these total fees is to be paid with the initial submittal of plans and engineer's estimated cost. The initial payment will be credited towards the final fees as determined at the time an engineering permit is issued.
40. The developer shall pay the Improvement Inspection Fee to the Engineering Division at the time the single parcel development permit is issued. The current Improvement Inspection Fee rate is 5.75% of the estimated cost for improvements.
41. If there is a need to increase the service line size for water or sewer facilities, the developer shall pay the difference for the increase of the Facilities Reserve Charge(s) (PMC Chapters 13.08, 13.12 and 13.24) (the "FRC") for water and sewer service to the Engineering Division, in the amounts in effect when the developer obtains a Building Permit. The developer understands that the current FRC on file, effective August 20, 2005, shall be paid in accordance with the fee schedule approved by Resolution No. 05-10290, and amended by Resolution No. 12-11778, on February 21, 2012, a copy of which is available at the City. The FRC shall be paid to the Engineering Division prior to the issuance of a building permit.

NPDES Conditions:

42. The project design shall incorporate, wherever feasible, long-term best management practices (BMPs) for the reduction or elimination of storm water pollutants. Such source control design measures and BMPs to limit pollutant generation, discharge, and runoff may include:
- Incorporating landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices;
 - Providing covered trash, food waste, and compactor enclosures;
 - Stenciling all storm drains with "No Dumping, Drains to Delta," permanent markings; and
 - Plumbing of discharges from: 1) outdoor covered wash areas for vehicles, equipment, and accessories, and 2) fire sprinkler test water (if discharge to onsite vegetated areas is not a feasible option) to the sanitary sewer, subject to Delta Diablo Sanitation District's authority and standards.

Engineering Conditions regarding Utilities:

43. The developer shall evaluate the existing receiving storm drain, sewer, and water facilities for adequate capacity to serve the project, and provide the results to the City to identify any service or supply problems. The cost for installation of additional facilities required to be constructed to accommodate the project shall be borne by the

developer.

44. The design and construction of storm drain, water, and sewer facilities shall be in accordance with section 17.28.020 of the Pittsburg Municipal Code.
45. The developer shall provide appropriate water service, adequately sized to meet the domestic and fire protection demands for the project.
46. The developer shall provide appropriate sanitary sewer, adequately sized to accommodate the project's wastewater demand.

General Conditions:

47. The developer shall obtain an encroachment permit from the Engineering Division for all work to be conducted within the right-of-way.
48. The site shall be kept clean and free of all litter, debris and refuse, and all landscaping on site shall be kept weed free and maintained in a healthy condition. The operator of each respective use shall inspect and pick up litter in or around the outdoor trash receptacles daily. Each property owner or business operator shall be responsible for the cleaning of their parcel.
49. The developer shall comply with all Contra Costa County Fire Prevention District (CCCFPD) and Contra Costa Environmental Health Department (CCEHD) standards and requirements.
50. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the standard conditions and the specific conditions identified herein, the specific conditions of this resolution shall govern.
51. The developer shall comply with all the requirements of the Planning Division, Engineering Division, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, and all other applicable local, state and federal agencies.
52. All grading work shall be done in accordance with the provisions of Chapter 15.88 of the Pittsburg Municipal Code.
53. All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers), and Title 15 (Buildings and Construction) of the Pittsburg Municipal Code as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval.
54. All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.

55. The developer or their subcontractor(s) shall record with the California Board of Equalization a nexus or additional location within the City of Pittsburg to ensure any and all sales tax paid shall be recorded and paid to the City of Pittsburg. The developer or subcontractors shall add a new location to an existing account or ensure the seller of goods and materials subject to sales tax have registered a location within the City of Pittsburg with the Board of Equalization.
56. The developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at developer's sole cost and expense. Developer may select its own legal counsel to represent developer's interests at developer's sole cost and expense. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.
57. This use permit will expire on November 13, 2019, unless a building or other site development permit has been issued and/or the use has been legally established or a written request for an extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission. The approval shall be valid for no more than six months from the date of building or site development permit issuance, unless work is commenced and diligently pursued prior to the expiration of the permit.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 13th day of November, 2018, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

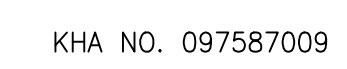
NAYES:

ABSTAIN:

ABSENT:

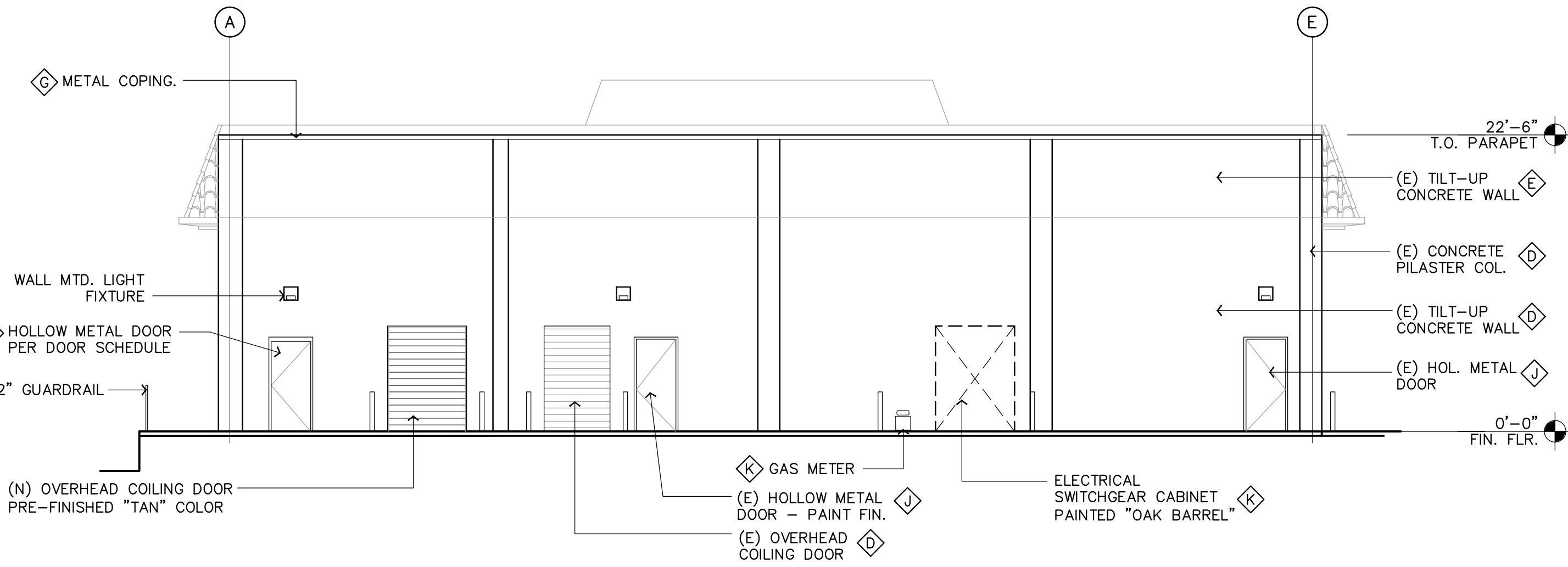
I hereby certify that the above Resolution No. 10108 was adopted by the Planning Commission of the city of Pittsburg on November 13, 2018.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION



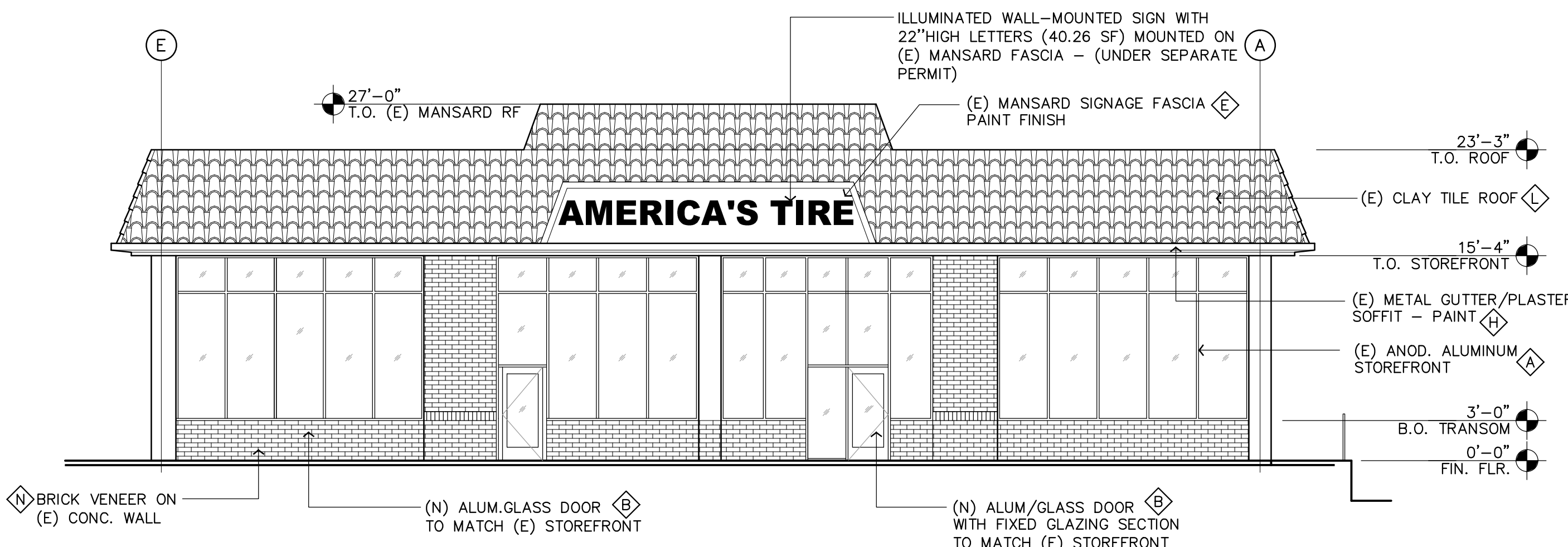
FINISH LEGEND

- (A) ANODIZED ALUMINUM STOREFRONT SYSTEM WITH SINGLE GLAZING "DARK BRONZE" FINISH
- (B) ANODIZED ALUMINUM STOREFRONT ENTRY DOOR/GLAZING SECTION "DARK BRONZE" FINISH TO MATCH (E)
- (C) (E) TEXTURED CONCRETE WALL - PAINTED SHERWIN WILLIAMS #7714 "OAK BARREL"
- (D) PAINT - SHERWIN WILLIAMS #7714 "OAK BARREL"
- (E) PAINT SHERWIN WILLIAMS #6119 "ANTIQUE WHITE"
- (F) EIFS ACCENT BAND - PAINT SHERWIN WILLIAMS SW 7585 "SUNDRIED TOMATO"
- (G) METAL COPING - FACTORY PAINTED/FACTORY FINISH - "SIERRA TAN"
- (H) EXPOSED STEEL/EIFS - PAINT SHERWIN WILLIAMS SW 7714 "OAK BARREL"
- (I) 36" HIGH STEEL BOLLARDS - PAINTED TO MATCH "OAK BARREL"
- (J) HOLLOW METAL DOORS - PAINTED TO MATCH "OAK BARREL"
- (K) ELECTRICAL SWITCHGEAR / GAS METER - PAINTED SHERWIN WILLIAMS #7714 "OAK BARREL"
- (L) (E) CLAY TILE ROOF - "TERRA COTTA" COLOR. REPLACE DAMAGED TILES AS REQUIRED.
- (M) 42" HIGH GUARDRAIL WITH VERTICAL POSTS AT 5' O.C. TO BE POWDER COATED FINISH WITH "OAK BARREL" COLOR.
- (N) THIN BRICK VENEER - PACIFIC CLAY PRODUCTS, 3-5/8" x 7-5/8" COLOR: "SUNSET RED" WITH STD. GRAY GROUT COLOR



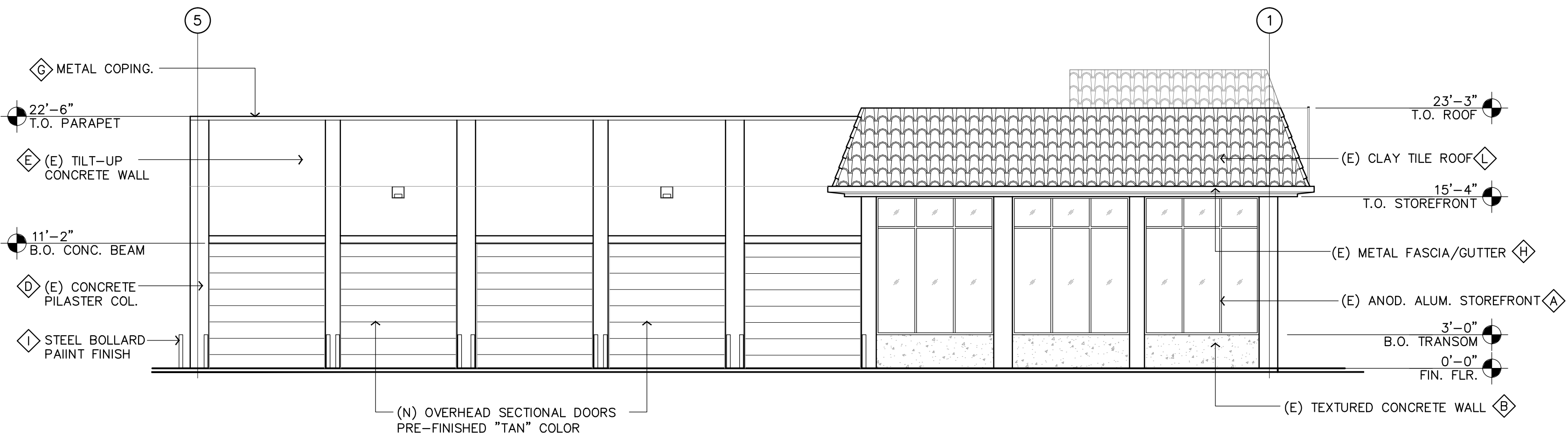
WEST ELEVATION

SCALE: 1/8" = 1'-0"



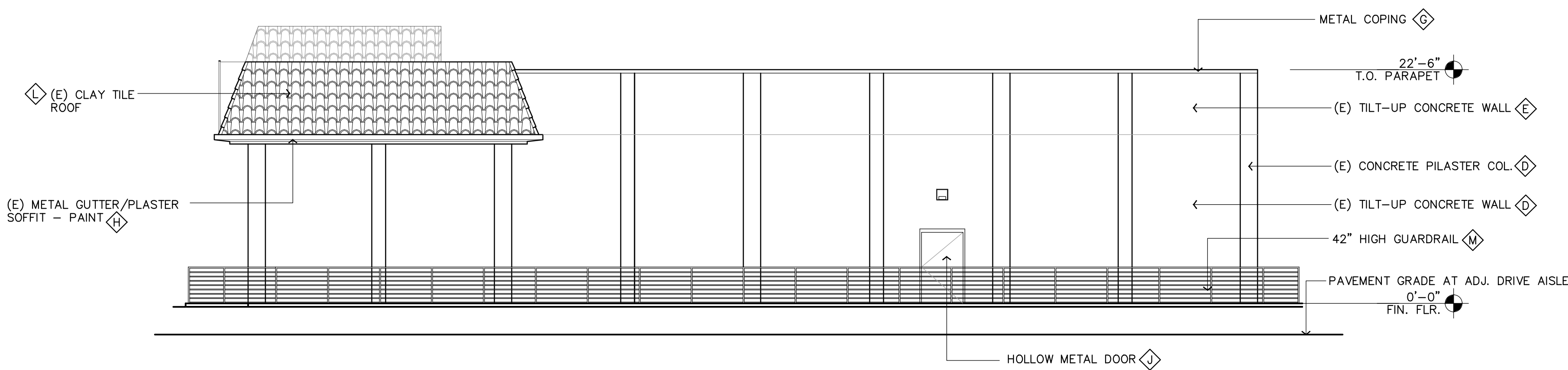
EAST ELEVATION (Railroad Ave)

SCALE: 1/8" = 1'-0"



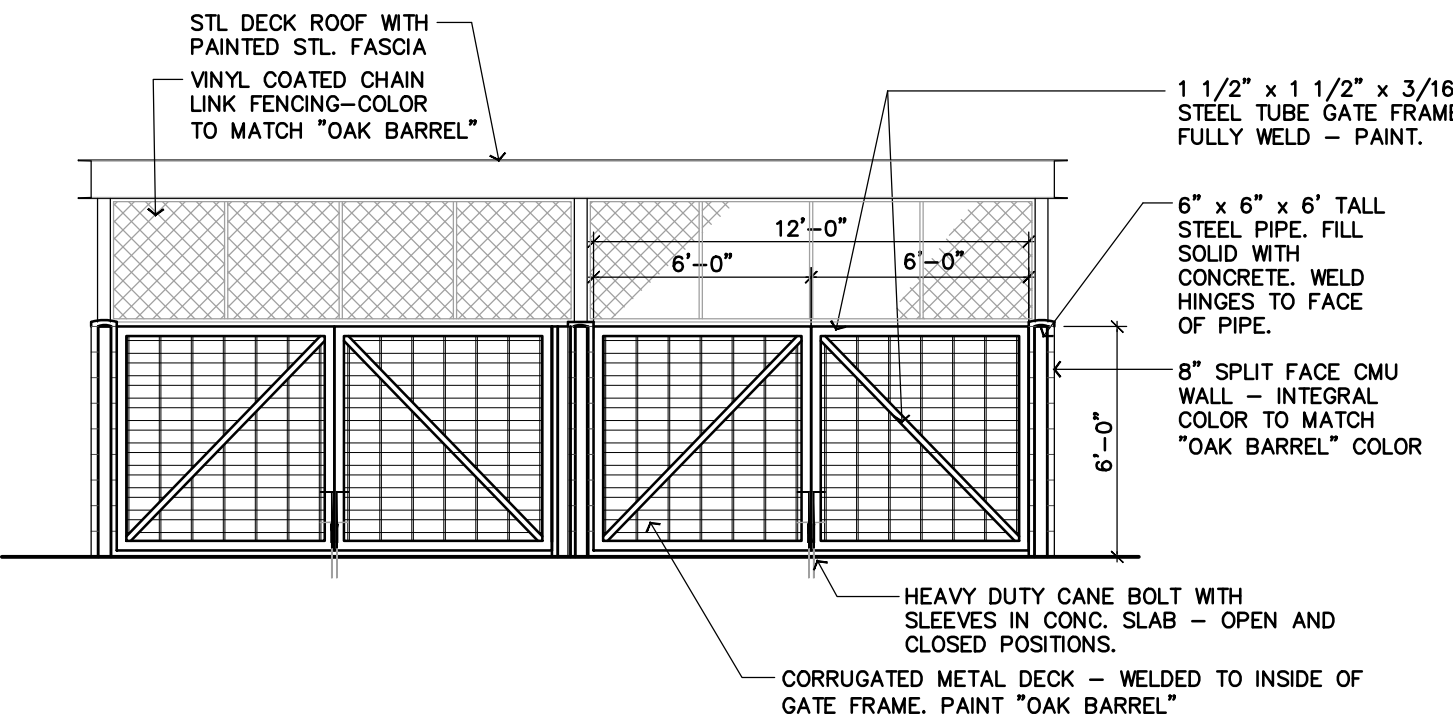
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

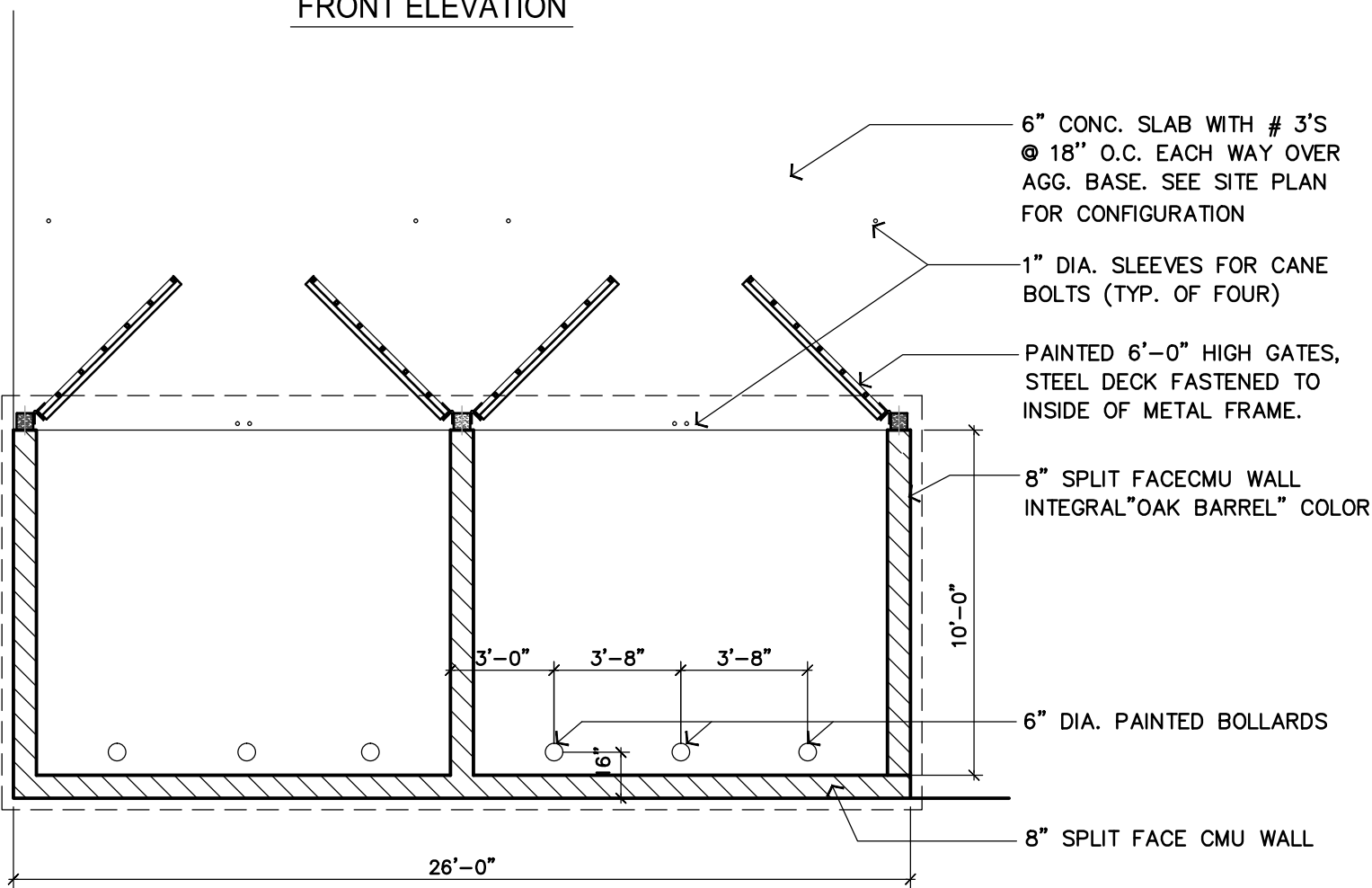


NORTH ELEVATION

SCALE: 1/8" = 1'-0"



FRONT ELEVATION



TRASH ENCLOSURE PLAN / ELEVATIONS

NOT TO SCALE

REV: #1 - 06.08.17

DATE: 04.10.17

JOB # A.1703067

ALT - 1R

Sheet No.

A.



THIS PLAN IS PROPERTY OF PLUMP GROUP ARCHITECTURE & ENGINEERING. THIS DRAWING IS LOANED WITHOUT OTHER CONSIDERATION THAN THE AGREEMENT AND CONDITION THAT IT IS NOT BE REPRODUCED, COPIED, OR OTHERWISE DISPOSED OF, DIRECTLY OR INDIRECTLY, AND IS NOT TO BE USED IN WHOLE OR IN PART TO ASSIST IN MAKING OR TO FURNISH ANY INFORMATION FOR THE MAKING OF DRAWINGS, PRINTS, APPARATUS OR PARTS THEREOF. THE ACCEPTANCE OF THIS DRAWING WILL BE CONSTRUED AS AN ACCEPTANCE OF THE FOREGOING CONDITIONS.

CONCEPTUAL ELEVATIONS

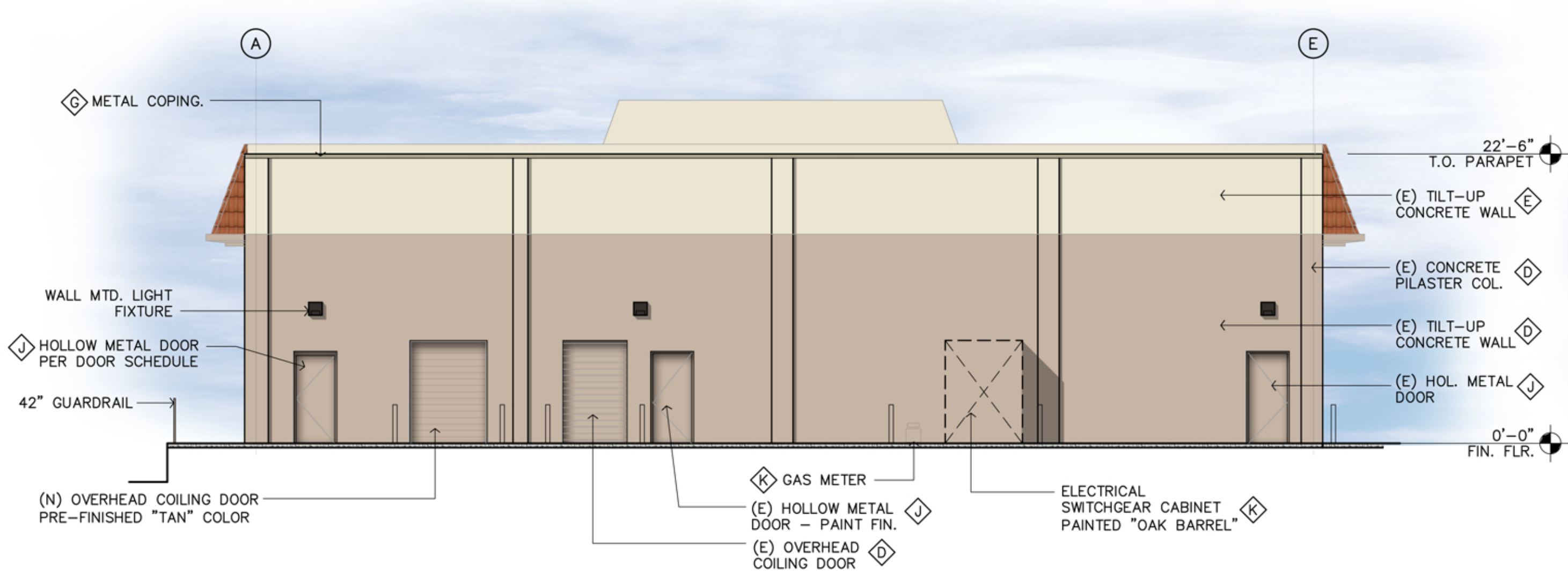
2220 Railroad Avenue
PITTSBURG, CA 94564



914 E. KATELLA AVENUE, ANAHEIM, CA 92805
P (714) 385-1835 F (714) 385-1834
www.plumpgroup.com

FINISH LEGEND

- (A) ANODIZED ALUMINUM STOREFRONT SYSTEM WITH SINGLE GLAZING "DARK BRONZE" FINISH
- (B) ANODIZED ALUMINUM STOREFRONT ENTRY DOOR/GLAZING SECTION "DARK BRONZE" FINISH TO MATCH (E)
- (C) (E) TEXTURED CONCRETE WALL - PAINTED SHERWIN WILLIAMS #7714 "OAK BARREL"
- (D) PAINT - SHERWIN WILLIAMS #7714 "OAK BARREL"
- (E) PAINT SHERWIN WILLIAMS #6119 "ANTIQUE WHITE"
- (F) EIFS ACCENT BAND - PAINT SHERWIN WILLIAMS SW 7585 "SUNDRIED TOMATO"
- (G) METAL COPING - FACTORY PAINTED/FACTORY FINISH - "SIERRA TAN"
- (H) EXPOSED STEEL/EIFS - PAINT SHERWIN WILLIAMS SW 7714 "OAK BARREL"
- (I) 36" HIGH STEEL BOLLARDS - PAINTED TO MATCH "OAK BARREL"
- (J) HOLLOW METAL DOORS - PAINTED TO MATCH "OAK BARREL"
- (K) ELECTRICAL SWITCHGEAR / GAS METER - PAINTED SHERWIN WILLIAMS #7714 "OAK BARREL"
- (L) (E) CLAY TILE ROOF - "TERRA COTTA" COLOR. REPLACE DAMAGED TILES AS REQUIRED.
- (M) 42" HIGH GUARDRAIL WITH VERTICAL POSTS AT 5' O.C. TO BE POWDER COATED FINISH WITH "OAK BARREL" COLOR.
- (N) THIN BRICK VENEER - PACIFIC CLAY PRODUCTS, 3-5/8" x 7-5/8" COLOR: "SUNSET RED" WITH STD. GRAY GROUT COLOR



WEST ELEVATION

SCALE: 1/8" = 1'-0"



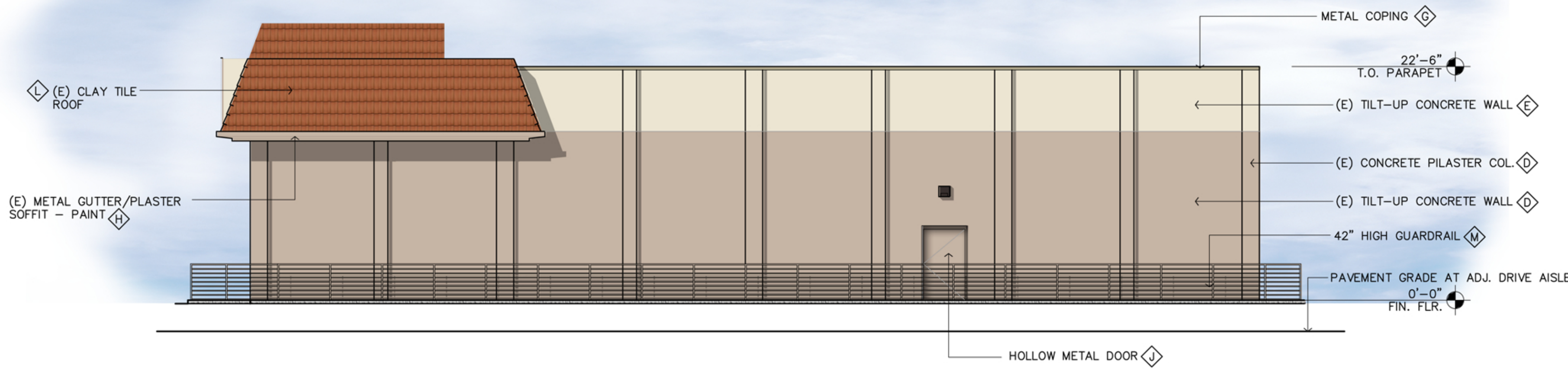
EAST ELEVATION (Railroad Ave)

SCALE: 1/8" = 1'-0"



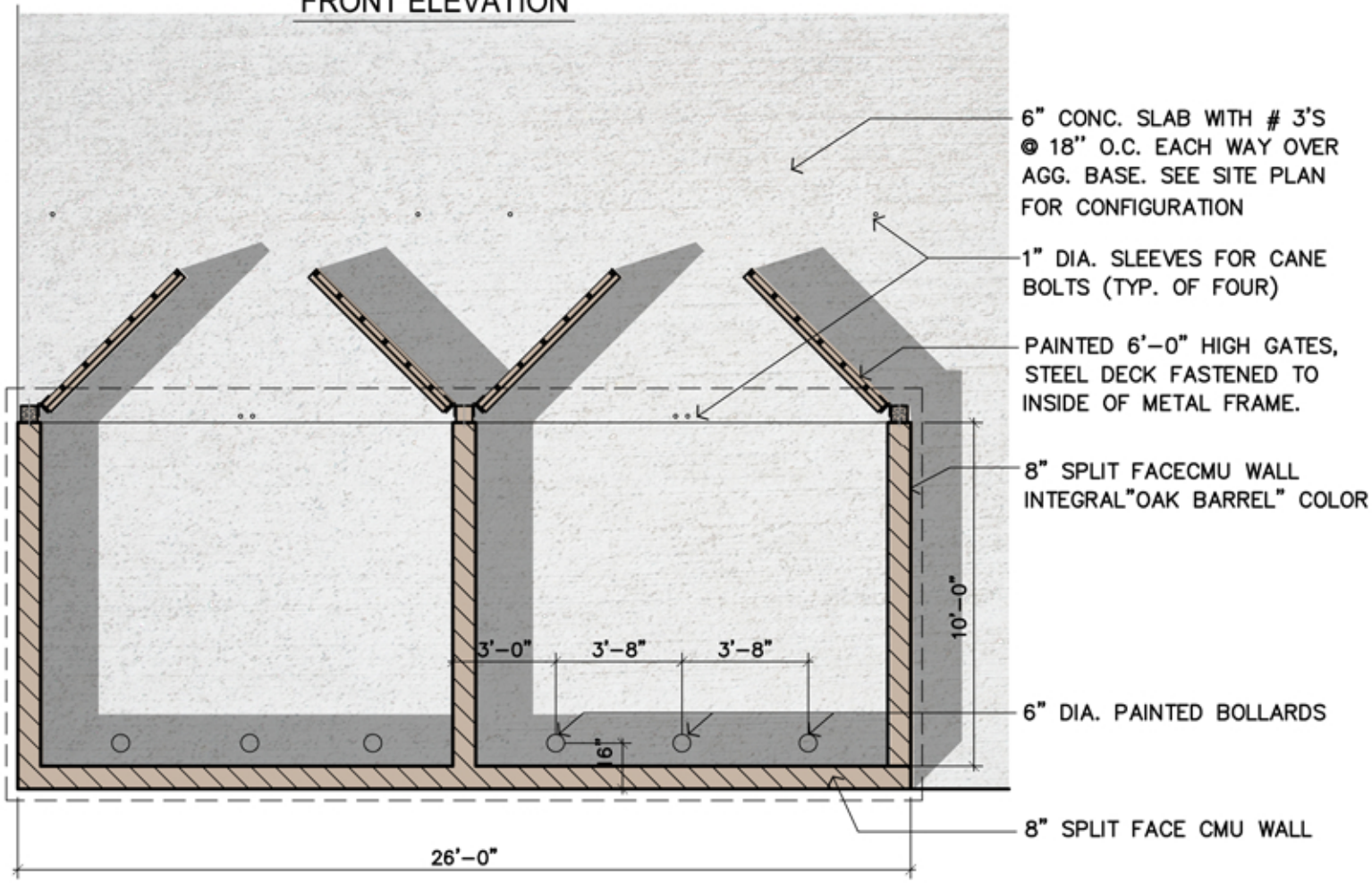
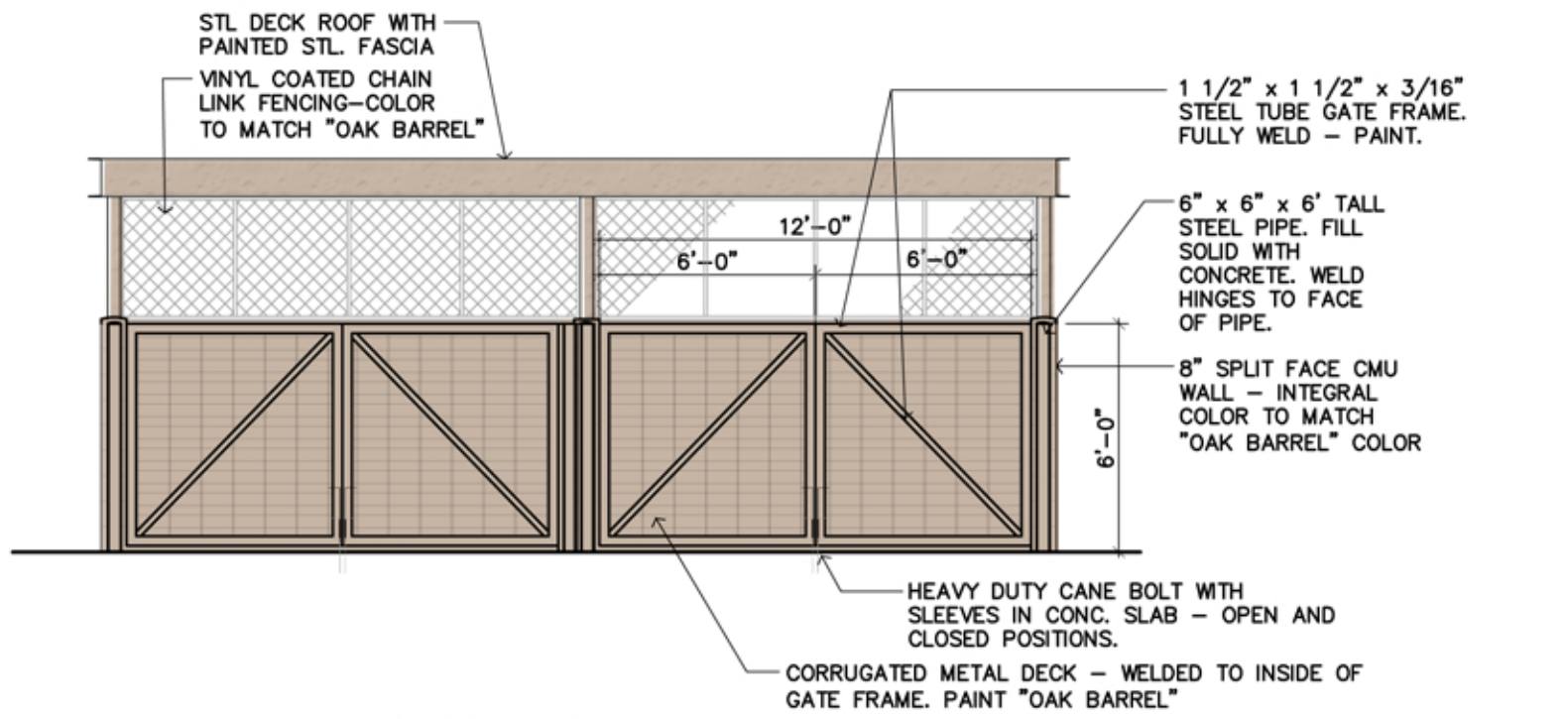
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



TRASH ENCLOSURE PLAN / ELEVATIONS

NOT TO SCALE

REV: #1 - 06.08.17

DATE: 04.10.17

JOB # A.1703067

ALT - 1R



THIS PLAN IS PROPERTY OF PLUMP GROUP ARCHITECTURE & ENGINEERING. THIS DRAWING IS LOANED WITHOUT OTHER CONSIDERATION THAN THE AGREEMENT AND CONDITION THAT IT IS NOT BE REPRODUCED, COPIED, OR OTHERWISE DISPOSED OF, DIRECTLY OR INDIRECTLY, AND IS NOT TO BE USED IN WHOLE OR IN PART TO ASSIST IN MAKING OR TO FURNISH ANY INFORMATION FOR THE MAKING OF DRAWINGS, PRINTS, APPARATUS OR PARTS THEREOF. THE ACCEPTANCE OF THIS DRAWING WILL BE CONSTRUED AS AN ACCEPTANCE OF THE FOREGOING CONDITIONS.

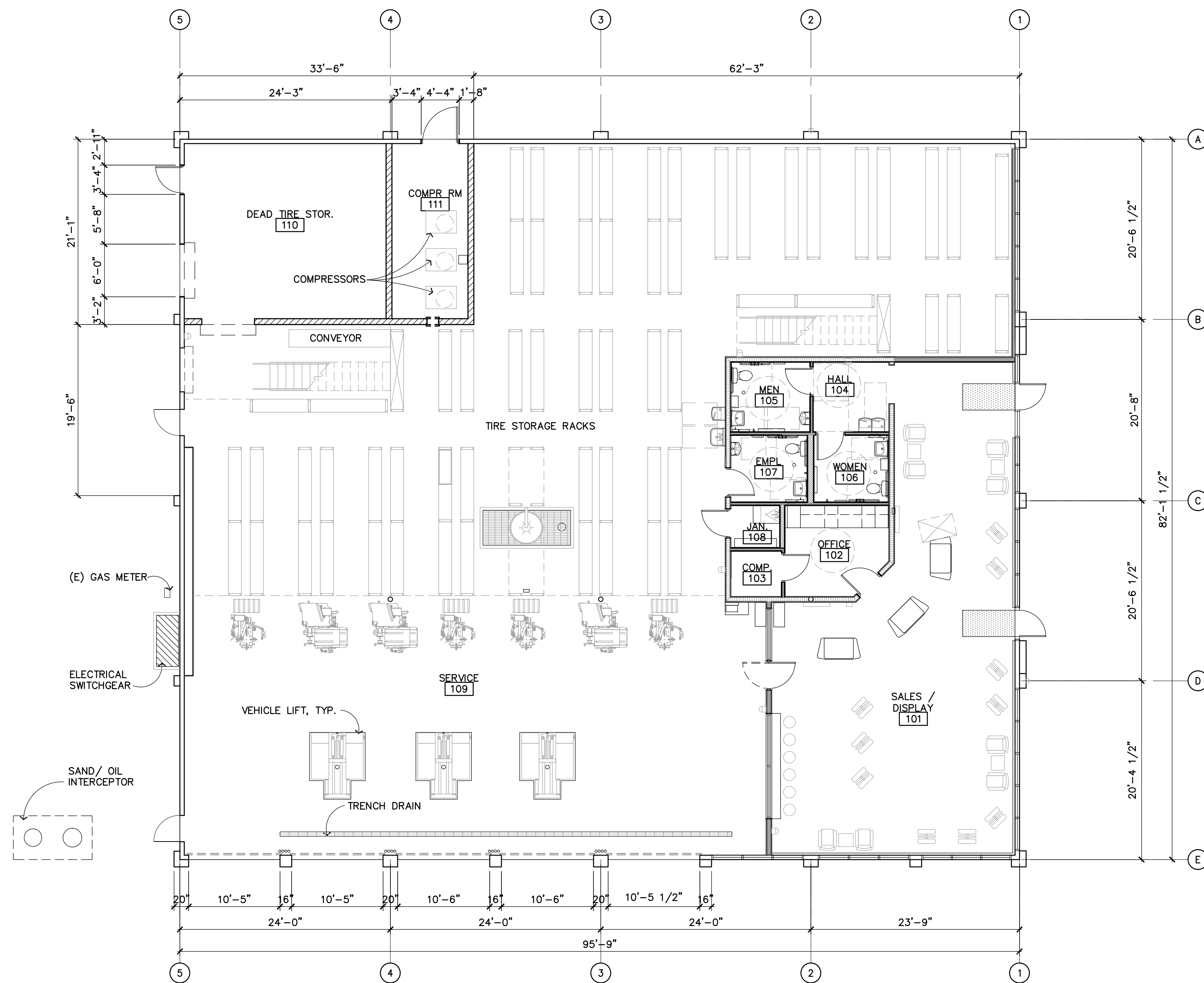
COLORED ELEVATIONS

2220 Railroad Avenue
PITTSBURG, CA 94564



Sheet No.

A.4



BUILDING AREA CALCS

GROUND FLOOR AREA

1st OCCUPANCY:

SALES / DISPLAY	1,166.18 S.F.
OFFICE	110.96 S.F.
COMPUTER	29.00 S.F.
HALL	67.60 S.F.
MEN	70.09 S.F.
WOMEN	60.00 S.F.
EMPLOYEE	60.16 S.F.
JANITOR ROOM:	26.17 S.F.

2nd OCCUPANCY:

SERVICE	226.86 S.F.
RECYCLE TIRE	9.02 S.F.
COMPRESSOR ROOM	172.97 S.F.

7,061.80 S.F. NET AREA (USABLE)

TOTAL GROUND FLOOR AREA: 7,826 S.F. BLDG FOOTPRINT

SECOND FLOOR AREA:

2nd OCCUPANCY:

STORAGE 1:	10.00 S.F.
STORAGE 2:	127.21 S.F.
STORAGE 3:	680.91 S.F.
WALKING GRATE:	1818.97 S.F.

2,936.11 S.F. NET AREA (USABLE)



CONCEPTUAL 1ST FLOOR PLAN

SCALE: 1/8" = 1'-0"



THIS PLAN IS PROPERTY OF PLUMP GROUP ARCHITECTURE & ENGINEERING. THIS DRAWING IS LOANED WITHOUT OTHER CONSIDERATION THAN THE AGREEMENT AND CONDITION THAT IT IS NOT BE REPRODUCED, COPIED, OR OTHERWISE DISPOSED OF, DIRECTLY OR INDIRECTLY, AND IS NOT TO BE USED IN WHOLE OR IN PART TO ASSIST IN MAKING OR TO FURNISH ANY INFORMATION FOR THE MAKING OF DRAWINGS, PRINTS, APPARATUS OR PARTS THEREOF. THE ACCEPTANCE OF THIS DRAWING WILL BE CONSTRUED AS AN ACCEPTANCE OF THE FOREGOING CONDITIONS.

CONCEPTUAL FLOOR PLAN

2220 Railroad Avenue
PITTSBURG, CA 94564



Sheet No.

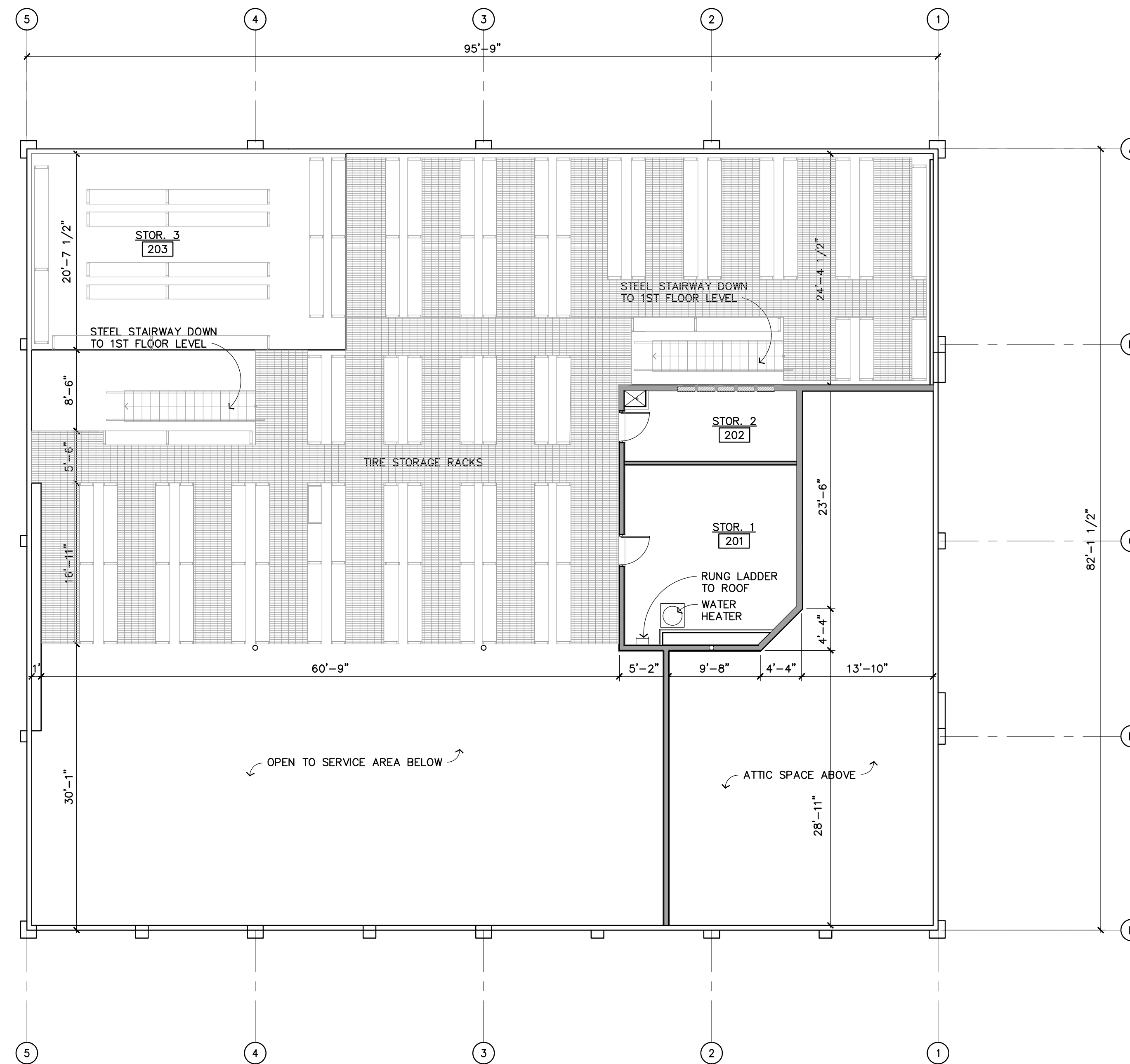
A.1

ALT - 1R

REV: #1 - 06.08.17

DATE: 04.10.17

JOB # A.1703067



CONCEPTUAL SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"

ALT - 1R

REV: #1 - 06.08.17
DATE: 04.10.17
JOB # A.1703067

**AMERICA'S
TIRE**

THIS PLAN IS PROPERTY OF PLUMP GROUP ARCHITECTURE & ENGINEERING. THIS DRAWING IS LOANED WITHOUT OTHER CONSIDERATION THAN THE AGREEMENT AND CONDITION THAT IT IS NOT BE REPRODUCED, COPIED, OR OTHERWISE DISPOSED OF, DIRECTLY OR INDIRECTLY, AND IS NOT TO BE USED IN WHOLE OR IN PART TO ASSIST IN MAKING OR TO FURNISH ANY INFORMATION FOR THE MAKING OF DRAWINGS, PRINTS, APPARATUS OR PARTS THEREOF. THE ACCEPTANCE OF THIS DRAWING WILL BE CONSTRUED AS AN ACCEPTANCE OF THE FOREGOING CONDITIONS.

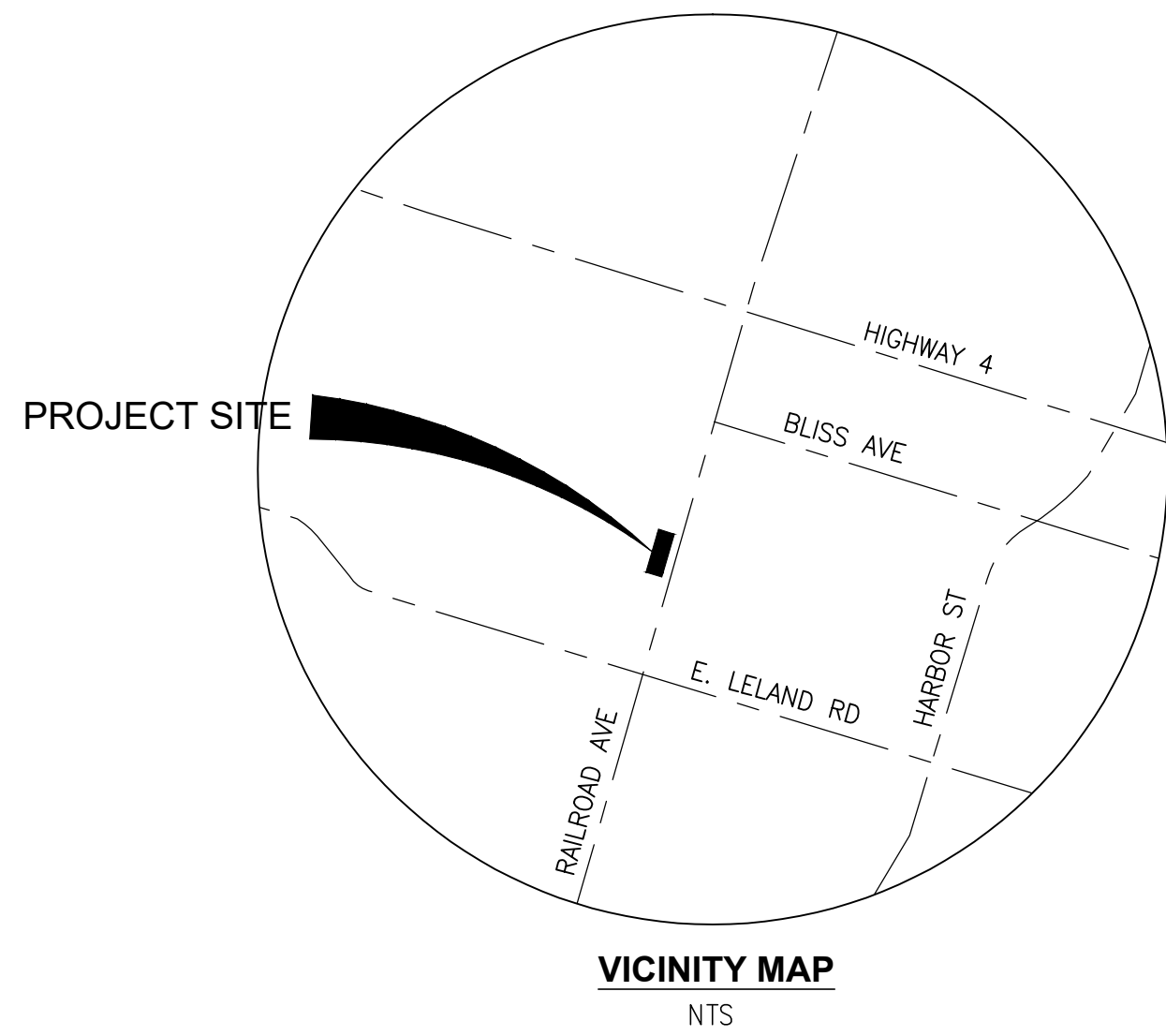
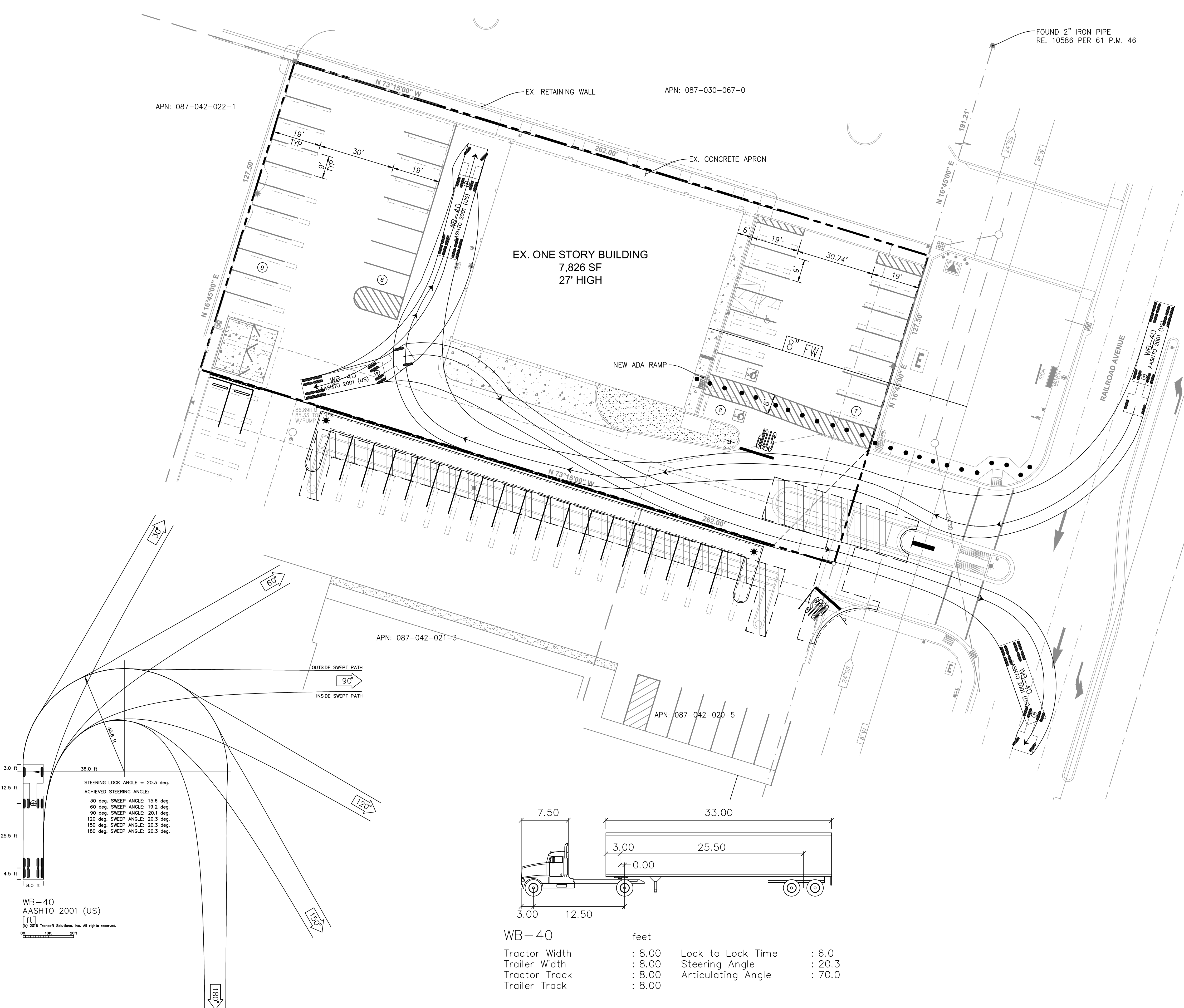
CONCEPTUAL FLOOR PLAN

2220 Railroad Avenue
PITTSBURG, CA 94564

PLUMP GROUP
ARCHITECTURE & ENGINEERING
a division of Plump Engineering, Inc.
914 E. KATELLA AVENUE, ANAHEIM, CA 92805
P (714) 385-1835 F (714) 385-1834
www.plumpgroup.com

Sheet No.

A.2



PROJECT INFORMATION:

OWNER/ DEVELOPER
AMERICA'S TIRE COMPANY
20225 N. SCOTTSDALE ROAD
SCOTTSDALE, AZ 85255
CONTACT: DON THRAILKILL
(480) 606-5781

ARCHITECT
THE PLUMP GROUP
914 E. KATELLA AVENUE
ANAHEIM, CA 92805
CONTACT: NOEL ANASCO
(714) 385-1835

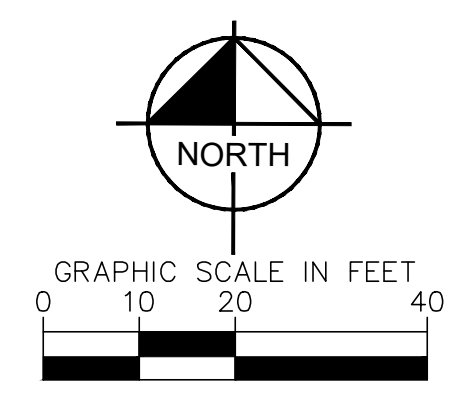
ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
555 CAPITOL MALL, SUITE 300
SACRAMENTO, CA 95814
CONTACT: MARVIN MARSHALL, PE
(916) 858-5800

LANDSCAPE ARCHITECT
KIMLEY-HORN AND ASSOCIATES, INC.
401 B ST, SUITE 600
SAN DIEGO, CA 92101
CONTACT: MICHAEL MADSEN, PLA
(619) 234-9411

- LEGEND:**
- SAWCUT AND REMOVE EXISTING IMPROVEMENT
 - NEW PCC PAVEMENT
 - REVITALIZED LANDSCAPING
 - ACCESSIBLE PATH OF TRAVEL
 - PARKING STALL
 - ELECTRICAL BOX
 - ELECTRICAL TRANSFORMER
 - EX. PARKING LOT LIGHT
 - EX. STORM DRAIN INLET
 - EX. SIGN
 - EX. EX. GAS METER

**WB-40 TRUCK
TEMPLATE**
MAY 2018

2220 RAILROAD AVE
PITTSBURG, CA



Kimley»Horn
KHA NO. 097587009

AMERICA'S TIRE

CAN 11261
2220 RAILROAD AVE. - PITTSBURG, CA 94565



10101 Reunion Place
Suite 500
San Antonio, TX 78216
P 210. 886. 0644
waltonsignage.com
© 2017 WALTON ALL RIGHTS RESERVED

Client: AMERICAS TIRE - CAN 11261
Address: 2220 RAILROAD AVE.
City/State: PITTSBURG, CA 94565
Sales: GW Designer: JD
Date: 06.09.17 PM TG

This is an original drawing created by Walton. It is submitted for your personal use, however, it shall at all times remain the property of Walton. It may be used in connection with the project being planned for you by Walton, but not otherwise. You are not authorized to show these drawings to anyone outside your organization, nor is it to be reproduced, used, copied or exhibited in any fashion.

Revision:
R1) 6/07/18 Replace pylon with multi-tenant monument sign - JD

H:\Discount Tire\Locations\CA\CA Pittsburg CAN 11261\156805 Bldg Signage\DESIGNS

Signs will be manufactured with 120 or 277 Volts A/C. All Primary electrical service to the sign, and final connection thereof, is the responsibility of the buyer. All work is to be done in accordance with the purchase agreement attached hereto. In case of variance between the specifications of the purchase agreement and this drawing, the drawing shall prevail.

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

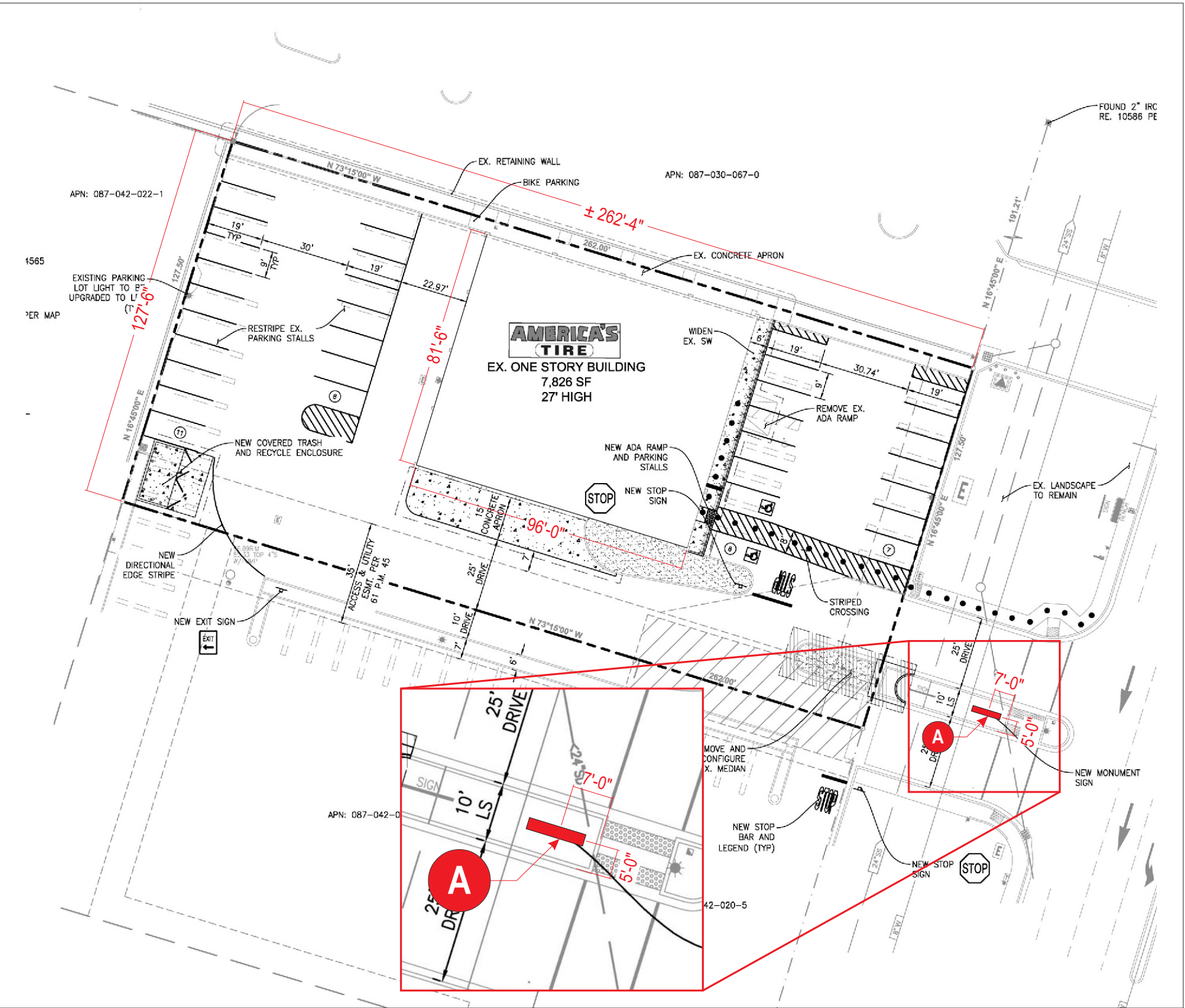
PAGE SIZE: 11" x 17"

Approvals:

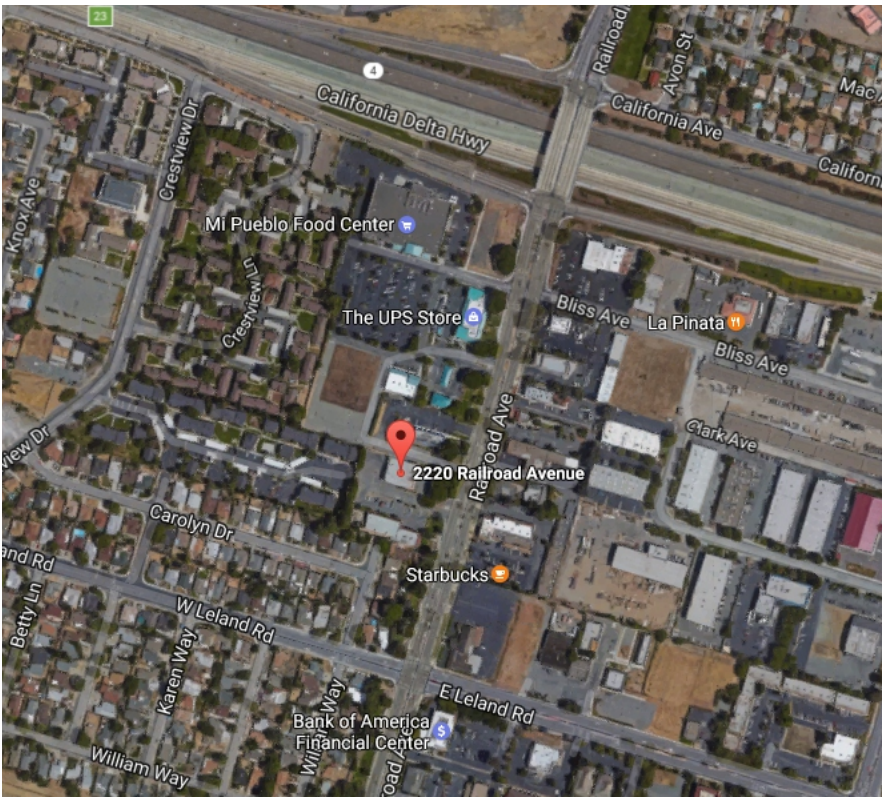
Sales:	Date:
P.M.:	Date:
Design:	Date:
Client:	Date:

CID156805-GND

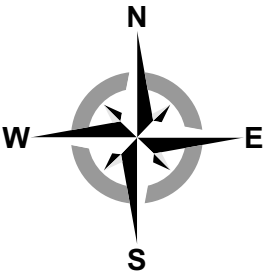
Sheet: 1 of 4

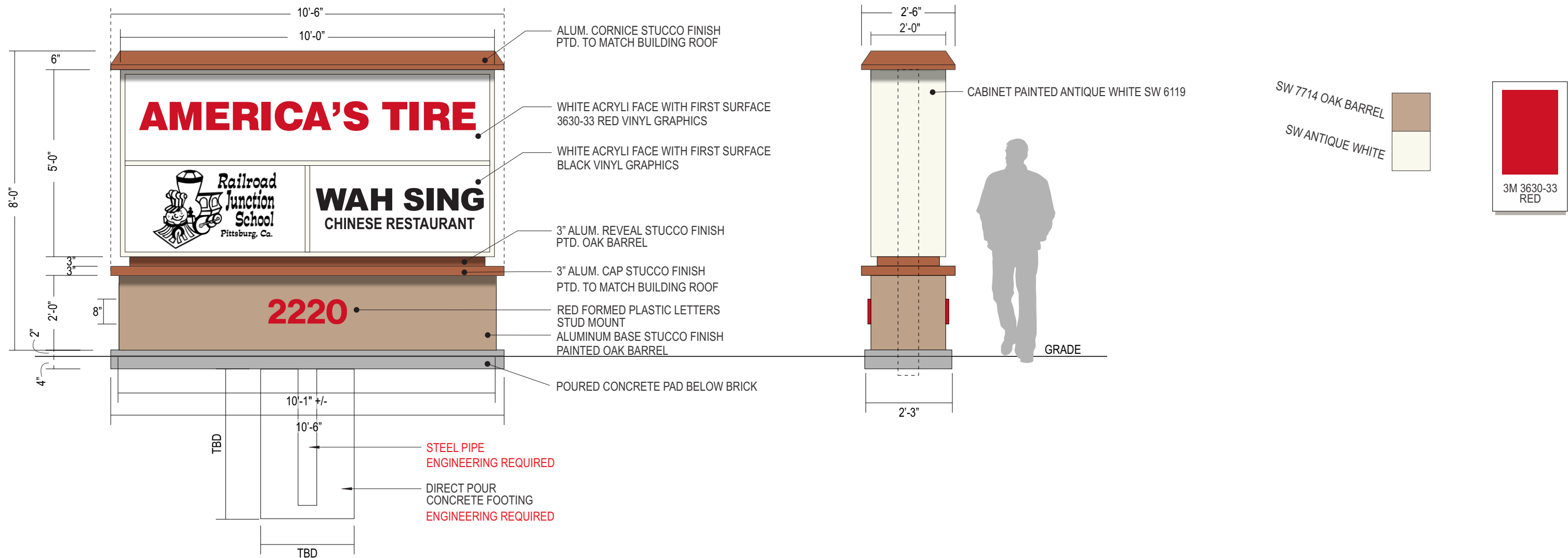


SITE PLAN
SCALE 1" = 40'-0"



AERIAL VIEW
NTS





5' X 10' X 8' - RPT - CMU - AT

D/F MONUMENT SIGN - 50 SQ. FT. (Face of Sign)

Scale: 3/8" = 1'-0"

- MANUFACTURE AND INSTALL ONE (1) NEW D/F ILLUMINATED MONUMENT SIGN

SURVEY NOTE:
VERIFICATION REQUIRED PRIOR TO
MANUFACTURING.



10101 Reunion Place
Suite 500
San Antonio, TX 78216
P 210. 886. 0644
waltonsignage.com
© 2017 WALTON ALL RIGHTS RESERVED

Client: AMERICAS TIRE - CAN 11261
Address: 2220 RAILROAD AVE.
City/State: PITTSBURG, CA 94565
Sales: GW Designer: JD
Date: 06.09.17 PM TG

This is an original drawing created by Walton. It is submitted for your personal use, however, it shall at all times remain the property of Walton. It may be used in connection with the project being planned for you by Walton, but not otherwise. You are not authorized to show these drawings to anyone outside your organization, nor is it to be reproduced, used, copied or exhibited in any fashion.

Revision:

R1) 6/07/18 Replace pylon with multi-tenant monument sign - JD

H:\Discount Tire\Locations\CA\CA Pittsburg CAN 11216\156805 Bldg Signage\DESIGNS

Signs will be manufactured with 120 or 277 Volts A/C. All Primary electrical service to the sign, and final connection thereof, is the responsibility of the buyer. All work is to be done in accordance with the purchase agreement attached hereto. In case of variance between the specifications of the purchase agreement and this drawing, the drawing shall prevail.

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

PAGE SIZE: 11" x 17"

Approvals:

Sales:	Date:
P.M.:	Date:
Design:	Date:
Client:	Date:

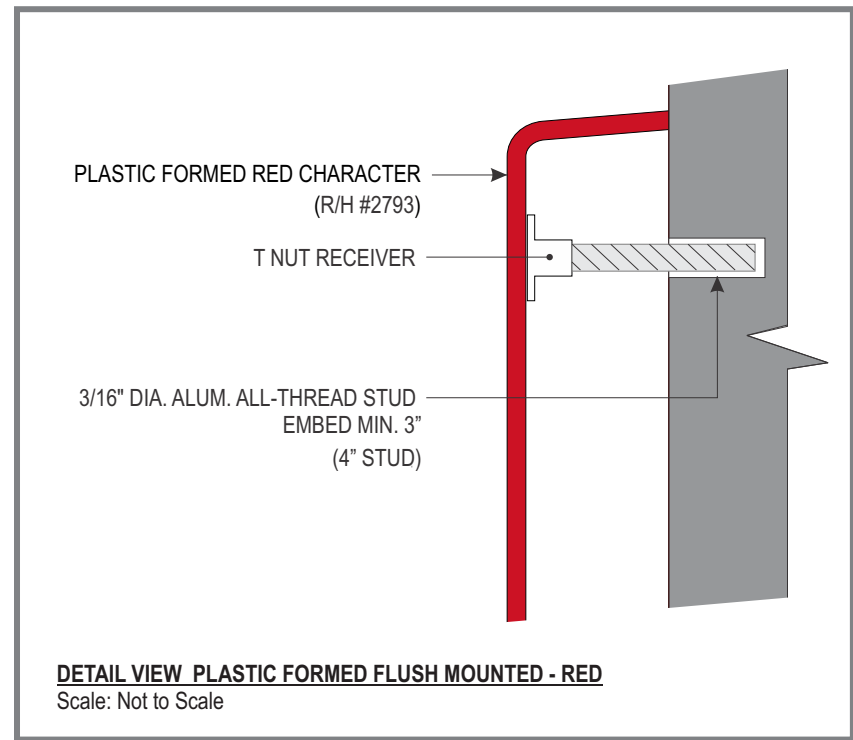
CID156805-GND

Sheet: 3 of 4

8" 2220

A1 PLASTIC FORMED NUMBERS FOR MONUMENT - FLUSH MOUNT
Scale: 1 1/2" = 1' -0"

- PROVIDE AND INSTALL TWO (2) SETS OF PLASTIC FORMED ADDRESS NUMBERS
- RED R/H #2793
- HELVETICA FONT
- STUD MOUNTED FLUSH ON BASE OF D/F MONUMENT



10101 Reunion Place
Suite 500
San Antonio, TX 78216
P 210. 886. 0644
waltonsignage.com
© 2017 WALTON ALL RIGHTS RESERVED

Client: AMERICAS TIRE - CAN 11261
Address: 2220 RAILROAD AVE.
City/State: PITTSBURG, CA 94565
Sales: GW Designer: JD
Date: 06.09.17 PM TG

This is an original drawing created by Walton. It is submitted for your personal use, however, it shall at all times remain the property of Walton. It may be used in connection with the project being planned for you by Walton, but not otherwise. You are not authorized to show these drawings to anyone outside your organization, nor is it to be reproduced, used, copied or exhibited in any fashion.

Revision:
R1) 6/07/18 Replace pylon with multi-tenant monument sign - JD

H:\Discount Tire\Locations\CA\CA Pittsburg CAN 11216\156805 Bldg Signage\DESIGNS

Signs will be manufactured with 120 or 277 Volts A/C. All Primary electrical service to the sign, and final connection thereof, is the responsibility of the buyer. All work is to be done in accordance with the purchase agreement attached hereto. In case of variance between the specifications of the purchase agreement and this drawing, the drawing shall prevail.

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

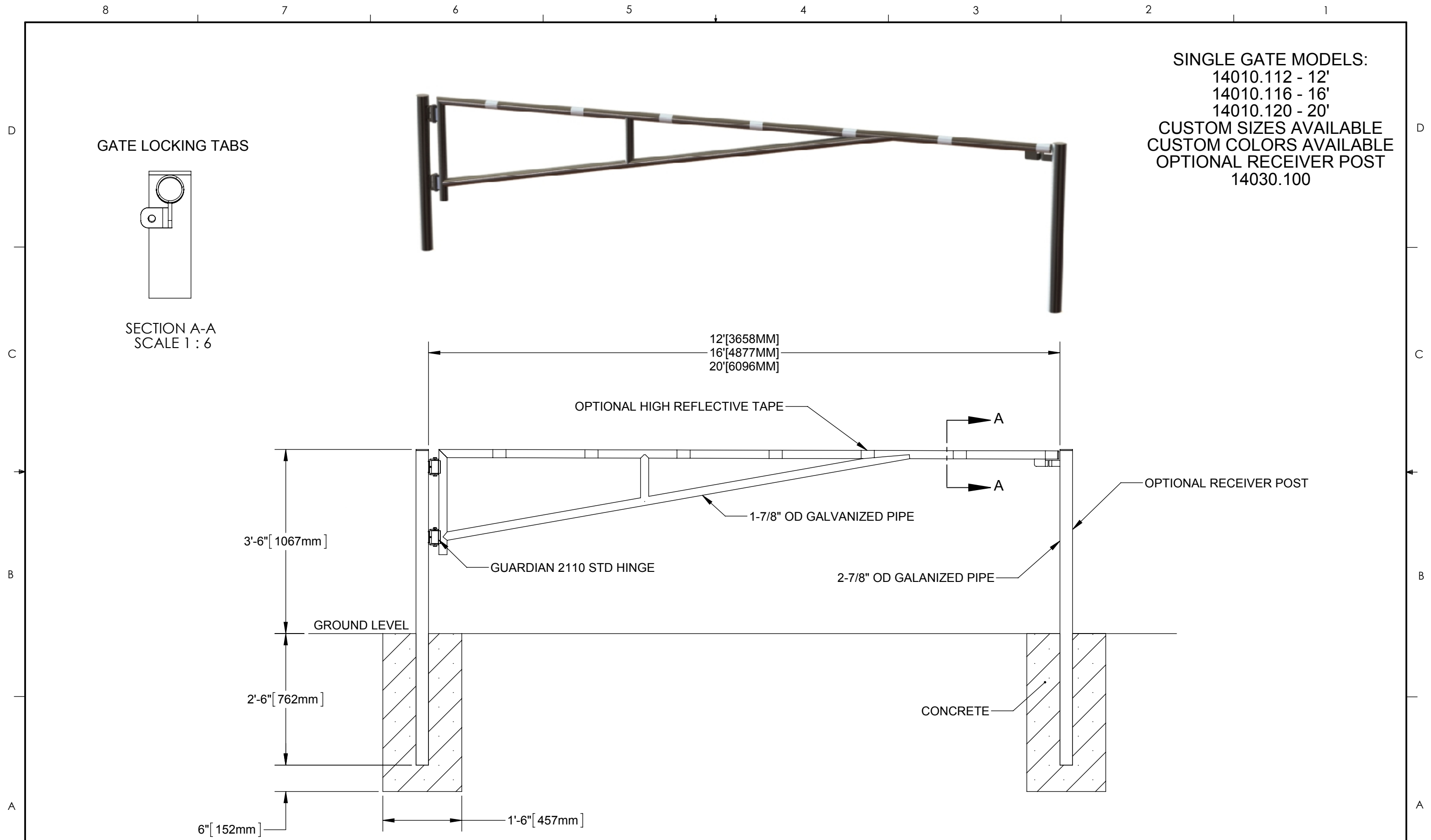
PAGE SIZE: 11" x 17"

Approvals:

Sales:	Date:
P.M.:	Date:
Design:	Date:
Client:	Date:

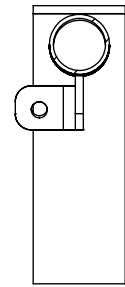
CID156805-GND

Sheet: 4 of 4



SINGLE GATE MODELS:
14010.112 - 12'
14010.116 - 16'
14010.120 - 20'
CUSTOM SIZES AVAILABLE
CUSTOM COLORS AVAILABLE
OPTIONAL RECEIVER POST
14030.100

GATE LOCKING TABS



SECTION A-A
SCALE 1 : 6

OPTIONAL HIGH REFLECTIVE TAPE

A

A

OPTIONAL RECEIVER POST

1-7/8" OD GALVANIZED PIPE

GUARDIAN 2110 STD HINGE

2-7/8" OD GALVANIZED PIPE

GROUND LEVEL

CONCRETE

3'-6" [1067mm]

2'-6" [762mm]

6" [152mm]

1'-6" [457mm]



4261 S. Country Club Rd., Tucson, AZ 85714-2009
Phone 1.520.881.3380 1.800.866.9115 (Toll Free)
E-mail:sales@guardiantraffic.com
http://www.guardiantraffic.com

COPYRIGHT © 2013 GUARDIAN TRAFFIC SYSTEMS
Proprietary Rights are included in all the information disclosed herein. This information is submitted in confidence and neither this document nor the information disclosed herein shall be reproduced or transferred to any other document, nor shall it be used or disclosed to any persons for manufacturing or any other reason except as specifically authorized in writing by Guardian Traffic Systems.

UNLESS OTHERWISE SPECIFIED:
DIMENSIONS ARE IN INCHES
TOLERANCES:
FRACTIONAL: 1/8"
ANGULAR: MACH ± 1° BEND ± R1/6"
TWO PLACE DECIMAL ±.01
THREE PLACE DECIMAL ±.005

MATERIAL: N/A		
DO NOT SCALE DRAWING	NAME	DATE
DRAWN	RLS	01/10/14

SIZE
B
SCALE: 1:20

PART NUMBER
14010
WEIGHT: N/A
SHEET 1

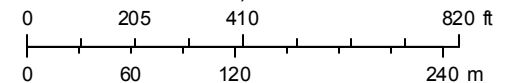
REV
-
DESCRIPTION
SENTINEL MANUAL SINGLE SWING BARRIER GATE

Surrounding Land Uses



10/31/2018, 8:05:02 AM

1:4,368



Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

Existing Conditions



Figure 1: Front (East) façade of main project site at 2220 Railroad.



Figure 2: Landscape parking median to be removed.



Figure 3: Existing sign to be replaced.



Figure 4: Existing drive aisle to be repaired.

Trees to be Removed



Attachment 4: RASP Applicable Goals and Policies

Goal/Policy	Analysis
Land Use	
Goal 3-G-1: Maximize the benefit of the proposed eBART Station and other transit options and increase ridership by creating a high density, mixed-use community around the potential station site and by integrating the area with the surrounding neighborhoods.	Not applicable. The project proposes to occupy an existing building. As such, the project would not include additional density or a mix of uses, but would continue to serve the surrounding neighborhoods.
Goal 3-G-2: Preserve the character of existing residential neighborhoods and enhance their connections to each other and the transit hub area.	Consistent. The proposed project would not affect the character of any existing residential neighborhoods and would help protect them against loitering and/or crime by filling a long-standing vacant building, consistent with CPTED guidance. The project would also encourage pedestrian movement by creating a more welcoming environment along Railroad Avenue by eliminating a “gap” in the corridor due to the vacant building and helping to alleviate loitering.
Goal 3-G-3: Preserve industrial uses and jobs by allowing similar and compatible uses in the designated light industrial areas within the Transit Village, Industrial/Mixed Use Center and Los Medanos Industrial Center sub-areas.	Not applicable. The proposed project is not located in a designated light industrial area, nor would it displace an existing industrial use.
Policy 3-P-1: Create a vibrant, mixed use, transit-oriented development district nearest the proposed eBART Station.	Consistent. As the proposed project include the occupation of an existing building with only minor façade improvements, it is not subject to the development standards intended to increase density in the area or establish mixed-use development. However, the occupation of the existing building at 2220 Railroad would encourage pedestrian movement by creating a more welcoming environment along Railroad Avenue by eliminating a “gap” in the corridor due to the vacant building and helping to alleviate loitering.
Policy 3-P-2: Foster an engaging and active street environment.	
Policy 3-P-3: Provide additional housing opportunities, including multifamily and affordable housing, within one-half mile of the proposed eBART Station.	Not applicable. The project proposes to occupy an existing building and does not propose any residential development.

Attachment 4: RASP Applicable Goals and Policies

Policy 3-P-4: Provide services and amenities that meet the needs of transit riders, local residents, employees, students and visitors such as childcare, education and job skills services, community centers, healthcare services, and neighborhood serving retail in close proximity to the eBART Station.	Consistent. The proposed project would provide a service that would help meet the needs of local residents, as well as employment opportunities.
Policy 3-P-5: Provide land uses that accommodate both City-wide and locally-oriented retail opportunities for different consumers to patronize within the Specific Plan Area.	Consistent. While much of the RASP is intended to foster residential and employment growth in the area, along with support commercial uses, the proposed use would attract more patrons to the area and provide additional support for retail businesses in the RASP area.
Policy 3-P-6: Designate land as public space to provide opportunities for gathering, social interaction, and recreation.	Not applicable. The adopted RASP designates certain areas as public space for gathering, social interaction and recreation; the proposed project site is not designated for this type of use.
Policy 3-P-7: Create an integrated network of open spaces and trails that connect different neighborhoods and sub-areas to each other and to transit facilities.	
Policy 3-P-8: Incorporate visual and physical connections between City Park and the public uses on the southern portion of the Civic Center block through the inclusion of view corridors, public pathways and greenways in the residential development at the northern part of the Civic Center block.	Not applicable. The proposed project site is not within or adjacent to City Park or the Civic Center area.
Policy 3-P-9: Retain and expand a variety of employment opportunities in the Specific Plan Area by providing a range of land uses in close proximity to the eBART station.	Consistent. The proposed project would employ 10 persons, who may commute to and from these jobs via BART.
Policy 3-P-10: Allow residential uses above ground floor commercial uses in all commercial land use designations subject to the design review approval by the Planning Commission.	Not applicable. The proposed project does not propose any residential uses.
Policy 3-P-11: Allow density increases up to 25% for all properties within one-quarter mile of the eBART Station subject to design review by the Planning Commission.	

Attachment 4: RASP Applicable Goals and Policies

Policy 3-P-12: Allow minor deviations from the designated land uses provided that the intent of the predominant land use designation is maintained. Where uncertainty exists regarding the interpretation of a provision of this document to a specific site, the Zoning Administrator shall determine the intent of the provision.	Consistent. The proposed project is consistent with the adopted land use regulations of the RASP. The Zoning Administrator has determined that reuse of the existing building and minor modifications do not trigger certain development standards intended for new buildings.
Policy 3-P-13: A mini-plaza and public promenade shall be constructed at the northwestern corner of the Civic Center block at the intersection of Civic Drive and Davi Avenue, to allow for visual and physical access to City Hall and the approximately two and one-half acre open park located north of City Hall. There shall be at least one additional visual and physical connection through any future residential development along the northern part of the Civic Center block to the park.	Not applicable. The proposed project is not located within the Civic Center area.
Policy 3-P-14: The approximately two and one-half acre park located north of City Hall shall be improved with new tables and benches, a tot lot, interactive water feature, public art, and shade areas, in addition to other amenities, for the benefit of the public.	Not applicable. The proposed project is not located within the identified area north of City Hall.
Design and Development	
Goal 4-G-1: Provide a safe and inviting pedestrian environment to draw people to and from the eBART Station.	Consistent. The occupation of the existing building at 2220 Railroad would encourage pedestrian movement by creating a more welcoming environment along Railroad Avenue by eliminating a “gap” in the corridor due to the vacant building and helping to alleviate loitering.
Goal 4-G-2: Celebrate the station area as a major gateway to the City.	Not applicable. This goal is an area-wide goal of the RASP, and not specific to a single location or development.
Goal 4-G-3: Promote high quality development that is socially and environmentally sustainable.	Consistent. The proposed project would reuse an existing building, reducing the amount of waste generated, while also enhancing the aesthetic of the area, and promoting walkability by eliminating a “gap” in the corridor due to the vacant building and helping to alleviate loitering.

Attachment 4: RASP Applicable Goals and Policies

Policy 4-P-1: Require high quality, pedestrian-friendly design and a high level of transparency along street fronts and pathways to activate the street environment, promote social interaction and support crime prevention.	Consistent. The proposed project would reuse an existing building with large front windows that provide visibility into and out of the building and promoting walkability and an active street environment by eliminating a “gap” in the corridor due to the vacant building and helping to alleviate loitering.
Policy 4-P-2: Incorporate public pathways and greenways throughout private development located within the Civic Center and Transit Village sub-areas to facilitate pedestrian and bicycle movement throughout the Specific Plan Area.	Not applicable. The proposed project includes reuse of an existing building but is not considered new development. However, the proposed project is adjacent to City right-of-way that is slated for development of a pedestrian/bicycle pathway along Railroad Avenue, and would promoting walkability by eliminating a “gap” in the corridor due to the vacant building and helping to alleviate loitering.
Policy 4-P-3: Provide high quality wayfinding signage throughout the Specific Plan Area.	Not applicable. The proposed use and location of the project do not necessitate additional wayfinding signage.
Policy 4-P-4: Develop incentives to support environmentally sustainable practices in site and building design such as improved insulation, operable windows, energy efficient lighting and appliances, solar access, natural ventilation, and permeable paving materials.	Not applicable. The proposed project would utilize an existing structure.
Policy 4-P-5: Allow reductions in on-site parking requirements at the discretion of the Planning Commission or City Council as part of project approval for affordable and senior housing developments located within the Transit Village, Civic Center and High School Village subareas.	Consistent. The proposed project would reduce the total number of parking spaces on site, reducing an existing nonconforming feature of the project site.

Attachment 4: RASP Applicable Goals and Policies

Policy 4-P-6: All residential development located within 500 feet of State Route 4 shall incorporate site and building specific measures including but not limited to triple paned windows and internal ventilation systems to reduce the exposure of residents to noise and air quality impacts from vehicle emissions (Mitigation Measure AQ 4.1).	
Policy 4-P-7: Require all new development located near a roadway that produces noise levels greater than 65 dbA to have an acoustical analysis prepared by a qualified acoustical engineer to ensure all feasible site planning and architectural design measures are incorporated to reduce interior noise levels to a maximum of 45 dbA (Mitigation Measure NO-3.1).	Not applicable. The proposed project does not include any residential development.
Community Resource	
Goal SP5-G-1: Provide a range of parks, open spaces and public facilities in the Specific Plan Area to meet the diverse needs of residents, employees, students and visitors.	
Goal SP5-G-2: Design and install facilities specifically oriented towards meeting the needs of area youth.	
Goal SP5-G-3: Provide direct access and convenient bus service to the Transit Village.	
Goal SP5-G-4: Ensure that natural resources are identified and enhanced by the new development to provide for additional community amenities within the Specific Plan Area.	Not applicable. There are no identified natural resources within the project site.
Policy SP5-P-1.1: Integrate high quality public facilities – such as public meeting places, a teen center and an upgraded library – into the area that support the needs of visitors, workers, students and residents.	Not applicable. The adopted RASP designates certain areas as public space for gathering, social interaction and recreation; the proposed project site is not designated for this type of use.

Attachment 4: RASP Applicable Goals and Policies

Policy SP5-P-1.2: Require new development to provide land or funding to help create a strong network of parks, plazas and pathways.	Not applicable. The proposed project does not propose any new development, but rather the occupancy of an existing building, with minor building enhancements, a new trash structure and freestanding sign, and parking lot improvements.
Policy SP5-P-1.3: Encourage the development of day care and child care centers as part of new development.	Consistent. The proposed commercial area to be renovated currently includes a day care/child care center.
Policy SP5-P-3.1(a): Create a dedicated bus-only street and lanes with access in both directions in the Transit Village sub-area.	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development.
Policy SP5-P-3.1(b): Install street furniture that improves the transit rider's experience, including bus shelters, seats, and informational signage.	Consistent. The proposed project is adjacent to a wide right-of-way area along railroad Avenue, where street furniture currently exists. The project site is not adjacent to any bus stops.
Policy SP5-P-3.2: Provide uniform pedestrian-scale lighting along all streets in the Transit Village and Civic Center sub-areas.	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development.
Policy SP5-P-4.1: All residential development located within 100 feet of Highway 4 shall incorporate site and building specific measures such as triple paned windows and internal ventilation systems to reduce exposure of residents to toxic air quality impacts.	Not applicable. The proposed project does not include any residential development.
Transportation and Circulation	
Goal 6-G-1: Make the Specific Plan Area a walkable center at the crossroads of the Pittsburg community.	Consistent. The occupation of the existing building at 2220 Railroad would encourage pedestrian movement by creating a more welcoming environment along Railroad Avenue by eliminating a "gap" in the corridor due to the vacant building and helping to alleviate loitering.
Goal 6-G-2: Reduce vehicle miles traveled by strengthening multi-modal connections in and around the Specific Plan Area.	
Goal 6-G-3: Improve all transit connections from the Specific Plan Area outward to the City, the Pittsburg/Bay Point BART station and the region.	

Attachment 4: RASP Applicable Goals and Policies

Policy 6-P-1: Encourage walking, bicycling and other non-motorized modes of transportation by providing clearly defined, generous, safe and enjoyable routes for pedestrians and cyclists.	Consistent. The occupation of the existing building at 2220 Railroad would encourage pedestrian movement by creating a more welcoming environment along Railroad Avenue by eliminating a “gap” in the corridor due to the vacant building and helping to alleviate loitering.
Policy 6-P-2: Create a program of wayfinding signage for common destinations throughout the City and Specific Plan Area.	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development.
Policy 6-P-3: Provide wide sidewalks (a minimum of six-feet wide in residential areas and ten feet in commercial areas) to enhance the pedestrian experience.	Not applicable. The proposed project is not adjacent to any sidewalk.
Policy 6-P-4: Discourage local automobile traffic from performing short trips.	Consistent. The proposed project would add a service use near existing and future commercial opportunities, allowing patrons to “trip-chain,” and patronize commercial and restaurant uses, as well as BART, while their car is being serviced.
Policy 6-P-5: Minimize the perception of walking distances between key destinations by mixing uses and providing streetscape amenities.	Consistent. The proposed project would add a service use near existing and future commercial opportunities and is adjacent to a wide right-of-way with existing street furniture and planned improvements.
Policy 6-P-6: Create dedicated mid-block greenway connections throughout the Transit Village and into the Civic Center sub-areas.	Consistent. A mid-block connection from the sidewalk along Railroad Avenue to the project site exists.
Policy 6-P-7: Design the public realm and rights-of-way for universal design and Americans with Disabilities Act (ADA) compliance to meet or exceed guidelines set by the Division of the State Architect.	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development.

Attachment 4: RASP Applicable Goals and Policies

Policy 6-P-8: Include accessible design improvements, such as appropriately placed curb cuts, audible pedestrian-crossing signals, maximum pathway grades, generous walkway width and areas for rest.	Consistent/Conditionally consistent. The existing right-of-way along Railroad Avenue includes street furniture for pedestrians. Additionally, the occupation of the existing building at 2220 Railroad would encourage pedestrian movement by creating a more welcoming environment along Railroad Avenue by eliminating a “gap” in the corridor due to the vacant building and helping to alleviate loitering. A condition of approval would require the development on private property to conform with state and city-mandated ADA improvements.
Policy 6-P-9: Incorporate traffic calming techniques such as wide sidewalks, narrow streets, bulb outs, on-street parking, and other strategies throughout the Transit Village, Civic Center and High School Village sub-areas.	Not applicable. The proposed project does not include or warrant any modifications to the existing right-of-way.
Policy 6-P-10: Enforce truck routes along Railroad Avenue, Leland Road and Harbor Street.	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development. The City, and Police Department in particular, will continue to enforce traffic laws, including use of truck routes.
Policy 6-P-11: Provide multiple public parking structures in strategic locations that may be shared by commercial and residential uses as well as eBART transit riders.	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development.
Policy 6-P-12: Allow shared parking in all BART parking lots and parking spaces after 6 p.m. on weekdays and on weekends.	
Policy 6-P-13: When traffic and parking demand volumes increase within the Specific Plan Area, implement Transportation Demand Management (TDM) strategies including unbundling parking from residential development, lowering minimum parking requirements, and instituting parking pricing strategies to ensure that at least one parking space is always available and to discourage single occupancy vehicle travel to and from the Specific Plan Area.	

Attachment 4: RASP Applicable Goals and Policies

Policy 6-P-14: Discourage vehicular access to parking garages from Bliss Avenue. Locate entrances to garages on side streets or from alley ways (see Figure 4.6, Conceptual Circulation and Parking).	Not applicable. The proposed project is not adjacent to Bliss Avenue.
Policy 6-P-15: Encourage conversion of surface parking lots to structured parking facilities that can be funded through the formation of a Community Facilities District, Assessment District and/or in lieu fees and revenues generated from public parking facilities.	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development.
Policy 6-P-16: Create an “easy-to-use” public transit system that is well-delineated with identifying and orienting signage, high quality shelters, benches, lighting and real-time LED signs showing bus arrival times.	
Policy 6-P-17: Include efficient links between Tri-Delta buses, shuttles, public parking areas and the potential eBART Station. Work with transit providers to ensure matching service spans between buses, shuttles and eBART trains.	
Policy 6-P-18: Use shuttles and local bus transit to strengthen connections between the Specific Plan Area, Old Town Pittsburg, Los Medanos College and other key destinations in the City.	
Policy 6-P-19: Achieve a minimum of 10 to 15 minute headways between BART and bus connections during peak hours.	
Policy 6-P-20: Develop a bus-only access street in the Transit Village as shown in Figure 6.12, Planned Public Transit Improvements.	
Policy 6-P-21: When traffic and parking demand volumes increase as the Specific Plan Area develops, consider amending the General Plan to define the intersections located within the Specific Plan Area as Transit Oriented Development and subject to specific multi-modal as well as vehicular LOS standards.	

Attachment 4: RASP Applicable Goals and Policies

Policy 6-P-22: When conducting a comprehensive update of the City's General Plan, ensure that the bicycle facilities proposed within the Specific Plan area are extended to bicycle facilities outside of the half-mile radius from the eBART Station to ensure safe, connected, direct bicycle facilities to and from the Station area.	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development.
Policy 6-P-23: Convert the Harbor Street/Garcia Avenue intersection from a two-way controlled stop to a signalized intersection that is funded through the formation of an assessment or benefit district or some other strategy to ensure a fair share contribution to the improvement (Mitigation Measure RT-2.1 and TR-4.1).	
Utilities and Infrastructure	
Goal 7-G-1: Ensure efficient, effective and equitable provision of high-quality utilities and infrastructure throughout the Specific Plan Area.	Not applicable. This goal is an area-wide goal of the RASP, and not specific to a single location or development.
Goal 7-G-2: Encourage new development within the Specific Plan Area to incorporate energy efficient and sustainable building principles.	Not applicable. The proposed project includes the reuse of an existing building with only minor façade enhancements.
Policy 7-P-1: Ensure that adequate infrastructure (water, wastewater, energy and communication services) is provided throughout the Specific Plan Area to support development and attract private investment.	Consistent. Adequate infrastructure exists to serve the proposed use.
Policy 7-P-2: Promote building design that improves energy efficiency by incorporating natural cooling and passive solar heating where possible. This may include extended eaves, window overhangs, awnings and tree placement for natural cooling and building and window orientation to take advantage of passive solar heating.	Not applicable. The proposed project does not propose any new development, but rather the occupancy of an existing building, with minor building enhancements, a new trash structure and freestanding sign, and parking lot improvements.
Policy 7-P-3: Where possible, integrate solar generating structures with varied functions into the urban fabric including, but not limited to, bus shelters, parking lots, street lights and other public infrastructure.	

Attachment 4: RASP Applicable Goals and Policies

Policy 7-P-4: Provide funding for infrastructure through permit fees as well as federal and state grants and the formation of Community Facilities Districts and other public/private funding mechanisms.	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development.
Policy 7-P-5: Encourage developers to utilize low-impact development (LID). LID addresses stormwater treatment through small, cost-effective landscape features located at the site level. These landscape features, known as Integrated Management Practices (IMPs), are the building blocks of LID. IMPs include planter strips, rooftop gardens, planter boxes, and pervious concrete pavers.	Conditionally consistent. Proposed conditions of approval would require the developer incorporate, wherever feasible, long-term best management practices (BMPs) for the reduction or elimination of storm water pollutants.
Policy 7-P-6: Encourage developments on adjacent and/or contiguous lots within the Specific Plan Area, and particularly within the Transit Village and Civic Center sub-areas, to jointly meet Provision C3 requirements through shared swales and other integrated management practices.	
Policy 7-P-7: New projects shall incorporate water conservation measures including but not limited to low flow showers and toilets, low flow and gray water irrigation systems and the use of drought tolerant landscaping.	Consistent. The project proposes all new landscaping to be drought tolerant, with a drip irrigation system, and would be consistent with the State's Water Efficient Landscape Ordinance.
Policy 7-P-8: Ensure that all commercial and residential development includes trash enclosures that can accommodate receptacles for garbage, recycling and green and food waste collection when it is available from Pittsburg Disposal on a city-wide basis.	Consistent. The proposed project includes construction of a masonry trash enclosure with roof sized to handle garbage and recycling, consistent with Title 18. The enclosure would be finished and painted to match the main building which it serves.
Policy 7-P-9: Trash enclosures shall be constructed of masonry material with self-enclosing doors, a roof and a second access in accordance with Title 18 of the PMC. All enclosures shall be constructed of high-quality materials, and the design and color shall be coordinated with the proposed development. Where feasible, consider designing the main structure to house the trash/recycling enclosure rather than designing the trash enclosure as a separate, stand along building.	

Attachment 4: RASP Applicable Goals and Policies

Policy 7-P-10: Develop a comprehensive map showing all service corridor easements and routes to ensure the provision of public utilities to all new urban development and require utility corridor easements in development plans for projects within the Specific Plan.	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development.
Policy 7-P-11: Ensure that all new and redevelopment projects underground utility lines on and adjacent to the site.	Not applicable. The proposed project is not adjacent to any existing overhead powerlines.
Policy 7-P-12: Provide incentives to private developers to incorporate green building practices. Such incentives may include accelerated project review, rebates or low interest loans for green building improvements, or other programs designed by the City (Mitigation Measure CC-1.1).	Not applicable. The proposed project does not propose any new development, but rather the occupancy of an existing building, with minor building enhancements, a new trash structure and freestanding sign, and parking lot improvements.
Policy 7-P-13: Retrofit municipal water and wastewater systems within the Specific Plan area with energy efficient motors, pumps, and other equipment (Mitigation Measure CC-1.1).	Not applicable. This is an area-wide policy of the RASP, and not specific to a single location or development.

Attachment 5: Development Review Design Guidelines

Design Review Guideline	Meets Guideline?
<i>Commercial/Industrial</i>	
Parking areas should be screened from view from any public right-of-way (beaming or hedge-type plant material). Parking areas should be broken up (landscape islands, projections, etc.) to eliminate vast areas of parking especially along street frontages.	Yes. The parking area would be screened from view from the right-of-way along Railroad Avenue by the proposed structure.
Provisions should be made for permanent shopping cart corrals in retail shopping centers.	Not applicable. The proposed structure would not house a use which would utilize shopping carts.
Existing trees on site should be incorporated into the project side design, unless waived by the City Planner or Planning Commission.	Conditionally. The proposed project would likely require the removal of up to five protected trees; however, the applicant has applied for a protected tree removal permit, and a condition of approval would require the applicant plant replacement trees or pay in lieu fees, consistent with the Pittsburgh Municipal Code (PMC).
Developer should elect, at least, one of the schemes provided in Appendix #1 for screening all utility box transformers, backflow preventers, meters and junction boxes.	Not applicable. The proposed project would not require the installation of any new utility infrastructure on site.
Projects with many buildings (greater than three) should have a variety of building sizes and masses.	Not applicable. The proposed project sites include only three existing buildings, and no new buildings are proposed.
Continuous horizontal roof lines should be broken up whenever possible. An expanse should not exceed 50 (fifty) feet in length unless architecture or size dictate a greater expanse.	Not applicable. The proposed project would utilize an existing structure.
Building entries should be designed as a focal point. They should be designed to set the theme or be the primary feature of the building or commercial center.	Yes. The proposed project would include the refinishing of the front façade with faux brick material, including the approximately 15.5-foot pillars on either side of the proposed entryways, creating a focal point around the building entries.

Attachment 5: Development Review Design Guidelines

Building elevations (example: rear of shopping centers) visible from public right-of-ways should be addressed in design review and treated appropriately.	Yes. In addition to the changes to the front façade, the remaining building sides would also be refinished with fresh paint in a two-tone, subdued color scheme to help visually break-up large expanses of blank walls and make maintenance easier.
A free-standing structure within an existing commercial or industrial center should be architecturally compatible with the center, including but not limited to materials, colors and architectural elements.	Yes. The proposed trash enclosure would be designed to coordinate with the surrounding buildings.
All roof mounted equipment should be screened completely from view from all public rights-of-way. A site-line study may be necessary to determine appropriate screening method.	Not applicable. The proposed project would not require the installation of any additional roof-mounted equipment.
All Structures, including, but not limited to, “tilt-up” type structures, should have structural reliefs and articulated entries (Encourage the creation of shadow lines).	Not applicable. The proposed project would utilize an existing structure.
Exterior fire escapes, stairs and other appurtenances should be designed or treated as integral parts of the building façade.	Yes. The proposed project would not require the installation of any new outdoor appurtenances, including downspouts. However, a condition of approval would require all existing appurtenances be finished to match the building exterior to which they are attached.
Downspouts should be designed into the façade of the building unless architecturally treated.	
Add murals, lattice or some other spaceframe type treatment to blank walls visible from public view.	Not applicable. The proposed project would utilize an existing building. The northern façade, which is slightly visible from Railroad Avenue, does not allow for additional treatments that would break up the large wall. The wall would be painted in a two-tone color scheme to break up the wall to the greatest extent possible.
Prototype or “theme” architecture is discouraged.	Yes. The proposed building design does not include what could be considered “theme” architecture.
New or remodeled buildings should be designed to be compatible in design, color and materials with adjacent development.	Yes. The proposed project is architecturally-compatible with existing structures in the area.

Attachment 5: Development Review Design Guidelines

The street-oriented elevations shall be designed so as not to present the appearance of a rear elevation (i.e., no loading doors or large blank walls, absence of architectural features found on other elevations, and limited landscaping as typically found on interior property lines).	Yes. The proposed project would include the refinishing of the front façade with faux brick material, including the approximately 15.5-foot pillars on either side of the proposed entryways, creating a focal point around the building entries.
Trash enclosures should include area for collection of recyclables.	Yes. The proposed trash enclosure would be sized to also allow for a recycling bin.
Green Building Design Guideline	Meets Guideline?
<i>Section D: Commercial / Industrial</i>	
Roofs should be designed to integrate renewable energy generation systems and provide a cool urban environment.	Not applicable. The proposed use would occupy an existing building, and staff's review indicates the existing structure has a light-colored roof to help reduce the heat island effect.
Roofs should host a renewable energy generation system appropriate to its natural resources (i.e. solar photovoltaic cells where there is ample sunlight, and low-profile wind energy generation turbines where wind currents are adequate). Renewable energy systems should be installed unless they are demonstrated to be cost prohibitive after considering their energy saving benefits over their lifetime.	
Roofs should be covered with a cool roof underneath any energy generation structures, and either a green/living roof or cool roof for uncovered portions.	
Uncovered rooftop expanses greater than 200 square feet should be designed to be strong enough to support rooftop gardens and other passive recreational uses for employees.	Not applicable. Due to the proposed use of the building as purely commercial, this item has been deemed not applicable.
Urban heat island impacts may be minimized through the shading or paving material design choices. Recommended choices include renewable energy systems on carports, shade trees, underground parking, and open-grid pavement systems	Conditionally. The proposed project would likely require the removal of up to five protected trees; however, the applicant has applied for a protected tree removal permit, and a condition of approval would require the applicant plant replacement trees or pay in lieu fees, consistent with the Pittsburgh Municipal Code (PMC). These trees would provide more shade than the existing palm trees, reducing the heat island effect.

Attachment 5: Development Review Design Guidelines

Outdoor parking lots with more than 20 spaces and solar access over 75% of more of its surface area should install renewable energy systems on carport structures. The builder may arrange a power-purchase agreement where the energy system is funded and owned by a third party, as a way to alleviate initial cost burden.	Not applicable. The project proposes only to redesign the existing parking lot and does not propose any carports.
Hardscapes should be constructed with permeable surfaces (e.g. pervious concrete, porous asphalt, unit pavers, and granular materials). Permeable paving consisting of porous above-ground materials, a 6- inch porous sub-base, and a base layer that is designed to ensure proper drainage away from the building and neighboring properties. Alternatively, impermeable surfaces may be used if they direct all runoff toward an appropriate permanent infiltration feature (e.g. vegetated swale, on-site rain garden, or rainwater cistern).	Not applicable. The project proposes only to redesign the existing parking lot and does not propose any additional parking areas.
Within parking lots, electric vehicle charging units should be made available to employees and patrons with electric vehicles. The parking spaces with charging units should be clearly marked with signs designating them for assigned employees or electric vehicle use only.	Not applicable. The project proposes only to redesign the existing parking lot and does not propose any additional parking areas.
Fuel cell technology should be considered for application where (1) space or cost prohibits non-emitting on-site generation (such as solar, wind or geothermal), AND either (2) the heat resulting from fuel combustion is utilized for water or space heating, and/or (3) the fuel cells would be used primarily during peak utility hours.	
Reclaimed (purple pipeline) water should be used for as much non-potable water uses as feasible and practical. Landscaping water fixtures using reclaimed water should be purple, and purple and white signage should clearly mark areas that are irrigated with reclaimed water.	Not applicable. Recycled water is currently not available to serve the project site.

Attachment 5: Development Review Design Guidelines

Large commercial and institutional facilities that are anticipated to employ more than 50 employees, should consider providing on-site shops and services for those employees.	Not applicable. The proposed use would not employ 50 or more individuals.
Street side building faces should encourage walking. No more than 40% of a building's street side length, or 50 feet, whichever is less, should be blank walls without doors or windows. Functional entries to buildings should occur at an average of 75 feet or less along sidewalk facing walls. Additional design techniques contained in the Downtown Design Guidelines that encourage walking, should also be utilized where applicable.	Yes. Less than 40% of the existing building's street-side face is blank wall, with the vast majority being windows.
Secure bicycle parking facilities should be provided for at least 10% of expected peak hour trips. Bicycle parking structures should be complementary to the surrounding structures and may be partially obscured by vegetation or painted with a mural design that is consistent with surrounding aesthetics. Shade trees should be planted if the parking facility is located in an area not shaded by surrounding structures. They should be located in an accessible and visible space to discourage misuse.	Yes. The proposed project would include additional bicycle parking facilities.

Jordan Davis

From: Kyle Schoenthaler [REDACTED]
Sent: Wednesday, August 1, 2018 1:44 PM
To: Jordan Davis
Subject: Re: America's Tire Project No: AP-18-1329

To Whom it May Concern:

My name is Kyle Schoenthaler, I am the 3rd generation owner of The Tred Shed Tire Pros that has been doing business in Pittsburg since 1981. We currently employ 21 Full Time Employees and offer excellent pay and benefits packages to all of them. We are very active in the local community and have sponsored many events in Pittsburg over the years.

Pittsburg already has 2 large Locally Owned and Operated tire stores. The Big O tires here in town is also a locally owned small business that has been in Pittsburg for well over 20 years.

I wanted to go on record as saying that Pittsburg does not need a "Big Box" tire store. This town has been built off locally owned, small business. We are the life blood of the community and bringing an America's Tire into town would definitely hurt the local small business's. We can compete, without issue, on pricing; and we know we can far exceed the quality of service they provide. What we have a hard time competing with is the massive advertising budget of a giant Corporation like America's Tire.

In addition, the fact that Railroad Avenue is already a daily traffic nightmare for everyone, shows me that the last thing we need on that section of Railroad is a high volume shop that would only increase the massive amount of cars on Railroad, and also increase the tremendous congestion there.

I hope the Planning Commission will take in to consideration how bringing in a tenant like America's Tire can effect long established, locally owned and operated, community friendly business's.

Sincerely,

Kyle C Schoenthaler
President
Tred Shed Tire Pros
[REDACTED]

Jordan Davis

From: [REDACTED]
Sent: Friday, November 2, 2018 4:18 PM
To: Jordan Davis
Subject: America's Tire, AP-18-1329 (UP, AD, SE, TRP)

I feel that this is a mistake. While Pittsburg may be looking to fill that old building (and rightly so as it is an eyesore), I feel America's Tire should NOT be obtaining a permit to remove up to FIVE PROTECTED trees. They are protected for a reason. Just because America's Tire wants to remove them does not mean a permit should be issued allowing them to do so. Why can't they use the old Ford Dealership space where there are NO trees already?

Thank you,
Cathy Shapard
40+ year Pittsburg resident



City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **PLANNING COMMISSION** of the **City of Pittsburg** will conduct a public hearing on:

DATE: November 13, 2018
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
 65 Civic Avenue, Pittsburg, California

Concerning the following matter:

America's Tire, AP-18-1329 (UP, AD, SE, TRP)

This is a public hearing on a request for approval of: 1) use permit to establish a tire replacement business within an existing 7,826 square foot (s.f.) commercial space; 2) design review approval of plans for façade and parking lot improvements; 3) a sign exception to locate a freestanding sign within the public right-of-way; and 4) a tree removal permit to remove up to five protected trees on site. The project site is located at 2220-2224 Railroad Avenue, in the Railroad Avenue Specific Plan (RASP) PD (Planned Development, Ordinance No. 09-1319) District. Assessor's Parcel Nos. 087-042-019, 087-042-020, and 087-042-021.

PROJECT PLANNER: Jordan Davis, (925) 252-4015 or jdavis@ci.pittsburg.ca.us

Why am I receiving this notice? You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

Where can I get more information about this project?

The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

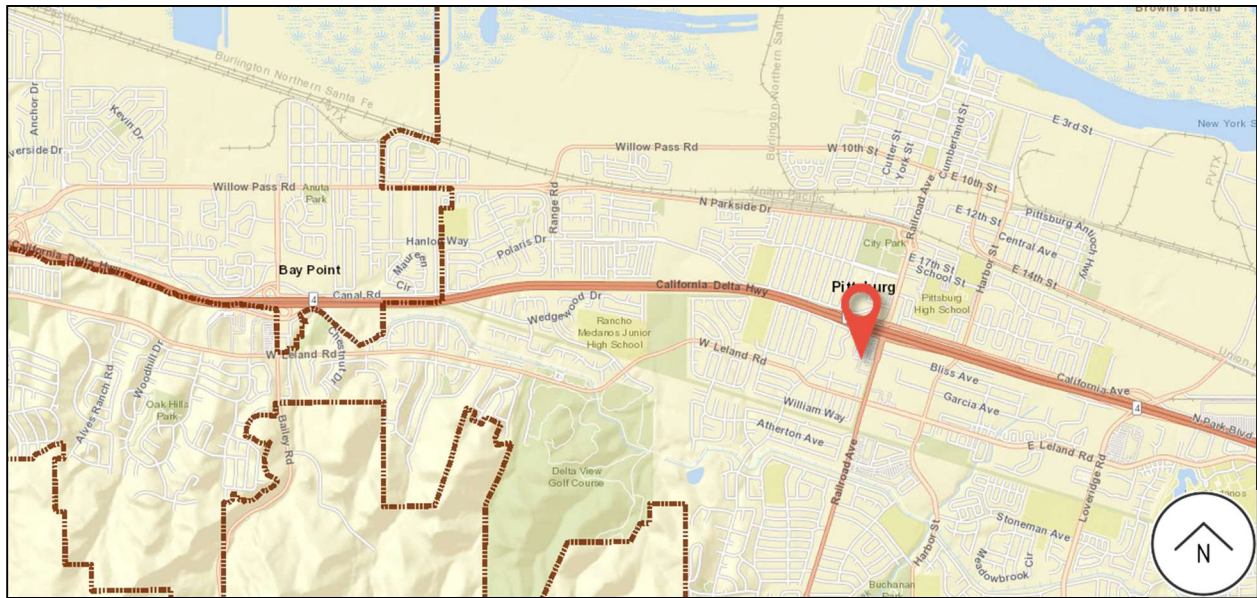
What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.


 KRISTIN POLLOT, AICP, SECRETARY
 PITTSBURG PLANNING COMMISSION

Project Title: America's Tire, AP-18-1329 (UP, AD, SE, TRP)
Location: 2220-2224 Railroad Avenue, APNs: 087-042-019, 087-042-020, 087-042-021



City of Pittsburg

Community Development Department - Planning Division
65 Civic Avenue
Pittsburg, CA 94565

NOTICE OF PUBLIC HEARING

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT**

ITEM: Bobcat of Contra Costa, AP-18-1363 (UP).

ORIGINATED BY: Tony Amaral, Total Equipment & Rental of CC County, 43801 Osgood Rd., Fremont, CA 94539.

SUBJECT: This is a public hearing on a request for approval of a use permit to establish an equipment sales and rental use within an existing approximately 17,040 square-foot building, on an approximately 75,000 square-foot parcel located at 2035 E. Leland Road, in the CS (Service Commercial) District. Assessor's Parcel No. 088-152-029.

RECOMMENDATION:

Staff recommends the Planning Commission adopt Resolution No. 10111, approving Planning Application No. 18-1363, subject to conditions.

BACKGROUND:

On August 24, 2018, Tony Amaral of Total Equipment & Rental of Contra Costa filed Planning Application No. 18-1363, requesting approval of a use permit to establish an equipment sales and rental use within an existing approximately 17,040 square-foot building, on an approximately 75,000 square-foot parcel.

The site was most recently occupied in 2017 by Moovers Inc., a moving and storage company, which was approved as a continuation of a non-conforming use. Moovers Inc. left the site in Spring of 2018, and the site has been vacant since.

PROJECT DESCRIPTION:

Existing Conditions: The project site is located within the City of Pittsburg, north of E. Leland Road, east of Gladstone Drive, west of the Commerce Place, and south of State Route 4. The 75,000 square-foot parcel is developed with the 17,040 square foot industrial building, with the remainder of the parcel paved for parking (18 striped stalls are existing on site). The site has an existing 6-foot tall chain link fence surrounding the property with a 20-foot wide entry gate for access.

The building is equipped with an existing 1,273 square-foot office space, two restrooms, two storage rooms, a utility closet, and break room, with a remaining approximately 15,750 square-foot open warehouse space.

The parcel is surrounded by various uses. To the east of the site is a vacant drive-thru business, and further east the Diamond Hillside Apartments. To the south of the site lies

Planning Commission Staff Report

the Stanford Place No. 2 subdivision. To the west of the site is A-S Pipelines, a general contractor use.

See Attachment 3 for a map of the site and the surrounding uses.

Proposed Project: The applicant is requesting approval of a use permit to establish an equipment sales and rental use that would be open Monday through Friday between 7:30 a.m. and 5:00 p.m. Inside the 17,040 square foot building the existing office, break room, restroom, utility, and storage spaces would remain generally as-is; however, the office would be reconfigured to add an additional 1,362 square feet to the space. The remainder of the building would be divided into four work/storage areas, including two separate general equipment storage areas that would be approximately 5,700 square-feet and 2,770 square-feet, a parts storage area that would be approximately 3,395 square-feet, and a 1,990 square-foot area for equipment repair.

The business would sell equipment, rent, repair, and sell parts for all models of Bobcat equipment. Equipment can be reserved, rented, or bought either through walk-in or phone-in requests. Bobcat equipment consists of Skid Steers, Mini Track Loaders, Compact Track Loaders, Compact Excavators, Utility Vehicles, Versa Handlers, and a full range of attachments. Repairs performed would range from small adjustments, and basic service to engine replacement.

See Attachment 4 for full list of Bobcat equipment.

The project would generate waste oil, waste coolant, oil filters, fuel filters, oily debris, and waste aerosol cans. The business would contract with Safety Kleen as their waste oil contractor, Uni 1st for uniform and rags, and Blue Sky for tire disposal. There would be onsite storage of hazardous materials including 250 gallons of new motor/hydraulic oil, 55 gallons of coolant, 250 pounds of oxygen, and a 125-pound acetylene tank on the premise. Ramos Oil would be the Diesel service provider to fill the units on-site as needed; the diesel fuel would be transported in and no diesel fuel would be stored onsite. The business has started their Hazardous Material Business Plan; however, it cannot be completed until they are approved by the City and located on site.

There would be a washdown area onsite, within the building, for equipment vehicles. The washdown area would either be a system from ClearBlu Environmental, water treatment equipment, with a 3-stage in ground separator that would discharge to the sewer system, or would be an enclosed system.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is located in the 'Liveridge Subarea' of the General Plan. Large industrial uses and vacant sites constitute a majority of the Liveridge Subarea, adjacent to the Liveridge Road/State Route 4 interchange. A variety of land uses line East Leland Road, including a community commercial center, business commercial

Planning Commission Staff Report

complex, service commercial node, and several multi-family housing developments. The proposed equipment sales and rental use is in line with the industrial uses that constitute a majority of this subarea.

The project is consistent with the goals of the Loveridge subarea, specifically 2-G-15, in that the proposed project would maintain an industrial activity in an appropriately designated area.

The site has a land use designation of 'Business Commercial'. This land use designation is intended to provide sites for administrative, financial, business, professional, medical, research and development, and public offices, as well as custom manufacturing, limited assembly, light manufacturing, warehousing and distribution, and support commercial uses. The proposed equipment sales and rental use fits in with the above-mentioned permitted uses as the site would mainly be used for warehousing and storage of materials and the equipment dealership would be able to serve all the contractors in the City, county and surrounding counties.

Zoning: The property is located within the CS (Service Commercial) District. The proposed use falls under the use classification of 'Equipment Sales and Rental,' which is a sub category of "Industrial Service", as defined by the Pittsburgh Municipal Code (PMC) section 18.08.100(B)(3). Within the CS District, an equipment sales and rental use is subject to use permit approval by the Planning Commission.

Development Standards: As shown in Attachment 5 of this report, the proposed project meets, exceeds, or conditionally meets the CS District property development regulations (PMC section 18.52.115), for height, FAR (floor-area-ratio), lot coverage, lot area, lot width, setbacks, landscape coverage, and parking.

Required Use Permit Findings: In accordance with PMC section 18.16.040, a use permit may be granted only if the Planning Commission can make findings that the proposed use:

- A. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
- B. is not detrimental to the health, safety, and general welfare of the City;
- C. will not adversely affect the orderly development of property within the City;
- D. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
- E. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
- F. will not create a nuisance or enforcement problem within the neighborhood;

Planning Commission Staff Report

- G. will not encourage marginal development within the neighborhood;
- H. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law;
- I. is consistent with the City's approved funding priorities; and
- J. if located within the Pedestrian Commercial (CP) District, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.

Environmental: This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, 'Existing Facilities', of the State CEQA Guidelines, section 15301.

Public Notice: On or prior to November 3, 2018, notice of the November 13, 2018, public hearing to consider this application was posted at City Hall, at the proposed project site, and on the 'Public Notices' section of the city's website; was delivered to the Pittsburg Library; and was mailed via first class or electronic mail to the applicant/property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the use, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091.

ANALYSIS:

Staff believes that the Planning Commission can make the required findings to approve the use permit, with the inclusion of several conditions of approval, as detailed below:

1. The operator shall ensure the use does not produce an unreasonable, disturbing, or unnecessary emission of odors at the property line of the site, in accordance with PMC section 18.82.045 (Condition No. 2).
2. The site shall be maintained in a neat and clean manner at all times. Trash and debris shall not be allowed to accumulate on or around the site, or on the adjoining street and sidewalks. The entire site including paved, unpaved and landscaped areas must be kept in a neat and orderly manner, free of weeds, loose trash, debris and other litter. The operator shall maintain all landscaped areas using minimal or no pesticides. The operator shall inspect and pick up litter on site daily (Condition No. 14).
3. Hours of operation shall be limited to Monday through Friday between 7:30 a.m. and 5:00 p.m. (Condition No. 15).
4. The applicant shall comply with all the requirements of the Planning Division, Engineering Division, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, State Water Resources Control Board, Bay Area Air Quality Management District, and all other applicable local, state and federal agencies. Hazardous Materials Business Plan and Chemical Inventory shall be submitted to the

Planning Commission Staff Report

Contra Costa Health Services Hazardous Material Program, as soon as applicable state thresholds are met (Condition Nos. 9-13, 18).

With the incorporation of the conditions identified above, the use would not be detrimental to the health, safety, and general welfare of the City. As further detailed in the Code Compliance section of this staff report, staff believes that the proposed use is consistent with the General Plan and the zoning of the property as prescribed by the Pittsburg Municipal Code. The project would help promote the public health of residents by occupying a site that would otherwise be vacant and could become a nuisance. The proposed project would provide a new commercial business within the city that would have a positive impact on the City's tax base.

ACTION REQUIRED:

Move to adopt Resolution No. 10111, approving Planning Application No. 18-1363, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10111
2. Project Plans, dated September 27, 2018, November 2, 2018, and November 6, 2018
3. Project Location & Surrounding Land Uses Map
4. List of Bobcat Equipment
5. Property Development Regulations Table
6. Public Hearing Notice/Vicinity Map

Prepared by: Celina Palmer, Planning Technician

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting a Use Permit to Allow	)	
an Equipment Sales and Rental Use,	)	
located at 2035 E. Leland Road for,	)	Resolution No. 10111
“Bobcat of Contra Costa, AP-18-1363	)	
(UP)”.	)	

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On August 24, 2018, Tony Amaralof Total Equipment and Rental of Contra Costa County, filed Planning Application No. 18-1363, requesting approval of a use permit to establish an equipment sales and rental use within an approximately 17,040 square foot building on a 74,923 square foot parcel, located at 2035 E. Leland, in the CS (Service Commercial) District. APN: 088-152-029.
- B. The proposed project is governed by the policies, development standards, and guidelines contained in the Pittsburg General Plan, and Pittsburg Municipal Code (PMC) Title 18 (Zoning).
- C. Pursuant to PMC section 18.16.040, a use permit may be granted only after the Planning Commission makes a determination that the proposed use:
 - 1. is in accord with the objective of this title, the purposes of the land use district in which it is located and is appropriate to the specific location;
 - 2. is not detrimental to the health, safety, and general welfare of the city;
 - 3. will not adversely affect the orderly development of property within the city;
 - 4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the city;
 - 5. is consistent with the objectives, policies, general land uses, and programs specified in the general plan and applicable specific plan;
 - 6. will not create a nuisance or enforcement problem within the neighborhood;
 - 7. will not encourage marginal development within the neighborhood;

8. will not create a demand for public services within the city beyond that of the ability of the city to meet in the light of taxation and spending restraints imposed by law;
 9. is consistent with the city's approved funding priorities; and
 10. if located within the Pedestrian Commercial (CP) District, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.
- D. This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, 'Existing Facilities', of the State CEQA Guidelines, section 15301.
- E. On or prior to November 3, 2018, notice of the November 13, 2018, public hearing to consider this application was posted at City Hall, near the proposed project site, and on the "Public Notices" section of the City's website; was delivered to the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091.
- F. On November 13, 2018, the Planning Commission held a public hearing on Planning Application No. 18-1363, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, "Bobcat of Contra Costa, AP-18-1363 (UP)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and are incorporated herein by reference.
 2. The proposed Bobcat of Contra Costafacility:
 - a. Is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location, in that the proposed equipment sales and rental is a conditionally permitted use in the CSDistrict. If parking for at least thirty-four (34) vehicles and six (6)bicycles is provided on site, then the

use would fully comply with all development requirements of the CS District.

- b. Will not be detrimental to the health, safety, and general welfare of the City, if the proposed project complies with all applicable local, state, and federal agency requirements, including (but not limited to) preparation of a Hazardous Material Business Plan, as required by Contra Costa Health Services Hazardous Materials Programs.
- c. Will not adversely affect the orderly development of property within the City; in that, the project is located in an area where infrastructure is already present, and no changes are needed that could impact the orderly development of the surrounding area.
- d. Will not adversely affect the preservation of property values, rather, it will help to improve values as the proposed project provides a commercial business that will have a positive impact on the City tax base.
- e. Is consistent with the General Plan, specifically goal 2-G-15, in that the proposed use will maintain the industrial use and character of the area.
- f. Will not create a nuisance or enforcement problem; rather, approval of the use permit will allow the applicant to occupy a currently vacant site, preventing it from becoming a public nuisance.
- g. Will not encourage marginal development within the neighborhood, in that the existing building has been well-designed and architecturally articulated with a complementing site design that places an appropriate amount of landscaping along the property frontage.
- h. Will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints, in that the project site is located in an area of the City served by existing utilities, and the business will be maintained and operated at the cost of the applicant.
- i. Is consistent with the City's approved funding priorities in that there is no public money involved in this project.
- j. Will not be located in the Pedestrian Commercial (CP) District.

Section 3. Decision

- A. Based on the findings set forth above, the Commission hereby approves Planning Application No. 18-1363, subject to the following conditions:

1. Reference to Project Plans: The approved use shall be operated in a manner substantially as presented to the Planning Commission in the staff report identified above and as presented in the project plans, dated September 27, 2018, except as modified by the conditions below. Operation of the approved business in a manner inconsistent with this use permit shall be grounds for revocation of the approval.
2. Odor Emissions: The applicant shall ensure the use does not produce an unreasonable, disturbing, or unnecessary emission of odors at the property line of the site, in accordance with PMC section 18.82.045.
3. Temporary Uses: The applicant shall not place any temporary structures, signs, or banners onsite or offsite, or hold any temporary uses not covered in this use permit or permitted as an ancillary use on the site, without first applying for the appropriate permits and receiving appropriate approvals from the Planning Division and Engineering Division, as required.
4. Surface Maintenance: All paved surfaces on site shall be maintained in good condition and cleaned at least once a year, between July 15 and October 15 (just prior to the rainy season). Cleaning of paved surfaces shall incorporate Best Management Practices that capture and clean the dirty water prior to discharging it to the storm drain.
5. BMP Training: Employees shall be trained on how to implement and use current Best Management Practices, as recommended by California Stormwater Quality Association, related to vehicle maintenance, chemical storage (as applicable), and general site maintenance, including those activities' potential for storm water and ground pollution and how to minimize those potentials.
6. Hazardous Material Storage: To prevent accidental spills from entering the City's storm drains, all potentially hazardous materials shall be stored in aboveground containers located at a designated area indoors. The aboveground containers shall be placed within a secondary containment area, such as a leak-proof tub or diked concrete area, in case of primary container failure, and shall be subject to inspection by the City's Development Services Department and Contra Costa County Fire Protection District upon request.
7. On-site Equipment Storage: The applicant shall ensure that equipment parked on-site are maintained so as not to leak oil or other potentially hazardous fluids onto the ground. The applicant shall inspect the site regularly for spills or leaks from parked equipment vehicles, and any spills or leaks shall be immediately cleaned using dry cleanup methods such as rags or other absorbent material for cleanup of leaks and spills. No part of

the site shall be cleaned by hosing the area down with water, unless the wastewater is collected and properly discarded into a sanitary sewer.

8. Wastewater Discharge: The applicant shall ensure that employees of the business do not discharge oil or other equipment vehicle fluids, wastewater or any cleaning agents into any exterior storm drain system or to any storm drain inlets or catch basins. Wastewater from any on-site cleaning must be properly discarded, with permission from Delta Diablo as appropriate, to the sanitary sewer.
9. Industrial Discharge Permit: The applicant shall obtain an industrial discharge permit from the State Water Resources Control Board for their repair operations.
10. Hazardous Materials Business Plan: If the business uses, handles, or stores hazardous materials (chemicals) in quantities of greater than 55 gallons (liquid), 500 pounds (solid) or 200 cubic feet (gas), then a Hazardous Materials Business Plan and Chemical Inventory shall be submitted to the Contra Costa Health Services Hazardous Material Program, as soon as these thresholds are met.
11. Aboveground Petroleum Storage Permit: If the business uses, handles, or stores, diesel and/or gasoline fuel tank(s), with a single or combine volume of 1,320 gallons or greater (new and used motor oil stored at the business in containers 55 gallons or greater will also count towards the total volume), then an Aboveground Petroleum Storage Act (APSA) permit shall be submitted to the Contra Costa Health Services Hazardous Material Program.
12. Tire Recycling: If the business generates waste tires, then it shall obtain a Tire Program Identification (TPID) number from CalRecycle and comply with the California Tire Recycling Act.
13. Hazardous Waste Generator Permit: The business shall contact the Department of Toxic Substances Control (DTSC) regarding a Hazardous Waste Generator (HWG) permit and an EPA Identification Number for waste motor oil, coolant, oil and fuel filters, oily debris (rags and/or absorbent), and waste aerosol cans.
14. Site Maintenance: The site shall be maintained in a neat and clean manner at all times. Trash and debris shall not be allowed to accumulate on or around the site, or on the adjoining street and sidewalks. The entire site including paved, unpaved and landscaped areas must be kept in a neat and orderly manner, free of weeds, loose trash, debris and other litter. The applicant shall maintain all landscaped areas using minimal or no pesticides. The applicant shall inspect and pick up litter on site daily.

15. Hours of Operation: Hours of operation shall be limited to Monday through Friday between 7:30 a.m. and 5:00 p.m.
16. Fencing: The existing slatted chain-link fence surrounding the site shall be maintained in a good state of repair and the exterior finish must be clean and well maintained in a manner that will completely screen the equipment from public view. Any broken, damaged, discolored, or graffitied slats shall be removed and replaced.

Standard Conditions:

17. Site Accessibility: All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.
18. Standard Conditions: The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Standard Conditions of Development, and this Resolution, this Resolution shall prevail. Where there is a conflict between Planning Commission Resolution No. 8931 and the conditions identified herein, the specific conditions of this resolution shall apply.
19. Other Agency Requirements: The applicant shall comply with all the requirements of the Planning Division, Engineering Division, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, State Water Resources Control Board, Bay Area Air Quality Management District, and all other applicable local, state and federal agencies.
20. Business License: It shall be the responsibility of the applicant to maintain an updated business license containing an accurate description of the use at the site.
21. Other Municipal Code Requirements: All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the PMC as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval.
22. Indemnification: The applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in

connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

23. Expiration: This use permit approval will expire on November 13, 2019, unless the use has been legally established prior to the expiration date, or a written request for extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 13th day of November, 2018, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

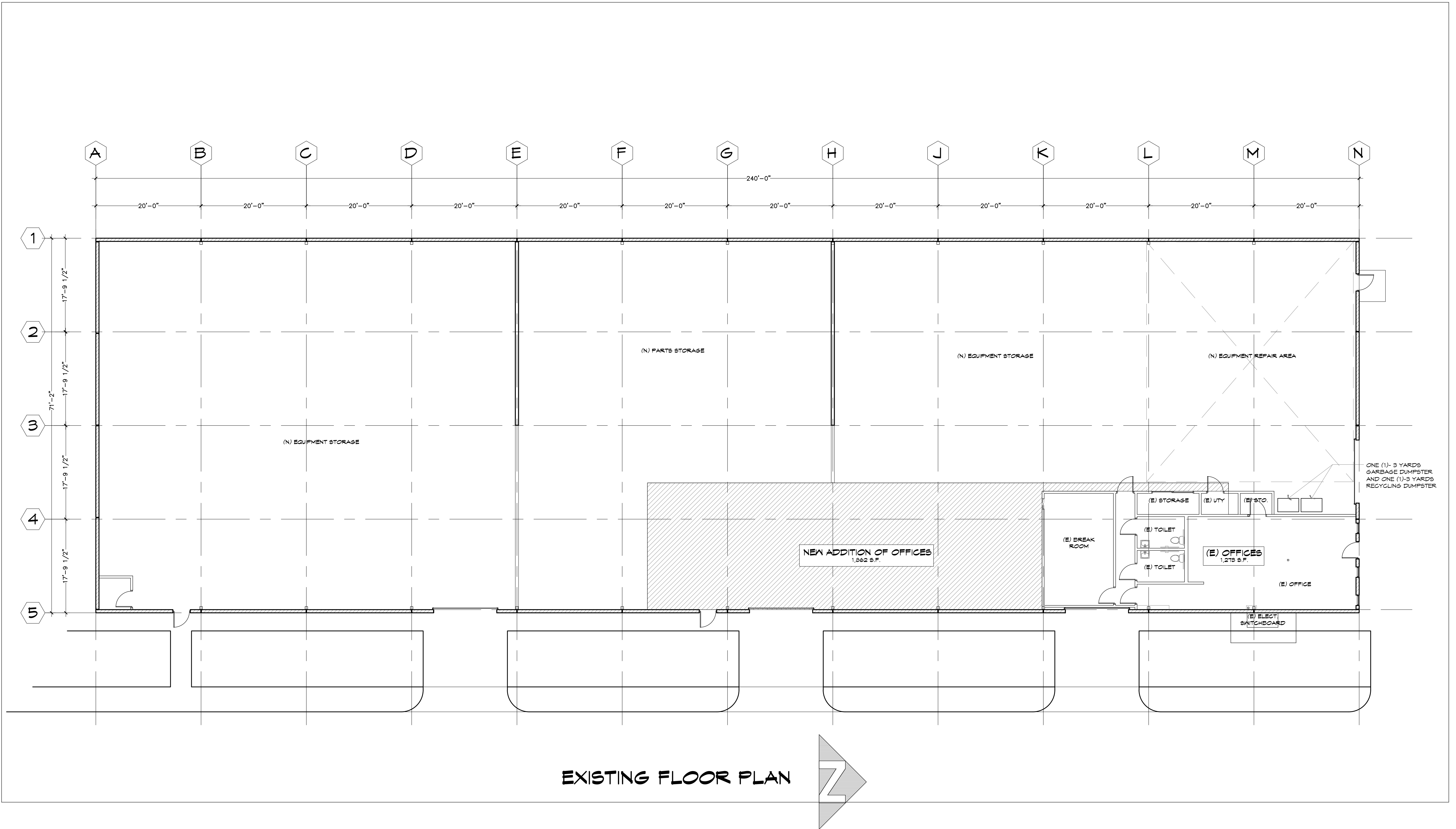
NAYES:

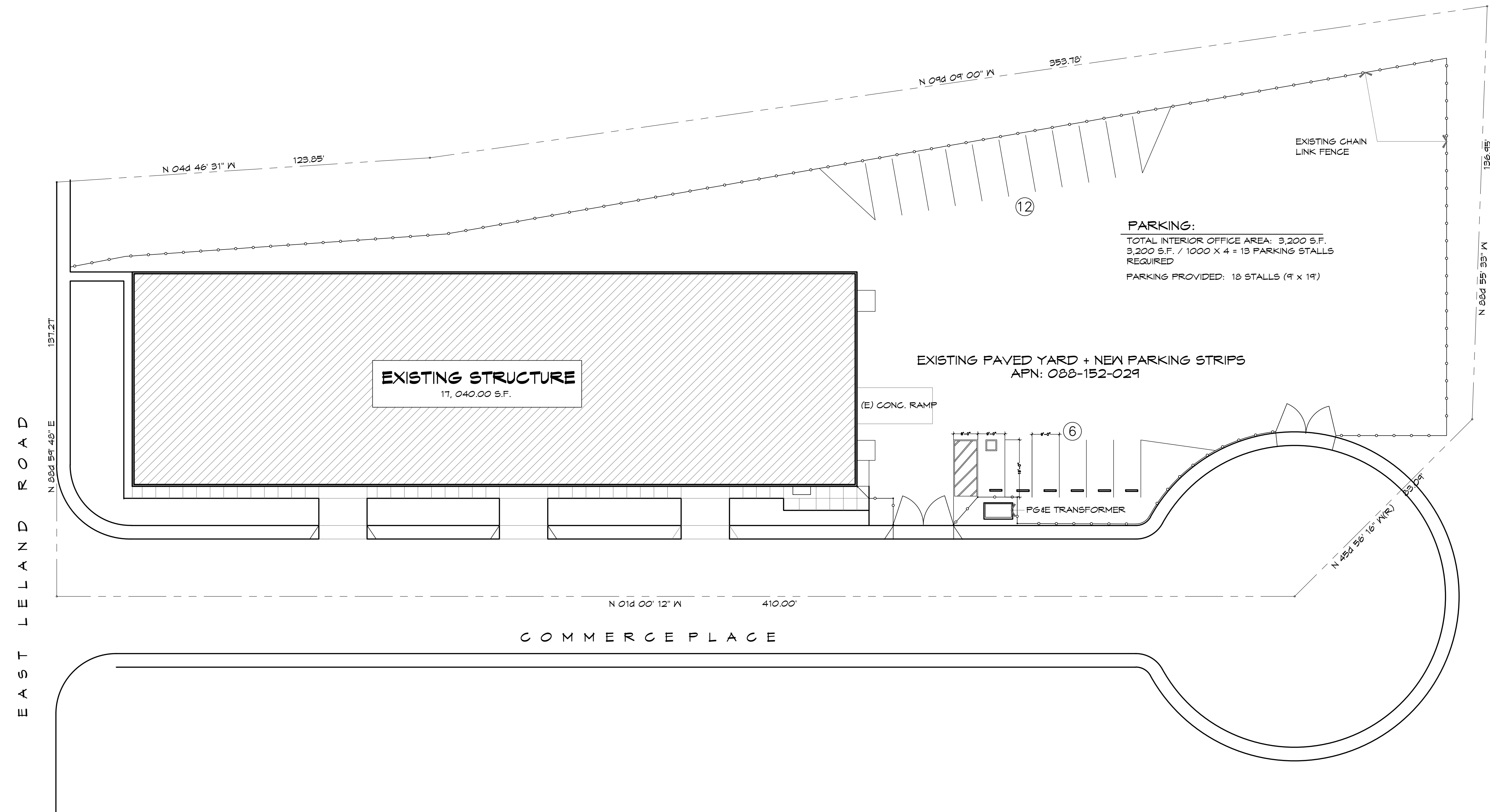
ABSTAIN:

ABSENT:

I hereby certify that the above Resolution No. 10111 was adopted by the Planning Commission of the City of Pittsburg on November 13, 2018.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

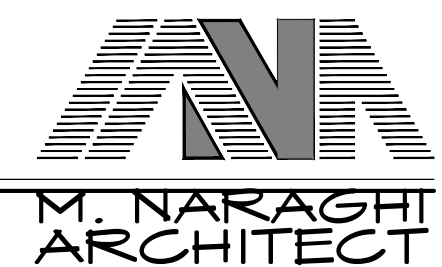
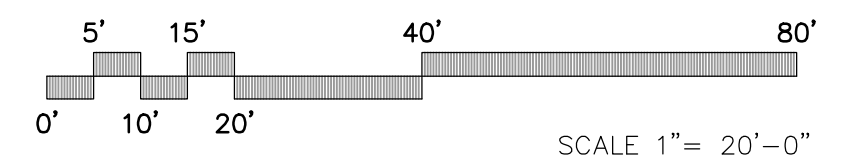




SITE PLAN

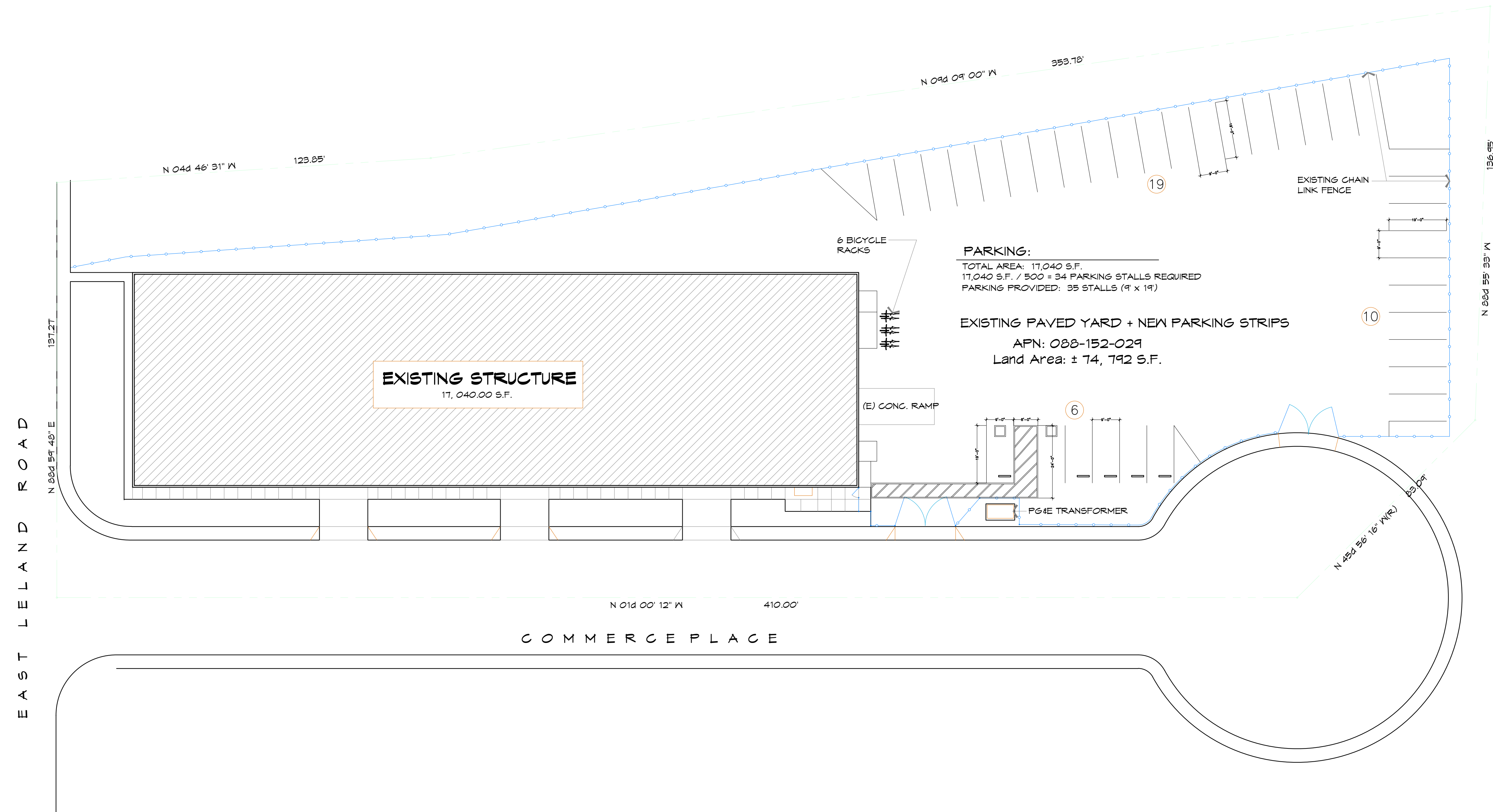
2035 E. LELAND ROAD

PITTSBURG, CALIFORNIA



DATE: 08/23/2018
SCALE: 1" = 20'-0"
DRWN: MMN
JOB #: 140618-07SPP

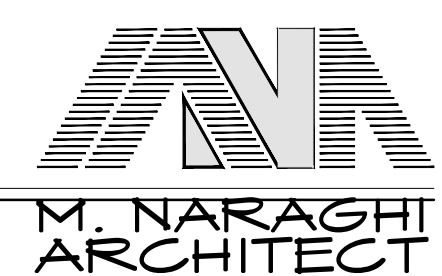
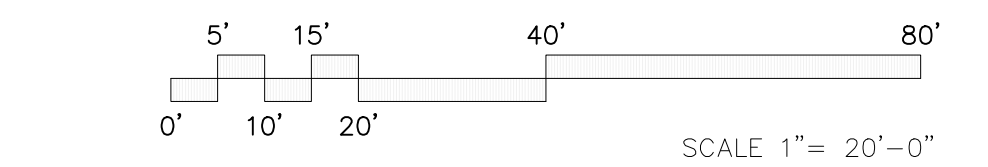
EX-1



SITE PLAN

2035 E. LELAND ROAD

PITTSBURG, CALIFORNIA



REVISED: 11/02/2018
DATE: 08/23/2018
SCALE: 1"=20'-0"
DRWN: MMN
JOB #: 140618-07SPP

EX-1

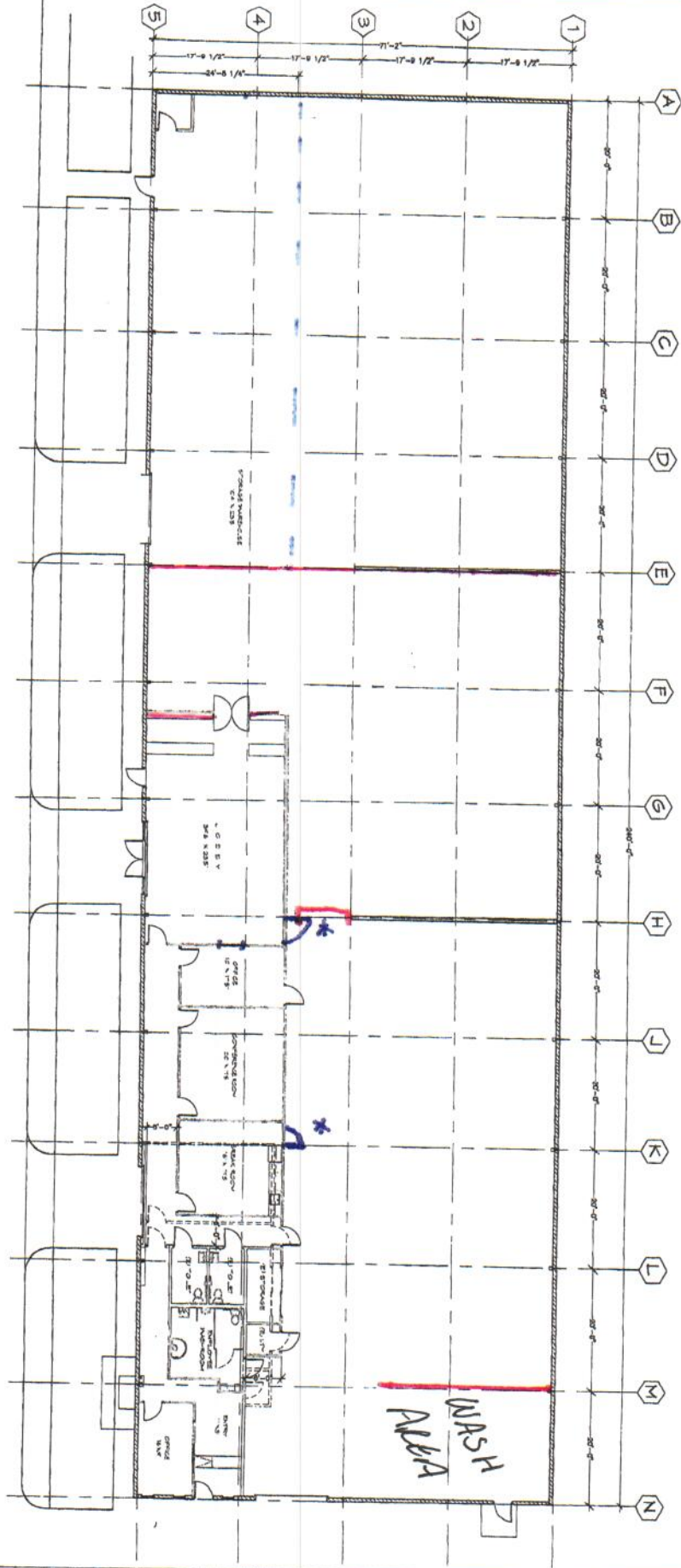
卷之四



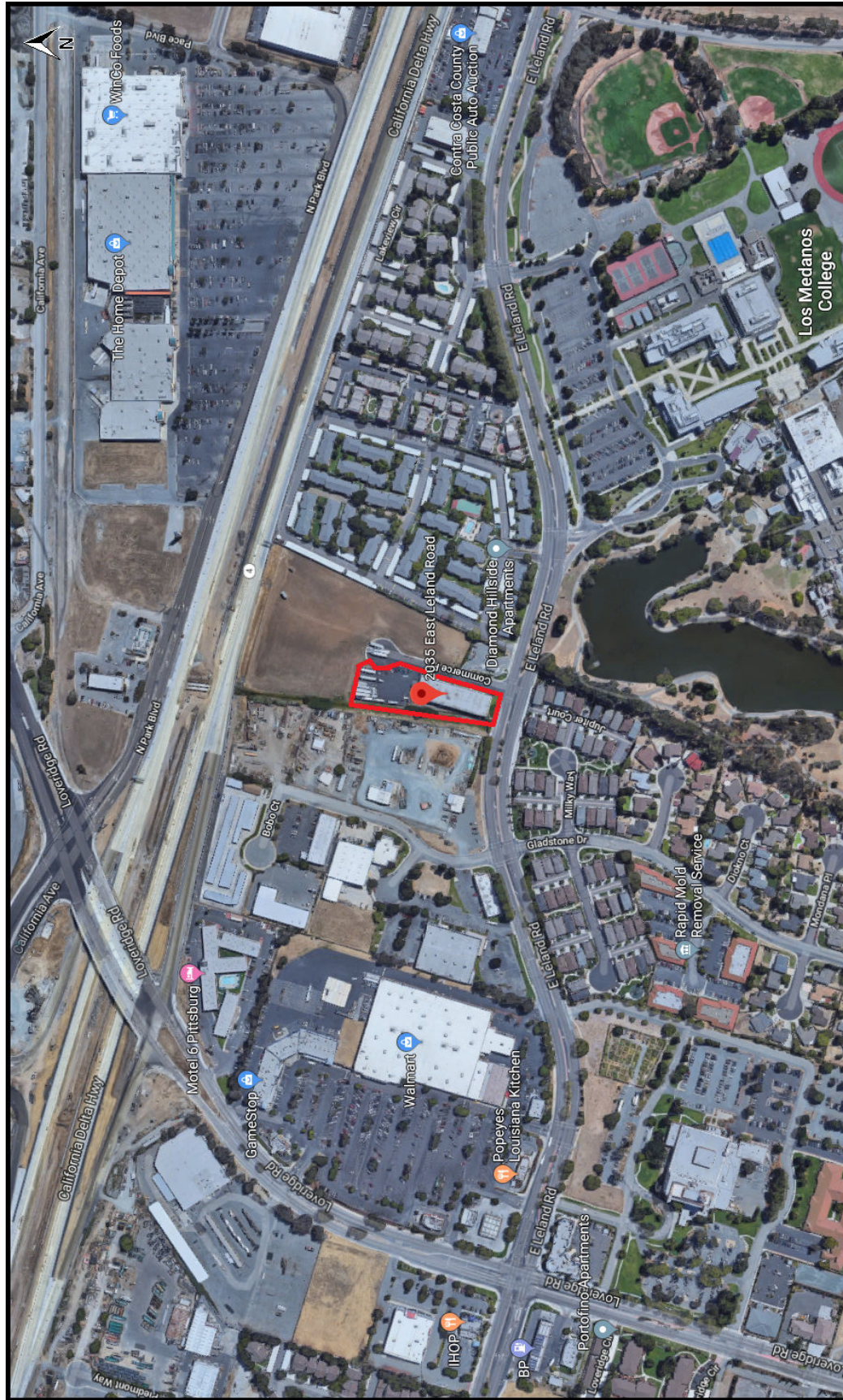
PD-1

DATE:	06/21/2016
SCALE:	1/8"=1'-0"
DRWN:	MMN
JOB #:	140516-07-SF-W

FLOOR PLAN-STUDY "A"



Project Location and Surrounding Land Uses Map



PRODUCT SPECIFICATIONS



Skid-steer loader



Mini track loader



Compact track loader



Compact excavator

SKID-STEER LOADERS

	Engine			Performance					Operating Weight lb. (kg)
	Gross Horsepower (SAE) hp (kW)	Displacement cu. in. (L)	Engine Type	Rated Operating Capacity (SAE) lb. (kg)	Hydraulic Pump Capacity gpm (L/min.)	Hydraulic High-Flow Pump Capacity gpm (L/min.)	Max. Travel Speed mph (km/hr.)	Max. Travel Speed Two-Speed Option mph (km/hr.)	
S70	23.5 (17.5)	61.1 (1)	Diesel	700 (318)	9.8 (37.1)	n/a	6.1 (9.8)	n/a	2795 (1268)
S450	49 (36.5)	109.5 (1,8)	Turbo Diesel	1300 (590)	16.7 (63.2)	n/a	7.1 (11.4)	9.2 (14.8)	5027 (2280)
S510	49 (36.5)	146 (2,4)	Turbo Diesel	1650 (748)	17.1 (64.7)	n/a	7.4 (11.9)	11 (17.3)	6213 (2818)
S530	49 (36.5)	146 (2,4)	Turbo Diesel	1850 (840)	17.1 (64.7)	n/a	7.4 (11.9)	11 (17.3)	6480 (2939)
S550	61 (45.5)	146 (2,4)	Turbo Diesel	1750 (794)	17.1 (64.7)	26.7 (101.1)	7.4 (11.9)	11 (17.3)	6213 (2818)
S570	61 (45.5)	146 (2,4)	Turbo Diesel	1950 (885)	17.1 (64.7)	26.7 (101.1)	7.4 (11.9)	11 (17.3)	6480 (2939)
S590	66 (49.2)	146 (2,4)	Turbo Diesel	2100 (952)	17.1 (64.7)	26.7 (101.1)	7.4 (11.9)	11 (17.3)	6593 (2991)
S630	74 (55.2)	146 (2,4)	Turbo Diesel	2180 (989)	23 (87.1)	30.5 (115.5)	7.1 (11.4)	12.3 (19.8)	7610 (3452)
S650	74 (55.2)	146 (2,4)	Turbo Diesel	2690 (1220)	23 (87.1)	30.5 (115.5)	7.1 (11.4)	12.3 (19.8)	8061 (3657)
S750	85 (63.4)	230 (3,8)	Turbo Diesel	3200 (1452)	23 (87.1)	36.6 (138.5)	7.1 (11.4)	12.3 (19.8)	8730 (3960)
S770	92 (68.6)	230 (3,8)	Turbo Diesel	3350 (1520)	23 (87.1)	36.6 (138.5)	7.1 (11.4)	12.3 (19.8)	9175 (4162)
S850	92 (68.6)	230 (3,8)	Turbo Diesel	3950 (1791)	23 (87.1)	36.6 (138.5)	7.1 (11.4)	12.3 (19.8)	10008 (4540)
A770*	92 (68.6)	230 (3,8)	Turbo Diesel	3325 (1508)	23 (87.1)	36.6 (138.5)	7.1 (11.4)	12.3 (19.8)	9460 (4291)

*All-wheel steer loader.

**Joystick controls switch from all-wheel steer to skid-steer drive.

MINI TRACK LOADERS

	Engine			Performance				Operating Weight lb. (kg)
	Gross Horsepower (SAE) hp (kW)	Displacement cu. in. (L)	Engine Type	Rated Operating Capacity (SAE) lb. (kg)	Hydraulic Pump Capacity gpm (L/min.)	Max. Travel Speed mph (km/hr.)		
MT52	20 (14.9)	44 (0,7)	Diesel	520 (236)	12 (45,4)	3.5 (5,6)		2580 (1170)
MT55	25 (18,6)	54.9 (0,9)	Diesel	550 (249)	12 (45,4)	3.5 (5,6)		2610 (1186)

COMPACT TRACK LOADERS

	Engine			Performance							
	Gross Horsepower (SAE) hp (kW)	Displacement cu. in. (L)	Engine Type	Rated Operating Capacity, 35% of Tip (SAE) lb. (kg)	Hydraulic Pump Capacity gpm (L/min.)	Hydraulic High-Flow Pump Capacity gpm (L/min.)	Max. Travel Speed mph (km/hr.)	Max. Travel Speed Two-Speed Option mph (km/hr.)	Operating Weight lb. (kg)	Ground Pressure with Narrow Tracks psi (kPa)	Ground Pressure with Wide Tracks psi (kPa)
T450	61 (45,5)	146 (2,4)	Turbo Diesel	1400 (635)	16.7 (63,2)	n/a	7.3 (11,7)	11 (17,7)	6148 (2789)	4.7 (32,4)	n/a
T550	66 (49,2)	146 (2,4)	Turbo Diesel	1995 (905)	17.1 (64,7)	26.7 (101,1)	7.3 (11,8)	n/a	7633 (3462)	5.8 (39,9)	4.6 (31,7)
T590	66 (49,2)	146 (2,4)	Turbo Diesel	2100 (953)	17.1 (64,7)	26.7 (101,1)	7.3 (11,8)	n/a	7948 (3605)	5.7 (39,3)	4.7 (32,4)
T630	74 (55,2)	146 (2,4)	Turbo Diesel	2230 (1012)	23 (87,1)	30.5 (115,5)	6.6 (10,6)	10.7 (17,2)	8742 (3965)	5.3 (36,5)	4 (27,6)
T650	74 (55,2)	146 (2,4)	Turbo Diesel	2570 (1166)	23 (87,1)	30.5 (115,5)	6.6 (10,6)	10.7 (17,2)	9321 (4228)	5.7 (39,3)	4.2 (29)
T750	85 (63,4)	230 (3,8)	Turbo Diesel	3325 (1508)	23 (87,1)	36.6 (138,2)	6.6 (10,6)	10.7 (17,2)	10327 (4684)	5.9 (40,6)	4.2 (28,9)
T770	92 (68,6)	230 (3,8)	Turbo Diesel	3475 (1576)	23 (87,1)	36.6 (138,5)	6.6 (10,6)	10.7 (17,2)	10327 (4683)	5.9 (40,6)	4.2 (28,9)
T870	99.2 (74)	230 (3,8)	Turbo Diesel	3525 (1599)	23.8 (90,1)	37.7 (142,7)	7.2 (11,6)	11.4 (18,3)	12678 (5751)	n/a	4.7 (32,3)



Utility vehicle



Toolcat™ utility work machine



VersaHANDLER® V417

Dimensions							
Selectable Joystick Controls	Length (with bucket) in. (mm)	Width (with bucket) in. (mm)	Height (with cab) in. (mm)	Height to Bucket Hinge Pin in. (mm)	Reach at Max. Height in. (mm)	Ground Clearance in. (mm)	Wheelbase in. (mm)
n/a	97.3 (2472)	36 (914)	71.4 (1814)	94.5 (2399)	15.8 (400)	5.5 (140)	28.4 (722)
Optional	124.9 (3173)	62 (1575)	77.8 (1972)	109.5 (2781)	20.8 (528)	8.4 (213)	35.4 (899)
Optional	133 (3378)	68 (1727)	77.8 (1972)	114.5 (2908)	17 (432)	7.3 (185)	42.6 (1082)
Optional	133 (3378)	68 (1727)	77.8 (1972)	119 (3023)	32.6 (828)	7.3 (185)	42.6 (1082)
Optional	133 (3378)	68 (1727)	77.8 (1972)	114.5 (2908)	17 (432)	7.3 (185)	42.6 (1082)
Optional	133 (3378)	68 (1727)	77.8 (1972)	119 (3023)	32.6 (828)	7.3 (185)	42.6 (1082)
Optional	133 (3378)	68 (1727)	77.8 (1972)	119 (3023)	32.6 (828)	7.3 (185)	42.6 (1082)
Optional	136.8 (3474)	74 (1880)	81.3 (2065)	121 (3073)	21.4 (544)	8.1 (207)	45.3 (1150)
Optional	136.8 (3474)	74 (1880)	81.3 (2065)	124 (3149)	31.5 (800)	8.1 (207)	45.3 (1150)
Optional	141.6 (3597)	74 (1880)	81.3 (2065)	132 (3353)	31.5 (800)	8.1 (207)	48.3 (1227)
Optional	141.6 (3597)	74 (1880)	81.3 (2065)	132 (3353)	31.5 (800)	8.1 (207)	48.3 (1227)
Optional	147.7 (3751)	80 (2032)	83.4 (2118)	144 (3657)	29.7 (754)	9.4 (240)	52.9 (1342)
AWS/SSL**	141.6 (3597)	74 (1880)	81.3 (2065)	132 (3353)	31.5 (800)	8.1 (207)	48.3 (1227)

Dimensions						
Length (with bucket) in. (mm)	Width (with bucket) in. (mm)	Height in. (mm)	Height to Bucket Hinge Pin in. (mm)	Reach at Max. Height in. (mm)	Ground Clearance in. (mm)	Length of Track on Ground in. (mm)
3.1 (2364)	36 (914)	49.1 (1246)	71.2 (1807)	18.2 (462)	4.5 (114)	34 (864)
3.1 (2364)	36 (914)	49.1 (1246)	71.2 (1807)	18.2 (462)	4.5 (114)	34 (864)

Dimensions								
Selectable Joystick Controls	Roller Suspension™ System	Length (with bucket) in. (mm)	Width (with bucket) in. (mm)	Height (with cab) in. (mm)	Height to Bucket Hinge Pin in. (mm)	Reach at Max. Height in. (mm)	Ground Clearance in. (mm)	Length of Track on Ground in. (mm)
Optional	n/a	126.6 (3216)	56 (1422)	77.8 (1976)	109.5 (2781)	23.5 (597)	8.4 (213)	50.2 (1275)
Optional	Optional	133 (3378)	68 (1727)	77.8 (1972)	114.5 (2908)	19.3 (490)	7.3 (185)	55.2 (1402)
Optional	Optional	133 (3378)	68 (1727)	77.8 (1972)	119 (3023)	34.9 (887)	7.3 (185)	55.2 (1402)
Optional	Optional	136.8 (3474)	74 (1880)	81.3 (2065)	121 (3073)	24.1 (613)	8.1 (207)	59 (1499)
Optional	Optional	136.8 (3474)	74 (1880)	81.3 (2065)	124 (3149)	34.2 (870)	8.1 (207)	59 (1499)
Optional	Optional	141.6 (3597)	80 (2032)	81.3 (2065)	132 (3353)	33.6 (853)	8.1 (206)	63.7 (1618)
Optional	Optional	141.6 (3597)	80 (2032)	81.3 (2065)	132 (3353)	33.6 (853)	8.1 (206)	63.7 (1618)
Optional	Standard	153.9 (3910)	84.8 (2153)	83.4 (2118)	144 (3657)	36.5 (927)	8.6 (218)	68.9 (1749)

NOTE: All specifications are subject to change without notice.

WE HAVE AN ATTACHMENT FOR THAT.®

COMPACT EXCAVATOR ATTACHMENTS

AUGER	14	FLAIL MOWER	21	RIPPER	24
BREAKER, HYDRAULIC	16	GRAPPLE, THREE-TINE	24	SWING ACCESSORIES	24
BUCKETS	18	PACKER WHEEL	22	TRENCHER	25
CLAMP	22	PLATE COMPACTOR	22		
DEPTH CHECK ACCESSORY KIT	20	PRO CLAMP™ SYSTEM	23		

COMPACT LOADER ATTACHMENTS

3-POINT ADAPTER	82	DUMPING HOPPER	48	SNOW PUSHER	72
ANGLE BROOM	26	FLAIL CUTTER	49	SNOW V-BLADE	73
AUGER	28	FORESTRY CUTTER	50	SNOWBLOWER	68
AUTOMATIC GRADE CONTROL	30	GRADER	52	SOD LAYER	73
BACKHOE	32	GRAPPLE, INDUSTRIAL	54	SOIL CONDITIONER	74
BALE FORK	33	GRAPPLE, ROOT	56	SPREADER	76
BORING UNIT	35	GRAPPLE, UTILITY	57	STEEL TRACKS	78
BOX BLADE	34	LANDPLANE	59	STUMP GRINDER	79
BREAKER, HYDRAULIC	36	LANDSCAPE RAKE	58	SWEeper	80
BRUSH SAW	39	MOWER	60	TILLER	83
BRUSHCAT™ ROTARY CUTTER	38	PALLET FORK	62	TILT-TATCH™ DEVICE	42
BUCKET ACCESSORIES	42	PLANER	64	TREE SPADE	84
BUCKET, COMBINATION	44	REAR STABILIZER	78	TRENCH COMPACTOR	87
BUCKETS	40	SCARIFIER	66	TRENCHER	86
CHIPPER	44	SCRAPER	66	UTILITY FORK	88
CONCRETE MIXER	46	SEEDER	66	VIBRATORY PLOW	89
CONCRETE PUMP	46	SILT FENCE INSTALLER	66	VIBRATORY ROLLER	89
DIGGER	46	SNOW ACCESSORIES	71	WATER KIT	90
DOZER BLADE	47	SNOW BLADE	70	WHEEL SAW	90
DROP HAMMER	48	SNOW BUCKET	67		





VERSAHANDLER® TELESCOPIC TOOL CARRIER ATTACHMENTS

ANGLE BROOM	26	GRAPPLE, INDUSTRIAL	54	SNOW PUSHER	72
AUGER	28	GRAPPLE, ROOT	56	SNOWBLOWER	68
BALE FORK	33	PALLET FORK	62	SOIL CONDITIONER	74
BUCKET, COMBINATION	44	SNOW BLADE	70	SWEeper	80
BUCKETS	40	SNOW BUCKET	67	TRUSS BOOM	25
FLAIL CUTTER	49				

TOOLCAT™ UTILITY WORK MACHINE ATTACHMENTS

3-POINT ADAPTER	82	GRADER	52	SNOW PUSHER	72
ANGLE BROOM	26	GRAPPLE, INDUSTRIAL	54	SNOW V-BLADE	73
AUGER	28	GRAPPLE, UTILITY	57	SNOWBLOWER	68
BALE FORK	33	LANDPLANE	59	SOD LAYER	73
BOX BLADE	34	LANDSCAPE RAKE	58	SOIL CONDITIONER	74
BRUSHCAT ROTARY CUTTER	38	MOWER	60	SPREADER	76
BUCKET ACCESSORIES	42	PALLET FORK	62	STUMP GRINDER	79
BUCKET, COMBINATION	44	SCRAPER	66	SWEeper	80
BUCKETS	40	SEEDER	66	TILLER	83
CHIPPER	44	SNOW ACCESSORIES	71	TILT-TATCH DEVICE	42
DOZER BLADE	47	SNOW BLADE	70	TRENCHER	86
FLAIL CUTTER	49	SNOW BUCKET	67	UTILITY FORK	88

UTILITY VEHICLE ATTACHMENTS

ANGLE BROOM	91	PALLET FORK	92
BUCKET	91	SNOW BLADE	92
GRAPPLE	92	SNOW V-BLADE	93
LANDPLANE	92	SNOWBLOWER	93
MOWER	92	SPREADER	93

NOTE: Where applicable, dimensions are in accordance with Society of Automotive Engineers (SAE) and ISO standards. Specifications and design are subject to change without notice. Pictures of Bobcat units may show other than standard equipment. All dimensions are given for loaders equipped with standard tires. All dimensions are shown in inches. Respective metric dimensions are enclosed by parentheses. Bobcat Company complies with the requirements of ISO 9001 as registered with BSI.

Property Development Regulations
 Bobcat of Contra Costa, Equipment Sales and Rental
 AP-18-1363 (UP)

Development Regulations: <i>CS District</i>	Requirement:	Proposed Project:
Minimum Lot Area:	5,000 s.f.	74,923s.f.
Minimum Lot Width:	70 ft.	137.27 ft.
Minimum Yards:	-	-
Front:	10 ft.	Approx. 30 ft.
Side	-	Approx. 20 ft.
Corner Side:	10 ft.	Approx. 15 ft.
Rear:	-	Approx. 200 ft.
Maximum Height of Structures*:	50 ft.	Approx. 20 ft.
Maximum Lot Coverage:	60%	23%
Maximum Floor-Area Ratio (FAR):	0.5	0.25
Minimum Site Landscaping:	7%	20%
Off Street Parking Requirement:	Equipment Sales and Rental 1 per 500 s.f. (34)	34 spaces
Bicycle Parking and Storage:	6	6



City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **PLANNING COMMISSION** of the **City of Pittsburg** will conduct a public hearing on:

DATE: November 13, 2018
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Bobcat of Contra Costa, AP-18-1363 (UP).

This is an application by Tony Amaral of Total Equipment and Rental of CC County, on behalf of Bobcat of Contra Costa, requesting approval of a use permit to establish an equipment sales and rental business within an existing 17,080 square foot commercial structure on a 1.72 acre site located at 2035 E. Leland Road, in the CS (Service Commercial) District. APN 088-152-029.

PROJECT PLANNER: Celina Palmer, (925) 252-4029 or cpalmer@ci.pittsburg.ca.us

Why am I receiving this notice? You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

Where can I get more information about this project?

The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

What can I do if I have comments on the project?

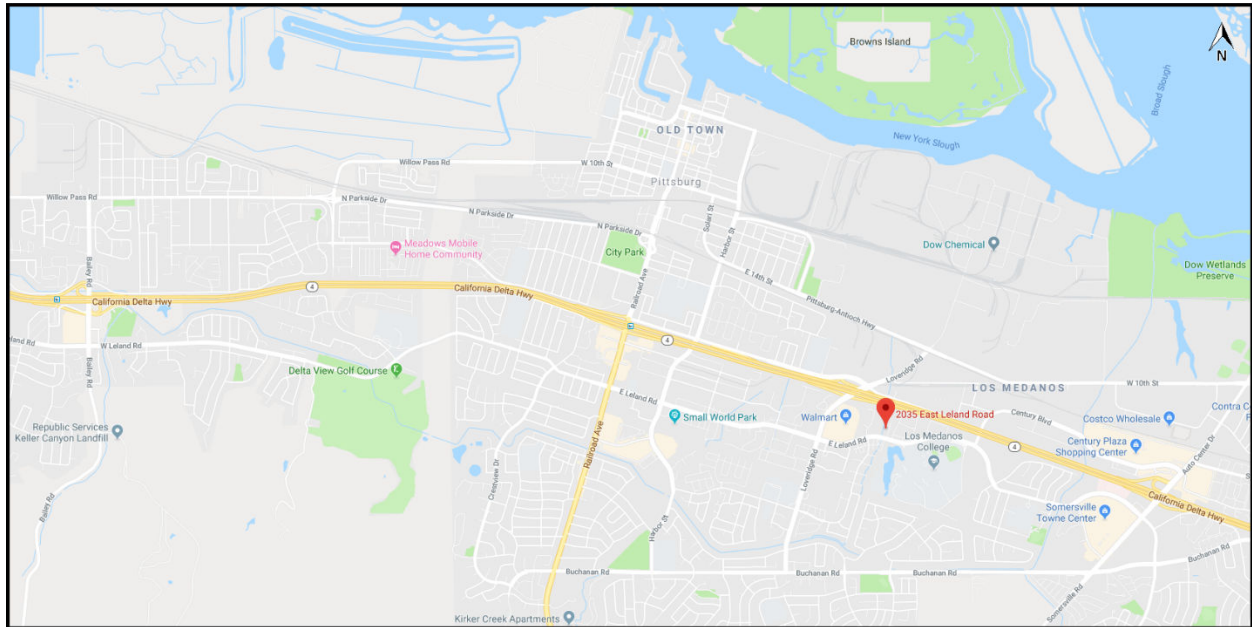
Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.



KRISTIN POLLOT, ZONING ADMINISTRATOR
CITY OF PITTSBURG

Project Title: Bobcat of Contra Costa, AP-18-1363 (UP).
Location: 2035 E. Leland, APN: 088-152-029



**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT**

ITEM: Nazari Contractor Yard, AP-17-1303 (RZ, UP)

ORIGINATED BY: Mike Nazari, 1700 N. Parkside Dr., Pittsburg, CA. 94565

SUBJECT: This is a public hearing on a request for a recommendation to City Council for approval for a zoning amendment establishing a limited overlay district to allow a 'contractor vehicle storage yard' as a conditionally permitted use, and approval of a new use permit, contingent on City Council approval of the overlay district, amending the allowable uses onsite to include a contractor vehicle storage yard located at 1700 N. Parkside Drive in the CS (Service Commercial) District. Assessor's Parcel No. 096-093-005.

RECOMMENDATION:

Staff recommends that the Planning Commission: 1) Adopt a Resolution recommending that the City Council adopt an ordinance amending the site zoning from CS (Service Commercial) to CS-O (Service Commercial with Limited Overlay), and; 2) Adopt a Resolution approving the use permit for a contractor vehicle storage yard and several other previously approved uses, contingent upon City Council approval of the limited overlay district, subject to conditions of approval.

BACKGROUND:

In 2000, the Planning Commission approved a use permit (Resolution No. 9135) to allow auto sales and auto repair on a 1.86-acre site (eastern portion of the property) located at 1700 N. Parkside Drive. The applicant, Mike Nazari, purchased the site in 2008 and continued the approved use.

In 2016, staff noticed the property was being operated out of compliance with the use permit's conditions of approval, specifically those that restricted the quantity, age, and type of automobiles stored or displayed for sale at the site. Staff also noticed that several large trucks were being periodically stored on the western portion of the site, which was not an allowable use under the current CS zoning district standards.

To address the auto sales and repair business violations, the applicant submitted a request for a use permit amendment (application filed on January 19, 2017) to modify and/or delete certain conditions from the original approval. After a lengthy processing time, the Planning Commission held a public hearing on December 12, 2017, to consider the use permit request for the auto sales and repair business. After the close of the public hearing, the Commission adopted Resolution No. 10082, modifying the original conditions of approval as generally requested by the applicant. However, the applicant subsequently filed an appeal of the use permit approval because he did not

Planning Commission Staff Report

agree with a newly added condition requiring demolition of part of a building that had been constructed over a pipeline easement without permits. That appeal was considered by the City Council on May 21, 2018. After close of the public hearing, the City Council voted to uphold the Commission's original decision with no changes to the use permit conditions (see City Council Resolution No. 18-13472). To date, the applicant has been operating the auto sales and repair use in compliance with the newly issued use permit. The unpermitted portion of the building is currently being demolished.

Regarding the unpermitted truck storage use, the applicant informally requested a temporary approval to allow trucks to park for a limited duration of time in early 2017. Because the zoning code was not explicit on allowing this type of use as a temporary activity, the request was brought before the Land Use Subcommittee for discussion on April 19, 2017. After this meeting, the applicant was given direction to file the temporary permit request as soon as possible to legalize activities that were already occurring on site.

The applicant never filed the temporary activity permit request as directed by staff and the Land Use Subcommittee. Rather, he decided that his preference was to make the truck storage use permanent, so on December 14, 2017, he filed a different planning application to request approval of a zoning amendment and use permit to allow a permanent contractor vehicle storage yard on the western portion of the site (which is the subject of this hearing).

PROJECT DESCRIPTION:

Existing Conditions: The project site is a 1.86-acre, triangular parcel, which staff has divided into five yards (Yards 1 through 5) for ease of reference (see project plans attached). There is a single story building in the center of the site which is utilized for the auto sales and repair business, with a parking lot for 11 vehicles south of the building, adjacent to N. Parkside Drive. There is a wrought iron fence at the primary entrance to Yard 3, where the auto sales and repair business is conducted. The remaining Yards 1 through 4 currently have chain link fencing with partial screening along N. Parkside Drive. Palm trees have been planted inside the fence along the N. Parkside frontage. Vehicles waiting for repair or to be sold, are parked in Yards 2 through 4. Yard 5, on the east side, is vacant. In Yard 1, there are currently a variety of large semi-trucks/dump trucks and storage containers being stored illegally. The entire property is situated about 25 – 30 feet north of the paved portion of N. Parkside Drive. The area between the fenced yards and the paved roadway is unimproved city right of way.

See Attachment 3 for photos of the project site.

Surrounding Land Uses:

North: Union Pacific (UP) and Burlington Northern Santa-Fe (BNSF) railways;

Planning Commission Staff Report

West: unincorporated industrial properties with D. Foskett Trucking, Inc., CM
Excavating and Trucking
South: N. Parkside Drive and Rancho Medanos Subdivision
East: triangular site ends at railroad

See Attachment 4 for a map of surrounding uses.

Proposed Project: The applicant requests approval a zoning amendment to establish a limited overlay district for the portion of the site referred to as Yard 1. The limited overlay district would allow a 'contractor vehicle storage yard', defined as an "outdoor storage yard for large equipment and large vehicles with a gross vehicle weight in excess of 15,000 pounds," to be established in Yard 1, subject to approval of a conditional use permit.

The application also includes a request to approve a new use permit for the full site, expanding on the existing auto repair and sales businesses to allow the addition of overnight parking of 17 dump trucks, two semi-trucks, and four storage containers in Yard 1. No maintenance or repair of the trucks, or storage of building materials, is proposed to occur in Yard 1 or anywhere else on the property. The trucks would generally be parked along the northerly property line. Parking for the contractor personal vehicles (while the trucks are out on jobs) would be allowed inside the fence along the southern property line.

See Attachment 2, Exhibit A, for project plans.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site has a land use designation of 'Community Commercial'. This land use designation is intended to "provide sites for retail shopping areas containing a wide variety of businesses, including retail stores, eating and drinking establishments, commercial recreation, service stations, automobile sales and repair services, financial, business and personal services, motels, education and social services" (General Plan, pg. 2-19). The proposed limited overlay district would be consistent with the intent of the Community Commercial land use designation in that the proposed overlay district would only allow storage of large trucks, vehicles and equipment in excess of 15,000 pounds, along with storage containers, which would be very similar to the existing approved auto sales and auto repair uses which are among the type of businesses envisioned within this land use designation.

Zoning: The purpose of the CS District is to provide opportunities for retail and service businesses on transitional sites between commercial and industrial areas, including businesses not allowed in other commercial districts because they have industrial characteristics, require heavy vehicle or truck traffic, or have certain other potentially adverse impacts.

Planning Commission Staff Report

The proposed zoning amendment for a limited overlay district to allow a contractor vehicle storage yard on the site is consistent with the CS District in that the CS District allows 'vehicle storage' as a conditional use. Vehicle storage is defined as storage of operative or inoperative vehicles including parking tow-aways, impound yards, and storage lots for automobiles, trucks, trailers, buses, and recreational vehicles.

The site has limited existing improvements which are generally in conformance with the CS District development regulations related to building height, FAR (floor-area-ratio), lot coverage, lot area, lot width, setbacks, and parking. The property does not conform to CS District regulations for landscape coverage and screening of outdoor storage areas; however, conditions of approval would be incorporated to ensure compliance with all property development regulations.

Findings - Zoning Amendment: In order to recommend approval of a zoning amendment, the Commission must find (in accordance with PMC Section 18.48.030) that:

1. the amendment is consistent with the objectives, policies, general land uses and programs specified in the General Plan;
2. the land use regulation is compatible with uses and regulations of the land use district for which it is proposed;
3. there is a community need for the change proposed; and
4. the change will be in conformity with the public convenience, general welfare and good zoning practice.

Findings - Limited Overlay District: In order to recommend approval of an overlay district the Commission must also find (in accordance with PMC section 18.74.060) that the proposed overlay:

1. is necessary because there are special or unique characteristics of the site or improvements that require land use and development regulations that cannot be adequately accommodated or controlled by the base zoning district;
2. conforms to the general plan; and
3. generally complies with the land use and development regulations of the base zoning district.

Findings - Use Permit: In accordance with PMC section 18.16.040, a use permit may be granted only if the Planning Commission can make findings that the proposed use:

1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;

Planning Commission Staff Report

2. is not detrimental to the health, safety, and general welfare of the City;
3. will not adversely affect the orderly development of property within the City;
4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
6. will not create a nuisance or enforcement problem within the neighborhood;
7. will not encourage marginal development within the neighborhood;
8. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law; and,
9. is consistent with the City's approved funding priorities.

Environmental: The proposed overlay district and overlay plan are exempt from the requirements of the California Environmental Quality Act (CEQA) under the general rule of the state CEQA Guidelines, section 15061, in that the activity in question consists of a zoning amendment that would not result in a physical impact on the environment. Furthermore, the proposed use permit and related improvements would be determined categorically exempt from environmental review under State CEQA Guidelines section 15301 (Existing Facilities).

Public Notice: On or prior to November 2, 2018, notice of the November 13, 2018, public hearing was published in the East County Times; was posted at City Hall and on the "Public Notices" section of the city's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the facility, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.020.B and E, and Government Code section 65091.

ANALYSIS:

Staff believes that the Planning Commission can make the required findings to recommend City Council approval of a zoning amendment establishing a limited overlay district, and approve a use permit amendment allowing a contractor yard at 1700 N. Parkside Drive.

As stated above, the zoning amendment is consistent with the site's General Plan land use designation of Community Commercial. The proposed overlay district for a

Planning Commission Staff Report

contractor vehicle storage yard would only allow vehicle parking/storage, which would be compatible with the existing commercial and industrial uses in the area. Further, there are limited opportunities for development of the site due to its triangular shape and size. The proposed overlay would help meet a community need, in that it would allow a previously vacant property to be cleaned up, maintained, and utilized for a compatible business compared to the other existing uses on site.

The new use permit would be in accordance with the objectives of the Zoning Ordinance, if conditions of approval are adopted prohibiting maintenance and repair of the stored vehicles in Yard 1; prohibiting storage of any building materials; limiting all truck parking to the northern property lines; requiring the applicant to increase the site's landscape coverage along N. Parkside Drive; and requiring installation of a solid fence to screen outdoor storage areas from view.

The proposed use permit would apply to the entire site and therefore would supersede the previously approved conditions of approval outlined in Resolution No. 10082. All original conditions would be included in the new use permit and would be expanded upon to reflect this approval.

ACTION REQUIRED:

Move to adopt Resolution No. 10104 recommending City Council approval of the limited overlay district to add the land use category "contractor vehicle storage yard" subject to a use permit, and adopt Resolution No. 10105 approving the use permit to allow the contractor vehicle storage yard, contingent upon City Council approval of the overlay district, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10104
 - 1a. Exhibit A – Map Changes
 - 1b. Exhibit B – Overlay Plan
2. Proposed Resolution No. 10105
 - 2a. Exhibit A – Project Plans
3. Site Photos
4. Map of Surrounding Uses
5. Previously Approved Resolution No. 10082
6. Development Regulations Table
7. Public Hearing Notice & Vicinity Map

Prepared by: Hector Rojas, Senior Planner

Attachment 1
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Recommending City Council	)	
Adoption of a Limited Overlay District and	)	
Overlay Plan for a 1.86-Acre Site Located	)	Resolution No. 10104
at 1700 N. Parkside Drive for "Nazari	)	
<u>Contractor Yard, AP-17-1303 (RZ UP)."</u>	)	

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On December 14, 2017, Mike Nazari filed Planning Application No. 17-1303 requesting approval for a zoning amendment establishing a limited overlay district to allow a 'contractor vehicle storage yard' as a conditionally permitted use, and approval of a new use permit, contingent on City Council approval of the overlay district, amending the allowable uses onsite to include a contractor vehicle storage yard located at 1700 N. Parkside Drive in the CS (Service Commercial) District. Assessor's Parcel No. 096-093-005.
- B. Pittsburgh Municipal Code (PMC) section 18.16.020 identifies the Planning Commission as the advisory body to the City Council on proposed zoning amendments. Pursuant to PMC section 18.48.030, the Planning Commission shall include written findings to support any recommendation it makes to the City Council to amend the Zoning Ordinance.
- C. In order to recommend approval of a zoning amendment, the Commission must find (in accordance with PMC sections 18.16.020 and 18.48.030) that:
 - 1. the amendments are consistent with the objectives, policies, general land uses and programs in the General Plan;
 - 2. the land use regulation is compatible with uses and regulations of the land use district for which it is proposed;
 - 3. there is a community need for the change proposed; and
 - 4. the change will be in conformity with the public convenience, general welfare, and good zoning practice.
- D. In order to recommend approval of a limited overlay, the Commission must also find (in accordance with PMC section 18.74.060) that the proposed overlay:

1. is necessary because there are special or unique characteristics of the site or improvements that require land use and development regulations that cannot be adequately accommodated or controlled by the base zoning district;
 2. conforms to the General Plan; and
 3. generally complies with the land use and development regulations of the base zoning district.
- E. The proposed overlay district and overlay plan are exempt from the requirements of the California Environmental Quality Act (CEQA) under the general rule of the state CEQA Guidelines, section 15061, in that the activity in question consists of a zoning amendment that would not result in a physical impact on the environment.
- F. On or prior to November 2, 2018, notice of the November 13, 2018, public hearing was published in the East County Times; was posted at City Hall and on the "Public Notices" section of the city's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the facility, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.020 and Government Code sections 65090 and 65091.
- G. On November 13, 2018, the Planning Commission held a public hearing on Planning Application No. 17-1303, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, "Nazari Contractor Yard, AP-17-1303 (RZ, UP)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and are incorporated herein by reference.
 2. The proposed limited overlay district and overlay plan is consistent with and conforms to the General Plan. The project site has a land use designation of 'Community Commercial'. This land use designation is intended to "provide sites for retail shopping areas containing a wide variety of businesses, including retail stores, eating and drinking establishments, commercial recreation, service stations, automobile sales and repair services, financial, business and personal services, motels, education and social services." The proposed district and plan would be consistent with the intent of the Community Commercial land use designation in that they would only allow storage of large trucks, vehicles and equipment in excess of 15,000 pounds, along with storage containers, which would be very similar to the existing approved auto sales and auto repair uses which are among the type of businesses envisioned within this land use designation.

3. The proposed limited overlay district and overlay plan is compatible with uses and regulations of the CS (Service Commercial) District. The proposed overlay will allow a contractor vehicle storage yard on the site. Contractor vehicle storage yards are substantially similar to vehicle storage – a use that is conditionally permitted within the CS District.
 4. The proposed overlay district and overlay plan will help meet a community need, in that it will allow a previously vacant property to be cleaned up and maintained.
 5. The proposed overlay district and overlay plan will be in conformity with the public convenience, general welfare, and good zoning practice, in that it will facilitate improvement of a previously long-standing vacant site, which could help eradicate existing problems that come with vacant sites, such as illegal dumping, loitering, etc.
 6. The proposed overlay district and overlay plan is needed because the base zone's land use classifications would not allow a contractor vehicle storage yard and the proposed contractor vehicle storage yard is compatible with the land uses to the north and west of the site
- B. The staff report entitled, "Nazari Contractor Yard, AP-17-1303 (RZ, UP)," dated November 13, 2018, is referenced hereto as additional support for the findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby recommends that the City Council adopt an ordinance to amend the Zoning Map, as referenced in Pittsburgh Municipal Code, Title 18 (Zoning Ordinance) section 18.04.020, to change the zoning for a 1.86-acre site located at 1700 N. Parkside Drive, from CS District to CS-O (Service Commercial with limited overlay) District with an accompanying overlay plan, as shown in Exhibit A and B of this resolution.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 13th day of November 2018, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

I hereby certify that the above Resolution No. 10104 was adopted by the Planning Commission of the City of Pittsburg on November 13, 2018.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Exhibit A of Resolution No. 10104
OVERLAY MAP

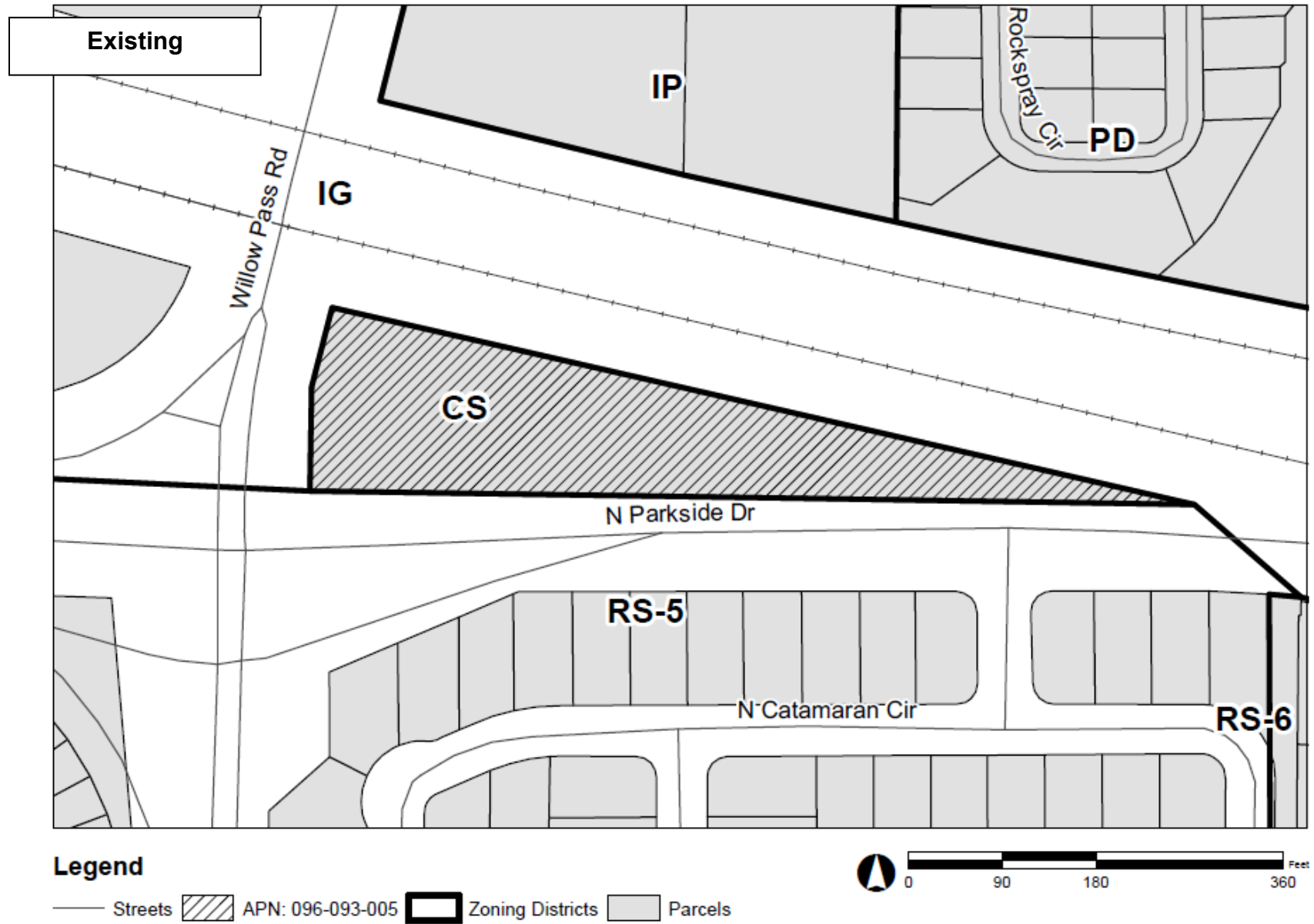


Exhibit A of Resolution No. 10104
OVERLAY MAP

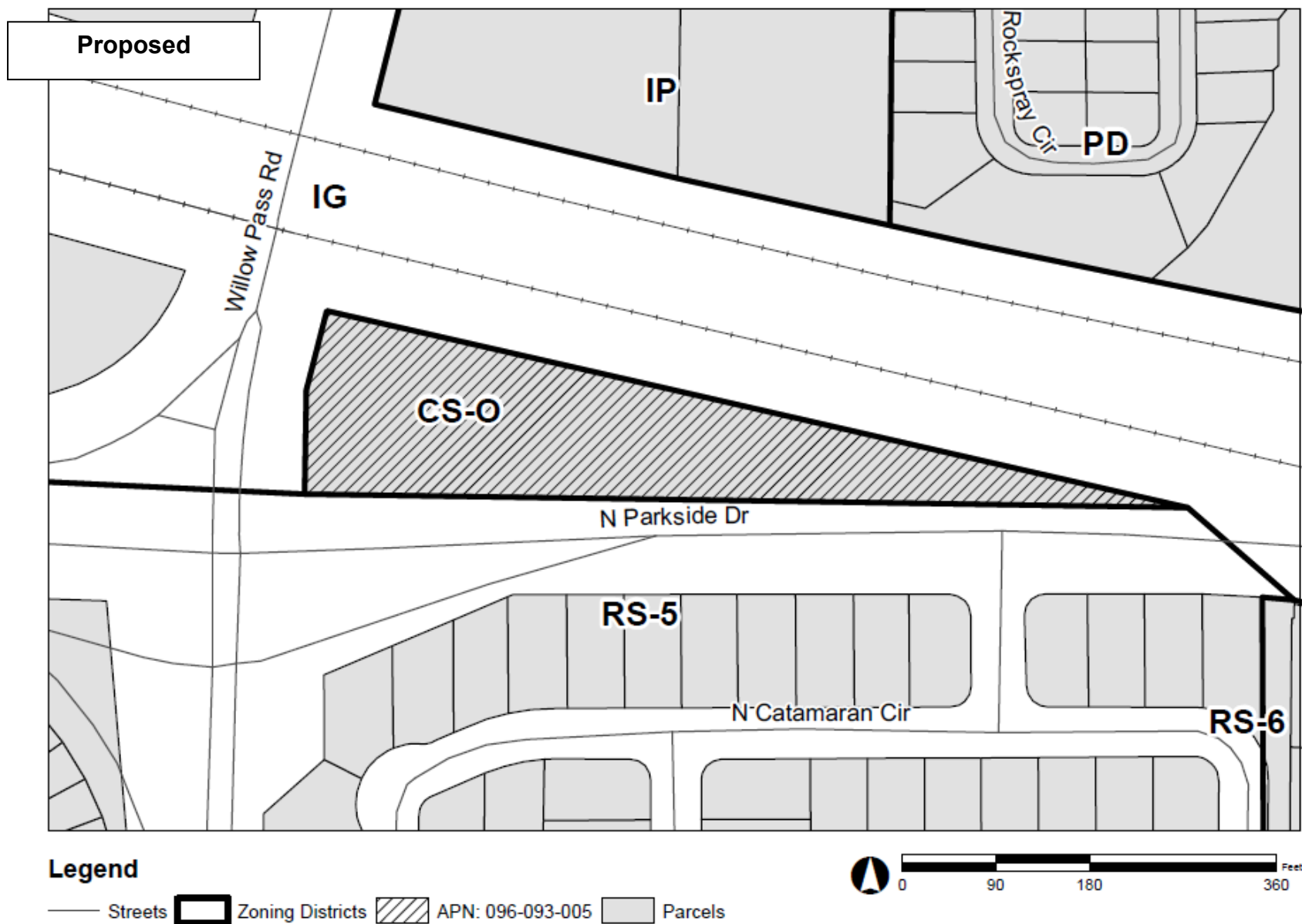
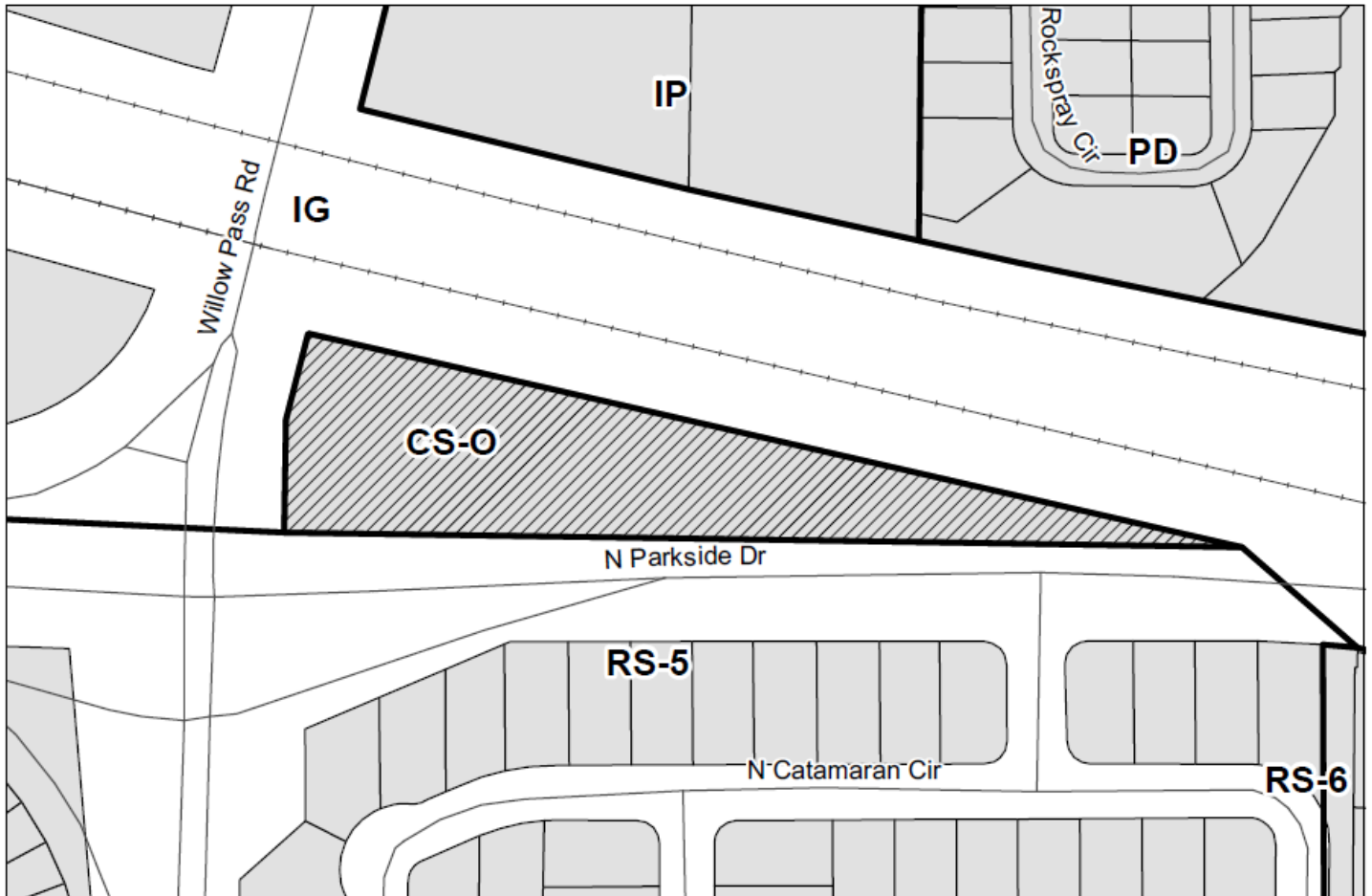


Exhibit B of Resolution No. 10104
CS-O (SERVICE COMMERCIAL WITH LIMITED OVERLAY) DISTRICT OVERLAY PLAN

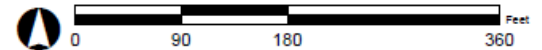
Purpose and Applicability

The purpose of this Overlay Plan is to establish land use and development regulations for a 1.86-acre site located 1700 N. Parkside Drive (APN: 096-093-005) as identified in the map below. The land use and development regulations herein are intended to be supplemental to those set forth by Pittsburg Municipal Code (PMC) Chapter 18.52 for the CS (Service Commercial) District.



Legend

Streets Zoning Districts APN: 096-093-005 Parcels



Land Use and Development Regulations

The land use classifications allowed in the CS-O (Service Commercial with Limited Overlay) District shown above shall be the same as those allowed in the CS District (PMC Chapter 18.52). A 'Contractor Vehicle Storage Yard', defined as "outdoor storage yard for large equipment and large vehicles with a gross vehicle weight in excess of 15,000 pounds," shall also be a conditionally permitted land use classification in this CS-O District. Use and development of the property shall also comply with all other applicable regulations contained within PMC Title 18, Division V (General Land Use Regulations).

Attachment 2

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting Use Permit Approval)
for a Contractor Yard and Other)
Previously Approved Auto Related Uses at)
1700 N. Parkside Drive for "Nazari)
Contractor Yard", AP-17-1303(RZ, UP).")

Resolution No. 10105

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On December 14, 2017, Mike Nazari filed Planning Application No. 17-1303, requesting a zoning amendment to establish a limited overlay district to allow a 'contractor vehicle storage yard', to be established on the western portion of the site, subject to approval of a conditional use permit. The application also includes a request to approve a new use permit expanding the existing auto repair and sales business on the site, to include the contractor vehicle storage yard, which would allow the overnight parking of 17 dump trucks, two semi-trucks, and four storage containers at 1700 N. Parkside Drive in the CS (Service Commercial) District. Assessor's Parcel No. 096-093-005.
- B. In 2000, the Planning Commission approved a use permit (Resolution No. 9135) to allow auto sales and repair on a 1.86-acre site (eastern portion of the property) located at 1700 N. Parkside Drive. Mr. Nazari, purchased the site in 2008 and continued the approved use.
- C. In 2016, staff noticed the property was being operated out of compliance with the use permit's conditions of approval, specifically those that restricted the quantity, age, and type of automobiles stored or displayed for sale at the site. Staff also noticed that several large trucks were being periodically stored on the western portion of the site, which was not an allowable use under the CS zoning district standards.
- D. In 2017, Mr. Nazari submitted a request for a use permit amendment to address the auto sales and repair business violations. On December 12, 2017, the Planning Commission approved the use permit amendment (Resolution No. 10082) modifying the original conditions of approval as generally requested by the applicant. However, the applicant subsequently filed an appeal because he did not agree with a newly added condition requiring demolition of part of a building that had been constructed over a pipeline easement without permits.
- E. On May 21, 2018, the City Council held a public hearing to consider the appeal and voted to uphold the Planning Commission's original decision with no changes to the use permit conditions (City Council Resolution No. 18-13472). To date, the applicant has been operating the auto sales and repair use in compliance with the approved use permit. The unpermitted portion of the building is currently being demolished.

- F. According to PMC section 18.28.060, a request for modification of an approved use permit shall be treated as a new application. PMC section 18.16.040 specifies that the following findings must be made before approval of a use permit. The Planning Commission may grant approval of a use permit if the proposed use:
1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
 2. is not detrimental to the health, safety, and general welfare of the City;
 3. will not adversely affect the orderly development of property within the City;
 4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
 5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
 6. will not create a nuisance or enforcement problem within the neighborhood;
 7. will not encourage marginal development within the neighborhood;
 8. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law; and,
 9. is consistent with the City's approved funding priorities.
- G. The proposed use permit and related improvements are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, 'Existing Facilities,' of the state CEQA Guidelines section 15301.
- H. On or prior to November 2, 2018, notice of the November 13, 2018, public hearing was posted at City Hall, near the proposed project site, and on the 'Public Notices' section of the city's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the building, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091.
- I. On November 13, 2018, the Planning Commission held a public hearing on Planning Application No. 17-1303(RZ, UP), at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, "Nazari Contractor Yard, AP-

17-1303(RZ, UP),” and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

1. All recitals above are true and correct and are incorporated herein by reference.
2. The proposed use permit will:
 - a) be in accordance with the objectives of the Zoning Ordinance if conditions of approval are adopted requiring that, the use permit approval be contingent on the City Council’s approval of the rezoning for the site, and the applicant substantially reduces the site’s non-conforming features by: 1) increasing the site’s landscaping coverage along No. Parkside Drive; and 2) providing a visually impermeable fence around the property to screen the parking and outdoors storage areas from view;
 - b) be in accordance with the purposes of the land use district in which they are located and will be appropriate to the specific location, in that it is a service business on a transitional site between residential and industrial areas (consistent with PMC section 18.52.005(B)(4)) and will be located among other service businesses and light industrial uses in the area;
 - c) not be detrimental to the health, safety, and general welfare of the City, if conditions of approval are adopted requiring the applicant to: 1) limit use of the western portion of the property solely for parking/storage of contractor vehicles as defined in the Overlay Plan; 2) complete removal of the unpermitted portion of the existing building that is located within the pipeline easement; 3) obtain a Revocable Encroachment Permit from the City’s Engineering Division in order to continue utilizing the public right-of-way along N. Parkside Drive for parking; 4) limit the total number of trucks that may be stored on the site, including the placement of those trucks; and 5) prohibit the maintenance and repair of trucks and/or vehicles in conjunction with the contractors vehicle storage yard;
 - d) not adversely affect the orderly development of property within the City, in that the use will be located among other service businesses as mentioned above;
 - e) not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, in that property values stand to benefit slightly from improvements the applicant will make to the premises, including repairing or replacing existing fences along the site perimeter to ensure a visually impermeable barrier, and on-going maintenance of the site;
 - f) be consistent with the General Plan, in that ‘Community Commercial’ land use designation is intended to “provide sites for retail shopping areas containing a wide variety of businesses, including retail stores, eating and drinking establishments, commercial recreation, service stations, automobile sales and

repair services, financial, business and personal services, motels, education and social services,” and the use permit would only allow storage of large trucks, vehicles and equipment in excess of 15,000 pounds, which would be very similar to the existing approved auto sales and auto repair uses on site;

- g) not create a nuisance or enforcement problem within the neighborhood, if conditions are added requiring the applicant to: 1) limit the total number of trucks that may be stored on the site, including the placement of those trucks; 2) prohibit the maintenance and repair of trucks and/or vehicles in conjunction with the contractors vehicle storage yard; 3) prohibit auto repair activities from occurring outdoors; 4) prohibit the outdoor storage of building materials, contractor/construction equipment, placement of automobile parts, tires, and/or other items that may be used in conjunction with a contractor or auto repair business; and 5) limit the operational hours for the contractor vehicle storage yard and the auto repair business to 8:00 AM to 6:00 PM, daily, and the auto sales business to 9:00 AM to 9:00 PM, daily. Further, all uses on site will be required to meet performance standards, as set forth by PMC chapter 18.82, which are intended to address ongoing safety, noise, odor, and maintenance concerns;
- h) not encourage marginal development within the neighborhood, in that the applicant has proposed improvements to the premises that will improve the overall appearance of the property and nearby neighborhood;
- i) not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law, in that the businesses will have access to existing infrastructure, including fire and police;
- j) not be inconsistent with the City’s approved funding priorities, in that the uses on site will not require any municipal funding.

B. The staff report entitled, “Nazari Contractor Yard, AP-17-1303(RZ, UP),” dated November 13, 2018, is referenced hereto as additional support for the findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby approves AP-17-1303, contingent on City Council approval of the limited overlay district for the site as substantially presented in Resolution No. 10104, and subject to the conditions listed below. The conditions listed shall take the place of all prior conditions adopted through Planning Commission Resolutions Nos. 9135 and 10082.

1. References to Project Plan: For the purposes of this resolution, the project plan dated July 19, 2018, attached to this Resolution as “Exhibit A,” shall be used for all references to portions of the existing building, outdoor yards, and parking areas.
2. Unpermitted Addition: The applicant shall finish removing Portion D of the existing

building (constructed without permits) by April 28, 2019. Upon removal, the area shall be considered a part of Yard 3.

3. Contractor Vehicle Storage Yard: A contractor vehicle storage yard, as defined by the Overlay Plan, shall be allowed on the site, subject to the following limitations:
 - a) Hours of operation shall not exceed 5:00 AM to 9:00 PM, daily.
 - b) Storage of contractor vehicles shall be limited to 17 dump trucks and two semi-trucks. The trucks shall be parked in Yard 1 along the northern property line only.
 - c) Truck drivers may park their personal vehicles in Yard 1 behind the fence along the southern property line only.
 - d) Onsite repair or maintenance of the contractor vehicles shall be prohibited.
4. Automobile Sales: Automobile sales, as defined in PMC section 18.08.080 (28) (d), shall be allowed on the site, subject to the following limitations:
 - a) Hours of operation shall not exceed 9:00 AM to 9:00 PM, daily.
 - b) There shall be no more than 16 automobiles offered for sale at any given time.
 - c) The automobiles shall be operable and maintained in good visual condition.
 - d) During daytime (business hours), the automobiles shall only be parked in Yard 3 or the eleven (11) parking spaces located perpendicular to N. Parkside Drive.
 - e) During nighttime (after business hours), all the automobiles shall be parked in Yard 3 only.
 - f) The operator shall be registered as a vehicle dealer with the California Department of Motor Vehicles (DMV) pursuant to the California Vehicle Code.
5. Auto Repair: Auto repair, as defined in PMC sections 18.08.080 (28) (a) and (c), shall be allowed on the site, subject to the following limitations:
 - a) Hours of operation shall not exceed 8:00 AM to 6:00 PM, daily.
 - b) Repair activities shall be limited to the bays located inside Portions A and B of the existing building.
 - c) There shall be no repair activities allowed outdoors.
 - d) Auto repair customers may drop off their automobiles overnight in any one of the eleven (11) parking spaces located perpendicular to N. Parkside Drive. The operator shall move these automobiles into Yards 1, 2 or 4 upon open of business the next day.

- e) Automobiles that are scheduled for repair or ready for customer pick-up shall be parked in Yards 1, 2 or 4 only.
 - f) There shall be no more than 15 automobiles stored in Yard 1, 25 automobiles stored in Yard 2, and 17 automobiles stored in Yard 4 at any given time.
 - g) Operators shall be registered with the Contra Costa Health Services – Hazardous Materials Program (CCHS-HMP) pursuant to California Health and Safety Code, Division 20, Chapter 6.5, Section 25100 et seq.. Operators may contact CCHS-HMP by calling (925) 335-3200.
 - h) Operators shall be registered as automotive repair dealers with the Bureau of Automotive Repair (BAR) pursuant to California Business and Professions Code, Division 3, Chapter 20.3. Operators may contact BAR by calling (855) 735-0462.
 - i) If the business generates waste tires, then it shall obtain a Tire Program Identification (TPID) number from CalRecycle and comply with the California Tire Recycling Act.
 - j) Any vehicle fluid removal in association with repair activities shall be performed in such a manner as to ensure that any spilled fluid will be in an area of secondary containment. Leaking vehicle fluids shall be contained or drained from the vehicle immediately.
 - k) The operator shall maintain cleanup kits within the repair facility where there is a potential for spills that may enter storm drains or sanitary sewer drains.
 - l) The operator shall regularly inspect and maintain any interior floor drains to prevent blockages and overflow.
 - m) No person shall leave unattended drip parts/pans or other open containers containing vehicle fluid within the repair area, unless such containers are in use or in an area of secondary containment.
6. Customer and Employee Parking: The six off-street parking spaces located immediately south of Yard 3 shall be reserved for exclusive use by customers and employees of the auto sales and repair businesses.
7. Shipping Container Storage: Placement of storage containers shall be allowed on the site, subject to the following limitations:
- a) No more than five shipping containers shall be allowed.
 - b) Each shipping container shall have a maximum dimension of 8 feet (width) by 20 feet (length) by 9 feet (height).
 - c) Storage of shipping containers shall be limited to Yard 1 only.

- d) Stacking of shipping containers and other items shall be prohibited.
- e) Shipping containers shall be painted the same color and shall not show any sign of wear or disrepair.
- 8. Other Outdoor Storage: Outdoor storage or placement of automobile parts, tires, contractor equipment, building materials, construction equipment, and/or other equipment, merchandise, products, or materials shall be prohibited.
- 9. Vehicle Washing. Vehicle washing shall not occur outdoors, unless the methods used comply with the National Pollutant Discharge Elimination System permit, and no rinse water or soap shall be allowed to enter the City's storm drain system pursuant to PMC section 13.28. The contractors trucks parked in Yard 1 shall not be washed on-site.
- 10. Vehicle Maintenance: All vehicles stored on site shall be maintained so as not to leak oil or other potentially hazardous fluids onto the ground. Operators shall inspect the site regularly for spills or leaks from stored vehicles, and any spills or leaks shall be immediately cleaned using dry clean-up methods such as rags or other absorbent material for cleanup of leaks and spills. No part of the site shall be cleaned by hosing the area down with water, unless the wastewater is collected and properly discarded into a sanitary sewer.
- 11. Vehicle Dismantling. Vehicle dismantling and/or storage of wrecked vehicles on the America's Tire site shall be prohibited.
- 12. Light and Glare: Any new lighting fixtures shall be of a type and be located in such a manner that no light or reflected glare is directed off site and shall provide that no light is directed above a horizontal plane passing through the bottom of the fixture. All glare shall be directed onto the site and away from adjacent properties.
- 13. Odors & Emissions. The property owner site shall ensure the uses on site donot produce an unreasonable, disturbing, or unnecessary emission of odors or noise at the property line of the site, in accordance with PMC sections 18.82.040 and 18.82.045.
- 14. Surface Maintenance: All paved surfaces on site shall be maintained in good condition and cleaned as needed. Surface cleaning shall only occur during non-rainy season, between July 15th and October 15th. Best Management Practices shall be used when maintaining paved surfaces. Surface cleaning measures as outlined by the Bay Area Stormwater Management Agencies Association (BASMAA) guidelines shall be used. Site operators are encouraged to visit www.basmaa.org for free surface cleaning training, or to seek a professional surface cleaner that has received BASMAA certification.
- 15. Landscaping Coverage: As required by PMC 18.76.060, the property owner shall submit a schedule for elimination or substantial reduction of the existing landscape coverage nonconformity related to the new occupancy of Yard 1. The schedule shall be submitted to the Planning Division for review and approval within 60 days of approval of this resolution.

16. Screening of Yards: The property owner shall screen Yards 1, 2, and 4 from view by installing fencing in accordance with the project plan. The fencing shall be installed within 60 days of the date of adoption of this resolution.
17. Revocable Encroachment Permit: The property owner shall obtain a Revocable Encroachment Permit from the City's Engineering Division in order to continue utilizing the public right-of-way along N. Parkside Drive for parking. The permit shall be obtained within 30 days of the date of adoption of this resolution.
18. Temporary Uses: The property owner shall not place any temporary structures, signs, or banners onsite or offsite, or hold any temporary uses not covered in this use permit or permitted as an ancillary use on the site, without first applying for the appropriate permits and receiving appropriate approvals from the Planning Division and Engineering Division, as required.
19. Site Maintenance: The site shall be maintained in a neat and clean manner at all times. Trash and debris shall not be allowed to accumulate on or around the site, or on the adjoining street and sidewalks. The entire site including paved, unpaved and landscaped areas must be kept in a neat and orderly manner, free of weeds, loose trash, debris and other litter. The property owner shall maintain all landscaped areas using minimal or no pesticides. The property owner shall inspect and pick up litter on site daily.
20. Business License: It shall be the responsibility of the property owner to maintain updated business licenses containing accurate descriptions of all uses at the site.
21. Grounds for Revocation: Operation in a manner inconsistent with that described in the report, violation of a zoning regulation or condition of this resolution, existence of a public nuisance, or conviction of a federal or state law or city ordinance in connection with the operation of the use shall be grounds for revocation of the use permit (PMC section 18.28.100).
22. Standard Conditions of Development: The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Standard Conditions of Development and the project-specific conditions identified in this resolution, the specific conditions of this resolution shall govern.
23. Other Agency Requirements: The applicant shall comply with all the requirements of the City's Community Development Department, California Department of Forestry and Fire Protection (CAL FIRE), Contra Costa County Fire Protection District, and all other applicable local, state and federal agencies. It is the responsibility of the applicant to contact each local, state, or federal agency for requirements that may pertain to this project.
24. Indemnification: Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the

validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

20. Expiration of Approval: This use permit will expire two years from the date of Planning Commission approval, or November 13, 2020, unless the use has been legally established prior to the expiration date, or a written request for an extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission.

Section 4. Effective Date

This resolution is contingent upon the City Council adoption of a zoning amendment establishing a Limited Overlay (CS-O) district for this site to allow a contractor vehicle storage yard, as substantially presented in Planning Commission Resolution No. 10104. This resolution shall take effect immediately 30 days after City Council adoption of an ordinance amendment.

On motion by Commissioner_____, seconded by Commissioner_____, the foregoing resolution was passed and adopted the 13th day of November 2018 by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

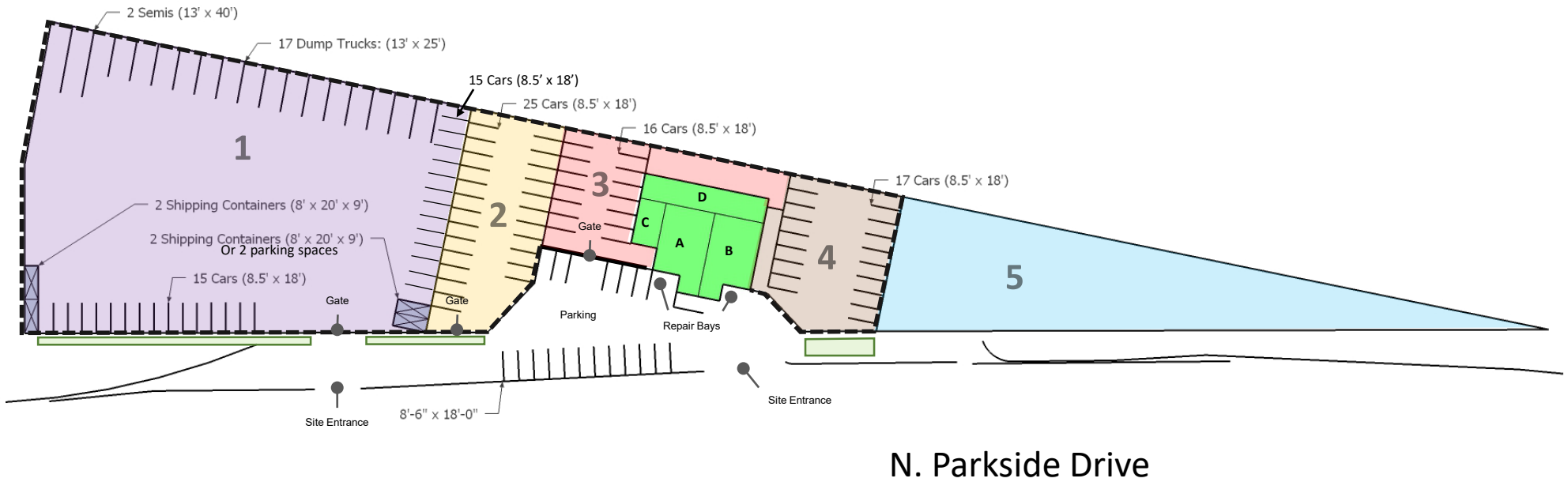
I hereby certify that the above Resolution No. 10105 was adopted by the Planning Commission of the City of Pittsburg on November 13, 2018.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Resolution No. 10105 – Exhibit A

Project Plan

November 7, 2018 | Drawn by City of Pittsburg Staff



Legend:

	Yard 1		Landscape area
	Yard 2		6-foot-tall, chain-link, metal fence with brown vinyl slats
	Yard 3		6-foot-tall, black, wrought-iron fence
	Yard 4		
	Yard 5		
	Building Portions		
	Shipping Containers		

Attachment 3
Site Photos
Nazari Contractor Yard, AP-17-1303 (RZ,UP)



Looking North from N. Parkside Drive



Looking west from entrance to Yard 1

Attachment 3
Site Photos
Nazari Contractor Yard, AP-17-1303 (RZ,UP)



Looking northwest at site



Looking west on site

Attachment 3
Site Photos
Nazari Contractor Yard, AP-17-1303 (RZ,UP)



Looking northwest on-site at Yard 1



Attachment 3

Site Photos

Nazari Contractor Yard, AP-17-1303 (RZ,UP)



Looking northeast on-site

Attachment 3

Site Photos

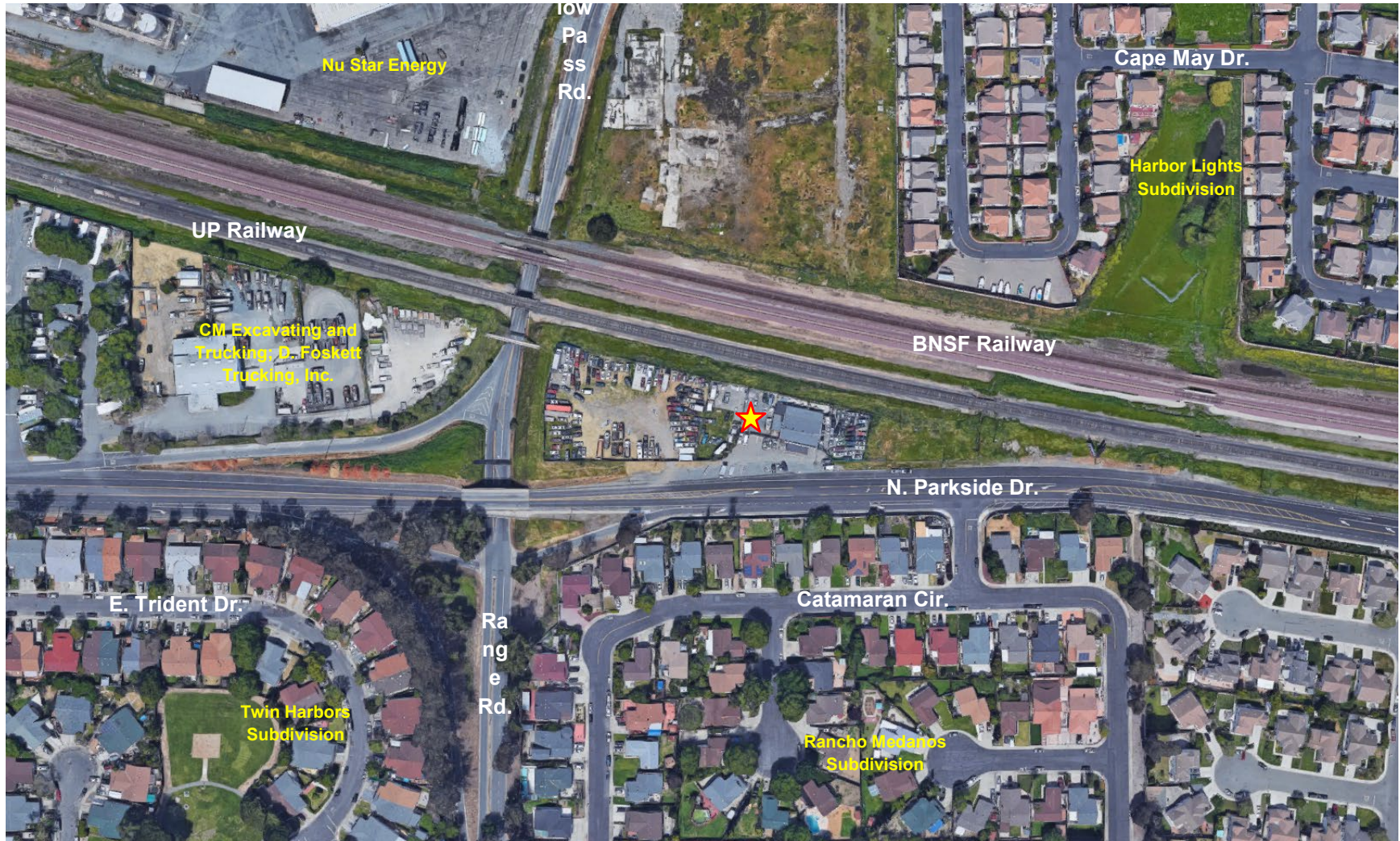
Nazari Contractor Yard, AP-17-1303 (RZ,UP)



Looking southeast on-site

Attachment 4
Map of Surrounding Uses
Nazari Contractor Yard, AP-17-1303 (RZ,UP)

★ **Project Site**



BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting a Use Permit)
Amendment to Modify the Conditions of)
Approval for Auto Repair and Auto Sales)
at 1700 N. Parkside Drive, for "Nazari Use)
Permit Amendment, AP-17-1215 (UP).")

Resolution No. 10082

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. In 2000, the Planning Commission adopted Resolution No. 9135 approving a use permit (CU-99-15) to allow auto sales and auto repair on a 1.86-acre site located at 1700 N. Parkside Drive (the project site) in the CS (Service Commercial) District. Assessor's Parcel Nos. 096-093-002, -003, and -004.
- B. The applicant purchased the project site in 2008 and has been exercising the use permit since then. Through the course of code enforcement, City staff noticed the property was being operated out of compliance with the use permit's conditions of approval, specifically those that restrict the quantity, age, and type of automobiles that can be stored or displayed for sale at the site.
- C. To address this, on January 19, 2017, Mike Nazari filed Planning Application No. AP-17-1215, requesting a use permit to modify and/or delete five of the original conditions of approval for auto repair and auto sales, adopted through Resolution No. 9135.
- D. This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, 'Existing Facilities' of the state CEQA Guidelines, section 15301.
- E. On or prior to December 1, 2017, notice of the December 12, 2017, public hearing was posted at City Hall, near the proposed project site, and on the 'Public Notices' section of the city's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the building, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091.
- F. According to PMC section 18.28.060, a request for modification of an approved use permit shall be treated as a new application. PMC section 18.16.040 specifies that the following findings must be made before approval of a use permit. The Planning Commission may grant approval of a use permit if the proposed use:

1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
 2. is not detrimental to the health, safety, and general welfare of the City;
 3. will not adversely affect the orderly development of property within the City;
 4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
 5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
 6. will not create a nuisance or enforcement problem within the neighborhood;
 7. will not encourage marginal development within the neighborhood;
 8. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law; and,
 9. is consistent with the City's approved funding priorities.
- G. On December 12, 2017, the Planning Commission held a public hearing on Planning Application No. 17-1215, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, "Nazari Use Permit Amendment, AP-17-1215 (UP)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:
1. All recitals above are true and correct and are incorporated herein by reference.
 2. The proposed use permit amendment will:
 - a) be in accordance with the objectives of the Zoning Ordinance, if conditions of approval are adopted requiring the applicant to substantially reduce the site's non-conformities by: i) increasing the site's landscape coverage along N. Parkside Drive; ii) providing a solid fence to screen outdoor storage areas from view; iii) installing at least one bicycle rack near the building entrance; iv) and providing a roofed trash enclosure.
 - b) be in accordance with the purposes of the land use district in which they are located and will be appropriate to the specific location, in that they are service businesses on a transitional site between residential and industrial areas (consistent with PMC section 18.52.005(B)(4)) and will be located among other

service businesses and light industrial uses in the area, including Four Star Tires (1592 Willow Pass Road), D. Foskett Trucking, Inc. (1500 Willow Pass Rd.), CM Excavating and Trucking (1500 Willow Pass Road), D.P. Nicoloi, Inc. – Superior Piling and Shoring Solutions (1666 Willow Pass Road), Diverse Steel Sales, Inc. (1666 Willow Pass Road), and Concord Sheet Metal (1666 Willow Pass Road).

- c) not be detrimental to the health, safety, and general welfare of the City, if conditions of approval are adopted requiring the applicant to: i) remove a portion of the existing building that is located within an easement for two liquid pipelines traversing the property; and ii) obtain a Revocable Encroachment Permit from the City's Engineering Division in order to continue utilizing the public right-of-way along N. Parkside Drive for parking. Further, the use as proposed will meet health and safety requirements of the City's Community Development Department, the California Department of Forestry and Fire Protection (CAL FIRE), Contra Costa County Fire Protection District, and all other applicable local, state and federal agencies.
- d) not adversely affect the orderly development of property within the City, in that they will be located among other service businesses as mentioned above.
- e) not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, in that property values stand to benefit from improvements the applicant will make to the premises, including repairing or replacing existing fences along the site perimeter and increasing the site's landscape coverage.
- f) be consistent with the General Plan, in that the site's General Plan land use designation (Community Commercial) is intended to provide sites for a variety of businesses, including auto sales and auto repair establishments (General Plan, pg. 2-19).
- g) not create a nuisance or enforcement problem within the neighborhood, in that they will be required to meet performance standards, as set forth by PMC chapter 18.82, which are intended to address ongoing safety, noise, odor, and maintenance concerns.
- h) not encourage marginal development within the neighborhood, in that the applicant will make improvements to the premises that will improve the overall appearance of the property and nearby neighborhood.
- i) not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law, in that they will have access to existing infrastructure, including fire and police.
- j) not be inconsistent with the City's approved funding priorities, in that they will not require any municipal funding.

B. The staff report entitled, "Nazari Use Permit Amendment, AP-17-1215 (UP)," dated December 12, 2017, is referenced hereto as additional support for the findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby approves Planning Application No. 17-1215, subject to the conditions listed below. The conditions listed shall take the place of all prior conditions adopted through Planning Commission Resolution No. 9135.

1. References to Project Plan: For the purposes of this resolution, the Project Plan dated November 30, 2017, and attached to this Resolution as "Exhibit A," shall be used for all references to portions of the existing building, outdoor yards, and parking area.
2. Unpermitted Addition: The applicant shall remove Portion D of the existing building which was constructed without permits. Upon removal, the area shall be considered a part of Yard 3.
3. Automobile Sales: Automobile sales, as defined in PMC section 18.08.080 (28) (d), shall be allowed on the site, subject to the following limitations:
 - a) Hours of operation shall not exceed 9:00 AM to 9:00 PM, daily.
 - b) There shall be no more than 16 automobiles offered for sale at any given time.
 - c) The automobiles shall be operable and maintained in good visual condition.
 - d) During daytime (business hours), the automobiles shall only be parked in Yard 3 or the eleven (11) parking spaces located perpendicular to N. Parkside Drive.
 - e) During nighttime (after business hours), all the automobiles shall be parked in Yard 3 only.
 - f) The operator shall be registered as a vehicle dealer with the California Department of Motor Vehicles (DMV) pursuant to the California Vehicle Code.
4. Auto Repair: Auto repair, as defined in PMC sections 18.08.080 (28) (a) and (c), shall be allowed on the site, subject to the following limitations:
 - a) Hours of operation shall not exceed 8:00 AM to 6:00 PM, daily.
 - b) Repair activities shall be limited to the bays located inside Portions A and B of the existing building.
 - c) There shall be no repair activities allowed outdoors.
 - d) Auto repair customers may drop off their automobiles overnight in any one of the eleven (11) parking spaces located perpendicular to N. Parkside Drive. The operator shall move these automobiles into Yard 1, 2, or 4 upon open of business the next day.

- e) Automobiles that are scheduled for repair or ready for customer pick-up shall be parked in Yard 1, 2, or 4 only.
 - f) There shall be no more than 15 automobiles stored in Yard 1, 25 automobiles stored in Yard 2, and 17 automobiles stored in Yard 4 at any given time.
 - g) Operators shall be registered with the Contra Costa Health Services – Hazardous Materials Program (CCHS-HMP) pursuant to California Health and Safety Code, Division 20, Chapter 6.5, Section 25100 et seq.. Operators may contact CCHS-HMP by calling (925) 335-3200.
 - h) Operators shall be registered as automotive repair dealers with the Bureau of Automotive Repair (BAR) pursuant to California Business and Professions Code, Division 3, Chapter 20.3. Operators may contact BAR by calling (855) 735-0462.
5. Customer and Employee Parking: The six (6) off-street parking spaces located immediately south of Yard 3 shall be reserved for exclusive use by customers and employees.
6. Shipping Container Storage: Placement of storage containers shall be allowed on the site, subject to the following limitations:
- a) No more than five shipping containers shall be allowed.
 - b) Each shipping container shall have a maximum dimension of 8 feet (width) by 20 feet (length) by 9 feet (height).
 - c) Storage of shipping containers shall be limited to Yard 1 only.
 - d) Shipping containers shall be set back as far away as possible from the front property line along N. Parkside Drive, but outside any 3rd party easement areas traversing the site.
 - e) Stacking of shipping containers and other items shall be prohibited.
 - f) Shipping containers shall be painted and shall not show any sign of wear or disrepair.
7. Other Outdoor Storage: Outdoor storage or placement of automobile parts, tires, contractor equipment, construction equipment, and/or other equipment, merchandise, products, or materials shall be prohibited.
8. Vehicle Washing: Vehicle washing shall not occur outdoors, unless the methods used comply with the National Pollutant Discharge Elimination System permit, and no rinse water or soap shall be allowed to enter the City's storm drain system pursuant to PMC section 13.28.
9. Vehicle Maintenance: All vehicles stored on site shall be maintained so as not to leak oil or other potentially hazardous fluids onto the ground. Operators shall inspect the site

regularly for spills or leaks from stored vehicles, and any spills or leaks shall be immediately cleaned using dry clean-up methods such as rags or other absorbent material for cleanup of leaks and spills. No part of the site shall be cleaned by hosing the area down with water, unless the wastewater is collected and properly discarded into a sanitary sewer.

10. Light and Glare: Any new lighting fixtures shall be of a type and be located in such a manner that no light or reflected glare is directed off site and shall provide that no light is directed above a horizontal plane passing through the bottom of the fixture. All glare shall be directed onto the site and away from adjacent properties.
11. Surface Maintenance: All paved surfaces on site shall be maintained in good condition and cleaned as needed. Surface cleaning shall only occur during non-rainy season, between July 15th and October 15th. Best Management Practices shall be used when maintaining paved surfaces. Surface cleaning measures as outlined by the Bay Area Stormwater Management Agencies Association (BASMAA) guidelines shall be used. Site operators are encouraged to visit www.basmaa.org for free surface cleaning training, or to seek a professional surface cleaner that has received BASMAA certification.
12. Landscape Coverage: The property owner shall increase the site's total landscape coverage by planting trees, shrubs, and mulch cover in the existing dirt areas located between the southern property line and N. Parkside Drive in accordance with the Project Plan. At least one 15-gallon tree shall be planted for every 50 feet of street frontage. This landscaping and the proper irrigation shall be installed within 90 days of the date of adoption of this resolution.
13. Screening of Yards: The property owner shall screen Yards 1, 2, and 4 from view by installing fencing in accordance with the Project Plan. The fencing shall be installed within 60 days of the date of adoption of this resolution.
14. Bike Rack: The property owner shall install at least one bicycle rack in front of the existing building within 90 days of the date of adoption of this resolution. The bicycle rack shall be selected and installed in accordance with the City's standard specifications.
15. Parking Area Restriping: The property owner shall restripe the parking area located in front of the existing building consistent with the Project Plan. The striping design shall be in accordance with the City's standard specifications and shall be subject to review and approval by the Planning Division prior to installation. The parking lot shall be restriped within 60 days of the date of adoption of this resolution.
16. Revocable Encroachment Permit: The property owner shall obtain a Revocable Encroachment Permit from the City's Engineering Division in order to continue utilizing the public right-of-way along N. Parkside Drive for parking. The permit shall be obtained within 30 days of the date of adoption of this resolution.
17. Trash Enclosure: The property owner shall construct a roofed trash enclosure for shared use among the site users. The enclosure shall be designed in accordance with

the City's standard specifications and shall be subject to review and approval by the Planning Division prior to the issuance of a building permit. Construction of the enclosure shall be completed within 90 days of the date of adoption of this resolution.

18. Grounds for Revocation: Operation in a manner inconsistent with that described in the report, violation of a zoning regulation or condition of this resolution, existence of a public nuisance, or conviction of a federal or state law or city ordinance in connection with the operation of the use shall be grounds for revocation of the use permit (PMC section 18.28.100).
19. Standard Conditions of Development: The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Standard Conditions of Development and the project-specific conditions identified in this resolution, the specific conditions of this resolution shall govern.
20. Other Agency Requirements: The applicant shall comply with all the requirements of the City's Community Development Department, California Department of Forestry and Fire Protection (CAL FIRE), Contra Costa County Fire Protection District, and all other applicable local, state and federal agencies. It is the responsibility of the applicant to contact each local, state, or federal agency for requirements that may pertain to this project.
21. Indemnification: Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.
22. Expiration of Approval: This use permit amendment will expire on December 12, 2018, unless the use has been legally established prior to the expiration date, or a written request for an extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner Croskey, seconded by Commissioner Coniglio, the foregoing resolution was passed and adopted the 12th day of December 2017, by the Planning Commission of the City of Pittsburg, California by the following vote:

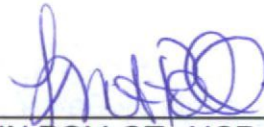
AYES: Coniglio, Croskey, Gargalikis, Robinson, Ward

NAYES: Foster

ABSTAIN: None

ABSENT: None

I hereby certify that the above Resolution No. 10082 was adopted by the Planning Commission of the city of Pittsburg on December 12, 2017.

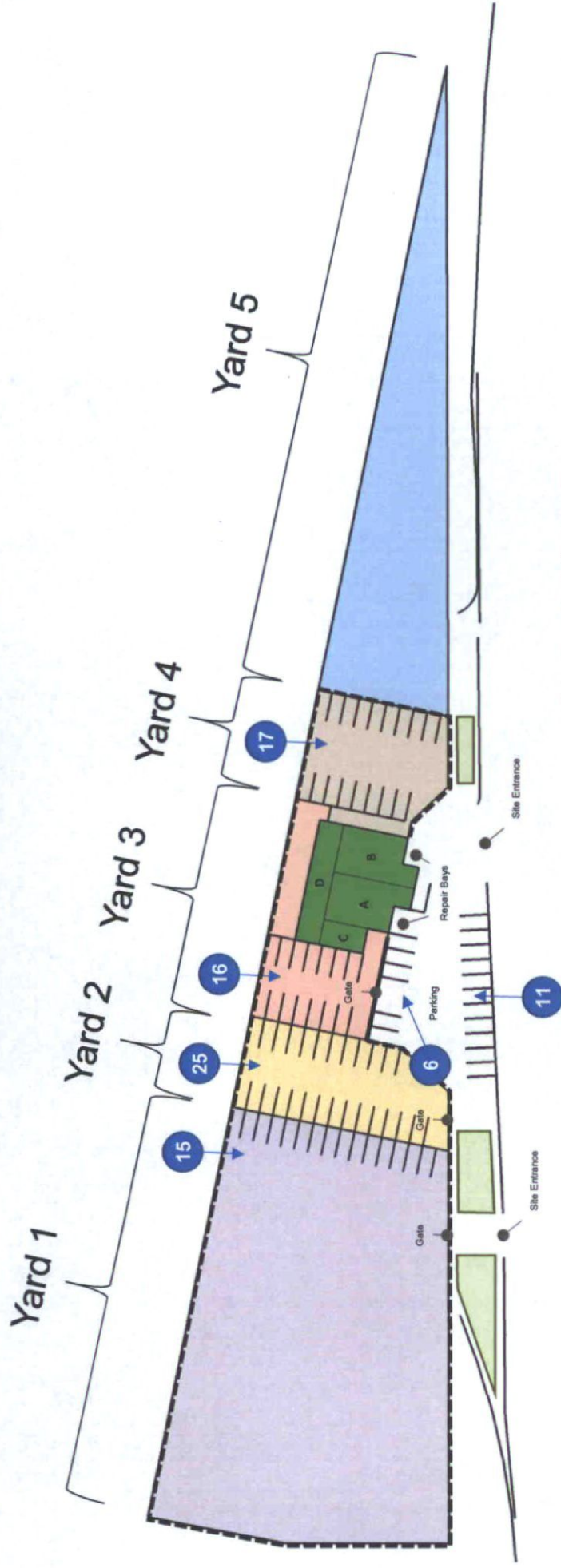


KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Resolution No. 10082 – Exhibit A

Project Plan

December 6, 2017 | Drawn by City of Pittsburgh Staff



N. Parkside Drive

Legend:

- Yard 1
- Yard 2
- Yard 3
- Yard 4
- Yard 5
- Building Portions

- New trees, shrubs, mulch, and irrigation
- 6-foot-tall, chain-link, metal fence with brown vinyl slats
- 6-foot-tall, black, wrought-iron fence
- Automobile parking capacity

STANDARD CONDITIONS OF DEVELOPMENT
(Planning Commission Resolution No. 8931)

All projects approved by the Planning Commission must meet the following standard conditions unless specifically exempted by the Commission or Council.

A. Project Site.

1. The applicant shall comply with all regulations and code requirements of the Building Division, Engineering Division, Contra Costa Fire Protection District, the Police Department and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final building and site plans.

2. Developer shall provide written notification to adjacent property owners for any drainage work required to collect or convey storm water runoff, which may or will affect their properties.

3. During construction water trucks or sprinkler systems are to be used in sufficient quantities to prevent dust from leaving the site during any earthmoving and/or construction activities. Nonpotable water shall be used from a source approved by the City Engineer. (Title 15 of PMC)

4. Continuous 6" high Portland Concrete Cement curbing shall be provided between all driveways and landscaped areas as indicated in the City of Pittsburg Standard Details. In addition to above, curbing between length of parking space and landscaped area shall include a 12" wide "Courtesy Curb."

5. CC&R's (Covenants, Conditions and Restrictions) for the project shall contain appropriate provisions for joint maintenance of any infrastructure, roadways, utilities, landscaping and irrigation as determined necessary by the City Engineer.

6. Developer shall submit a study addressing on and off-site storm water and sewer system capabilities. If the study indicates that the present system is inadequate, the developer must provide plans and install any additional storm water and sanitary and sanitary sewer facilities including off-site improvements to correct storm water runoff and sanitary sewer demands anticipated for upstream buildout in accordance with the Pittsburg General Plan.

7. Environmental and engineering studies, as directed by the Planning and Building Director, must be complete and on file prior to commencement to plan checking. Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.

8. Developer shall underground existing and required on and off-site utilities as specified in Chapter 17 of the Municipal Code or as deemed necessary by the City Engineer.

9. All site development shall comply with title 12 (Streets, Sidewalks and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the Pittsburg Municipal Code as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval of that permit.

10. The CC&R's shall restrict the storage of recreational vehicles on this site or parcels unless they are the principle source of transportation for the

owner and prohibit parking on the public street for long than 72 hours.

11. All retaining wall adjacent to public right-of-ways shall be provided with decorative treatment, subject to approval by the Planning Division.

12. The design of any masonry soundwall shall be approved by the Planning and Building Department. It shall match or harmonize with existing soundwalls of neighboring projects along that street.

B. Architecture.

1. All mechanical, irrigation, ground and/or roof mounted equipment shall be architecturally screened from view from all public right-of-ways prior to issuance of certificate of occupancy.

2. All trash enclosures shall be constructed of masonry material with self-enclosing doors and have a second access. The enclosure shall have materials and colors consistent with the primary building.

3. All vents, gutters, downspouts, flashing electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface unless otherwise directed by the Planning Commission.

4. Soffits and other architectural elements visible from view but not detailed on the plans shall be finished in a material in harmony with the exterior of the building.

5. Finish quality of exterior design elements including, but not limited to, building façades and landscaping shall be subject to approval of the Planning Division prior to issuance of Certificate of Occupancy.

C. Landscaping.

1. Specific landscaping for screening shall have an appearance of mature growth subject to a field check and approval by the Planning Division prior to Certificate of Occupancy.

2. The area under the drip line of all existing trees, which are to be saved, shall be fenced during construction. Grading shall be restricted under them to prevent soil compaction around the trees and to protect them from damage.

3. An existing tree inventory shall be created and included on the site plan for all new projects prior to approval of grading plan.

4. All slope banks in excess of five (5) feet in vertical height and 2:1 or greater slope shall be landscaped and irrigated for erosion control and to soften their appearance as follows: one 15-gallon or larger size tree per each 150 sq. ft. of slope area, one 1-gallon or larger size shrub per each 100 sq. ft. of slope area, and appropriate ground cover 12-24 inches on-center. In addition, slope banks in excess of eight (8) feet in vertical height and 2:1 or greater slope also include one 5-gallon or larger size tree per each 250 sq. ft. of slope area. Trees and shrubs shall be planted in staggered clusters to soften and vary slope plane. Slope planting required by this condition shall include a permanent irrigation system to be installed by the developer prior to occupancy.

5. All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required

irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscape areas, and health and vitality of landscape materials.

D. General Requirements

1. Final inspection for occupancy permits will not be granted until all construction and landscaping is complete in accordance with approved plans.

2. The applicant shall defend, indemnify and hold harmless the City of Pittsburg, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval, or any aspect of the City's consideration of applicant's project. The applicant recognizes and agrees that applicant's voluntary commitment to meet the obligations described in this condition is an integral factor in the City's approval of this project. The intent of this condition is to require the applicant to bear the cost of any and all litigation instituted to overturn or in any way modify the City's approval of this project. Such costs include without limitation, any award of attorney's fees and costs to a prevailing plaintiff or petitioner. In the event the city becomes aware of any such claim, action, or proceeding, the City shall promptly notify the applicant and shall cooperate fully in the defense. If the City fails to promptly notify the applicant, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Nothing contained in this condition prohibits the City from participating in the defense of any claim, action, or proceeding, it both the following occur: (a) the City bears its own attorneys' fees

and costs; and (b) the City defends the action in good faith. The applicant shall not be required to pay or perform any settlement unless the applicant approves the settlement.

3. It is required by State Law (Business and Professional Code Section No. 5537 & 5538 and Section 302(b) of the Uniform Building Code) that all commercial buildings, new or existing must have a licensed professional designer (Architect, Civil or Structural Engineer) to design all changes of use or occupancy as well as new construction.

4. The applicant shall submit a complete area water pressure availability study for all phases of the Project prior to issuance of any development permits. If the study indicates that the present system is inadequate, the Applicant must provide plans, which will demonstrate any remedial action necessary to abate the deficiency and shall take all necessary actions at the applicant's expense.

5. This use permit may be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Commission may revoke the use permit or add/modify conditions approval.

6. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.

7. All signs shall be submitted to the Planning Division for design review per Title 19 of the Pittsburg Municipal Code.

8. All landscape areas shall be maintained in a healthy, thriving and weed free condition.

9. The site shall be maintained in a neat and clean manner free of trash and debris.

10. All outdoor mechanical equipment, satellite dishes, fire main and all rooftop equipment shall be fully visually screened upon installation subject to the approval of the Planning Division. Screening devices shall be shown on construction and/or landscape plans.

11. All exterior light fixtures shall be shown on plans subject to staff review and approval. All lights attached to buildings shall provide a soft "wash" of light against the wall. All building and parking or yard lights shall conform to City Parking Standards 18.78.050 (F) and Performance Standards 18.82.030 (B) and shall compliment the site and building architecture.

12. Prior to occupancy, the developer shall supply the City with an ACAD computer disk file showing plans that reflect the project as it was build (As-Builts) at the discretion of the Planning and Building Director.

E. Standard Conditions of Approval
Requiring Minimum Construction Site
Management Practices

1. (Projects involving land disturbances of less than five (5) acres) – During construction activities, the project sponsor shall reduce or prevent to the maximum extent practicable the direct or indirect discharge of any pollutant into the storm drain system utilizing best management practices contained in the California Storm Water Best Management Practices Handbook for Construction Activities. Construction activities include, but are not limited to: watering operations; roadwork and paving operations; concrete and painting; structure construction and painting; construction material storage and

handling; construction waste/debris storage and disposal; and, construction equipment/vehicle cleaning, maintenance and fueling operations. The project sponsor is also responsible for training all contractors and subcontractors on the best management practices which are identified in the California Storm Water Best Management Practices Handbook for Construction Activities which will be available at the pre-construct meeting of the project.

or

2. (Projects involving land disturbances of five (5) acres or more) – Prior to commencement of any site work that will result in a land disturbance of five acres or more, the project sponsor shall submit to the City a copy of the Notice of Intent (NOI) sent the State Water Resources Control Board and the Stormwater Pollution Prevention Plan (SWPPP) prepared for the project, as required by the State's General Construction Activity Permit.

3. All storm drains, which serve the site, shall be protected from spills and soil runoff (from unpaved parking areas). The applicant may use "Any Source Control" BMP (Best Management Practice) as listed in the California Storm Water Best Management Practice Handbook for storm water run-off for commercial and industrial sites. Storm drains will be inspected periodically. Questions may be referred to City NPDES Coordinator, at 252-4920.

Attachment No. 6
Property Development Regulations Table – PMC Schedule 18.54.115 et.al.
 Nazari Contractor Yard, AP-17-1303 (UP)

Development Regulations: <i>Service Commercial (CS)</i> <i>District</i>	Requirement:	Existing:	Proposed:
Max. Height	50 ft.	15 ft. (approx.)	No Change
Max. FAR	0.5	0.21 (approx.)	No Change
Max. Lot Coverage	60%	21% (approx.)	No Change
Min. Lot Area	5,000 sq. ft.	1.86 acres	No Change
Min. Lot Width	70 ft.	904 ft. (approx.)	No Change
Min. Front Yard Setback	10 ft.	27 ft. (approx.)	No Change
Min. Side Yard Setback	--	86 ft. (approx.)	No Change
Min. Rear Setback	--	26 ft. (approx.)	No Change
Min. Site Landscaping	7%	--	See Condition of Approval No. 15
Screening for Outdoor Storage Areas	Must be screened from view of streets by solid fence or wall	Partial screening currently provided	See Condition of Approval No. 16
Min. Parking for Auto Repair 1 space/500 sq. ft. of floor area	3 spaces	3 spaces	No Change
Min. Parking for Automobile Sales 1 space/500 sq. ft. of floor area	3 spaces	3 spaces	No Change
Min. Parking for Vehicle Storage 1 space/500 sq. ft. of floor area	0	--	15
Min. Bike Parking 1 rack/locker per 5-10 <u>required</u> parking spaces	1	> 1	No Change
Trash Area	Outdoor Trash Enclosure or Area within Building	Areas within building are provided	No Change



City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **PLANNING COMMISSION** of the City of Pittsburg will conduct a public hearing on:

DATE: November 13, 2018
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Nazari Contractor Yard, AP-17-1303 (RZ, UP).

This is a public hearing on a request for a recommendation to City Council for approval for a zoning amendment establishing a limited overlay district to allow a 'contractor vehicle storage yard' as a conditionally permitted use, and approval of a new use permit, contingent on City Council approval of the overlay district, amending the allowable uses onsite to include a contractor vehicle storage yard located at 1700 N. Parkside Drive in the CS (Service Commercial) District. Assessor's Parcel No. 096-093-005.

PROJECT PLANNER: Hector J. Rojas, (925) 252-4043 or hrojas@ci.pittsburg.ca.us

Why am I receiving this notice? You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

Where can I get more information about this project?

The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Nazari Contractor Yard, AP-17-1303 (RZ, UP)
Location: 1700 N. Parkside Drive, APN: 096-093-005



City of Pittsburg

Community Development Department - Planning Division
65 Civic Avenue
Pittsburg, CA 94565

95283032
DALLIN LLC
8665 E HARTFORD DR STE 200
SCOTTSDALE AZ 85255 7807

NOTICE OF PUBLIC HEARING

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT**

**ITEM: Notice of Intent to Exercise Delegated Design Review Authority and
Submittal of Adopted Zoning Administrator Resolutions.**

ORIGINATED BY: City of Pittsburgh, Zoning Administrator, 65 Civic Avenue, Pittsburgh,
CA 94565

SUBJECT: The Zoning Administrator submits one notice of intent to exercise delegated design review authority for a minor remodel of the bait shop located at 27 Marina Blvd. The Zoning Administrator also submits two resolutions previously approved under the delegated authority (Planning Commission Resolution No. 9918).

RECOMMENDATION:

Staff recommends that the Commission acknowledge receipt of the attached Notice of Intent to Exercise Design Review Authority, and the two attached adopted Zoning Administrator resolutions.

BACKGROUND:

Delegated Design Review Authority: Planning Commission Resolution No. 9444, as later amended by Resolution No. 9918, allows for delegation of nine categories of design review applications from the Planning Commission to the Zoning Administrator, as follows:

1. Freestanding signs: Applicable to signs not already part of a sign program; must be consistent with sign standards and architecturally compatible with associated building.
2. Wireless Communication Equipment: New or replacement antennas on existing poles and their related equipment.
3. Minor Building Remodels: Limited to changes in building colors, awnings, fenestration, and finishes.
4. Changes to Existing Parking Lots.
5. Changes to Existing Landscaping.
6. Additions to Existing Buildings: Additions must be smaller than 2,500 square feet and designed to complement existing building architecture.

Planning Commission Staff Report

7. New Model Homes in Approved Subdivisions. Must be consistent with the general size, quality of architecture and materials, and general character of the originally approved models. Must comply with approved zoning development standards.
8. Ancillary Structures: Structures in any district where visual impacts are minimal, including miscellaneous mechanical equipment associated with legal uses in the Industrial Districts.

The intent of the delegation is to allow a more efficient approval process for non-controversial design review applications, without compromising the integrity of the design review process or removing from public scrutiny those projects that would be most visible or of high interest to the general public. Prior to approving any delegated design review application, the Zoning Administrator must notify the Commission of his or her intent to exercise delegated design review authority. Copies of resolutions approving any delegated design review application must also be provided to the Commission.

PROJECT DESCRIPTION:

Since the last Commission meeting, staff has received one application requesting design review approval which qualifies within one or more of the nine categories of delegated authority established by Resolution No. 9918:

1. Bait Shop, AP-18-1379 (AD) – Delegated Design Review Category 3.

This is an application filed by David Fogleman, requesting administrative design review approval to expand the mansard roof across both buildings, construct a new gate between buildings, and apply new paint colors to the existing buildings located at 27 Marina Boulevard, in the CW (Waterfront Commercial) District. Assessor's Parcel Number 085-071-046.

The Zoning Administrator has also adopted two resolutions approving delegated design review applications, as follows:

1. Resolution No. 327: Suzanne LaVere LMFT, AP-18-1355 (AD)
2. Resolution No. 330: 2186 Crestview Single-Family Home, AP-18-1358 (AD, VA)

GENERAL PLAN/CODE COMPLIANCE:

Delegated Design Review Authority: Resolution No. 9918 established nine categories of design review applications upon which the Commission would authorize the Zoning Administrator to act. Resolution No. 9918, and PMC section 18.10.100, direct staff to notify the Planning Commission of intent to exercise delegated design review authority on any application that falls within one of those nine categories, prior to approving the

Planning Commission Staff Report

application. Upon receiving such notification, a majority of the Commission may direct that the matter be scheduled for future consideration by the entire Commission. Resolution No. 9918 also directs staff to keep the Commission informed about delegated design review application approvals by providing copies of resolutions adopted by the Zoning Administrator.

ANALYSIS:

Not applicable.

ACTION REQUIRED:

Acknowledge receipt of the attached Notice of Intent and the adopted Zoning Administrator resolutions.

ATTACHMENTS:

1. Notice of Intent: Bait Shop, AP-18-1379 (AD)
2. Zoning Administrator Resolution No. 327
3. Zoning Administrator Resolution No. 330

Prepared by: Kristin Pollot, Zoning Administrator

NOTICE OF INTENT

TO EXERCISE DESIGN REVIEW AUTHORITY DELEGATED TO STAFF PURSUANT TO PLANNING COMMISSION RESOLUTION NO. 9918

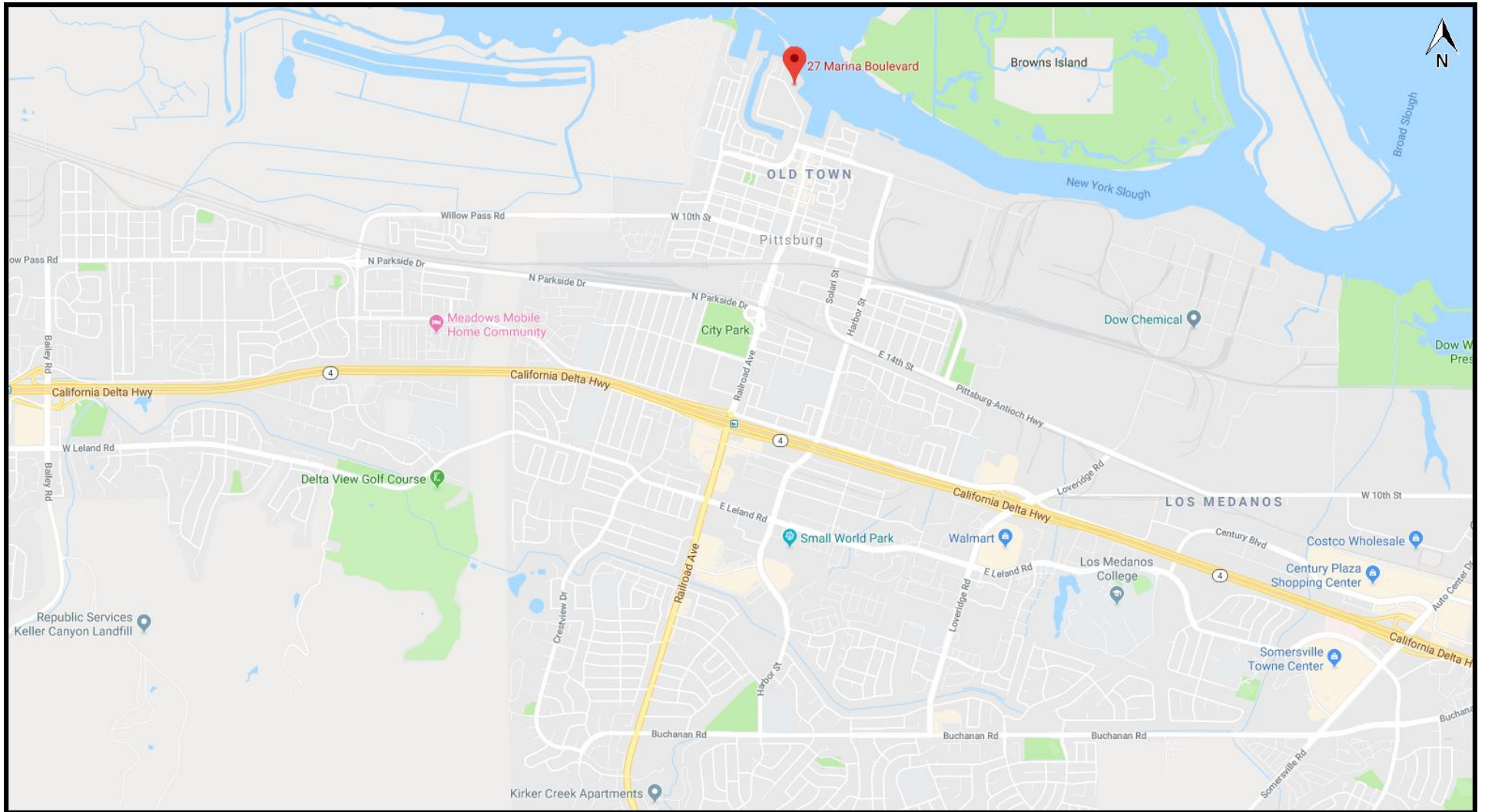
Bait Shop, AP-18-1379 (AD).

This is an application filed by David Fogleman, requesting administrative design review approval to expand the mansard roof across both buildings, construct a new gate between buildings, and apply new paint colors to the existing buildings located at 27 Marina Boulevard, in the CW (Waterfront Commercial) District. Assessor's Parcel Number 085-071-046.

This project is delegated to staff under Category 3 (Minor Building Remodels) of Planning Commission Resolution No. 9918.

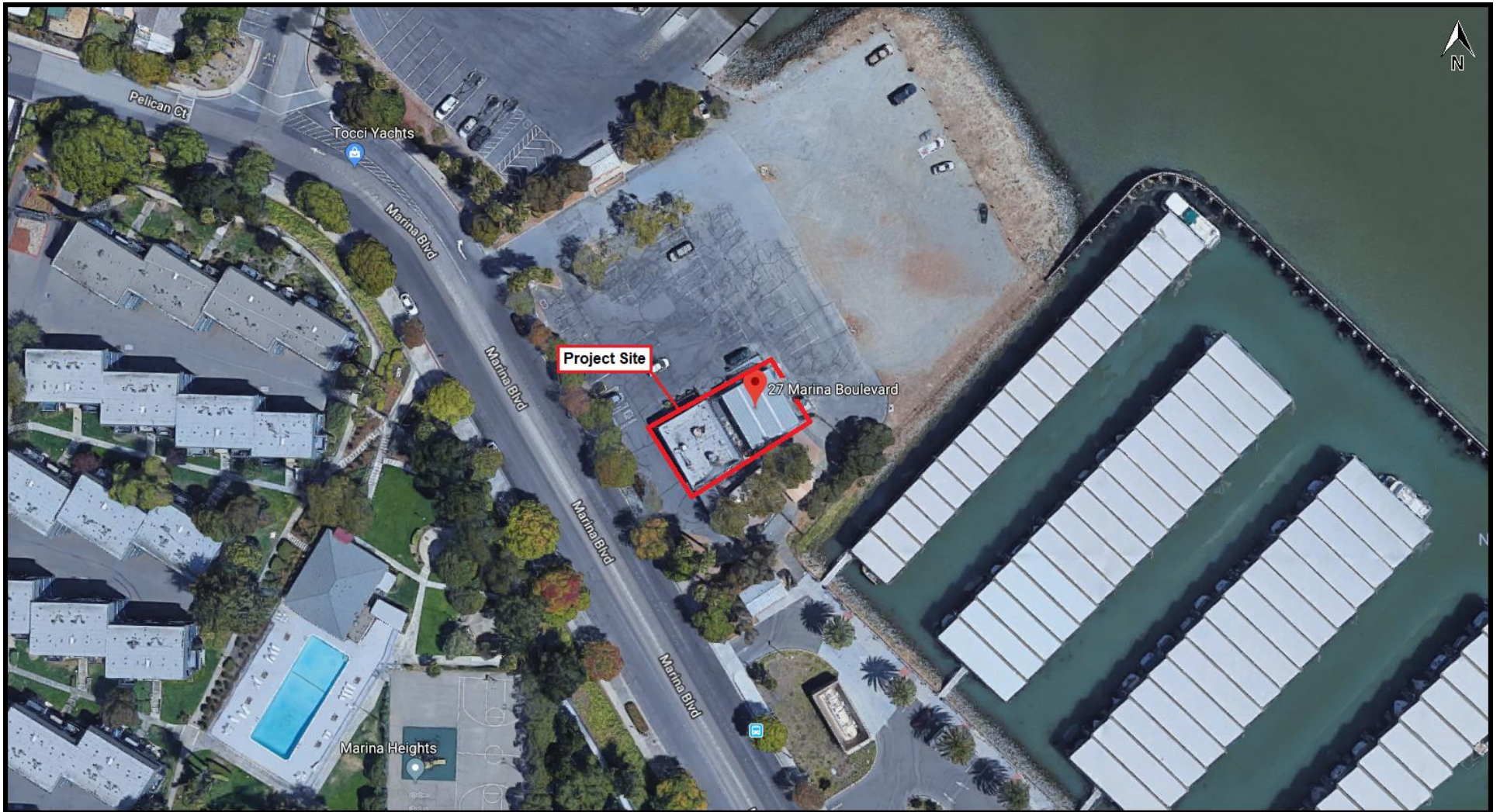
Bait Shop – Vicinity Map

AP-18-1379	27 Marina Boulevard
Administrative Design Review	APN: 085-071-046



Bait Shop – Aerial Map

AP-18-1379	27 Marina Boulevard
Administrative Design Review	APN: 085-071-046



SHEET INDEX

CS1: COVER SHEET

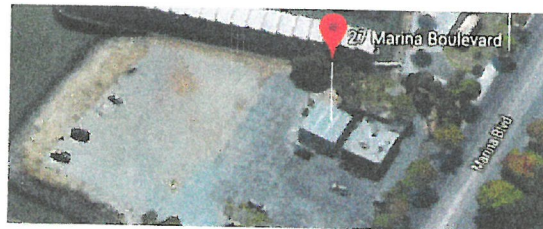
ARCHITECTURAL DRAWINGS:

- A1: EXISTING SITE PLAN
- A2: EXISTING/PROPOSED FRONT ELEVATIONS
- A3: EXISTING REAR ELEVATIONS
- A4: EXISTING WEST ELEVATIONS



VICINITY MAP

SCALE: N/A



SITE MAP

SCALE: N/A



**GEOSTRUCTURAL
ENGINEERING INC**

7172 Regional St. #440 Dublin, CA 94568
Cell: 707-322-3507
Email: andrew.hawks@geotechnicalengineering.com



REVISION DATE

PROJECT:

27 Marina Blvd.
Pittsburg, CA

DRAWING TITLE:

Cover Sheet

DATE:

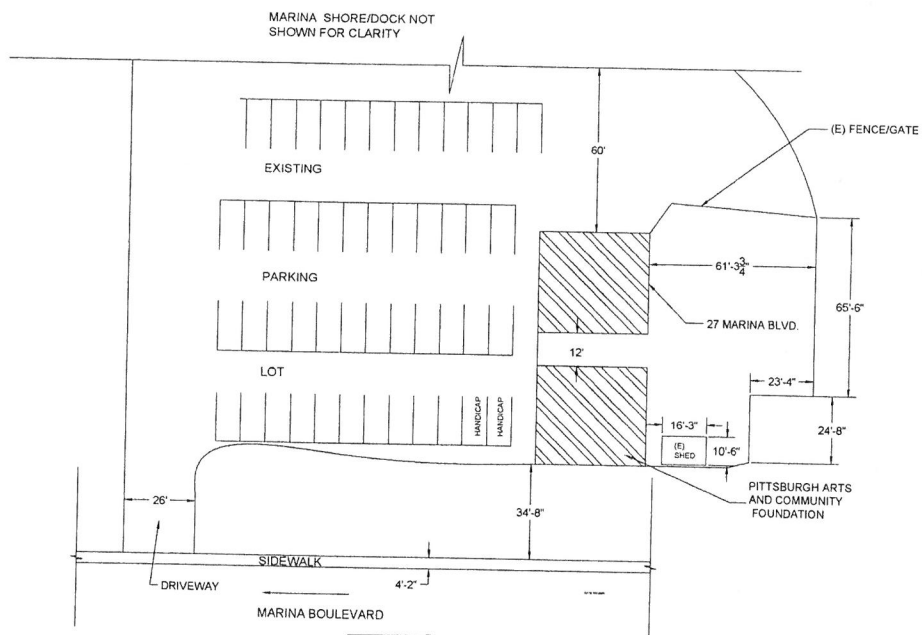
10/11/18

SCALE:

NTS

SHEET NUMBER:

CS1



1
- (E) SITE PLAN
24X36 SCALE: 1/16" = 1'



GEOSTRUCTURAL
ENGINEERING INC

7172 Regional St. #440 Dublin, CA 94568
Cell: 707-322-3507
Email: andre.hawis@geoststructuralengineering.com

Rev. 5/31/20

REVISION	DATE

PROJECT:

27 Marina Blvd
Pittsburgh CA

DRAWING TITLE:

Existing Site Plan

DATE:

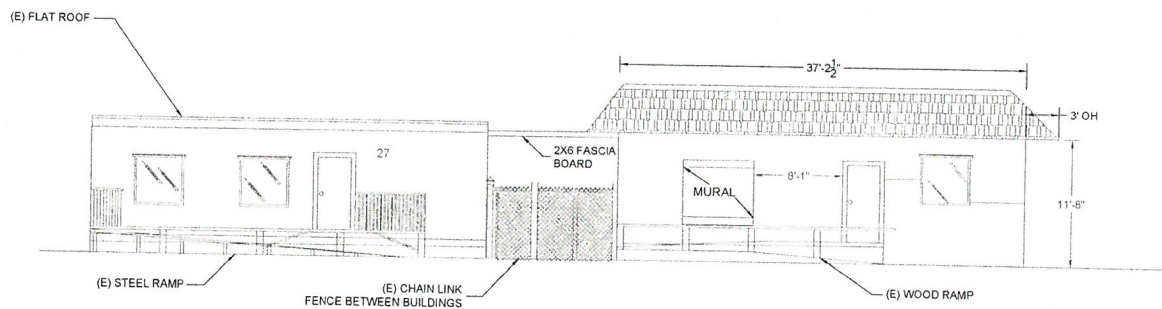
10/11/18

SCALE:

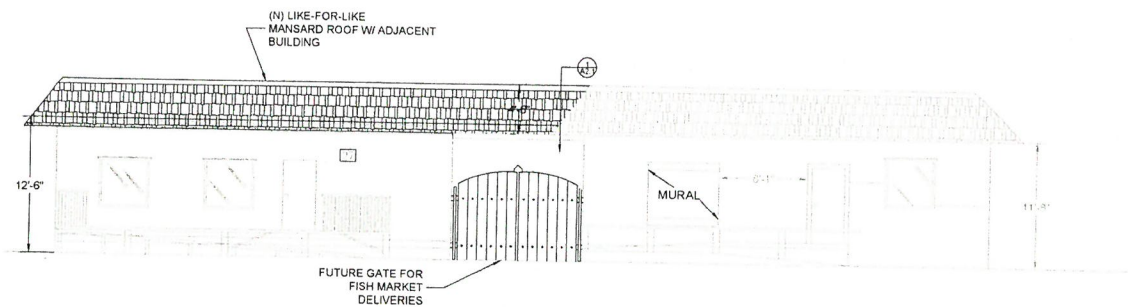
AS SHOWN

SHEET NUMBER:

A1



1
-
(E) FRONT ELEVATION
24X36 SCALE: 1/16" = 1'



2
-
PROPOSED FRONT ELEVATION
24X36 SCALE: 1/16" = 1'



GEOSTRUCTURAL
ENGINEERING INC

7172 Regional St. #440 Dublin, CA 94568
Cell: 707-322-3507
Email: andre.hawks@geostructuralengineering.com

Exp. 3/31/20

REVISION	DATE

PROJECT:

27 Marina Blvd
Pittsburgh CA

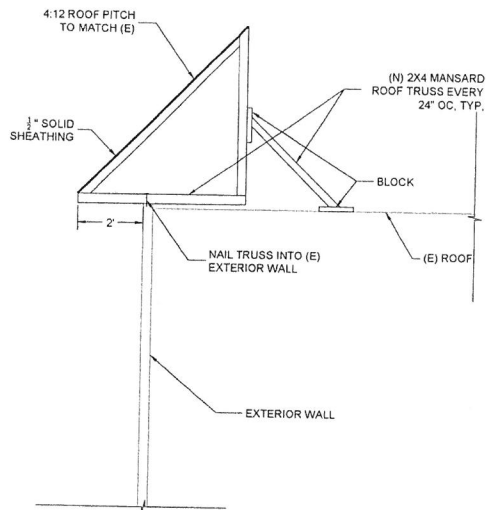
DRAWING TITLE:
Front Elevations

DATE:
10/11/18

SCALE:
AS SHOWN

SHEET NUMBER:

A2



MANSARD ROOF EXPANSION DETAIL

24X36 SCALE: 1/16" = 1'



GEOSTRUCTURAL
ENGINEERING INC

7172 Regional St. #440 Dublin, CA 94568
Cell: 707-322-3507
Email: andre.havls@geostructuralengineering.com

Exp. 3/31/20

REVISION	DATE

PROJECT:

27 Marina Blvd
Pittsburgh CA

DRAWING TITLE:

Roof Detail

DATE:

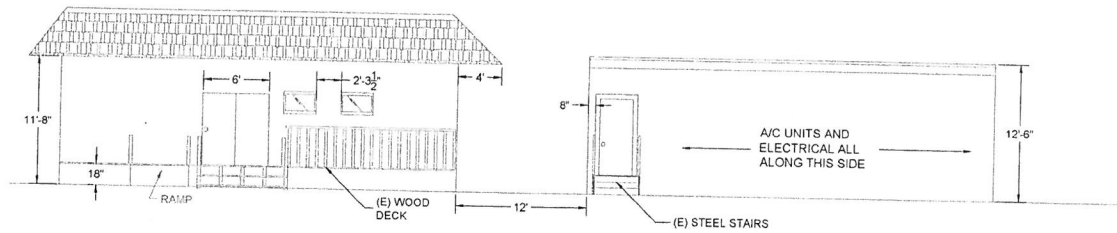
10/11/18

SCALE:

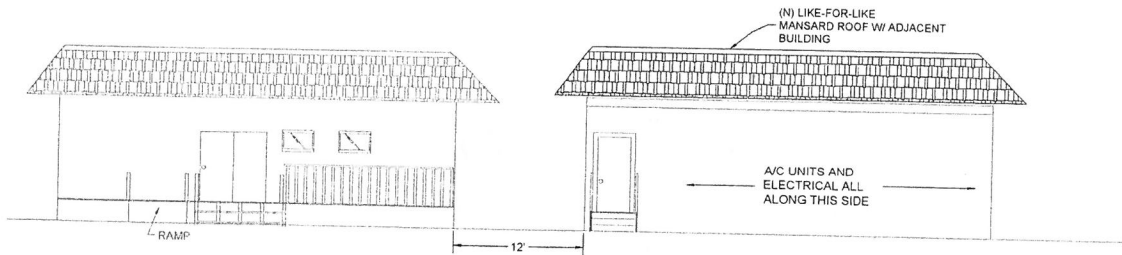
AS SHOWN

SHEET NUMBER:

A2.1



1 (E) REAR ELEVATION
24X36 SCALE: 1/4" = 1'



2 PROPOSED REAR ELEVATION
24X36 SCALE: 1/4" = 1'

**GEOSTRUCTURAL
ENGINEERING INC**
7172 Regional St. #440 Dublin, CA 94568
Cell: 707-322-3507
Email: andre.hawks@gstructuralengineering.com

Exp. 9/31/25

REVISION	DATE

PROJECT:

27 Marina Blvd
Pittsburgh CA

DRAWING TITLE:

Rear Elevations

DATE:

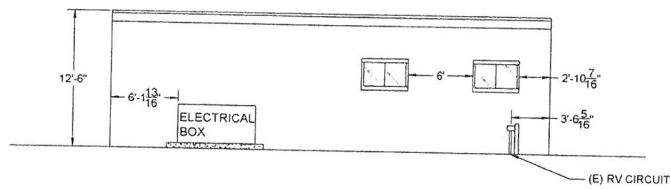
10/11/18

SCALE:

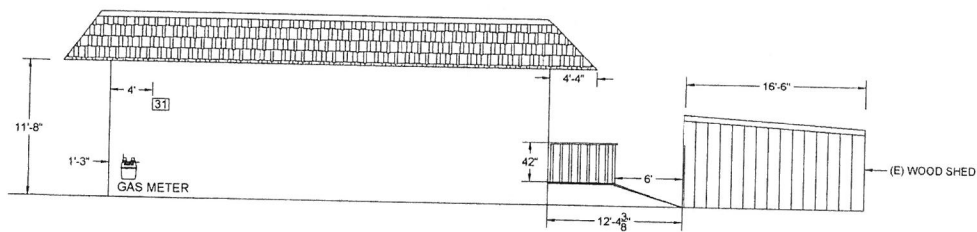
AS SHOWN

SHEET NUMBER:

A3



1 (E) 27 MARINA BLVD WEST ELEVATION
24X36 SCALE: 1/4" = 1'



1 (E) ARTS CENTER WEST ELEVATION
24X36 SCALE: 1/4" = 1'

**GEOSTRUCTURAL
ENGINEERING INC**
7172 Regional St. #440 Dublin, CA 94568
Cell: 707-322-3507
Email: andre.hawke@geosstructuralengineering.com

Exp. 8/21/26

REVISION	DATE

PROJECT:
27 Marina Blvd
Pittsburgh CA

DRAWING TITLE:

West Elevations

DATE:

10/11/18

SCALE:

AS SHOWN

SHEET NUMBER:

A4

BEHR exteriors

custom color collection



Proposed colors for Bait shop at 27 Marina Boulevard

BEFORE THE ZONING ADMINISTRATOR OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting Zoning Administrator)
Approval to Operate a Counseling and)
Therapy Office as a Home Occupation at)
146 Redondo Drive for "Suzanne LaVere,)
LMFT, AP-18-1355 (ZA).")

Resolution No. 327

The Zoning Administrator DOES RESOLVE as follows:

Section 1. Background

- A. On August 1, 2018, Suzanne LaVere filed Planning Application No. 18-1355, requesting approval to establish a counseling and therapy office within an existing single-family residence located at 146 Redondo Drive, in the RS-6 (Residential Single Family, 6,000 Square-Foot Minimum Lot Size) District. Assessor's Parcel No. 088-101-021.
- B. On August 21, 2018, a Notice of Intent to exercise staff delegated authority for this project was included on the Planning Commission agenda.
- C. This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, "Existing Facilities" of the State CEQA Guidelines, section 15301.
- D. On or prior to October 9, 2018, notice of the October 19, 2018, public hearing notice on this project (Attachment 3) was posted at City Hall, at the proposed project site, and on the "Public Notices" section of the City's website; was delivered to the Pittsburg Library; and mailed via first class or electronic mail to the property owner, the applicant, to all owners of property within 300 feet of the project site, and to all interested parties and individuals and organizations that requested such notice, in accordance with PMC section 18.32.010 and Government Code section 65091.
- E. Pittsburg Municipal Code (PMC) section 18.32.010, states that Zoning Administrator approval is required before the issuance of a Home Occupation Permit, to ensure that each new or expanded use complies with PMC Title 18.
- F. PMC section 18.50.410, specifies required findings for Zoning Administrator approval of a home occupation that does not comply with every condition listed in PMC section 18.50.405. In accordance with PMC section 18.50.410(A), the Zoning Administrator must find that:

1. The establishment, maintenance or conduct of the home occupation, or the conditions under which the use will be conducted in this particular case, will not be detrimental to the health, safety, morals, comfort, convenience or welfare of persons residing or working in, or adjacent to, the neighborhood of such use, and will not, in this particular case, be detrimental to the public welfare or injurious to property in such neighborhood;
 2. The home occupation, in this case, will not be objectionable or undesirable because of potential noise, increased pedestrian or vehicular traffic, dust, smoke, odors, or any other condition which may interfere with the general welfare of the surrounding residential area; and
 3. The establishment, maintenance, and conduct of the use generally complies with the intent of a home occupation as defined in this title.
- G. On October 19, 2018, the Zoning Administrator held a public hearing on Planning Application No. 18-1355, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Zoning Administrator Staff Report entitled, "Suzanne LaVere, Licensed Marriage and Family Therapist, AP-18-1355 (ZA)," dated October 19, 2018, and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Zoning Administrator finds that:
1. All recitals above are true and correct and are incorporated herein by reference.
 2. The proposed project will not be detrimental to the health, safety, morals, comfort, convenience or welfare of persons residing or working in, or adjacent to, the neighborhood of such use, and will not, in this particular case, be detrimental to the public welfare or injurious to property in such neighborhood, in that the proposed counseling and therapy services use will expand community access to a licensed psychotherapist providing mental health and family counselling services, and would not cause excessive pedestrian or vehicular traffic in the area.
 3. The home occupation will not be objectionable or undesirable because of potential noise, increased pedestrian or vehicular traffic, dust, smoke, odors, or any other condition which may interfere with the general welfare of the

surrounding residential area, if conditions are added that: 1) allow only one client on site at a time; 2) require a 15-minute interval between appointment times to allow for clients to leave prior to the next client arriving; 3) require that one parking space within the eastern driveway be designated for clients; and 4) that clients arriving early be prohibited from waiting outside of the home.

4. The establishment, maintenance, and conduct of the use will generally comply with the intent of a home occupation as defined within PMC Title 18 if conditions are added that: 1) allow only one client on site at a time; 2) require a 15-minute interval between appointment times to allow for clients to leave prior to the next client arriving; 3) require that one parking space within the eastern driveway be designated for clients; and 4) that clients arriving early be prohibited from waiting outside of the home.

B. The staff report entitled, "Suzanne LaVere, Licensed Marriage and Family Therapist, AP-18-1355 (ZA)," dated October 19, 2018, is referenced hereto as additional support for findings.

Section 3. Decision

Based on the findings set forth above, the Zoning Administrator hereby approves Planning Application No. 18-1355, subject to the following conditions:

1. The approved use shall be operated substantially as presented to the Zoning Administrator in the staff report identified in Section 2 above, except as modified by the conditions below. Operation of the approved business in a manner inconsistent with this description and this zoning administrator approval shall be grounds for revocation of the zoning administrator approval.
2. Hours of operation shall be limited to 12:30 p.m. to 7:30 p.m., Monday through Wednesday.
3. No structure, addition, alteration or remodeling of the dwelling is permitted in connection with the home occupation.
4. No sign, nameplate, or any other form of advertising used in connection with the home occupation may be displayed on the site.
5. Only one client in connection with the home-based business shall be permitted on site at any given time.
6. The applicant shall designate an off-street parking space within the existing eastern driveway for client parking. The applicant shall prepare a parking

information handout for clients identifying this space.

7. The applicant shall schedule a minimum interval of 15-minutes between client appointments to allow for one client to leave the site prior to another client's arrival.
8. Clients shall be prohibited from waiting for appointments outside of the home.
9. If operation of the use results in conflicts pertaining to parking, noise, traffic, or other factors, the Zoning Administrator reserves the right to hold a subsequent public hearing to modify or add conditions of approval to mitigate such conflicts.
10. The applicant shall maintain an active license through the California Board of Behavioral Sciences.
11. If any changes in the counseling and therapy use, or additional activities beyond that proposed are desired, prior City review and approval as required under PMC Title 18 shall be required. Requests for modification of the use permit shall be submitted to the Zoning Administrator. Requested changes may require a modification of the use permit or, upon determination of the Zoning Administrator, a new use permit may be required. Minor changes may be approved by the Zoning Administrator, provided that the Zoning Administrator determines the changes to be in substantial conformance with this use permit or a subsequent use permit, as applicable.
12. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Conditions in Resolution No. 8931 and the conditions stated herein, the conditions in this Resolution No. 327 shall apply.
13. It shall be the responsibility of the applicant to maintain an updated business license containing an accurate description of the use at the site.
14. Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of the project approval, subsequent project approval, or other action arising out of, or in connection with, or the project approvals. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at

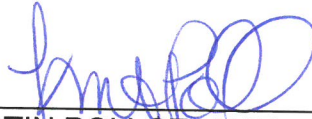
applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

15. This approval will expire on October 19, 2019, unless the use has been legally established, and all applicable conditions of approval complied with prior to the expiration date, or a written request for an extension is filed with the Planning Department prior to the expiration date and is subsequently approved by the Zoning Administrator.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

The foregoing resolution was passed and adopted the 19th day of October, 2018, by the Zoning Administrator of the City of Pittsburg, California.



KRISTIN POLLOT, AICP
ZONING ADMINISTRATOR

STANDARD CONDITIONS OF DEVELOPMENT
(Planning Commission Resolution No. 8931)

All projects approved by the Planning Commission must meet the following standard conditions unless specifically exempted by the Commission or Council.

A. Project Site.

1. The applicant shall comply with all regulations and code requirements of the Building Division, Engineering Division, Contra Costa Fire Protection District, the Police Department and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final building and site plans.
2. Developer shall provide written notification to adjacent property owners for any drainage work required to collect or convey storm water runoff, which may or will affect their properties.
3. During construction water trucks or sprinkler systems are to be used in sufficient quantities to prevent dust from leaving the site during any earthmoving and/or construction activities. Nonpotable water shall be used from a source approved by the City Engineer. (Title 15 of PMC)
4. Continuous 6" high Portland Concrete Cement curbing shall be provided between all driveways and landscaped areas as indicated in the City of Pittsburg Standard Details. In addition to above, curbing between length of parking space and landscaped area shall include a 12" wide "Courtesy Curb."
5. CC&R's (Covenants, Conditions and Restrictions) for the project shall contain appropriate provisions for joint maintenance of any infrastructure, roadways, utilities, landscaping and irrigation as determined necessary by the City Engineer.
6. Developer shall submit a study addressing on and off-site storm water and sewer system capabilities. If the study indicates that the present system is inadequate, the developer must provide plans and install any additional storm water and sanitary and sanitary sewer facilities including off-site improvements to correct storm water runoff and sanitary sewer demands anticipated for upstream buildout in accordance with the Pittsburg General Plan.
7. Environmental and engineering studies, as directed by the Planning and Building Director, must be complete and on file prior to commencement to plan checking. Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.
8. Developer shall underground existing and required on and off-site utilities as specified in Chapter 17 of the Municipal Code or as deemed necessary by the City Engineer.
9. All site development shall comply with title 12 (Streets, Sidewalks and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the Pittsburg Municipal Code as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval of that permit.
10. The CC&R's shall restrict the storage of recreational vehicles on this site or parcels unless they are the principle source of transportation for the

owner and prohibit parking on the public street for long than 72 hours.

11. All retaining wall adjacent to public right-of-ways shall be provided with decorative treatment, subject to approval by the Planning Division.

12. The design of any masonry soundwall shall be approved by the Planning and Building Department. It shall match or harmonize with existing soundwalls of neighboring projects along that street.

B. Architecture.

1. All mechanical, irrigation, ground and/or roof mounted equipment shall be architecturally screened from view from all public right-of-ways prior to issuance of certificate of occupancy.

2. All trash enclosures shall be constructed of masonry material with self-enclosing doors and have a second access. The enclosure shall have materials and colors consistent with the primary building.

3. All vents, gutters, downspouts, flashing electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface unless otherwise directed by the Planning Commission.

4. Soffits and other architectural elements visible from view but not detailed on the plans shall be finished in a material in harmony with the exterior of the building.

5. Finish quality of exterior design elements including, but not limited to, building façades and landscaping shall be subject to approval of the Planning Division prior to issuance of Certificate of Occupancy.

C. Landscaping.

1. Specific landscaping for screening shall have an appearance of mature growth subject to a field check and approval by the Planning Division prior to Certificate of Occupancy.

2. The area under the drip line of all existing trees, which are to be saved, shall be fenced during construction. Grading shall be restricted under them to prevent soil compaction around the trees and to protect them from damage.

3. An existing tree inventory shall be created and included on the site plan for all new projects prior to approval of grading plan.

4. All slope banks in excess of five (5) feet in vertical height and 2:1 or greater slope shall be landscaped and irrigated for erosion control and to soften their appearance as follows: one 15-gallon or larger size tree per each 150 sq. ft. of slope area, one 1-gallon or larger size shrub per each 100 sq. ft. of slope area, and appropriate ground cover 12-24 inches on-center. In addition, slope banks in excess of eight (8) feet in vertical height and 2:1 or greater slope also include one 5-gallon or larger size tree per each 250 sq. ft. of slope area. Trees and shrubs shall be planted in staggered clusters to soften and vary slope plane. Slope planting required by this condition shall include a permanent irrigation system to be installed by the developer prior to occupancy.

5. All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required

irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscape areas, and health and vitality of landscape materials.

D. General Requirements

1. Final inspection for occupancy permits will not be granted until all construction and landscaping is complete in accordance with approved plans.
2. The applicant shall defend, indemnify and hold harmless the City of Pittsburgh, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval, or any aspect of the City's consideration of applicant's project. The applicant recognizes and agrees that applicant's voluntary commitment to meet the obligations described in this condition is an integral factor in the City's approval of this project. The intent of this condition is to require the applicant to bear the cost of any and all litigation instituted to overturn or in any way modify the City's approval of this project. Such costs include without limitation, any award of attorney's fees and costs to a prevailing plaintiff or petitioner. In the event the city becomes aware of any such claim, action, or proceeding, the City shall promptly notify the applicant and shall cooperate fully in the defense. If the City fails to promptly notify the applicant, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Nothing contained in this condition prohibits the City from participating in the defense of any claim, action, or proceeding, if both the following occur:
(a) the City bears its own attorneys' fees

and costs; and (b) the City defends the action in good faith. The applicant shall not be required to pay or perform any settlement unless the applicant approves the settlement.

3. It is required by State Law (Business and Professional Code Section No. 5537 & 5538 and Section 302(b) of the Uniform Building Code) that all commercial buildings, new or existing must have a licensed professional designer (Architect, Civil or Structural Engineer) to design all changes of use or occupancy as well as new construction.
4. The applicant shall submit a complete area water pressure availability study for all phases of the Project prior to issuance of any development permits. If the study indicates that the present system is inadequate, the Applicant must provide plans, which will demonstrate any remedial action necessary to abate the deficiency and shall take all necessary actions at the applicant's expense.
5. This use permit may be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Commission may revoke the use permit or add/modify conditions approval.
6. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.
7. All signs shall be submitted to the Planning Division for design review per Title 19 of the Pittsburgh Municipal Code.
8. All landscape areas shall be maintained in a healthy, thriving and weed free condition.

9. The site shall be maintained in a neat and clean manner free of trash and debris.

10. All outdoor mechanical equipment, satellite dishes, fire main and all rooftop equipment shall be fully visually screened upon installation subject to the approval of the Planning Division. Screening devices shall be shown on construction and/or landscape plans.

11. All exterior light fixtures shall be shown on plans subject to staff review and approval. All lights attached to buildings shall provide a soft "wash" of light against the wall. All building and parking or yard lights shall conform to City Parking Standards 18.78.050 (F) and Performance Standards 18.82.030 (B) and shall compliment the site and building architecture.

12. Prior to occupancy, the developer shall supply the City with an ACAD computer disk file showing plans that reflect the project as it was build (As-Built) at the discretion of the Planning and Building Director.

E. Standard Conditions of Approval Requiring Minimum Construction Site Management Practices

1. (Projects involving land disturbances of less than five (5) acres) – During construction activities, the project sponsor shall reduce or prevent to the maximum extent practicable the direct or indirect discharge of any pollutant into the storm drain system utilizing best management practices contained in the California Storm Water Best Management Practices Handbook for Construction Activities. Construction activities include, but are not limited to: watering operations; roadwork and paving operations; concrete and painting; structure construction and painting; construction material storage and

handling; construction waste/debris storage and disposal; and, construction equipment/vehicle cleaning, maintenance and fueling operations. The project sponsor is also responsible for training all contractors and subcontractors on the best management practices which are identified in the California Storm Water Best Management Practices Handbook for Construction Activities which will be available at the pre-construct meeting of the project.

or

2. (Projects involving land disturbances of five (5) acres or more) – Prior to commencement of any site work that will result in a land disturbance of five acres or more, the project sponsor shall submit to the City a copy of the Notice of Intent (NOI) sent the State Water Resources Control Board and the Stormwater Pollution Prevention Plan (SWPPP) prepared for the project, as required by the State's General Construction Activity Permit.

3. All storm drains, which serve the site, shall be protected from spills and soil runoff (from unpaved parking areas). The applicant may use "Any Source Control" BMP (Best Management Practice) as listed in the California Storm Water Best Management Practice Handbook for storm water run-off for commercial and industrial sites. Storm drains will be inspected periodically. Questions may be referred to City NPDES Coordinator, at 252-4920.

BEFORE THE ZONING ADMINISTRATOR OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving a Request for a	)	Resolution No. 330
Variance and Administrative Design	)	
Review Approval to Construct a Single-	)	
Family Detached Residence, for "2186	)	
Crestview Single-Family Home, AP-18-	)	
1358 (AD, VA)."	)	

The Zoning Administrator DOES RESOLVE as follows:

Section 1. Background

- A. On August 8, 2018, Henry Ortiz Jr., on behalf of Mayari Development LLC, filed Planning Application No. 18-1358, requesting Zoning Administrator approval of a variance in order to reduce the required rear yard setback from 10 feet to five feet, as well as administrative design review approval in order to allow for development of a single-family home on an existing, triangular-shaped lot located at 2186 Crestview Drive, in the RM (Medium Density Residential) District. APN: 087-042-016.
- B. The proposed project is governed by the policies and development standards in the Pittsburg General Plan, Pittsburg Municipal Code (PMC) Title 18 ("Zoning"), and the City of Pittsburg Development Review Design Guidelines (DRDGs; Planning Commission Resolution No. 9864).
- C. Pursuant to PMC section 18.10.050 and 18.28.020, the Zoning Administrator shall, after notice pursuant to PMC sections 18.14.020(E) and (F) and notice to the Planning Commission, hear and decide each application for a variance, unless the zoning administrator determines that, because of the probable controversial nature of the proposal or because of its significance to the City, the Planning Commission should hear and decide the application.
- D. On September 25, 2012, the Planning Commission adopted Resolution No. 9918, delegating certain types of design review projects to the Zoning Administrator. Design review of this project is delegated to the Zoning Administrator under Category 7 ("New Model Homes in Approved Subdivisions"), as the project will be located on a parcel that has been previously created and conforms with the minimum lot size for single-family homes in the RM District, and will generally be consistent with the size, quality or architecture and materials, and general character of existing homes in the area.
- E. On September 11, 2018, a Notice of Intent to conduct a Zoning Administrator public hearing pursuant to Pittsburg Municipal Code (PMC) section 18.10.050 regarding a request for approval of a variance in order to reduce the required rear yard setback to five feet was provided to the Planning Commission

- F. On October 23, 2018, a Notice of Intent to exercise staff delegated Design Review authority for this project was provided to the Planning Commission.
- G. The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 32, "In-Fill Development Projects," of the state CEQA Guidelines, sections 15332.
- H. On October 24, 2018, the Zoning Administrator held a public hearing to consider Planning Application No. 18-1358, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Zoning Administrator Staff Report entitled, "2186 Crestview Single Family Home, AP-18-1358 (AD, VA)," dated October 24, 2018, and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Zoning Administrator finds that:

- 1. All recitals above are true and correct and are incorporated herein by reference.

Variance:

- 2. Because of special circumstances concerning the subject property's triangular shape, the strict application of zoning regulations deprives the property of privileges enjoyed by other properties in the vicinity and in the same land use district. Requiring the developer to meet the 10-foot setback requirement from the western property line, while still meeting the required 15-foot front yard setback, would result in a home that would be abnormally constricted, and reduce the size of the proposed upstairs bedrooms, depriving the property of the ability to have a home comparable to that which could likely be constructed on a standard rectangular lot of similar square footage, making the home less marketable, and thus less feasible to develop.
- 3. The variance will not constitute a grant of special privilege which is not generally available to other properties in the vicinity and in the same land use district, in that the reduced setback will facilitate the construction of one home, as commonly allowed on a parcel this size and in this zone district, at a size commonly found within recent single-family developments.
- 4. The variance substantially complies with the intent and purpose of the land use district to which the property is classified, in that the reduced setback will facilitate the construction of only one home, as commonly allowed on a parcel this size and in this zone district, at a size commonly found within recent single-family developments. The project will otherwise be required to meet all applicable development standards for single-family homes in the RM District.

Design Review:

5. The structure will conform with good taste, good design and in general contribute to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality. The home will be finished with a combination of stucco and plank siding on all four facades, as well as an asphalt tile roof. Each façade will provide numerous windows, and second-story windows adjacent to Crestview Drive will include faux shutters. The one car garage will be located along the northern property boundary and will include an attractive design with window lites. The home will include four bedrooms, two and one-half bathrooms, and other amenities commonly found in recently developed single-family homes in Pittsburg.
6. The structures will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable, in that the project will be required to comply with all applicable building and fire codes.
7. The exterior design and appearance will not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value, in that the home will be finished with a combination of stucco and plank siding on all four facades, as well as an asphalt tile roof. Each façade will provide numerous windows, and second-story windows adjacent to Crestview Drive will include faux shutters. The one car garage will be located along the northern property boundary and will include an attractive design with window lites. The home will include four bedrooms, two and one-half bathrooms, and other amenities commonly found in recently developed single-family homes in Pittsburg.
8. The exterior design and appearance will be in harmony with proposed developments on land in the general area, in that the proposed home will feature stucco and lap siding finishing and pitched roofs, similar to existing single-family detached homes within the area, as well as neighboring multifamily and religious buildings in the area, and if a condition is added to require the developer submit a proposed color palette to the Planning Division for review and approval prior to issuance of a building permit.
9. The proposed home will generally be in conformance with the applicable portions of the City's adopted DRDGs, specifically guidelines that call for: 1) reliefs and architectural treatments on all building elevations (DRDG section I.a); 2) roof slopes greater than 4:12 (I.f); 3) articulated garage doors (I.g); 4) garage frontages that do not occupy more than 60 percent of lot frontage (I.j); and 5) architectural treatments such as shutters on the front façade (I.l), and if conditions are added to require: 1) the front yard provide an automatic irrigation system (I.c); and 2) board-on-board fencing on all side and rear yards (I.k). Further, the proposed home would be in conformance with the Green Building Design Guidelines if conditions are added to require: 1) the home be prewired for solar photovoltaic panels (IV.a.2); 2) the home feature up-to-date energy technologies as required under Title 24 and CalGreen Standards within the State of California Building Code; and 3) the developer provide one hanging

bicycle rack within the garage.

- B. The staff report entitled, "2186 Crestview Single Family Home, AP-18-1358 (AD, VA)," dated October 24, 2018, is referenced hereto as additional support for findings.

Section 3. Decision

Based on the findings set forth above, the Zoning Administrator hereby grants approval of Planning Application No. 18-1358, subject to the following conditions:

Design Review and Variance:

1. The project shall be carried out in substantial conformity with the project plans dated July 29, 2018, and attached as Exhibit A this resolution, except as may be hereinafter modified. Any major changes to the project plans shall be subject to review and approval by the Zoning Administrator.
2. The rear yard setback, as measured from the westernmost property line, shall be reduced to a minimum of five (5) feet.
3. The developer shall submit a proposed color palette showing where each color will be applied. The final building colors shall be subject to review and approval by the Planning Division prior to issuance of a building permit.
4. All gutters, downspouts, flashing vents, utility equipment, and similar items shall be painted to match the building exterior to which they are directly attached.
5. All landscaped areas shall be maintained so as to remain in a healthy, thriving and weed free condition. Any dead or unhealthy plants shall be replaced with a similar species.
6. The entire parcel shall be kept clean and free of all litter, debris, and refuse.
7. The developer shall ensure the project provides one covered parking space and one uncovered parking space. The covered parking space shall be required to measure 20 feet by 11 feet, and the uncovered space shall be required to measure eighteen feet by nine feet. The final location of the parking spaces shall be subject to review and approval by the City's Planning and Engineering Divisions and shall comply with all requirements of Title 18 of the Pittsburg Municipal Code (PMC).
8. The developer shall provide an automatic irrigation system for front yard landscaping.
9. The developer shall provide board-on-board fencing on all side and rear yards. The fencing shall comply with the standards set forth in PMC section 18.84.205 and shall be reviewed and approved by the Planning and Building Divisions prior to issuance of an engineering or building permit.
10. The developer shall provide prewiring for solar photovoltaic panels.

11. The developer shall comply with all Title 24 and CalGreen requirements.
12. The developer shall provide one hanging bicycle rack within the garage.

Engineering Fees Due Payable Prior to First Plans Review and at the Time of Site Development Permit Issuance:

13. *Improvement and Grading Plan Review fees.* These fees are based on the Master Fee Schedule per Single Parcel Development for site improvements and grading. The Improvement Plan Check fee is \$2,047 per single parcel. The Grading Plan Check Fee is \$195 per parcel or may be based upon an approved Engineer's Estimate of total cubic yards, according to the current schedule of Grading Fee Charges. These fees shall be paid at the time the Single Parcel Development Permit is issued.
14. *Improvement and Grading Inspection Fees.* The applicant shall pay the Improvement and/or Grading Inspection Fee(s) to the Engineering Division when the Single Parcel Development Permit is issued. The current Improvement Inspection Fee is \$3,635 per single parcel for improvements. The Grading Inspection Fee is \$213 per parcel. The Grading Inspection Fee may also be based upon an approved Engineer's Estimate of total cubic yards, according to the current schedule of Grading Fee Charges.
15. *Facility Reserve Charge.* The applicant shall pay the City of Pittsburg Facilities Reserve Charge (PMC Chapters 13.08, 13.12 and 13.24; the "FRC") to the Engineering Division, for water and sewer service in the amounts in effect when the applicant obtains a Building Permit. The applicant understands that the current FRC on file, effective August 20, 2005, shall be paid in accordance with the fee schedule approved by Resolution No. 05-10290, and amended by Resolution No. 12-11778, on February 21, 2012, a copy of which is available at the City. The FRC shall be paid to the Engineering Division prior to the issuance of a Building Permit.
16. *Local Transportation Mitigation Fee.* The applicant shall pay the Local Transportation Mitigation Fee (PMC Chapter 15.90; the "LTMF") amount in effect when the applicant obtains a Building Permit. The applicant understands that the LTMF is reviewed and adjusted annually to the current Construction Cost Index (CCI) and may be increased at the City Council's discretion based on revised cost estimates for roadway and transit facilities and other factors that demonstrate an increase is needed to offset traffic impacts caused by new development. The LTMF is calculated by dividing the total fee share of improvement costs by the total number of Dwelling Unit Equivalencies ("DUE") in the City, as described in PMC Chapter 15.90 and the Pittsburg Local Transportation Mitigation Fee Program Update, copies of which are available from the City. Fees shall be paid prior to issuance of a Building Permit.
17. *Regional Transportation-Development Impact Mitigation Fee.* The applicant shall pay the Regional Transportation-Development Impact Mitigation Fee (PMC Chapter 15.103; the "PRTDIM") amount in effect when the applicant obtains a Building Permit. The RTDIM will be automatically increased or decreased on January 1 of each year based on the percent change in the Engineering News-Record Construction Costs Index – San Francisco Bay Area between September 1 and September 1 of the preceding two calendar years. Fees shall be paid prior to issuance of a Building Permit. If no Building Permit is required, then

the fees are payable in the amount in effect when the project commences pursuant to PMC Section 15.103.

18. *GIS update*. The applicant shall pay \$100 per dwelling unit for residential uses to the Engineering Division at the time the Single Parcel Development Permit is issued.

Submittals to be Made to the Engineering Division for Review:

19. The applicant shall submit to the City's Engineering Division, for review and comment, five (5) copies of the engineering plans, prepared by a registered civil engineer, to include but not be limited to the following:

- A Site Plan
- A Grading and Drainage Plan
- A Utilities Plan
- An Erosion and Sedimentation Control Plan
- Offsite Improvements due to Project Impacts

20. The applicant shall submit a current geotechnical report that supports the design features incorporated into this project including, but not limited to, grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections. The geotechnical report shall be submitted to the Engineering Division for review prior to the approval of any civil plans and issuance of the Site Development Permits.

General Engineering Conditions

21. All grading work shall be done in accordance with the provisions of Chapter 15.88 of the Pittsburgh Municipal Code.
22. All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers), and Title 15 (Buildings and Construction) of the Pittsburgh Municipal Code as determined by the City Engineer. Issuance of a Site Development Permit will be required whereby specific engineering requirements will be made as conditions of approval.
23. All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.

General NPDES Conditions:

24. The applicant shall incorporate long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long term BMPs to limit pollutant generation, discharge, and runoff. Such source control design measures may include:

- Incorporating landscaping that minimizes irrigation and runoff, promotes surface

infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices

- Use pavers for walkways and other appropriate hardscape surfaces as an option to buyers to minimize impervious areas.
- Minimizing the amount of directly connected impervious surface area.
- Stencil all storm drains with "No Dumping, Drains to Delta" permanent markings
- Constructing concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter

25. Applicant shall prepare and submit for review and approval a Stormwater Control Plan for Small Land Development if the single parcel development creates or replaces 2,500 square feet or more of impervious surface.

General Engineering Conditions Regarding Utilities:

26. The applicant shall evaluate the existing, receiving storm, sewer, and water facilities for adequate capacity and provide the results to the City to identify any service or supply problems. The cost for installation of additional facilities required to be constructed to accommodate the project shall be borne by the applicant.

27. The applicant shall provide appropriate water service, adequately sized to meet the domestic and fire protection demands for the project.

28. The applicant shall provide appropriate sanitary sewer, adequately sized to accommodate the project's wastewater demand.

29. In accordance with PMC section 12.36.130, "Underground utilities for new construction," the applicant shall ensure that all utility service laterals and equipment (including, but not limited to, electric, communication and cable television lines) installed in and for the purpose of supplying service to any other new construction or use shall be installed underground on the property to be served, and from the property to be served to the point of connection with the utility's distribution facilities, in accordance with utility filed rules as approved by the California Public Utilities Commission.

Additional Engineering Exactions:

30. *Annexation Documentation for CFD 2005-1.* Community Facilities District 2005-1 is for Public Safety Services. This fee will provide funding for an increase of police coverage in the area. The rate of the CFD 2005-1 fee is subject to City Council Resolution No. 05-10342. The developer shall deliver written approval in a manner acceptable to the Community Development Director, that the owner of the parcel is electing to annex the subject property into the 2005-1 Community Facilities District (CFD 2005-1) for Public Safety Services, prior to the issuance of any building or engineering permits.

31. *Annexation Documentation for CFD 2007-1.* Community Facilities District 2007-1 is for Park Maintenance. The rate of CFD 2007-1 fee is subject to City Council Resolution

No. 07-10698. The developer shall deliver written approval in a manner acceptable to the Community Development Director, that the owner of the parcel is electing to annex the subject property into the 2007-01 Park Maintenance Community Facilities District (CFD 2007-1), prior to the issuance of any building or engineering permits.

32. *Annexation Documentation for CFD 2014-1.* Community Facilities District 2014-1 is for the Railroad Avenue Specific Plan Area. The rate of the CFD fee is subject to City Council Resolution No. 14-12094. The developer shall deliver written approval in a manner acceptable to the Community Development Director, that the owner of the parcel is electing to annex the subject property into the 2014-1 Railroad Avenue Specific Plan Community Facilities District (CFD 2014-1), prior to the issuance of any building or engineering permits.

33. *Annexation Documentation for CFD 2017-1.* Community Facilities District 2017-1 is for Fire Facilities and Fire Safety and Emergency Services. The rate of the CFD 2017-1 fee is subject to City Council Resolution No. 17-13311. The developer shall deliver written approval in a manner acceptable to the Community Development Director, that the owner of the parcel is electing to annex the subject property into the 21017-1 Fire Facilities and Fire Safety and Emergency Services Community Facilities District (CFD 2017-1), prior to the issuance of any building or engineering permits.

Standard Conditions:

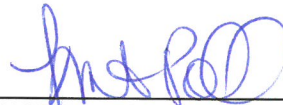
34. The developer shall comply with all the requirements of the Community Development Department (including the Planning, Engineering and Building Divisions), Contra Costa County Fire Protection District, Delta Diablo Sanitation District, and all other applicable local, state and federal agencies. It is the responsibility of the applicant to contact each local, state, or federal agency for requirements that may pertain to this project.
35. The Standard Conditions of Development, as adopted by the Pittsburg Planning Commission by Resolution No. 8931, shall apply as conditions of approval for this project as applicable. Where there is conflict between the Standard Conditions of Development and the specific conditions of approval specified in this resolution, the specific conditions of this Resolution No. 318 shall govern.
36. The developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at developer's sole cost and expense. Developer may select its own legal counsel to represent developer's interests at developer's sole cost and expense. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

37. This design review approval will expire on October 24, 2019, unless a written request for an extension is filed with the Planning Division prior to the expiration date and is subsequently approved by the Zoning Administrator.

Section 4. Effective Date

This resolution shall take effect immediately upon adoption of this resolution.

The foregoing resolution was passed and adopted the 24th day of October 2018, by the Zoning Administrator of the City of Pittsburg, California.



KRISTIN POLLOT, AICP
ZONING ADMINSTRATOR

STANDARD CONDITIONS OF DEVELOPMENT
(Planning Commission Resolution No. 8931)

All projects approved by the Planning Commission must meet the following standard conditions unless specifically exempted by the Commission or Council.

A. Project Site.

1. The applicant shall comply with all regulations and code requirements of the Building Division, Engineering Division, Contra Costa Fire Protection District, the Police Department and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final building and site plans.
2. Developer shall provide written notification to adjacent property owners for any drainage work required to collect or convey storm water runoff, which may or will affect their properties.
3. During construction water trucks or sprinkler systems are to be used in sufficient quantities to prevent dust from leaving the site during any earthmoving and/or construction activities. Nonpotable water shall be used from a source approved by the City Engineer. (Title 15 of PMC)
4. Continuous 6" high Portland Concrete Cement curbing shall be provided between all driveways and landscaped areas as indicated in the City of Pittsburg Standard Details. In addition to above, curbing between length of parking space and landscaped area shall include a 12" wide "Courtesy Curb."
5. CC&R's (Covenants, Conditions and Restrictions) for the project shall contain appropriate provisions for joint maintenance of any infrastructure, roadways, utilities, landscaping and irrigation as determined necessary by the City Engineer.
6. Developer shall submit a study addressing on and off-site storm water and sewer system capabilities. If the study indicates that the present system is inadequate, the developer must provide plans and install any additional storm water and sanitary and sanitary sewer facilities including off-site improvements to correct storm water runoff and sanitary sewer demands anticipated for upstream buildout in accordance with the Pittsburg General Plan.
7. Environmental and engineering studies, as directed by the Planning and Building Director, must be complete and on file prior to commencement to plan checking. Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.
8. Developer shall underground existing and required on and off-site utilities as specified in Chapter 17 of the Municipal Code or as deemed necessary by the City Engineer.
9. All site development shall comply with title 12 (Streets, Sidewalks and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the Pittsburg Municipal Code as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval of that permit.
10. The CC&R's shall restrict the storage of recreational vehicles on this site or parcels unless they are the principle source of transportation for the

owner and prohibit parking on the public street for long than 72 hours.

11. All retaining wall adjacent to public right-of-ways shall be provided with decorative treatment, subject to approval by the Planning Division.

12. The design of any masonry soundwall shall be approved by the Planning and Building Department. It shall match or harmonize with existing soundwalls of neighboring projects along that street.

B. Architecture.

1. All mechanical, irrigation, ground and/or roof mounted equipment shall be architecturally screened from view from all public right-of-ways prior to issuance of certificate of occupancy.

2. All trash enclosures shall be constructed of masonry material with self-enclosing doors and have a second access. The enclosure shall have materials and colors consistent with the primary building.

3. All vents, gutters, downspouts, flashing electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface unless otherwise directed by the Planning Commission.

4. Soffits and other architectural elements visible from view but not detailed on the plans shall be finished in a material in harmony with the exterior of the building.

5. Finish quality of exterior design elements including, but not limited to, building façades and landscaping shall be subject to approval of the Planning Division prior to issuance of Certificate of Occupancy.

C. Landscaping.

1. Specific landscaping for screening shall have an appearance of mature growth subject to a field check and approval by the Planning Division prior to Certificate of Occupancy.

2. The area under the drip line of all existing trees, which are to be saved, shall be fenced during construction. Grading shall be restricted under them to prevent soil compaction around the trees and to protect them from damage.

3. An existing tree inventory shall be created and included on the site plan for all new projects prior to approval of grading plan.

4. All slope banks in excess of five (5) feet in vertical height and 2:1 or greater slope shall be landscaped and irrigated for erosion control and to soften their appearance as follows: one 15-gallon or larger size tree per each 150 sq. ft. of slope area, one 1-gallon or larger size shrub per each 100 sq. ft. of slope area, and appropriate ground cover 12-24 inches on-center. In addition, slope banks in excess of eight (8) feet in vertical height and 2:1 or greater slope also include one 5-gallon or larger size tree per each 250 sq. ft. of slope area. Trees and shrubs shall be planted in staggered clusters to soften and vary slope plane. Slope planting required by this condition shall include a permanent irrigation system to be installed by the developer prior to occupancy.

5. All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required

irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscape areas, and health and vitality of landscape materials.

D. General Requirements

1. Final inspection for occupancy permits will not be granted until all construction and landscaping is complete in accordance with approved plans.
2. The applicant shall defend, indemnify and hold harmless the City of Pittsburgh, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval, or any aspect of the City's consideration of applicant's project. The applicant recognizes and agrees that applicant's voluntary commitment to meet the obligations described in this condition is an integral factor in the City's approval of this project. The intent of this condition is to require the applicant to bear the cost of any and all litigation instituted to overturn or in any way modify the City's approval of this project. Such costs include without limitation, any award of attorney's fees and costs to a prevailing plaintiff or petitioner. In the event the city becomes aware of any such claim, action, or proceeding, the City shall promptly notify the applicant and shall cooperate fully in the defense. If the City fails to promptly notify the applicant, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Nothing contained in this condition prohibits the City from participating in the defense of any claim, action, or proceeding, it both the following occur:
(a) the City bears its own attorneys' fees

and costs; and (b) the City defends the action in good faith. The applicant shall not be required to pay or perform any settlement unless the applicant approves the settlement.

3. It is required by State Law (Business and Professional Code Section No. 5537 & 5538 and Section 302(b) of the Uniform Building Code) that all commercial buildings, new or existing must have a licensed professional designer (Architect, Civil or Structural Engineer) to design all changes of use or occupancy as well as new construction.
4. The applicant shall submit a complete area water pressure availability study for all phases of the Project prior to issuance of any development permits. If the study indicates that the present system is inadequate, the Applicant must provide plans, which will demonstrate any remedial action necessary to abate the deficiency and shall take all necessary actions at the applicant's expense.
5. This use permit may be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Commission may revoke the use permit or add/modify conditions approval.
6. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.
7. All signs shall be submitted to the Planning Division for design review per Title 19 of the Pittsburgh Municipal Code.
8. All landscape areas shall be maintained in a healthy, thriving and weed free condition.

9. The site shall be maintained in a neat and clean manner free of trash and debris.

10. All outdoor mechanical equipment, satellite dishes, fire main and all rooftop equipment shall be fully visually screened upon installation subject to the approval of the Planning Division. Screening devices shall be shown on construction and/or landscape plans.

11. All exterior light fixtures shall be shown on plans subject to staff review and approval. All lights attached to buildings shall provide a soft "wash" of light against the wall. All building and parking or yard lights shall conform to City Parking Standards 18.78.050 (F) and Performance Standards 18.82.030 (B) and shall compliment the site and building architecture.

12. Prior to occupancy, the developer shall supply the City with an ACAD computer disk file showing plans that reflect the project as it was build (As-Built) at the discretion of the Planning and Building Director.

E. Standard Conditions of Approval
Requiring Minimum Construction Site
Management Practices

1. (Projects involving land disturbances of less than five (5) acres) – During construction activities, the project sponsor shall reduce or prevent to the maximum extent practicable the direct or indirect discharge of any pollutant into the storm drain system utilizing best management practices contained in the California Storm Water Best Management Practices Handbook for Construction Activities. Construction activities include, but are not limited to: watering operations; roadwork and paving operations; concrete and painting; structure construction and painting; construction material storage and

handling; construction waste/debris storage and disposal; and, construction equipment/vehicle cleaning, maintenance and fueling operations. The project sponsor is also responsible for training all contractors and subcontractors on the best management practices which are identified in the California Storm Water Best Management Practices Handbook for Construction Activities which will be available at the pre-construct meeting of the project.

or

2. (Projects involving land disturbances of five (5) acres or more) – Prior to commencement of any site work that will result in a land disturbance of five acres or more, the project sponsor shall submit to the City a copy of the Notice of Intent (NOI) sent the State Water Resources Control Board and the Stormwater Pollution Prevention Plan (SWPPP) prepared for the project, as required by the State's General Construction Activity Permit.

3. All storm drains, which serve the site, shall be protected from spills and soil runoff (from unpaved parking areas). The applicant may use "Any Source Control" BMP (Best Management Practice) as listed in the California Storm Water Best Management Practice Handbook for storm water run-off for commercial and industrial sites. Storm drains will be inspected periodically. Questions may be referred to City NPDES Coordinator, at 252-4920.

DRAFTING:



500 Capitol Mall, Suite 2150
Pittsburg, CA 94565
www.AEDrafting.com
Email: Design_Draft

OWNER:

Allyson C. Chakraverty, LLC
855 Valencia Ct
Brentwood, CA 94113
lugg@alysongroup.com

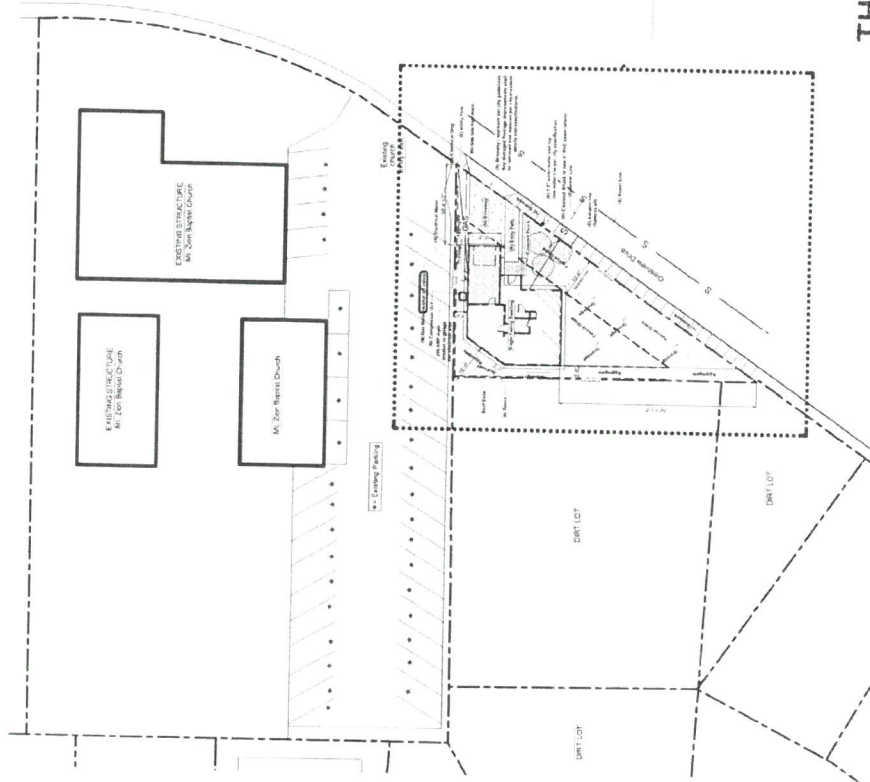
2168 Crestview Dr
Pittsburg, CA 94565

Plot Date: 7/20/2018
Scale: As Noted
Design: Owner
Drawn: Draftman
Checked: Checker

Existing Enlarged / Adjacent
Parcel Layout

A16

SHEET



See A1 for zoomed 1"=10' of site plan

APPROVED BY
THE CITY OF PITTSBURG



Planning Department
☒ Zoning Administrator
Planning Commission
City Council

1 Existing Enlarged / Adjacent Parcel Layout
Scale: 1" = 20'

App. No. 18-1358
Reso. No. 330

Date Approved: 10/24/18
Signature: [Signature]

[illegible]

Signature: _____

APPROVED BY
THE CITY OF PITTSBURGH

DRAFTING:



500 Capitol Mall, Suite 2350
Sacramento, CA 95814
www.AEDrafting.com
Dream. Design. Draft.

OWNER:
Mayari Development LLC
852 Velpasa Ct.
Brentwood, CA 94513
bigdunk99@gmail.com

Reso No 350

Date Approved: _____

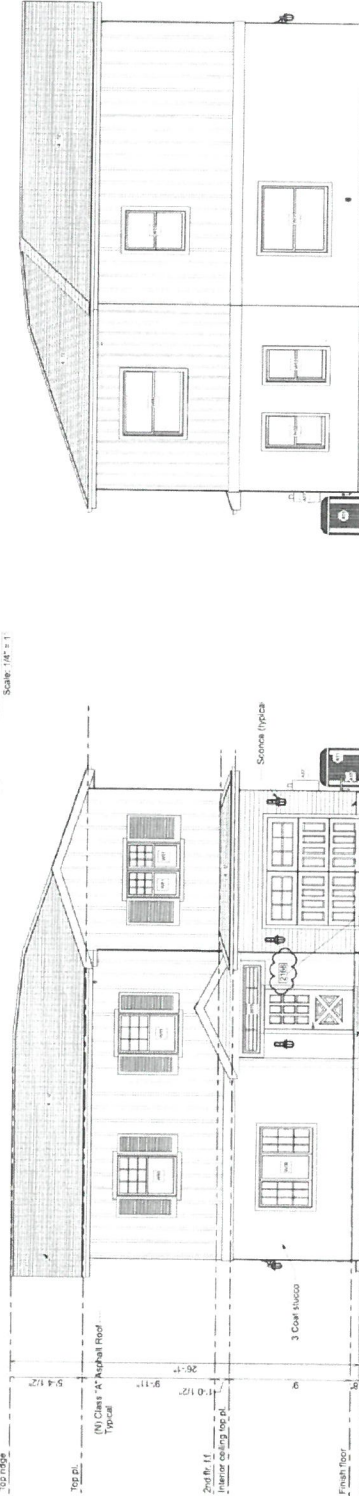
Signature: _____

[illegible]

Scenes (typical)

Redwood 2x plank siding
Concrete landing & steps

1 South Elevation

Scale: $1/4" = 1'$ 

2 East Elevation

Scale: 1/4" = 1'

3 West Elevation

Scale: 1/4" = 1'

FAULTURE SCHEDULE		
NUMBER LABEL	FAULTURE	QTY COMMENTS
A01	FAN TOFF	3
A02	WATER PUMP	1
A03	LAUNDRY CTR	1
A04	GAS RANGE	1
A05	GAS RANGE	1
A06	REFRIGERATOR	3
A07	TANKLESS WATER HEATER	1
A08	TUB SHOWER	1
A09	GAS FURNACE	1
A10	WASHER	1
A11	OUTDOOR COMPRESSOR UNIT	1
A12	DRYER	1
A13	WASHER	1
A14	WASHER	1
A15	WASHER	1
A16	WASHER	1
A17	WASHER	1
A18	WASHER	1
A19	WASHER	1
A20	WASHER	1
A21	WASHER	1
A22	WASHER	1
A23	WASHER	1
A24	WASHER	1
A25	WASHER	1
A26	WASHER	1
A27	WASHER	1
A28	WASHER	1
A29	WASHER	1
A30	WASHER	1
A31	WASHER	1
A32	WASHER	1
A33	WASHER	1
A34	WASHER	1
A35	WASHER	1
A36	WASHER	1
A37	WASHER	1
A38	WASHER	1
A39	WASHER	1
A40	WASHER	1
A41	WASHER	1
A42	WASHER	1
A43	WASHER	1
A44	WASHER	1
A45	WASHER	1
A46	WASHER	1
A47	WASHER	1
A48	WASHER	1
A49	WASHER	1
A50	WASHER	1
A51	WASHER	1
A52	WASHER	1
A53	WASHER	1
A54	WASHER	1
A55	WASHER	1
A56	WASHER	1
A57	WASHER	1
A58	WASHER	1
A59	WASHER	1
A60	WASHER	1
A61	WASHER	1
A62	WASHER	1
A63	WASHER	1
A64	WASHER	1
A65	WASHER	1
A66	WASHER	1
A67	WASHER	1
A68	WASHER	1
A69	WASHER	1
A70	WASHER	1
A71	WASHER	1
A72	WASHER	1
A73	WASHER	1
A74	WASHER	1
A75	WASHER	1
A76	WASHER	1
A77	WASHER	1
A78	WASHER	1
A79	WASHER	1
A80	WASHER	1
A81	WASHER	1
A82	WASHER	1
A83	WASHER	1
A84	WASHER	1
A85	WASHER	1
A86	WASHER	1
A87	WASHER	1
A88	WASHER	1
A89	WASHER	1
A90	WASHER	1
A91	WASHER	1
A92	WASHER	1
A93	WASHER	1
A94	WASHER	1
A95	WASHER	1
A96	WASHER	1
A97	WASHER	1
A98	WASHER	1
A99	WASHER	1
A100	WASHER	1

DOOR SCHEDULE		
NUMBER	LABEL	OFF TYPED COMMENTS
001	1004	
002	2004	
003	2504	
004	2008	30 MINUTE FIRE RATED, SELF CLOSING AND SELF LATCHING

WINDOW SCHEDULE				
NUMBER	LABEL	QTY	FLOOR/CESS	TEMPERED
2001	6003H	2	2	YES
2002	3042H	4	1	YES
2003	3042H	5	2	YES
2004	3002SH	1	2	YES
2005	4035SH	1	1	YES
2006	3048H	1	2	YES
2007	5735H	1	1	YES
2008	6040 C	1	1	YES
2009	6049SH	1	2	YES

Plot Date:	7/19/2018
Scale	As Noted
Design:	Owner
Drawn:	Draftsman
Checked:	Checker

Editorial

A4

4 North Elevation

Scale: 1/4" = 1'

APPROVED BY THE CITY OF PITTSBURG

Planning Department
☒ Zoning Administrator
 Planning Commission
 City Council

App. No. 18-1358

Reso. No. 350

Date Approved: 10/24/18

Signature: 

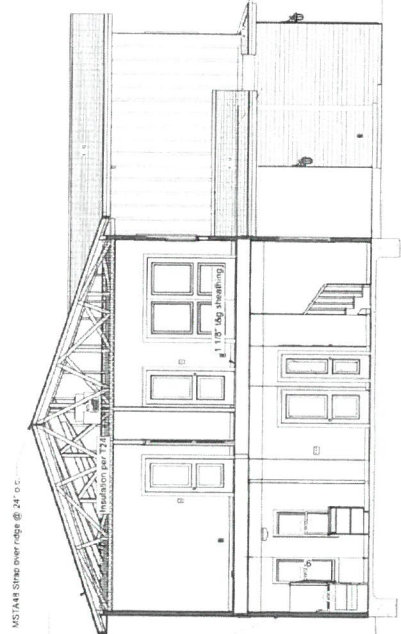
**AMBER
EDGE
DRAFTING**
 500 Capitol Mall, Suite 2150
 Sacramento, CA 95814
 Tel: 916.441.1111
 Fax: 916.441.1112
 Email: info@amberedge.com
 Website: www.amberedge.com

OWNER
 Mayer Development LLC
 852 Virginia St.
 Berkeley, CA 94613
 Tel: 415.863.8888
 Email: info@mayerdev.com

2168 Crestview Dr
 Pittsburg, Ca 94565

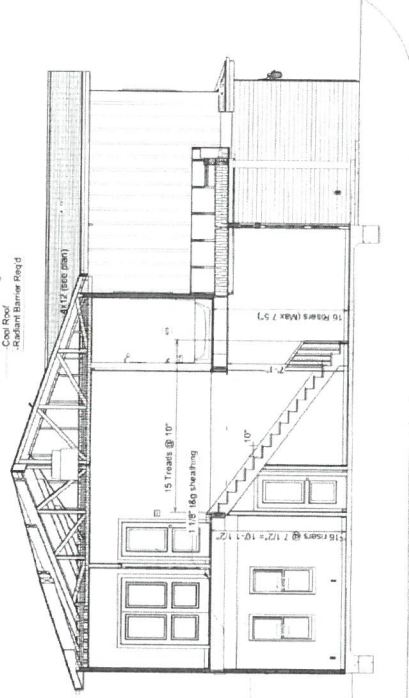
Plot Date: 7/19/2018
 Scale: 1/4" = 1'-0"
 Design: Owner
 Drawn: Draftsman
 Checked: Checker

Building Sections
A5
 SHEET



Class 'A' Roofing
 Cool Roof
 Radiant Barrier Req'd

2x6 Wall @ 16" o.c.
 Exterior per elevation
 Sheathing per elevation
 Interior Min. 1/2" Gyp
 Water proof barrier required
 Insulation per T24



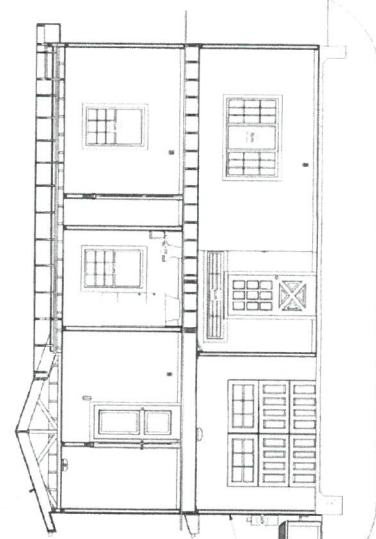
Class 'A' Roofing
 Cool Roof
 Radiant Barrier Req'd

15 Trusses @ 10"
 1x10" Mg sheathing

2x6 Wall @ 16" o.c.
 Exterior per elevation
 Sheathing per elevation
 Interior Min. 1/2" Gyp
 Water proof barrier required
 Insulation per T24

3 Section Scale: 1/4" = 1'-0"

ITEM NO.	FIXTURE SCHEDULE	QTY	COMMENTS
A01	ADA UNEL	1	
A02	OVAL SINK	1	
A03	GAS RANGE	1	
A04	OVAL SINK	1	
A05	TANKLESS WATER HEATER	1	
A06	TUB SHOWER	1	
A07	GAS RANGE	1	
A08	OVAL SINK	1	
A09	OVAL SINK	1	
A10	OVAL SINK	1	
A11	OUTDOOR COMPRESSOR UNIT	1	
A12	DEHWASHER INTEGRATED	1	
A13	REC. TANGULAR SINK	1	



Class 'A' Roofing
 Cool Roof
 Radiant Barrier Req'd

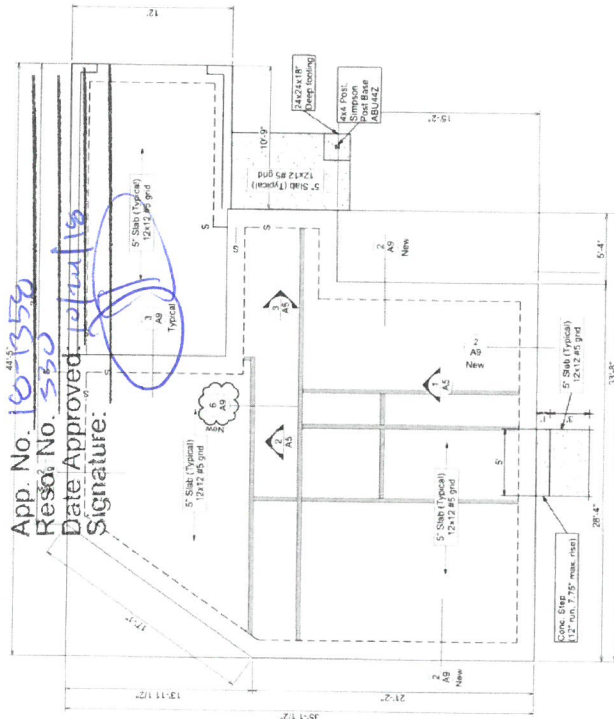
2x6 Wall @ 16" o.c.
 Exterior per elevation
 Sheathing per elevation
 Interior Min. 1/2" Gyp
 Water proof barrier required
 Insulation per T24

2 Section Scale: 1/4" = 1'-0"

APPROVED BY THE CITY OF PITTSBURG

Planning Department
X Zoning Administrator
Planning Commission
City Council

AMBER EDGE DRAFTING
500 Capitol Mall, Suite 2150
Sacramento, CA 95814
916.441.1111
Drawn: Design Draft
OWNER
Meyan Development LLC
825 North St. #100
Pittsburg, CA 94565
bryant@me.com
bryant@me.com



1 Foundation Plan

Scale: 1/4" = 1'-0"
Interior footing required
(See detail B)

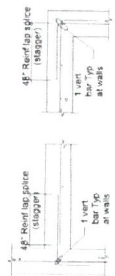
GENERAL NOTES:
1. All foundations shall be constructed in accordance with the provisions of the California Building Code, 2019 Edition, and the City of Pittsburg Building Code, 2019 Edition.
2. All foundations shall be constructed in accordance with the provisions of the California Building Code, 2019 Edition, and the City of Pittsburg Building Code, 2019 Edition.
3. All foundations shall be constructed in accordance with the provisions of the California Building Code, 2019 Edition, and the City of Pittsburg Building Code, 2019 Edition.

REVISIONS:
1. All foundations shall be constructed in accordance with the provisions of the California Building Code, 2019 Edition, and the City of Pittsburg Building Code, 2019 Edition.
2. All foundations shall be constructed in accordance with the provisions of the California Building Code, 2019 Edition, and the City of Pittsburg Building Code, 2019 Edition.
3. All foundations shall be constructed in accordance with the provisions of the California Building Code, 2019 Edition, and the City of Pittsburg Building Code, 2019 Edition.

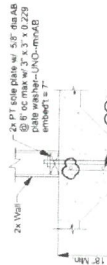
Plot Date: 7/19/2018
Scale: 1/4" = 1'-0"
Drawn: Designer
Checked: Designer
Reviewed: Designer

Foundation Plan

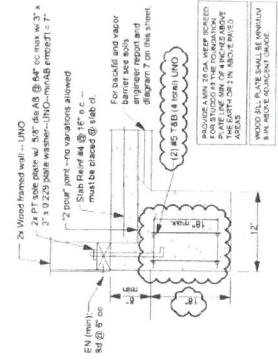
A9



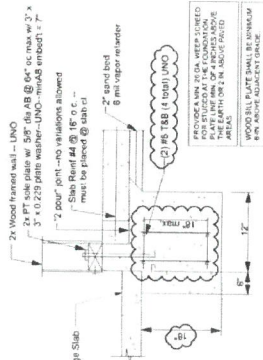
5 Rebar Lap Splice Detail



6 Interior Footing Detail

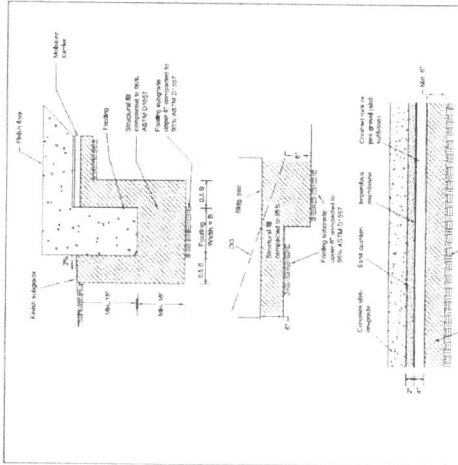


2 Perimeter Footing Detail



3 Interior Slab Footing to Garage

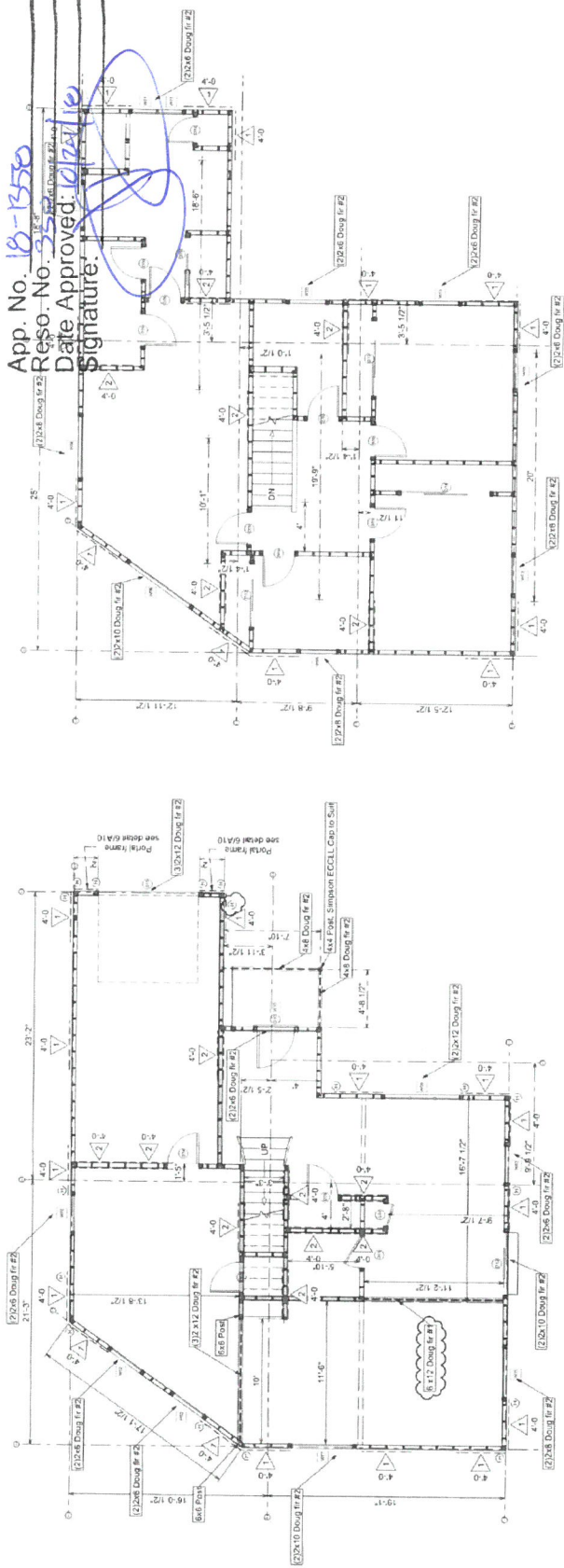
FOLLOW ALL GUIDELINES AS LISTED IN THE SOILS ENGINEER REPORT. Geotechnical Engineer to provide all observations as noted in the Geotechnical report to the City Building Official.



FOUNDATION SLAB LAYOUT
NEW CRESTVIEW DR, PITTSBURG, CA
PROJECT NO.: 548-B-1510
SHEET NO.: 5

7 Soils Engineer Diagram

CONCRETE NOTES:
1. All concrete shall be placed in accordance with the provisions of the California Building Code, 2019 Edition, and the City of Pittsburg Building Code, 2019 Edition.
2. All concrete shall be placed in accordance with the provisions of the California Building Code, 2019 Edition, and the City of Pittsburg Building Code, 2019 Edition.
3. All concrete shall be placed in accordance with the provisions of the California Building Code, 2019 Edition, and the City of Pittsburg Building Code, 2019 Edition.



1 1st Floor Wall Framing

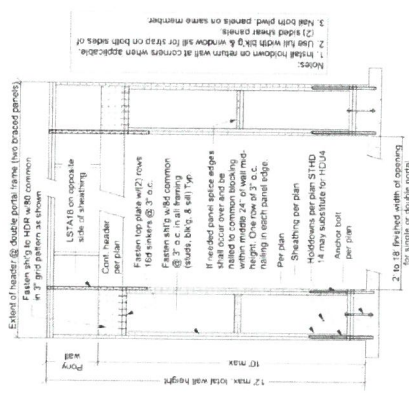
- Bearing wall line.

General Wall Framing Note:
-All new exterior wall framing 2x6 @ 16" O.C. (Standard stud grade)
-All new exterior wall sheathing 1/2" CDX (Standard sheath grade)

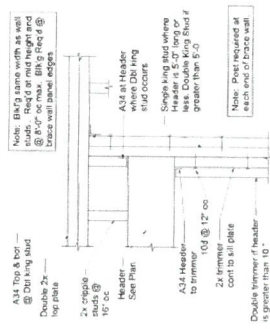
[illegible]

2 2nd Floor Wall Framing

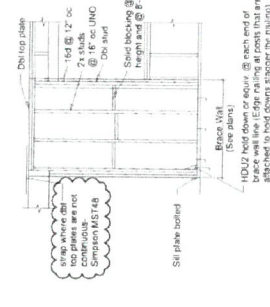
Scale: 1/4" = 1'



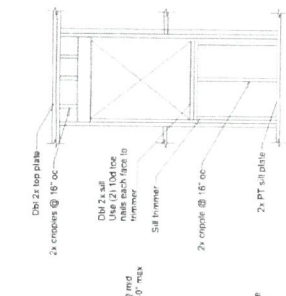
2 Header Framing



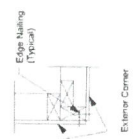
3 Typical Brace Wall Panel



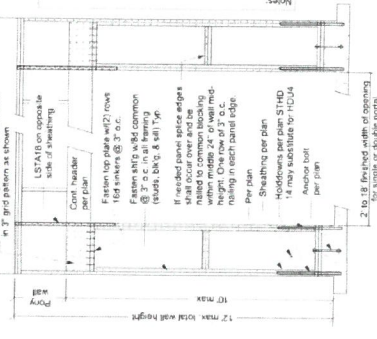
4 Standard Window Opening



5 Brace Wall Edges



6 Portal Framing



Planning Department
Zoning Administrator
Planning Commission
City Council

App. No. 18-1350
Reso. No. 330
Date Approved: 10/24/18
Signature: [Signature]

DRAFTING:



100 Capitol Mall, Suite 2350
Sacramento, CA 95814
www.AEDrafting.com
Dream, Design, Draft.

WANTED

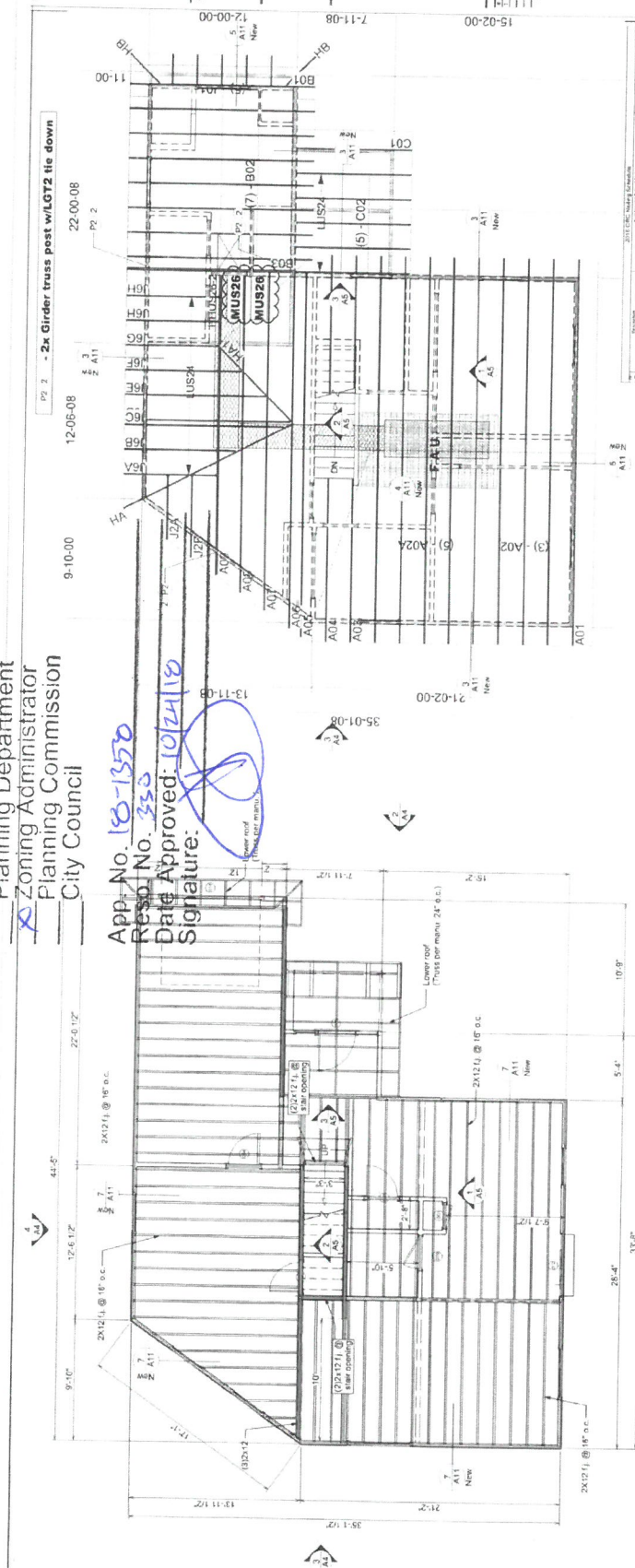
Mayan Development LLC
852 Volpaia Ct.
Brentwood, CA 941513
bigghen36@gmail.com

2168 Crestview Dr
Pittsburg, Ca 94565

Plot Date:	7/19/2018
Scale	As Noted
Design:	Owner
Drawn:	Draftsman
Checked:	Checker

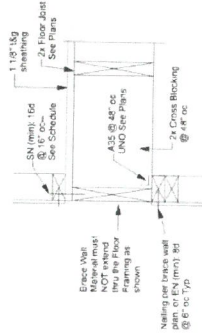
Roof Framing Plan

A11

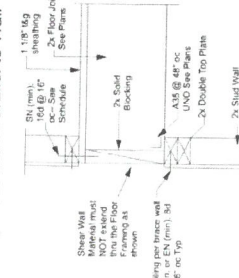


2 Roof Framing Plan

Scale: 1/4" = 1'

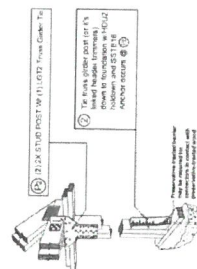


6 Floor Joist Parallel to Wall

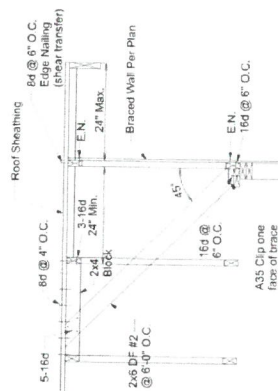


7 Floor Joist Perpendicular to Wall

1 2nd Floor Framing

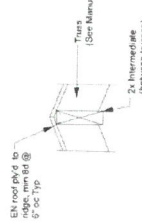


8 Girder Truss Tie Down

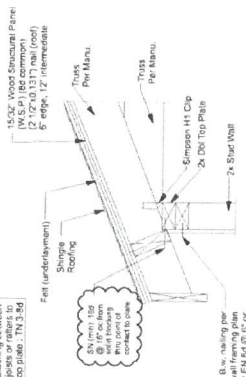


5 Gable End Shear Transfer

4 Truss Ridge Connection (between trusses)



Linking between



3 Eave Section (Truss, H1 Clips)

APPROVED BY
THE CITY OF PITTSBURG

Planning Department
X Zoning Administrator
Planning Commission
City Council

App. No. 18-1357
Reso. No. 330
Date Approved: 10/2/20
Signature: [Signature]

Signature: _____

[illegible][illegible][illegible][illegible]

Planning Department
X Zoning Administrator
Planning Commission
City Council

AIA/C 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE
CALIFORNIA COUNCIL RESIDENTIAL MANDATORY MEASURES, SHEET 1 (INCLUDING JANUARY 1, 2017 ERRATA)

DRAFTING

AMBER EDGE DRAFTING
Major Development LLC
500 Capitol Mall, Suite 2350
Sacramento, CA 95814
916.441.1111
dream_design_draft

OWNER
Major Development LLC
500 Capitol Mall, Suite 2350
Sacramento, CA 95814
916.441.1111
dream_design_draft

App. No. 18-1358
Reso. No. 330
Date Approved: 10/24/18
Signature: [Signature]

SECTION	MEASURE	STATUS
CHAPTER 3 GREEN BUILDING GENERAL	301.1 SCOPE	
CHAPTER 4 RESIDENTIAL MANDATORY MEASURES	4.01 PLANNING AND DESIGN	
4.02 SITE DEVELOPMENT	4.03 WATER EFFICIENCY AND CONSERVATION	
4.04 ENERGY EFFICIENCY	4.05 INDOOR AIR QUALITY	
4.06 MATERIALS AND WASTE	4.07 ENVIRONMENTAL QUALITY	
4.08 BUILDING SYSTEMS	4.09 BUILDING SYSTEMS	
4.10 BUILDING SYSTEMS	4.11 BUILDING SYSTEMS	
4.12 BUILDING SYSTEMS	4.13 BUILDING SYSTEMS	
4.14 BUILDING SYSTEMS	4.15 BUILDING SYSTEMS	
4.16 BUILDING SYSTEMS	4.17 BUILDING SYSTEMS	
4.18 BUILDING SYSTEMS	4.19 BUILDING SYSTEMS	
4.20 BUILDING SYSTEMS	4.21 BUILDING SYSTEMS	
4.22 BUILDING SYSTEMS	4.23 BUILDING SYSTEMS	
4.24 BUILDING SYSTEMS	4.25 BUILDING SYSTEMS	
4.26 BUILDING SYSTEMS	4.27 BUILDING SYSTEMS	
4.28 BUILDING SYSTEMS	4.29 BUILDING SYSTEMS	
4.30 BUILDING SYSTEMS	4.31 BUILDING SYSTEMS	
4.32 BUILDING SYSTEMS	4.33 BUILDING SYSTEMS	
4.34 BUILDING SYSTEMS	4.35 BUILDING SYSTEMS	
4.36 BUILDING SYSTEMS	4.37 BUILDING SYSTEMS	
4.38 BUILDING SYSTEMS	4.39 BUILDING SYSTEMS	
4.40 BUILDING SYSTEMS	4.41 BUILDING SYSTEMS	
4.42 BUILDING SYSTEMS	4.43 BUILDING SYSTEMS	
4.44 BUILDING SYSTEMS	4.45 BUILDING SYSTEMS	
4.46 BUILDING SYSTEMS	4.47 BUILDING SYSTEMS	
4.48 BUILDING SYSTEMS	4.49 BUILDING SYSTEMS	
4.50 BUILDING SYSTEMS	4.51 BUILDING SYSTEMS	
4.52 BUILDING SYSTEMS	4.53 BUILDING SYSTEMS	
4.54 BUILDING SYSTEMS	4.55 BUILDING SYSTEMS	
4.56 BUILDING SYSTEMS	4.57 BUILDING SYSTEMS	
4.58 BUILDING SYSTEMS	4.59 BUILDING SYSTEMS	
4.60 BUILDING SYSTEMS	4.61 BUILDING SYSTEMS	
4.62 BUILDING SYSTEMS	4.63 BUILDING SYSTEMS	
4.64 BUILDING SYSTEMS	4.65 BUILDING SYSTEMS	
4.66 BUILDING SYSTEMS	4.67 BUILDING SYSTEMS	
4.68 BUILDING SYSTEMS	4.69 BUILDING SYSTEMS	
4.70 BUILDING SYSTEMS	4.71 BUILDING SYSTEMS	
4.72 BUILDING SYSTEMS	4.73 BUILDING SYSTEMS	
4.74 BUILDING SYSTEMS	4.75 BUILDING SYSTEMS	
4.76 BUILDING SYSTEMS	4.77 BUILDING SYSTEMS	
4.78 BUILDING SYSTEMS	4.79 BUILDING SYSTEMS	
4.80 BUILDING SYSTEMS	4.81 BUILDING SYSTEMS	
4.82 BUILDING SYSTEMS	4.83 BUILDING SYSTEMS	
4.84 BUILDING SYSTEMS	4.85 BUILDING SYSTEMS	
4.86 BUILDING SYSTEMS	4.87 BUILDING SYSTEMS	
4.88 BUILDING SYSTEMS	4.89 BUILDING SYSTEMS	
4.90 BUILDING SYSTEMS	4.91 BUILDING SYSTEMS	
4.92 BUILDING SYSTEMS	4.93 BUILDING SYSTEMS	
4.94 BUILDING SYSTEMS	4.95 BUILDING SYSTEMS	
4.96 BUILDING SYSTEMS	4.97 BUILDING SYSTEMS	
4.98 BUILDING SYSTEMS	4.99 BUILDING SYSTEMS	
4.100 BUILDING SYSTEMS	4.101 BUILDING SYSTEMS	

2168 Crestview Dr
Pittsburg, Ca 94565

Prep Date: 7/18/2018
Scale: As Shown
Drawn: Dittman
Checked: [Signature]

Green Building Notes
A15
SHEET