Faria/Southwest Hills Annexation

SCH#2017032027

Revised and Updated Final Environmental Impact Report

Prepared for
The City of Pittsburg

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TABLE OF CONTENTS

TABLE OF CONTENTS

Chapter **Page**

1. Introduction and List of Commenters 1-1

2. Responses to comments 2-1

3. Revisions to the Draft EIR and Partially Recirculated Draft EIR Text .. 3-1

Appendices

Attachment A Isakson & Associates, Inc. Cover Letter
Attachment B Pedestrian and Bicycle Counts
Attachment C Greenhouse Gas Mitigation Memorandum
Attachment D Springtime and Summertime Rare Plant Surveys Memorandums
Attachment E Water Supply Assessment Technical Memorandum
Attachment F Summary of Changes to the Original Final Environmental Impact Report

1. INTRODUCTION AND LIST OF COMMENTERS

1 INTRODUCTION AND LIST OF COMMENTERS

Introduction

This Revised and Updated Final Environmental Impact Report (EIR) contains public and agency comments received during the public review period of the Faria/Southwest Hills Annexation Project Draft EIR and Partially Recirculated Draft EIR (Draft EIRs). In addition, this Revised and Updated Final EIR contains the original Faria/Southwest Hills Annexation Project Final EIR, as well as memoranda prepared subsequent to the completion of the aforementioned Draft EIRs and original Final EIR, which contain studies and calculations that amplify the analyses and conclusions presented therein and do not identify new significant impacts not previously identified in the original Final EIR. This Revised and Updated Final EIR supersedes the original Final EIR and has been prepared by the City of Pittsburg, as lead agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Introduction and List of Commenters chapter of the Revised and Updated Final EIR discusses the background of the Draft EIR, Partially Recirculated Draft EIR, and original Final EIR; describes the purpose of the Revised and Updated Final EIR; identifies the comment letters received on the Draft EIR and Partially Recirculated Draft EIR; and provides an overview of the Revised and Updated Final EIR's organization.

As discussed further in the Background section below, through approvals completed on February 22, 2021 and March 15, 2021, the Pittsburg City Council approved the City of Pittsburg entitlements for the proposed project, certified the original Final EIR, approved CEQA findings, and adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program (MMRP). However, on March 30, 2021, Save Mount Diablo filed a petition for writ of mandate in which the group challenged the adequacy of the original Final EIR. The Superior Court of the State of California, County of Contra Costa (Superior Court), entered an order on February 10, 2022 granting Save Mount Diablo's petition in part, and the Court commanded the City of Pittsburg to set aside project approvals and to set aside the certification of the original Final EIR. In accordance with the Superior Court order, the City set aside specified project approvals and certification of the original Final EIR on August 15, 2022.

This Revised and Updated Final EIR has been prepared to address, through the inclusion of the aforementioned new memoranda, the inadequacies of the original Final EIR cited in the Superior Court order, which are discussed further below. The new memoranda demonstrate that the analyses and conclusions presented in the Draft EIRs sufficiently address the Superior Court's comments related to Accessory Dwelling Units (ADUs), the level of detail included in the Draft EIR's mitigation to address potential air quality and greenhouse gas (GHG) emission impacts, the Draft EIR's baseline description of biological resources, and the adequacy of the Draft EIR's water usage analysis.

A Summary of Changes has been prepared as part of this Revised and Updated Final EIR that incorporates revisions to the original Final EIR, based on the discussions and analyses presented in the new memoranda. This Revised and Updated Final EIR amplifies the analyses and conclusions

presented in the Draft EIRs and would not constitute "significant new information" that would necessitate recirculation of the Draft EIRs. Therefore, recirculation is not required. Please note that the revisions and updates made to the original FEIR are summarized and presented in the Summary of Changes attached to this Revised and Updated Final EIR.

Background

The Draft EIR identified the proposed project's potential impacts and the mitigation measures that would be required to be implemented. The following environmental analysis chapters are contained in the Faria/Southwest Hills Annexation Project Draft EIR:

- Aesthetics;
- Agricultural Resources;
- Air Quality and Greenhouse Gas Emissions;
- Biological Resources;
- Cultural and Tribal Resources;
- Geology, Soils, and Seismicity;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise;
- Public Services and Utilities; and
- Transportation, Traffic, and Circulation.

In accordance with CEQA, the City of Pittsburg used the following methods to solicit public input on the Draft EIR: a Notice of Preparation (NOP) for the Draft EIR was released for a 30-day review from March 9, 2017 to April 7, 2017. In addition, a public scoping meeting was held on April 4, 2017 to solicit public comments regarding the scope of the Draft EIR. A Notice of Availability (NOA) of the Draft EIR was distributed and the Draft EIR was sent to the State Clearinghouse for distribution on October 10, 2018 for the 45-day public review period. Copies of the document were made available at the City of Pittsburg Planning Department, located at 65 Civic Avenue, Pittsburg, at the Pittsburg Library, located at 80 Power Avenue, Pittsburg, and on the City's website at: http://www.ci.pittsburg.ca.us/index.aspx?page=945. In addition, a public workshop was held on November 15, 2018 to solicit public comments regarding the Draft EIR.

Based on comments received regarding the Draft EIR, the City determined that recirculation of Chapter 4.12 of the Draft EIR, pertaining to Transportation, Traffic, and Circulation was necessary to comply with CEQA Guidelines Section 15088.5. Revisions to the Transportation, Traffic, and Circulation chapter included a change to conclusions and, thus, met the criteria for CEQA Guidelines Section 15088.5. A Notice of Availability (NOA) of the Partially Recirculated Draft EIR was distributed and the Partially Recirculated Draft EIR was sent to the State Clearinghouse for distribution on October 18, 2019 for a 45-day review period, consistent with the time periods set forth in the CEQA Guidelines.

Through approvals completed on February 22, 2021 and March 15, 2021 of Resolution No. 21-13905, Resolution No. 21-13906, Resolution No. 21-13906, and Resolution No. 21-13907, as well as Ordinance No. 21-1484 and Ordinance No. 21-1485, the Pittsburg City Council approved the City of Pittsburg entitlements for the proposed project, certified the original Final EIR, approved CEQA findings, and adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program (MMRP). However, on March 30, 2021, Save Mount Diablo filed a petition for writ of mandate in which the group challenged the adequacy of the original Final EIR. The Superior Court of the State of California, County of Contra Costa, entered an order on February 10, 2022 granting Save Mount Diablo's petition in part, and the Court commanded the City of Pittsburg to set aside project approvals and to set aside the certification of the original Final EIR. In accordance with the Superior Court order, the City set aside specified project approvals and certification of the original Final EIR on August 15, 2022. More specifically, the Superior Court order cited inadequacies in the original Final EIR related to ADUs, the level of detail included in mitigation to address potential air quality and GHG emission impacts, the baseline description of biological resources, and the adequacy of the Draft EIR's water usage analysis.

With respect to the Superior Court's determination related to ADUs, the Superior Court found that the original Final EIR did not adequately address the potential population increase that could be generated through 150 ADUs facilitated by the development of the proposed project. The Draft EIR and Partially Recirculated Draft EIR assumed maximum buildout of the project site with 1,500 residential units. However, the Superior Court concluded that such analysis did not constitute evaluation of the worst-case potential impacts on the environment, which should have entailed assessing potential impacts that could occur through population growth induced by 1,650 residential units (i.e., 1,500 residences + 150 ADUs). The Superior Court's conclusions related to ADUs are no longer applicable, as the proposed Development Agreement has been revised to remove the previous ADU component. Pursuant to the currently proposed Development Agreement, the developer would comply with applicable inclusionary housing requirements set forth in Pittsburg Municipal Code Chapter 18.86 through payment of an Affordable Housing In-Lieu Fee (see Section 3.09 of the Development Agreement).

With respect to the Superior Court's comments related to the level of detail included in mitigation to address potential air quality and GHG emission impacts, the baseline description of biological resources, and the adequacy of the water usage analysis, the Superior Court determined that certain mitigation measures set forth in Chapter 4.3, Air Quality and Greenhouse Gas Emissions, of the Draft EIR improperly deferred formulation and lacked specific performance standards. In addition, the Superior Court found that the baseline description of special-status plant species that could potentially occur on the project site in Chapter 4.4, Biological Resources, of the Draft EIR lacked sufficient information detailing the location or frequency of plant species within the site. Finally, the Superior Court concluded that the water usage analysis in Chapter 4.11, Public Services and Utilities, of the Draft EIR improperly evaluated the anticipated water usage of the proposed project, due to the analysis assuming 1,500 residential units. The Superior Court additionally noted that the Draft EIR relied upon the previous City of Pittsburg 2015 Urban Water Management Plan, instead of the current 2020 UWMP. For the reasons stated above, the Superior Court concluded that the original Final EIR violated CEQA.

In response to the Superior Court order, this Revised and Updated Final EIR includes new memoranda to address the Superior Court's comments. The new memoranda consist of a Greenhouse Gas Mitigation Memorandum prepared by Ramboll (attached as Appendix C to this Revised and Updated Final EIR),[1] a Springtime Rare Plant Survey Memorandum and Summertime Rare Plant Survey Memorandum by Salix Consulting, Inc. (attached as Appendix D to this Revised and Updated Final EIR),[2,3] and a Water Supply Assessment Technical Memorandum prepared by West Yost (attached as Appendix E to this Revised and Updated Final EIR).[4]

This Revised and Updated Final EIR acknowledges and incorporates the revisions made as part of the Partially Recirculated Draft EIR, along with public comments received during the 45-day review period for the Partially Recirculated Draft EIR. Where applicable, the Responses to Comments presented in this Revised and Updated Final EIR refer the reader to revisions made as part of the Partially Recirculated Draft EIR. Additionally, as detailed further in Chapter 3, Revisions to the Draft EIR and Partially Recirculated Draft EIR Text, in response to the Superior Court's February 10, 2022 order, this Revised and Updated Final EIR acknowledges and incorporates revisions to mitigation measures set forth in Chapter 4.3, Air Quality and Greenhouse Gas Emissions, of the original Draft EIR, which are supported by the discussions and analyses within the Greenhouse Gas Mitigation Memorandum prepared by Ramboll. Therefore, the Revised and Updated Final EIR is consistent with the direction provided by the Superior Court and the requirements set forth by CEQA.

In addition, pursuant to the Springtime Rare Plant Survey Memorandum and Summertime Rare Plant Survey Memorandum prepared by Salix Consulting, Inc., the following species were not observed during the 2022 surveys: bent-flowered fiddleneck, big tarplant, round-leaved filaree, Mt. Diablo fairy-lantern, Mt. Diablo buckwheat, fragrant fritillary, Diablo helianthella, Brewer's western flax, showy golden madia, Mt. Diablo cottonweed, woodland woollythreads, adobe navarretia, shining navarretia, and rock sanicle. The 2022 surveys were performed consistent with the objectives and timing criteria outlined in the California Department of Fish and Wildlife's 2018 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. The 2022 surveys were conducted both by All-Terrain Vehicle (ATV) and foot. All roads on the property were driven for an overview, as were many areas between the roads. Areas with more botanical diversity were traversed on-foot and observed in more detail. Ridgetops and valley bottoms were emphasized in the survey effort. Hillsides were quite homogeneous and wide transects were conducted to sample those areas. Thus, the results of the 2022 surveys amplify the analyses and conclusions presented in the Draft EIR and do not identify new significant impacts not previously identified in the original Final EIR related to biological resources.

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1 Ramboll. *Memorandum: Greenhouse Gas Mitigation Measures for the Proposed Faria/Southwest Hills Annexation Project in Pittsburg, California*. May 17, 2022.

2 Salix Consulting, Inc. *Memorandum: Springtime Rare Plant Survey for the ±600-acre Faria Property, City of Pittsburg, Contra Costa County, CA*. May 19, 2022.

3 Salix Consulting, Inc. *Memorandum: Summertime Rare Plant Surveys in early and late July for the ±600-acre Faria Property, City of Pittsburg, Contra Costa County, CA*. August 2, 2022.

4 West Yost. *Technical Memorandum: Water Supply Assessment for Faria/Southwest Hills Annexation EIR – Updated Evaluation and Response to Peer Review Comments*. August 30, 2022.

Finally, pursuant to the Water Supply Assessment Technical Memorandum prepared by West Yost, the City's 2020 UWMP anticipates population growth from 74,321 persons in 2020 to 109,700 persons in 2045, a population increase of 35,379 persons. At the time that the City's 2020 UWMP was being prepared, the City was also preparing its 2040 General Plan. The future land use maps prepared for the 2040 General Plan were included in Appendix B of the City's 2020 UWMP and show the project area as part of the City's General Plan planning area and Sphere of Influence.

In Tables 7-2, 7-3, and 7-4 of the City's 2020 UWMP, the City projected being able to provide sufficient water supply to serve the projected water demand through 2045, with minor water supply shortfalls during the fourth and fifth years of multiple dry periods. As shown in Table 1-1 below, the maximum water supply shortfall is projected to be 863 AFY (about six percent of projected water demand) in the fifth year of a five-year drought by 2045. In addition, it should be noted that the 2020 UWMP required an evaluation of a five-year multiple dry year period, while the 2010 and 2015 UWMPs only required an evaluation of a three-year multiple dry year period.

Table 1-1
City of Pittsburg 2020 UWMP Projected 2045 Water Supply and Demand in Normal, Single Dry, and Multiple Dry Years (AFY)

Supply Source	Normal Year Supply	Single Dry Year Supply	Multiple Dry Years				
			Year 1	Year 2	Year 3	Year 4	Year 5
Surface Water[1]	14,745	14,745	14,745	14,745	14,008	13,270	12,533
Groundwater[2]	1,349	1,349	1,349	1,349	1,349	1,349	1,349
Recycled Water[3]	311	311	311	311	311	311	311
Total Supply[4]	**16,405**	**16,405**	**16,405**	**16,405**	**15,668**	**14,930**	**14,193**
Water Demand[4]	**15,056**	**15,056**	**15,056**	**15,056**	**15,056**	**15,056**	**15,056**
Water Supply Shortage	**-**	**-**	**-**	**-**	**-**	**126**	**863**
Supply Shortage Percent of Demand	**-**	**-**	**-**	**-**	**-**	**0.8%**	**6%**

1 Future surface water supply in normal years is equal to the City's potable water demand. Surface water supplies are assumed to have a 0 percent reduction in single dry years and the first two years of a five-year multiple dry year period, and five percent, 10 percent, and 15 percent reductions in the third, fourth, and fifth years, respectively, of a five-year multiple dry year period.
2 Future groundwater supply is based on the average volume of historical pumped groundwater from 1993 to 2020.
3 Future recycled water supply is based on the City's projected recycled water demand, which the Delta Diablo Sanitation District can meet.
4 Includes potable and non-potable water supplies and water demands.

Source: City of Pittsburg. 2020 Urban Water Management Plan Final Draft. July 2021.

Consistent with the analysis and conclusions presented in Chapter 4.11, Public Services and Utilities, of the Draft EIR, the City's 2020 UWMP includes a water shortage contingency plan to address shortfalls. The 2015 similarly included a water shortage contingency plan. The water shortage contingency plan incorporates various levels of responses to water shortages, which are intended to allow the City to meet future water conservation needs that reduce the shortfall between 10 and 50 percent, depending on the shortage's level of severity. In the event that the City experiences a shortfall, as anticipated by the 2020 UWMP for the fourth and fifth years of a five-year multiple dry

year period, the City would implement applicable responses to ensure that sufficient supply is available to serve the City's demand, including demand reduction measures such as prohibiting irrigation and outdoor water usage water rate structure changes, or water supply service adjustments; and operation changes, including improving water usage consumption and tracking, changes to fire hydrant testing frequencies, and expedited water leak repairs. Therefore, consistent with the conclusions of the Draft EIR, sufficient supply would be available to serve the proposed project. Thus, the findings of the Water Supply Assessment Technical Memorandum amplify the analyses and conclusions presented in the Draft EIR and do not identify new significant impacts not previously identified in the original Final EIR related to water supply.

Overall, this Revised and Updated Final EIR acknowledges and incorporates the revisions made as part of the Partially Recirculated Draft EIR, along with public comments received during the 45-day review period for the Partially Recirculated Draft EIR, which were included in the original Final EIR. In addition, this Revised and Updated Final EIR incorporates the Responses to Comments and the Revisions to the Draft EIR and Partially Recirculated Draft EIR Text presented in the original Final EIR. Where applicable, new revisions are included in response to the Superior Court's February 10, 2022 order, which are supported by the discussions and analyses within the Greenhouse Gas Mitigation Memorandum prepared by Ramboll and clarify and amplify the discussions and analyses in the original Final EIR. All changes made to the original Final EIR as part of this Revised and Updated Final EIR are included in the attached Summary of Changes (see Appendix F of this Revised and Updated Final EIR).

Purpose of the Revised and Updated Final EIR

Under CEQA Guidelines, Section 15132, the Final EIR shall consist of:

1. The Draft EIR or a revision of the Draft.
2. Comments and recommendations received on the Draft EIR.
3. A list of persons, organizations, and public agencies commenting on the Draft EIR.
4. The responses to significant environmental points raised in the review process.
5. Any other information added by the Lead Agency.

As required by CEQA Guidelines, Section 15090(a)(1)-(3), a Lead Agency must make the following three determinations in certifying a Final EIR:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
3. The Final EIR reflects the Lead Agency's independent judgment and analysis.

Under CEQA Guidelines, Section 15091, a public agency shall not approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects. Findings of Fact must be accompanied by a brief explanation of the rationale for each finding supported by substantial evidence in the records. The Findings of

Fact are included in a separate document that will be considered for adoption by the City's decision-makers.

In addition, pursuant to CEQA Guidelines, Section 15093(b), when a Lead Agency approves a project that would result in significant unavoidable impacts, the agency must state in writing the reasons supporting the action (Statement of Overriding Considerations). The Statement of Overriding Considerations shall be supported by substantial evidence. Here, the proposed project would result in significant and unavoidable impacts to aesthetics, air quality and greenhouse gas emissions, public services and utilities, and transportation, traffic, and circulation; thus, a Statement of Overriding Considerations must be adopted if the project is approved.

As discussed above, this Revised and Updated Final EIR has been prepared to address the inadequacies of the original Final EIR that were cited in the Superior Court order entered on February 10, 2022 and were related to ADUs, the level of detail included in mitigation to address potential air quality and GHG emission impacts, the baseline description of biological resources, and the adequacy of the Draft EIR's water usage analysis. Pursuant to CEQA Guidelines Section 15088.5(a), a lead agency is required to recirculate a Draft EIR if "significant new information" is added after the Draft EIR is circulated but before certification. Significant new information is defined as information that changes the Draft EIR "…in a way that deprives the public of a meaningful opportunity to comment on…" a significant impact, a feasible way to mitigate an impact, or a feasible way to avoid an impact. The following identifies circumstances that would be considered "significant new information" that would trigger recirculation:

- Information that shows a new significant impact;
- Information that shows an increase in the severity of an impact (unless mitigation measures are identified to reduce it to acceptable levels);
- Information that identifies a feasible new alternative or mitigation measure considerably different from other analyzed alternatives or mitigation measures that would clearly lessen project impacts and the applicant declines to implement the measure; and/or
- Information that demonstrates that the Draft EIR was fundamentally flawed, basically inadequate, and conclusory in nature, thus, precluding meaningful public review and comment.

Pursuant to CEQA Guidelines Section 15088.5(b), recirculation is not required if the information added to an EIR merely clarifies, amplifies, or makes insignificant modifications. As demonstrated in this Revised and Updated Final EIR, the revisions identified in the attached Summary of Changes, provide additional details regarding implementation of the proposed project, and do not fall into any of the four circumstances identified by CEQA as triggering recirculation, as the revisions do not identify new significant impacts or substantially more severe impacts beyond what were identified in the Draft EIR, nor do the revisions identify new alternatives or mitigation measures considerably different from those presented in the Draft EIR that would clearly diminish the severity of identified impacts and that the project applicant would decline to implement.

Overall, with incorporation of the revisions to the original Final EIR (as summarized in the attached Summary of Changes and reflected in this Revised and Updated Final EIR), which are based on discussions and analyses in the new memoranda, the conclusions within the Draft EIRs

would not change. As such, the revisions reflected in this Revised and Updated Final EIR clarify and amplify the original Final EIR such that the Revised and Updated Final EIR is consistent with the conclusions of the Superior Court and the requirements set forth by CEQA. Thus, recirculation of the Draft EIRs is not required.

List of Commenters

The City of Pittsburg received 123 comment letters during the public comment period on the Draft EIR for the proposed project and one comment letter after the public comment period. Comment letters 86 through 123 consisted of an identical form/template and have been grouped together to avoid duplication of responses. The comment letters were authored by the following agencies, groups, and residents:

Agencies

Letter 1 ..... Brian Holt, East Bay Regional Park District
Letter 2 ..... Abhishek Parikh & Joan Ryan, City of Concord
Letter 3 ..... Lou Ann Texeira, Contra Costa Local Agency Formation Commission
Letter 4 ..... Charlene Wardlow, California Department of Conservation

Groups

Letter 5 ..... Lesley Hunt, California Native Plant Society
Letter 6 ..... Bruce Ohlson, Bike East Bay
Letter 7 ..... Nancy Wenninger, Mount Diablo Audubon Society
Letter 8 ..... Shute Mihaly & Weinberger, LLP

Residents

Letter 9 ..... Veronica Alvidrez
Letter10 ..... Shawna Anderson
Letter 11 ..... Darrin Atkins
Letter 12 ..... Diana & Eddie Barrios
Letter 13 ..... John Bergmann
Letter 14 ..... Jonathan Besson
Letter 15 ..... Nunya Binezz
Letter 16 ..... Steven Blaser
Letter 17 ..... D. Buccellato
Letter 18 ..... John Buffo
Letter 19 ..... Leslie Calmerin
Letter 20 ..... MaryRose Camarao
Letter 21 ..... Karla Castro
Letter 22 ..... Aurora Cazares
Letter 23 ..... Tanya Cerda
Letter 24 ..... Jason Chi
Letter 25 ..... Kim Cho

Letter 26.....Kim Cho
Letter 27.....Mary Christopherson
Letter 28.....Mary Christopherson
Letter 29.....Carlen Crespo
Letter 30.....Teresa Davis
Letter 31.....Victor Esteves
Letter 32.....Joanne Fanucchi
Letter 33.....Rita Felix
Letter 34.....Arturo Fernandez
Letter 35.....Elaine Geliberte
Letter 36.....Jesus Hernandez
Letter 37.....Adriana Hernandez
Letter 38.....Adriana Hernandez
Letter 39.....Gale Higgins
Letter 40.....Mike Jones
Letter 41.....Mark Koci
Letter 42.....Tatiana Korotkova
Letter 43.....David Kubeck
Letter 44.....Shaleena Kumar
Letter 45.....Matt Lasley
Letter 46.....Thomas Litawa
Letter 47.....Manuel Lopez
Letter 48.....Dolores Maatug
Letter 49.....Latasha Malone
Letter 50.....Erica Mariscal
Letter 51.....Henry Martinez
Letter 52.....Irma Mask
Letter 53.....Lyana Montgomery
Letter 54.....Karla Moreno
Letter 55.....Vaneeth Nand
Letter 56.....Priscilla Nand
Letter 57.....Tricia Narine
Letter 58.....Marahya Navas
Letter 59.....Chanelle Nelson
Letter 60.....Michael Nott
Letter 61.....Reyna Olvera
Letter 62.....Mohammed Osman
Letter 63.....Gregory Osorio
Letter 64.....Ligia Padilla
Letter 65.....Ed Palma
Letter 66.....Wildie Perez
Letter 67.....Earlean Perry
Letter 68.....Marta Rodriguez
Letter 69.....Sharon Roscher
Letter 70.....Robert Severs
Letter 71.....Bernadette Silva

Letter 72.....Aaron Smith
Letter 73..... Justin Steele
Letter 74..... Jaime Tamrakar
Letter 75..... Geoff Taylor
Letter 76.....Je Ton
Letter 77..... Miriam Vasquez
Letter 78.....Miriam Verdin
Letter 79..... Cherella Watson
Letter 80.....Miss Sue
Letter 81..... Gloria
Letter 82.....Demetria
Letter 83.....Cynthia
Letter 84.....Anonymous

Form Letters

Letters 85-123.....Various Authors

Letters Received After Close of the Comment Period

Letter 124.....Patricia Chapman, Delta Diablo District

In addition to the Draft EIR comment letters noted above, the following letters were received during the public comment period on the Partially Recirculated Draft EIR:

Agencies

Letter 125.....Kathryn Hart, San Francisco Bay Regional Water Quality Control Board
Letter 126.....Joe Smithonic, Contra Costa County Flood Control

Groups

Letter 127.....Winter King, Shute Mihaly & Weinberger, LLP

Residents

Letter 128..... Darrin Atkins
Letter 129..... Diana & Eddie Barrios
Letter 130.....David Kubeck
Letter 131.....Ligia Padilla
Letter 132.....Bernadette Silva

Organization of the Revised and Updated Final EIR

The Revised and Updated Final EIR is organized into the following chapters:

1. Introduction and List of Commenters

Chapter 1 provides an introduction and overview of the document, describing the background and organization of the Revised and Updated Final EIR. Chapter 1 also provides a list of commenters who submitted letters in response to the Draft EIR and Partially Recirculated Draft EIR.

2. Responses to Comments

Chapter 2 presents the comment letters received and responses to each comment. Each comment letter received has been numbered at the top and bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1.

3. Revisions to the Draft EIR and Partially Recirculated Draft EIR Text

Chapter 3 summarizes changes made to the Draft EIR and Partially Recirculated Draft EIR text either in response to comment letters or other clarifications/amplifications of the analysis in the Draft EIR and Partially Recirculated Draft EIR that do not change the intent of the analysis or effectiveness of mitigation measures. In addition, the chapter includes revisions in response to the Superior Court's February 10, 2022 order, which are supported by the discussions and analyses within the Greenhouse Gas Mitigation Memorandum prepared by Ramboll and clarify and amplify the discussions and analyses in the original Final EIR.

Mitigation Monitoring and Reporting Program

CEQA Guidelines, Section 15097, requires lead agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The intent of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure implementation of the mitigation measures identified within the EIR for the Faria/Southwest Hills Annexation Project, a small portion of which have been updated based on information contained in the Greenhouse Gas Mitigation Memorandum prepared by Ramboll for this Revised and Updated Final EIR in response to the Superior Court's February 10, 2022 order. The MMRP for the proposed project will be prepared separately from this Revised and Updated Final EIR.

2. RESPONSES TO COMMENTS

2 RESPONSES TO COMMENTS

This chapter contains responses to each of the comment letters submitted regarding the Faria/Southwest Hills Annexation Project Draft Environmental Impact Report (EIR).

2.1 Responses to Comments

Each bracketed comment letter is followed by numbered responses to each bracketed comment. The responses amplify or clarify information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the project that are unrelated to its environmental impacts) are either discussed or noted for the record. Where revisions to the Draft EIR text are required in response to the comments, such revisions are noted in the response to the comment, and are also listed in Chapter 3 of this Final EIR. All new text is shown as double underlined and deleted text is shown as ~~struck through~~.

The changes to the analysis contained in the Draft EIR represent only minor clarifications/amplifications and do not constitute significant new information. In accordance with CEQA Guidelines, Section 15088.5, recirculation of the Draft EIR is not required.

CEQA Guidelines Section 15088 requires written responses to "comments on environmental issues," and to respond in good faith and in "detail," to "significant environmental issues" raised in comments whenever the lead agency's position is "at variance" with the comment about the "significant" environmental issue. The level of detail contained in the response may correspond to the level of detail provided in the comment (i.e., responses to general comments may be general). A general response may be appropriate when a comment does not contain or specifically refer to readily available information, or does not explain the relevance of evidence submitted with the comment (14 Cal.Code Regs., Section 15088(c); *see City of Irvine v. County of Orange* (2015) 238 Cal. App. 4th 526, 549).

2.2 Master Responses

The following responses are provided in order to address topics which were raised by multiple commenters.

Master Response #1: Background and Planning Context for the Proposed Project

Commenters have referenced planning and environmental review documents dating back to 2006 relating to the proposed Project to provide context regarding the type of environmental document now required for approval of the proposed annexation.

By way of background, in 1990, the Local Agency Formation Commission for Contra Costa County approved the City's proposed Southwest No. 109 Boundary Reorganization (LAFCO 90-36) to annex +-1,122 acres to the City of Pittsburg, to Delta Diablo Sanitation District, and to Contra Costa Water District and to concurrently detach such territory from Ambrose Recreation and Park District. City Council Resolution No. 90-7643 ordering the reorganization was adopted on December 12, 1990.

The annexation of the property into the City of Pittsburg was contemplated in all of the relevant City planning documents since at least November 2001. The City's 2001 General Plan envisioned that the 607 acres comprising the Project area could accommodate a maximum buildout of 1,500 dwelling units (2001 General Plan, Policy 2-P-94). The 2001 General Plan established land use, transportation, economic development, recreation, safety and resource conservation policies for 5.6 square miles within the City limits, 2.6 square miles within the City's Sphere of Influence, and 22.9 square miles within the City's Planning Area.

The City issued a Notice of Preparation for the 2001 General Plan EIR on July 21, 1999. The draft EIR was released for public review and comment on January 4, 2001. On January 23, 2001, the City filed a Notice of Completion of the draft EIR. The City certified the Final EIR for the General Plan Update by Resolution No. 01-9489 adopted on November 16, 2001. In the 2001 General Plan FEIR, the project site is identified as being in the Planning Area and is contemplated for annexation. The 2001 General Plan FEIR identifies, analyzes, and proposes program-level mitigation for impacts in the Southwest Hills subarea related to residential development (2001 FEIR, p. 4-13).

The 2001 FEIR Land Use Alternative 2 analyzed three major growth areas including the Southwest Hills, within which the Faria Annexation Area is located. The 1,500 single family dwelling units under the General Plan designation for the Faria Annexation Area were assumed and fully analyzed as part of the 2001 FEIR's County Urban Limit Line Alternative (Alternative 2). The 2001 EIR states, "environmental effects of annexation are the same as for full General Plan implementation," and the 2001 EIR is "intended to assist the Contra Costa Local Agency Formation Commission (LAFCO) in making decisions about the changes to the City limits and the Sphere of Influence (SOI) in the future." (2001 EIR, p. 2-4). On October 4, 2004, the City adopted a Negative Declaration by Resolution No. 04-10164 in connection with amendments to the 2001 General Plan. The Negative Declaration also recognized that the 2001 General Plan and FEIR already designated the Southern Hills for residential development.

The site has been within the Urban Limit Line for nearly 15 years. As summarized in Section 3.3 of the Draft EIR, in 2005, the voters of the City approved Measure P, a ballot initiative that established an Urban Limit Line for the City and prezoned certain lands within that Urban Limit Line by amending both the General Plan and the City's Zoning Map. The prezoning of the property to Hillside Planned Development and Open Space District would take effect upon annexation. The prezoning of the property was exempt from CEQA as adoption of legislation by the electorate.

In 2010, City staff determined that the voter-approved pre-zoning required revision for consistency with the East Contra Costa County HCP/NCCP, for which a final EIS/EIR dated October 2006 was prepared and certified. The HCP states that new residential development is planned for the

southern portion of Pittsburg, specifically in the Southwest Hills and Buchanan planning subareas (HCP, p. 2-6). The potential impacts associated with the residential development of the Faria property were identified, analyzed and proposed to be mitigated in the EIS/EIR. The final EIS/EIR analyzes the Faria South Property, stating that the site is within the Planning Area of the City and pre-zoned for development, and within the City's Urban Limit Line (HCP FEIR/EIS, p. 33). The Final Implementing Agreement for the HCP/NCCP expressly identifies the Faria property, and provides an alternative mitigation scheme in light of the voter-approved Urban Limit Line.

Nearly a decade ago, on September 24, 2010, the property owner submitted an application for annexation of the site. However, on February 8, 2011, the City Council conducted a public hearing, and continued the hearing to a date uncertain at the request of the applicant.

Three years later, on October 21, 2013, the City Council approved a contract for the preparation of an Environmental Impact Report for the project, which was entered into on March 17, 2014 and subsequently amended five times, most recently on March 19, 2018. On March 9, 2017, the City released a Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the proposed project and on April 4, 2017, a Public Scoping Session was held to receive comments on the scope of the Draft EIR.

On October 10, 2018, the City released a Notice of Availability (NOA) for the Draft EIR. A 45-day public review period, beginning on Wednesday, October 10, 2018, and continuing through Friday, November 30, 2018. In addition, as noted in Chapter 1.0, Introduction and List of Commenters, of this Final EIR, the City determined that recirculation of Chapter 4.12 of the Draft EIR, pertaining to Transportation, Traffic, and Circulation was necessary to comply with CEQA Guidelines Section 15088.5. The Partially Recirculated Draft EIR was sent to the State Clearinghouse for distribution on October 18, 2019 for a 45-day review period, consistent with the time periods set forth in the CEQA Guidelines.

Master Response #2: Analysis of Large-Scale Planning Approval Without Detailed Development Plan

Several commenters generally assert that the project description and/or Draft EIR is inadequate because the project does not include detailed plans for the proposed development of the site, including specific information regarding the locations and extent of varying residential densities and other land uses upon completion of a development project. In part, commenters assert the proposed Master Plan does not meet the test for a development project for purposes of CEQA.

As described in detail on pages 3-7 through 3-16 of the Draft EIR, the proposed project includes (1) annexation of the site into the City of Pittsburg City Limits, the Contra Costa Water District service area and the Delta Diablo Sanitation District service area; (2) reclassification of site from HPD (Hillside Planned Development) and OS (Open Space) pre-zoning districts, to RS-4-P (Single Family Residential, with 4,000 sf minimum lots sizes) and OS-P pre-zoning; (3) approval of the Draft Faria/Southwest Hills Master Plan (Draft Master Plan), which defines the potential development of the 606-acre project site as part of the request for annexation and prezoning of the site, and includes a Master Plan Overlay District, a Land Use Map, development regulations, design review guidelines, and a definition of the proposed circulation system; and (4) approval of

a General Plan Amendment to modify two goals and two policies relevant to the project site, remove an existing General Plan goal and several policies, and change the existing General Plan land use patterns for the project site to match the proposed Faria SW Hills Master Plan Map.

While there is no tentative map or preliminary site plan, it is assumed that the maximum future buildout for the proposed project would include up to 1,500 single-family units and the area would have road connections to Bailey Road, San Marcos Boulevard, and Avila Road. Prior to development of the project site, the City would require the following subsequent approval of tentative maps, design review, and subsequent environmental review, as needed.

Moreover, the City's Municipal Code does not require detailed development plans in connection with an application for a Master Plan. Per Section 18.72.060(B) of the Pittsburg Municipal Code, the City Planner may waive submission of plans and materials considered unnecessary for an application for approval of a master plan. Thus, omissions of certain details from a master plan application, such as architectural plans, is subject to the City's discretion. The proposed project would not conflict with provisions of Section 18.72.060. In addition, Section 15152(c) of the CEQA Guidelines states the following regarding large-scale planning approvals:

> Where a lead agency is using the tiering process in connection with an EIR for a large-scale planning approval, such as a general plan or component thereof (e.g., an area plan or community plan), the development of detailed, site-specific information may not be feasible but can be deferred, in many instances, until such time as the lead agency prepares a future environmental document in connection with a project of a more limited geographical scale, as long as deferral does not prevent adequate identification of significant effects of the planning approval at hand.

As stated above, as long as deferral does not prevent adequate identification of significant effects of the planning approval at hand, the development of detailed, site-specific information can be deferred. Given that the proposed project consists of a large-scale planning approval, deferral of detailed, site-specific information is appropriate pursuant to the CEQA Guidelines. It should be noted that the Draft EIR contains adequate information for analysis and identification of significant effects. At the time that future applications are submitted to the City for development within the Draft Master Plan area, additional environmental analysis would be conducted for issues which could not be fully analyzed in the Draft EIR. Because the Draft EIR includes a comprehensive analysis of the significant environmental effects of the planning approvals currently under consideration, and future development within the site would be subject to additional review, the level of analysis presented in the Draft EIR is consistent with CEQA Guidelines Section 15152(c).

As discussed on page 3-11 of the Draft EIR, the Draft Master Plan provides Design Review Guidelines for the proposed project. The Guidelines include provisions related to Neighborhood and Subdivision Design, Circulation, Grading Design, Fence and Wall Design, Site Design, Architectural & Building Materials, and Landscaping. The Guidelines are intended to provide a framework for the design of future development within the project site.

Master Response #3: Response to Form Letters

3.a) Several commenters assert that the proposed project threatens an important wildlife corridor and the new regional park on the Concord side of the hills.

Chapter 4.4, Biological Resources, page 4.4-62, of the Draft EIR, discusses the impacts of project implementation related to interfering with the movement of wildlife species or migratory wildlife corridors. The project site is within close proximity to existing urban development to the north and southwest and to SR 4 to the north and northwest. Despite the surrounding nearby development, the project site is located at the northwestern end of a largely undeveloped swath of land that extends into the Central Valley that could act as a movement corridor. Consequently, implementation of the proposed project could restrict wildlife movement across much of the project site. However, as stated in the Draft EIR, the portion of the Concord Naval Weapons Station (CNWS) that borders the project site to the south would be maintained as a park and open space by the East Bay Regional Park District. Maintaining this open space would provide opportunities for continued northwest-southeast wildlife movement in the area. Additionally, according to the East Contra Costa County Habitat Conservancy HCP/NCCP, the project site is identified as being within the "lower" level of acquisition effort area in regards to "Needed Regional Connections with ECCC HCP/NCP System under the Maximum Urban Development Area." Thus, the project would not be considered to substantially interfere with the regional movement of wildlife species.

3.b) The proposed project would seriously degrade views of the hills.

The Aesthetics chapter of the Draft EIR analyzed buildout of the proposed project site under the Draft Master Plan at a program level. As discussed in the EIR, the City of Pittsburg General Plan identifies the southern hills, with ridges and rolling topography, as opportunity areas for the creation of distinctive hillside neighborhoods. However, because the project site area does not contain any designated major or minor ridgelines, the project site is not a designated scenic vista. Nevertheless, as described in the project description, the proposed project would include a 150-foot greenbelt ridgeline buffer along the project's western boundary in which development would not be allowed. The development of this greenbelt ridgeline buffer would ensure that substantial impacts to views of the hillside area from the City of Concord would not occur.

Views of the project site from the City of Pittsburg would be partially obscured by existing development to the north and would likely be limited to the upper stories of on-site buildings. As discussed in Chapter 4.1, Aesthetics, of the Draft EIR, views of future on-site development from public viewpoints in the surrounding areas would be relatively limited. The proposed land use and development regulations included in the Draft Master Plan, as well as the standards and policies included in the Design Review Guidelines, would ensure consistency between future on-site development and existing/planned residential developments to the north and east. Furthermore, a Tentative Subdivision Map and detailed plans would be required for approval by the City of Pittsburg. Design Review of future development would comply with the proposed Design Review Guidelines and ensure consistency with Section 18.36.100 of the Pittsburg Municipal Code.

Despite the above, the Draft EIR determined that, due to the extensive grading that can be expected with development of the site, the proposed project could substantially degrade the existing visual character or quality of the project site and/or the site's surroundings and a significant impact would occur. The Draft EIR concludes feasible mitigation to reduce the alteration of the natural topography of the site is not available. Therefore, the impact would remain significant and unavoidable and a Statement of Overriding Considerations would need be to be adopted by the City prior to certification of the Draft EIR.

3.c) The Environmental Analysis is Incomplete.

See Master Response #2.

3.d) Opportunities for Public Review.

Chapter 1, Introduction and Scope of the EIR, pages 1-3 to 1-4, of the Draft EIR describes, in detail, the EIR process and discusses the public review periods for the Draft EIR.

3.e) Development Should be Clustered on Lower Elevations.

Chapter 6, Alternatives Analysis, of the Draft EIR, includes discussion and consideration of a range of reasonable alternatives to the proposed project, as required by CEQA Guidelines Section 15126.6. Analysis and discussion of the Clustered Development Alternative can be found on pages 6-15 through 6-23. The Draft EIR concluded that the Clustered Development Alternative would be anticipated to result in significant and unavoidable impacts related to Aesthetics, Air Quality and GHG Emissions, and Transportation, Traffic, and Circulation. However, the Clustered Development Alternative would be anticipated to reduce the significant and unavoidable impacts related to Geology, Soils, and Seismicity to a less-than-significant level.

The comment has been forwarded to decision-makers for their consideration.

Letter 1

East Bay Regional Park District

2950 PERALTA OAKS COURT P.O. BOX 5381 OAKLAND CALIFORNIA 94605-0381 T: 1-888-EBPARKS F: 510-569-4319 TRS RELAY: 711 WWW.EBPARKS.ORG

November 30, 2018

Kristin Pollot, AICP
Planning Manager
City of Pittsburg
Civic Center
65 Civic Avenue
Pittsburg, CA 94565

RE: Draft Environmental Impact Report – Faria/Southwest Hills Annexation Project

Dear Ms. Pollot,

The East Bay Regional Park District appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the annexation of 606 acres into the City of Pittsburg city limits and the Contra Costa Water District and Delta Diablo Sanitation District service areas. The project includes a Master Plan to define potential development of up to 1,500 residential units. The District has commented previously on annexation and development proposals concerning this area.

The Park District remains concerned about the potential effects of development in the Los Medanos Hills, particularly in regards to potential impacts on the planned Regional Park on the closed portion of the former Concord Naval Weapons Station (CNWS). The Park District has been working closely with the City of Concord, the National Park Service, and numerous community stakeholders towards the establishment of an expansive regional park on the CNWS. Additionally, the Park District has worked extensively with the City of Concord and the United State Fish and Wildlife Service to develop a Biologic Opinion for the former CNWS pursuant to Section 7 of the Endangered Species Act that designates significant portions of the future regional park for resource protection purposes.

1-1

The Park District is currently preparing a Land Use Plan for a new regional park on the former CNWS. The plan proposes establishment of an approximately 2,500 acre passive recreation facility on the former CNWS consistent with the approved Biologic Opinion for the former base. The plan would include an extensive trail network, new picnicking and camping opportunities, and a visitors center developed in collaboration with the National Park Service to interpret, in part, the history of the Port Chicago Naval Magazine National Memorial.

The Park District has met previously with the project applicant to discuss our concerns. We look forward to continuing to work with the City of Pittsburg and the applicant as we develop the future regional park. Thank you for the opportunity to offer the following comments:

Project Description:

1-2

Overall, the project lacks an adequate project description sufficient to be able to fully analyze and understand the project's environmental effects. Without a site plan, it is not possible to understand the projects aesthetic, geologic, and hydrologic effects. Further, the DEIR concludes there will be a number of significant and unavoidable impacts. Lacking a site plan and more detailed project description, it is not possible to make the findings necessary

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that these significant and unavoidable impacts could not be avoided or reduced to a less than significant level through amendments to the site plan.

Aesthetics:

1-3 The DEIR states "…without detailed site plans, future project design, and, thus, the extent of visual impacts cannot be fully realized." The DEIR concludes that aesthetic impacts would remain significant and unavoidable. The Park District believes that impacts to visual resources can be reduced to a less than significant level with further design and details on the project that would allow the project applicant to avoid impacts to the Los Medanos Hills as viewed from the future regional park. Lacking this information, the City cannot make an informed decision sufficient to support adoption of findings necessary to support a statement of overriding consideration with regards to significant and unavoidable aesthetic impacts.

Additionally, impacts on views from within the City of Pittsburg were not analyzed and no visual simulations were provided. The Los Medanos Hills provide a visual backdrop within the City of Pittsburg. Alterations of these views should be considered.

It is clear that the project objectives can be met with one of the Alternatives analyzed, particularly the Clustered Development Alternative, in a manner that would avoid the significant and unavoidable aesthetic impacts.

Agricultural Resources:

1-4 In our scoping letter of March 24, 2017, the Park District requested that the DEIR address any potential conflicts between future residents and existing livestock operations. Potential conflicts might include noise and odor associated with grazing operations. Future home owners should be advised that livestock grazing in the protected open space is a permitted and essential management tool to reduce the risk of wildfire, control weeds and manage important wildlife habitat. Mitigation Measure 4.4-12(c) on page 4.4-65 provides a good example of how a mitigation measure might be worded that discusses livestock grazing.

Some home owners may also encroach into the permanent open space, including construction of fences, installing landscaping or planting vegetable gardens. Where these have been installed in actively grazed areas, they may be destroyed by livestock. Home Owners Association (HOA) rules and City Code should strictly prohibit encroachments, and routine inspection and enforcement should be conducted by the HOA and City of Pittsburg.

We also requested discussion of the need for infrastructure, such as water stub-outs, that are necessary for continued grazing management within the planned open space. As open space areas are set aside, grazing management requirements and infrastructure should be provided.

Biologic Resources:

1-5 The adjacent regional park is largely designated as a Conservation Zone pursuant to the approved Biologic Opinion to provide for mitigation for the Concord Reuse Project on the former Concord Naval Weapons Station. The regional park area and designated Conservation Zones are known habitat for a range of state and federally protected species included Golden Eagle, California Tiger Salamander, Alameda Whipsnake, and the California Red Legged Frog.

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Impact 4.4-12 discusses some of the effects of night lighting on wildlife in the greater project area. There is now a considerable body of evidence on the adverse effects of night lighting on wildlife and humans. It is especially problematic in areas where new sources of lighting are introduced into areas where none such exists. Artificial lighting disrupts nocturnal activities, interfering with reproduction and reducing wildlife populations. Two

1-5 Cont'd

ponds with listed amphibian populations are located on the boundary between the project area and CNWS. Golden eagles also nest in this area. Light spillage and reflected glow from the proposed project may adversely affect these areas.

Predators use light to hunt, and prey species use darkness as cover. Increased lighting leads to more successful hunting by predators (such as coyote and fox in this area). Glare from artificial lights can also impact wetland habitats that are home to amphibians such as frogs and toads, whose nighttime croaking is part of the breeding ritual. In this instance, artificial night lighting may increase predation rates on California Tiger Salamander and California Red Legged Frog. This would include amphibian populations in the project area and at Concord Hills.

1-6

Mitigation Measure 4.1-3 is clearly inadequate by itself to mitigate lighting effects. Mitigation of light spillage into adjacent open space areas cannot be fully mitigated by simple measures, such as down lighting. A large development of up to 1,500 housing units will create considerable glow in the night sky. The larger the development foot print, the greater the area exposed to night lighting. The same applies to the elevation of the light sources. Lighting that overtops the ridge lines and spills into Concord Hills will impact wildlife, <u>especially</u> Golden Eagle and amphibians in the ridgeline ponds.

1-7

Table 4.4-2 regarding Golden Eagle states in part that "the nearest occurrence of this species in the CNDDB search area is approximately one mile west of the site." This is incorrect. A Golden Eagle nest is located at Concord Hills in close proximity to the project area.

The Park District and the U.S. Geological Survey have been documenting use of the golden eagle nest on the CNWS since 2015. This pair of golden eagles successfully fledged one young in each of the years 2015 and 2016 and two young in 2018. The Faria SW Hills EIR addresses neither temporary impacts to this nest, e.g. disturbance through construction activities, nor permanent impacts to this nest, e.g. due to permanent loss of foraging habitat immediately adjacent to the nest. The Faria SW Hills project will permanently remove nearly half of the eagle's <u>observed</u> activity area.

1-8

Mitigation Measure 4.4-2(b) states that preconstruction surveys will be conducted to establish whether an active golden eagle nest is present <u>on</u> the project site. It also states that construction activities shall be prohibited within 0.5 mile of active nests. The mitigation measures do not address potential impacts to nesting eagles at CNWS <u>that are</u> well within ½ mile of project construction and grading areas.

<u>Land Use and Planning:</u>

1-9

The project proposes to amend General Plan Policy 4-P-11 as follows: "Limit grading of hillside areas over 30 percent slope (see Figure 101 [of the General Plan]) to elevations less than 900 feet, foothills, knolls, and ridges not classified as major or minor ridgelines (see Figure 4-2 [of the General Plan]), by adding "<u>unless deemed necessary for slope stability remedial grading, or installation of City infrastructure</u>", and by deleting ~~During review of~~

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~~development plans, ensure that necessary grading respects significant natural features and visually blends with adjacent properties."~~

1-9 Cont'd

Amendment of General Plan Policy 4-P-11 could subject up to 79.2 acres of open space to be graded for slope stability in order to construct the proposed project. Open space areas that are graded can lose many of their defining and important characteristics, including loss of native soil structure, soil compaction, increased erosion,

altered drainage patterns and groundwater hydrology, introduction of invasive non-native vegetation, loss of habitat for ground dwelling animals and permanent alteration of natural topography, resulting in an artificial looking landscape. There may also be retaining walls, benching, drainage ditches and other engineered alterations that further diminish the value of such disturbed open space areas. Grading of open space areas should be considered a project impact and either avoided by a smaller development footprint or mitigated accordingly.

1-10

The discussion on page 4.9-22 allows for water tanks and appurtenant facilities above the 900-foot elevation line. One such tank is shown on Figure 3-6 on page 3-10. These facilities may be visible from the future regional park and nearby parklands. The EIR should include mitigation measures with specific siting criteria for water tanks, access roads and the extent of grading. The goals should be to minimize physical and visual intrusion into the open space, to minimize grading that alters the open space appearance and to avoid creating barriers to public access, wildlife movement and livestock circulation.

Hydrology:

1-11

Grading along the ridgeline abutting Concord Hills Regional Park will change the runoff patterns in the area. Grading in the watershed of existing ponds may increase sedimentation rates or result in discharges of pollutants into the ponds during project construction. This would adversely affect the habitat values and water quality in these ponds.

As partial mitigation for this impact, property boundaries between the proposed project and Concord Hills Regional Park need to be accurately identified, mapped, fenced and signed for no entry, prior to start of construction. In addition, silt fencing, fiber rolls and other Best Management Practices should be employed to protect these ponds and other areas at the future regional park. These measures could be added to Mitigation Measures 4.8-1 and 4.8-2.

Noise:

1-12

The DEIR does not address construction related noise impacts to parklands and associated sensitive receptors, such as trail users and park workers and nesting Golden Eagles. The 65 db standard for traffic is generally not acceptable for public parkland where people come to find quiet. The EIR should address potential noise impacts to the park using residential noise standards.

Mitigation Measure 4.10-3(c) states that construction staging areas should be located "as far from prior phases as feasible". This may push construction staging areas closer towards public parklands, increasing noise impacts. Siting guidelines should be included in the grading permits regarding location of staging areas to avoid noise impacts to parklands.

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Conclusion:

1-13 Thank you again for the opportunity to provide comments on the Faria/Southwest Hills Annexation Project. We look forward to continuing to work with the City of Pittsburg to address the Park District's concerns and to seek opportunities to provide access to the future regional park from the City of Pittsburg.

Please feel free to contact me at (510) 544-2623 should you have any questions.

Respectfully,

Brian W. Holt
Chief of Planning and GIS

Cc: Colin Coffey, EBRPD Board of Directors
Beverly Lane, EBRPD Board of Directors
Robert Doyle, General Manager
Guy Bjerke, Concord Reuse Project Director

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LETTER 1: BRIAN HOLT, EAST BAY REGIONAL PARK DISTRICT

Response to Comment 1-1

The comment summarizes the City of Concord's recent efforts to establish a regional park on a portion of the former Concord Naval Weapons Station (CNWS) located south of the project site. Specific concerns raised by the commenter are addressed in the responses below.

Response to Comment 1-2

Please see Master Response #2: Analysis of Large-Scale Planning Approvals.

Response to Comment 1-3

Please see Master Response #2: Analysis of Large-Scale Planning Approvals.

Views of the project site from the City of Pittsburg are shown in Figures 4.1-12 and 4.1-13 of the Draft EIR. Page 4.1-20 of the Draft EIR states the following:

> Changes to Views of the Project Site from the City of Pittsburg
>
> As shown in Figure 4.1-12 and Figure 4.1-13, future residential development within the proposed project site would be visible from the City of Pittsburg. However, such development would be partially obscured by existing hills to the north and east of the project site. Views would likely be limited to the upper stories of on-site buildings and would occur only at key locations within the City. Furthermore, as shown in Figure 4.1-12, views of on-site development would also include views of existing residential development to the north of the project site. As such, development of the proposed project would not substantially change the existing visual character of the project site as viewed from the City of Pittsburg.

Based on the above, the Draft EIR does provide an analysis of potential changes to views of the project area from the City of Pittsburg.

As discussed on page 6-8 through 6-32 of Chapter 6, Alternatives Analysis, and shown in Table 6-11 of the Draft EIR, with the exception of the No Project (No Build) Alternative, all of the project alternatives analyzed in the EIR would result in the significant and unavoidable impact to aesthetic resources.

Response to Comment 1-4

The CEQA Guidelines provide explicit protections for Farmland, defined as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP). However, the CEQA Guidelines do not cover potential conversion of grazing land to non-grazing uses. Thus, impacts related to conflicts with grazing land were not evaluated within the Draft EIR. Furthermore, as noted on page 4.2-15 of the Draft EIR, extensive cattle grazing operations are not practiced on the project site, and

grazing is primarily conducted on-site for vegetation management. Nonetheless, the commenter's concerns have been forwarded to the decision-makers for their consideration.

It should be noted that the Draft Master Plan includes site development standards which specifically require all future fences and walls constructed within the project site to comply with Section 18.84.205 through 235 of the City of Pittsburg Municipal Code.

Response to Comment 1-5

Page 4.4-63 through 4.4-64 of the Draft EIR states the following:

> […] Also of primary concern would be light spillage into the CNWS. Due to the known presence of CTS breeding ponds in the CNWS area, approximately 250 feet and 475 feet south of the project site, if uncontrolled, light spillage onto the ponds could result in increased predation or other adverse effects to wildlife use of the ponds. Similarly, the habitat value of the 267.2 acres of the project site proposed as open space could be diminished should excessive light and glare be introduced into such areas. Therefore, impacts on wildlife (including special-status species) from increased nighttime light and glare could be significant; however, implementation of Mitigation Measure 4.1-3 of this EIR would ensure that lighting would not trespass onto adjacent properties, thereby reducing the potential for such impacts.

Mitigation Measure 4.1-3 in the Draft EIR requires that in conjunction with the submittal of any development applications for future development on the project site, the applicant must prepare and submit a detailed lighting plan showing that light would not trespass onto adjacent properties. Nonetheless, in response to the commenter's concerns, Mitigation Measure 4.1-3 in the Draft EIR is hereby revised as follows:

4.1-3 *In conjunction with the submittal of any development applications for future development on the project site, the applicant shall prepare and submit a detailed lighting plan showing that light would not trespass onto adjacent properties to the City of Pittsburg Community Development Department for review and approval as part of the development review process. The lighting plan shall include, but not necessarily be limited to, the following provisions:*

- *Shield or screen lighting fixtures to direct the light downward and prevent light from spilling onto adjacent properties and nearby open space areas within the City of Concord;*
- *Place and shield or screen flood and area lighting needed for construction activities and/or security so as not to disturb adjacent residential areas and passing motorists;*
- *For public lighting, prohibit the use of light fixtures that are of unusually high intensity or brightness (e.g., harsh mercury vapor, low-pressure sodium, or fluorescent bulbs) or that blink or flash; and*
- *Use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned*

> *colored paint and roofing materials), shielded or screened lighting, and appropriate signage to prevent light and glare from adversely affecting motorists on nearby roadways.*

Based on the above, future development on the project site would not result in adverse effects to special-status species due to excess light spillage.

Response to Comment 1-6

Please see Response to Comment 1-5 above. It should be noted that future development within the project site would also be required to comply with applicable lighting standards included in the 2016 California Building Code, which includes requirements related to lighting efficiency, shielding of fixtures, and use of motion-sensor lighting controls to limit excess nighttime lighting.

Further, as described in the project description, the proposed project would include a 150-foot greenbelt ridgeline buffer along the project's western boundary in which development would not be allowed. That buffer consists of existing ridgelines that would sit at a higher elevation than future development on the site and would act as a buffer for much of the general light pollution that can occur from developments of this scale.

Response to Comment 1-7

The information presented in Chapter 4.4, Biological Resources, related to the presence of a nearby Golden eagle nest, is based on a CNDDB query for all occurrences of Golden eagle in a nine-quadrangle search area. The comment refers to the same Golden eagle nest that is discussed in the Draft EIR and does not present new information. Thus, the Draft EIR's discussion of the location of Golden eagle nests in proximity to the project site and the proposed project's potential impacts to Golden eagle remains accurate.

Page 4.4-29 of the Draft EIR states the following regarding golden eagles:

> *Golden Eagle*
>
> The golden eagle is not listed under either the State or federal Endangered Species Acts (ESA), but is a State of California Fully Protected Species and is also protected by the Migratory Bird Treaty Act (MBTA). Golden eagles forage in grasslands in coastal foothills, including the rolling hillsides around the base of Mount Diablo. Golden eagles prefer to nest on ledges on cliff walls, but can also use very large trees that are isolated from disturbance.
>
> The nearest occurrence of golden eagle in the CNDDB search area is approximately one mile west of the site. The site is mapped as suitable habitat for golden eagle as modeled in the ECCC HCP/NCCP. Golden eagles were observed foraging on the site. The on-site trees and other relatively large trees visible from the site were inspected for raptor stick nests. The trees provide poor quality nesting habitat for golden eagles, as they prefer ledges on cliff walls or very large trees isolated from any type of disturbance. A few raptor stick nests were observed in the trees in the wetland mitigation area, but these nests were being utilized

> by red-tailed hawks and great-horned owls. Considering the presence of foraging habitat and of isolated trees, the project site is considered marginally suitable habitat for golden eagle foraging and nesting.

In addition, pages 4.4-46 through 4.4-47 of the Draft EIR state the following:

> The site is mapped as suitable habitat for golden eagle as modeled in the ECCC HCP/NCCP and golden eagles are assumed to forage in the site. Golden eagle are a Fully Protected species. The ECCC HCP/NCCP provides compensatory grassland habitat within dedicated preserve areas, which may be used as foraging habitat by golden eagle. The payment of ECCC HCP/NCCP fees as a result of the project would be used, in combination with other fees, to purchase the preserve area that would act as compensatory habitat for the species.
>
> Golden eagles have been observed foraging on the site. The on-site trees and other relatively large trees visible from the site provide poor quality nesting habitat for golden eagles. Although golden eagles are considered unlikely to nest in the project site, development of the project site grasslands would convert suitable foraging habitat for the species. In addition, grading within open space areas of the site would result in temporary disturbance of 72.9 acres of suitable foraging habitat. Because the project site provides suitable (though poor) nesting habitat for golden eagle and is within the species' known range, the possibility exists that potential future construction activity within the proposed development area of the Draft Master Plan area could have a significant impact to individual golden eagle if the species occupies the site prior to the onset of construction.

Based on the above, the Draft EIR provides detailed information regarding the potential for golden eagles to occur on-site. As noted on page 4.4-49, with the implementation of Mitigation Measures 4.4-2(a) through 4.4-2(j), impacts to Swainson's hawk, tricolored blackbird, burrowing owl, and golden eagle and other special-status avian species would be reduced to less-than-significant levels.

Response to Comment 1-8

In response to the comments, Mitigation Measure 4.4-2(b) is hereby revised as follows:

4.4-2(b) *The project shall implement the following avoidance measures for potential effects on golden eagles during construction:*

- *Based on the potential for active nests, prior to implementation of construction activities, including tree removal, a qualified biologist shall conduct a pre-construction survey to establish whether an active golden eagle nest is present on the project site <u>or within 0.5 mile of the project site to the extent the biologist can gain access.</u> If an active nest is not present, further mitigation is not required. If an occupied nest is present, minimization requirements and construction monitoring shall be required, as detailed below.*
- *Construction activities shall be prohibited within 0.5 mile of active nests. Nests can be built and active at almost any time of the year, although mating and egg incubation occurs late January*

through August, with peak activity in March through July. If site-specific conditions or the nature of the construction activity (e.g., steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be appropriate or that a larger buffer should be implemented, the East Contra Costa County Habitat Conservancy shall coordinate with CDFW/USFWS to determine the appropriate buffer size.

- *Construction monitoring shall ensure that no construction activities occur within the buffer zone established around an active nest. Construction monitoring shall ensure that direct effects to golden eagles are avoided.*

The forgoing revisions do not affect the conclusions of the Draft EIR.

Response to Comment 1-9

Potential impacts related to soil erosion are addressed in Impact 4.6-2 of the Draft EIR. Page 4.6-19 through 4.6-20 of the Draft EIR states the following:

> Once development is complete, buildings, structures, landscaping and improvements would reduce the amount of exposed soils. Developed areas would be required to comply with Chapter 13.28, Stormwater Management and Discharge Control, of the City's Municipal Code. Chapter 13.28 includes specific requirements regarding the control of stormwater discharge, which would include measures to reduce erosion and discharge of eroded material. Furthermore, Chapter 15.88, Grading, Erosion and Sediment Control, of the City's Municipal Code, places further requirements on the control of erosion, which would help prevent the loss of topsoil during construction and operation of developments within the Draft Master Plan area. Draft Master Plan Policy C.3. generally limits potential future grading in areas with slopes in excess of 30 percent. Areas with slopes exceeding 30 percent would be anticipated to have a high potential to experience erosion during grading; thus, limiting such grading activity would be likely to limit erosion from such areas. Where grading does occur, Draft Master Plan Policy C.5. requires that graded areas be replanted, which would reduce erosion post grading.

It should be noted that, under the voter-approved Measure P, the entire approximately 606-acre project site was prezoned for development. Furthermore, future development would be subject to Mitigation Measure 4.6-2, which requires submittal of an erosion control plan for review and approval by the City Engineer, to limit the effects of erosion during construction activities. Therefore, grading of open space areas within the project would not result in significant impacts related to soil erosion.

Issues related to drainage patterns and groundwater are analyzed in Impacts 4.8-1 and 4.8-4, respectively, of the Draft EIR. As noted therein, with implementation of Mitigation Measure 4.8-1, impacts would be less than significant. Mitigation Measure 4.8-1 requires submittal of a site-specific drainage study as part of any future development applications within the project site. Issues related to aesthetic impacts and potential loss of wildlife habitat are addressed in Chapters 4.1, Aesthetics, and 4.4, Biological Resources, respectively.

Based on the above, potential impacts related to grading of open space areas have been sufficiently analyzed in the Draft EIR. Furthermore, 267.2 acres would be preserved as open space as part of the proposed project and only 72.9 acres would be subject to grading. Thus, approximately 194.3 acres would be preserved as open space and not be subject to grading.

Response to Comment 1-10

Grading and other necessary improvements for installation of the water tower shown in Figure 3-6 of the Draft EIR were evaluated in the Draft EIR. As shown in the figure, limited grading of open space areas would be required to construct the proposed access road to the water tank; however, the road would not isolate an open space area or preclude the movement of wildlife in the area. Furthermore, all grading improvements necessary for installation of the water tank have been evaluated in Chapter 4.1, Aesthetics, of the Draft EIR. Because impacts to physical and visual intrusion into the open space would be less than significant, mitigation is not required.

Response to Comment 1-11

Impacts 4.8-1 and 2 in Chapter 4.8, Hydrology and Water Quality, of the Draft EIR addresses the potential for the proposed project to alter the existing drainage pattern of the site or result in additional sources of polluted runoff. Implementation of Mitigation Measure 4.8-1, which requires the submittal of a site-specific drainage study showing that the project runoff will not exceed the capacity of existing and planned stormwater drainage systems or result in flooding at off-site locations, was shown to reduce the impact to a less-than-significant level. In addition, Mitigation Measure 4.8-2 requires the contractor to prepare a Storm Water Pollution Prevention Plan (SWPPP) and implement Best Management Strategies (BMPs) such as silt fencing, and fiber rolls, to reduce pollutants in stormwater discharges to the maximum extent practicable. As such, the current project mitigation measures would ensure that impacts to habitat and water quality within the existing ponds would remain less-than-significant.

In response to the comment, Mitigation Measure 4.8-2 is hereby revised as follows:

4.8-2 *Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of Best Management Practices (BMPs). Construction BMPs included in the SWPPP may include, but are not limited to, the following measures:*

- *Silt fencing;*
- *Fiber Rolls;*
- *Vehicle washout areas and trackout control;*
- *Desilting Basins;*
- *Gravel Bag Berms; or*
- *Storm Drain inlet protection.*

The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. <u>Property boundaries</u>

> *between the project site and the Concord Hills Regional Park shall be identified, mapped, fenced, and signed for no entry. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.*

The foregoing revisions do not affect the conclusions of the Draft EIR.

Response to Comment 1-12

Page 4.10-17 in Chapter 4.10, Noise, of the Draft EIR, states the following regarding noise impacts to Golden Eagle:

> A response to the Notice of Preparation asked about a past golden eagle sighting near the project site. Results of a California Natural Diversity Database search concluded that the sighting was near the Concord Naval Weapons Station, approximately 4,447 feet southwest of the project boundary on the other side of an intervening ridge. Noise impacts to golden eagle (or other nesting raptors) would only be anticipated to occur within approximately 300 feet of noise-generating construction. Because construction of the proposed project would occur over the ridge from where the golden eagle was sighted (over 4,000 feet away), impacts associated with construction noise would not be a significant impact related to the golden eagle.

In addition, implementation of Mitigation Measures 4.10-3(a) through (c) would ensure impacts to parklands related to the short-term exposure to construction noise associated with implementation of the proposed project would remain less than significant through compliance with Section 18.42.040 of the City's Municipal Code and review by the City Engineer and the City of Pittsburg Community Development Department.

Response to Comment 1-13

The comment is a concluding statement and does not address the adequacy of the Draft EIR.

Letter 2

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November 29, 2018

Kristin Pollot, Planning Manager
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Subject: City of Concord's Comments on the Draft EIR for the Faria/Southwest Hills Annexation Project

Dear Ms. Pollot,

2-1 Thank you for the opportunity to review and comment on the Draft EIR for the proposed Faria/Southwest Hills Annexation Project located within the Southwest hills planning subarea of the Pittsburg General Plan. The City of Concord has the following comments:

Transportation

2-2
1) The freeway analysis methodology used in the DEIR results in unrealistic findings for SR 242 and SR 4. For example, travel speeds on northbound SR 242 during the PM peak hour are consistently lower than 35 mph from 5:00 p.m. to 6:00 p.m., which is consistent with LOS F operations. With the exception of one freeway segment (SR 4 between Port Chicago Highway and Willow Pass Road) during the PM peak hour, all of the freeway segments were reported to operate at LOS D or better.

   This also affects the Delay Index, which is reported as not exceeding 1.1 on any given freeway segment. For example, Average PM peak hour congested travel time on northbound SR 242 in 2017 was 660 seconds (not 194.7 seconds) according to INRIX data. This results in a Delay Index of 3.4 (not 1.0).

2-3
2) Intersections and roadway segments in the City of Concord have a Level of Service standard of LOS D except in the Downtown area or in the BART station vicinity, where LOS E is acceptable. The intersection of Avila Road/Willow Pass Road (intersection #1) and Bailey Road/Myrtle Drive (intersection #36) were incorrectly identified in the DEIR with LOS E delay criteria. These City of Concord intersections are not located in the Downtown area nor in the vicinity of a BART station, and should have a LOS D standard.

2-4
3) Kirker Pass Road/Oakhurst Drive/Concord Boulevard (intersection #49), shows existing conditions delay greater than 600 seconds in AM peak hour and greater than 300 seconds in the PM peak hour. This appears to be an error in the analysis where the signal phases were not assigned to the correct approach. With southbound Kirker Pass only allocated

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Letter 2 Cont'd

Subject: City of Concord's Comments on the Draft EIR for the Faria/Southwest Hills Annexation Project

2-4 cont'd 16% of the green time, the traffic demand cannot be accommodated resulting in average intersection delays under Existing conditions in the AM peak hour of greater than 10 minutes per vehicle.

2-5 4) Page 4.12-85 Willow Pass Road & Olivera Road (Intersection #33). The last part of the mitigation appears to be for the intersection of W. Leland Road and Crestview Drive. This intersection should be identified as significant and unavoidable. This intersection is in the City of Concord and a timeframe has not been established for implementing the improvement. Therefore, completion of the proposed improvement prior to buildout of the project site cannot be guaranteed.

2-6 5) Page 4.12-85 Concord Boulevard and Bailey Road (Intersection #35). Text concludes "*even with implementation of Mitigation Measure 4.12-8(m), the intersection would not meet the LOS requirement of LOS D or better for a signalized intersection in the City of Concord, and the delay would continue to be substantially worse with the inclusion of project-generated traffic. Therefore, the impact to the Concord Boulevard and Bailey Road intersection would remain significant and unavoidable.*" This does not agree with the traffic study or Table 4.12-20 which shows the mitigation reducing the delay in both the AM and PM peak hour to better than the Cumulative No-Project Conditions. Conclusion should be Significant and Unavoidable because the completion of the proposed improvement prior to buildout of the project site cannot be guaranteed.

2-7 6) Page 4.12-85 Bailey Road & Myrtle Drive (Intersection #36). Text concludes "*As shown in Table 4.12-20, implementation of Mitigation Measure 4.12-8(m) would improve the operations at the Bailey Road and Myrtle Drive intersection to LOS B in the AM peak hour, which would meet the LOS requirement of LOS D or better for a signalized intersection in the City of Concord.*" Table 4.12-20 shows the intersection operates at LOS F in both the AM and PM peak hour with mitigation. While the mitigation mitigates the PM impact with a delay better than the No Project conditions, the AM peak hour is worse than the No Project condition. Therefore, the proposed mitigation is not adequate to fully address the Project's impact.

2-8 7) Page 4.12-86 Clayton Road & Treat Boulevard (Intersection #39). Text states the mitigation would improve the operations of this intersection to LOS B in the AM peak hour. Table 4.12-20 shows the intersection operates at LOS E in the AM and LOS F in the PM after mitigation. Additionally, the mitigation stated in the DEIR does not align with the traffic study in the appendix which states the mitigation is signal split optimization.

2-9 8) Page 4.12-86 Clayton Road and Bailey Road (Intersection #40). Table 4.12-20 shows this intersection has a significant impact during the AM peak hour for cumulative conditions but the DEIR fails to call out this impact. Since the intersection is within the City of Concord and the completion of any mitigations cannot be guaranteed prior to the buildout of the project site, the impact should be called out as significant and unavoidable.

2-10 9) Page 4.12-86 Cowell Road and Treat Boulevard (Intersection #41). Table 4.12-20 shows the mitigated intersection operates at LOS F in the AM and PM peak hours. This contradicts the text which states LOS E in the AM and LOS D in the PM peak hours.

Letter 2 Cont'd

Subject: City of Concord's Comments on the Draft EIR for the Faria/Southwest Hills Annexation Project

2-10 Cont'd Additionally, the traffic study in the appendix calls for a mitigation of an eastbound right turn overlap and not signal optimization as stated in the DEIR chapter.

2-11 10) Page 4.12-87 Treat Boulevard & Oak Grove Road (Intersection #44). Table 4.12-20 shows the mitigated intersection operating at LOS F in the AM and PM peak hours, not LOS E as stated in the text.

2-12 11) The DEIR identifies significant impacts to intersections in the City of Concord but fails to identify feasible mitigation measures to reduce or eliminate the impact. Mitigation measures are proposed, but would not fully mitigate the impact at the following locations under Existing Plus Project conditions:

a. Concord Boulevard and Bailey Road (Intersection #35) where the AM peak hour remains a significant impact.
b. Treat Boulevard and Oak Grove Road (Intersection #44) where the AM peak hour remains a significant impact.

Similarly, under Cumulative conditions, Project impacts are not fully mitigated at Bailey Road/Myrtle Drive (Intersection #36) where the AM peak hour remains a significant impact.

2-13 12) Mitigation should be proposed to reduce impacts to less than significant. If proposed mitigation is found to be infeasible, then there should be a discussion listing reasons for the finding. Other mitigation measures such as travel demand management should also be discussed.

2-14 13) The Project will result in significant traffic impacts to City of Concord intersections and roadway segments. The project should contribute its fair share toward a traffic mitigation fee to help mitigate its impacts to intersections in the City of Concord.

Visual and Aesthetics

2-15 Overall – the visual impacts are difficult to discern given that: 1) there is no specific project or subdivision map included with the project; and 2) many of the General Plan goals and policies intended to reduce the visual impacts of hillside development are proposed to be eliminated with the proposed General Plan Amendment associated with the Faria/Southwest Hills Annexation Project. This includes the elimination of Goal 2-G-33, and Policies 4-P-10, 4-P-12, 4-P-14, 4-P-20, 4-P-22, 4-P-25, and 4-P-26, as well as additional goals and policies that are proposed to be revised (Goal 4-G-4 and Policy 4-P-2, 4-P-11.) However, it is clear based on the visual simulations that were conducted and presented in the Draft EIR, that the project will be visible from the City of Concord from a wide-variety of vantage points as shown in Figures 4.1-13 through 4.1-16 and 4.1-18 through 4.1-20. The following are the City staff's comments related to Chapter 4.1 Aesthetics.

2-16 14) Figure 3-6 noting the densities of the two areas of development with dark pink (3-5 DU/AC) and light pink (1-3 DU/AC) are mis-leading in that it gives the impression of a much less rural project. Our understanding is these densities factor in the open space acreage, thus, the net densities are much higher when factoring out the undeveloped open space areas, and should also be reflected.

Letter 2 Cont'd

Subject: City of Concord's Comments on the Draft EIR for the Faria/Southwest Hills Annexation Project

2-17 15) Page 4.1-1 – references Figure 4.1-1 and inaccurately gives the reader the impression that there are no ridgelines in the vicinity of the project site, stating that "the project site does not contain designated major or minor ridgelines." Although they may not be designated in the Pittsburg General Plan, prominent ridgelines do exist, in close proximity to the project, as shown in Figure 3-6 of the Draft EIR.

2-18 16) Page 4.1-2 Surrounding Uses – foot notes should reference the Concord Reuse Project Area Plan (2012), which was incorporated by reference into the General Plan and is the most recent planning document for the base. The 2012 Addendum to the Final EIR should also be referenced for the Area Plan.

2-19 17) Page 4.1-2 Sensitive Viewers – the project is also visible from Willow Pass Road, Port Chicago Highway and existing neighborhoods.

2-20 18) Page 4.1-8, Views from SR 4 – states "the project site is entirely blocked from view by the hillsides on the southern portion of the site." Yet, Figure 4.1-15 shows that the future development on the project site will indeed be visible.

2-21 19) Page 4.1-11 – the Draft EIR does not indicates Policy 4-P-11 would be revised as part of the proposed General Plan Amendment to allow for grading of hillsides when deemed necessary. We recommend that Policy 4-P-11 be retained which limits grading of hillside areas to elevations less than 900 feet. The water tank shown on a hill at approximately 1,000-1,010 elevation (in Figure 3-6) is expected to be highly visible and measures should be taken to underground, screen or re-locate to the north side of the hill to reduce visual impacts.

2-22 20) Page 4.11-11, Although Policy 4-P-7 discourages use of solid walls; but mitigation measures should require the use of open wire fencing for all side and rear yard areas adjoining any open space, along or near the western ridge area facing Concord, and in all other hillside areas.

2-23 21) Page 4.1-12 – Many of the City of Pittsburg's meaningful policies (Policies 4-P-12, 14, 20, 22, 25, and 26) to reduce visual impacts of hillside development are proposed to be eliminated as part of the proposed General Plan Amendment, yet the proposed project does not include detailed designs to be evaluated, such as a subdivision map. Therefore, a proposed subdivision map should be included as part of the project for consideration in parallel with the subject project. For this reason, the elimination of such policies, designed to reduce impacts of hillside development and protect natural topographic features, aesthetic views, vistas and prominent ridgelines is not supported.

2-24 22) Page 4.1-16 – Method of Analysis – The Draft Master Plan (Figure 3-6) does not provide adequate detail for analysis and thus a subdivision map should be included as part of the project which meets the City's existing General Plan policies intended to reduce visual and hillside impacts.

2-25 23) Page 4.1-17 - Under Impact 4.1-1, the project site does include a substantial ridgeline

Letter 2 Cont'd

Subject: City of Concord's Comments on the Draft EIR for the Faria/Southwest Hills Annexation Project

2-25 Cont'd

along the south western edge of the project, which with the development of the project will be impacted as shown in Figures 4.1-13 through 4.1-16 and 4.1-18 through 4.1-20.

2-26

24) Page 4.1-19 – paragraph 2 states that "some views of the graded hillsides would be available from the City of Concord." This appears quite true given the visual simulations provided in Figures 4.1-13 through 4.1-16 and 4.1-18 through 4.1-20. It appears that the earlier view shed analysis (2011) was not adequate and that the 150 foot buffer in all likelihood will not be adequate to reduce visual impacts.

2-27

25) Page 4.1-19 – 4.1-20 - Impact 4.1-2 - The Draft EIR notes the project has the potential to substantially degrade the existing visual character or quality of the project site and/or site's surroundings, and that in the absence of feasible mitigation, the impact as significant and unavoidable. The Draft EIR acknowledges that "although development would be prohibited along the ridgeline, grading would occur in certain areas of the greenbelt ridgeline buffer area. The City believes there is feasible mitigation to reduce visual impacts and recommends the following: 1) the buffer be expanded to 300 feet now that improved visual simulations utilizing better technology have been prepared from a variety of vantage points demonstrating the visual impacts of development; 2) no grading is to occur within the buffer; 3) the City of Pittsburg retain all General Plan policies intended to reduce visual and hillside impacts; and 4) the applicant submit and process a subdivision plan with their annexation project to allow adequate review and analysis of this site which has wide ranging visual impacts to a large area of the City of Concord. The project should also address the following:

- Visual impacts due to street lighting are a concern in terms of light and glare and should be reduced by ensuring that streets are designed such that pole heights are not taller than the elevation of the nearest adjacent (southwest) ridge. In addition, the luminaire should be mounted on the pole no taller than necessary for the roadway speed. External shields or cut-off features should be used to prevent light from shining out of the right-of-way.

- Trees should be planted as appropriate within the buffer, between ridge or openings in ridge, and the project streets to assist in screening the project, and reduce light spread and glare.

As acknowledged in the Draft EIR (page 4.1-31) "without detailed site plans, future project design, and thus, the extent of visual impacts cannot be fully realized. However, substantial grading on the project site would dramatically change the natural topography." It is for this reason the City encourages the City of Pittsburg to require a subdivision plan to be processed with the project.

Sincerely,

Abhishek Parikh
Transportation Manager

Joan Ryan
Community Reuse Area Planner

Letter 2: Abhishek Parikh & Joan Ryan, City of Concord

Response to Comment 2-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 2-2

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-3

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-4

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-5

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Response to Comment 2-6

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Response to Comment 2-7

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Response to Comment 2-8

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Response to Comment 2-9

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Response to Comment 2-10

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Response to Comment 2-11

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Response to Comment 2-12

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-13

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-14

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-15

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-16

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-17

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-18

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-19

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-20

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-21

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-22

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-23

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-24

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-25

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-26

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 2-27

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Letter 3

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Rob Schroder, *City Member*
Igor Skaredoff, *Special District Member*
Don Tatzin, *City Member*

ALTERNATE MEMBERS

Diane Burgis, *County Member*
Tom Butt, *City Member*
Stanley Caldwell, *Special District Member*
Charles R. Lewis, IV, *Public Member*

November 30, 2018

Kristin Pollot, Planning Manager
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65 Civic Avenue
Pittsburg, CA 94565
Sent via U.S. Mail and email: kpollot@ci.pittsburg.ca.us

Re: LAFCO Comment Letter - Draft Environmental Impact Report (DEIR)
Faria/Southwest Hills Annexation Project

Dear Kristin:

Thank you for including the Contra Costa Local Agency Formation Commission (LAFCO) in the environmental review process for the above project and for extending the public comment period to November 30th in response to LAFCO's request. As a Responsible Agency, as defined in the California Environmental Quality Act (CEQA), LAFCO will need to rely on the City's CEQA document in connection with the proposed annexations.

LAFCO staff previously commented on the proposed project in several prior letters dating back to November 16, 2006. Subsequent letters were dated September 16, 2010, January 27, 2011, April 8, 2014 and March 31, 2017. Over the past 10 years, these letters have provided the City with extensive comments regarding the conditions under which an environmental document prepared for the project would be considered adequate for LAFCO to rely upon in its consideration of the proposed annexations of the project site to the City of Pittsburg, the Contra Costa Water District (CCWD) and Delta Diablo (DD), and a corresponding detachment of the area from County Service Area P-6.

3-1

One of the more significant concerns expressed in our previous comment letters was that the proposed annexation did not include a master plan or anything resembling a detailed development plan; and for that reason, we opined that annexation of the project site was premature. We have reviewed the DEIR for the proposed project and the proposed Faria Property Master Plan which is set forth in Appendix A of the DEIR. The Master Plan contains references to various policies from the City's General Plan and other sources that relate to residential densities and development standards, but it expressly does not include any graphic illustrations or a preliminary tentative subdivision map or preliminary grading plans that would inform and provide the reader with important details of the project. Postponing the disclosure of this critical information is inconsistent with CEQA Guidelines §15378 which defines a

Letter 3 Cont'd

"Project" as "…the whole of an action, which has a potential for resulting in either a direct physical change in the environment..."

3-1 Cont'd

We were expecting to find in the DEIR additional details about the Master Plan that would include graphic displays showing the location and extent of proposed land uses including residential neighborhoods of varying densities, parks, open spaces and recreation facilities, land to be set aside for permanent open space, alignment of roadways, topographic contours that would reflect how the project site would appear once proposed grading is completed. We also anticipated information regarding mass grading, quantitative levels of demand for public utilities and services including water, wastewater, storm water, police and fire. We previously advised the City that providing this detailed information will better facilitate LAFCO's review; however, we find this information missing. Therefore, the DEIR is not adequate for LAFCO purposes.

We continue to have serious concerns about the development project. The annexation and development should go hand in hand and should not be fragmented. These concerns have not been addressed in the environmental documents. Failure to resolve these issues could jeopardize the City's proposal to annex the subject property.

We will not reiterate all of our previous concerns, but will emphasize those most critical.

1. No Project/No Annexation.

3-2

As stated in our previous letters, an application for annexation which does not include a specific development proposal is premature in light of the statutes and policies that govern LAFCO's decision-making. The DEIR and its Project Description fail to indicate the location of roads, level and range of public services, and infrastructure improvements such as storm water facilities that are of concern within LAFCO's purview. The City's DEIR use of a "Master Plan" falls short of considering the "whole of the action…" which is a fundamental requirement of CEQA. Since LAFCO will have but one opportunity to exercise its authority in regard to proposed boundary reorganization matters, LAFCO requires details of the project be available for its review.

3-3

LAFCO is concerned by the statement, made repeatedly in the DEIR, "*…there is no master plan or plans for development, that no development is contemplated at this time, and that the proposed project does not include detailed designs to be evaluated at this time; therefore, the project will be evaluated at a program-level.*" The acknowledgement in the DEIR that "…no development is contemplated at this time…" states precisely why the project is premature and should not come before LAFCO until the applicant is prepared to provide the missing details of the project. While the project description is regrettably lacking in detail, it also lacks binding commitments. Please explain whether, once the property is annexed to the City, the applicant would be bound by the project description given in the DEIR or would be able to make substantial changes to the project including amendments to the City's General Plan, the proposed zoning and the 1,500 home limit.

3-4

We understand that in conjunction with adoption of the EIR, the City will also take action to amend the General Plan and zoning designations with regard to this project. Please note that pursuant to LAFCO law and LAFCO policies, LAFCO requires that an area proposed for annexation be prezoned by the city. Further, Government Code (GC) §56375(e) provides that *no subsequent change may be made to the general plan or zoning for the annexed territory that is not in conformance to the prezoning designations for a period of two years after the completion of the annexation…*

Letter 3 Cont'd

3-5

As you know, in 2009, LAFCO, as Lead Agency, prepared an Initial Study and Negative Declaration (ND) to expand the spheres of influence (SOIs) for the City of Pittsburg, CCWD and DD. The study covered 13 subareas, including the Faria/Southwest Hills area. The LAFCO IS/ND was limited to the SOI expansions, and clearly and continually stated that ***all future development within the subject areas would be subject to project level environmental review in conjunction with any future annexation***. Per the City's DEIR, what is submitted as a "Master Plan" does not meet the test for a development project and the EIR is expressly identified and described as a "Program" level EIR, prepared in accordance with §15168 of the CEQA Guidelines. Therefore, this EIR is not acceptable for LAFCO's purposes.

2. Impacts to Agricultural Resources and Prime Agricultural Land

The current Contra Costa County General Plan and zoning designations for the subject area are *Agricultural Land* and *A-4* (Agricultural Preserve – Parcel 40 acre minimum), respectively, clearly reflecting that the site has historically been used for agricultural purposes (i.e., cattle grazing).

The City's previous Notice of Preparation (NOP) indicated that the EIR would include an assessment of impacts to agricultural resources - and not only in relation to criteria used in CEQA, but also in relation to the CKH and Contra Costa LAFCO's Agricultural & Open Space Preservation Policy (AOSPP).

3-6

The DEIR proves extensive information regarding the regulatory setting applicable to the consideration of impacts to agricultural lands, such as statutory definitions and excerpts from the LAFCO AOSPP, and a discussion of soil types and classifications, including the Storie index. The DEIR shows that soil types on the Southwest Hills site are generally of low quality in terms of agricultural uses except for the relatively limited portion of the site where Capay clay soils exist which are suitable to support agricultural uses. From this description, the DEIR concludes that the Faria property does not qualify as Prime Agricultural land based on soil types, lack of access to irrigation water, highly variable topography, etc. and other factors.

However, the DEIR also notes that the site has been used primarily as grazing land dating back to the early 1900s, during most of which time the property was under a Williamson Act contract, now terminated. It is clear that this property has supported a cattle grazing operation for many years but there is little or no data as to the extent of such activity which is critical.

One of the characteristics of land that qualifies as Prime Agricultural Land per GC §56064 of Cortese-Knox Hertzberg Local Government Reorganization Act of 2000 (CKH) is whether the site is capable of supporting grazing by "*…livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre…*". There are multiple references in the DEIR noting that the site has historically been used for cattle grazing; however, there is no definitive discussion or conclusion in the Agricultural section of the DEIR as to whether or not the site meets the CKH criteria. If it does, then the DEIR must identify the conversion of such grazing land as a significant environmental impact and include appropriate mitigation measures to satisfy both the requirements of CEQA and to address the requirements of the CKH and Contra Costa LAFCO's AOSPP. The DEIR should include appropriate mitigation measures to address impacts to agricultural lands.

Letter 3 Cont'd

3. Open Space

The DEIR states that of the 606-acre site, 267± acres would remain as permanent Open Space and 339± acres would be used for residential development. Thus, approximately 44 percent of the site would remain as permanent open space when the project is fully built out. The DEIR fails to show how the designated open space acres would serve or meet the concerns of the CKH and LAFCO's AOSPP policies. Open Space Land, as provided in GC §65560, and as referenced in both the CKH and LAFCO's AOSPP is defined as:

> "… any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional, or state open-space plan as any of the following:
>
> (1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, greenways, as defined in §816.52 of the Civil Code, and watershed lands.
>
> (2) Open space used for the managed production of resources, including, but not limited to, forest lands, *rangeland, agricultural lands,* and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams that are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
>
> (3) Open space for outdoor recreation, including, but not limited to, areas of outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas that serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, greenways, and scenic highway corridors.
>
> (4) Open space for public health and safety, including, but not limited to, areas that require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.
>
> (5) Open space in support of the mission of military installations that comprises areas adjacent to military installations, military training routes, and underlying restricted airspace that can provide additional buffer zones to military activities and complement the resource values of the military lands.
>
> (6) Open space for the protection of places, features, and objects described in §§ 5097.9 and 5097.993 of the Public Resources Code (i.e., Native American Historical, Cultural and Sacred Sites). (*Italics* added for emphasis)

3-7

The DEIR should identify which of the foregoing aspects of Open Space Lands are applicable to the areas on the proposed project site as Open Space. From the limited information provided in the DEIR, it appears likely that the portions of the project site designated for open space are so designated because they are the residual after removing all other acres that are feasible for

Letter 3 Cont'd

3-7 Cont'd

residential development consistent with physical characteristics (soils, slopes, etc.) and applicable City or other policy limitations and constraints. The "project" and DEIR should identify the setting aside of the site as "Open Space" will serve some justifiable purpose.

4. **Consistency with LAFCO Policies**

The DEIR includes in Appendix J information comparing the proposed project to the relevant and applicable LAFCO statutes and policies including the AOSPP, the factors relevant to annexation as provided in GC §56668, and other policies within CHK. Many of the §56668 factors speak to resource allocation and whether there is sufficient financing and capacity to extend services. LAFCO must consider these factors and make specific determinations about a proposal. While LAFCO appreciates the information provided in Appendix J, the information is incomplete in the following ways:

3-8

a) It fails to explain how the proposed annexation of the 606-acre project site, used primarily for cattle grazing and which may in fact qualify as "prime agricultural land" per CKH definitions, is consistent with GC §56377 and LAFCO's policies relating to encouraging development of vacant land within cities and guiding development away from undeveloped agricultural and open space lands.

3-9

b) With regard to the LAFCO general policy that "…attempts to discourage urban sprawl, to preserve agricultural lands and open space…" (presented on the 2nd page of Appendix J), and GC §56668 (a) and (b), it is not clear from the information provided whether there is a compelling need for the additional residential development proposed by the Project. The DEIR should provide a detailed analysis of anticipated future growth within the City of Pittsburg's existing boundary. The analysis should identify the amount of already approved residential development (i.e., acres and dwelling units) and the amount of vacant undeveloped land suitable for residential development (and include an assumed average density of dwelling units per gross acre of land) and relate the sum of these factors to the City's anticipated annual growth rate which is stated in Appendix J as being "around one percent every year for the next 10 years." With an existing housing stock of some 21,200 dwelling units as of 2017, how many years of average additions to the housing stock through new growth can elapse before a clear and compelling need for 1,500 additional homes is apparent? We note that only 150 permits were issued in 2017 for single family homes. Please clarify the need for an additional 1,500 residential units.

3-10

c) With regard to "…maintaining the physical and economic integrity of agricultural lands…:" (CKH §56668 (e)), the EIR should address whether the project site qualifies as Prime Agricultural Lands in light of its long history of cattle grazing and the site's apparent ability to support "livestock that has an annual carrying capacity of at least one animal unit per acre…" Please confirm that the property meets the definition of Prime Agricultural Lands due to its long term use as viable cattle grazing; identify the proposed conversion of the site for residential development as a significant environmental impact, and include appropriate measures to mitigate the impacts.

3-11

d) The DEIR's assessment of CKH §56668 (f) with regard to the proposed annexation boundary is incorrect because, as shown, the proposed boundary would exclude a certain 'non-participating property' as shown in Figure 4.9-1 in the DEIR, leaving that

Letter 3 Cont'd

parcel as an unincorporated island. LAFCO is precluded by law (GC §56744) and local policy from creating islands.

4. **Public Services**

a) Water:

3-12 The DEIR provides a brief description of the City's water supplies, but no information or documentation regarding the project demand for water, and no evidence that that City would have the ability to meet the water needs of the additional 4,800 residents proposed by the project. On its face, the DEIR states that the water demands of the project were not specifically included in the 2015 Urban Water Management Plan (UWMP), only that the City would have the capacity to serve future growth in Pittsburg of that magnitude, just not necessarily associated with this project. Thus, it could be that providing water to the proposed project would jeopardize the City's ability to provide water to already entitled development sites, to other development sites, and to existing residents.

3-13 The information relating to water demand and supply contained in the DEIR is inadequate for LAFCO purposes as a Responsible Agency. LAFCO law and LAFCO policies require evidence of the timely and available supply of water, including (1) an enumeration and description of the services to be extended to the project area; (2) level and range of services; (3) indication of when those services can feasibly be extended to the project area; (4) description of any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions the City would impose in conjunction with the project; and (5) information with respect to how services will be financed.

3-14 Further, while the mitigation measures proposed in the DEIR may be a sufficient basis for the City of Pittsburg to find that future water supplies would be adequate to serve the project, the verification of adequate water supply to serve the project would not occur until long after LAFCO would have acted upon the annexation. The information provided is insufficient for LAFCO, resulting in another reason why the annexation is premature.

b) Sewer

3-15 The DEIR states that the project could have a significant impact related to wastewater treatment, although the DEIR lacks details regarding these impacts and specific mitigation measures. As with water service, the information contained in the DEIR relating to wastewater service is inadequate for LAFCO purposes as a Responsible Agency. LAFCO requires (1) an enumeration and description of the services to be extended to the project area; (2) level and range of services; (3) indication of when those services can feasibly be extended to the project area; (4) description of any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions the City would impose in conjunction with the project; and (5) information with respect to how services will be financed.

3-16 i. The DEIR includes in Appendix J information comparing the proposed project to the relevant and applicable LAFCO statutes and policies including references to §56668(b) and (j) which speak to municipal services. The project consistency analysis with sections (b) and (j) indicates that the developer will pay for the needed improvements, and indicates which local agencies (i.e., City of Pittsburg, CCWD,

Letter 3 Cont'd

3-16 Cont'd

DD) will provide the municipal services. The analysis does not inform the reader or provide needed information relating to the extension of municipal services to the project site. Further the consistency analysis fails to state that the project would be inconsistent with (b) or (j). Overall, the discussion in Appendix J, presumably intended to facilitate LAFCO's review of the DEIR and the proposed annexations, provides little analysis, insight or conclusions to the matters over which LAFCO has jurisdiction.

ii. Finally, the mitigation measures in the DEIR intended to mitigate the 'significant impact' related to wastewater treatment capacity do nothing to assuage potential concerns of LAFCO who's approval of the proposed annexation would necessarily need to occur long before DDSD is obligated by the Mitigation Measures to provide the necessary assurances of adequacy. The Mitigation Measures need to be amended so that the documentation referenced in Mitigation Measures 4.11-2(a) is provided to LAFCO as part of the application for annexation; otherwise, the Mitigation Measures would not have any value to LAFCO and therefore would fail to mitigate the assumed impact.

3-17

c) Fire

The DEIR concludes that the project's impact with regard to fire services would be significant and unavoidable due to conflict with the location of the project site and response time standards established by the City's General Plan - i.e., the project site being more than 1.5 miles from the closest existing fire station and the "Master Plan" not providing sufficient detail to show the location or inclusion of a fire station within the Project site itself.

The DEIR also acknowledges that the project site is not currently included within CFD 2017-1 which is a funding mechanism applicable in other parts of Pittsburg to provide additional funding to the Fire District above its normal development impact fees, intended to compensate for and offset the additional costs that new development imposes on facilities and staffing levels.

3-18

Both of these deficiencies are identified in the DEIR as the basis for why the Project would result in a significant impact in regards to fire protection services.

The DEIR goes on to state that the project would be consistent CKH and with LAFCO policies because the Project would be obligated to payment of normal impact fees to the Fire District of $591 per dwelling unit (which are acknowledged in the DEIR as being inadequate).

To resolve these matters for LAFCO's purposes the DEIR needs to:

a) Provide greater detail in the form of a tentative subdivision map or other detailed form of a land plan for the Project showing the location of a new fire station to serve the project, consistent with the City of Pittsburg's General Plan and Growth Management Policies

b) Remove the statement that the Project is consistent with CKH, as that determination is inaccurate.

Letter 3 Cont'd

d) Cumulative Impacts

3-19 The DEIR should strike out and remove from the Final EIR the statement on p. 4.11-42 that the project is consistent with CKH and "…LAFCO policies (b), (j) and (k) due to payment of applicable fees and availability of service providers to provide service to the project site, as the consistency is not established in the DEIR and including a statement of this nature is misleading and inaccurate.

5. Regional Housing Needs

3-20 Consistent with our comments on the NOP and other previous comments, we would again reiterate our request that EIR provide additional detail as to how the project would address the City of Pittsburg's plans for meeting its allocation of affordable housing. Specifically, it should state how many of the proposed 1,500 homes would be priced at levels affordable to low, very low and/or moderate income households.

6. Creating an Island.

3-21 Figure 4.9-1 in the DEIR shows that the proposed annexation area excludes a non-participating property, one that is outside of the Pittsburg City limits and not included within the Master Development Plan. In our comment letter to the NOP we asked that the EIR provide information about this property (e.g., reasons for including the property in the annexation, current and future land uses, need for municipal services, etc.). Leaving this property out of the annexation would effectively leave it as an unincorporated island. LAFCO is precluded by statute and local policy from creating islands. The creation of this out parcel as an unincorporated island would be a factor for LAFCO to consider under CKH §56668 (f) and should be included in the City's EIR.

7. Other Comments.

3-22 a. The Assessor Parcel Numbers (APNs) contained in the DEIR are incorrect; please update the EIR to reflect the current APNs.

3-23 b. The Bibliography included in the DEIR fails to reference the Contra Costa LAFCO AOSPP or the California Government Code §56000 et. seq., which is the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (CKH).

3-24 c. Many of our comments address issues that LAFCO is required to consider by law in its review of an annexation proposal. It is important that LAFCO's comments be adequately addressed in the EIR given LAFCO's role as a Responsible Agency. Failure to do so could jeopardize the City's proposal to annex the subject property.

Thank you for consideration of our comments; we hope you find them helpful. We look forward to receiving the responses to comments and the Final EIR.

Please contact the LAFCO office if you have questions or need additional information.

Lou Ann Texeira
Executive Officer
Contra Costa LAFCO

LETTER 3: LOU ANN TEXEIRA, CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

Response to Comment 3-1

Please see Master Responses #1 and #2. This comment references and summarizes previously submitted comments and concerns. The additional project-level information requested by the commenter is not known at this time and therefore not part of the project description. With regard to analysis of impacts to public services and utilities, including water supply, wastewater, stormwater, and fire and police protection services, please see Chapter 4.11 of the Draft EIR.

Response to Comment 3-2

Please see Master Response #2. Commenter also states that an application for annexation which does not include a specific development proposal is premature in light of the statutes and policies that govern LAFCO's decision making and that the Project should not come before LAFCO until details of the Project are provided.

Because the comment does not raise a substantive issue on the content of the EIR or the impacts of the Project on the environment, no further response is warranted. Nonetheless, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, California Government Code sections 56000, et. seq., does not require a tentative map or fully developed project proposal for LAFCO's consideration and approval of an annexation.

A LAFCO's role is to ensure that a proposal to extend services to an unserved territory in an unincorporated area is consistent with the objectives of the Act, including promoting orderly development, discouraging urban sprawl, preserving open space and agricultural lands, providing housing, and efficiently extending governmental services. (GC 56001, 56300–56301, 56434). In doing so, a LAFCO must consider information on availability of water supplies, regional housing needs, information from landowners, and land use designations in boundary change decisions (GC 56001, 56300–56301). The details of future subdivision and development of territory to be annexed is not required for LAFCO to exercise its authority to approve an annexation.

Further, the content requirements for an annexation application do not require detailed materials regarding the future development of land. More specifically, Government Code Section 56652 sets forth the requirements for a proposal for a change of organization such as an annexation, including (a) a statement of the nature of each proposal, (b) a map and description, acceptable to the executive officer, of the boundaries of the affected territory for each proposed change of organization, (c) any data and information as may be required by any regulation of the commission, and (d) any additional data and information, as may be required by the executive officer, pertaining to any of the matters or factors which may be considered by the commission. Section 3.4 of the Contra Costa LAFCO Commissioner Handbook governing proceedings for city annexations, requires the following additional information for an application to initiate annexation by resolution: (a) any proposed terms and conditions, (b) the reason or reasons for the proposal, and (c) a statement of whether the proposal is consistent with the spheres of influence of any affected city or district. Neither a subdivision map nor details contained in a development plan are required

for LAFCO to evaluate the factors it is required to consider in reviewing a proposal, as set forth in Section 56668.

Requiring a subdivision map and/or detailed development plans in connection with LAFCO's consideration of an annexation proposal would actually be inconsistent with the Act's express limitation on LAFCOs' jurisdiction and authority prohibiting the regulation of land use, land use density or intensity, property development, or subdivision requirements. (California Government Code Sections 56886, 56375.)

Response to Comment 3-3

This comment expresses concern that the project description lacks sufficient detail and requests an explanation of whether subsequent to annexation, changes could be made to the project description in the EIR. A detailed description of the proposed project, including location, background information, major objectives, project components, and required approvals is provided in Chapter 3 of the EIR. As noted on page 1-2 of the Draft EIR states the following regarding the scope of analysis provided in the EIR:

> The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. In general, the Draft EIR has been prepared as a program-level EIR. The program-level EIR analysis, prepared pursuant to CEQA Guidelines Section 15168, evaluates the potential environmental impacts associated with buildout of the proposed project. The CEQA requires the preparation of a program-level EIR to discuss a series of actions, rather than an individual action, that can be characterized as one large project. A program-level analysis allows for (a) exhaustive consideration of effects and alternatives beyond the format typically set for an individual action, (b) consideration of cumulative impacts, and (c) broad effect on applicable policy during the early stages of the project, when the lead agency has more flexibility to deal with basic problems or cumulative impacts. The program-level analysis in this EIR will identify potential impacts due to the maximum buildout potential and will identify mitigation measures that would need to be implemented with future development applications. While the Draft EIR has been prepared as a program-level EIR, where sufficient information is available, the Draft EIR includes project level analysis to the extent feasible.

Based on the above, the Draft EIR provides a sufficient analysis of potential environmental impacts given the scope and scale of the proposed project. At the time that future applications are submitted to the City for development within the Draft Master Plan area, additional environmental analysis would be conducted for issues which could not be fully analyzed in the Draft EIR.

As is the case with any large-scale planning approval, the potential exists for future development applications within the project site to include requests for General Plan Amendments or rezones. However, any such requests would occur separate from the entitlements required for the proposed project. Thus, any environmental impacts occurring as a result of future General Plan Amendments, amendments to the Draft Master Plan, or rezones, are speculative. Per CEQA Guidelines Section 15145, an EIR is not required to include analysis of impacts that the lead

agency deems to be too speculative for evaluation. In addition, Government Code 56375(e) states a City cannot change the prezoning or General Plan designation of a property for two years following annexation of the property, unless specific findings are made.

Response to Comment 3-4

This comment asserts that an area proposed for annexation must be pre-zoned by the City and no subsequent change may be made to the general plan or zoning for the annexed territory that is not in conformance to the pre-zoning designations for a period of two years after the completion of the annexation. This comment does not raise a substantive issue on the content of the EIR or the impacts of the Project on the environment, and therefore, no further response is warranted.

Response to Comment 3-5

Please see Master Response #2. This comment asserts that the proposed project does not satisfy requirements of a development project as contemplated in the environmental document prepared by LAFCO in 2009 to expand the spheres of influence for the City, CCWD, and DD. Because the comment does not raise a substantive issue on the content of the EIR or the impacts of the Project on the environment, no further response is warranted.

Response to Comment 3-6

This comment generally references the historical use of the Project site for grazing purposes and states that if the site meets the criteria for Prime Agricultural Land under the Cortese-Knox Hertzberg Act of 2000, the Draft EIR must identify the conversion of such grazing land as a significant environmental impact and include appropriate mitigation measures.

The Draft EIR discusses the proposed project's potential impacts related to agricultural resources and provides a detailed analysis under the relevant standards of significance. As described on page 4.2-14 of the Draft EIR, an agricultural impact may be considered to be significant if implementation of the proposed project would do any of the following:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the FMMP maps, to non-agricultural use (Initial Study Question II.a.);
- Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use (Initial Study Question II.e.); or
- Conflict with Contra Costa LAFCo's AOSPP.

The Draft EIR evaluates potential impacts of the proposed project on agricultural resources based on the Pittsburg General Plan, the Pittsburg General Plan EIR, the USDA NRCS Web Soil Survey performed for the project site, the Soil Survey of Contra Costa County, the Soil Candidate Listing for Prime Farmland and Farmland of Statewide Importance, Contra Costa County, and the Contra Costa LAFCo AOSPP.

The commenter provides opinion with respect to potential impacts on agricultural resources, but does not provide any evidentiary support for a conclusion that the proposed project will convert Prime Farmland to non-agricultural use. (Pala Band of Mission Indians v. County of San Diego (1998) 68 Cal.App.4th 556, 580 [A comment that consists exclusively of mere argument and unsubstantiated opinion does not constitute substantial evidence]; CEQA Guidelines § 15384.) The Draft EIR addressed impacts on Prime Farmland in Section 4.2.

As discussed therein, according to the FMMP maps, the proposed project site does not include Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (see Figure 4.2-2). Rather, the entirety of the project site is mapped as Grazing Land. With implementation of the proposed project, 339.1 acres of the proposed project site would be developed with residential uses, and, thus, such land would cease to be available for grazing purposes. However, as noted on page 4.2-15 of the Draft EIR, extensive cattle grazing operations are not practiced on the project site, and grazing is primarily conducted on-site for vegetation management. Because the proposed project site is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, development of the proposed project would not result in the conversion of Farmland to non-agricultural uses, and a less-than-significant impact would occur, and no mitigation is required.

Response to Comment 3-7

In response to the commenter's concerns, page 4.2-16 of the Draft EIR is hereby revised as follows:

> Consequently, the project would minimize the conversion of open space land to other uses through incorporation of open space land preservation, consistent with Goal 1 and Goal 3 and Policy 1, respectively, of the Contra Costa LAFCo's AOSPP. By preserving more open space land than currently designated in the project area, the proposed project would minimize adverse impacts to open space uses, consistent with AOSPP Policy 8. In addition, consistent with AOSPP Goal 5, the potential for impacts associated with effects of the project on existing open space land are addressed throughout this EIR.
>
> Areas within the project site to be preserved as open space would be subject to the regulations established in Sections 18.58.020 and 18.58.030 of the City's Municipal Code. Within the proposed open space buffer along the southwestern boundary of the site, development would not be permitted, with the exception of open space amenities such as parks and trails. The proposed open space areas would be consistent with criteria (1), (3), and (4) of Section Government Code Section 65560, as referenced in LAFCO's AOSPP, which defines Open Space Land as follows:
>
> > (h) "Open-space land" means any parcel or area of land or water that is devoted to an open-space use as defined in this section, and that is designated on a local, regional, or state open-space plan as any of the following:
> > > (1) Open space for the preservation of natural resources, including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including, but not limited to, forest lands, rangeland, agricultural lands, and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams that are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
(3) Open space for outdoor recreation, including, but not limited to, areas of outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas that serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
(4) Open space for public health and safety, including, but not limited to, areas that require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.
(5) Open space in support of the mission of military installations that comprises areas adjacent to military installations, military training routes, and underlying restricted airspace that can provide additional buffer zones to military activities and complement the resource values of the military lands.
(6) Open space for the protection of places, features, and objects described in Sections 5097.9 and 5097.997 of the Public Resources Code.

Because the proposed project site does not contain agricultural lands or prime agricultural land, as defined by Contra Costa LAFCo, and because the proposed project would preserve a greater area of open space lands than what currently exists on the project site, the project would be consistent with the goals and policies included in the Contra Costa LAFCo AOSPP, and a ***less-than-significant*** impact would occur.

The foregoing revisions do not alter the conclusions presented in the Draft EIR.

Response to Comment 3-8

Page 4.2-15 of the Draft EIR includes a discussion of potential conflicts with LAFCO's AOSPP. As noted therein and discussed under Response to Comment 3-6 above, the project site does not meet the Contra Costa LAFCo's definition of agricultural lands or prime agricultural land. In addition, the proposed project would minimize the conversion of open space land to other uses through incorporation of open space land preservation, consistent with Goal 1 and Goal 3 and Policy 1, respectively, of the Contra Costa LAFCo's AOSPP. By preserving more open space land than currently designated in the project area, the proposed project would minimize adverse impacts to open space uses, consistent with AOSPP Policy 8. Furthermore, consistent with AOSPP Goal 5, the potential for impacts associated with effects of the project on existing open space land are addressed throughout the Draft EIR. Please see Response to Comment 3-6.

Response to Comment 3-9

Commenter asserts that in connection with showing consistency with LAFCO Policies to discourage urban sprawl, and preserve agricultural lands and open space, the Draft EIR should provide a detailed analysis of future growth within the City of Pittsburg's existing boundary, that identifies the amount of already approved residential development (i.e., acres and dwelling units) and the amount of vacant undeveloped land suitable for residential development (and include an assumed average density of dwelling units per gross acre of land) and relate the sum of these factors to the City's anticipated annual growth rate which is stated in Appendix J as being around one percent every year for the next 10 years. Commenter requests clarification of the need for an additional 1,500 residential units.

The proposed project site is located within the City of Pittsburg Urban Limit Line and the LAFCo-approved SOI. According to the Pittsburg General Plan Land Use Element Map, the approximately 606-acre project site is designated LDR, HLDR, and OS. The maximum buildout for the proposed project site, according to the current General Plan, is 1,500 single-family units. As such, the City has anticipated development of the site with residential uses, and the project would be consistent with the development assumptions considered in the City's 2015-2023 Housing Element. Thus, consideration of the City's regional housing needs within the Draft EIR is not necessary. Nonetheless, it should be noted that there is a State-wide housing crisis and according to the most recent assessment of the unmet Regional Housing Needs Allocation (RHNA) for above moderate income dwelling units in the City of Pittsburg, there is still need for approximately 336 units to be built within the current cycle, which ends in 2023 (see the 2020 General Plan Annual Report provided to the Planning Commission on March 24, 2020). It is expected that additional above moderate units will be allocated for the next RHNA cycle and this proposed project could help to meet those needs.

Response to Comment 3-10

Please see Response to Comment 3-6 above.

Response to Comment 3-11

As stated on page 3-8 of the Draft EIR, the annexation component of the proposed project would include the property referenced by the commenter. While the non-participating property would not be subject to the provisions of the Draft Master Plan, the property would be annexed into the City of Pittsburg with the rest of the project site.

Response to Comment 3-12

Per page 4.11-26 of the Draft EIR, the estimated Draft Master Plan buildout population of 4,800 future residents, with an associated water demand of 572 AFY, would fall within the ABAG growth numbers used in the 2015 UWMP. The 2015 UWMP does not indicate where growth is anticipated to occur. However, per the Water Supply Assessment prepared for the proposed project, given that the City has previously considered development of the project site with 1,500 units per General Plan Policy 2-P-96, the CCWD's growth assumptions included development of the project site.[1] Therefore, the water demand associated with buildout of the Draft Master Plan would not add to demand already anticipated per the 2015 UWMP.

Response to Comment 3-13

As noted on page 3-13 of the Draft EIR, annexation to CCWD's service area would be included in the proposed project. In addition, the project would include annexation to the DDSD's service area.

The raw water needed for the future development facilitated by the service area boundary change would be supplied by CCWD (subject to the project's inclusion into the Los Vaqueros Project service area and Bureau of Reclamation's Central Valley Project service area), via the installation of pipes connecting to the existing pipes in the existing San Marco subdivision, located to the north of the project site. The water would be treated and conveyed to the site by the City of Pittsburg. With regard to sewer service, the proposed project site would be connected to the existing City sewer system located to the north, in the existing San Marco subdivision, and the existing sewer system in Bailey Road, to the southeast. Future development within the project site would involve the conveyance of wastewater through the City of Pittsburg wastewater transmission system, to the DDSD wastewater treatment plant, where treatment of wastewater would be under the jurisdiction of the DDSD. All utility improvements, including water and sewer conveyance infrastructure, would be funded by the project applicant.

Should the necessary City approvals be granted for the proposed project, tentative maps and improvement plans for development of the project site would subsequently be brought forward. Development of the project site would likely begin two to three years after the approval of initial tentative maps for development within the project site. Buildout of the project area would be driven by market demand, once proper approvals have been granted. Future market conditions are speculative at this time, and, thus, the total construction period and final buildout date for the proposed project is not currently known.

[1] West Yost Associates. *Water Supply Assessment for Faria/Southwest Hills Annexation EIR.* March 2015.

Response to Comment 3-14

Please see Response to Comments 3-12 and 3-13 above. Adequate information related to future water supplies to the proposed project has been provided.

Response to Comment 3-15

Please see Response to Comment 3-13 above.

Response to Comment 3-16

Please see Response to Comment 3-13 above. The proposed project would be consistent with criteria (b) and (j) referenced by the commenter. It should be noted that upon development of the project site, future residential uses would be subject to payment of monthly fees to the CCWD and the DDSD to fund ongoing provision of water and sewer service to the project site.

Response to Comment 3-17

Mitigation Measure 4.11-2(a), requires submittal of all necessary documentation required by the DDSD in conjunction with application to annex into DDSD, to ensure that adequate wastewater service will be available to serve future development within the project site. Submittal of an official "will serve" letter to LAFCo is not necessary to reduce the impact to a less-than-significant level, so long as all of the DDSD's requirements are met to facilitate annexation. Thus, the comment does not address the adequacy of the Draft EIR. The commenter's concerns have been forwarded to the decision-makers for their consideration.

Response to Comment 3-18

With regard to project-level development details, please see Master Response #2. In response to the commenter's concerns, page 4.11-33 of the Draft EIR is revised as follows:

> In addition to the above, the proposed project would conflict with the location standard established by General Plan Policy 11-P-26, as the site would be located outside of the 1.5-mile response time radius of the nearest fire station, which would have the primary responsibility for serving the project site. Therefore, although the proposed project would be required to pay Fire Facility Impact Fees in effect at the time of building permit issuance, the project would conflict with location and response time standards established by the General Plan. Furthermore, the project site is not currently included within CFD 2017-1, and would not be subject to the special taxes required to provide fire service to new development. Consequently, the proposed project would conflict with General Plan Policy 11-P-26 and would not provide for adequate funding of fire emergencies, both of which would be considered a ***significant*** impact. Nonetheless, the proposed project would be consistent with the ~~Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and~~ Contra Costa County Local Agency Formation Commission Policies (b) and (j), as discussed in Appendix J of this EIR, due to payment of applicable fees and availability of CCCFPD to provide service to the project site.

The forgoing revision does not alter the conclusions of the Draft EIR.

Response to Comment 3-19

In response to the commenter's concerns, page 4.11-42 of the Draft EIR is revised as follows:

> Based on the above, the proposed project's incremental contribution to increases in demand for public services and utilities would not be cumulatively considerable, with the exception of impacts related to fire protection services. Therefore, the cumulative impact, specifically related to cumulative impacts to fire protection services, would be considered ***significant and unavoidable***. ~~Nonetheless, the project would be consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Contra Costa County Local Agency Formation Commission Policies (b), (j), and (k), as discussed in Appendix J of this EIR, due to payment of applicable fees and availability of service providers to provide service to the project site.~~

The forgoing revision does not alter the conclusions of the Draft EIR.

Response to Comment 3-20

Issues related to housing affordability are not covered by the CEQA Guidelines. Thus, the comment does not address the adequacy of the Draft EIR. The commenter's concerns have been forwarded to the decision-makers for their consideration.

Response to Comment 3-21

Please see Response to Comment 3-11.

Response to Comment 3-22

In response to the commenter's suggestion, page 3-3 of the Draft EIR is hereby revised as follows:

> The project site consists of approximately 606 acres of grazing land located immediately southwest of the municipal boundary of the City of Pittsburg and within the Southwest Hills planning subarea of the Pittsburg General Plan. The project site is identified as Assessor's Parcel Numbers (APNs) ~~097-180-006, 097-200-002, 097-230-006, 097-240-002, and a portion of 097-190-002~~ 092-040-008, 092-050-002, 092-020-003, 092-020-002, 092-010-006, 092-010-002, and 091-040-002 (see 3-2, Project Location Map). With the exception of two isolated single-family residences located near the terminus of San Marco Boulevard, the site consists primarily of open expanses of undeveloped hilly terrain covered with grasslands, with elevations ranging from approximately 435 feet at the lowest point to approximately 1,000 feet at the highest. The project site does not include creeks, streams, or other watercourses. The site is currently prezoned for residential and open space uses under the City of Pittsburg Zoning Code (see Figure 3-3). The City's General Plan designates the site as Low Density Residential, Hillside Low Density Residential, and Open Space (see Figure 3-4). It should be noted that a non-participating property located outside of the City of Pittsburg City limits would additionally be included in the annexation

component of the proposed project and would not be subject to the provisions of the Draft Faria/Southwest Hills Master Plan (Draft Master Plan).

The forgoing revision is for clarification purposes only and does not alter the conclusions of the Draft EIR.

Response to Comment 3-23

In response to the commenter's suggestion, the following reference contained in Chapter 7, References, of the Draft EIR, is hereby revised as follows:

Contra Costa Local Agency Formation Commission. *2nd Round EMS/Fire Services Municipal Service Review/Sphere of Influence Updates*. August 10, 2016.

Contra Costa Local Agency Formation Commission. *Agricultural & Open Space Preservation Policy.* Amended December 12, 2016.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Sections, 56000, *et seq*.

The forgoing revision is for clarification purposes only and does not alter the conclusions of the Draft EIR.

Response to Comment 3-24

The Draft EIR and the responses to comments above adequately address LAFCO's comments.

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Letter 4

California
Department of Conservation
Oil, Gas, & Geothermal Resources

Northern District
801 K Street, MS 18-05
Sacramento, CA 95814
Dogdist6@conservation.ca.gov
T: (916) 322-1110
F: (916) 445-3319
conservation.ca.gov

November 21, 2018

State Clearinghouse
State.Clearinghouse@opr.ca.gov
PO Box 3044
Sacramento, CA 95812-3044

CEQA Project: **SCH # 2017032027**
Lead Agency: City of Pittsburg
Project Title: Faria/Southwest Hills Annexation Project

The Division of Oil, Gas, and Geothermal Resources (Division) possesses records regarding oil and gas wells drilled and operated in the State of California. (Cal. Public Res. Code, §§ 3215, 3126.) Based on the Division's records and expertise, the Division has undertaken review of the proposed project's regional location, the boundaries of the inventory, and permit area, and the land use designation types from the Environmental Impact Report. The Division has conducted a map review of the proposed Plan boundary but not on-site evaluations of any known gas wells located within the above referenced Plan boundary.

Within the inventory, and permit boundary contains 1 oil and gas field that contains 10 plugged and abandoned oil and gas wells. Below is an approximation of the wells in Contra Costa County.

4-1

Field	Plugged	Active	New	Idle	Total
Willows Pass Gas	7	0	0	0	7
Any Area	3	0	0	0	3
TOTAL					**10**

The proposed plan is not expected to impact oil and gas resources. Future oil and gas activities would respect the conditions of the proposed Plan. The Division provides the information below to facilitate the Lead agency's exercise of local land use authority regarding use of land where oil and gas wells are situated. In contrast, the Division does not possess local land use decision authority, but alternatively has authority for permitting any necessary work on any well in the State. (Cal. Public Res. Code, §§ 3106 and 3203.)

4-2

In general, a well may be considered adequately abandoned when both the record review process and the on-site evaluation process reflect that steps have been taken to isolate all oil-bearing or gas-bearing strata encountered in the well and to protect underground or surface

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Letter 4 Cont'd

water suitable for irrigation or farm or domestic purposes from the infiltration or addition of any detrimental substance, and to prevent damage to life, health, property, and other resources. (Cal. Public Res. Code, § 3208.)

The enclosed map shows the known wells located in the proposed Plan. For future reference, wells located on private and public land can be reviewed at the Division's website: https://secure.conservation.ca.gov/WellSearch.

If, during the course of any development within the Plan, any unknown well(s) is discovered, the Division should be notified immediately so that the newly discovered well(s) can be incorporated into the records and investigated. The Division recommends that any wells found in the course of this plan and any pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property. This is to ensure that present and future property owners are aware of (1) the well(s) located on the property, and (2) potentially significant issues associated with any improvements near oil or gas wells active or abandoned.

4-2 Cont'd

The local permitting agency and property owner should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil and gas wells. These issues are non-exhaustively identified in the following comments, and are provided by the Division for consideration by the local permitting agency, in conjunction with the property owner and/or developer, on a parcel-by-parcel or well-by-well basis. As stated above, the Division provides the above well review information solely to facilitate decisions made by the local permitting agency regarding potential development near an oil or gas well.

1. It is recommended that access to a well located on the property be maintained in the event re-abandonment of the well becomes necessary in the future. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access. This includes, but is not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, and decking.

2. Nothing guarantees that a well abandoned to current standards will not start leaking oil, gas, and/or water in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges that wells abandoned to current standards have a lower probability of leaking oil, gas, and/or water in the future, but makes no guarantees as to the adequacy of this well's abandonment or the potential need for future re-abandonment.

3. Based on comments 1 and 2 above, the Division makes the following general recommendations:

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Letter 4 Cont'd

a. Maintain physical access to oil or gas wells.

b. Ensure that the abandonment of oil and gas wells is to current standards.

If the local permitting agency, property owner, and/or developer chooses not to follow recommendation "b" for a well located on the development site property, the Division believes that the importance of following recommendation "a" for the well located on the subject property increases. If recommendation "a" cannot be followed for the well located on the subject property, then the Division advises the local permitting agency, property owner, and/or developer to consider any and all alternatives to proposed construction or development on the site (see comment 4 below).

4. Sections 3208 and 3255(a)(3) of the Public Resources Code give the Division the authority to order the re-abandonment of any well that is hazardous, or that poses a danger to life, health, or natural resources. Responsibility for re-abandonment costs for any well may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general recommendations set forth in this letter. (Cal. Public Res. Code, § 3208.1.)

4-2 Cont'd

5. Maintaining sufficient access to an oil or gas well may be generally described as maintaining "rig access" to the well. Rig access allows a well servicing rig and associated necessary equipment to reach the well from a public street or access way, solely over the parcel on which the well is located. A well servicing rig, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.

6. The Division recommends that a local permitting agency consider the use of surface mitigation measures as a condition for project approval, if and when appropriate. Examples of surface mitigation measures include venting systems for wells, venting systems for parking lots, patios, and other hardscape, methane barriers for building foundations, methane detection systems, and collection cellars for well fluids. The Division does not regulate the design, installation, operation, or adequacy of such measures. The Division recommends that such surface mitigation measures are designed, installed, and operated by qualified engineers. The permitting of surface mitigation measures falls under the jurisdiction of the local permitting agency.

7. If during the course of development of a parcel any unknown well(s) is discovered, the Division should be notified immediately so that the newly discovered well(s) can be incorporated into the Well Review processes.

State of California Natural Resources Agency | Department of Conservation | DOGGR Northern District
Edmund G. Brown Jr., Governor | David Bunn, Director
conservation.ca.gov | T: (916) 323 9195 | F: (916) 445 6066

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Letter 4 Cont'd

4-2 Cont'd

8. The Division recommends that any soil containing significant amounts of hydrocarbons to be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

9. The Division recommends that the information contained in this Well Review Report, and any pertinent information obtained after the issuance of this report, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property. This is to ensure that present and future property owners are aware of (1) any well located on the property, and (2) potentially significant issues associated with any improvements near an oil or gas well.

No well work may be performed on any oil or gas well without written approval from the Division in the form of an appropriate permit. This includes, but is not limited to, mitigating leaking fluids or gas from abandoned wells, modifications to well casings, and/or any other re-abandonment work. (NOTE: The Division regulates the depth of any well below final grade (depth below the surface of the ground). Title 14, Section 1723.5 of the California Code of Regulations states that all well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this grade regulation, a permit from the Division is required before work can start.)

To reiterate, the local permitting agency, property owner, and/or developer should be aware of, and fully understand, that the above comments are made by the Division with the intent to encourage full consideration of significant and potentially dangerous issues associated with development near oil or gas wells.

Sincerely,

DocuSigned by:
Charlene L Wardlow
087E7BD5EA114A7...

Charlene L Wardlow
Northern District Deputy

Attachment (1)

CC: Kristin Pollot
kpollot@ci.pittsburg.ca.us
Planning Manager

State of California Natural Resources Agency | Department of Conservation | DOGGR Northern District
Edmund G. Brown Jr., Governor | David Bunn, Director
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Letter 4
Cont'd

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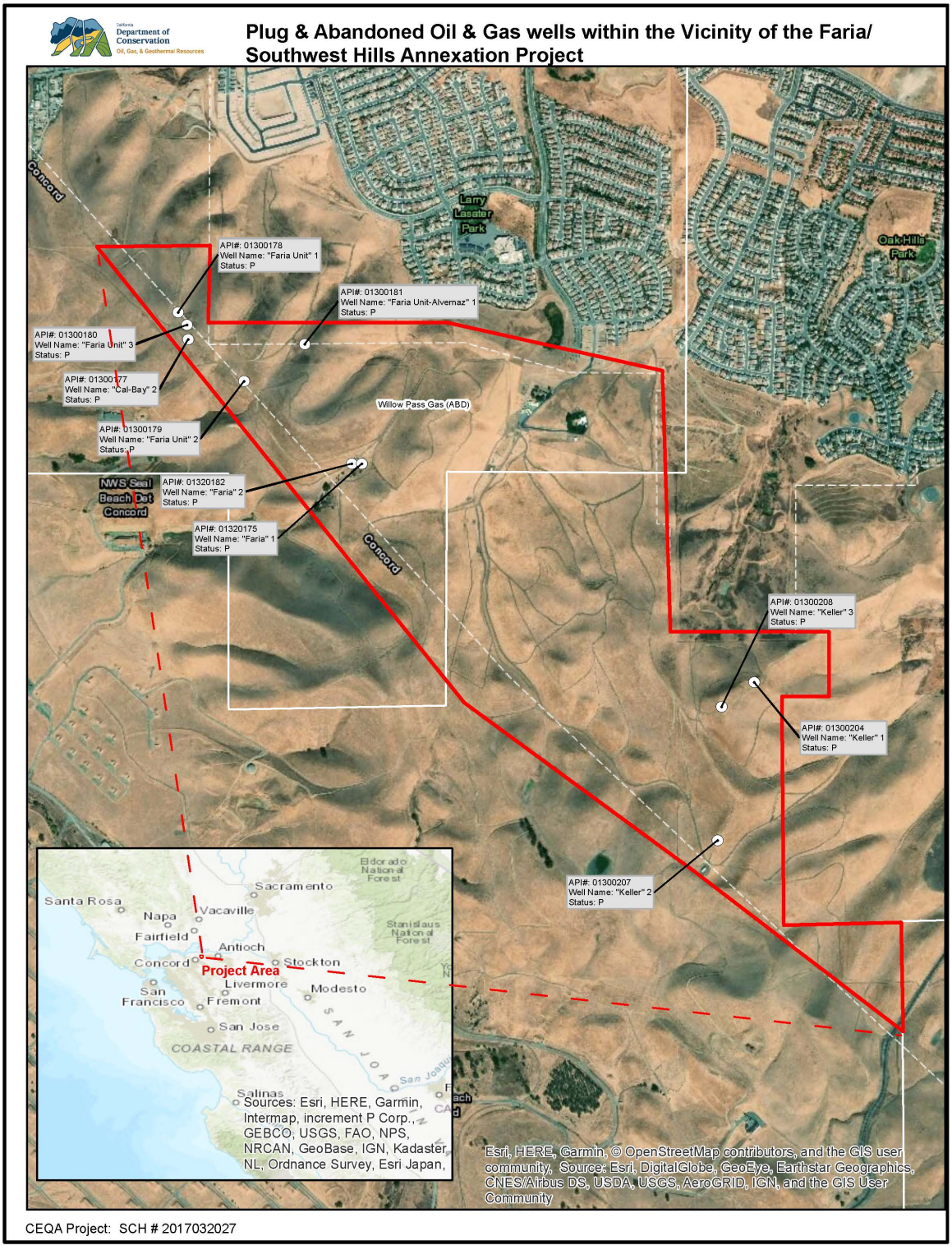
Attachment



LETTER 4: CHARLENE WARDLOW, CALIFORNIA DEPARTMENT OF CONSERVATION

Response to Comment 4-1

The provides information regarding the presence of plugged and abandoned underground storage tanks (USTs). The Draft EIR, on page 4.7-2, Chapter 4.7, Hazards and Hazardous Materials, addresses the presence of the seven UST sites that have been identified on the Concord Naval Weapons Station. The comment does not address the adequacy of the Draft EIR.

Response to Comment 4-2

The comment provides guidance and regulations related to the maintenance of access and abandonment standards for UST and wells. The comment is informational does not address the adequacy of the Draft EIR.

Letter 5

California Native Plant Society
East Bay

November 30, 2018

Ms. Kristin Pollot
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Submitted by email to: kpollot@ci.pittsburg.ca.us

RE: Draft Environmental Impact Report for the proposed Faria/ Soughwest Hills Annexation Project, AP-10-717 (ANNEX)

Dear Ms. Pollot:

5-1 The following are comments of the East Bay California Native Plant Society (EBCNPS) on the Draft EIR for the City of Pittsburg's proposed annexation and development of property in the southwest hills.

5-2 **Rare Plant Surveys:** The Draft EIR notes in Appendix D that the primary plant surveys were done in 2014, a dry year. Some rare annuals, such as *Monolopia gracilens* and *Media radiata*, usually appear only in wet years. If we have a wet winter this year, it would be worthwhile to survey again for such plants next year during their active period.

5-3 **Visual Incursion on the Ridgeline:** The 150 foot buffer is commendable but it is measured on the surface. Depending on topography, this may allow houses and other manmade objects to stick up above the ridgeline. We suggest an additional standard: all foundations should be 40 vertical feet below the ridgeline. This should preserve the visual integrity of the ridgeline from both sides.

Sincerely,

Lesley Hunt

Lesley Hunt
EBCNPS Conservation Committee
925-937-6791/ ldhunt@astound.net

cc: Juan-Pablo Galvan, Save Mount Diablo
Brian Holt, East Bay Regional Park District

LETTER 5: LESLEY HUNT, EAST BAY NATIVE PLANT SOCIETY

Response to Comment 5-1

The comment is introductory and does not address the adequacy of the Draft EIR.

Response to Comment 5-2

Please see Response to Comment 8-7 below.

Response to Comment 5-3

See Master Response #3.

The photo simulations that are included on pages 4.1-21 through 4.1-30 illustrate the proposed building heights and the potential vertical encroachment of the project. As shown in the figures, the future residential development would only be partially visible at key locations, and the homes would not block views of the ridgeline.

In addition, the City entered into a Memorandum of Understanding (MOU), which called for the City to conduct a General Plan Study in order to, among other things, establish guidelines for the development of a permanent greenbelt buffer along the inner edges of the voter approved ULL. The City Council, on January 16, 2007, adopted Resolution No. 07-10700, which included a new General Plan policy, 2-P-91, to ensure that a greenbelt buffer would be established on the project site as part of the development review process in accordance with the terms of Measure P and the MOU. As shown in Figure 3-6, open space areas would be located along the hilltops and ridgelines within the project site, including a 150-foot ridgeline buffer, in an attempt to reflect the City's desire to maintain the natural aesthetic value of such areas. Furthermore, as discussed on page 4.1-19, because development of any structures would not occur within the greenbelt ridgeline buffer, based on the analysis conducted by City of Concord, incorporation of the greenbelt buffer in the proposed project would ensure that views of the hillside area from the City of Concord would not be substantially affected by buildout of the proposed project.

Based on the above, potential impacts to the existing ridgelines in the project area have been adequately analyzed in the Draft EIR.

Letter 6

Kristin Pollot

From: Bruce 0le Ohlson <bruceoleohlson@hotmail.com>
Sent: Friday, November 16, 2018 10:59 AM
To: Hector Rojas; Kristin Pollot; DP deltapedalers Board list server; Bike Concord Advocacy Committee; Walnut Creek Danny Milks; Sean Dougan; Susie Hufstader
Subject: Requested mitigations for bike/ped to be added to the Faria EIR

Dear Hector,

Thank you for all your and everyone's efforts during the creation of the EIR for the proposed Faria project. Everyone realizes that additional traffic will be an outcome of the construction of 1,500 additional houses that we cannot reduced to insignificance. Following are some suggestions for mitigations both for the additional motor vehicle traffic that the project will put onto our local streets outside the project, and suggestions for upgrades to the transportation infrastructure that will be constructed as part of this development. These mitigations will encourage not only that new residents consider using a bicycle or walking for local trips, but also make it safer for existing bicyclists and pedestrians in the area that will be impacted by the additional traffic created by this project.

6-1

- Construct an East Bay Regional Park District standard-width multi-use path along the west side of San Marco Boulevard that will connect the Delta de Anza Trail as it passes the on-ramp to westbound Highway 4 up to (existing) Delta View Elementary School. This multi-use path should be built along the west side of San Marco Boulevard. Widen/reconstruct the already-existing path along part of this route that is not up to the EBRPD trail standards including any bridges over swales or drainage areas. This trail segment should be completed before the building permit for the two-hundredth house is issued.

6-2

- Construct an East Bay Regional Park District standard-width multi-use path along the south side of Willow Pass Road between the westbound Highway 4 offramp to San Marco Boulevard/Evora Road down to the Port Chicago Highway intersection. This segment of new trail will fill in a missing portion of the Delta de Anza Trail. There is sufficient space to build this path segment over the entire distance requested. This trail segment should be completed before the building permit for the five-hundredth house is issued.

6-3

- In the development that this EIR is contemplating, construct an EBRPD-standard trail between the existing Delta View Elementary School and any additional school sites that are set aside for the development of schools in the future. The requested trail segment(s) should, of course, connect these other school sites to each other, too.

6-4

- Connect the trail network mentioned above over the ridge line to the planned new EBRPD park that will be constructed as part of the Concord Naval Weapons

6-5

1

Letter 6 Cont'd

Station redevelopment project. This trail segment must be planned in conjunction with the EBRPD's trails development department so that the trail that EBRPD is able to construct in their new park will connect with the trail segment that the developer of this property will build.

- **6-6** The developer should be directed to construct EBRPD standard-width trails to connect the planned open space in this project with any other trails that will be constructed as part of this development.
- **6-7** Throughout this development, all arterial streets, major and minor, must include buffered bicycle lanes at minimum and preferably protected bike lanes.
- **6-8** Any streets or roads constructed to provide access to this development, including Avila Road, Bailey Road, and the extension of San Marco Boulevard, must include buffered bicycle lanes at minimum and preferably protected bike lanes.
- **6-9** Throughout this development, all collector streets, major and minor, must include buffered bicycle lanes at minimum and preferably protected bike lanes.
- **6-10** In the area surrounding this development, intersections that will be influenced by traffic from this development should be upgraded to include crosswalks in all four quadrants. The traffic signals should be upgraded to current best technology with count-down signal heads and audible/visual feedback call buttons.
- **6-11** Throughout the development and on streets and roads in the area surrounding that will be influenced by traffic from this project, construct pedestrian bulb-outs wherever possible. Note: these bulb-outs should not encroach into space on the road provided for bicycles.
- **6-12** Wherever possible provide bike lanes on the streets and roads of the surrounding area that will be influenced by traffic from this development. It would be acceptable to reduce the width of any bike lanes by the same percentage that traffic lanes are reduced to be able to fit everything between the curb faces.
- **6-13** Throughout this development and in the surrounding area that will be influenced by traffic from this development, bike lanes should extend all the way up to the limit-line and away from the far side of the intersection.

Thank you to everyone involved in creating this EIR.

All best wishes,

~0le

Bruce "0le" Ohlson
Bike East Bay
Delta Pedalers Bicycle Club
Contra Costa Countywide Bicycle Advisory Committee

2

LETTER 6: BRUCE OHLSON, BIKE EAST BAY

Response to Comment 6-1

The comment is introductory and does not directly address the adequacy of the Draft EIR.

Response to Comment 6-2

The comment does not specifically address the adequacy of the Draft EIR; however, the commenter's recommendations have been forwarded to decision-makers for their consideration. Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 6-3

See Response to Comment 6-2.

Response to Comment 6-4

See Response to Comment 6-2.

Response to Comment 6-5

See Response to Comment 6-2.

Response to Comment 6-6

See Response to Comment 6-2.

Response to Comment 6-7

The comment does not specifically address the adequacy of the Draft EIR; however, the commenter's recommendations have been forwarded to decision-makers for their consideration. Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 6-8

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 6-9

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 6-10

The comment does not specifically address the adequacy of the Draft EIR; however, the commenter's recommendations have been forwarded to decision-makers for their consideration. In addition, please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 6-11

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

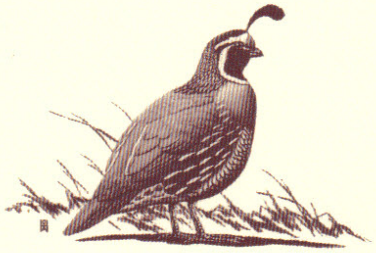
Response to Comment 6-12

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 6-13

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Letter 7



Mount Diablo Audubon Society
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www.diabloaudubon.com

November 30, 2018

Kristin Pollot, Planning Manager
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

RE: Faria/Southwest Hills Annexation Project Draft Environmental Impact Report

Dear Ms. Pollot:

7-1 On behalf of the 400+ members of the Mt. Diablo Audubon Society (MDAS), I am writing to urge the City of Pittsburg not to certify this flawed EIR or approve the Project. The DEIR is deficient in a number of ways, primarily in the lack of specific information on the various "build" alternatives which makes adequate analysis impossible. CEQA requires that a program EIR analyze a project's effects as specifically and comprehensively as possible. The report fails to provide even basic figures illustrating proposed development configuration. By withholding this information, the Project's proponent appears to be "piecemealing" in order to minimize the appearance of potential impacts.

7-2 In general, MDAS has a number of concerns with regard to the Project, including urban sprawl, ridgeline protection and hillside development. However, our primary focus is on its potential impacts to biological resources.

7-3 The 600-acre Project site currently functions as part of a larger mosaic of open space and wildlife habitat. The report completely fails to analyze how the construction of up to 1,500 "estate homes" and related infrastructure would impact biological resources on the site itself, as well as the surrounding area. Only cursory surveys were performed for special-status species. Wildlife species likely impacted by the Project include California Tiger Salamander, California Red-legged Frog, White-tailed Kite, Ferruginous Hawk, Golden Eagle, Western Burrowing Owl, Loggerhead Shrike, Grasshopper Sparrow and Tri-colored Blackbird. Neither potential impacts nor proposed mitigation measures are adequately evaluated in the DEIR.

7-4 Grading slopes and building roads and houses will substantially disrupt wildlife corridors. In addition to direct impacts of habitat loss and degradation, the DEIR fails to analyze indirect impacts on wildlife such as noise, light pollution and domestic pets.

7-5 The DEIR should be revised so that it provides the necessary information to allow for proper evaluation by the public and the City. Thank you for the opportunity to comment on this Project, and please include MDAS in any future outreach efforts.

Sincerely,

Nancy H. Wenninger
Conservation Chair

PRINTED ON RECYCLED PAPER

LETTER 7: NANCY WERRINGER, MOUNT DIABLO AUDUBON SOCIETY

Response to Comment 7-1

See Master Response #2.

Response to Comment 7-2

Chapter 4.9, Land Use and Planning, of the Draft EIR discusses the potential impacts of the proposed project in relation to urban sprawl, ridgeline protection, and hillside development. In addition, Chapter 4.4, Biological Resources, of the Draft EIR presents a discussion of potential impacts to biological resources resulting from implementation of the proposed project. Please refer to the following responses to comments for further information.

Response to Comment 7-3

The comment is general and does not provide enough specificity for a detailed response. For informational purposes, Chapter 4.4, Biological Resources, of the Draft EIR, addresses the potential impacts of the proposed project on biological resources known to occur within the project site area. The Biological Resources Evaluation conducted for the proposed project represents a review of databases, inventories, and regional literature as well as a reconnaissance-level field survey of the project site. In addition, previous site studies of the project area were consulted to provide a complete discussion and analysis of rare, threatened, endangered, and special-status plant and animal species with the potential to occur on the site.

The occurrence and impacts to California tiger salamander, California red-legged frog, white-tailed kite, burrowing owl, loggerhead shrike, grasshopper sparrow, and tricolored blackbird are discussed throughout Chapter 4.4. The Draft EIR contains mitigation measures designed to reduce impacts to the aforementioned species. Implementation of Mitigation Measures 4.4-4(a) and (b) would reduce impacts to California tiger salamander and California red-legged frog to less-than-significant levels and implementation of Mitigation Measures 4.4-2(a) through (i) would reduce impacts to protected and special-status bird species to less-than-significant levels. With regard to potential impacts and mitigation measures, the comment is general and does not provide enough specificity for a detailed response.

Response to Comment 7-4

See Master Response #2.

Impacts to habitat modification for special-status plant and animal species are addressed in Chapter 4.4, Biological Resources, of the Draft EIR. Chapter 4.1, Aesthetics, of the Draft EIR, addresses the potential impacts related to light and glare associated with implementation of the proposed project and requires implementation of Mitigation Measure 4.1-3 designed to reduce the amount of light and glare emitted from the project site and ensures the proposed project's compliance with the Pittsburg General Plan and Municipal Code. In addition, Chapter 4.4, Biological Resources, of the Draft EIR addresses the potential impacts of the proposed project to surrounding areas and

wildlife related to increased human activity and domestic animal presence. The Draft EIR determined, that with implementation of Mitigation Measures 4.4-12(a) through (c), impacts related to indirect impacts on adjacent lands related to increased light and glare, non-native plant species, increased human activity, and domestic animal presence would be reduced to a less-than-significant level. Furthermore, Chapter 4.10, Noise, of the Draft EIR addresses noise impacts on wildlife. See Master Response #2.

Response to Comment 7-5

The comment is a concluding statement and does not address the adequacy of the Draft EIR.

Letter 8

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WINTER KING
Attorney

November 30, 2018

Via Hand Delivery and Email

Ms. Kristin Pollot
Planning Manager
City of Pittsburg, Planning Department
65 Civic Avenue
Pittsburg, CA 94565
E-Mail: kpollot@ci.pittsburg.ca.us

Re: Faria/Southwest Hills Annexation Project and Draft Environmental Impact Report

Dear Ms. Pollot:

This firm represents Save Mount Diablo ("SMD") with regard to the Faria/Southwest Hills Annexation Project ("Project"). Having reviewed the City's draft environmental impact report ("DEIR") for the Project, it is our conclusion that the document fails to comply with even the most basic requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 et seq., and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 et seq. In addition, the Project conflicts with the City of Pittsburg's General Plan and Development Code, in violation of state Planning and Zoning Law, Govt. Code § 65000 et seq. For all of these reasons, the City cannot certify this fundamentally flawed EIR or approve the Project.

8-1

As described below, SMD has serious concerns about the impacts of the Project, which proposes to transform more than 600 acres of largely untouched open space lands, immediately adjacent to the open spaces of the South Hills subarea and the planned regional park at the former naval weapons station, into a residential subdivision with up to 1,500 estate homes. DEIR at 1-2. The urban-scale Project is currently outside the City limits, and outside the service areas for the Delta Diablo Sanitation District ("DDSD") and the Contra Costa Water District ("CCWD") Service Area boundary, and therefore lacks a verifiable water supply or sewer services. The proposed Project is a glaring example of the kind of sprawl development that virtually every state and regional planning effort in California today is seeking to eliminate. Even more troubling, this

8-2

Letter 8 Cont'd

proposed sprawl would be placed in one of the most environmentally constrained areas of the County. As a result, the Project would have devastating impacts across the board, and, not surprisingly, is inconsistent with every regional planning document applicable to the Project site. These include regional conservation plans to enable County-wide planning to protect endangered and threatened species; the anti-sprawl policies of Contra Costa LAFCO, intended to encourage infill development and protect open space and agricultural lands; and even the City's own General Plan hillside policies and ordinance.

But none of these impacts or inconsistencies of the Project can be discerned from reading the DEIR. With regard to each of CEQA's substantive requirements—a complete and stable project description, a thorough analysis of significant impacts, identification of feasible and enforceable mitigation measures, an analysis of a reasonable range of alternatives—the DEIR falls woefully short. As a result, the DEIR fails to meet CEQA's fundamental purpose of providing disclosure to the public of the Project's environmental effects. The City and the applicant need to start over—beginning with a redesign of the Project to make it consistent with the General Plan—and prepare and recirculate a new, legally adequate DEIR.

8-2 Cont'd

At the heart of the DEIR's problems is its failure to include any details whatsoever about the proposed development, even though the record indicates that the applicant has development plans in mind. In fact, the applicant's failure to provide this detail directly violates the City's Zoning Code, which requires a Master Plan (proposed for approval here) to include a site plan and other detailed development information. Zoning Code § 18.72.060. This lack of detail has also resulted in a fundamentally inadequate DEIR that repeatedly avoids or defers analysis of impacts and development of mitigation measures until some future date when more detail is provided. Such deferral and inadequate analysis is expressly prohibited by CEQA, as is piecemealing the Project's approvals to minimize the appearance of potential impacts.

In sum, this Project will have serious long-term consequences, not only for the area residents, but for the region. Those consequences include jeopardizing habitat planning efforts and loss of lands identified as high priority areas for conservation, impacts to multiple sensitive species and their habitats, loss of open space, loss of access to planned open space and trails, significant public safety impacts associated with unstable hillsides, visual impacts, increased traffic congestion, and an increased risk of air and water pollution among others. The DEIR for the Project must be revised and recirculated to adequately describe these impacts to the public and decisionmakers. *See* CEQA Guidelines § 15002(a)(1) (listing as one of the "basic purposes" of CEQA to "[i]nform governmental decision makers and the public about the potential, significant

Letter 8 Cont'd

environmental effects of proposed activities"). And the Project must be modified to comply with the City's General Plan and other governing plans.

8-2 Cont'd

This letter is submitted along with the reports prepared by Robert Hamilton, Biologist, attached as Appendix A ("Hamilton Report") and by Gary Fiske, Water Resources Planner, attached as Appendix B ("Fiske Report"). We respectfully refer the City to the aforementioned attached reports, both here and throughout these comments, for further detail and discussion of the DEIR's inadequacies. We request that the City reply to each of the comments in this letter and to each of the comments in the attached reports.

I. Background

The Project site is located within Contra Costa County on land designated and zoned for agricultural uses. DEIR at 4.9-4. The current County zoning for the site requires 20-acre minimum parcels and limits uses to agricultural uses. The site is within the City of Pittsburg's sphere of influence and the City has designated the site for low-density, rural residential and open space uses and pre-zoned the site as Hillside Planned Development ("HPD") where density depends on the steepness of the slopes and Open Space ("OS"). DEIR at 4.9-6 and Figure 4.9-3.

8-3

This designation and zoning are in place because the City recognizes the hillside areas of the City as a visual resource and recognizes the need to "ensure that any future development within these hillside areas will be compatible with the special sensitivity of the hillside areas." City of Pittsburg Zoning Code, § 18.56.020.C. In fact, as discussed in greater detail below, the HPD pre-zoning for the site is intended to provide community protections associated with public safety and to aesthetic views and prominent ridgelines. The HPD pre-zoning provides protections to adjacent properties from adverse impacts of grading and drainage associated with hillside development, and ensures compatibility of the proposed development to the terrain of the area. City of Pittsburg Zoning Code, § 18.56.020.D. The regulations associated with the Hillside Planned District "apply to all hillside development." City of Pittsburg Zoning Code, § 18.56.010. Therefore, the requirements of the Hillside Planned District apply to the Project regardless of the base zoning. *Id.*

8-4

The proposed Project would include: (1) annexation of the Faria/Southwest Hills site to the City of Pittsburg, the CCWD service area and the DDSD, (2) rezoning from HPD to RS-4P (Single-Family Residential District – 4,000 Square Foot Minimum Lot Size) and OS-P with a Master Plan Overlay, (3) General Plan amendments deleting provisions related to protection of steep hillsides and visual resources, (4) approval of a

Letter 8 Cont'd

Master Plan that fails to provide adequate information about the Project, and (5) approval of an undisclosed Development Agreement.

The majority of the site is comprised of steep slopes, which as discussed above, severely limits development due to the HPD requirements. *See*, City of Pittsburg General Plan Figure 10-1, Geologic Hazards, indicating the majority of the site's slopes exceed 30 percent steepness, attached as Appendix C. The site is located in an area subject to East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan ("HCP/NCCP"). These natural constraints, among others, are the reason the County designated this land for agricultural use and open space uses. That the site is particularly well-suited to open space and agricultural uses is further bolstered by the East Bay Regional Parks District's ("EBRPD") plans to establish a new regional park adjacent to the Project site. *See, e.g.*, DEIR at 4.12-61. Presently known as the Concord Hills Regional Park, the park will encompass sensitive habitats and views from the ridge and plateau. Any development along the park boundary should be seen as an opportunity for the community to share in the benefits of this open space. Rather than fragmenting remaining open space and habitat, development should responsibly provide access to Pittsburg's residents and offset the City's growing inability to meet the recreational needs of its residents. *See* Pittsburg General Plan at 8-5 (projecting that by 2020, the City will fall below its standard mandating 5 acres of parks per 1,000 residents).

8-4 Cont'd

The applicant came before the City multiple times, most recently in 2010 with proposals to develop the site similarly with hundreds of homes. This firm submitted comments on behalf of Save Mount Diablo pointing out the inadequacies of that proposal, which are largely repeated here. See, letter from Gabriel Ross at Shute, Mihaly & Weinberger to Kristin Vahl, Associate Planner, City of Pittsburg dated January 27, 2011 and attached as Appendix D. Others in the community also voiced strong opposition to that development proposal because the Project was out of scale and out of character with the surrounding community and would have resulted in significant environmental impacts. The applicant subsequently withdrew the application and revised the Project to the present proposal. Now the City is once again contemplating annexation of the site with the potential to develop a 1,500-unit residential subdivision with amenities, which is clearly incompatible with the established priorities of preserving steep slopes and of conserving this rural, biologically resource-rich area.

II. The DEIR Mischaracterizes the Project Setting.

Accurate and complete information pertaining to the setting of the Project and surrounding uses is critical to an evaluation of a Project's impact on the environment. *San Joaquin Raptor/Wildlife Center v. Stanislaus County*, 27 Cal.App.4th 713, 728 (1994);

8-5

Letter 8 Cont'd

8-5 Cont'd

see also Friends of the Eel River v. Sonoma County Water Agency, 108 Cal.App.4th 859, 875 (2003) (incomplete description of the Project's environmental setting fails to set the stage for a discussion of significant effects). Here, the DEIR's deficiencies in describing the Project's setting undermine its adequacy as an informational document.

8-6

The DEIR fails to present important contextual information related to biological resources on the Project site. For example, the DEIR fails to describe the relationship of the Project site to the East Contra Costa County HCP/NCCP. As explained in the Hamilton Report, the DEIR notes that the Project site is subject to the HCP but fails to disclose that portions of the site are designated as "high priority for inclusion in the Preserve System." Hamilton Report at 3 and 4. The HCP indicates that areas to the east of the Project site were acquired as part of an established Preserve System. Hamilton at 4. In addition, as the Hamilton Report points out, a large portion or the Project site on the southwest portion lies within identified buffer areas for California Tiger Salamander ("CTS") breeding ponds. Hamilton Report at 5. This information is critical because proposed Project features (i.e., construction of a road that would bifurcate the site) would create a barrier between preserved areas to the east and CTS breeding habitat to the south and west of the site.

8-7

The DEIR also fails to provide adequate information about a long list of special-status species it acknowledges have the potential to occur on site. Hamilton at 12. The DEIR relies on outdated and incomplete biological surveys. For instance, the DEIR relies on reconnaissance level general wildlife surveys that are four to five years old. Hamilton Report at 10. Moreover, botanical surveys were conducted during severe drought when site conditions were not conducive to identifying rare plants. DEIR Appendix E at 7 and Hamilton at 11. Together, these flaws undermine the description of the existing biological setting at the site.

8-8

Similarly, the DEIR fails to adequately describe the existing hydrologic setting of the site and the vicinity. Specifically, the DEIR fails to describe existing drainage conditions at the site. This is important information from which to establish a baseline. Without a proper description of baseline conditions, the DEIR is unable to provide an adequate analysis of Project-related increases or decreases in stormwater flow compared to existing conditions.

8-9

The DEIR also fails to describe the existing setting in terms of water supply. As discussed in detail in the attached Fiske Report, the DEIR relies on an outdated version of the Pittsburg Urban Water Management Plan ("UWMP"). Fiske Report at 1. The DEIR employs data from the 2010 UWMP rather than the current most-recently-adopted 2015 UWMP adopted in 2016. This failure is particularly problematic because by using the

Letter 8 Cont'd

8-9 Cont'd older UWMP the DEIR fails to capture post-drought conditions and water supply projections that take climate change into account. The DEIR's reliance on an outdated UWMP thus implicates the Project's baseline conditions.

8-10 The DEIR's approach of deferring data collection and ignoring existing conditions violates CEQA's baseline requirements. See CEQA Guidelines § 15125(a). A revised EIR must remedy this flaw.

III. The DEIR's Flawed Project Description Does Not Permit Meaningful Public Review of the Project.

8-11 In order for an EIR to adequately evaluate the environmental ramifications of a project, it must first provide a comprehensive description of the project itself. "An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 730 (quoting *County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 193). As a result, courts have found that even if an EIR is adequate in all other respects, the use of a "truncated project concept" violates CEQA and mandates the conclusion that the lead agency did not proceed in the manner required by law. *San Joaquin Raptor*, 27 Cal. App. 4th at 729–30. Furthermore, "[a]n accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity." *Id.* at 730 (citation omitted). Thus, an inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable.

8-12 Here, the DEIR's Project Description does not come close to meeting these established legal standards. The DEIR's cryptic approach to the Project description makes environmental review nearly impossible. Indeed, the Project is so thinly described that it appears to be essentially unplanned, and certainly is not ready for the approvals that the Applicant is requesting. Any reasonably complete description of the Project would give the public and decision makers a sense of what the planned development would look like, how it would operate, and how it would mesh with the surrounding uses. The purported Project Description does none of this. It is effectively no description at all; rather, it is merely a suggestion of the Applicant's general conceptual scheme for a subdivision. This failure echoes throughout the DEIR; because the Project is incompletely described, none of its impacts can be fully analyzed.

8-13 Indeed, critical parts of the Project are not described at all. The DEIR omits information, even at the conceptual level, including, but not limited to, construction activities, location of lots, location of roadways, location of stormwater facilities,

Letter 8 Cont'd

8-13 Cont'd recreational amenities, and necessary public services to be built in conjunction with the Project. The DEIR likewise fails to reveal specifics about assumptions being made about various Project components, such as water consumption rates.

8-14 The Draft Master Plan is equally vague. It fails to provide actionable information about the development it would facilitate. There is no meaningful discussion of the size of the homes to be built, building lot coverage (hard- and soft-scapes), architectural styles, ancillary uses allowed on residential lots, neighborhood design, or circulation plans. Rather, on these points, the Draft Master Plan's design guidelines are hollow and inconsequential. What little detail they feign to provide hides behind ambiguous and non-binding terms. *See* DEIR at App. A. For example, the Neighborhood and Subdivision Design guidelines purport to "[e]ncourage hillside 'estate' development" and the use of flag lots, but they stop short of mandating such development or even creating incentives for compliance. *Id.* at 8. Similarly, the Circulation guidelines broadly require future development to "[p]rioritize pedestrian circulation" by developing trails and linear parks, but they fail to establish a standard against which the City could measure compliance. *Id.* at 9. There is no concrete discussion of how many trails or parks are necessary under the Draft Master Plan, or what those facilities might look like. *Id.*

8-15 Indeed, all the Draft Master Plan does is reiterate the broad development goals contained in the City's General Plan. *See* DEIR at Appendix A. As a result, it does not provide nearly the level of detail required under CEQA. On this point, *Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* (2000) 82 Cal.App.4th 511, 535-36 is instructive. There, the court invalidated an EIR that analyzed the impacts of a redevelopment plan in "general terms," focusing primarily on the combined impacts of the proposed individual projects. *Id.* at 525. It specifically held that "[t]he Town's failure to analyze the impacts caused by each proposed project, to the extent information was known *or reasonably could have been known* about each project, constituted a failure to proceed in the manner required by CEQA." *Id.* at 530-31, 535 (emphasis added).

8-16 Equally disturbing, the physical layout of the Project area has not been described. Even the Land Use Map included in the Draft Master Plan gives no sense of how the Project would *be* developed. *See id.* The map shows only the master plan boundaries; it utterly fails to incorporate a site plan or a landscape plan as required by the City's municipal code. *See* Municipal Code § 18.72.060.B. Without a site plan or a landscape plan, there is no indication of where the lots, roads, trails, lighting, and other features contemplated by the Draft Master Plan will be located. The Draft Master Plan thus violates Government Code section 65451, which requires all specific plans to include "a text and a diagram or diagrams which specify in detail . . . (2) [t]he proposed distribution, location, and extent and intensity of major components of public and private

Letter 8 Cont'd

8-16 Cont'd

transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan." Furthermore, because these omissions render it impossible to know the true environmental impacts of the Project, let alone make an informed decision, the Draft Master Plan is insufficient to support CEQA review.

8-17

The DEIR has taken an equally problematic approach to environmental review. While the DEIR *insists* that no specific development is yet planned for the Project site (*see, e.g.,* DEIR at 4.3-42 [indicating that project-level design details are currently unavailable]), evidence in the record betrays the existence of further knowledge—or at least some expectation—of what future development will look like. For example, the DEIR admits that grading will need to occur within the proposed greenbelt buffer in order to support development outside of that buffer. DEIR at 4.1-19. The Applicant could not know this to be true, however, unless they had some idea of where future development would occur within the Project site. Similarly, the proposed General Plan Amendment would delete or revise core General Plan provisions governing hillside development and site design. *See* DEIR at 3-11 to 3-13. Moreover, the adjacent development, known as San Marco, built its infrastructure with excess capacity (DEIR at 4.8-3) and has stubbed off streets leading to the proposed annexation area, including the extension of San Marco Boulevard. Taken together with the Draft Master Plan's assertion that construction is expected to begin within four years of the Draft Master Plan's adoption (DEIR at App. A, page 2), this evidence suggests that the Applicant has concrete expectations for future development that it is not analyzing at this stage of the Project. Without those concrete details on which to gauge the environmental effects of the Project, however, the City cannot make an informed decision as required by CEQA.

8-18

Furthermore, Seeno and Discovery Builders, Inc. have developed many subdivisions in Pittsburg, Concord, and the surrounding area. The developments they build are typically constructed on land that has been leveled and stripped of natural features and consist of medium-density, cookie-cutter homes from boundary to boundary and with virtually no parks, actual open space or other amenities. Given densities shown on previously proposed site plans for the Project site, the parcel formerly known as Montecito or San Marco Meadows, and densities of nearby Seeno developments—it also seems likely that the applicant is proposing a unit count dramatically lower than the company intends to develop. The San Marco development to the north of the Project site is an example of a typical Seeno development. See, Appendix E, photograph depicting the San Marco subdivision. Based on the company's prior record and past development, the City can anticipate what the development would look like and estimate calculations needed to perform a more thorough evaluation of the Project's impacts.

Letter 8
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8-19 Moreover, if the applicant truly has no plans for development of the Project site at this time, than the City should not consider amending General Plan. The City should instead wait until the applicant prepares a site plan and a design for the proposed development. When the City prepares project-level CEQA analysis, it can then consider the proposed General Plan amendments.

Finally, the Project Description avoids any meaningful discussion of the proposed development agreement. The DEIR notes that the Project will include a development agreement (*see* DEIR at 3-14), which would vest the applicant's entitlements. However, no information is provided about the conditions, terms, restrictions, and requirements for subsequent actions. The text of this development agreement is not included anywhere in the DEIR, and the development agreement was not included among the publicly available environmental documents for the Project. Without any more detailed information about the terms of the agreement, key elements of the Project Description are omitted and cannot be analyzed in the EIR, in direct violation of CEQA. *See, e.g., Laurel Heights Improvement Ass'n v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1123 ("*Laurel Heights II*") (the purpose of CEQA "is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made").

8-20 This omission is particularly disturbing as development agreements typically seek to "lock in" development rights—including existing regulations and the density and intensity of development—over an extended period of time. As such, development agreements have the potential to greatly exacerbate the potential impacts of a project by limiting the lead agency's permitting authority and ability to impose additional mitigation measures or reduce the intensity of development at later discretionary phases of the Project. This problem is only compounded where, as here, the development of critical mitigation measures is deferred to the indefinite future. *See, e.g.,* DEIR at 4.8-17 (delaying the assessment of runoff conditions and the recommendation of stormwater design measures until future development approvals are sought).

The DEIR's failure to provide any specific details regarding the development agreement constitutes a fatal shortcoming in the Project Description and the subsequent analysis of Project impacts. To comply with CEQA, the DEIR must be recirculated with a more detailed description of the development agreement or with the draft agreement attached.

8-21 Taken together, the DEIR's repeated failures to adequately describe various aspects of the Project indicate that the developer is taking a piecemeal approach to environmental review. CEQA, however, prohibits such segmentation of a project. *See*

Letter 8 Cont'd

8-21 Cont'd

Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora (2007) 155 Cal.App.4th 1214, 1229 ("when one activity is an integral part of another activity, the combined activities are within the scope of the same CEQA project" and must be analyzed together); Guidelines § 15378(a) ("'Project' means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."). Breaking the project into smaller sub-projects or failing to consider the reasonably foreseeable consequences of a project will lead to inadequate environmental review. *See Bozung v. Local Agency Formation Comm'n* (1975) 13 Cal.3d 263, 283-84 (CEQA mandates that "environmental considerations do not become submerged by chopping a large project into many little ones"); *see also Laurel Heights Improvement Ass'n v. Regents of the University of California* (1988) 47 Cal.3d 376, 396 ("*Laurel Heights I*") ("[A]n EIR must include an analysis of . . . reasonably foreseeable consequence[s] of the initial project" that "change the scope or nature of the initial project or its environmental effects").

8-22

Here, the DEIR clearly contemplates future development related to and springing from the Project. *See, e.g.,* DEIR at App. A (describing future development planned for the Project site). The Applicant is even seeking a development agreement to vest rights in preparation for that development. Thus, the proposed subdivision and its additional environmental effects are not merely reasonably foreseeable; they are *intended* consequences of the proposed Project. Failure to analyze them at this stage submerges environmental considerations and violates CEQA. The Applicant cannot avoid these requirements simply by hiding the ball on its development plans.

IV. Approval of the Project Would Violate California Planning and Zoning Law and the Subdivision Map Act.

8-23

The State Planning and Zoning Law (Gov't Code § 65000 et seq.) requires that development decisions be consistent with the jurisdiction's general plan. *See* Gov't Code §§ 65860 (requiring consistency of zoning to general plan), 66473.5 & 66474 (requiring consistency of subdivision maps to general plan), and 65359 and 65454 (requiring consistency of specific plan and other development plan and amendments thereto to general plan). Thus, "[u]nder state law, the propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." *Resource Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800, 806. Accordingly, "[t]he consistency doctrine [is] the linchpin of California's land use and development laws; it is the principle which infuses the concept of planned growth with the force of law." *Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisors* (1998) 62 Cal.App.4th 1332, 1336.

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It is an abuse of discretion to approve a project that "frustrate[s] the General Plan's goals and policies." *Napa Citizens for Honest Gov't v. Napa County* (2001) 91 Cal.App.4th 342, 379. The project need not present an "outright conflict" with a general plan provision to be considered inconsistent; the determining question is instead whether the project "is compatible with and will not frustrate the General Plan's goals and policies." *Napa Citizens*, 91 Cal.App.4th at 379.

Here, the proposed Project does more than just frustrate the General Plan's goals. It is directly inconsistent with numerous provisions in the General Plan. Consequently, the Project cannot be approved in its current form.

A. The Project Is Inconsistent with Numerous General Plan and Municipal Code Provisions.

The state Planning and Zoning Law (Gov't Code § 65000 et seq.) requires that development approvals be consistent with the jurisdiction's general plan. *Resource Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800, 806; *Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisors* (1998) 62 Cal.App.4th 1332, 1336.

8-24

It is an abuse of discretion to approve a project that "frustrate[s] the General Plan's goals and policies." *Napa Citizens for Honest Gov't v. Napa County* (2001) 91 Cal.App.4th 342, 379. The project need not present an "outright conflict" with a general plan provision to be considered inconsistent; the determining question is instead whether the project "is compatible with and will not frustrate the General Plan's goals and policies." *Napa Citizens*, 91 Cal.App.4th at 379. As discussed in more detail below, the Project is directly inconsistent with numerous provisions in the General Plan.

1. General Plan and Code Provisions Relating to the Preservation of Hillsides

8-25

The Project site is designated and pre-zoned for Hillside Plan Development. DEIR at 4.9-4. The General Plan requires that development in the hills be sensitive to the natural terrain, minimize cut-and-fill, and incorporate natural features (*e.g.*, topography and creeks) into the design of residential neighborhoods. General Plan Land Use Element Policies 2-P-21, 2-P-23, 2-P-24, 2-P-25, 4-P-9. The General Plan also indicates that the City must "ensure that all General Plan policies apply to hillside land irrespective of zoning—whether Planned Development or any other base district." General Plan Land Use Element Policy 2-P-22. Other Southwest Hills area policies call for the City to

Letter 8 Cont'd

"maintain the general character of the hill forms." General Plan Goal: Southwest Hills 2-G-33.

8-25 Cont'd

Despite the lack of information in the DEIR, it is clear that the Project would be inconsistent with these provisions. As discussed throughout this letter, the Project proposes extensive grading on steep slopes. For example, as the DEIR concedes, the Project would be inconsistent with General Plan policies calling for the protection of hillsides. DEIR at 4.9-21 and General Plan Policy 4-P-10. But rather than identifying mitigations, such as project modifications to minimize grading on steep slopes, the DEIR claims that the grading is required and that the remedy is a proposed text amendment that would delete Policy 4-P-10 from the General Plan. DEIR at 4.9-21.

8-26

Similarly, the DEIR acknowledges that the Project is inconsistent with policies restricting development on slopes exceeding 30% steepness that are over 900 feet in elevation. DEIR at 4.9-22. The DEIR's identified mitigation to address this inconsistency is to require the Applicant to revise the proposed Project land use map to avoid areas that are 30% or greater steepness and that are over 900 feet in elevation. *Id.* However, the DEIR provides no detail regarding how and to what degree this requirement changes the Project footprint. DEIR at 4.9-22. This mitigation measure constitutes a fundamental change in the Project. A revised DEIR must analyze the full impact of this change and reconsider the Project in light of the above policies.

2. General Plan Provisions Relating to the Protection of Natural Resources.

8-27

The General Plan encourages development that is compatible with the environment and sensitive habitats, "particularly habitats that support special status species" and calls for development that preserves significant ecological resources. Resources Conservation Element Goals 9-G-1 and 9-G-2 and Policies 4-P-14, 4-P-15, 9-P-13. The DEIR acknowledges that the Project is subject to these goals and policies (see listed policies at DEIR 4.1-14 and 4.4-4), but it fails to analyze the Project's consistency with these policies. However, as discussed below, the DEIR's documentation of natural resources is seriously flawed. *See* section V.A below. The Project is inconsistent with these provisions because, as discussed below, it will result in significant adverse impacts to sensitive habitats and species on and adjacent to the Project site. The DEIR has failed to provide a complete analysis of these impacts. *Id.* As a result, the Project will result in significant impacts related to direct and indirect impacts to special status species in contravention of the General Plan. *Id.*

Letter 8 Cont'd

3. General Plan Provisions Relating to the Protection of Drainages

8-28 The General Plan includes provisions that protect drainages and prevent erosion. Resources Conservation Element Policies 9-G-4 and 9-G-5. The General Plan also includes provisions to require evaluation and implementation of Best Management Practices to protect against creek bank destabilization and require assessments of downstream drainage impacts. Policies 9-P-15, 9-P-17, and 9-P-21. The DEIR fails to analyze consistency with these provisions. As discussed further below, the DEIR fails to evaluate impacts associated with the Project's potential inconsistencies with the general plan. As a result, the Project is inconsistent with these General Plan provisions.

4. General Plan Provisions Relating to the Provision of Public Services.

8-29 The DEIR discloses that the Project would add school children to area schools that are already over capacity. DEIR at 4.11-35 and 36. The Project is inconsistent with General Plan provisions that specify the City is to "ensure that school facilities maintain adequate capacity to provide for current and projected enrollment." General Plan Policy 8-G-10. The Project is inconsistent with the General Plan in that it would add approximately 550 new students in excess of capacity in the school system.

8-30 The General Plan also specifies that the City is to provide 1.8 *sworn officers* per each 1,000 residents. The DEIR discloses that the Project would add to the City's population so that additional police officers would be needed to serve the community. DEIR at 4.11-34 ("The PPD anticipates that the addition of 4,800 residents would result in the need to expand the Department's force of sworn officers."); *see also* DEIR at 4.11-9 (discussing how the City's officer-to-resident ratio is already below the level specified by the General Plan). Although the DEIR suggests that development fees collected during future approval processes "would be used by PPD to meet the increased demand," the DEIR gives no indication whether the fees would be sufficient to cover the full cost of maintaining an appropriate officer-to-resident ratio. DEIR at 4.11-34. Thus, the Project conflicts with the General Plan requirements for police protection.

8-31 Finally, the Project is entirely inconsistent with General Plan policies relating to the provision of emergency and fire services. The DEIR states that the Project site is within the service area of the Contra Costa County Fire Protection District ("CCCFPD"), and that the Project would depend on the CCCFPD for its fire protection and emergency medical services. It is not clear from the DEIR, however, that the Project will raise enough money to offset this increased demand. On the one hand, the DEIR claims that "[p]ayment of the Fire Facility Impact Fees and the CFD 2017-1 special tax would cover

Letter 8 Cont'd

8-31 Cont'd

any additional costs associated with additional equipment or personnel needed to serve the proposed project." DEIR at 4.11-32. As the DEIR admits, however, the Project site is not currently subject to the CFD 2017-1 special tax, and the lone relevant mitigation measure punts to some as-yet undetermined time in the future to remedy that problem. DEIR at 4.11-33. Furthermore, this proposed funding remedy does not account for the cost of building a new fire station. This is relevant because the Project site is located outside of the 1.5-mile response time radius of the nearest fire station—a blatant and admitted violation of General Plan Policy 11-P-26. *Id.*

For all of these reasons, the Project is inconsistent with the General Plan and the Municipal Code. Because of the Project's inconsistencies with these planning documents, approval of this Project would violate State Planning and Zoning Law and the County's Development Code.

B. Zoning Code

8-32

Pittsburg's own Municipal Code prohibits the City from approving a master plan without first finding that it (1) "[c]onforms to the general plan," (2) "[g]enerally complies with the land use and development regulations of the base zoning district and does not significantly alter the regulations," and (3) "[c]an be adequately, reasonably and conveniently served by public services, utilities and public facilities." Municipal Code § 18.72.070. As discussed above in Section III.A of this letter, the DEIR does not provide sufficient analysis for the City to properly find that the Draft Master Plan conforms with the General Plan or that the Draft Master Plan area could be "adequately, reasonably, [or] conveniently served by public services, utilities, [or] public facilities." Furthermore, for the reasons detailed below, the City cannot find that the Draft Master Plan complies with existing land use and development regulations.

As an initial matter, the Draft Master Plan presented in the DEIR is incomplete. Section 18.72.060 of the City of Pittsburg Zoning Code states that each master plan *must* include:

A map showing the proposed master plan boundaries and the relationship of the area to uses and structures within a 300-foot radius of the plan area boundaries;

A map of the master plan area showing sufficient topographical data to indicate clearly the character of the terrain, and the type, location, and condition of mature trees and other natural vegetation;

Letter 8 Cont'd

A site plan indicating the existing and proposed uses, gross floor area, lot coverage, height, parking and density, and a circulation plan;

Architectural plan indicating exterior elevations, floor plans, and colors and materials of buildings and structures;

Landscape plan indicating existing vegetation and proposed planting areas, types and sizes of plant materials, and design of walkways, trails, bicycle paths, recreation areas, paved areas, benches, water features, and lighting;

A preliminary development schedule indicating sequence and timing of development;

8-32 Cont'd

Guidelines for the physical development of the property, including illustrations of proposed architectural, urban design, and landscape concepts;

On slopes over 10 percent, single line sections showing the relationship of the building to the topography.

These submittal requirements allow City staff and decisionmakers to conduct an informed review of the proposed development plan. Here, however, the applicant has utterly failed to submit a majority of these materials, making it impossible for a reviewer to understand what the development might look like and to evaluate the potential impacts of the Project as required by CEQA. Thus, by virtue of its failure to meet these submission requirements, the Draft Master Plan violates the Zoning Code.

8-33

Additionally, the Project as proposed would plainly violate the underlying land use and development regulations that exist on the Project site. As discussed above in Section III.A.1 of this letter, the Project site is currently pre-zoned for Hillside Planned Development ("HPD"). DEIR at 4.9-6. This designation "ensure[s] any future development within the hillside areas would be compatible with the special sensitivity of the hillside areas." *Id.* This designation is, by design, far reaching; it applies to "*all* hillside development" regardless of whether other land use designations also apply. Municipal Code § 18.56.010 (emphasis added); *see also* Pittsburg General Plan Land Use Element Policies 2-P-21 and 2-P-22 (applying hillside development policies to all hillside land irrespective of other zoning and incorporating General Plan hillside policies into the Hillside Preservation Ordinance).

8-34

Critically, land that is zoned for HPD is subject to a panoply of special restrictions designed to protect the character and natural features of the City's hillsides. For example, the Municipal Code establishes the goal "to protect natural topographic features, aesthetic

Letter 8 Cont'd

views, vistas, and prominent ridges." Municipal Code § 18.56.020.D.3. It also calls for the City to "protect adjacent properties from potential adverse impacts of grading and drainage associated with hillside development," and to "encourage the use of development techniques and alternatives that will be compatible to the terrain of the hillside areas." Municipal Code § 18.56.020.

8-34 Cont'd

Before any development may occur in an HPD zone, the Applicant must apply for an HPD permit and must include with their application site-specific plans, reports, and data. Municipal Code § 18.56.070. For example, the Municipal Code contains provisions requiring a fully dimensioned site plan, including, *inter alia*, a vicinity map; the location and dimension of all property lines, streets, and other public improvements; the location of all proposed structures; the location, type, and dimensions of proposed recreational and common area facilities; and a description of existing mature trees, including species, variety, and size. Municipal Code § 18.56.070.D. Additionally, the Applicant must include topographic maps indicating existing contour lines; proposed graded contours; slopes over "10 percent, 20 percent, 30 percent, and 40 percent;" a preliminary grading plan; a "[t]able of site coverage showing acreage percentage coverage of" structures, parking, streets, sidewalks, paths, open space, and recreational facilities; and a vicinity map. Municipal Code § 18.56.070.E. The Code also requires landscape plans indicating the location of existing and proposed trees and other plant materials, before and after grading details, and a preliminary irrigation plan. Municipal Code § 18.56.070.K. Neither the DEIR nor technical appendix, however, actually include any of these details. Thus, the Project does not currently qualify for an HPD permit, and any development of the site would therefore violate the Zoning Code.

Because the Project does not meet the Zoning Code standards and requirements, it cannot be lawfully approved. Allowing major grading, earthmoving and development in the steep hillside area of Southwest Hills would make a mockery of the City's slope protection policies, and it would exceed the City's authority under its current Zoning Code and General Plan.

C. Approval of this Project, Which Paves the Way for The City's Approval of a Tentative Map, Would Violate the Subdivision Map Act.

8-35

Approval of the proposed Project is the first step towards the City's approval of a tentative subdivision map for the site. *See* DEIR at 3-14. As a result, the City must comply with the Subdivision Map Act. This statute requires that a tentative map approval be consistent with the local general plan. *See* Gov't Code §§ 66473.5; 66474; *see also Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 998 (Subdivision Map Act expressly requires consistency with general plan). Approval of a project that is

Letter 8 Cont'd

8-35 Cont'd

inconsistent with the general plan violates the Subdivision Map Act and may be enjoined on that basis. *See Friends of "B" Street*, 106 Cal.App.3d at 998 ("City approval of a proposed subdivision … may be enjoined for lack of consistency of the subdivision map with the general plan."); *see also* City of Pittsburg Municipal Code § 17.20.060 (to approve a tentative map, the following findings must be made, among others: 1) the proposed map is consistent with the general plan and any applicable specific plan, or other applicable provisions of [the municipal] code; 2) the site is physically suitable for the proposed density of development; and 3) the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat).

As detailed throughout this letter, the Project is inconsistent with various goals and policies set forth in the City's General Plan. *See e.g.,* Section I(A), *supra.* Because approval of the Project would violate the general plan consistency requirements of the Subdivision Map Act and the City's own municipal code, the Project application must be denied.

V. The DEIR's Analysis of and Mitigation for the Impacts of the Proposed Project Are Inadequate.

8-36

Even if the Project were permissible under state and city law, it would still require thorough, comprehensive environmental review. The environmental impact report is "the heart of CEQA." *Laurel Heights Improvement Ass'n v. Regents of University of California* (1988) 47 Cal.3d 376, 392 (citations omitted) ("*Laurel Heights I*"). It "is an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return. The EIR is also intended 'to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.' Because the EIR must be certified or rejected by public officials, it is a document of accountability." *Id.* (citations omitted). Where, as here, an EIR fails to fully and accurately inform decision makers, and the public, of the environmental consequences of proposed actions, it does not satisfy the basic goals of the statute. *See* CEQA § 21061("The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect that a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.").

8-37

The "programmatic" nature of this DEIR is no excuse for its lack of detailed analysis. CEQA requires that a program EIR provide an in-depth analysis of a large project, looking at effects "as specifically and comprehensively as possible." CEQA

Letter 8 Cont'd

8-37 Cont'd

Guidelines § 15168(a), (c)(5). Because it looks at the big picture, a program level EIR must provide "more exhaustive consideration" of effects and alternatives than an EIR for an individual action, and must consider "cumulative impacts that might be slighted by a case-by-case analysis." CEQA Guidelines § 15168(b)(1)-(2).

8-38

Further, it is only at this early stage that the City can design wide-ranging measures to mitigate City-wide environmental impacts. See CEQA Guidelines § 15168(b)(4) (programmatic EIR "[a]llows the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility. . . ."). A "program" or "first tier" EIR is expressly not a device to be used for deferring the analysis of significant environmental impacts. *Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal. App. 4th 182, 199. It is instead an opportunity to analyze impacts common to a series of smaller projects, in order to avoid repetitious analyses. Thus, it is particularly important that the DEIR for the Project analyze the overall impacts for the complete level of development it is authorizing now, rather than when specific development is proposed at a later time. Moreover, as LAFCO has previously stated, project level environmental review is required for the agency to consider annexation of this property. Since annexation is part of the stated purpose of this project, an EIR that evaluates project-level impacts is necessary before annexation approval can be granted.

8-39

As discussed in detail below and in the attached technical reports, the DEIR is replete with serious flaws. It lacks a legally defensible description of the Project and contains so little information about the Project's potential environmental impacts that, in many instances, it is difficult to evaluate the accuracy of the environmental analysis. Nor does the DEIR provide the necessary evidence or analysis to support its conclusions that environmental impacts would be less than significant or mitigable to less than significant levels. The DEIR repeatedly concludes that the majority of the Project's environmental impacts are either less than significant or will be rendered less than significant by mitigation or by Project features, while at the same time deferring necessary analysis of mitigation measures. These "bare conclusions" are insufficient; the EIR "must contain facts and analysis" to support and explain such conclusions. *Santiago County Water Dist. v. County of Orange*, 118 Cal.App.3d 818, 831 (1981). An EIR may conclude that impacts are insignificant only if it provides an adequate analysis of the magnitude of the impacts and the degree to which they are mitigated by the project's design or mitigation measures. See *Sundstrom*, 202 Cal.App.3d at 306-07. If an agency fails to investigate a potential impact, its finding of significance cannot stand. *Id.*

8-40

Feasible mitigation measures must be identified and analyzed in a revised DEIR. If mitigation measures are deferred until after Project approval or so undefined that it is

Letter 8 Cont'd

8-40 Cont'd

impossible to evaluate their effectiveness, the EIR is in violation of CEQA. CEQA requires all mitigation measures be adopted simultaneously with, or prior to, Project approval. Mitigation measures may not be deferred when their effectiveness is uncertain or when deferral would prevent the DEIR from disclosing the potentially significant impacts of those measures. *Sacramento Old City Ass'n v. City Council of Sacramento*, 229 Cal.App.3d 1011, 1027-29 (1991). Uncertainties regarding the mitigation of impacts must be resolved before a lead agency may make the required CEQA findings; an agency may not rely on mitigation measures of uncertain efficacy or feasibility. *Kings County Farm Bureau v. City of Hanford*, 221 Cal.App.3d 692, 727 (1990). An agency may defer preparation of a plan or completion of a study only when the agency commits itself and/or the project proponent to satisfying specific performance standards that will ensure avoidance of any significant effects. *Id.* If a mitigation measure would itself create new significant environmental effects, those effects must be evaluated. *Sacramento Old City Ass'n*, 229 Cal.App.3d at 1027; *see also Stevens v. City of Glendale*, 125 Cal.App.3d 986, 995-96 (1981).

8-41

In addition, the DEIR cannot simply assume that applying laws and regulations to future projects obviates the potential for cumulative impacts. *Communities for a Better* Environment *v. California Resources Agency* (2002) 103 Cal.App.4th 98, 111-14 (compliance with an environmental regulatory program cannot displace an agency's separate obligation to consider whether a project's environmental impacts are significant); *Californians for Alternatives to Toxics v. Department of Food & Agriculture* (2005) 136 Cal.App.4th 1, 15-17 (same). Here, the DEIR provides no basis for assuming that unspecified fee payments, regulatory compliance, or future environmental review would ameliorate any potential cumulative impacts.

8-42

Contrary to these well-established principles, the DEIR violates CEQA by deferring critical analysis of Project impacts and feasible mitigation measures. Consequently, the City must prepare and recirculate a revised EIR if it chooses to proceed with the proposed Project.

A. The DEIR Fails to Adequately Analyze and Mitigate the Project's Impacts on Biological Resources.

8-43

The DEIR's biological resources chapter is emblematic of the impossible task the City has set forth for itself by proceeding with CEQA review of a vague and standard-less Plan. The City must evaluate the environmental consequences of implementing a project that has not yet been defined but has the potential to severely affect hundreds of acres of lands that have biological resources of substantial importance. It is therefore not surprising that the DEIR's "analysis" of impacts is incomplete—and hence inadequate.

Letter 8 Cont'd

8-44 As detailed below, the DEIR underestimates Project-related impacts to biological resources as a result of a series of errors, including: (1) faulty methodology; (2) the failure to describe accurately the environmental setting; (3) the failure to analyze the extent and severity of impacts to sensitive species and habitats; and (4) the failure to analyze the Project's cumulative effects. The DEIR's treatment of biological impacts does not meet CEQA's well established legal standard for impacts analysis. Given that analysis and mitigation of such impacts are at the heart of CEQA, the DEIR will not comply with the Act until these serious deficiencies are remedied.

8-45 Because the report prepared by Hamilton Biological provides detailed comments on the DEIR's biological resources analysis, we will not reiterate each of those comments here. *See* Attachment A. Instead, the discussion below highlights the most egregious deficiencies.

1. The DEIR Employs Faulty Methodology.

8-46 The DEIR employs faulty methodology and incorrect assumptions in its analysis of Project impacts to biological resources. The DEIR's analysis is not based on focused surveys tailored to determine the likelihood that particular species are present and would be impacted. For example, despite comments from the California Native Plant Society alerting the City of rare plants known to occur in the area, the DEIR failed to conduct the requisite surveys to evaluate whether the plant exists on site and in what areas. Instead of following the State of California's survey protocol for rare plants, the DEIR relies on a single-day reconnaissance level survey and four days of surveys that were conducted during the wrong season to allow identification of the plants. Hamilton Report at 2 and 11-13. The DEIR should have included focused surveys for all special status species with the potential to occur on site. These surveys should have included rare plant surveys, surveys for grassland birds, and, as discussed below, appropriately timed protocol level surveys for species likely to occur on-site.

The survey information as it stands does not provide an adequate basis for determinations about the individual and cumulative impacts of this Project on either special-status species or rare habitats. The DEIR's inadequate analysis of the species and habitats on the site results in an understatement of the Project's biological impacts.

2. The DEIR Fails to Adequately Describe the Project's Biological Setting.

8-47 An EIR also "must include a description of the environment in the vicinity of the project, as it exists before the commencement of the project, from both a local and a

Letter 8 Cont'd

8-47 Cont'd

regional perspective." Guidelines § 15125; *see also Environmental Planning and Info. Council v. County of El Dorado* (1982) 131 Cal.App.3d 350, 354. CEQA requires that special emphasis be placed on environmental resources that are rare or unique to that region and that would be affected by the Project. Guidelines § 15125(c). Here, the DEIR's discussion of environmental setting is sorely deficient.

8-48

The DEIR fails to provide a complete description of the Project's biological setting and fails to perform adequate surveys for a host of species. *See* Hamilton Report at 9 and 13. In some cases, the DEIR simply presents erroneous information. For instance, the DEIR dismisses the potential occurrence of big tarplant as "unlikely" stating that site has "marginal habitat." DEIR Appendix F at 17. However, this species is found in annual grasslands, usually on slopes like the ones that characterize the Project site. California Natural Diversity Database 2005 and Hamilton Report at 16. Moreover, this rare plant occurs primarily on soils of the Altamont series. *Id.* The DEIR indicates that the entire site consists of soils of the Altamont series, and as the Hamilton Report points out, the DEIR at page 4.4-2 states, "Soils throughout the project site are relatively thick, clay to clay loam." These characteristics match exactly the habitat criteria for big tarplant, therefore the DEIR's dismissal of this species must be revisited.

8-49

In other instances, the DEIR omits crucial information altogether. The DEIR fails to adequately describe the 2007 signed Implementing Agreement for the ECCC HCP/NCCP, entitled "Faria South/Costa and Montecito Project Mitigation" ("Agreement"). This Agreement indicates the southern portion of the Project site as having been prioritized for acquisition as part of a Preserve System when the plan was under development. Hamilton Report at 4. Part of the reason this portion of the site was so identified is due to the occurrence of the federally listed California Tiger Salamander ("CTS") on site. Hamilton Report at 5 and DEIR Appendix E, Figure 6. Yet, the DEIR entirely ignores the Implementation Agreement.

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The DEIR also fails to adequately analyze the presence and number of other special status species that may be present on the site and in the Project area. Specifically, adequate survey information is lacking for the Western Bumblebee, California Red-legged Frog, California Tiger Salamander, White-tailed Kite, Ferruginous Hawk, Golden Eagle, Burrowing Owl, California Horned Lark, Loggerhead Shrike, Grasshopper Sparrow, Tricolored Blackbird, and San Joaquin Kit Fox. Hamilton Report at 13.

8-51

The DEIR's perfunctory description of the sensitive species and habitats present in the Project area results in an incomplete description of the sensitive environmental setting of the Project. This failure to describe the Project setting violates CEQA. *See San Joaquin Raptor*, 27 Cal.App.4th at 724-25 (environmental document violates CEQA

Letter 8
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8-51 Cont'd

where it fails to completely describe wetlands on site and nearby wildlife preserve). The DEIR should have included surveys for these species as part of its assessment of biological resources. Accordingly, the DEIR's description of the biological setting must be revised to include consideration of these and other overlooked species.

3. The DEIR Fails to Adequately Analyze and Mitigate the Project's Direct Impacts to Sensitive Species.

8-52

The DEIR's failure to describe the existing setting severely undermines its analysis of Project impacts. Despite the DEIR's acknowledgement that the Project would adversely affect potential habitat for several special status, the DEIR fails to adequately analyze adverse impacts to these species. For example, as discussed above, federally listed CTS are known to occur on a portion of the site. Hamilton Report at 5 and DEIR Appendix E, Figure 6. The Project proposes a roadway which would create a barrier for CTS preventing them from accessing both breeding ponds and upland habitat. The roadway would also certainly result in direct mortality to CTS attempt to cross. *Id.* However, the DEIR ignores these impacts and fails to conduct the necessary analysis.

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Moreover, implementation of the proposed project would not only impact CTS on the Project site itself, but would also establish barriers to movement of salamanders (and other terrestrial species) into and out of the preserved habitat areas north and east of the Project site. *Id.* at 6. Presumably, planners of the HCP/NCCP originally prioritized maintaining a viable habitat connection through the eastern part of the Project site to preserve the ecological value of lands already preserved in this area. The DEIR, however, fails to address this issue. *Id.*

8-54

Similarly, the DEIR acknowledges that the Project site includes potential habitat for burrowing owl, a California Species of Special Concern ("CSC") and San Joaquin kit fox, a federally endangered species and a California Threatened species. DEIR at 4.4-29. 4.4-53 and 4.4-55. Yet, rather than conduct appropriate surveys to evaluate the presence/absence of these species and analyze the extent and severity of the Project's impacts, the DEIR simply applies a laundry list of measures requiring future data gathering. However, the DEIR's assertion that post-approval data collection will mitigate the Project's impacts to known resources on the site to a less-than-significant level is not supported by substantial evidence, constitutes an inappropriate deferral of mitigation measures under *Sundstrom v. County of Mendocino*, 202 Cal.App.3d at 296, and is erroneous as a matter of law.

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In some cases, the DEIR's mitigation reiterates required measures by the Habitat Conservation Plan for the Project area and concludes that all impacts will be mitigated to

Letter 8 Cont'd

8-55 Cont'd

less than significant levels. However, by failing to analyze the extent and severity of impacts to biological resources, the DEIR downplays the effects of the loss of open space on special status species. The end result is a document which is so crippled by its approach that decision makers and the public are left with no real idea as to the severity and extent of environmental impacts. *See, e.g., Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs.* (2001) 91 Cal.App.4th 1344, 1370-71; *Galante Vineyards v. Monterey Peninsula Water management Dist.* (1997) 60 Cal.App.4th 1109, 1123; *Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decision makers information about how adverse the impacts would be).

8-56

The DEIR's analysis of impacts to raptors such as golden eagle is equally lacking. As discussed in detail in the Hamilton Report, the DEIR provides only vague and partial information about the status of the golden eagle on and around the Project site. Hamilton Report at 13. The DEIR simply asserts that the Project site provides habitat for this species and that they would be affected by a reduction in foraging habitat, but once again fails to describe the extent and severity of the impacts. DEIR at 4.4-46 and 47. The DEIR must quantify the Project's effects on golden eagles and other raptors, and the efficacy of the proposed mitigation, so that the public and decision makers may reach their own conclusions. *Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 130.

B. The DEIR Fails to Adequately Analyze the Projects Land Use Impacts.

1. City's General Plan and Zoning

8-57

As described in Section IV of this letter above, the Project conflicts with multiple General Plan and Zoning Code provisions. These conflicts are significant impacts under CEQA. The DEIR suggests that the Project will be consistent with the General Plan (*see, e.g.,* DEIR at 3-7 [establishing GP-consistent development as a project objective], 4.6-16 and 4.9-18); however, this conclusion is unfounded and is not supported by substantial evidence. In fact, the Project's plain inconsistencies represent significant impacts, and the DEIR must be revised to disclose and evaluate these impacts.

8-58

As it stands, even where the DEIR discusses the General Plan, it simply does not include sufficient analysis to determine whether inconsistencies exist. While the technical chapters together identify sixty-six General Plan goals and 166 policies that are relevant to the Project, they rarely discuss the Project's consistency with these goals and policies.

Letter 8 Cont'd

8-59 For example, Chapter 4.1 (Aesthetics) identifies six goals and twenty-eight policies governing hillside development standards, urban design, and the conservation of ecological resources. DEIR at 4.1-9 to 4.1-14. This chapter, however, only analyzes the Project's consistency with one of these goals and one related policy. *See* DEIR at 4.1-16 to 4.1-25. Even accounting for the goals and policies the proposed General Plan Amendment would revise or delete, this so-called analysis still leaves three goals and seventeen policies unaddressed.

8-60 Similarly, Chapter 4.2 (Agricultural Resources) identifies two relevant goals and three policies related to hillside development and the preservation of open space and agricultural lands. DEIR at 4.2-11 and 4.2-12. This chapter, however, does not explicitly analyze the Project's consistency with *any* of them. *See* DEIR at 4.2-14 to 4.2-17.

8-61 Chapter 4.3 (Air Quality and Greenhouse Gas Emissions) likewise identifies three goals and three policies relevant to the Project, yet its impacts analysis does not address any of them. *See* DEIR at 4.3. This pattern continues through Chapters 4.4 (Biological Resources), 4.5 (Cultural and Tribal Resources), 4.6 (Geology, Soils, and Seismicity), 4.7 (Hazards and Hazardous Materials), and 4.12 (Transportation, Traffic, and Circulation). *See generally* DEIR at 4.4, 4.5, 4.6, 4.7, and 4.12.

8-62 While the DEIR nominally includes a General Plan Policy Table (DEIR Appendix J), which purports to analyze the Project's consistency with the City's General Plan, this table only addresses three General Plan policies—far short of the 166 implicated in the DEIR's technical chapters. Thus, the vast majority of relevant General Plan goals and policies avoid any semblance of consistency analysis.

8-63 Compounding the problem, what little analysis the DEIR does undertake is woefully inadequate and does not support a finding of consistency with the General Plan. For example, Chapter 4.1 finds the Project consistent with goal 2-G-8 requiring that hillside development is respectful of topography and other natural constraints, and preserves ridgelines and viewsheds. The DEIR makes this assertion based on the grounds that "it can be assumed that General Plan Policies related to the preservation of the natural topography [of the site] are superseded by the General Plan policy related to the density of 1,500 dwelling units on the project site." DEIR at 4.1-32. The Pittsburg General Plan, however, explicitly states that "[a]ll adopted portions of the general plan, whether required by state law or not, have equal weight. *None may supersede another*." Pittsburg General Plan Introduction at 1-5 (emphasis added). The City cannot base a consistency finding on grounds that the General Plan itself repudiates.

Letter 8 Cont'd

Subsequent chapters suffer from similar deficiencies. For example, Chapters 4.8 and 4.10 find the Project inconsistent with one or more General Plan policies. Rather than addressing these infirmities, however, these chapters punt to future mitigation to resolve latent inconsistencies.

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Because the DEIR does not provide sufficient information to support a present finding that the Project is consistent with the City's General Plan, the DEIR is inadequate. The EIR should therefore be revised to analyze each of the Project's inconsistencies with the General Plan.

2. The DEIR Fails to Adequately Evaluate the Project's Inconsistency with Regional Conservation Plans.

As discussed throughout this letter, the proposed Project is situated in an area subject to East Contra Costa County HCP/NCCP. Portions of the site have been designated as priority areas for preservation. The Project has the potential to directly and indirectly impact habitat within these priority areas as well as other sensitive habitat areas on the site. *See* Hamilton Report attached as Appendix A. The DEIR largely foregoes analysis of the Project's significant impacts to sensitive habitat areas and special status species, despite the fact that the Project would disturb and bifurcate the site. Moreover, the DEIR completely ignores its obligation to evaluate the Project's consistency with the HCP/NCCP. Instead, the DEIR simply states that the Project "would be required to comply with the ECCC HCP/NCCP through the implementation of avoidance and minimization measures as well as the mitigation measures included in this EIR" and that resulting impacts would be less-than-significant. DEIR at 4.4-67. This superficial conclusion lacks evidentiary support. The Project both destroys the high quality habitat on the site and fragments habitat areas off-site. The Project cuts off and isolates the preserved areas from other open space areas. As described in section II of this letter above, the HCP/NCCP and related agreements that apply to the site prescribe preservation of certain parts of the proposed Project site. Hamilton Report at 3-7. Accordingly, the DEIR must analyze the Project's inconsistency with these documents and must look beyond the mitigation measures alluded to in this document.

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The DEIR's failure to acknowledge or analyze this inconsistency as a significant impact renders it inadequate under CEQA.

Letter 8 Cont'd

3. The DEIR Fails to Adequately Evaluate the Project's Inconsistency with County LAFCO Policies.

As explained in the DEIR, this Project involves the annexation of the Project site into (1) the City of Pittsburg City Limits, (2) the Contra Costa Water District (CCWD), and (3) the Delta Diablo sanitation district (DDSD). DEIR at 1-1. As a result, even if the City certifies the EIR and approves the Project, the Project still cannot move forward unless Contra Costa County's Local Agency Formation Commission ("LAFCO") first approves the annexations.

LAFCOs are county-level independent regulatory commissions that serve as the Legislature's "watchdog" over city or special district boundary changes, known as "changes of organization." See *Timberidge Enterprises, Inc. v. City off Santa Rosa* (1978) 86 Cal.App.3d 873, 884; Gov. Code § 56375. When a municipality or county wishes to make boundary changes, it must first seek approval from its LAFCO. In reviewing boundary change requests, LAFCOs are to encourage and provide "planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns." Gov. Code § 56300(a).

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In addition, the LAFCO in each county must adopt written policies and procedures to evaluate local agency boundary change proposals, including standards and criteria to guide the LAFCO's review (Gov. Code §§ 56300(a), 56375(g)), and may condition approval on applicants' compliance with its written policies. *Id.* § 56885.5. State law also enumerates factors a LAFCO must consider when evaluating a city's boundary change request. *See e.g., id.* § 56377. A LAFCO may "disapprove an annexation if it finds that it violates the detailed criteria which a LAFCO must consider." *Bozung v. Local Agency Formation Commission* (1975) 13 Cal.3d 263,284; *see also* Gov. Code § 56375(a)(1).

Much of the Faria/Southwest Hills Project site is currently undeveloped open space. Therefore, in reviewing the proposed annexation, Contra Costa LAFCO must consider whether the Project is consistent with LAFCO policy and with state law regarding annexation of open space. The DEIR fails to adequately analyze this issue, a gross misstep given that the three annexations are integral to the Project. Additionally, the DEIR fails to adequately analyze the Project's consistency with LAFCO's anti-sprawl policies and to provide critical details necessary for LAFCO to approve the proposed annexations.

(a) The Proposed Project Is Inconsistent with State and Local Law and Policy Regarding Urban Sprawl

Letter 8 Cont'd

A LAFCO's principal goals include "discouraging urban sprawl" and "preserving open space and prime agricultural land." Gov. Code § 56301; *see also* Gov. Code § 56001 (noting LAFCO role in preserving open space lands). The Contra Costa LAFCO "embraces its objectives of encouraging orderly growth and development while discouraging urban sprawl" by providing that "[v]acant land within urban areas should be developed before . . . open space land is annexed for non-agricultural and non-open space purposes." Contra Costa LAFCO Agriculture and Open Space Preservation Plan ("AOSPP") at 2, 5. For LAFCO purposes, "open space" is defined as "any parcel or area of land . . . which is substantially unimproved and devoted to an open-space use" and "that is designated on a local, regional, or state open-space plan . . . for the preservation of natural resources, including, but not limited to, areas required for the preservation of plant and animal life." Gov. Code §§ 56059, 65560. As described in the DEIR, much of the Project site meets this definition of open space.

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The DEIR, however, fails to analyze whether vacant land within urban areas is available to meet the Project goals. Without first analyzing the availability of vacant, urban land, the City cannot determine whether the Project complies with LAFCO's stated development policies.

(b) The Proposed Project is Inconsistent with LAFCO's Agricultural and Open Space Preservation Policy.

By the DEIR's own admission, because much of the Project site is currently open space, "consistency with LAFCo's recently adopted [Agricultural and Open Space Preservation Policy ("AOSPP")] and relevant goals and policies . . . would be required prior to project approval." The DEIR's consistency analysis, however, is incomplete and flawed. The AOSPP contains six "Goals" and ten "Policies" that establish LAFCO's intended outcome for projects impacting agricultural lands or open space. AOSPP at 5-6. Although the DEIR lists all sixteen of these Goals and Policies, it only discusses the Project's consistency with five of them. *Compare* DEIR at 4.2-12 to 4.2-14 *with id.* at 4.2-17.

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Additionally, what little analysis the DEIR does provide is deceptive and ill conceived. For example, AOSPP Goals 1 and 2 together direct applicants to "[m]inimize the conversion of . . . open space land to other land uses" and to "[i]ncorporate . . . open space land preservation into long range planning." The DEIR reasons that the Project is consistent with these goals on the grounds that it will convert more urban uses to open space than vice versa. DEIR at 4.2-15 ("Thus, while a portion of the existing Open Space areas on the project site would be converted to urban uses as part of the proposed project, the Draft Master Plan Land Use Map would preserve a correspondingly greater area of

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Letter 8 Cont'd

Open Space."). This attempted rationalization, however, represents a fundamental misunderstanding of the AOSPP Goals and an inexplicable distortion of LAFCO's policies.

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Per the DEIR's own admission, the Project would convert open space to urban uses. Whether it also creates new open space is immaterial, because the AOSPP does not treat open space as fungible. So much is evident in the AOSPP guidelines, which recommend 1:1 substitution as an appropriate mitigation measure for the conversion of agricultural lands, but *not* for the conversion of open space. *See* AOSPP at 7. Furthermore, AOSPP Goal 1 plainly directs applicants to minimize "*the conversion*" of open space lands—not to minimize *the net effects* of conversion. AOSPP at 5 (emphasis added). Thus, the Project would convert open space land to non-open space uses, and the DEIR has not explained how it will minimize that conversion.

Because the DEIR's consistency analysis is flawed and incomplete with respect to the AOSPP, the DEIR must be recirculated with a revised analysis.

(c) The DEIR Omits Critical Details Required by LAFCO

The Contra Costa LAFCO is a responsible agency for the purposes of this Project, and as such, it will rely on the Project's CEQA documents in its consideration of the proposed annexations. DEIR at 4.2-9; *see also LAFCO Comment Letter – Notice of Preparation of a Draft Environmental Impact Report for the Proposed Faria/Southwest Hills Annexation Project*, Contra Costa Local Agency Formation Commission (March 31, 2017). The DEIR, however, omits discussion of critical Project details that are integral to LAFCO's determination.

Specifically, in its March 31, 2017 comment letter, LAFCO requested the following information:

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- *Public Services and Utilities* (e.g., fire, police, sewer and water) and including: (1) an enumeration and description of the services to be extended to the project area; (2) level and range of services; (3) indication of when those services can feasibly be extended to the project area; (4) description of any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions the City would impose in conjunction with the project; and (5) information with respect to how services will be financed.
- *Regional Housing Needs* - the extent to which the proposal will assist the City in achieving its fair share of the regional housing needs.

Letter 8 Cont'd

8-70 Cont'd

- *Properties Proposed for Annexation* – the NOP notes that the proposed annexation includes a non-participating property that is outside of the Pittsburg City limits and not included within the Master Development Plan. LAFCO will rely on the City's EIR to provide information about this property (e.g., reason for including the property in the annexation, current and future land uses, need for municipal services, etc.).

8-71 The DEIR utterly fails to provide the requested information. Neither the Project Description nor the Public Services and Utilities chapter nor the Draft Master Plan provides any indication of when services could feasibly be extended to the Project area or what those services might look like. Additionally, there is no clear discussion of potential "improvements or upgrading of structures, roads, sewer or water facilities, or other conditions the City would impose in conjunction with the project." Rather, the DEIR simply describes the current state of the City's utilities and services without further elaboration. *See generally,* DEIR at 4.11.

8-72 Similarly, although the DEIR discusses a relationship between aspects of the Project and regional housing goals, it does not clearly define "the extent to which the proposal will assist the City in achieving its fair share of the regional housing needs."

8-73 Finally, the DEIR is silent regarding the reason for including the non-participating property in its annexation, the current and future land uses of that non-participating property, and the need to extend municipal services to that property. In short, the DEIR fails to provide the information that LAFCO must rely on in order to approve the annexations. Because the DEIR cannot provide a key responsible agency with the data it needs to make an informed decision, the DEIR is fatally deficient.

C. The DEIR Fails to Adequately Analyze the Project's Impacts on the Water Supply.

8-74 The Project will unquestionably require significant amounts of water in order to serve construction and operational needs. While the DEIR acknowledges this need, it fails to account for the impacts associated with providing this water.

8-75 CEQA requires that an EIR present decision makers "with sufficient facts to evaluate the pros and cons of supplying the amount of water that the [project] will need." *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal.4th 412, 430-31 (2007). This includes identifying and analyzing water supplies that "bear a likelihood of actually proving available; speculative sources and unrealistic allocations ('paper water') are insufficient bases for decision making under CEQA." *Id.*

Letter 8 Cont'd

at 432. The fact that an agency has identified a likely source of water for the Project does not end the inquiry.

> The ultimate question under CEQA . . . is not whether an EIR establishes a likely source of water, but whether it adequately addresses the reasonably foreseeable *impacts* of supplying water to the project. If the uncertainties inherent in long-term land use and water planning make it impossible to confidently identify the future water sources, an EIR may satisfy CEQA if it acknowledges the degree of uncertainty involved, discusses the reasonably foreseeable alternatives—including alternative water sources and the option of curtailing the development if sufficient water is not available for later phases—and discloses the significant foreseeable environmental effects of each alternative, as well as mitigation measures to minimize each adverse impact.

8-75 Cont'd

Id. at 434. This analysis is crucial in light of the drought that has gripped this State for the past several years. This DEIR's analysis of impacts to water supply fails to meet CEQA's standards

1. The DEIR Fails to Adequately Describe The Existing Setting

As explained in detail in the Fiske Report (Appendix B), the Water Supply Assessment ("WSA") is intended to form the basis of the DEIR's water supply analysis. Under the California Water Code, lead agencies are obliged to "determine whether the projected water demand associated with a proposed project was included as part of the *most recently adopted* urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610)." California Water Code Section 10910(c)(1); emphasis added.

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Here, the DEIR's Water Supply Assessment ("WSA") falters at the outset because it relies on an outdated Urban Water Management Plan ("UWMP"). Fiske Report at 1. The WSA relies on the 2010 UWMP, which forecasts water demand and supply through 2035. *Id.* The current, most recently adopted Pittsburg UWMP is the 2015 plan, adopted in August 2016, which includes projections through 2040. *Id.* The Notice of Preparation ("NOP") for this Project was issued in April of 2017, however this DEIR does not incorporate the current Pittsburg UWMP, which was available when the NOP was published. Therefore, the WSA for the Project is inconsistent with the requirements of the California Water Code. California Water Code Section 10910(c)(1) and 10910(c)(2.)

Letter 8 Cont'd

8-76 Cont'd

The DEIR's failure to use the most recent UWMP is important for several reasons. First, relying on data from the outdated UWMP means that the underlaying demand forecast understates water demand. Secondly, the current UWMP takes into account the extreme drought conditions present between 2014 and 2016, whereas the previous version does not. Lastly, the current UWMP incorporates climate change conditions into the plan, which the prior version does not. Thus, the DEIR's use of the outdated UWMP results in an inaccurate description of baseline conditions related to water supply and skews the DEIR's analysis of related impacts. *See*, Fiske Report attached as Appendix B.

2. The DEIR Fails to Consider Potential Impacts from Securing a Long Term Water Supply for the Project.

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The DEIR's use of the outdated UWMP not only results in an inadequate description of the existing setting, it also limits the water supply analysis to projections through 2035. This is especially problematic given the growing evidence that climate change will cause severe droughts like the drought that occurred from 2014-2016 to become increasingly common in the future. Even though there have been multi-year droughts in the past, none approach the magnitude of California's recent mega-drought, which was induced by climate change. *See* California's Most Significant Droughts (Appendix F); California Water Year 2014 Among Driest Years on Record (Appendix G); Assessing the Risk of Persistent Drought Using Climate Model Simulations and Paleoclimate Data (Appendix H). A study of California droughts concluded that anthropogenic climate change will continue to cause the co-occurrence of warm and dry periods in California, which in turn will exacerbate water shortages in the state. See Anthropogenic Warming Has Increased Drought Risk in California (Appendix I). Indeed, scientists have determined that climate change likely intensified the recent mega-drought by 15 to 20 percent, and droughts are almost certain to keep getting worse in the coming decades. *See* Contribution of Anthropogenic Warming to California drought (Appendix J). Ignoring such evidence violates CEQA because it denies decision-makers and the public the information necessary to "evaluate the pros and cons of supplying the amount of water that the [project] will need." *Vineyard Area Citizens for Responsible Growth, Inc.*, 40 Cal.4th at 431 (citation omitted; brackets original). The DEIR must acknowledge these projections for long-term drought-induced deficits in the California's water supply, identify concrete measures that could supplement the water supply for the Project, and evaluate the environmental impacts of obtaining that new water supply. In light of this mounting evidence, the DEIR's short-term water supply assessment is inadequate.

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Moreover, this DEIR includes no discussion of the potential impacts of climate change on the availability of water supply and on how the Project could affect future water supply reliability. Water suppliers around the state, including CCWD, have

Letter 8 Cont'd

8-78 Cont'd

recognized the potentially significant impacts of climate change on future water supply reliability. Fiske Report at 7 and 8. Evaluations of the impacts of a project such as this must likewise address the manner in which those impacts are affected by climate change. *Id.*

3. The Project's Water Demand Is Not Included in the Current Water Demand Forecast.

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The DEIR acknowledges the importance of determining whether the Project's water demand is included in the UWMP demand forecast. DEIR Appendix L at 3-2. The DEIR concedes that the 2010 UWMP does not include the proposed Project but then concludes that "…although the project was not specifically included in the UWMP, the anticipated population growth and water demand increases for the entire City were evaluated, and the demand estimates … generally include the water demand increase associated with buildout of the proposed project." DEIR at 4.11-26. As explained in the Fiske Report, this argument is fundamentally flawed. Just because the Project's water demand is less than the total forecasted demand growth for the City through 2035, that does not mean Project demands are automatically 'included' in the forecast. *Id.* The Project is not replacing another project included in the 2010 UWMP forecast; it would add to that demand. Fiske Report at 2.

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The DEIR itself acknowledges that the UWMP forecasts do not include the Project. DEIR at 4.11.12. The DEIR's Public Services and Utilities chapter describes the *existing* water supply as well as other utilities and services, in the context of the *no-project* condition. DEIR at 4.11.12 and Fiske Report at 2. The same section of the DEIR also presents water demand forecasts as part of the existing setting. If the forecast is part of the existing setting they cannot by definition include the Project. *Id.*

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Moreover, as the DEIR points out, neither the 2010 or 2015 UWMP does includes buildout of the Project site because the site is not currently part of the CCWD service area boundary. DEIR at 4.11-26. A revised analysis must recognize that the water demand for this Project would be additive to the UWMP projections and must provide a full evaluation of the Project's impacts on forecasted water supplies in the 2015 UWMP.

4. The DEIR's Analysis of Project-Related Impacts on Water Supply Is Inadequate.

8-82

The DEIR's evaluation of the Project's impacts on water supply acknowledges that the Project would result in a net increase in water use of 572 acre feet per year compared to existing conditions. DEIR Appendix L at 5-1. However, the DEIR concludes

Letter 8
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8-82 Cont'd

that this amount of additional water use would not constitute a significant impact because the Project's water supply would represent only 10 percent of the City's projected growth in water demand through 2035. Fiske Report at 2.

This conclusion is unsupported. First, as explained in the Fiske Report, the DEIR failed to adequately consider the available water supply and the Contra Costa Water District's ("CCWD") ability to meet future water demand. One of the principal deficiencies in the DEIR's analysis lies in its failure to account for the vast uncertainty inherent in the District's surface water supply, which makes up the bulk of the total supply. Fiske Report at 3. The District's UWMP indicates that the City's water supply is highly variable and shows very little surplus. In fact, the UWMP indicates that the District anticipates shortfalls that cannot be met with existing and projected supplies during dry years. Fiske Report at 3 2015 UWMP at Table 7-4W, Note C. Given the anticipated shortfalls even without the Project, committing 10 percent of the water supply to this Project will inevitably exacerbate water shortages. *Id.* At a minimum, a revised DEIR must include an analysis that is based on the current UWMP and that takes into account the variability and unreliability of the City's water supply.

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Despite the DEIR's unsupported rationale that the CCWD can adequately provide water to the Project site, the DEIR concludes that, based on the fact that the Project is outside of District's service area, the Project's impacts to water supply would be significant. DEIR at 4.11-26. The DEIR goes on to identify two mitigation measures that it claims will reduce the impact to a less-than-significant level. *Id.* The measures require the developer to provide a will-serve letter from CCWD and require written verification from the water supplier that water will be available for the Project prior to approval of the final subdivision map. *Id.* Clearly, these measures require only that the Project comply with existing regulations and fail to address anticipated water supply shortfalls in light increased drought periods. Here too, the DEIR defers analysis and fails to mitigate acknowledged significant impacts related to water supply.

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Finally, the DEIR fails to analyze the cumulative impacts associated with providing water for this Project. According to the DEIR, the "projected future water demand of the City of Pittsburg includes continued implementation of the City's existing water conservation program, and is based on future normal hydrologic conditions." DEIR at 4.11-40. This analysis does not discuss the "reasonably foreseeable impacts of supplying water to the project." *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova*, 40 Cal.4th at 434 (2007). The DEIR should disclose what effect the development of the cumulative projects will have on CCWD's existing entitlements and facilities. Also, there is no reason why prior approval from local utilities would on their own ameliorate any potential impacts. The City must undertake its own analysis of

Letter 8 Cont'd

8-84 Cont'd

cumulative impacts associated with the Project and adopt enforceable mitigation measures. The DEIR must be revised to include facts and analysis regarding cumulative water supply impacts. CEQA Guidelines § 15064(b) (significance determinations must reflect "careful judgment . . . based to the extent possible on scientific and factual data."); *Californians for Alternatives to Toxics v. Dept. of Food & Agriculture*, 136 Cal.App.4th 1, 17 (2005) ("[C]onclusory statements do not fit the CEQA bill.").

D. The DEIR Fails to Adequately Mitigate Significant Impacts Related to Air Quality and Greenhouse Gas Emissions.

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An EIR is inadequate if it fails to suggest feasible mitigation measures, or if its suggested mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79. Of course, the City may not use the inadequacy of its impacts review to avoid mitigation: "The agency should not be allowed to hide behind its own failure to collect data." *Sundstrom*, 202 Cal.App.3d at 36. Nor may the City use vague mitigation measures to avoid disclosing impacts. *Stanislaus Natural Heritage Project*, 48 Cal.App.4th at 195. Put another way, an EIR must set forth specific mitigation measures or set forth performance standards that such measures would achieve by various, *specified* approaches. *See* CEQA Guidelines § 15126.4; *see also Sacramento Old City Assn. v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011, 1034. The DEIR failed to comply with this bedrock CEQA requirement.

1. Assumptions Used To Model Air Quality and Greenhouse Gas Emissions Impacts Are Unclear.

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The DEIR states that, in the absence of more Project information (e.g., subdivision map or conceptual design information), the Project was analyzed using a particular list of assumptions. DEIR at 4.3-31. But the assumptions provided are limited to a construction start date, estimated length of time for the construction period, the maximum number of dwelling units, the number of acres that will be graded, and that no demolition would take place. *Id.* These assumptions are inadequate for readers and decisionmakers to understand how the air quality and greenhouse gas emissions were modeled.

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Specifically, air quality emissions are affected by the amount of earth movement. The DEIR's geotechnical report indicates that a significant amount of earth movement will be necessary to stabilize soils, but the report fails to quantify, or even estimate, the amount. The DEIR provides no information on the amount of cut and fill that might be required, the depth of the cuts, or the default assumptions used in place of Project-

Letter 8 Cont'd

8-87 Cont'd specific information. This information is important because it directly translates to criteria pollutant emissions.

Moreover, the DEIR's technical appendix for air quality emissions is incomplete. The CalEEMod air quality model output sheets indicate that the emissions calculations were based on defaults built into the model except for certain topic areas. DEIR Appendix D at 1. However, information provided on the non-default data used is insufficient. For example, the DEIR says that the "CO2 intensity factor" was "adjusted per PG&E progress towards RPS." *Id.* The DEIR provides no explanation of what these adjustments entail and why they are necessary. Similarly, the model employs Project-specific grading assumptions rather than the model's default assumptions. *Id.* However, the DEIR does not disclose what grading assumptions were used and instead states "Project Info." Nowhere else does the DEIR describe the amount of grading and earth movement, the amount of cut and fill required, or the depths of the cuts required. A revised EIR must disclose details about the assumptions used to evaluate the Project's impacts.

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2. The DEIR Fails to Adequately Analyze or Mitigate the Project's Significant Impacts Related to Air Quality Impacts.

The DEIR concludes that the proposed Project would result in significant Project and cumulative air quality impacts that result in conflicts with the regional air quality plan. DEIR at 4.3-35 and 4.3-41. However, the document reaches this conclusion without completing the analysis of the Project's air quality impacts. The DEIR justifies this failure by asserting the Project is not yet sufficiently defined. *Id.* To remedy this problem, the City should have requested additional information from the Applicant or made reasonable assumptions. The DEIR's deferral of a Project-level analysis of air quality impacts until *after* Project approval is inconsistent with CEQA requirements. It is well-established that the City cannot defer its assessment of important environmental impacts until after the project is approved. *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 306-07.

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Having failed to conduct an adequate analysis of the Project's impacts, the DEIR presents Mitigation Measure 4.3-2, which requires that a project-level analysis of air quality impact be performed in the future, *after* the project is planned and designed. DEIR at 4.3-36. This approach is contrary to CEQA requirements. First, the DEIR fails utterly in its attempt to mitigate for Project-specific and cumulative impacts relating to violations of ambient air quality standards. The DEIR offers a list of measures, which are so vague and undefined that it is impossible to gauge whether the measures would ever be implemented and whether they would provide any emission reduction at all. For

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Letter 8 Cont'd

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example, with regard to significant operational emissions in excess of thresholds of significance, the DEIR calls for measures that "promote use of public electric vehicle charging infrastructure", "promote ridesharing, transit, bicycling, and walking for work trips", "provide charging stations for electric vehicles", and "plant shade trees". DEIR at 4.3-36. However, these measures are unlikely to reduce the Project's impacts because of their voluntary, flexible, and unenforceable nature. The proposed policies are vague and provide no specific requirements for how the Project will "promote" the desired behaviors or the number of electric vehicle charging stations or shade trees that will be required. Consequently the DEIR fails to provide supporting evidence that such measures would be implemented and whether, how, and to what degree they would be effective to reduce significant impacts.

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Second, the DEIR specifies that the analysis and proposed mitigation measures related to significant operational air quality impacts "shall be reviewed as part of the development review process." In other words, the DEIR defers both analysis of the Project's impacts and identification of specific measures to minimize those impacts until after approvals have been granted. Again, this approach does not comport with CEQA. A revised EIR must describe the project, disclose the impacts of the project, and identify feasible, enforceable measures to mitigate any significant impacts prior to Project approval.

3. The DEIR Fails to Properly Analyze and Mitigate the Project's Greenhouse Gas Emission Impacts.

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The DEIR's analysis and mitigation of the Project's greenhouse gas emissions is equally lacking. While the DEIR concludes that the Project would result in significant impacts related to conflicts with Senate Bill 32 ("SB 32") and Executive Order S-03-05, the DEIR fails to conduct an adequate analysis of the Project's impacts and fails to provide adequate mitigation to reduce these impacts. The DEIR proposes the same mitigation for greenhouse gas emissions as it does for criteria air pollutants. That is, it relies on Mitigation Measure 4.3-2 described above and adds a requirement for preparation of an analysis of Project-level greenhouse gas emissions in the future after Project approval. As discussed throughout this letter, this approach of deferring analysis and mitigation is unlawful.

E. The DEIR Fails to Adequately Analyze and Mitigate the Project's Impacts on Hydrology.

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The DEIR recognizes that altering upland topography to construct the Project could negatively affect hydrology on the Project site and in the surrounding area. As a

Letter 8
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8-93 Cont'd

result, the DEIR's thresholds of significance recognize that the Project would have a significant hydrology impact if it increased flows from the Project site in a manner that would (1) "create or contribute runoff water which would exceed the capacity of existing planned stormwater drainage systems," (2) "substantially alter the existing drainage pattern of the site or area . . . in a manner which would result in flooding" (3) "substantially alter the existing drainage pattern of the site or area . . . in a manner which would result substantial erosion or siltation on or off site," (4) "violate any water quality standards or waste discharge requirements." DEIR at 4.8-15. But the DEIR lacks the data and analysis necessary to determine whether the Project would exceed these thresholds.

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The DEIR includes virtually no discussion of the potential Project impacts to hydrology and water quality. First, the DEIR provides no information on the hydrology and water quality setting. Neither the DEIR analysis, nor the technical memo prepared by Isakson & Associates Inc., dated December 27, 2013[1], provide any details regarding the existing hydrology of the site. The one-page technical memo states only that there exist two drainages on the Project site and provides the general direction of flow. Isakson at 1. Without describing the hydrology of the on-site drainage and that of area tributaries and receiving waters downstream, the reader of the DEIR has no context within which to evaluate potential Project impacts. This failure to describe the existing hydrological setting means that the DEIR fails to describe baseline conditions.

8-95

Second, the DEIR fails to describe relevant Project features. The Project would require extensive grading (DEIR at 4.1-32 and 4.9-21), which would, in turn, substantially alter site drainage and the drainage channels that run through the property, yet the DEIR provides no information on these changes. The DEIR fails to provide any description of the stormwater facilities required for the Project, with the excuse that the design of the Project is not yet known and the analysis is at a program level. DEIR at 4.8-16. First, as discussed throughout this letter, the programmatic nature of the analysis does not excuse the City from gathering data, describing existing conditions, and conducting analysis.

8-96

Moreover, the DEIR needlessly defers critical stormwater considerations to future development applications. *See* DEIR at 4.8-17. There is no reason, why the DEIR could

[1] The Isakson and Associates technical memo was not included in the DEIR. It consists of a one-page rudimentary description of the site's drainage and attaches three, barely legible maps of the storm drain master plan, hydrology map and drainage plan for a *different* project site: the San Marco development. These maps date as far back as 1986 and are of no use in evaluating the Faria/SW Hills site.

Letter 8 Cont'd

8-96 Cont'd

not or should not have analyzed hydrological impacts at a program level. Indeed, the City already has the ability to model pre-development runoff conditions and assess downstream drainage and City stormwater facilities—analyses currently reserved as mitigation after project approval. *See id.* Additionally, if the Draft Master Plan were appropriately revised to include a site plan, the City could actually estimate the Project's stormwater impacts instead of throwing in the towel. *See id.* (choosing to assume a level of significance instead of developing the site and drainage plans needed for a complete analysis). Instead, however, the DEIR once again defers this analysis contrary to CEQA.

8-97

The DEIR fails to include a conceptual grading plan, a site plan, or a conceptual drainage plan. Thus, the DEIR contains no supporting studies or data and relies entirely on future preparation of all Project plans, a Storm Water Pollution Prevention Plan ("SWPPP") and compliance with existing regulations to reduce the Projects impacts to a level of insignificance. This approach does not conform to CEQA. Relying on compliance with existing requirements is particularly unacceptable in this situation because in steep terrain like this, it is virtually impossible for projects to comply with National Pollutant Discharge Elimination System ("NPDES") requirements. Specifically, the Project is subject to compliance with the applicable Municipal Regional Permit. The C.3 portion of that permit, which refers to post-construction stormwater management for new development and redevelopment projects, requires Low Impact Development ("LID") approach to controlling stormwater. A LID approach would comprise a stormwater management strategy aimed at maintaining or restoring the natural hydrologic functions of a site. LID design detains, treats, and infiltrates runoff by minimizing impervious area, using pervious pavements and green roofs, dispersing runoff to landscaped areas, and routing runoff to rain gardens, cisterns, swales, and other small-scale facilities distributed throughout a site (source: Contra Costa County C.3 Guidebook). Based on other subdivision projects proposed and constructed by this Applicant, the City can expect the Project to include mass grading, destruction of natural drainages, extensive new impervious surfaces, no small-scale distributed stormwater treatment features, conventional gutter and pipe collections systems, and centralized detentions basins. This approach is completely contrary to LID principles and therefore would be in violation of the MRP. In addition, steep terrain such as this makes remediation of unstable soils very challenging. The public and decisionmakers deserve to understand the risk of downstream hydrologic impacts that could occur during the Project's construction and the specific measures that the applicant proposes to mitigate those potential impacts.

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In sum, the DEIR lacks sufficient evidentiary support for its conclusion that the Project's impacts on hydrology and water quality would be less than significant. A

Letter 8 Cont'd

8-98 Cont'd

revised DEIR that adequately describes the hydrologic setting, comprehensively evaluates and mitigates the proposed Project's hydrology and water quality impacts must be prepared and recirculated.

F. The DEIR Fails to Adequately Analyze and Mitigate the Project's Impacts on Public Services.

8-99

As the DEIR acknowledges, several schools within the Pittsburg Unified School District are currently operating at or near capacity. DEIR at 4.11-35. The Project will generate up to 1,884 kindergarten through twelfth grade students. *Id.* The DEIR discloses that the Project would generate the need for new school facilities to be constructed. The DEIR concludes that school impacts will be mitigated to a less-than-significant level, however, by payment of fees established by the school districts. *Id.* (citing Gov't Code § 65996).

While it may be true that the payment of such fees is deemed mitigation under Government Code section 65996, this provision does not excuse the City from analyzing the impacts to the environment of sending 1,884 new students to schools that are already at or near capacity. Indeed, the DEIR's threshold of significance states that the Project could have a significant effect on the environment if it would: "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 . . . for schools." DEIR at 4.11-25. With several schools already at capacity, the Project will necessarily require the construction of "new or physically altered" school facilities. Construction of these school facilities may have land use and planning impacts and, if sited on undeveloped open space lands, potential biological, agricultural, recreational, and other impacts as well. The DEIR must be revised to analyze these potential environmental impacts.

Moreover, the DEIR failed to consider cumulative impacts of school construction. The DEIR lists four Major Projects (DEIR at 5-4), most of which are residential projects, in its cumulative impacts analysis. In addition, the City of Pittsburg's Project Pipeline List includes several more residential projects. *See*, https://app.smartsheet.com/b/publish?EQBCT=0af19f7941c94a9f8407285ae7e06827. Considering that the Pittsburg Unified School District is already at or near capacity, the DEIR must analyze how this Project, along with the related projects, will cumulatively affect school services in the District.

Letter 8 Cont'd

G. The DEIR Fails to Adequately Analyze and Mitigate the Project's Impacts with Respect to Fire Hazards.

As proposed, the Project would site 1,500 residential units on rugged hillside terrain in a windy canyon surrounded by open, wild grasslands. *See generally* DEIR. In so doing, the Project would both create and be located in a wildland urban interface in what the California Department of Forestry and Fire Protection has identified as "a moderate to high fire hazard severity zone." DEIR at 4.7-11 to 4.7-12. The DEIR thus admits that even though the Project would have to comply with the California Fire Code and would be subject to design review by the Contra Costa County Fire Protection District, the Project's fire hazard impacts would nonetheless be significant. DEIR at 4.7-12.

Indeed, those familiar with the fire history of the East Bay hills would expect just such a conclusion. The grassland hills are particularly susceptible to anthropogenic fires, which have been shown to increase in number and severity at wildland urban interfaces. *See* Appendix. K (Fire history of the San Francisco East Bay region and implications for landscape patterns, Keely 2005); *see also* Appendix. L (Human Influence on California Fire Regimes, Syphard et al. 2007). When the so-called "Diablo winds"—hot, dry winds from the east—blow in the late summer and fall, "[t]hey can fan the flames of small sparks into wildfires that have been observed to move down from a ridge top in 30 minutes, expand to one square mile in an hour, and consume hundreds of residences in one day." Appendix M at 6-7 (EBRPD Wildfire Hazard Reduction and Resource Management Plan). "During the 75-year period between 1923 and 1998, 11 Diablo wind-driven fires in the Berkeley/Oakland hills burned . . . almost as many as all of the homes destroyed in the high-risk Southern California counties *combined* during the same period." *Id.* at 7 (emphasis in original). Particularly as the state is recovering from the likes of the Camp Fire, the Thomas Fire, and others, planning agencies must be sensitive to the roll that urban development patterns have been shown to play in the proliferation of wildfires. *See* Appendix L (Syphard et al. 2007).

8-100

Despite the obvious severity of these impacts, however, the DEIR relies on impotent mitigation measures that do not actually mitigate anything. The proposed mitigation measures simply require compliance with the California Fire Code, any design review conditions imposed by the CCCFPD, and the California Fire Protection Standards. DEIR 4.7-12 to 4.7-13. Critically, however, the Project is already required to comply with these conditions. DEIR at 4.7-12. As discussed above, merely requiring compliance with existing agency regulations does not conclusively indicate that a proposed project would not have a significant and adverse impact. *See Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d at 716. Furthermore, the DEIR already found the

Letter 8 Cont'd

Project's wildfire impacts to be significant notwithstanding the Project's compliance with the Fire Code and CCCFPD development review. DEIR at 4.7-12. Thus, there is no substantial evidence to support the DEIR's conclusion that the Project's fire hazard impacts will be less-than-significant.

8-100 This blatant failure to mitigate wildfire risks is especially problematic considering the DEIR admits the Project site falls outside of the 1.5-mile emergency response time radius established by General Plan Policy 11-P-26. DEIR at 4.11-33. Arrogantly combining high fire risks with slow response times is not simply bad planning; it is downright dangerous, and neither the City nor the applicant has suggested any meaningful way to reduce the threat to the site's future residents. Particularly in light of California's recent spate of deadly wildfires, it is unfathomable that the City could even consider approving 1,500 homes on rugged terrain without first paying adequate consideration to fire and emergency response. As such, the City cannot approve the Project unless it recirculates a revised DEIR that adequately mitigates the aforementioned wildfire impacts.

H. The DEIR Fails to Accurately Analyze the Project's Geology and Soils Impacts.

8-101 The DEIR fails to adequately analyze the Project's significant safety risks related to unstable soils. The DEIR's proposed mitigation measures are vague and incapable of reducing these significant impacts to a less than significant level.

1. The Project Creates Significant Geologic Safety Hazards.

8-102 The DEIR acknowledges that the Project site is comprised of "steep slopes, rocky terrain, weak adversely dipping bedrock, and large-scale landslide deposits". DEIR at 4.6-1. The DEIR includes maps that show steep slopes (most of the site is covered by slopes in excess of 30 percent steepness) and known landslides cover the majority of the site. DEIR at Figure 4.6-1 Project Site Geology and Figure 4.6-2 On-site Soil Map and Classification. According to the 2013 Preliminary Geologic Hazard And Geotechnical Report[2], the main geotechnical considerations for the proposed development include geologic hazards, cut and fill slope stability, compressible soils, expansive soils, existing

[2] Appendix H to the DEIR includes two preliminary geotechnical reports to support its conclusions: (1) ENGEO, Inc., Preliminary Geologic Hazard And Geotechnical Study (2013) ("ENGEO Report"), which is based on two previously prepared reports in 2002 and 2004 that reviewed portions of the site; and (2) Kleinfelder, Preliminary Geotechnical Technical Peer Review, (2018) ("Kleinfelder Report").

Letter 8 Cont'd

8-102 Cont'd

undocumented fills, excavation characteristics of bedrock formations, site preparation and grading, suitable foundation types, potential seismic hazards, and site drainage. DEIR Appendix H ENGEO Report, section 3.0. The DEIR also explains that impacts associated with the site's geology, soils, and seismicity would be significant if the Project would expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death, involving fault rupture, strong seismic ground shaking, seismic-related ground failure, and landslides. DEIR at 4.6-15. The hazards associated with disturbance of the steep, unstable hillsides on the Project site clearly exceed this threshold.

Indeed, the DEIR admits that the Project could expose people or structures to such adverse effects. DEIR at 4.6-17 (surveys are needed to determine the likelihood of liquefaction and lateral spreading within the Project site), 4.6-19 ("the project could result in substantial erosion or loss of topsoil"), 4.6-21 ("future construction and development has the potential to be affected by compressible soil, undocumented fill, soil corrosivity, and expansive soil") and 4.6-23 ("implementation of the project could result in risks to people and structures associated with landslides"). Despite the DEIR's disclosure that site conditions may result in hazardous conditions, the DEIR fails to adequately evaluate the risks of developing such a site and defers this analysis until after project approval. DEIR at 4.6-18.

The DEIR admits that landslides and other slope instability issues at the Project site have only been subject to a cursory review. DEIR Appendix H ENGEO Report at section 3.1. In fact, the ENGEO Report for the DEIR indicates that less than half of the site had previously undergone preliminary investigation. *Id.* at Figure 2. The ENGEO Report specifies that "[S]ubsurface exploration should be performed during future geotechnical exploration to characterize the site and define landslides at the project site." *Id.* at section 3.1. The peer review of the ENGEO report, conducted by Kleinfelder in 2018, further clarifies that they were not "provided with civil or remedial grading plans at this time and no design-level geotechnical engineering report…" DEIR Appendix H, Kleinfelder Report at 2. Therefore, the geotechnical information provided in the DEIR is incomplete and limited due to the lack of information about the Project plans. No site-specific investigation has been performed to determine the existence, depth, geometry and other characteristics of landslides. *Id.* Despite the limited review however, the DEIR admits that available information indicates the presence of landslides (as recently as 2007) and other gross slope instability conditions on portions of the Project site. DEIR at 4.6-6 and 4.6-7.

Overall, then, the DEIR explains that the Project has the potential to result in significant impacts related to unstable slopes and soils. CEQA thus demands a thorough

Letter 8 Cont'd

8-102 Cont'd

investigation of these environmental impacts before Project approval. *Berkeley Keep Jets Over the Bay v. Bd. of Port Comrs.* (2001) 91 Cal. App. 4th 1344, 1370 (lead agency must use best efforts to analyze potentially significant impacts).

2. The DEIR's "Mitigation" of the Project's Geologic Hazards Actually Represents Impermissible Deferral of the Analysis of These Hazards.

In an attempt to mitigate these significant seismic impacts, the DEIR proposes mitigation measures that require the Project Applicant to prepare an additional geotechnical report and receive further City approval prior to the issuance of grading permits, but *after* Project approval. The DEIR claims that the prescribed mitigation measures, and compliance with applicable regulatory requirements, such as the California Building Code, would reduce geologic hazards to less than significant. DEIR at 4.6-18 and 19. But the DEIR provides no actual evidence to support this conclusion. The DEIR, and its two supporting geotechnical reports, contain only bare assertions that these geologic hazards will be mitigated.

For example, the DEIR admits that portions of the site designated for development "are known to have been affected by landslide in the past and/or are considered unstable or otherwise prone to future landslides." DEIR at 4.6-24. Instead of performing this essential investigation before the City considers the Project, however, the DEIR defers the analysis and would only require the future geotechnical report to later identify the location of the landslide and unstable soil areas. *Id.* The Project Applicant would then alter the Project plans to avoid the unstable areas or to excavate and engineer the unstable soils. *Id.*

8-103

The DEIR also defers investigation of the Project's susceptibility to liquefaction, the existence of expansive soil, compressible soil, undocumented fill and/or corrosive soil. DEIR at 4.6-17 and 4.6-21. The DEIR's proposed mitigation requires an engineering analysis to determine any necessary stabilization measures, and requires the developer to remediate the Project site pursuant to the City Code. DEIR at 4.6-18, 19, 22 and 23. The developer must also design foundations and structures to meet Building Code requirements "to ensure the safety of the physical site and structures for future residents." *Id.* The DEIR concludes that potentially significant impacts regarding landslides and slope stability would be reduced to a less than significant level. *Id.*

But until the additional geotechnical report is completed, the DEIR has simply failed to analyze the full range of geologic hazards facing the Project. The DEIR therefore has not provided substantial evidence to support its determination that risks

Letter 8 Cont'd

8-103 Cont'd

related to fault rupture, seismic ground shaking, ground failure, and landslides are less than significant. The City cannot rely on these "mitigation measures" to reduce significant impacts regarding landslides and other geologic hazards to a less than significant level, because the City cannot even be sure of the nature of those hazards until the additional analysis is completed.

The City must require the Project Applicant to prepare the site-specific geotechnical report and locate the landslides *before* Project approval. *See Sundstrom v. Cnty. of Mendocino*, 202 Cal. App. 3d 296 (1988) (deferral of environmental analysis until after project approval violates CEQA's policy that impacts must be identified before project momentum reduces or eliminates the agency's flexibility to change its course of action). Fully disclosing this type of hazard is not only a core purpose of CEQA, but it is the plainly the responsible approach: the City cannot reasonably approve the Project without a complete understanding of the hazards its residents may face.

Moreover, the geotechnical report will provide essential information regarding the risk of geologic hazards on the Project site that could significantly alter the Project site design. Significantly altered to address these unknown geologic hazards, the Project could create a host of new environmental impacts that the City has not yet analyzed.

I. The DEIR's Analysis of Growth Inducing Impacts Is Incomplete and Flawed.

8-104

CEQA requires that an EIR include a "detailed statement" setting forth the growth-inducing impacts of a proposed project. CEQA § 21100(b)(5); *City of Antioch v. City Council of Pittsburg* (1986) 187 Cal. App. 3d 1325, 1337. The statement must "[d]iscuss the ways in which the proposed project could foster economic growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Guidelines §15126.2(d). It must also discuss how the project "may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively" or "remove obstacles to population growth." *Id.*

Here, the DEIR's analysis of growth-inducing impacts is legally inadequate. The DEIR relies on the promise that the required, but yet to be described, facility upgrades necessary to serve the Project would only serve development on the main Project site to conclude that there is little chance that the Project will cause adjacent, undeveloped land to be developed, and thus that the Project will not induce significant growth. DEIR at 5-2. This conclusion is not supported by any evidence.

Letter 8 Cont'd

In addition, the City's General Plan specifies a goal of efficient land use patterns that reduce environmental impacts and minimize the potential for residential and commercial sprawl. Approval and development of the Faria/Southwest Hills Project would expand development and extend utility infrastructure beyond the City's existing service area, effectively removing an obstacle to future development approvals in the area. The fact that the City's general plan designates the adjacent areas for development does not excuse the requirement to analyze a project's environmental or growth inducing impacts. *Id.*; Guidelines § 15126.2(d); *City of Davis v. Coleman* (9th Circuit 1975) 521F.2d 661,675-76.

8-105

The DEIR could easily begin to estimate the number and location of dwelling units that could be approved on the adjacent parcels based upon the evidence of potentially developable parcels and other planning documents. As the *City of Davis* court directed "the purpose of an EIS/EIR is to evaluate the possibilities in light of current and contemplated plans and to produce an informed estimate of the environmental consequences." *Id.* at 676. Accordingly, the DEIR must be revised to identify the extent and location of new development facilitated by removing the obstacle of limited existing infrastructure and to analyze the environmental impacts of the growth. At a minimum, the DEIR must analyze the additional population growth and new residential units that this Project would facilitate.

Moreover, CEQA requires that an EIR discuss increases in the population that may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. CEQA Guidelines § 15126.2(d). The DEIR concedes that the Project would add students to the local school system in excess of existing capacity. DEIR at 4.11-35 and 36. Therefore, the DEIR should have evaluated whether this Project, and others it would facilitate, would result in construction of new schools (and/or other public service facilities) that could cause significant impacts.

The DEIR fails to conduct such an analysis. As the *City of Davis* court directed "the purpose of an EIS/EIR is to evaluate the possibilities in light of current and contemplated plans and to produce an informed estimate of the environmental consequences." *Id.* at 676. Accordingly, the DEIR must be revised to identify the extent and location of new development facilitated by removing the obstacle of limited existing infrastructure and to analyze the environmental impacts of the growth.

8-106

If the City has contrary data demonstrating that the Project will not induce growth – and there is no indication in the DEIR that it does – it must reference it in the document. However, it may not lawfully rely on unsupported assumptions to summarily

Letter 8 Cont'd

8-106 Cont'd

conclude that no induced growth will occur. CEQA § 21080(e)(2) ("Substantial evidence is not argument, speculation, unsubstantiated opinion or narrative").

J. The DEIR Fails to Provide an Adequate Analysis of the Project's Potentially Significant Cumulative Impacts.

CEQA requires lead agencies to disclose and analyze a project's "cumulative impacts," defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." Guidelines § 15355. Cumulative impacts may result from a number of separate projects, and occur when "results from the incremental impact of the project [are] added to other closely related past, present, and reasonably foreseeable probable future projects," even if each project contributes only "individually minor" environmental effects. Guidelines §§ 15355(a)-(b). A lead agency must prepare an EIR if a project's possible impacts, though "individually limited," prove "cumulatively considerable." CEQA § 21083(b); Guidelines § 15064(i).

Extensive case authority highlights the importance of a thorough cumulative impacts analysis. In *San Bernardino Valley Audubon Society v. Metropolitan Water Dist. of Southern Cal.* (1999) 71 Cal.App.4th 382, 386, 399, for example, the court invalidated a negative declaration and required an EIR for the adoption of a habitat conservation plan and natural community conservation plan. The court specifically held that the negative declaration's "summary discussion of cumulative impacts is inadequate," and that "it is at least potentially possible that there will be incremental impacts. . . that will have a cumulative effect." *See also Kings County Farm Bureau*, 221 Cal.App.3d at 728-729 (EIR's treatment of cumulative impacts on water resources was inadequate where the document contained "no list of the projects considered, no information regarding their expected impacts on groundwater resources and no analysis of the cumulative impacts").

8-107

In contravention of the above authorities, the DEIR provides no meaningful analysis of the Project's cumulative impacts on biological resources, but instead simply concludes that because the applicant will pay permit fees under the area's Habitat Conservation Plan, cumulative impacts are less than significant. DEIR at 4.4-68. Similarly, the DEIR concludes that the Project's cumulative hydrological impacts are less than significant, because this and future projects' compliance with federal regulations should reduce their incremental contribution to the region's cumulative impacts. DEIR at 4.8-22. Finally, the DEIR either ignores or categorically dismisses even the potential for cumulative water supply impacts (DEIR at 4.11-28 and 29; no discussion of cumulative impacts related to water supply), land use impacts (DEIR at 4.9-23), and hazardous materials impacts (DEIR at 4.7-13).

Letter 8 Cont'd

8-107 Cont'd

The DEIR thus largely ignores the cumulative effects of recent development approvals and potential future approvals in the City. For example, as discussed earlier in this letter, the City's Project Pipeline List indicates that the City has approved, or is in the process of approving, at least two dozen residential development projects constructing more than four thousand residential units. *See* Appendix N, City of Pittsburg Pipeline List. The DEIR, however, lists only four projects considered in the cumulative analysis. DEIR at 5-4. Although the DEIR claims the list is not exhaustive, it may as well be. Without additional information about which projects the DEIR in fact considered, there is no way for the City to determine whether the scope of the DEIR's cumulative setting is appropriate. Other projects that should have been considered in a cumulative analysis include projects that have been approved but not yet constructed (Montreaux Subdivision (351 units) and Sky Ranch II (415 units)). *See* Appendix N. These development projects, together with the present subdivision, would have a cumulatively significant impact on open space and natural resources in the Project area.

Notwithstanding such evidence, the DEIR fails to provide any analysis of these potentially significant impacts. The DEIR must therefore be recirculated with a substantially more thorough and transparent analysis of the Project's cumulative impacts.

VI. The DEIR Fails to Adequately Analyze Alternatives to the Project.

The DEIR does not comply with the requirements of CEQA because it fails to undertake a legally sufficient study of alternatives to the Project. CEQA provides that "public agencies should not approve projects as proposed if there are feasible alternatives . . . which would substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. As such, a major function of the EIR "is to ensure that all reasonable alternatives to proposed projects are thoroughly assessed by the responsible official." To fulfill this function, an EIR must consider a "reasonable range" of alternatives "that will foster informed decision making and public participation." CEQA Guidelines § 15126.6(a). "An EIR which does not produce adequate information regarding alternatives cannot achieve the dual purpose served by the EIR." *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 733 (1990).

8-108

Sound planning principles dictate that the City carefully consider alternatives in the present case because the proposed Project would require annexation of the Project site into the City limits and into service areas for water and sanitation districts, and would result in admittedly significant impacts to visual resources, air quality, biological resources, cultural and tribal resources, geological resources, hazards and hazardous materials, hydrology and water quality, noise, public services, and transportation. DEIR at 6-3 to 6-4. This DEIR's analysis of alternatives is insufficient under CEQA because

Letter 8 Cont'd

the document fails to consider feasible alternatives that would substantially reduce these Project impacts. Guidelines § 15126.6(c); *Citizens of Goleta Valley*, 52 Cal.3d at 566.

8-108 Cont'd

To ensure that the public and decisionmakers have adequate information to consider the effects of the proposed Project, the City must prepare and recirculate a revised EIR that considers additional meaningful alternatives to the Project.

A. The DEIR's Failure to Adequately Describe the Project and Analyze Project Impacts Results in an Inadequate Range of Alternatives.

As a preliminary matter, the DEIR's failure to disclose the severity of the Project's wide-ranging impacts or to accurately describe the Project necessarily distorts the document's analysis of Project alternatives. As a result, the alternatives are evaluated against an inaccurate representation of the Project's impacts. The City may have identified additional or different alternatives if the Project impacts had been properly analyzed and if the Project had been accurately described.

8-109

As discussed throughout this letter, the DEIR fails to adequately evaluate the severity and extent of impacts related to land use changes, water supply, biological resources, fire hazards, geologic hazards, public safety, and growth inducement at the Project site. Proper analysis would have revealed that far more impacts were significant and unavoidable. The DEIR also fails to describe in any meaningful detail what the anticipated buildout of the Draft Master Plan will look like. An accurate accounting of the Project's impacts could significantly alter the substance and conclusions of the DEIR's alternatives analysis.

Moreover, without sufficient analysis of the underlying environmental impacts of the entire Project, the DEIR's comparison of this Project to the identified alternatives is utterly meaningless and fails CEQA's requirements. If, for example, the DEIR concluded that the Project would convert open space in violation of LAFCO policy, as it should have, the DEIR would be required to evaluate additional alternatives that did not pose these risks. These additional alternatives would necessarily be off-site alternatives located away from the urban-wildland interface.

B. The DEIR's Range of Alternatives Is Not Reasonable Because None of the Alternatives Would Actually Result in Meaningful Reduction of the Project's Impacts.

8-110

The alternatives analyzed in the DEIR represent a false choice, because none substantially reduces a majority of the Project's significant environmental impacts. In

Letter 8 Cont'd

8-110 Cont'd

addition to the No Project alternative, the DEIR offers only one meaningful alternative: the Clustered Development Alternative. This one alternative alone does not constitute the "reasonable range" of alternatives that CEQA requires.

The DEIR itself concedes that both the Mixed Use Alternative and the Reduced Intensity Alternative would have similar, and in some cases greater, impacts compared to the proposed Project. DEIR at 2-3 to 2-4. To the extent that certain impacts are reduced by these alternatives, any reduction is generally nominal. *See* DEIR at 6-7 to 6-30. Additionally, the DEIR concedes that "the significant and unavoidable impacts identified for the proposed project related to Aesthetics, Air Quality and GHG Emissions, Public Services and Utilities, and Transportation, Traffic, and Circulation would remain" under every alternative except the No Project Alternative. DEIR at 2-3 to 2-4.

8-111

The Mixed Use Alternative is not a meaningful alternative because fails to offer substantial environmental advantages over the proposed Project. *Citizens of Goleta Valley*, 52 Cal. 3d at 566. The DEIR demonstrates that the impacts of the Mixed Use Alternative would be substantially the same as those of the Project for the vast majority of impact areas. DEIR at 6-10 to 6-15. Although the Mixed Use Alternative has the potential to "slightly" reduce certain air quality and transportation impacts, such reductions would be not alter the significance of those impacts. DEIR at 6-12 and 6-15. Furthermore, because the Mixed Use Alternative incorporates 50,000 square feet of commercial space, it would actually *increase* impacts relating to hazards and hazardous materials. DEIR at 6-13.

Finally, because the Mixed Use Alternative incorporates commercial uses that are inconsistent with the Project area's land use and zoning designations, it would require an even more expansive General Plan Amendment than the proposed Project would require. DEIR at 6-14. Because it fails to meaningfully reduce or avoid the Project's primary significant impacts, the Mixed Use Alternative is not an effective alternative. *See, e.g.*, *Watsonville Pilots Ass'n v. City of Watsonville*, 183 Cal. App. 4th 1059, 1089–90 (2010) (EIR was deficient for failing to include alternative that would avoid or lessen the project's primary growth-related significant impacts); *see also Citizens of Goleta Valley v. Bd. of Supervisors*, 52 Cal. 3d 553, 566 (1990) ("[A]n EIR for any project subject to CEQA review must consider a reasonable range of alternatives to the project . . . [that] offer substantial environmental advantages over the project proposal.").

8-112

The Reduced Intensity Alternative is likewise inadequate. While it might potentially reduce some impacts relative to the Project due to a decreased number of dwelling units, the Reduced Intensity Alternative is—like the proposed Project on which it is based—woefully ill defined. The DEIR asserts that this alternative would locate

Letter 8 Cont'd

8-112 Cont'd

development on the same 339.1 acres that the proposed Project would develop, but at no point does it explain or analyze what the site would actually look like. DEIR at 6-23 to 6-30. Additionally, while the DEIR claims that the Reduced Intensity Alternative is superior to the Project in a range of impact areas, these differences are vanishingly slight. *Id.* The Reduced Intensity Alternative would result in impacts that are similar to the Project's geological, land use, hydrological, cultural, tribal, agricultural, and biological impacts. *Id.* Furthermore, the significant and unavoidable impacts that the alternatives analysis is ostensibly designed to reduce would substantially remain. DEIR at 6-8 ("The foregoing alternatives are intended to provide analysis of alternatives that would have the potential to reduce the significant and unavoidable impacts related to the proposed project."); DEIR at 2-4 ("It should be noted, however, that the significant and unavoidable impacts identified for the proposed project related to Aesthetics, Air Quality and GHG Emissions, Public Services and Utilities, and Transportation, Traffic, and Circulation would remain under the Reduced Intensity Alternative.").

8-113

Finally, for its part, even the Clustered Development Alternative would produce substantially the same significant and unavoidable impacts as the proposed Project. DEIR at 2-3.

8-114

The DEIR thus requires City decisionmakers to choose between alternatives that, according to the DEIR, largely share the Project's environmental impacts. The County claims that the Clustered Development Alternative is environmentally superior, but even this option yields similar impacts in most key issue areas, including significant and unavoidable impacts to aesthetics, air quality, public services, and transportation. DEIR at 6-15 to 6-23. CEQA requires that "the discussion of alternatives shall focus on alternatives to the project or its location which *are capable of avoiding or substantially lessening any significant effects* of the project . . . ." CEQA Guidelines § 15126.6(b) (emphasis added). None of the DEIR's alternatives meet this requirement.

Given the truly extensive impacts that this Project would have on the environment, the DEIR must include a rigorous, honest assessment of additional, less impactful, alternatives. Without this opportunity, the DEIR asks the public to accept on "blind trust" that the proposed Project is the best alternative. This approach is unlawful "in light of CEQA's fundamental goal that the public be fully informed as to the consequences of action by their public officials." *Laurel Heights*, 47 Cal. 3d at 494. Other feasible alternatives are discussed below.

C. Other Feasible Alternatives Are Available and Must be Included in a Reasonable Range.

Letter 8 Cont'd

8-115 The DEIR's analysis of alternatives is inadequate, and necessitates development of additional Project alternatives in a revised and recirculated document. As discussed above, these alternatives must actually reduce or eliminate the bulk of the Project's significant environmental impacts. For instance, the DEIR should identify and evaluate an off-site alternative and an infill development alternative in addition to a selection of on-site alternatives that reduce a majority of the Project's significant impacts.

1. The DEIR Must Evaluate an Off-Site Alternative.

The DEIR's reasons for determining that an alternative location is not feasible are unconvincing. The CEQA Guidelines advise that "only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." CEQA Guidelines §15126.6(f)(2)(A). The DEIR contends that an alternative location for the Project is infeasible because an entirely speculative set of land "characteristics could result in potentially greater impacts to certain resource areas as compared to the proposed project." DEIR at 6-6 ("A comparable off-site property *could* contain water resources . . . [or] *could* currently contain housing that would need to be removed . . . [, and] [t]he proposed project *may not* be consistent with the Pittsburg General Plan land use designation for another site.") (emphasis added).

8-116 As an initial matter, this conclusion is supported because the underlying "facts" on which the DEIR bases its conclusion are entirely speculative. The DEIR provides no information on the alternative sites that might be available or even the criteria for such a site search. It is our understanding that the developer controls properties at Stoneman Park and Nortonville Canyon that could potentially support a similar project. In addition, a sizeable undeveloped area on the Thomas Ranch may also be available for residential development. Yet these properties receive no mention in the DEIR. Without this information and, if possible, a further identification of potential alternative sites, the DEIR is inadequate and cannot be certified under CEQA.

The DEIR also argues that an alternative location for the Project is infeasible because it would fail to carry out the goals and objectives of the Proposed Project. DEIR at 6-6. But the DEIR cannot rely on overly-narrow Project objectives to dismiss consideration of an off-site alternative.

The first step in conducting an alternatives analysis under CEQA is to define the project's objectives. This step is crucial because project objectives "will help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR." CEQA Guidelines § 15124(b). Here, the City has identified four such Project objectives. DEIR at 6-2.

Letter 8 Cont'd

The City, however, may not define the Project's objectives so narrowly as to preclude a reasonable alternatives analysis. *Watsonville Pilots Ass'n*, 183 Cal. App. 4th at 1089. The "key to the selection of the range of alternatives is to identify alternatives that meet most of the project's objectives but have a reduced level of environmental impacts," rather than to identity alternatives that meet few of the project's objectives so that they can be "readily eliminated." *Id.*

8-116 Cont'd

The Project objectives listed in the DEIR violate this core CEQA principle. The DEIR's first stated objective is to "[e]nsure orderly planning for the development of a large, undeveloped area in the City's SOI consistent with the General Plan." DEIR at 6-2. If the DEIR is correct that the immediately surrounding area contains no viable alternative locations, these objectives specify criteria that are essentially unique to the Project site. In this way, the DEIR ensures that only a limited range of on-site alternatives could possibly satisfy all Project objectives. The DEIR's elimination of alternatives based on these objectives is therefore impermissible. *Watsonville Pilots Ass'n.*, 183 Cal. App. 4th at 1089. The DEIR must evaluate off-site alternatives.

2. The DEIR Must Evaluate An Infill Alternative.

The DEIR dismisses an infill alternative with much the same recalcitrance that it demonstrated in prematurely dismissing the off-site alternative. DEIR at 6-6 to 6-7. Specifically, the DEIR concludes that it is speculative whether enough infill sites exist to support the Project, because "the project applicant does not control any other large infill sites or enough small infill sites to develop 1,500 units elsewhere." DEIR at 6-7. Additionally, the DEIR claims that spreading development "over a large number of small undeveloped lots would not allow for the cohesive development sought through the Draft Master Plan." *Id.* These conclusions, however, stand utterly devoid of factual support. Nowhere in the DEIR is there an accounting of infill sites within the City of Pittsburg, or even a list of criteria for what appropriate infill sites might look like. Because the DEIR has not considered which infill sites could support the residential development, it has not given the City the opportunity to consider whether that development would be cohesive with neighboring urban uses. Instead, it simply assumes that the Draft Master Plan—which, as discussed throughout this letter, does not actually provide meaningful guidance for future development—would lead to more cohesive development than what could be achieved by purposefully integrating this development with existing urban uses.

8-117

Furthermore, the DEIR rejects the development of multiple, small infill lots as inconsistent with the project objectives. As discussed above, however, the objective ensuring "orderly planning for the development of a large, undeveloped area in the City's SOI consistent with the General Plan" effectively specifies criteria that are unique to the

Letter 8 Cont'd

8-117 Cont'd

Project site. DEIR at 6-2. In this way, the DEIR ensures that only a limited range of on-site alternatives could possibly satisfy all Project objectives. This narrow alternatives analysis is therefore impermissible. *Watsonville Pilots Ass'n.*, 183 Cal. App. 4th at 1089. The City must prepare and recirculate a revised EIR that properly considers additional alternatives to the Project, including an infill development alternative. CEQA Guidelines § 15088.5.

3. The DEIR Must Evaluate a Recreation Alternative

8-118

Despite the substantial likelihood that the proposed Project would adversely impact local and regional recreational resources, the DEIR neither analyzes these impacts nor considers a less-impactful alternative. Instead, the DEIR ignores the effects that encroaching development would have on the regional park planned for the former Concord Naval Weapons Station and on the ability of Pittsburg's residents to access that park. *See, e.g.*, DEIR at 4.12-61 (admitting that the Draft Master Plan would facilitate connections to this park but avoiding discussion of the subsequent effects). The DEIR must be revised and recirculated in order to properly analyze the Project's impacts on recreational resources and to present one or more alternatives that reduce those impacts. Such alternatives should treat the Project as a positive opportunity to add to and buffer the new regional park, rather than as an opportunity to divide the ridgeline. These alternatives should also discuss in reasonable detail how they would facilitate and provide access to the new regional park from the Pittsburg side of the ridgeline.

VII. CONCLUSION

8-119

For all of the foregoing reasons, we respectfully submit that the City cannot lawfully approve the Project. The DEIR is deeply flawed and fails to inform the public of the full impacts of the Project. It can support neither the findings required by CEQA nor a determination of General Plan consistency. Before considering this Project further, the City should require a redesign of the Project to make it consistent with the General Plan and Zoning Code, fully analyze the Project's numerous significant impacts, develop adequate, enforceable mitigation measures, and analyze a reasonable range of alternatives that would avoid or substantially lessen impacts. As currently proposed, this ill-advised Project must be denied.

Letter 8
Cont'd

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

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Jerry Brown and Mark Seedal, Contra Costa Water District
Vince Delange and Amanda Roa, Delta Diablo Sanitary District

LETTER 8: SHUTE, MIHALY & WIENBERGER, LLP.

Response to Comment 8-1

The comment is an introductory statement. Specific concerns raised by the commenter related to the adequacy of the Draft EIR, including issues related to consistency with the City's General Plan, are addressed below.

Response to Comment 8-2

Issues related to public water supplies and sewer service are discussed in Chapter 4.11, Public Services and Utilities, of the Draft EIR. As noted on page 4.11-29, CCWD has the capacity to serve the proposed project, in normal precipitation years, as accounted for in the UWMP. The UWMP concluded that although deficits may occur in single- or multiple-dry years, the response to recent drought-related supply curtailments has shown that the City and CCWD could adequately respond to drought conditions and provide sufficient water supplies to the Pittsburg Service Area. The Draft EIR concluded that with implementation of Mitigation Measures 4.11-1(a) and (b), which require assurance that the project site has been annexed into the CCWD service area and that a written verification of water supply availability has been provided for the project, impacts related to water supply would be less-than-significant. Similarly, Mitigation Measure 4.11-2(a) from the Draft EIR requires the project developer to provide all necessary documentation required by the DDSD for its application for inclusion of the project site in the DDSD's service area. Mitigation Measure 4.11-2(b) requires the project developer to provide to the City confirmation from the DDSD that adequate trunk sewer system capacity exists to serve the proposed project. As noted on page 4.11-31 of the Draft EIR, with implementation of both mitigation measures, impacts related to provision of wastewater service would be less-than-significant.

Potential conflicts with countywide planning to protect endangered species are addressed in Chapter 4.4, Biological Resources, of the Draft EIR. As noted on page 4.4-67, the proposed project would be required to comply with the *East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan* (ECCC HCP/NCCP) through the implementation of avoidance and minimization measures as well as the mitigation measures included in the EIR. Of the mitigation measures included in the Draft EIR, Mitigation Measure 4.4-1(a) requires that ECCC HCP/NCCP development fees be paid prior to issuance of grading or construction permits for each phase of the future development within the Master Plan Area. Payment of fees and implementation of the mitigation measures included in Chapter 4.4 would ensure that implementation of the proposed project would be consistent with the ECCC HCP/NCCP.

Consistency with applicable LAFCo policies, including policies related to urban sprawl, is discussed in Appendix J of the Draft EIR. As noted therein, the project site is consistent with the Pittsburg General Plan land use designations of LDR, HLDR and OS. In November of 2005, the Pittsburg voters approved an initiative which resulted in the project site being prezoned to HPD and OS. The project includes a change in prezoning to HPD-S and OS-S; however, the densities of the overlay zones are consistent with the existing prezoning. Thus, the proposed project would be consistent with the General Plan land use designations and the existing prezoning for the project

site. In general, the project is located within the voter-approved urban limit line and would not conflict with applicable LAFCo policies related to sprawl.

With regard to consistency with the City's General Plan policies and other regulations related to hillside development, pages 4.9-18 through 4.9-22 of the Draft EIR include a discussion of potential policy conflicts. As noted therein, the project would require approval of a General Plan Amendment (GPA) to introduce new goals and policies relevant to the project site, remove an existing General Plan goal and several policies, and change the existing General Plan land use patterns for the project site to match the proposed Faria SW Hills Draft Master Plan Map. In addition, implementation of Mitigation Measure 4.9-1 from the Draft EIR would be required to ensure that the project would not conflict with General Plan Policy 10-P-2. With approval of the requested GPA and implementation of Mitigation Measure 4.9-1, the Draft EIR concluded that impacts related to conflicts with applicable plans, policies, and regulations would be less-than-significant.

With regard to omission of plans and materials from the proposed Draft Master Plan, please see Master Response #2.

In addition to the issues noted above, the comment provides a list of various potential consequences of the project, including issues related to biological resources, loss of open space, loss of access to planned open space and trails, safety issues related to unstable hillsides, visual impacts, increased traffic congestion, and increased air and water pollution. Such concerns are addressed in the responses provided below.

Response to Comment 8-3

Please see Master Response #1. The comment summarizes the City of Pittsburg zoning designations that are applicable to the project site, but does not address the adequacy of the Draft EIR. It should be noted that the proposed project would include reclassification of site from HPD (Hillside Planned Development) and OS (Open Space) prezoning districts to RS-4P and OS-P prezoning with a Master Plan overlay district in order to provide project- and site-specific policies and development standards for implementation through future development applications. Thus, with approval of the requested zoning changes, the existing regulations associated with the HPD zoning district would not apply to the proposed project. The Draft Master Plan includes hillside development standards that are specific to the project site.

Response to Comment 8-4

Please see Master Response #1. Given that the proposed project would include annexation of the project site into the City of Pittsburg limits, the current Contra Costa County land use designations would not apply to the proposed project. Rather, the applicable planning document would be the City's General Plan. Per the City's General Plan, the project site is currently designated for residential uses and open space.

Issues related to recreational facilities are discussed on pages 4.11-37 through 4.11-38 of the Draft EIR. As noted therein, the proposed Draft Master Plan includes approximately 267.2 acres of

undeveloped area within the overall Draft Master Plan area. Such undeveloped areas could include trails and vehicle access as deemed necessary, consistent with Section 18.58.020 of the Pittsburg Municipal Code. Development within the Draft Master Plan area could meet Pittsburg Municipal Code requirements in two principal ways. First, buildout of the project site could include park space sufficient to meet the Pittsburg Municipal Code requirements. Inclusion of such parkland would result in the development of new parks within the development area of the Draft Master Plan. The second method of meeting the Pittsburg Municipal Code requirements would be through payment of in-lieu fees in compliance with Section 17.32.020. The Pittsburg Municipal Code requires that land, fees or combinations thereof must be used to provide parks or recreational facilities that would reasonably be assumed to serve the subdivision. Fees may also be used to expand or upgrade existing facilities. Based on the above, future development within the Draft Master Plan area could meet the City's parkland requirements through a combination of on-site parks and the payment of in-lieu fees. The final determination with respect to how the project shall satisfy the City's park dedication requirements is subject to Planning Commission and City Council approval.

As discussed on page 4.1-31 of the Draft EIR, the proposed land use and development regulations included in the Draft Master Plan, as well as the standards and policies included in the Design Review Guidelines, would ensure consistency between future on-site development and existing/planned residential developments to the north and east. For example, Design Review Guideline A.5 requires that future development be designed in diverse and distinctive neighborhoods that build upon the patterns of the natural landscape and provide a sense of connection with surrounding uses. In addition, Design Review Guideline D.4 requires buildings to be designed with natural-looking materials that reflect the predominant colors and textures of the surrounding landscape. Furthermore, upon annexation of the project site into the City of Pittsburg, the project applicant would be required to submit a Tentative Subdivision Map and detailed plans for Design Review approval to the City of Pittsburg. Design Review of future development, consistent with Chapter 18.36 of the Pittsburg Municipal Code, would ensure that future development occurring within the project site would comply with the proposed Design Review Guidelines. According to Section 18.36.100 of the Pittsburg Municipal Code, the purpose of the Design Review process is to avoid substandard development, ensure that improvements within residential neighborhoods maintain consistent standards of design, and ensure that development is consistent with criteria adopted under Section 18.36.120 of the Pittsburg Municipal Code. Based on the above, the proposed project would not be out of scale or out of character with the surrounding community.

With regard to preservation of steep slopes within the project site, as noted on page 4.9-22 of the Draft EIR, Policy 10-P-2 of the City's General Plan restricts development from occurring on slopes greater than 30 percent in areas that are over 900 feet in elevation. Elevations within the project site vary from 435 feet at the lowest point to approximately 1,000 feet at the highest point. As discussed in the Draft EIR, Mitigation Measure 4.9-1 would ensure that the proposed project would not conflict with the development restrictions established by Policy 10-P-2.

Response to Comment 8-5

The comment states that the Draft EIR mischaracterizes the project setting. Specific concerns raised by the commenter are addressed in the responses below.

Response to Comment 8-6

The proximity of the project site to the nearby City of Pittsburg Stoneman Park, located approximately 1.5 miles east of the site, as well as the Black Diamond Regional Preserve, located approximately two miles to the southeast of the project site, is noted in the Biological Evaluation Report prepared for the proposed project by Pacific Biology (see Appendix E to the Draft EIR). The relationship of the project site to the ECCC HCP/NCCP is described on page 4.4-40 of the Draft EIR as follows:

> The proposed project site is within the ECCC HCP/NCCP inventory area. The HCP/NCCP development fee is based on the project location. The HCP/NCCP includes three Fee Zones, defined by a map that determines the fee paid by development, regardless of the land cover type within the development. The proposed project site is within the ECCC HCP/NCCP Development Fee Zone II: Natural Area Zone. Land within this zone is dominated by natural land cover types. The development fee in Zone II is $29,422.91 per acre, as of March 2017.

As noted on page 3-3 of the Draft EIR, in November 2005, the voters of the City of Pittsburg approved a ballot initiative entitled "Measure P" (City of Pittsburg Voter Approved Urban Limit Line and Prezoning Act), which established a new Urban Limit Line for the City and prezoned certain properties. Included in these properties was the entire approximately 606-acre project site. Thus, development of the proposed project site has been previously anticipated by the City. Consequently, while the site was previously considered a priority for inclusion in the Preserve System established by the ECCC HCP/NCCP, development of portions of the project site with residential uses would not conflict with regional planning efforts. Furthermore, the southeastern portion of the site that is characterized as "high priority" for acquisition per Figure 5-3 of the ECCC HCP/NCCP would be primarily preserved as open space per the Draft Master Plan.

Potential impacts related to California tiger salamanders (CTS) are evaluated in Impact 4.4-4 of the Draft EIR. Page 4.4-57 of the Draft EIR states the following:

> By including a regional strategy for preserving core habitat and a viable population of the CTS, the ECCC HCP/NCCP anticipates and compensates for the loss of some individual CTS, their aestivation habitat, and their dispersal habitat resulting from construction associated with new development projects in the region. The ECCC HCP/NCCP does not include or recommend any avoidance or minimization measures to be implemented before, during or after construction activities for CTS. Instead the ECCC HCP/NCP only requires the payment of the Development Fee so that the East Contra Costa County Habitat Conservancy can use the collected monies to preserve and protect viable populations and their habitats in accordance with the ECCC HCP/NCCP's regional strategy or execution of an "in-lieu-of fee" agreement.

With implementation of Mitigation Measures 4.4-1(a) and 4.4-4(b), which require payment of applicable ECCC HCP/NCCP per-acre Development Fees and site-specific measures to reduce impacts to CTS, the Draft EIR concluded that the project impact would be reduced to a less-than-significant level. Thus, potential impacts related to creation of new barriers to dispersal and migration of CTS was adequately analyzed in the Draft EIR.

Response to Comment 8-7

Page 4.4-43 of the Draft EIR states the following regarding plant surveys:

> […] the USFWS considers plant surveys to be valid for three years. Considering that surveys of the project site were conducted in 2013 and 2014, construction activities are likely to occur outside of the three-year period. Due to the amount of time between the special-status plant surveys and the potential future development of the site, special-status plant species may colonize the site. Therefore, construction activity related to potential future development within the Draft Master Plan area could result in a ***significant*** impact related to the disturbance of special-status plant species.

Based on the above, the Draft EIR acknowledges that the botanical surveys may not be valid at the time future development of the site occurs. However, Mitigation Measure 4.4-1(b) requires that prior to the issuance of grading or construction permits for each phase of development of the project, additional rare plant surveys are to be conducted for bent-flowered fiddleneck, big tarplant, round-leaved filaree, Mt. Diablo fairy-lantern, Mt. Diablo buckwheat, fragrant fritillary, Diablo helianthella, Brewer's western flax, showy golden madia, Mt. Diablo cottonweed, woodland woollythreads, adobe navarretia, shining navarretia, and rock sanicle. The surveys are required to be appropriately timed and cover all potentially suitable on-site habitats.

Furthermore, as discussed on page 4.4-42 of the Draft EIR, the field surveys of the project site conducted by Pacific Biology in 2017 were reconnaissance in nature. For special-status wildlife species with the potential to occur on-site, the Draft EIR requires pre-construction surveys as mitigation prior to future development of the site.

Response to Comment 8-8

The existing drainage conditions within the project area are described on page 4.8-3 of the Draft EIR, as follows:

> According to the Storm Drainage Memo prepared for the proposed project by Isakson & Associates Inc., the project site consists of two tributary drainage areas, the northerly portion of the project site and the southerly portion of the project site. The northerly portion of the site is within the Contra Costa County Flood Control Drainage Area 48B (DA 48B). DA 48B drains through the existing San Marco Project located to the north, then under SR 4 and through the Bay Point area to Suisun Bay. The drainage system within the San Marco Project development area has been designed and constructed to accommodate the developed flow from the northerly portion of the proposed project site. The series of detention basins within the San Marco project development area would regulate the flow of drainage from the San Marco Project and the northerly portion of the proposed project

> site such that peak flows would not exceed 199 cubic feet per second, which would be consistent with what has been anticipated per the Contra Costa County DA 48B Boundary Map and Drainage Plan.
>
> The southerly portion of the proposed project site naturally drains through the undeveloped Bailey Estates project area to the east into a drainage system that crosses under Bailey Road into Lawlor Ravine, which drains under SR 4 through the Bay Point Area to Suisun Bay. In accordance with applicable federal and state standards, the drainage system of the southerly portion of the project site would be designed such that the peak storm drainage flow leaving the site after development does not exceed the existing undeveloped storm drainage flow. The proposed project would likely require permanent detention facilities to be constructed on-site in order to meet such design requirements. Regardless of the specific stormwater facilities included in the proposed project, stormwater currently runs off of the project site and onto the nearby Bailey Estates project site. The Bailey Estates project would be required to accept and convey the stormwater currently running onto the Bailey Estates site from the proposed project site by the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) regulation "Provision C.3".
>
> Therefore, both the northern and southern drainage areas of the project site connect to existing or planned drainage systems prior to eventual discharge in surface waters of Suisun Bay.

Based on the above, the Draft EIR adequately describes the existing hydrologic setting of the project site and the site vicinity.

Response to Comment 8-9

As stated on page 4.11-1 of the Draft EIR, the analysis within the Draft EIR does not rely on the 2010 Urban Water Management Plan (UWMP) but, rather, the most recent 2015 UWMP. It should be noted that the Water Supply Assessment prepared for the proposed project in 2015 relied on data from the 2010 UWMP. However, the 2015 UWMP demonstrates a greater projected water supply surplus compared to the 2010 UWMP; thus, the assumptions used in the Water Supply Assessment provide for a conservative analysis. Both the 2010 and 2015 UWMPs indicate a water supply surplus under most hydrologic conditions, with only minor deficits during prolonged drought. Thus, concerns about unreliable water supply available to serve the proposed project are unsubstantiated.[2]

Response to Comment 8-10

Please see Responses to Comments 8-8 and 8-9 above.

Response to Comment 8-11

The comment summarizes the necessary components of a project description, but does not address the adequacy of the Draft EIR.

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[2] Jim Connel, Principal Engineer, West Yost Associates. Personal communication [email] with Rod Stinson, Division Manager, Raney Planning & Management, Inc. January 21, 2019.

Response to Comment 8-12

Chapter 3 of the Draft EIR provides a comprehensive discussion of all entitlements under consideration for the proposed project. Sufficient detail is provided to allow for a meaningful environmental analysis. Please see Master Response #2 above regarding analysis of large-scale planning approvals pursuant to Section 15152(c) of the CEQA Guidelines.

Response to Comment 8-13

Please see Master Response #2 regarding project-level details related to construction activity, lotting plans, circulation system improvements, location of stormwater infrastructure, and recreational amenities. Potential effects related to public services associated with the proposed project are analyzed under Impacts 4.11-4 through 4.11-9 of the Draft EIR. As noted on page 4.11-26 of the Draft EIR, the proposed project would result in an estimated water demand of 572 acre-feet per year.

Response to Comment 8-14

Please see Master Response #2.

Response to Comment 8-15

Please see Master Response #2.

Response to Comment 8-16

Please see Master Response #2. It should be noted that the proposed project is considered a Master Plan. A master plan is a comprehensive long-range document that guides development for an area, while a specific plan is a tool for implementation of the General Plan. Per Government Code Section 65451, the project does not qualify as a Specific Plan.

Response to Comment 8-17

Please see Master Response #2. Substantial evidence in the public record of development plans for the proposed project site does not exist. As is the case with any large-scale planning effort, assumptions must be made about the type and intensity of development anticipated to occur in the future. However, such assumptions do not necessitate the existence of project-level development plans.

Response to Comment 8-18

The comment does not address the adequacy of the Draft EIR. Consideration of development densities for the project in excess of the densities specified in the Draft Master Plan and evaluated in the Draft EIR is speculative and, thus, is not required pursuant to the CEQA Guidelines.

Response to Comment 8-19

The comment does not address the adequacy of the Draft EIR. The commenter's suggestions have been forwarded to the decision-makers for their consideration.

Response to Comment 8-20

The comment states that CEQA requires the project description in the Draft EIR to provide detailed information regarding, or the text of, the proposed development agreement for the Project. To be legally adequate, a project description must depict the project accurately and not minimize its environmental effects, include reasonably foreseeable activities associated with the project, and be consistent throughout the EIR. (14 Cal.Code Regs. Sec. 15124.) More specifically, a project description must include the precise location and boundaries of the proposed project, a detailed map and a map showing the project's location in a regional perspective, a statement of project objectives, a general description of the project's technical, economic, and environmental characteristics, and a statement describing the intended uses of the EIR including a list of agencies expected to use the EIR and a list of approvals for which the EIR will be used. Here, Chapter 3 of the Draft EIR sets forth a detailed description of proposed Project meeting all of the requirements of CEQA, and lists as one of several entitlements required for the Project, the proposed development agreement. (Draft EIR, p. 3-14.)

While CEQA requires an EIR to include a list of all permits and other approvals that are required to implement a project and are known to the lead agency, a detailed discussion of those permits and approvals is not required. (*See East Sacramento Partnership for a Livable City v. City of Sacramento* (2016) [analysis of development agreement not required]; *Native Sun/Lyon Communities v. City of Escondido* (1993) 15 Cal.App.4th 892, 909 [EIR listing of development agreement adequate and detailed discussion of development agreement not required]; *see also Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899 [city's failure to include development agreement in list of approvals found nonprejudicial].) Therefore, the terms and conditions of the proposed development agreement is not required for purposes of CEQA, and moreover, the final text of the proposed Development Agreement, which will conform with the zoning and density provided as part of the proposed Master Plan, has not yet been prepared.

Response to Comment 8-21

Please see Master Response #2.

Response to Comment 8-22

The Draft EIR acknowledges future development of the project site with residential and open space uses and analyzes the potential environmental effects of such development. The absence of project-level plans for lotting, architectural design, and utility improvements does not preclude the ability of an EIR to provide a meaningful environmental analysis. In specific instances where additional detail is necessary, the Draft EIR provides mitigation measures with specific timing and performance standards to ensure that adverse environmental effects would be avoided. For example, Mitigation Measure 4.8-1 of the Draft EIR requires the project applicant to provide a

site-specific drainage study as part of any future development application and provides criteria for necessary details to be included in the study. Similarly, Mitigation Measures 4.6-1 and 4.6-4(a) through (b) require preparation of a design-level geotechnical engineering report with specific design measures to reduce risks from landslides and other geotechnical hazards based on site-specific conditions. Thus, the Draft EIR does not defer formulation of mitigation measures.

Response to Comment 8-23

Pages 4.9-18 through 4.9-22 of the Draft EIR include a discussion of the project's consistency with applicable General Plan policies. As noted therein, the project would require approval of a GPA to introduce new goals and policies relevant to the project site, remove an existing General Plan goal and several policies, and change the existing General Plan land use patterns for the project site to match the proposed Faria SW Hills Draft Master Plan Map. In addition, implementation of Mitigation Measure 4.9-1 from the Draft EIR would be required to ensure that the project would not conflict with General Plan Policy 10-P-2. With approval of the requested GPA and implementation of Mitigation Measure 4.9-1, the Draft EIR concluded that impacts related to conflicts with applicable plans, policies, and regulations would be less-than-significant.

Furthermore, as noted on page 3-3 of the Draft EIR, in November 2005, the voters of the City of Pittsburg approved a ballot initiative entitled "Measure P" (City of Pittsburg Voter Approved Urban Limit Line and Prezoning Act), which established a new Urban Limit Line for the City and prezoned certain properties. Included in these properties was the entire approximately 606-acre project site. Thus, development of the proposed project site has been previously anticipated by the City.

Response to Comment 8-24

Please see Response to Comment 8-23 above.

Response to Comment 8-25

As noted on page 4.1-32 of the Draft EIR, the proposed project would involve substantial grading of hillside areas, including areas within the greenbelt ridgeline buffer between the City of Pittsburg and the City of Concord. General Plan policies related to hillside development should be interpreted in the context of other portions of the General Plan, including the project site's current General Plan land use designation. General Plan Policy 2-P-96 is specific to the project site and limits the maximum buildout to 1,500 dwelling units. This designation was made recognizing the topography of the site. Therefore, the Draft EIR concludes that the General Plan Policies related to the preservation of the natural topography are superseded by the General Plan policy related to the density of 1,500 dwelling units on the project site.

With regard to Policy 4-P-10, page 4.9 of the Draft EIR states the following:

> Policy 4-P-10 of the City's General Plan provides further regulation regarding grading and the protection of open space on hillsides. The policy encourages developers to protect undeveloped areas within open space and to avoid extensive grading of hillsides. The

> proposed project would include 267.2 acres of open space within the project site, which would represent a 138.2 acre increase in designated open space within the project site as compared to existing General Plan land use designations. Although approval of the proposed project would increase the amount of open space designated within the project site, the proposed project would include extensive grading along hillsides within the project site. Such grading would be necessary to provide for relatively level development areas within the project site, and, as discussed in greater depth in Chapter 4.6, Geology, Soils, and Seismicity, of this EIR, to provide slope stability and landslide prevention. Consequently, the proposed project would require a text amendment to the General Plan to remove Policy 4-P-10.

Based on the above, project modifications to further limit grading on hillside areas within the site are not feasible.

Response to Comment 8-26

Please refer to Response to Comment 8-25 above.

Response to Comment 8-27

Potential impacts to biological resources, including special-status plant and wildlife species, are evaluated in Chapter 4.4 of the Draft EIR. Potentially significant impacts are identified for special-status plant species, birds covered under the ECCC HCP/NCCP as well as birds covered under the Migratory Bird Treaty Act, San Joaquin kit fox, California tiger salamander, California red-legged frog, and conflicts with local policies or ordinances protecting biological resources. In addition, cumulative impacts were identified related to the loss of biological resources in the City of Pittsburg. However, the Draft EIR includes mitigation to reduce all identified biological resource impacts to less-than-significant levels.

Response to Comment 8-28

Issues related to alteration of existing drainage patterns are discussed on pages 4.8-16 to 4.8-18 of the Draft EIR. As noted therein, because detailed site and drainage plans do not currently exist, future project design, and, thus, compliance with C.3 standards and other applicable policies cannot be evaluated at this time. However, Mitigation Measure 4.8-1 would require preparation of a site-specific drainage study identifying site design measures, source controls, and stormwater treatment and flow control measures showing that the project runoff would not exceed the capacity of existing and planned stormwater drainage systems and would not result in flooding on- or off-site. The criteria for the drainage study established in Mitigation Measure 4.8-1 include an assessment of downstream drainage and City storm-water facilities impacted by potential project runoff in accordance with General Plan Policy 9-P-21. The text of Mitigation Measure 4.8-1 is as follows:

> *4.8-1* *As part of any development application, the applicant shall submit a site-specific drainage study which shall identify site design measures, source controls, and stormwater treatment and flow control measures showing that the project runoff will not exceed the capacity of existing and planned*

stormwater drainage systems and will not result in flooding on- or off-site. The study shall include, but not be limited to, the following:

- *Calculations of pre-development runoff conditions and post-development runoff conditions, using appropriate engineering methods;*
- *An assessment of downstream drainage and City storm-water facilities impacted by potential project runoff in accordance with General Plan Policy 9-P-21, which requires the following:*
    - *Calculate potential sedimentation and runoff based on the maximum storm event and determine necessary capacity of the downstream drainage system. If the project presents potential downstream sedimentation, runoff, or flooding issues, the drainage study shall require additional mitigation including, but not limited to, limitations on grading, construction only in dry seasons, and funding for downstream improvements, maintenance, and repairs;*
- *Assessment of existing drainage facilities within the project area and an inventory of necessary upgrades, replacements, redesigns, and/or rehabilitation in order to accommodate the proposed project;*
- *Recommendation of appropriate design measures required to meet C.3 requirements, and relevant requirements from Chapter 13.28 of the City's Municipal Code; and*
- *A proposed maintenance program for the on-site drainage system.*

Response to Comment 8-29

As stated on page 4.11-35 of the Draft EIR, the project applicant would pay the required SB 50 school development fees in effect at the time of issuance of building permits for the project. In accordance with California Proposition 1A/SB 50, payment of the applicable school impact fees is considered full and complete mitigation for the increased demand for school services resulting from development. Consequently, while capacity within the MDUSD is currently limited, the payment of school impact fees would be considered sufficient to reduce potential impacts related to the provision of school facilities and services to a less-than-significant level. The General Plan acknowledges development of up to 1,500 units on the project site.

Response to Comment 8-30

As noted on page 4.11-34 of the Draft EIR, standard City of Pittsburg conditions of approval require that the developer annex new development into the Community Facilities District (CFD) 2005-1 in order to collect fees sufficient to fund increased police protection services needed due to the population increase associated with the proposed project. Such fees would be collected during the approval process for future specific developments within the annexation area. The rate of the CFD fee is subject to City Council Ordinance No. 05-1246. Development fees would be used by the PPD to meet the increased demand for police services.

While the project would require additional sworn officers to serve the project, new police facilities would not be required in order to provide police services to the proposed project. With annexation to the CFD, the PPD has indicated that the Department could adequately serve the proposed project.[3] The applicable CEQA threshold is whether the project would result in substantial adverse physical impacts associated with the provisions of new or physically altered police protection facilities. Given that the proposed project would not require the provision of new or physically altered police protection facilities, the Draft EIR concluded that impacts would be less than significant.

Response to Comment 8-31

The commenter suggests that the proposed mitigation measure to address additional costs associated with additional equipment or personnel needed to serve the proposed Project is inadequate, and states that the Project site's location outside of the 1.5-mile response time radius of the nearest fire station constitutes a violation of the City's General Plan. The Draft EIR explains that Fire Facility Impact Fees for the CCCFPD are specifically designed to proportionally cover any costs associated with additional equipment and/or personnel needed to serve new development projects within the CCCFPD service area, such as the proposed Project.

Additionally, as stated on page 4.11-32 of the Draft EIR, in adopting Resolution Number 17-13311, the City Council formed Community Facilities District 2017-1 (CFD 2017-1) to help finance increased emergency medical and fire protection services through assessment of an annual special tax on properties within the CFD 2017-1. Payment of the Fire Facility Impact Fees and the CFD 2017-1 special tax would cover any additional costs associated with additional equipment or personnel needed to serve the proposed Project. While the Fire Facility Impact Fees are assessed on all new developments within the City, the CFD 2017-1 special tax is only assessed on sites within the district. 4.11-32. Thus, Mitigation Measure 4.11-4 provides that prior to recordation of a Final Map for any portion of the proposed project site, the project applicant shall provide proof, to the City of Pittsburg Community Development Department, that the proposed project site has been annexed into CFD 2017-1.

The Draft EIR acknowledges that the proposed Project conflicts with General Plan Policy 11-P-26, which is a policy that predates that creation of CFD 2017-1. On page 4.11-33, the Draft EIR states that inclusion of the project site within CFD 2017-1 would ensure that special taxes would be assessed on future development within the project site, which would support the provision of emergency medical and fire protection services. In addition, according to a Memorandum prepared by the CCCFPD, the CFD 2017-1 impact fee would allow the CCCFPD to keep pace with capital and infrastructure costs and demands of new development.[4] Furthermore, based on existing fire station locations and the relocation of Fire Station 86, the CCCFPD does not anticipate the need for a new fire station to be constructed in order to serve the proposed project. However, the project

[3] Captain Michael Perry, Pittsburg Police Department Personal communication with Raney Planning and Management, Inc. on March 4, 2014, and personal communication [phone] between Captain Rathnesh Raman, Pittsburg Police Department, and Jacob Byrne, Associate, Raney Planning and Management, Inc. on April 5, 2017.

[4] Contra Costa County Fire Protection District. *Subject: Fire Facility Assessment for Faria property – Southwest portion of Pittsburg, California*. February 7, 2019.

site is still outside of the 1.5-mile response time radius of the nearest fire station, and mitigation that would establish direct project consistency with the dated General Plan Policy 11-P-26 does not exist. The Draft EIR conservatively concludes that following implementation of Mitigation Measure 4.11-4, the proposed Project would continue to conflict with General Plan Policy 11-P-26, which would be considered a significant and unavoidable impact.

Response to Comment 8-32

Please refer to Master Response #2.

The commenter does not raise a significant environmental question and therefore, no response is required. Nonetheless. as noted under Response to Comment 8-2 above, Section 18.72.060 of the Pittsburg Municipal Code requires a master plan to include a land use and circulation system concept that is consistent with the goals and policies of the general plan, compatible with the environment, and capable of being served by existing and planned public facilities and utilities. The specific plans and materials listed in Section 18.72.060(B) of the Pittsburg Municipal Code must be submitted unless the City Planner waives submission of the items considered unnecessary for an application for approval of a master plan, as is the case here with some of the required components. Thus, omissions of certain details from a master plan application, such as architectural plans, is subject to the City's discretion.

Response to Comment 8-33

Please see Response to Comment 8-3 above. The regulations included in Chapter 18.56, Hillside Planned District (HPD), of the Pittsburg Municipal Code apply only to hillside development within an HPD zoning district. The Draft Master Plan proposed as part of the project incorporates hillside development standards specific to the project site.

Response to Comment 8-34

Please see Response to Comment 8-3 above.

Response to Comment 8-35

The proposed project does not include a tentative subdivision map. At the time of submittal of a tentative subdivision map application to the City, the City would evaluate the application for consistency with the Subdivision Map Act. With regard to consistency with applicable General Plan policies, please see Response to Comment 8-23 above.

Response to Comment 8-36

The comment does not identify any specific deficiencies related to the analysis presented within the Draft EIR.

Response to Comment 8-37

The Draft EIR provides a comprehensive, detailed analysis of buildout of the Draft Master Plan, addressing all issue areas required per Appendix G of the CEQA Guidelines. Within each technical chapter of the Draft EIR, an analysis of potential cumulative impacts is provided.

Response to Comment 8-38

Please see Response to Comment 3-3. In addition, as noted under Response to Comment 8-22 above, the Draft EIR does not inappropriately defer formulation of mitigation measures.

Response to Comment 8-39

Please see Master Response #2 and Response to Comment 8-22 above

Response to Comment 8-40

Please see Response to Comment 8-22 above.

Response to Comment 8-41

Cumulative development within the City of Pittsburg would be guided by the City's General Plan. Per Section 15130(d) of the CEQA Guidelines, previously approved land use documents such as general plans, specific plans, and local coastal plans may be used in cumulative impact analysis. Therefore, where applicable, the Draft EIR relies on the General Plan EIR to evaluate the potential environmental effects of cumulative development within the City's planning area. Thus, in cases where the General Plan EIR concluded that cumulative development would be less-than-significant due to compliance with applicable federal, State, and local rules and regulations, such conclusions are applicable to the cumulative analyses presented in the Draft EIR. Furthermore, any assumption that cumulative development within the City would not be subject to such rules and regulations is speculative.

Response to Comment 8-42

Please see Master Response #2.

Response to Comment 8-43

The Draft EIR clearly defines the scope of ground-disturbing activities that would occur as a result of the proposed project. As noted on page 3-8 of the Draft EIR, a total of approximately 339.1 acres are designated for residential development and approximately 267.2 acres of land are designated to be preserved as open space. The Draft EIR assumes that the 339.1 acres proposed for development would be subject to grading and other ground-disturbing activities during future development of the site. In addition, of the 267.2 acres to be designated as open space, up to 72.9 acres could potentially be graded. Given that potential impacts to biological resources within the project site would primarily be a function of ground-disturbing activities occurring as a result of

the project, the Draft EIR provides sufficient information to allow for a robust, meaningful analysis of biological resources impacts. Additional project-level information, such as utility or architectural plans, would not aid the identification of impacts to biological resources.

Response to Comment 8-44

The comment is an introductory statement. The specific concerns raised by the commenter are addressed in the responses below.

Response to Comment 8-45

The Hamilton Biological report referenced by the commenter provides supporting information for the concerns addressed in Responses to Comments 8-46 through 8-56 below, but does not specifically address the adequacy of the Draft EIR.

Response to Comment 8-46

Please see Response to Comment 8-7 above.

Response to Comment 8-47

The existing setting of the project site related to biological resources is described on pages 4.4-2 through 4.4-37 of the Draft EIR.

Response to Comment 8-48

Please see Response to Comment 8-7 above.

As noted on page 4.4-9 of the Draft EIR the north-central part of the site is mapped in the ECCC HCP/NCCP as suitable low potential habitat for big tarplant, and the relatively higher elevation parts of the site are mapped as suitable habitat. However, the on-site grasslands have been grazed and site surveys concluded that the on-site grasslands do not provide suitable habitat for big tarplant; additionally, clay soils were not observed on-site. The species was not observed during the Moore Biological Consultants field surveys in 2013 and 2014, and the CNDDB does not include any occurrences of special-status plants within two miles of the project site. Nonetheless, Mitigation Measure 4.4-1(b) requires additional rare plant surveys for big tarplant prior to the issuance of grading or construction permits for each phase of project development on the site. The Draft EIR concluded that with implementation of Mitigation Measure 4.4-1(a) through 4.4-1(b), impacts to special-status plant species would be less than significant.

Response to Comment 8-49

Please see Response to Comment 8-6 above.

Response to Comment 8-50

Each of the special-status species referenced by the commenter are discussed in Chapter 4.4, Biological Resources, of the Draft EIR. As noted on page 4.4-49 of the Draft EIR, the on-site grasslands provide marginally suitable foraging habitat for the following bird species: Swainson's hawk; burrowing owl; golden eagle; and tricolored blackbirds, as modeled in the ECCC HCP/NCCP. In addition, the project site may provide foraging or nesting habitat to other special-status avian species, including white-tailed kites, ferruginous hawks, grasshopper sparrows, California horned-larks, and loggerhead shrikes. However, with the implementation of Mitigation Measures 4.4-2(a) through 4.4-2(j), the Draft EIR concluded that impacts would be reduced to less-than-significant levels. Such mitigation measures require pre-construction surveys for the identified species, in addition to payment of applicable ECCC HCP/NCCP fees. Similarly, as noted on page 4.4-54, the Draft EIR provides mitigation with associated survey requirements for American badgers and San Joaquin kit foxes.

Response to Comment 8-51

With regard to existing wildlife preserves in the project area and reconnaissance surveys for special-status plant and wildlife species, see Responses to Comments 8-6 and 8-7 above.

Existing on-site plant communities and habitats, including wetlands, are discussed on pages 4.4-2 through 4.4-5 of the Draft EIR. Page 4.4-5 states the following:

> Wetlands in the project site are limited to two man-made wetlands that were created as part of compensatory mitigation for nearby development projects; the two wetlands are located outside of the development area indicated within the Draft Master Plan, and both wetlands would be preserved in an Open Space area of the Draft Master Plan that would not be disturbed by temporary grading activities. Combined, the wetlands occupy approximately 0.7 acre within a low-lying area in the northwestern portion of the project site (see Figure 4.4-2). The wetlands are situated at the upper reaches of a USGS identified, blue line stream that flows off-site to the southwest into the Concord Naval Weapons Station (CNWS), where the stream enters the Clayton Canal. A buffer was established around the wetlands in order to maintain habitat quality, such that the preserve area amounts to approximately 17.5 acres. Both of the wetland features were completely dry during the August 2017 field survey, though both supported perennial, as well as seasonal, wetland vegetation, indicating a topographic gradient where the deeper portions hold water for long periods of time and presumably are underlain by saturated soils during the summer. The perennial wetland vegetation in both wetlands is concentrated along the southwestern, lower portions of the features. Based on hydrologic features as well as the spillway locations, both wetlands hold roughly one to two feet of water during the wet season, and rarely flow over the spillways. Wetland plant species observed within the deeper portions of the wetlands were dominated by hardstem bulrush (*Schoenoplectus acutus*) and swamp picklegrass (*Crypsis schoenoides*), with an overstory of arroyo willow (*Salix lasiolepis*) and Fremont's cottonwood (*Populus fremontii*). The shallower portions were dominated by Baltic rush (*Juncus balticus*), rabbitsfoot grass (*Polypogon monspeliensis*), clustered dock (*Rumex conglomeratus*), and prostrate knotweed (*Polygonum aviculare*). Significant cover of wetland species outside of the excavated basins does not exist—the two wetlands are separated by upland habitat—though quasi-wetland trees, primarily valley oak (*Quercus*

lobata), have been planted along the slopes adjacent to the features. The southwestern wetland surrounds an island of upland habitat, with a windmill and water pump installed at the center of the island.

Response to Comment 8-52

As discussed on page 3-13 of the Draft EIR, San Marco Boulevard, located at the northern boundary of the proposed project site, would be extended southward through the site as part of the proposed project, providing connection to the City's existing circulation system. The extended roadway would link to Bailey Road to the east of the site. The proposed roadway extension would be located wholly within the proposed area of development shown on Figure 3-6 of the Draft EIR; roadway improvements would not occur within the proposed open space areas. Therefore, development of the roadway has been included in the existing setting described in the Draft EIR.

With regard to CTS, please see Response to Comment 8-6 above.

Response to Comment 8-53

Please see Response to Comment 8-6 above.

Response to Comment 8-54

As noted on page 4.4-54 of the Draft EIR, San Joaquin kit foxes, American badgers, hoary bats, and western red bats could use the project site as habitat. However, the proposed project would not have the potential to impact hoary bats and western red bats. With regard to San Joaquin kit foxes Mitigation Measure 4.4-3(b) requires that a qualified biologist conduct a pre-construction survey within the proposed disturbance footprint and a surrounding 250-foot radius prior to any ground disturbance within the project site. If San Joaquin kit foxes and/or suitable dens are identified in the survey area, Mitigation Measure 4.4-3(b) includes specific standards to ensure that significant impacts to the species do not occur. For example, if a San Joaquin kit fox den is discovered in the proposed development footprint, the den must be monitored for three days by a USFWS/CDFW–qualified biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used.

Given that Mitigation Measure 4.4-3(b) provides specific timing and performance standards, the Draft EIR does not inappropriately defer mitigation of impacts to San Joaquin kit foxes.

Response to Comment 8-55

It is not clear what additional information the commenter is requesting. For example, Draft EIR clearly evaluates which special-status species have been known to occur in the project region, the likelihood for each species to occur on-site based on known habitat requirements and other factors, and whether future development on the site would have the potential to impact each species. Thus, the Draft EIR adequately characterizes the extent and severity of potential impacts to special-status species. For each potential impact, the Draft EIR provides mitigation to reduce impacts to less-than-significant levels.

Response to Comment 8-56

Page 4.4-29 of the Draft EIR states the following regarding golden eagles:

> *Golden Eagle*
>
> The golden eagle is not listed under either the State or federal Endangered Species Acts (ESA), but is a State of California Fully Protected Species and is also protected by the Migratory Bird Treaty Act (MBTA). Golden eagles forage in grasslands in coastal foothills, including the rolling hillsides around the base of Mount Diablo. Golden eagles prefer to nest on ledges on cliff walls, but can also use very large trees that are isolated from disturbance.
>
> The nearest occurrence of golden eagle in the CNDDB search area is approximately one mile west of the site. The site is mapped as suitable habitat for golden eagle as modeled in the ECCC HCP/NCCP. Golden eagles were observed foraging on the site. The on-site trees and other relatively large trees visible from the site were inspected for raptor stick nests. The trees provide poor quality nesting habitat for golden eagles, as they prefer ledges on cliff walls or very large trees isolated from any type of disturbance. A few raptor stick nests were observed in the trees in the wetland mitigation area, but these nests were being utilized by red-tailed hawks and great-horned owls. Considering the presence of foraging habitat and of isolated trees, the project site is considered marginally suitable habitat for golden eagle foraging and nesting.

In addition, pages 4.4-46 through 4.4-47 of the Draft EIR state the following:

> The site is mapped as suitable habitat for golden eagle as modeled in the ECCC HCP/NCCP and golden eagles are assumed to forage in the site. Golden eagle are a Fully Protected species. The ECCC HCP/NCCP provides compensatory grassland habitat within dedicated preserve areas, which may be used as foraging habitat by golden eagle. The payment of ECCC HCP/NCCP fees as a result of the project would be used, in combination with other fees, to purchase the preserve area that would act as compensatory habitat for the species.
>
> Golden eagles have been observed foraging on the site. The on-site trees and other relatively large trees visible from the site provide poor quality nesting habitat for golden eagles. Although golden eagles are considered unlikely to nest in the project site, development of the project site grasslands would convert suitable foraging habitat for the species. In addition, grading within open space areas of the site would result in temporary disturbance of 72.9 acres of suitable foraging habitat. Because the project site provides suitable (though poor) nesting habitat for golden eagle and is within the species' known range, the possibility exists that potential future construction activity within the proposed development area of the Draft Master Plan area could have a significant impact to individual golden eagle if the species occupies the site prior to the onset of construction.

Based on the above, the Draft EIR provides detailed information regarding the potential for golden eagles to occur on-site. As noted on page 4.4-49, with the implementation of Mitigation Measures 4.4-2(a) through 4.4-2(j), impacts to Swainson's hawk, tricolored blackbird, burrowing owl, and golden eagle and other special-status avian species would be reduced to less-than-significant levels.

Response to Comment 8-57

Please see Response to Comment 8-23 above.

Response to Comment 8-58

Section 15125(d) of the CEQA Guidelines requires only that an EIR discuss any inconsistencies between the proposed project and applicable general plans and regional plans. The Draft EIR is not required to include a discussion of all General Plan goals and policies. Where inconsistencies are noted, a corresponding discussion is provided in the EIR. Potential inconsistencies with General Plan Policies 4-P-2, 4-P-10, 4-P-14, and 4-P-25 are discussed in Impact 4.9-1 of the EIR.

Response to Comment 8-59

Please see Response to Comment 8-58 above.

Response to Comment 8-60

Please see Response to Comment 8-58 above.

Response to Comment 8-61

Please see Response to Comment 8-58 above.

Response to Comment 8-62

As noted in footnote 10 on page 4.9-22 of the Draft EIR, the General Plan policies discussed in Appendix J are limited to policies specific to land use issues. Potential inconsistencies with General Plan policies related to other environmental issue areas are addressed throughout the technical chapters of the Draft EIR. For example, as noted above, potential inconsistencies with General Plan Policies 4-P-2, 4-P-10, 4-P-14, and 4-P-25 are discussed in Impact 4.9-1 of the Draft EIR. In addition, consistency with General Plan Policy 4-P-11 is discussed in Chapter 4.6, Geology, Soils, and Seismicity, of the EIR.

Response to Comment 8-63

Please see Responses to Comments 8-23 and 8-58 above.

Response to Comment 8-64

Chapter 4.8 of the Draft EIR notes one General Plan policy (Policy 10-P-2) with which the Draft Master Plan could create an inconsistency. Implementation of Mitigation Measure 4.9-1 from the Draft EIR would not defer formulation of mitigation to a future CEQA analysis but, rather, would require revision of the Land Use Map of the Draft Master Plan to ensure that conflicts with Policy 10-P-2 would not occur. Similarly, while Chapter 4.10 acknowledges the potential for noise exposure levels at future on-site development to exceed applicable General Plan noise level

standards, Mitigation Measure 4.10-2 establishes specific performance standards and timelines to ensure that such exceedances do not occur. Thus, the Draft EIR adequately identifies potential inconsistencies with General Plan policies and provides sufficient mitigation to ensure that such inconsistencies do not occur.

Response to Comment 8-65

Please see Response to Comment 8-107 below.

Response to Comment 8-66

Per 4.9-13 of the Draft EIR, the Contra Costa LAFCo would act as a CEQA responsible agency in regard to consideration of the proposed annexation. As noted under Response to Comment 8-2 above, consistency with applicable LAFCo policies, including policies related to urban sprawl, is discussed in Appendix J of the Draft EIR. As noted therein, the project site is consistent with the Pittsburg General Plan land use designations of LDR, HLDR and OS. In November of 2005, the Pittsburg voters approved an initiative which resulted in the project site being prezoned to HPD and OS. The project includes a change in prezoning to RS-4P and OS-P; however, the densities of the overlay zones are consistent with the type and intensity of development anticipated in the initiative. Thus, the proposed project would be consistent with the General Plan land use designations and the existing prezoning for the project site. In general, the project is within the voter-approved Urban Limit Line and would, therefore, not conflict with applicable LAFCo policies related to sprawl.

Response to Comment 8-67

Please see Response to Comment 8-66 above. The project is located within a voter-approved Urban Limit Line and, thus, would not be considered to induce urban sprawl.

Response to Comment 8-68

Please see Responses to Comments 3-8 and 8-58 above.

Response to Comment 8-69

As noted on page 3-3 of the Draft EIR, in November 2005, the voters of the City of Pittsburg approved a ballot initiative entitled “Measure P” (City of Pittsburg Voter Approved Urban Limit Line and Prezoning Act), which established a new Urban Limit Line for the City and prezoned certain properties. Included in these properties was the entire approximately 606-acre project site, which was prezoned for residential and open space uses. In addition, per the City’s General Plan, the site is currently designated for Low Density Residential, Hillside Low Density Residential, and Open Space. Therefore, development of portions of the project site with residential uses, thereby resulting in conversion of open space, has been previously anticipated by the City.

Furthermore, LAFCo’s Agricultural and Open Space Preservation Policy (AOSPP) does not specifically prohibit the conversion of open space to developed land; rather, the AOSPP provides

for the minimization of such conversion. While the proposed project would require conversion of open space, such conversion is necessary to realize the planned development of 1,500 residential units within the site while providing for an open space buffer along the Pittsburg-Concord Ridgeline and protecting sensitive hillside areas. Given that the conversion of open space occurring as a result of the project would help to reduce environmental impacts associated with buildout of the project area and would be offset by an increase in designated Open Space from what is currently designated by the City's General Plan, the proposed project would be considered to minimize conversion of open space.

Response to Comment 8-70

Please see Responses to Comments 3-8, 3-18, and 3-20.

Response to Comment 8-71

Please see Responses to Comments 3-11 and 3-13.

As noted on page 3-14 of the Draft EIR, should the necessary City approvals be granted for the proposed project, tentative maps and improvement plans for development of the project site could subsequently be brought forward. Development of the project site, including infrastructure improvements, would likely begin two to three years after the approval of initial tentative maps for development within the project site. Buildout of the project area would be driven by market demand, once proper approvals have been granted. Future market conditions are speculative at this time, and, thus, the total construction period and final buildout date for the proposed project is not currently known.

Response to Comment 8-72

The proposed project site is located within the City of Pittsburg Urban Limit Line and the LAFCo-approved SOI. According to the Pittsburg General Plan Land Use Element Map, the approximately 606-acre project site is designated LDR, HLDR, and OS. With the approval of Measure P, the project site has been prezoned HPD and OS. The maximum buildout for the proposed project site, according to the current General Plan, is 1,500 single-family units. As such, the City has anticipated development of the site with residential uses, and the project would be consistent with the development assumptions considered in the City's 2015-2023 Housing Element. Thus, consideration of the City's regional housing needs within the Draft EIR is not necessary.

Response to Comment 8-73

Please see Responses to Comments 3-11 and 3-13.

Response to Comment 8-74

Page 4.11 of the Draft EIR states the following regarding water demand associated with future buildout of the Draft Master Plan:

> It should be noted that the 2015 UWMP relies on population growth projections from the Association of Bay Area Governments (ABAG) to estimate future development in the City. Therefore, the 2015 UWMP does not specifically address buildout of the project site; rather, the 2015 UWMP analyzes the City's potential addition of 34,000 total residents and a total, Citywide increase in water demand of 3,900 AFY between 2010 and 2035. The estimated Draft Master Plan buildout population of 4,800 future residents, with an associated water demand of 572 AFY, would fall within the ABAG growth numbers used in the 2015 UWMP. Therefore, although the project was not specifically included in the UWMP, the anticipated population growth and water demand increases for the entire City were evaluated, and the demand estimates presented in Table 4.11-6 generally include the water demand increase associated with buildout of the proposed project. As illustrated in Table 4.11-6, the City's water supplies could accommodate buildout of the City, which includes the proposed project's potential population of 4,800 people and maximum water demand of 572 AFY.

Based on the above, the proposed project would not result in increased demand for water supplies beyond what was considered in the City's 2015 UWMP.

Response to Comment 8-75

Please see Responses to Comments 8-2 and 8-74 above.

Response to Comment 8-76

Please see Response to Comment 8-9 above.

Response to Comment 8-77

Please see Response to Comment 8-9 above.

Response to Comment 8-78

As noted above, the proposed project would not result in increased demand for water supplies beyond what was considered in the City's 2015 UWMP. The 2015 UWMP includes an analysis of potential climate change impacts on water supply and demand.

Response to Comment 8-79

Please see Response to Comment 3-12 above.

Response to Comment 8-80

Section 15125(a)(1) of the CEQA Guidelines states the following regarding establishing the existing setting for an EIR:

> Generally, the lead agency should describe physical environmental conditions as they exist at the time the notice of preparation is published, or if no notice of preparation is published,

> at the time environmental analysis is commenced, from both a local and regional perspective. Where existing conditions change or fluctuate over time, and where necessary to provide the most accurate picture practically possible of the project's impacts, a lead agency may define existing conditions by referencing historic conditions, or conditions expected when the project becomes operational, or both, that are supported with substantial evidence. In addition, a lead agency may also use baselines consisting of both existing conditions and projected future conditions that are supported by reliable projections based on substantial evidence in the record.

Given that the City of Pittsburg has previously anticipated development of the project site with up to 1,500 single-family homes per General Plan Policy 2-P-96, water demand associated with such development constitutes a "projected future condition" under Section 15125(a)(1), and inclusion of such projections in the existing setting section of Chapter 4.11 is appropriate.

Response to Comment 8-81

Please see Response to Comment 3-12.

Response to Comment 8-82

As noted under Response to Comment 8-9 above, both the 2010 and 2015 UWMPs indicate a water supply surplus under most hydrologic conditions, with only minor deficits during prolonged drought. Thus, concerns about unreliable water supply available to serve the proposed project are unsubstantiated.[5]

Response to Comment 8-83

Please see Response to Comment 8-82. The proposed mitigation measures do not defer analysis related to water supply; rather, the measures ensure that applicable CCWD standards would be met prior to approval of a final subdivision map for future development within the project site. The Draft EIR demonstrates that sufficient water supplies would be available to serve future development within the project site.

Response to Comment 8-84

As noted on page 4.11-5 of the Draft EIR, the City's 2015 UWMP describes the projected water demand for the City of Pittsburg through 2040. Such growth includes cumulative development associated with buildout of the City's General Plan. Given that the effects of cumulative development on the CCWD's projected water supplies has been evaluated in the 2015 UWMP, and the proposed project would not result in increased demand for water supplies beyond what was considered in the 2015 UWMP, the cumulative analysis presented within the Draft EIR is sufficient.

[5] Jim Connel, Principal Engineer, West Yost Associates. Personal communication [email] with Rod Stinson, Division Manager, Raney Planning & Management, Inc. January 21, 2019.

Response to Comment 8-85

The mitigation measures presented in Chapter 4.3, Air Quality and Greenhouse Gas Emissions, of the Draft EIR, include specific performance standards and timelines for implementation. For example, Mitigation Measure 4.3-1 requires compliance with specific engine efficiency standards for all off-road heavy-duty diesel-powered equipment larger than 100 horsepower (e.g., rubber-tired dozers, excavators, graders, scrapers, pavers, paving equipment, and cranes) to be used for each phase of construction of the project.

Where insufficient project-level design details are available to provide for a project-level air quality or GHG emissions analysis, the Draft EIR acknowledges that significant and unavoidable impacts could occur. However, Mitigation Measures 4.3-2 and 4.3-5(b) in the Draft EIR require a project-level, detailed air quality and GHG analysis in conjunction with the submittal of applications for future development within the project site. Such mitigation measures establish concrete performance standards for the required air quality and GHG analysis. For example, Mitigation Measure 4.3-2 requires mandatory compliance with BAAQMD's standard recommended mitigation measures unless the project applicant demonstrates the measures are not feasible.

Response to Comment 8-86

The comment states that the modeling assumptions discussed in Chapter 4.3 of the Draft EIR are inadequate, but does not specifically note what additional modeling assumption information is necessary. The modeling assumptions presented in the Draft EIR provide an accurate, comprehensive summary of the inputs applied to the California Emissions Estimator Model (CalEEMod) for the proposed project. A full list of the user-entered project characteristics and non-default data is included within the modeling outputs provided in Appendix D to the Draft EIR.

Response to Comment 8-87

CalEEMod inherently accounts for criteria pollutant and GHG emissions due to earth moving activities during grading activities. The amount of earth moving required within the site is calculated based on the total area of disturbance input to the model. As discussed in Chapter 4.3, Air Quality and Greenhouse Gas Emissions, of the Draft EIR, the proposed project's modeling assumes that a total of 412 acres would be disturbed during the grading phase. Furthermore, buildout of the project site was not anticipated to require import or export of soil material; rather, the proposed grading activities would allow for balanced cut and fill.

Response to Comment 8-88

Please see Response to Comment 8-87 above.

CalEEMod relies on a default Carbon Dioxide (CO_2) intensity factor associated with electricity generation depending on the electricity provider for a given project. In the case of the proposed project, CalEEMod assumes a default intensity factor of 641.35 lbs of CO_2 per megawatt-hour, based on 2008 data, when PG&E's renewable portfolio standard (RPS) was 12 percent. Since

2008, PG&E's RPS has increased substantially, and additional improvements are anticipated to occur by the time the future development within the project site is operational, consistent with State RPS mandates. Thus, the CO_2 intensity factor applied to the model was adjusted based on the projected RPS for year 2023.

Response to Comment 8-89

As discussed throughout the Draft EIR, the Draft Master Plan is a large-scale planning document, and project-level detail related to future development within the project site is not available. The inability of the Draft EIR to fully quantify criteria pollutant and GHG emissions at a project level is reflected in the significant and unavoidable determination of significance reached for Impacts 4.3-2, 4.3-4, and 4.3-5. The analysis presented within the Draft EIR related to air quality and GHG emissions represents the most comprehensive level of analysis feasible given the lack of project-level details. As noted in Master Response #2, at the time that future applications are submitted to the City for development within the Draft Master Plan area, additional environmental analysis would be conducted for issues which could not be fully analyzed in the Draft EIR. Because the Draft EIR includes a comprehensive analysis of the significant environmental effects of the planning approvals currently under consideration, and future development within the site would be subject to additional review, the level of analysis presented in the Draft EIR is consistent with CEQA Guidelines Section 15152(c).

Response to Comment 8-90

The list of measures included in Mitigation Measure 4.3-2 reflect BAAQMD's standard mitigation measures, as discussed in Section 9-6 of BAAQMD's 2017 CEQA Guidelines, and are based in part on the measures included in the *Quantifying Greenhouse Gas Mitigation Measures* document published by the California Air Pollution Control Officers Association (CAPCOA).[6] The CAPCOA document provides a range of emissions reductions that can be anticipated for each measure. The potential exists that the measures would not be feasible to reduce criteria pollutant and GHG emissions below the applicable thresholds of significance; thus, the Draft EIR determined that impacts related to such would remain significant and unavoidable.

Response to Comment 8-91

Please see Response to Comment 8-89 above. Mitigation Measure 4.3-2 includes specific standards regarding future detailed air quality analysis for development occurring within the project area. For example, the analysis must include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts. In addition, as noted in Response to Comment 8-90 above, Mitigation Measure 4.3-2 requires implementation of BAAQMD's standard mitigation measures. Thus, the Draft EIR does not unnecessarily defer formulation of mitigation measures.

[6] California Air Pollution Control Officers Association. *Quantifying Greenhouse Gas Mitigation Measures.* August 2010.

Response to Comment 8-92

Please see Response to Comment 8-89 above.

Response to Comment 8-93

The standards of significance noted by the commenter are addressed in Impacts 4.8-1 and 4.8-2 of the Draft EIR. As noted therein, with implementation of mitigation, both impacts would be reduced to a less-than-significant level.

Response to Comment 8-94

The existing drainage conditions at the project site are discussed on pages 4.8-1 through 4.8-3 of the Draft EIR, as follows:

> According to the Pittsburg General Plan, the project site is located in the Lawlor Creek watershed (see Figure 4.8-1).
>
> The Lawlor Creek watershed drains into Suisun Bay. Most of the Lawlor Creek watershed south of Bay Point is undeveloped, though some residential development exists south of State Route (SR) 4. Most runoff is conveyed by natural channels, except for storm drains located in developed areas and culverts under SR 4. Minor watersheds are located west of Lawlor Creek, between Lawlor and Kirker Creeks, and adjacent to the northeastern boundary of the Kirker Creek watershed north of SR 4. The minor watersheds are drained by small natural channels without official names. Additionally, the Contra Costa Coastal Canal intersects both the Lawlor Creek and Kirker Creek watersheds.
>
> According to the Storm Drainage Memo prepared for the proposed project by Isakson & Associates Inc., the project site consists of two tributary drainage areas, the northerly portion of the project site and the southerly portion of the project site. The northerly portion of the site is within the Contra Costa County Flood Control Drainage Area 48B (DA 48B). DA 48B drains through the existing San Marco Project located to the north, then under SR 4 and through the Bay Point area to Suisun Bay. The drainage system within the San Marco Project development area has been designed and constructed to accommodate the developed flow from the northerly portion of the proposed project site. The series of detention basins within the San Marco project development area would regulate the flow of drainage from the San Marco Project and the northerly portion of the proposed project site such that peak flows would not exceed 199 cubic feet per second, which would be consistent with what has been anticipated per the Contra Costa County DA 48B Boundary Map and Drainage Plan.
>
> The southerly portion of the proposed project site naturally drains through the undeveloped Bailey Estates project area to the east into a drainage system that crosses under Bailey Road into Lawlor Ravine, which drains under SR 4 through the Bay Point Area to Suisun Bay. In accordance with applicable federal and state standards, the drainage system of the southerly portion of the project site would be designed such that the peak storm drainage flow leaving the site after development does not exceed the existing undeveloped storm drainage flow. The proposed project would likely require permanent detention facilities to be constructed on-site in order to meet such design requirements. Regardless of the specific

> stormwater facilities included in the proposed project, stormwater currently runs off of the project site and onto the nearby Bailey Estates project site. The Bailey Estates project would be required to accept and convey the stormwater currently running onto the Bailey Estates site from the proposed project site by the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) regulation "Provision C.3".
>
> Therefore, both the northern and southern drainage areas of the project site connect to existing or planned drainage systems prior to eventual discharge in surface waters of Suisun Bay.

Based on the above, the Draft EIR provides an adequate description of the existing hydrology and water quality conditions within the project area.

Response to Comment 8-95

Changes to the existing on-site drainage patterns occurring as a result of the Draft Master Plan are described on page 4.8-16 of the Draft EIR, as follows:

> Development of the proposed project would result in new impervious surfaces and, thus, an incremental reduction in the amount of natural soil surfaces available for the infiltration of rainfall and runoff. The reduction in infiltration area for stormwater would alter the existing drainage pattern of the site, and result in an increase in the amount of runoff from the site during storm events. In addition, development of the proposed project would most likely involve cut and fill of slopes and depressions, which would further affect the drainage pattern of the site.

As noted on page 4.8-17 of the Draft EIR, to ensure that runoff flows do not increase, potential future development within the Draft Master Plan Area would be required to include source control, site design, and stormwater treatment measures to control post-development runoff. Consequently, while the development of the proposed project would alter the drainage pattern of the site, the project would be designed to ensure that post-development flows do not exceed pre-development flows and are consistent with existing and planned stormwater control capacity. Detailed site and drainage plans will be submitted with and reviewed as part of future development applications. Mitigation Measure 4.8-1 in the Draft EIR requires, as part of any development application within the site, the submittal of a site-specific drainage study identifying site design measures, source controls, and stormwater treatment and flow control measures showing that the project runoff will not exceed the capacity of existing and planned stormwater drainage systems and will not result in flooding on- or off-site. The drainage study is required to include calculations of pre- and post-development runoff conditions, an assessment of downstream drainage and City storm-water facilities, and recommendations for site design measures in compliance with applicable C.3 requirements and Chapter 13.28 of the Pittsburg Municipal Code. With implementation of Mitigation Measure 4.8-1, the Draft EIR concluded that issues related to alteration of existing drainage patterns would be reduced to a less-than-significant level.

With regard to deferral of mitigation, *Oro Fino Gold Mining Corp. v. County of El Dorado* (1990) 225 Cal.App.3d 872, 884-885, is distinguishable. In that case, the lead agency approved a project based on a mitigated negative declaration that merely required "reclamation, erosion, dust and fire

plans to be formulated" without providing any performance standards to be achieved by the plans. (Compare *City of Hayward v. Trustees of California State University* (2015) 242 Cal.App.4th 833, 855 [an "agency can commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of project approval"], quoting *Sacramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d 1011, 1028-1029.) Based on the above, while project-level design features of future stormwater facilities to be developed within the project site are not available at this time, the Draft EIR includes mitigation with clear timelines and performance standards to ensure that future development would not contribute stormwater runoff in excess of the capacity of existing or planned stormwater infrastructure. Mitigation Measure 4.8-1 does not improperly defer mitigation.

Response to Comment 8-96

Given that site development plans are not available, the total amount of impervious surfaces that would be created with buildout of the Draft Master Plan cannot be accurately calculated. As such, post-development drainage conditions cannot be modeled at this time. Please see Response to Comment 8-95 above and Master Response #2.

Response to Comment 8-97

Please see Response to Comment 8-95 above.

Response to Comment 8-98

The comment is a concluding statement. Please see Responses to Comments 8-24 and 8-95 above.

Response to Comment 8-99

Please see Response to Comment 8-29. Given that payment of the applicable school impact fees is considered full and complete mitigation for the increased demand for school services resulting from development under California Proposition 1A/SB 50, additional analysis or mitigation related to demand for school services occurring as a result of the Draft Master Plan is not required. It should also be noted that the project site is located within the Mount Diablo Unified School District (MDUSD) boundaries. As such, the Draft EIR include an analysis of how the project would affect the MDUSD, not the Pittsburg Unified School District.

Response to Comment 8-100

As discussed throughout the Draft EIR, the project site is more accurately characterized as rolling grassland with minimal trees rather than rugged hillside terrain. Furthermore, following development of the project site, the area would be characteristic of a standard residential subdivision. Per *Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884, "[A] condition requiring compliance with regulations is a common and reasonable mitigation measure, and may be proper where it is reasonable to expect compliance." Thus, Mitigation Measures 4.7-4(a) and (b) from the Draft EIR, which require compliance with the California Fire Code and the

guidelines of the California Fire Protection Standards, is considered acceptable mitigation. Please refer to Response to Comment 3-18.

Response to Comment 8-101

Mitigation Measures 4.6-1, 4.6-3, 4.6-4(a), and 4.6-4(b) in the Draft EIR require preparation of a design-level geotechnical engineering report addressing the existing landslides and the potential for landslides to occur throughout the project site. In addition, the design-level geotechnical engineering report is required to include and address the following:

1. Characterization and remediation of existing large-scale landslides;
2. Description of the proximity of the project site and development areas to existing graded parcels;
3. Settlement and deflection of deep fills; and
4. Potential erosion of high cut slopes and fill slopes.

In addition, Mitigation Measure 4.6-4(a) includes a list of specific design measures to be included in the geotechnical engineering report. Therefore, the mitigation presented in the Draft EIR related to unstable soils and landslides is not unnecessarily vague, and would be capable of reducing impacts to less-than-significant levels.

Response to Comment 8-102

Given that project-level development plans are not currently available for the project site, a design-level geotechnical report analyzing potential geologic hazards cannot be prepared at this time. However, as noted on page 4.6-18 of the Draft EIR, the CBC contains provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic hazards. The proposed project would be required to comply with the CBC. Compliance with the CBC would help to ensure that all future structures are designed and built sufficient to minimize the potential effects of an earthquake. Future development within the Draft Master Plan area would further be required to comply with Draft Master Plan Section 3.C, including the policies discussed above related to proper grading and GHADs.

Furthermore, widely accepted engineering measures are available to mitigate liquefaction and lateral spreading hazards if such hazards are determined to be present on the project site. Adherence to these recommendations for development under the CBC, refined and updated where necessary based on the final site designs and the design-level geotechnical report required by Mitigation Measures 4.6-1, 4.6-3, 4.6-4(a), and 4.6-4(b) prior to approval of a tentative subdivision map for development within the project site would help to minimize the impacts of earthquakes or other geologic hazards to a less-than-significant level. Given that sufficient evidence exists that the proposed mitigation measures would be capable of reducing impacts to less-than-significant levels, and the mitigation measures include clear performance standards and timelines, the Draft EIR provides a meaningful CEQA analysis of potential geologic hazards, including landslides.

Response to Comment 8-103

Please see Response to Comment 8-102 above.

Response to Comment 8-104

Per Appendix G of the CEQA Guidelines, the relevant threshold of significance for analysis of growth-inducing impacts is whether a proposed project would induce substantial unplanned 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). Per Policy 2-P-96 in the City's General Plan, the City has anticipated development of the project site with up to 1,500 units, consistent with the Draft Master Plan. Thus, the population growth that would occur under buildout of the Draft Master Plan is not unplanned.

Furthermore, as noted on page 5-2 of the Draft EIR, the proposed project is surrounded by existing, currently approved, and/or planned development, including the San Marco Residential Subdivision and the Vista Del Mar Residential Subdivision to the north, Bailey Estates to the east, the Concord Naval Weapons Station to the west designated for open space and habitat protection, and the Keller Canyon Landfill located approximately one-half mile to the east. Because the surrounding areas are already either developed or planned for development, the proposed project would not remove impediments to further unplanned growth in the area.

Because the growth associated with the proposed project would be consistent with the type of development anticipated for the site by the 2005 voter-approved Urban Limit Line and Prezoning Act, the infrastructure required for the proposed project would be sized to meet the demands created solely by the project, and the surrounding areas are already approved for development, the proposed project would not be expected to generate any new substantial unplanned growth-inducing impacts.

Response to Comment 8-105

With regard to removal of impediments to growth and resulting in growth-inducing impacts, please see Response to Comment 8-104 above. Potential impacts, including cumulative impacts, related to requiring or resulting in the construction or expansion of new public service facilities are evaluated in Chapter 4.11, Public Services and Utilities, of the Draft EIR.

Response to Comment 8-106

Please see Response to Comment 8-105 above. The Draft EIR does not assert that the proposed project would not result in population growth, only that such growth has been planned by the City, and would not result in new growth-inducing impacts. The CEQA Guidelines are clear that while an analysis of growth-inducing effects is required, it should not be assumed that induced growth is necessarily significant or adverse.

Response to Comment 8-107

As noted on page 4.4-40 of the Draft EIR, based on the ECCC HCP/NCCP and the data and analyses referenced therein, there is a reasonable relationship between the use of the HCP/NCCP implementation fees authorized by the City of Pittsburg implementation ordinance and the type of development projects subject to the fees. The Development Fee is used to implement the HCP/NCCP by funding the acquisition of land, the enhancement and management of habitat and the other activities to mitigate for impacts to open space habitat and covered species caused by affected development projects. The Wetland Mitigation Fee is used to implement the HCP/NCCP by funding the restoration, creation and management of Jurisdictional Wetlands and Waters and riparian woodland/scrub and other actions in order to mitigate for impacts to Jurisdictional Wetlands and Waters and riparian areas caused by affected development projects. The HCP/NCCP implementation fees apply to development projects that impact open space, habitat suitable for one or more covered species, Jurisdictional Wetlands and Waters, or riparian areas. In this way, the HCP/NCCP implementation fees are used only for purposes reasonably related to the types of development projects that will be subject to the fees.

Per page 4.4-68 of the Draft EIR, the proposed project's participation in the ECCC HCP/NCCP would provide a mechanism to adequately mitigate the project's contribution to cumulative impacts to potentially-occurring sensitive species listed in the ECCC HCP/NCCP. The proposed project's individual impacts to species not covered under the ECCC HCP/NCCP would be mitigated to a less-than-significant level with the mitigation measures required in Chapter 4.4 of the Draft EIR. Given that the proposed project would not result in any significant individual impacts to biological resources, and would be subject to payment of fees to avoid cumulative impacts to biological resources in the project region, the project's incremental contribution to cumulative biological impacts associated with buildout of the Draft General Plan planning area would be less than significant.

The comment summarizes the cumulative hydrology analysis presented in the Draft EIR, but does not identify any specific deficiencies. Cumulative water supply issues are discussed on page 4.11-40 of the Draft EIR. As noted therein, per the City's 2015 UWMP, existing water supplies would be sufficient to meet the City's existing and projected future water demands, including those future demands associated with the proposed project, to the year 2035. Consequently, the proposed project in combination with future buildout of the City of Pittsburg and other recently planned developments would not result in a significant cumulative impact related to water resources.

As discussed on page 4.9-23, land use conflicts are site-specific and do not typically result in a cumulative impact. Incompatibility issues are addressed and mitigated on a project-by-project

basis. Similarly, as noted on page 4.7-13, hazardous materials and other public health and safety issues are generally site-specific and/or project-specific, and would not be significantly affected by other development inside or outside of the City. Regardless, Chapters 4.7 and 4.9 of the Draft EIR include discussions of cumulative impacts related to hazards and land use, respectively.

Per CEQA Guidelines Section 15130, a discussion of cumulative effects must include the following elements: either (a) a list of past, present and probable future projects, including, if necessary, those outside the agency's control, or (b) a summary of projections contained in an adopted general plan or related planning document, or in a prior certified EIR, which described or evaluated regional or area-wide conditions contributing to the cumulative impact, provide that such documents are reference and made available for public inspection at a specified location. As discussed on page 5-4 of the Draft EIR, consistent with Section 15130, the cumulative setting presented within the Draft EIR includes buildout of the City of Pittsburg General Plan, in addition to the most recent planned land uses within the vicinity of the project area. Given that the cumulative setting is buildout of the General Plan, the Draft EIR is not required to include a list of all past, present and probable future projects.

Response to Comment 8-108

As summarized in Table 6-11 of the Draft EIR, the four alternatives analyzed in Chapter 6 of the Draft EIR would each result in fewer overall impacts relative to the proposed project.

Response to Comment 8-109

As noted on page 6-1 of the Draft EIR, Section 15126.6(f) of CEQA Guidelines states, "The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." Section 15126.6(f) of CEQA Guidelines further states:

> The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determined could feasibly attain most of the basic objectives of the project.

Based on the above, the analysis of the selected alternatives was focused on the issue areas for which the Draft EIR determined that the proposed project would have a significant impact. The commenter's specific concerns regarding the conclusions of the Draft EIR related to land use, water supply, biological resources, fire hazards, geologic hazards, public safety, and growth inducement, are discussed in the responses provided above. See Response to Comment 8-12.

Response to Comment 8-110

Please see Responses to Comments 8-108 and 8-109 above. The CEQA Guidelines do not require the Draft EIR to analyze alternatives that would reduce a *majority* of the project's significant environmental effects. Rather, the CEQA Guidelines note only that an EIR should analyze reasonable alternatives that would avoid or substantially lessen any of the significant effects of the

project, and would feasibly attain most of the basic objectives of the project (CEQA Guidelines Section 15126.6[a]). Recirculation of the Draft EIR to include additional alternatives is unwarranted.

Response to Comment 8-111

As summarized in Table 6-11 of the Draft EIR, the Mixed-Use Alternative would result in fewer impacts compared to the proposed project for the following issue areas: aesthetics; air quality and GHG emissions; geology, soils, and seismicity; noise; and transportation, traffic, and circulation. While the Mixed-Use Alternative would result in greater impacts related to hazard and hazardous materials, the CEQA Guidelines do not advise against the analysis of alternatives that may result in greater or similar impacts compared to the proposed project for some issue areas.

Response to Comment 8-112

The Reduced Density Alternative is described in the Draft EIR at a sufficient level of detail necessary to compare the environmental effects of the Alternative with the proposed project. An EIR need not define the characteristics of the alternatives considered at the same level of detail that is provided for the proposed project.

Given that the Reduced Density Alternative would result in fewer impacts compared to the proposed project for a six of the 12 issue areas evaluated and would achieve all of the project objectives, consideration of the Alternative in the Draft EIR is consistent with the CEQA Guidelines.

Response to Comment 8-113

See Master Response #3.e related to clustered development. Under the Clustered Development Alternative, the significant and unavoidable impact related to Geology, Soils, and Seismicity would be reduced to a less-than-significant impact. While the other significant and unavoidable impacts identified for the proposed project would still be expected to occur under the Clustered Development Alternative, the Alternative would result in fewer impacts for nearly all resource areas evaluated. Therefore, the Clustered Development Alternative is a reasonable alternative to the proposed project.

Response to Comment 8-114

Please see Response to Comment 8-108. With regard to selection of a superior alternative, page 6-30 of the Draft EIR states the following:

> Designating a superior alternative depends in large part on what environmental effects one considers most important. This EIR does not presume to make this determination; rather, the determinations of which impacts are more important are left to the reader and the decision makers. Generally, the environmentally superior alternative is the one that would result in the fewest environmental impacts as a result of project implementation. However, it should be noted that the environmental considerations are one portion of the factors that

must be considered by the public and the decisionmakers in deliberations on the proposed project and the alternatives. Other factors of importance include urban design, economics, social factors, and fiscal considerations. In addition, the superior alternative would, ideally, still provide opportunities to achieve the project objectives.

Response to Comment 8-115

As noted on pages 6-5 through 6-7 of the Draft EIR, consistent with CEQA, primary consideration was given to alternatives that could reduce significant impacts, while still meeting most of the basic project objectives. Both an off-site alternative and an in-fill alternative were dismissed from consideration, as such alternatives would have impacts identical to or more severe than the proposed project, and/or would not meet any or most of the project objectives. The reasons for dismissal are located on pages 6-5 to 6-7 of the Draft EIR.

Response to Comment 8-116

Consistent with Section 15126.6(f)(2)(B) of the CEQA Guidelines, the Draft EIR clearly defines why an off-site alternative would not be feasible. Contrary to the commenter's assertion, the Draft EIR includes a discussion of alternative sites which were considered, but dismissed. Page 6-6 of the Draft EIR states the following: "[…] while large, undeveloped land exists to the east of the project site, the land contains physical constraints to development. For example, the Keller Canyon Landfill is located east of Bailey Road and the topography to the east of the landfill has more extreme elevation changes as compared to the proposed project site. In addition, a private airstrip is located to the east of the landfill and the recently-approved Montreux residential development is located to the east of the airstrip. The aforementioned characteristics could result in potentially greater impacts to certain resource areas as compared to the proposed project."

The project objectives are not so narrowly defined as to limit consideration of any off-site alternatives by default. For example, one of the project objectives is to "encourage sensitive site planning and design". Another objective is to "maintain an environmental equilibrium consistent with existing vegetation, soils, geology, topography, and drainage patterns". Such objectives could reasonably be accomplished at any developable site within the City's planning area.

Response to Comment 8-117

As noted on page 6-7 of the Draft EIR, infill over a large number of small undeveloped lots would not allow for the cohesive development sought through the Draft Master Plan. Rather, each site would be individually developed through separate planning and review processes. Such piecemeal development would not be consistent with the project objectives, could not be accomplished in a reasonable time, and is speculative at this time. In addition, the project applicant does not control any other large infill sites or enough small infill sites to develop 1,500 units elsewhere.

Please see Response to Comment 8-109 above regarding selection of alternatives. Because an in-fill alternative is infeasible, would not meet any of the project objectives, and would not necessarily reduce the significant environmental effects identified for the proposed project, consideration of such an alternative is not required per Section 15126.6(f) of CEQA Guidelines.

Letter 9

Kristin Pollot

From: Veronica Alvidrez <alvidv@ehsd.cccounty.us>
Sent: Thursday, November 29, 2018 7:54 AM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

9-1

Stop the Greed! The building of this project will only benefit the individuals who will reap the financial benefits who, without regard, have no issue with building homes on hills that may be unstable putting an entire community at risk (people and animals). Not to mention the traffic is ALREADY atrocious in our community, Railroad Avenue (a main road) is IMPOSSIBLE, Harbor is next (thanks to those awkward brand new homes across the street from Pittsburg High School) AND since we're on the subject of awkward homes on an awkward lot: the brand new homes next to Good Shepherd Church, were those really necessary? I don't think so. More traffic. Not enough decent grocery stores. The beauty of the hills in the community being compromised. A high school that is already overcrowded. A community of residents left to deal with the frustration of it all while the "builder" reaps all the benefits, while sitting atop the tower which overlooks the community they are destroying.

Thank you,
Veronica Alvidrez
EHSD-Welfare to Work
4545 Delta Fair Blvd, Antioch 94509
Direct Phone Number (925) 706-4614
Unit Mainline (925) 706-4610
Fax: (925) 706-4501

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LETTER 9: VERONICA ALVIDREZ

Response to Comment 9-1

The comment does not specifically address the adequacy of the Draft EIR.

Letter 10

Kristin Pollot

From: Shawna Anderson <shawnasgarden@icloud.com>
Sent: Wednesday, November 28, 2018 6:49 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

10-1 There's already too much traffic on Hwy 4... please do not build more homes in this already congested area.

Thank you,

Shawna Anderson, ACCNP
Garden Consultant & Designer
thrillersfillersandspillers.com

Shawna Anderson, ACCNP
Garden Consultant & Designer
thrillersfillersandspillers.com

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LETTER 10: SHAWNA ANDERSON

Response to Comment 10-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 11

Kristin Pollot

From: Darrin Atkins <darrinatkins@gmail.com>
Sent: Wednesday, November 28, 2018 5:37 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

11-1 I am concerned about new large amounts of vehicular traffic as a result of this project. Please create new roads south and west of the project that connect to nearby cities so that current roads between cities will not be impacted by increased traffic. Thank you.

1

LETTER 11: DARRIN ATKINS

Response to Comment 11-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 12

Kristin Pollot

From: Ed Barr <ebtransport1997@gmail.com>
Sent: Tuesday, November 20, 2018 1:19 PM
To: Kristin Pollot
Subject: Faria/Southwest Hill Annexation Project - DEIR Comments

Hello Kristin,

We would like to submit the following comments on the DEIR.

Existing Conditions

12-1 Analysis traffic models (and analysis approach) should be reviewed and adjusted as necessary to ensure they reflect actual field observed conditions for Existing Conditions. For example, the DEIR should not state "LOS A" at a location that is field observed to be "LOS F" because "LOS A" is the result from the traffic model or analysis approach. Instead, the traffic model/analysis approach should be modified so that its output matches the field observed condition. These adjustments should be carried forward into the Plus Project and Future Year conditions analyses.

Intersections - AM

#2 (EB Ramp/Willow Pass)– The existing intersection delay/LOS is substantively different than actual operating conditions. One of the SB approach lanes has a delay of over 300 seconds (5 minutes) and a 95th percentile queue of greater than 40 vehicles. Field observations do not match this condition. The SB delay is unrealistic and conclusions and mitigation at this intersection should be revisited.

12-2 #6 (Leland/San Marco) – The westbound right-turn is not being considered in the delay/LOS analysis. The westbound right-turn movement operates at LOS F in part due to vehicle queue spillback from the northbound San Marco to WB SR 4 loop on-ramp. The existing conditions analysis should include the delay for the westbound right-turn movement. The conclusions and mitigation at this intersection should be revisited.

#8 (Willow Pass Rd/Evora/WB SR 4 Off-Ramp) – The analysis fails to account for the vehicle queue spillback from the eastbound on-ramp. The analysis indicates LOS C for the southbound approach but actual operations are LOS F. The conclusions and mitigation at this intersection should be revisited.

Study Freeway Segments

The analysis approach selected for the freeway (and ramps) study segments does not yield accurate results.

SB SR 242 Concord to Clayton and Clayton to I-680 are in queue during the AM peak hour. These sections operate at a much higher density and operate at LOS F (not LOS B as incorrectly shown in the EIR). The conclusions and mitigation for these freeway segments should be revisited. The project impacts on southbound SR 242 are understated.

12-3

NB SR 242 from I-680 to SR 4 operates in queue during the PM peak hour. These sections are at LOS F (not LOS C/D as incorrectly shown in the EIR). The conclusions and mitigation for these freeway segments should be revisited. The project impacts on northbound SR 242 are understated.

Westbound SR 4 operates in queue during the AM peak hour (except PCH to Willow Pass and Solano to I-680). These sections are at LOS F (not LOS C/D as incorrectly shown in the EIR). The conclusions and mitigation for these freeway segments should be revisited. The project impacts on WB SR 4 are understated.

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Letter 12 Cont'd

12-3 Cont'd

Eastbound SR 4 operates in queue during the PM peak hour (except east of Willow Pass). These sections are at LOS F (not LOS B/D as incorrectly shown in the EIR). The conclusions and mitigation for these freeway segments should be revisited. The project impacts on EB SR 4 are understated.

Delay Index Evaluation

12-4

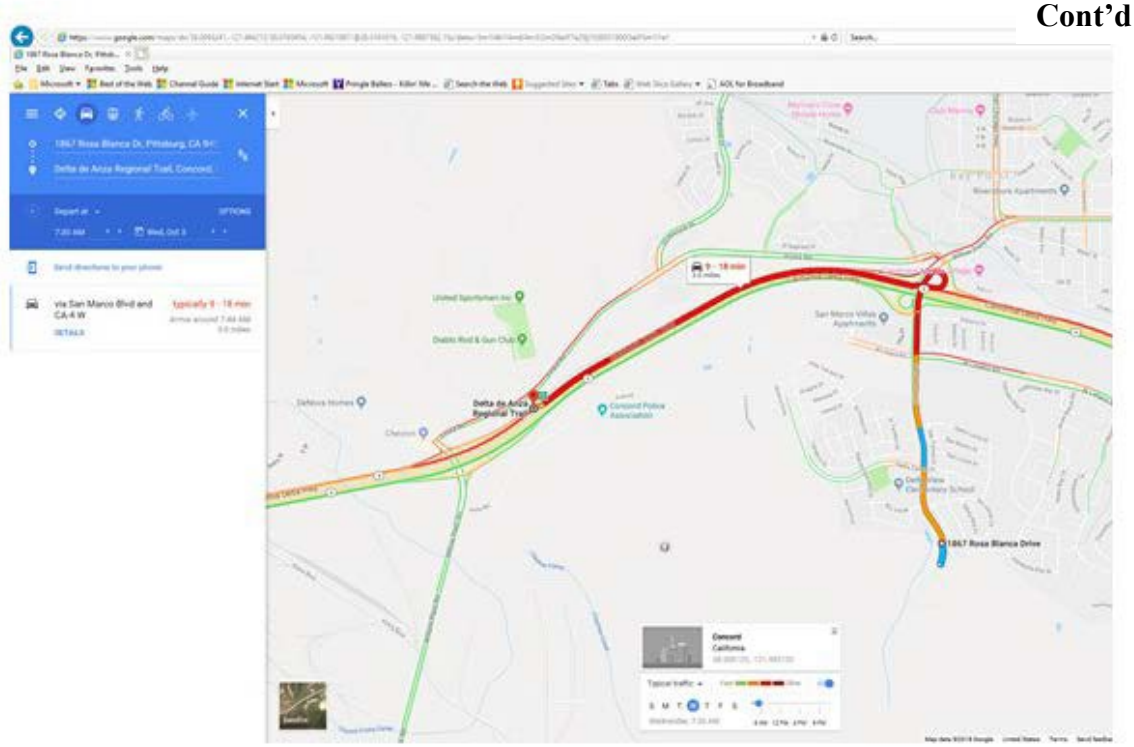
The delay index calculations do not appear to yield reasonable results. The delay index calculations are likely incorrect due to the incorrect congested travel times (and speeds) used in the analysis. Once again, the speeds used in the analysis should be checked against field observed speeds.

Existing Plus Project Conditions

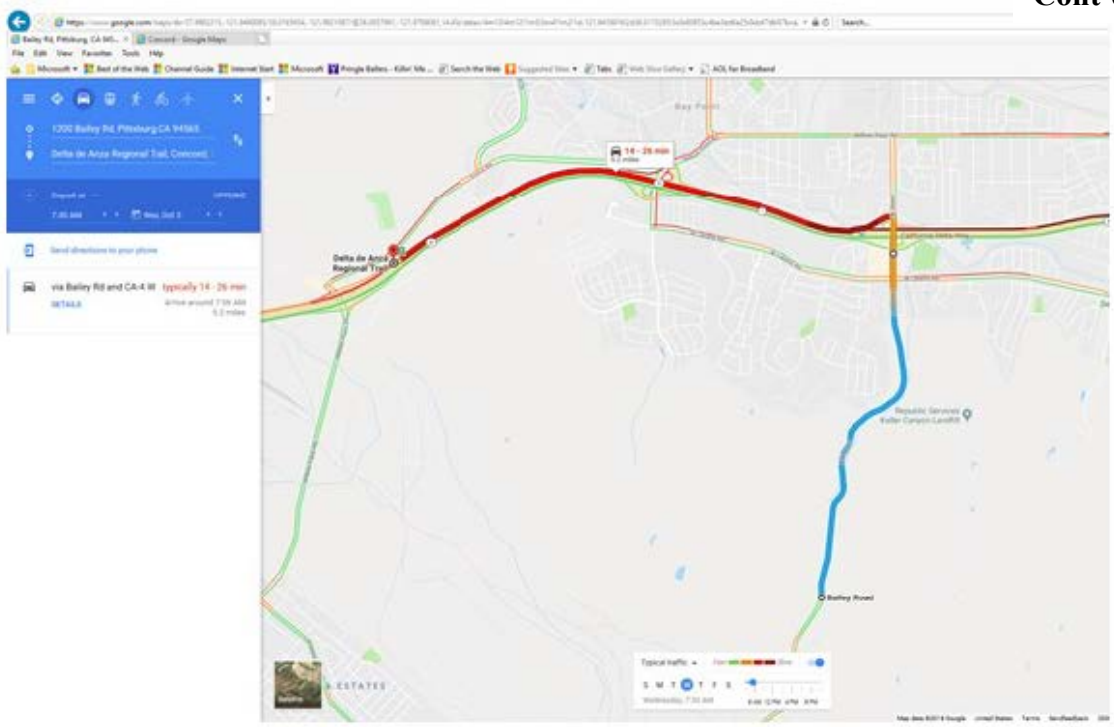
12-5

The Project traffic assignment is unrealistic given the site layout and the future connections to San Marco and Bailey. In the AM, about 292 trips (37%) are estimated to leave the site on San Marco, while 503 trips (63%) are estimated to leave the site on Bailey Road. Bailey Road is a two-lane rural road with no shoulders and difficult to travel on due to its poor condition. While a detailed site plan is not provided in the EIR (only the general boundary limits) it seems that traffic exiting on Bailey Road is way over estimated given that the majority of homes will have easier access to San Marco than Bailey Road. This point is clearly illustrated when you consider that the EIR assumes about 165 AM trips going west on SR 4 entering at San Marco and 129 AM trips going west on SR 4 entering from Bailey Road. This 57%/43% split is unrealistic when you consider travel distances and congestion on westbound SR 4 in the AM. Note that a westbound SR 4 traveler would at a minimum have an extra 7 minutes of travel time just by simply accessing SR 4 at Bailey compared to San Marco (see google traffic snapshots below). Given the Project traffic assignment is unrealistic then the Existing Plus Project analysis results including impacts and mitigation are also unrealistic. This assignment underestimates the project impact on the San Marco Neighborhood and San Marco Boulevard.

Letter 12
Cont'd



Letter 12
Cont'd



12-6 The Project likely has a significant impact on intersection #8 when the existing conditions is properly evaluated.

The Project likely has a significant impact on several SR 4 and SR 242 segments when the existing conditions is properly evaluated.

12-7 #6 (Leland/San Marco) – This mitigation is based on a flawed existing conditions analysis. The existing conditions analysis that was performed did not account for 1) the vehicle queue spillback from NB San Marco to EB SR4 loop on-ramp and 2) did not include the delay associated with the westbound right-turn movement. The westbound right-turn will continue to operate at LOS F conditions. The proper mitigation for this intersection is to provide a second lane of vehicle storage at the NB San Marco to EB SR 4 loop on-ramp to reduce the vehicle queue spillback impacts to the Leland/San Marco intersection. The Project should contribute its fair share to this improvement. Field observations would readily inform the City that retiming of the signal would not mitigate the project impact to this intersection because of vehicle queue spillback from the ramp meter that has nothing to do with the signal timing at this location.

12-8 #5 (San Marco/Santa Teresa) – The project trip distribution shows that 190 AM and 63 PM peak hour trips are diverted to Delta View Elementary. However, the traffic analysis does not reflect these trips. Figure 6 shows that all of the trips remain on San Marco and no trips are on Santa Teresa. The analysis and project impacts should be revisited at this location.

12-9 #18 (Leland/Bailey Road) Mitigation – The mitigation statement is not correct. Project S-7 is intended to address existing congestion. The optimization would not improve conditions to LOS D or better under Project conditions. The statement "the intersection operates better than without the project condition and thereby would reduce the impact to less than

4

Letter 12 Cont'd

12-10

significant" is incorrect and misleading. The Project is attempting to piggyback off a planned improvement (in this case signal optimization). A proper evaluation to correctly determine if there is project impact is to evaluate Existing conditions with optimized timings and then compare Existing Plus Project (with optimized timings). With this proper comparison you will find that the Project impact remains significant. The intersection operates over capacity and the project is adding over 400 new trips (about 12% increase) in the AM peak hour to an intersection already operating at LOS F conditions. The Project Impact to this intersection needs to properly documented and mitigated. The mitigation strategy used for this intersection and others in the EIR is inappropriate. If you follow its logic than almost every intersection could be mitigated by simply retiming the intersection and comparing to Existing. This mitigation approach (to this intersection and others in the EIR) significantly underestimates the Project's Impact to the surrounding transportation network. If there are no feasible improvements than the EIR needs to correctly state the **Project Impact is Significant and Unavoidable** so that the public and elected officials recognize the issue. The signal timing mitigation is also inappropriate for #6 and #29.

12-11

#23 (Leland/Chestnut) - Converting from protected phasing to permissive phasing should not be solely based on reducing overall intersection delay. Presumably protected phasing was installed at this location due to high speeds on Leland (over 45 mph) and the difficulty of left-turning vehicle finding acceptable and safe gaps to make the turn movement. What would the safety impact be of converting from protected to permissive phasing?

Diana and Eddie Barrios
3054 Barranca Drive
Pittsburg, CA

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LETTER 12: DIANE AND EDDIE BARRIOS

Response to Comment 12-1

The comment is an introductory statement. Specific issues raised by the commenter are addressed in the responses below.

Response to Comment 12-2

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 12-3

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 12-4

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 12-5

The project trip assignment provided in the Traffic Impact Study (TIS) was determined using a select zone run for the proposed project in the Contra Costa Transportation Authority (CCTA) travel demand forecast model, in consultation with the City. Furthermore, the Google Maps travel times referenced by the commenter are not an industry-accepted means of calculating trip assignment. As such, the project trip assignment presented in Chapter 4.12 of the Partially Recirculated Draft EIR is accurate.

Response to Comment 12-6

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 12-7

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 12-8

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 12-9

State CEQA Guidelines Section 15126.2(a) states, in pertinent part:

An EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced.

Given that the signal retiming improvements included in the Pittsburg Capital Improvement Program (CIP) have not yet been completed, such improvements are not a component of the existing conditions for the purposes of this EIR. However, with contribution of fair-share funds as part of Mitigation Measure 4.12-2(b), completion of the signal optimization improvements may be guaranteed as part of the Existing Plus Project condition. Thus, the approach presented in Chapter 4.12 of the Partially Recirculated Draft EIR is consistent with CEQA Guidelines Section 15126.2(a).

Response to Comment 12-10

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 12-11

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Letter 13

Kristin Pollot

From: John Bergmann <bergmannjc@gmail.com>
Sent: Wednesday, October 31, 2018 8:24 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

I am writing to express my concerns regarding this project. I am concerned that this project will have significant negative impacts for Pittsburg residents. I am fortunate that I work nights and am rarely impacted by the traffic during commute hours; however, on the rare occasions I have to travel during those hours, my commute time increases five fold. A 25 minute commute at night takes almost two hours in the morning. Adding additional homes when nothing is being done to improve traffic flow in an already overburdened system is irresponsible. Additionally, I am concerned for the impact to the wildlife in the hills. In closing, I am opposed to the Faria/SW Hills Annexation project.
John C Bergmann
Resident of Pittsburg, CA

13-1

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LETTER 13: JOHN BERGMANN

Response to Comment 13-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of impacts of the proposed project related to biological resources are addressed in Chapter 4.4, Biological Resources, of the Draft EIR, while impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 14

Kristin Pollot

From: Jonathan Besson <jonathan.besson11@gmail.com>
Sent: Tuesday, November 27, 2018 10:36 PM
To: Kristin Pollot
Cc: glennery besson
Subject: Faria/Southwest Hills Annexation Project

Hello,

As residents of the Vista Del Mar community for the past three years, we are concerned about this proposed home construction project in our immediate vicinity. We share our neighbors concern for the potential of trash, dust and construction debris being blown into our neighborhood from an active construction site. Having experienced this problem at our current residence when we first moved in, we know how unpleasant it can be to be living adjacent to active home construction.

Furthermore, Delta Rte. 4, Ygnacio Valley Rd., and several other secondary arterial roads (including Willow Pass and Port Chicago) are already at or near their full capacity during peak rush hours, both night and day. We find it completely irrational that the City of Pittsburg would seriously consider authorizing a home construction project of this magnitude (1500 homes in total planned over a phased timeline but without adequate consideration for the traffic that will generated in the local area) without ensuring the smooth and orderly flow of traffic to and from our communities during peak rush hours.

14-1

We recommend that the City call a moratorium on further home construction in the Faria/Southwest Hills region until they can find a way to develop additional roadways and expand the existing ones to ensure that there is sufficient capacity to handle rush hour traffic in our neighborhood and adjoining areas.

Thank You,
Mr. & Mrs. Jonathan Besson
2863 Romora Bay Dr
Pittsburg, CA 94565

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LETTER 14: JONATHAN BESSON

Response to Comment 14-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 15

Kristin Pollot

From: Nunya Binezz <kshaibi092@yahoo.com>
Sent: Wednesday, November 28, 2018 9:09 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

15-1 We do not need anymore over crowding here in Pittsburg California.

Sent from my iPhone

1

LETTER 15: NUNYA BINEZZ

Response to Comment 15-1

The comment does not specifically address the adequacy of the Draft EIR.

Letter 16

Kristin Pollot

From: steven blaser <stevenblaser@sbcglobal.net>
Sent: Wednesday, November 28, 2018 5:47 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

I am opposed to the loss of open space and the impact of proposed housing project. Fundamentally, I do not see an advantage to the city increasing it's size in this area:

. An increase in property taxes is offset by increased costs of maintenance in not only the immediate neighborhood but also all areas where the new residents will travel.

. The increase in property value for the area of new housing, will be offset by the lose of property (or their failure to increase) for those properties that have their view of the hills degraded by the new housing.

16-1 . The additional units will provide a substantive increase in traffic in an area already suffering from significant congestion. Given the recent widening of Highway 4 there is no realistic view of highway construction occurring to help alleviate the congestion. Local streets are also being pushed to their design limits.

. The additional pollution from cars, furnaces and fireplaces will continue to degrade the local air quality

At some point in time all municipalities need to recognize that there are limits to thier growth. Perhaps now is a good time to begin transitioning to that end.

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LETTER 16: STEVEN BLASER

Response to Comment 16-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR. Analysis of Aesthetic impacts is addressed in Chapter 4.1, Aesthetics of the Draft EIR.

Letter 17

Kristin Pollot

From: Alice Evenson
Sent: Monday, December 3, 2018 8:50 AM
To: Kristin Pollot
Subject: FW: Regarding Proposed Seeno Development

-----Original Message-----
From: D. Buccellato <dvbuccellato@gmail.com>
Sent: Friday, November 30, 2018 5:06 PM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: Regarding Proposed Seeno Development

To the Pittsburg City Council,

I am a Pittsburg native and wanted to voice that I am categorically opposed to proposed development. It can only save to exacerbate the atrocious traffic that not only plagues highway 4, but our residential streets as well. The traffic conditions are a major detriment to our quality of life. I sincerely doubt this development will contribute to making life in our area affordable; construction in our area is constant, and yet prices steadily increase. It seems the proposal benefits developers and real estate businesses, but not the average citizen of Pittsburg. The Delta and the open hills are our greatest wealth, and additional eyesores, and traffic contestation can only serve to mar the beauty of our region. Historically, we have been poor stewards of the land, water , and air; pleas consider your responsibility to future generations. Please heed the community and not the empty promises of developers that additional houses will elevate the housing crisis.

17-1

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LETTER 17: D. BUCCELLATO

Response to Comment 17-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR. Analysis of Aesthetic impacts is addressed in Chapter 4.1, Aesthetics of the Draft EIR.

Letter 18

Kristin Pollot

From: Alice Evenson
Sent: Friday, November 9, 2018 9:50 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

From: John Buffo <jbuffo@rina.com>
Sent: Friday, November 9, 2018 9:27 AM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

It has come to my attention that Seeno/Discovery Builders wants to continue to expand their housing projects into the Faria/SW Hills.

I do not think we should allow Seeno/Discovery to build over the remaining wildlife areas. I have grown up looking at the beauty of the hills and do not want to see it overcome by urbanization. The natural beauty of the bay Area has been a testament to the area and is worth maintaining.

18-1

The Bay Area also has a gigantic traffic and overpopulation crisis and allowing Seeno/Discovery to this project will only further contribute to that.

Please consider what it is that has made the Bay Area such a special place and do not allow it to be sold to Seeno/Discovery.

Thank you for your time.

John Buffo
Resident of Pittsburg, CA

John Buffo, Audit Senior
RINA accountancy corporation - "Your Future is Our Focus"

201 North Civic Dr., Suite 220, Walnut Creek, CA 94596
phone: 925-210-2180 fax: 925-210 2190
email: jbuffo@rina.com | website | Blog | Resources
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LETTER 18: JOHN BUFFO

Response to Comment 18-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the analyses of impacts to aesthetics and biological resources are addressed in Chapter 4.1, Aesthetics, and Chapter 4.4, Biological Resources, of the Draft EIR. Impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 19

Kristin Pollot

From: Leslie Calmerin <leslie.calmerin@outlook.com>
Sent: Wednesday, November 28, 2018 9:54 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

Hello,

I am a Pittsburg Resident and I would like to provide feedback for this project. The Hill Annexation Project would not be a good idea for the Pittsburg and Contra Costa Community. Not only would this Project ruin the beautiful Pittsburg Hills but also severely impact the traffic on 4. It's already a nightmare during commute hours and to add more cars on the road would be a disaster! Please do not go forward with this project, I strongly disagree with approving this!!

19-1

Thank you for reading my comments!!

Leslie Calmerin
Pittsburg Resident

Sent from my iPhone

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LETTER 19: LESLIE CALMERIN

Response to Comment 19-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the analyses of impacts to aesthetics are addressed in Chapter 4.1, Aesthetics, of the Draft EIR, while impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 20

Kristin Pollot

From: Maryrose Camarao <mkinocenc@yahoo.com>
Sent: Wednesday, October 31, 2018 8:08 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

20-1

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

This is a bad idea ! It's not always about the money. It's the quality of life for the residents here.

Sincerely,

MaryRose Camarao
Resident of Pittsburg, CA

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LETTER 20: MARYROSE CAMARAO

Response to Comment 20-1

Please see Master Response #3.

Letter 21

Kristin Pollot

From: msmarenco83@gmail.com
Sent: Thursday, November 29, 2018 7:27 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

To whom it may concern,

21-1 I lived in San Francisco for 22 years and came to live in Pittsburg. I love to pass by Bailey Rd because of the beautiful mountain so green and the cows. You have no idea how happy it makes me too see it because I get tired of seeing buildings everywhere in S.F plus I work there and to come to this city and see those mountain from highway 4 makes me feel I'm home. Please don't build houses and let's keep our landscape.

Thank you,
Karla Castro.

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LETTER 21: KARLA CASTRO

Response to Comment 21-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the analysis of impacts related to aesthetics are addressed in Chapter 4.1, Aesthetics, of the Draft EIR.

Letter 22

Kristin Pollot

From: Aurora Cazares <aurora.cazares10@gmail.com>
Sent: Wednesday, October 31, 2018 7:40 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

There will also be major impact to traffic. Getting to Bart which is only a mile away from my home takes me up to 15 minutes due to traffic. Recently I've been able to park at the BART station due to the opening of the new stations in Antioch, however, prior to that the only way I would find parking was if I got there before 6am. Highway 4 is already extremely congested. Building more homes brings more traffic. Not to long ago traffic was not as bad as it is now. Commuting is already taxing on life. Sitting in traffic for longer periods of time is not quality of life.

22-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

I am fully against this project. This will impact the whole community of Bay Point and Pittsburg. There has already been a lot of new home developments in the past few years in the same area and we are now feeling that impact of it.
Sincerely,

Aurora Cazares
Resident of Pittsburg, CA

Sent from my iPhone

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LETTER 22: AURORA CAZAREZ

Response to Comment 22-1

Please see Master Response #3.

Letter 23

Kristin Pollot

From: Tanya Cerda <tanya.vanessaaa@gmail.com>
Sent: Wednesday, November 28, 2018 5:26 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

23-1 I oppose, let's save the hills!

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LETTER 23: TANYA CERDA

Response to Comment 23-1

The comment does not address the adequacy of the Draft EIR.

Letter 24

Kristin Pollot

From: Alice Evenson
Sent: Friday, November 2, 2018 8:42 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

-----Original Message-----
From: Jason Chi <156oakpoint@gmail.com>
Sent: Thursday, November 1, 2018 6:33 PM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear honorable Mayor and City councils:

24-1

In addition to the below comments, I strongly oppose any further expansion in the hills of Pittsburg/Bay Point:
1) traffic and infrastructure near San Marcos Blvd and east at saturation point,
2) low density single family housing development by Seeno is yet another addition of selfish and sneaky way to get rich by the family of the builder into their historic lack of contribution to community and support I.e. hwy 4 widening project.
3) we need more grocery store, better park (look at new park built near San Marcos and Leland, bear minimum park that u could see in third world) still no library and no community park.
4) There is still no bike trail to connect from Pittsburg to bay are trails.

Pls Stop any more selfish expanding and START building community enrichment. I encourage Pittsburg city councils and Mayors to ACT.

Thanks for listening my comments and strong consideration.

24-2

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included Sincerely,

Jason Chi
156 Oakpoint Ct
Resident of Pittsburg, CA

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LETTER 24: JASON CHI

Response to Comment 24-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the analysis of traffic impacts is addressed in Chapter 4.12, Traffic, Transportation, and Circulation, of the Partially Recirculated Draft EIR. A discussion of bicycle and pedestrian infrastructure is located on pages 4.12-25 to 4.12-27.

Response to Comment 24-2

Please see Master Response #3.

Letter 25

Kristin Pollot

From: Kim Cho <kim.sukja.cho@gmail.com>
Sent: Thursday, November 29, 2018 1:25 AM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

25-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

25-2 To me personally, the heavy traffic will be the major reason for opposing building more houses. Big land to build houses but there is only one road Hwy 4. I , myself , can hardly get into Hwy 4 from my house in the morning and can not come home from work due to heavy traffic. No one will want to live in this area if traffic gets worse by so many new houses built. It was not like now 8 years ago when I moved to Pittsburg, but the traffic congestion reached to dangerously high level already and there is no doubt the traffic problem will get the worse and worse.

Kim Cho,

Pittsburg resident

[]
Resident of Pittsburg, CA

Sent from my iPhone

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LETTER 25: KIM CHO

Response to Comment 25-1

Please see Master Response #3.

Response to Comment 25-2

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the analysis of traffic impacts is addressed in Chapter 4.12, Traffic, Transportation, and Circulation, of the Partially Recirculated Draft EIR.

Letter 26

Kristin Pollot

From: Kim Cho <kim.sukja.cho@gmail.com>
Sent: Thursday, November 29, 2018 1:04 AM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

26-1 It will be a disaster to build so many houses in this area. As you see everyday Freeway 4, you can hardly drive to work and come back home after work.
Traffic is so jammed even now and building so many houses on the hills will make people drive no where.
Think about the common sense how you could build more houses in this area? No one will want to live here. I even will move out of my house if they begin to build more houses in any area near San Marcos or near freeway 4.
Wow, How builders don't even consider future disaster is coming by building so many houses in this area?

26-2 I strongly oppose their plan to build more houses! There are mountains to build houses but there is only one highway to commute. No one can live here if you can not commute! No way to drive thru even nowadays. Look the traffic congestion's happening every morning and evening. It's been miserable for me to commute for a few years and it is getting worse.
I have to move out if the traffic gets worse and worse.

Thank you for listening!

Kim Cho

Sent from my iPhone

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LETTER 26: KIM CHO

Response to Comment 26-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the analysis of traffic impacts is addressed in Chapter 4.12, Traffic, Transportation, and Circulation, of the Partially Recirculated Draft EIR.

Response to Comment 26-2

Please see Response to Comment 26-1 above.

Letter 27

Kristin Pollot

From: Mary Christopherson <marychristopherson1@gmail.com>
Sent: Tuesday, November 6, 2018 10:24 AM
To: Kristin Pollot
Subject: Environmental Impact of Faria Project

Here are some suggestions on how to improve the Faria project's environmental impact study.

Protect the ridge line and views by placing development at low elevations. Similar to what is required in Walnut Creek.

27-1 Reduce the number of houses to decrease significant impacts on species, like golden eagle, California tiger salamander, etc

Cluster houses on the low part of the property so they're safe from sliding, away from the regional park on the Concord side, and are built in a less visible area.

Create trail connections so people can access open space from Pittsburg side. (A benefit to the new owners)

Complete Environmental Review.The project should be resubmitted and a new Environmental Impact Report done when the actual site plans for the development are included as part of the project

27-2 I know we need housing, but builders and the environment can both be considered if we just attempt to meet halfway.

Mary Christopherson
166 E 17th St. Pittsburg

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LETTER 27: MARY CHRISTOPHERSON

Response to Comment 27-1

Chapter 4.1, Aesthetics, of the Draft EIR, discussed the impacts of the proposed project on views of the hills and concluded that views of the future development would be generally limited to the upper stories of on-site buildings. In addition, the proposed project would be subject to development regulations included in the Draft Master Plan, as well as the standards and policies included in the Design Review Guidelines, to ensure that development associated with the proposed project would be consistent with existing development to the north and east. Furthermore, a Tentative Subdivision Map and detailed plans would be required for approval by the City of Pittsburg. Design Review of future development would comply with the proposed Design Review Guidelines and ensure consistency with Section 18.36.100 of the Pittsburg Municipal Code.

Chapter 4.1, Biological Resources, of the Draft EIR, discussed the impacts of the proposed project on golden eagle, California tiger salamander, and other candidate, sensitive, and speciate-status species. Analysis in the EIR determined that, with implementation of Mitigation Measures 4.4-4(a) and (b), which require payment of development fees to the East Contra Costa County Habitat Conservancy HCP/NCCP and written notification from an approved biologist to USFWS, CDFW and the ECCC HCP/NCCP identifying potential breeding habitat, impacts to California tiger salamander would be less than significant. In addition, implementation of Mitigation Measures 4.4-1(a) through 4.4-14 would ensure that the proposed project's contribution to cumulative impacts to potentially occurring sensitive species listed in the ECCC HCP/NCCP, including the golden eagle, would be less than significant.

The commenter's suggestions for project revisions have been forwarded to decision-makers for their consideration.

Response to Comment 27-2

Please refer to Master Response #2.

Letter 28

Kristin Pollot

From: Alice Evenson
Sent: Tuesday, November 6, 2018 11:46 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria Hills Project

From: Mary Christopherson <marychristopherson1@gmail.com>
Sent: Tuesday, November 6, 2018 10:11 AM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria Hills Project

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

This is an unfortunate project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

28-1

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around, protects those houses from sliding, and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included. Ridge lines should be left open as has been required in Walnut Creek developments.

I know we need more housing and I know that Al Seeno said he would build there when he didn't get the Indian Casino he wanted years ago, but all efforts should be made to work with the environment and the new park while still adding dwelling units to the area.

28-2

Respectfully,

Mary Christopherson
166 E 17th St, Pittsburg

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LETTER 28: MARY CHRISTOPHERSON

Response to Comment 28-1

Please refer to Master Response #3.

Response to Comment 28-2

The comment does not address the adequacy of the Draft EIR.

Letter 29

Kristin Pollot

From: Carlen <carlen0785@gmail.com>
Sent: Friday, November 9, 2018 8:12 AM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

To whom it may concern,

My name is Carlen Crespo and I want to state all the environmental reasons why the Faria/SW Hills protect should not be allowed to move forward .

Consider:

29-1

- **Protect the ridgeline and views** by placing development at low elevations
- **Reduce the number of houses** to decrease significant impacts on species, like golden eagle, California tiger salamander, etc
- **Cluster houses on the low part of the property** so they're away from the regional park on the Concord side and are built in a less visible area
- **Create trail connections** so people can access open space

29-2

- **Complete Environmental Review.** The project should be resubmitted and a new Environmental Impact Report done when the actual site plans for the development are included as part of the project

Thank you for your attention I'm this matter,

Sincerely,
Carlen Crespo.
Pittsburg, CA resident.

- Carlen Farias de Crespo-
♡Mom of Adrian(2nd Grade) ♡and Paolo- (1st Grade)♡

Od. Carlen Farias de Crespo
Facultad de Odontología,
Universidad Central de Venezuela

Every day is a good day if you want it to be. :)
Sent from my iPhone

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LETTER 29: CARLEN CRESPO

Response to Comment 29-1

See Response to Comment 27-1.

Response to Comment 29-2

See Master Response #2.

Letter 30

Kristin Pollot

From: Terri Personal <terridavis40@gmail.com>
Sent: Thursday, November 15, 2018 6:42 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

30-1 The impacts should not be considered in phases- they need to be informed as a whole to understand to total impact to our traffic, our infrastructure and our neighborhood.

Teresa Davis
Pittsburg Resident

Sent from iPhone

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LETTER 30: TERESA DAVIS

Response to Comment 30-1

Please refer to Master Response #2.

Letter 31

Kristin Pollot

From:	Victor Estevez <vestevez1635@gmail.com>
Sent:	Wednesday, November 28, 2018 6:28 PM
To:	Kristin Pollot
Subject:	comments on draft EIR for Faria/SW Hills Annexation Project

31-1 it could be a big negative impact in our ecosystem. destroying the hills will affect the wild life plus where all this peoplewill be finding water and how much electricity all this homes will consume? about polution because the home owners have to go to work. A lot more cars and other vehicles on the road.
There are no enough resources from the city of Pitsburg to support somethig like this.
City officials, please do not appove the project. keep the hills as our natural wall.
Victor Estevez

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LETTER 31: VICTOR ESTEVEZ

Response to Comment 31-1

The comment does not specifically address the adequacy of the Draft EIR. Analysis related to biological resources, water supply, energy, and air quality has been addressed in the following Draft EIR Chapters: Chapter 4.4, Biological Resource; Chapter 4.11, Public Services and Utilities; and Chapter 4.3, Air Quality and Greenhouse Gas Emissions. Impacts related to traffic are addressed in Chapter 4.12, Traffic, Transportation, and Circulation, of the Partially Recirculated Draft EIR.

Letter 32

Kristin Pollot

From: Joanne Fanucchi <jfanucchi9@gmail.com>
Sent: Wednesday, November 28, 2018 6:38 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

Hello~ My comments may differ from others' interests in seeing this project be denied.

I want this project to be denied because:

32-1 1. A new housing development between Keller Canyon Landfill and the Concord Naval Weapons burial site for nuclear arsenals. If the wind blows from the East to the Wes and the landfill sends fumes East to West, which is more likely than not, all hell will break loose., not so much, unless water pipelines disturb that land and toxic residue surfaces or leaks. If you think that "mitigation funds" in an environmental impact report will suffice, you're mistaken. We know funds are misappropriated in this county, following the lead of countless others going in the wrong direction by following the money rather than their hearts. What -IS-Your Climate Plan?

32-2 2. Just how much water do you think you can pull out of the Delta to accommodate this many more residents? We can't drink the water now, no matter how much data you choke us with that it's safe. The protection of the Water is actually my main concern, as it should be yours.

Sincerely.
Joanne Fanucchi
Pittsburg Homeowner

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LETTER 32: JOANNE FANUCCHI

Response to Comment 32-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the Keller Canyon Landfill and CNWS are addressed throughout the Draft EIR, specifically in Chapter 4.9, Land Use and Planning and Chapter 4.7, Hazards and Hazardous Materials. The effects of the environment on the proposed project do not constitute an impact under CEQA. In addition, it is unclear which mitigation funds the commenter is addressing.

Response to Comment 32-2

Chapter 4.11, Public Services and Utilities, of the Draft EIR, presents a complete analysis of the proposed project's demands on water supply, wastewater systems, and solid waste disposal. As discussed in the Draft EIR, impacts related to build out of the proposed project on the aforementioned utilities systems would be less than significant.

Letter 33

Kristin Pollot

From: Rita Felix <ritaca4@me.com>
Sent: Wednesday, November 28, 2018 8:20 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

Hello

I have been a resident of Pittsburg for the past 4 years. I love living here, and really enjoy the open space and beautiful hills. Building 1500 more homes on our hills is not a good decision. It will disrupt the natural habitat and the aesthetics of our beautiful town. In addition, will increase massive traffic problems, to our already high traffic. Please consider another area. Maybe consider rebuilding or improving some of the houses NE of HWY 4.

33-1

Thank you

Rita Felix

Sent from my iPhone

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LETTER 33: RITA FELIX

Response to Comment 33-1

Please see Response to Comment 18-1.

Letter 34

Kristin Pollot

From:	Arturo Fernandez <arturof@berkeley.edu>
Sent:	Monday, November 19, 2018 2:25 PM
To:	Kristin Pollot
Cc:	citycouncil; Juan Banales; Merl Craft; Jelani Killings; Pete Longmire; Sal Evola
Subject:	Opposition to Faria/Southwest Hills Annexation Project
Attachments:	CNWS Regional Map-Proposed.pdf

To the Pittsburg City Council:

As a longtime former resident and someone who cares deeply about Pittsburg, I am writing this email to voice my opposition to the Faria/Southwest Hills Annexation Project. Over the last decade, Seeno companies have destroyed the beautiful golden, Los Medanos hills that we had long left untouched. There is an argument to be made that a cost-benefit analysis should be done when making these decisions. That is, does the public good benefit the harm we do to our natural resources and the community at large? While there is one benefit, primarily housing, that comes to mind there are many more costs to the environment, our community, our regional neighbors, and our shared quality of life.

34-1

There is no doubt about the environmental impact and damage that already has been done to the area southwest of BART. Moreover, this project will also have significant negative impacts on plant and animal species, water streams, geology, and other natural factors. I defer to the comments from the California Native Plant Society, the East Bay Regional Parks District, the Greenbelt Alliance, and Save Mount Diablo--all who have presented numerous and significant environmental concerns.

34-2

However, some might say that the increase in housing stock is welcome and it certainly has benefited families who now call Pittsburg their home. However, the Faria Annexation of the Southwest Hills (FASH) project goes beyond what can be considered reasonable and drastically changes the landscape of our beloved golden hills. It is an unnecessary project and is a cash grab by Seeno and Co., their subsidiaries, and closely linked companies (Discovery Builders, Inc., Faria Land Investors, LLC, Debonneville LLC, and Discovery Realty, Inc) [2].

34-3

Figure 4.1-15 (view from State Route 4) and Figure 4.1-17 (view from Mt. Diablo) from Volume I of the Draft EIR highlight how much impact the proposed development will impact the remaining, delicate parts of our golden hills. The view from state route four shows exactly how this project would begin to bulldoze the hills and transform them into hilltop housing. The view from Mt. Diablo exemplifies how absurd and unorthodox this project is as there is no other development in the area that even comes close to disturbing the rolling hills surrounding Pittsburg, Concord, and Clayton. There has to be a limit to this destruction. If we do not set limits now, these hills will forever be lost for future generations to enjoy.

34-4

This is particularly relevant since the East Bay Regional Park District, City of Concord, the National Park Service, and others have been collaborating to create Concord Hills Regional Park on the western face of the hills, directly east of the current Concord Naval Weapons Station (CNWS) [1]. There are many benefits of having protected nature areas, including health and recreation. However, these areas usually attract people when they are undisturbed and far enough away from homes and other (sub)urban settings. It is an offense to the residents and visitors of Contra Costa County if this development degrades the quality or, worse, prevents the establishment of hiking trails, backcountry camping sites, recreation areas, and protected nature areas.

Furthermore, it is worth mentioning the particularly bad record of Seeno-linked companies as of late. First, the Seeno companies have sued to halt the CNWS development even though they themselves expressed interest in developing the project [2]. Ironically, they point out air quality and traffic concerns that apparently can be glossed over when it's a project of their building (more on this later). Second, the Yolo County DA filed a civil complaint against Seeno companies,

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Letter 34 Cont'd

alleging that they illegally destroyed Native American remains and failed to call a coroner when they encountered human remains [2]. Third, in 2008, Seeno companies were fined $3 million for water stream, pollution, and discharge violations for an Antioch project [2]. Given that there will be significant grading for the FASH project, this is particularly worrisome. Fourth, in 2004, Seeno companies were fined by Nevada Gaming Control Board for failing to notify the agency of environmental violations [2]. In Pittsburg, Seeno companies have previously been fined $1 million for destroying an endangered species habitat--yes, again, when constructing a housing development [2]. This is a horrible track record to bring to such a sensitive project and natural resource area. Their negligence when it comes to environmental issues should alone disqualify them from any future projects in Pittsburg, but we all know that Seeno money runs deep in Pittsburg politics--unfortunately.

34-5

Now, I'd like to return to concerns about traffic with respect to this project. The Draft EIR itself states in Section 4.12-2 that "the proposed project would cause **unacceptable** [Level of Service] (LOS), **increase delay**, and **increase traffic volumes**" and that "even with mitigation, the impact [of this project] would be **significant** and **unavoidable**." Sounds pretty drastic, but maybe there's a reason why this project has been shelved and/or rejected for what? One or two decades now? Let me add more details from the report:

34-6

- **12,560 new daily trips**, including:
- **1,060 new AM peak hour** trips
- **1,202 new PM peak hour** trips

How many of you campaigned on traffic mitigation? Seems pretty hypocritical to approve this project given that the Bailey/Leland area already has significant traffic problems during rush hour and the FASH project would further congest one of Pittsburg's main traffic arteries.

Finally, if housing is really the issue here then the City of Pittsburg should be focused on is bringing dense and transit-oriented housing to Pittsburg. What happened to the Pittsburg/Bay Point BART Master Plan? What happened to Transit Hub near Pittsburg Center station? It seems to me that Seeno and Co are pushing for more $$$ and the City Council is unwilling to say no regardless if it means worsening the quality of life for Pittsburg residents. The City of Pittsburg should be pressing developers to build around our main transit points so that new renters and owners can arrange commutes that are less car-dependent. The FASH project will certainly add at least one car per home. That's 1,500 new cars on our roads in and out of East Contra Costa County. That's not making traffic conditions better, instead, according to the Draft EIR, the impact of this project would be "significant and unavoidable" and most definitely not in a good way.

34-7

I think it's time you all stand up to Seeno and Co, and fight for the best interests of the city. The City of Pittsburg has long hoped for a city council that has the backbone to say no to Seeno. I hope that's you.

Cordially,
Arturo Fernandez

Sources:
[1] CNWS Regional Map and Proposed Regional Park (attached)
[2] "Seeno companies sue Navy to halt Concord Naval Weapons Station development" (https://www.mercurynews.com/2018/08/21/seeno-companies-sue-navy-in-effort-to-halt-concord-naval-weapons-station-development/)

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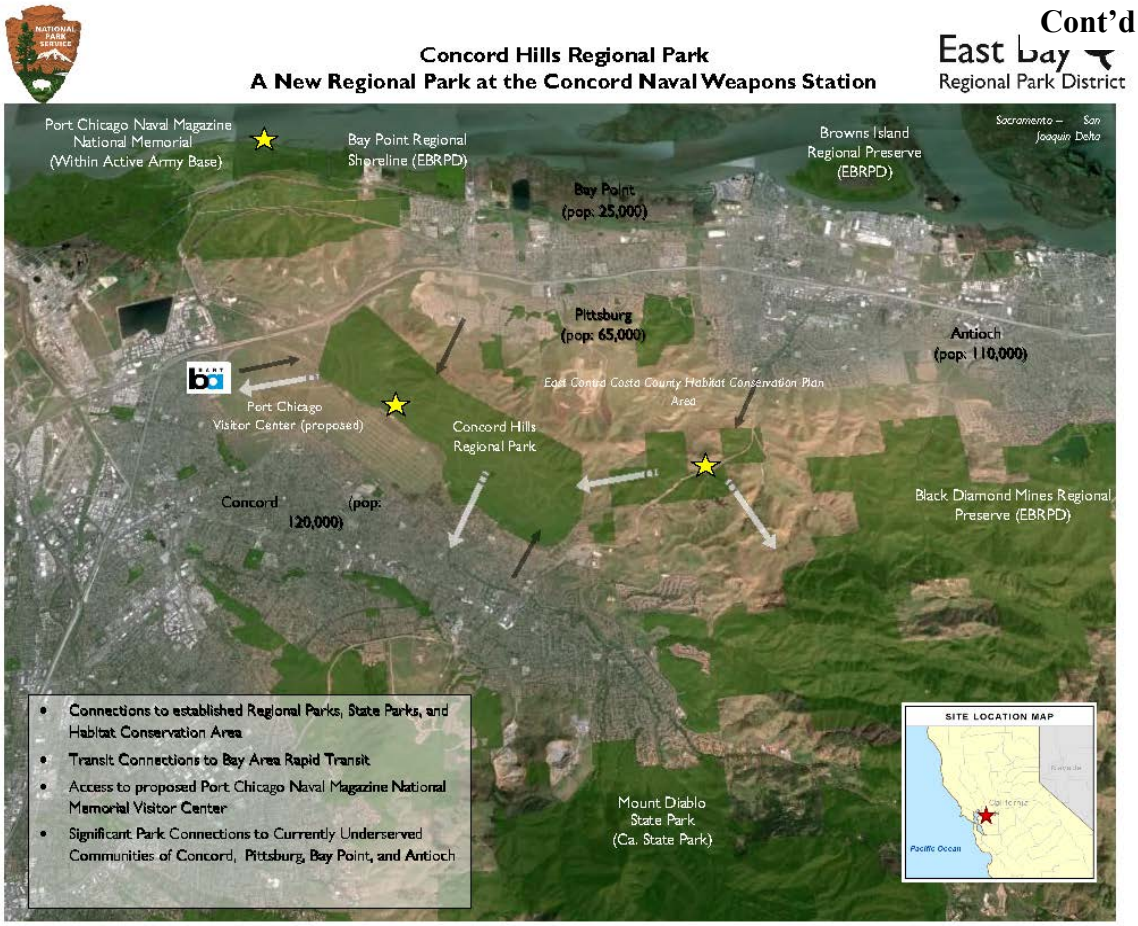
Arturo Fernandez
Ph.D. Statistics Candidate
M.A. Statistics '17
B.A. Statistics, B.A. Applied Mathematics '12
University of California, Berkeley

E-mail: arturof@berkeley.edu

Letter 34 Cont'd



LETTER 34: ARTURO FERNANDEZ

Response to Comment 34-1

Please see Master Response #1. The comment is introductory and does not specifically address the adequacy of the Draft EIR.

Response to Comment 34-2

Although the comment does not specifically address the adequacy of the Draft EIR, the environmental impacts related to plant and animal species, referenced in this comment, are addressed in Chapter 4.4, Biological Resources, of the Draft EIR. In addition, impacts to geology and soils and hydrology and water quality are addressed in Chapter 4.6, Geology and Soils, and Chapter 4.8, Hydrology and Water Quality respectively.

Response to Comment 34-3

The comment does not address the adequacy of the Draft EIR.

Response to Comment 34-4

The comment does not address the adequacy of the Draft EIR.

Response to Comment 34-5

The comment does not address the adequacy of the Draft EIR.

Response to Comment 34-6

Please refer to Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR for revisions to the chapter.

Response to Comment 34-7

The comment reiterates a conclusion made in the Draft EIR and does not address the adequacy of the Draft EIR.

Letter 35

Kristin Pollot

From: Elaine Geliberte <egayelaine@aol.com>
Sent: Thursday, November 8, 2018 9:41 PM
To: citycouncil
Subject: Feedback on the Faria Project

Good evening,

Please don't let the City of Pittsburg lose what's it's known for - Southwest Hills views.

35-1

This Faria project will cause major traffic and parking issues. Pittsburg BART station parking is already extremely limited. Several cars park on residential areas and vacant lots. We have to leave two hours earlier just to secure a parking spot. It takes us at least half an hour just to get on the freeway. Help preserve the quality of life.

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LETTER 35: ELAINE GELIBERTE

Response to Comment 35-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 36

Kristin Pollot

From: Jesus Hernandez <camaro925@hotmail.com>
Sent: Wednesday, November 28, 2018 11:17 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

36-1 It took years to barely get traffic good. Whos pockets are getting filled. No room. Do the people making choices live here???

Sent from my Verizon, Samsung Galaxy smartphone

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LETTER 36: JESUS HERNANDEZ

Response to Comment 36-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 37

Kristin Pollot

From: Adriana Hernandez <adrianah0330@gmail.com>
Sent: Wednesday, November 28, 2018 6:01 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

37-1 This is a terrible plan. I have been living in Pittsburg for the past 20 years, I have seen how horrible the traffic has gotten with all these new developed houses in San Marcos. I work in Walnut Creek and take Bailey Rd daily, my comute use to be 20 minutes, with the added traffic from San Marcos my commute takes 40-45 minutes now. I also take my dogs hiking on these hills and with these new plans I will not be able to do that.

We voted on you to represent us as a community and will be losing many votes if this plan goes through.

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

37-2 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Adriana Hernandez
Resident of Pittsburg, CA

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LETTER 37: ADRIANA HERNANDEZ

Response to Comment 37-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Response to Comment 37-2

Please see Master Response #3.

Letter 38

Kristin Pollot

From: Adriana Hernandez <adrianah0330@gmail.com>
Sent: Wednesday, November 28, 2018 6:07 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

Pittsburg City Council,

38-1 This is a terrible plan. I have been living in Pittsburg for the past 20 years, I have seen how horrible the traffic has gotten with all these new developed houses in San Marcos. I work in Walnut Creek and take Bailey Rd daily, my comute use to be 20 minutes, with the added traffic from San Marcos my commute takes 40-45 minutes now. I also take my dogs hiking on these open space hills and with these new plans I will not be able to do that.

I believe there needs to be a better plan of attack and more research on how this would negatively impact our community.

38-2
- **Protect the ridgeline and views** by placing development at low elevations
- **Reduce the number of houses** to decrease significant impacts on species, like golden eagle, California tiger salamander, etc
- **Cluster houses on the low part of the property** so they're away from the regional park on the Concord side and are built in a less visible area
- **Create trail connections** so people can access open space

38-3
- **Complete Environmental Review.** The project should be resubmitted and a new Environmental Impact Report done when the actual site plans for the development are included as part of the project

38-4 We voted on you to represent us as a community and will be losing many votes if this plan goes through.

Adriana Hernandez
Pittsburg resident

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LETTER 38: ADRIANA HERNANDEZ

Response to Comment 38-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Response to Comment 38-2

See Response to Comment 27-1.

Response to Comment 38-3

See Master Response #2.

Response to Comment 38-4

The comment does not address the adequacy of the Draft EIR.

Letter 39

Kristin Pollot

From: Gale Higgins <ghiggins52@gmail.com>
Sent: Friday, November 9, 2018 12:21 PM
To: Kristin Pollot
Subject: Seeno's 1,500 house Faria project

We believe the planning process should include analyzing ALL details as they pertain to the impact on our environment. For example:

- **Protect the ridgeline and views** by placing development at low elevations
- **Reduce the number of houses** to decrease significant impacts on species, like golden eagle, California tiger salamander, etc
- **Cluster houses on the low part of the property** so they're away from the regional park on the Concord side and are built in a less visible area
- **Create trail connections** so people can access open space
- **Most Importantly, submit a complete environmental review.** The project should be resubmitted and a new Environmental Impact Report done. The entire site plans for the development should be included as part of the project.

39-1

39-2

Gale and Richard Higgins
164 N Catamaran Circle
Pittsburg, CA 94565

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LETTER 39: GALE AND RICHARD HIGGINS

Response to Comment 39-1

See Response to Comment 27-1.

Response to Comment 39-2

See Master Response #2.

Letter 40

Kristin Pollot

From: Alice Evenson
Sent: Thursday, November 8, 2018 8:45 AM
To: Kristin Pollot
Subject: FW: Faria/SW Hills Annexation Project

From: Mike & Michele Jones <msjones19@comcast.net>
Sent: Thursday, November 8, 2018 8:30 AM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

40-1 **If the project is considered by the City Council, it should be greatly improved. Development should not be visible from all around and reduce other impacts. The city needs to do a better job in focusing on projects to make our city more attractive to residents; such as, developing nice parks we can be proud of. Developing attractive parks that actually have flowers and trees (example: Buchanan Park) as opposed to developing areas with several closely clustered homes and little to no green space planned (example: Seeno's San Marcos development which includes homes with yards (front and back) the size of a postage stamp and a small patch of land with no trees and flowers referred to as a park / proposed park --- the Faria / SW Hills Annexation Project seems to be taking the same approach as San Marcos which further creates un-sitely views for our city.**

40-2 Additionally, it is our understanding the environmental analysis done for this is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

Thanks for your consideration of this serious matter.

Sincerely,

Mike and Michele Jones
Residents of Pittsburg, CA

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LETTER 40: MIKE AND MICHELLE JONES

Response to Comment 40-1

See Master Response #3. The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to aesthetics and land use are addressed in Chapter 4.1, Aesthetics, and Chapter 4.9, Land Use and Planning, of the Draft EIR, respectively.

Response to Comment 40-2

See Master Response #2.

Letter 41

Kristin Pollot

From: Mark Koci <mark.koci@icloud.com>
Sent: Thursday, November 1, 2018 1:10 PM
To: citycouncil
Subject: Seeno/Discovery Builders Faria project.

Hello Council Members,

41-1 I am concerned about the addition of 1500 homes to this area. I understand that The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens a wildlife corridor and the new regional park on the Concord side of the hills. It would create yet another large blot on our landscape, in clear view of much of the surrounding area. The environmental analysis that's been done is far from being a complete and accurate assessment of the projects impact.

41-2 No specific development plans were submitted for review even though they exist. The entire project should be analyzed and the public fully informed of its impacts. The east bay infrastructure struggles to meet current demand for water, sewage, roadways and transit. The highway 4 corridor is choked at current volumes and traffic and law enforcement seem overwhelmed and increasingly unable to maintain law and order in the area.

41-3 If the project is considered by the City Council, it should be considered with respect to the current issues plaguing the region, the new park that backs on to the land and all additional planned building in the area by developers. The previous projects were considered in isolation although plans for additional development existed during each phase. The lack of a full understanding of the developers plans has been misleading and doesn't provide for good, longer term planning and the consideration required for infrastructure, environmental and visual impact. Similar examples exist in the ugly wind turbines strung across the countryside and the lack of blending to the environment that resulted in the ugly box buildings on the hillside of the San Marco development.

41-4 It is also extremely important to consider development on a statewide level as these developments continue to increase demand for water from inadequate sources, storage and treatment facilities. The increased costs experienced by us all, do not result in any additional supply, so agreeing to allow building based on current supply and demand is irresponsible at the very least.

41-5 I appreciate your consideration of my concerns and hope that you take adequate measures to ensure that the quality of our community and resources are maintained and improved upon.

Kind Regards,
Mark W. Koci
314 W 7th St.
Pittsburg, CA. 94565
Phone: 925-490-6710

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LETTER 41: MARK KOCI

Response to Comment 41-1

See Master Response #3.

Response to Comment 41-2

See Master Response #2. The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to water and utilities infrastructure are addressed in Chapter 4.8, Hydrology and Water Quality, and Chapter 4.11, Public Services and Utilities, of the Draft EIR, respectively.

Response to Comment 41-3

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts to aesthetics and land use and planning are addressed in Chapter 4.1, Aesthetics, and Chapter 4.9, Land Use and Planning, of the Draft EIR, respectively.

Response to Comment 41-4

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to water and utilities infrastructure are addressed in Chapter 4.8, Hydrology and Water Quality, and Chapter 4.11, Public Services and Utilities, of the Draft EIR, respectively.

Response to Comment 41-5

The comment is a conclusory statement and does not address the adequacy of the Draft EIR.

Letter 42

Kristin Pollot

From: Tatiana Korotkova <tania_kor@yahoo.com>
Sent: Wednesday, October 31, 2018 7:01 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

I am very concerned about what Seeno/Discovery builders are trying to do. First of all, lets face it the Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an **important wildlife corridor** and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around. It will create nothing but monetary gain for the builder at the expense of the nature and people who already reside in Pittsburg.

42-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts. If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Sincerely,
Tatiana Korotkova
Resident of Pittsburg, CA

1

LETTER 42: TATIANA KOROTKOVA

Response to Comment 42-1

See Master Response #3.

Letter 43

David Kubeck
2776 Alves Ranch Rd
Pittsburg, CA 94565
davidk5160@icloud.com
Nov-22-2018

Kristin Pollot
AICP, Planning Manager
City of Pittsburg, CA

Dear Kristin Pollot:

After reviewing the Draft EIR for the Faria/Southwest Hills Annexation Project I would like to make the following comments:

43-1
- Figure 4.12-1 in Volume I of the draft EIR shows the study intersections. The figure shows Alves Ranch Road extending into the Project Site. The report does not contain any more information about traffic impacts or mitigations on Alves Ranch Road. Alves Ranch Road has had historic speeding issues, with a City of Pittsburg study showing some cars traveling uphill in excess of 60 mph (posted speed limit is 25 mph). Alves Ranch Road is a residential street with homes on it. Connecting it through to a neighborhood with an additional 1500 homes will have a negative impact to the Vista Del Mar neighborhood, especially for the residents who live on Alves Ranch Road. If Figure 4-12.1 is accurate, the EIR needs to evaluate and mitigate the effects of extending Alves Ranch Road.

43-2
- The traffic study shows that the observed delay index associated with Highway 4 is at or slightly above 1.0. My daily personal experience with Highway 4 from Morello Ave in Martinez to San Marco Blvd would suggest that it is MUCH higher than that. Why are the peak time delay index numbers for peak travel time so low?

43-3
- The high winds in the area push construction trash around the area. Consideration needs to be given to containing trash during construction in a high wind area.

Sincerely,

David Kubeck

LETTER 43: DAVID KUBECK

Response to Comment 43-1

See Response to Comment 130-1.

Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR, addresses Alves Ranch Road and impacts to the W. Leland Road/Alves Ranch Road study intersection.

Response to Comment 43-2

As stated on page 4.12-40, of Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR; The DI for the freeway segments was calculated using HCS7 software using HCM 6th Edition methodology, consistent with the freeway analysis. The DI for arterial roadways was calculated using Synchro software. Travel times were determined under peak congestion and also under uncongested conditions. For roadways without specific standards mentioned for DI, speeds are used for comparison purposes only.

The commenter's anecdotal experience with delays at the intersections mentioned do not constitute evidence sufficient to change the analysis presented in the Partially Recirculated Draft EIR.

Response to Comment 43-3

The comment does not address the adequacy of the Draft EIR.

Letter 44

Kristin Pollot

From: shaleena.kumar@gmail.com
Sent: Wednesday, October 31, 2018 7:10 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

44-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

44-2 It's already tough enough as it is to drive in and out of the San Marco area due to the traffic and limited access. Please don't make things worse for current residents.

Shaleena Kumar
Resident of Pittsburg, CA

Sent from my iPhone

1

LETTER 44: SHALEENA KUMAR

Response to Comment 44-1

See Master Response #3.

Response to Comment 44-2

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 45

Kristin Pollot

From: Matt Lasley <mlasley925@gmail.com>
Sent: Thursday, November 29, 2018 2:01 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

45-1 I am writing to express my concern about the proposed Seeno project in the Pittsburg hills.

45-2 I first have opposition to this project because I feel that at this time Pittsburg growth needs to pause for a bit so we can ensure we have the infrustructure, jobs and resources to handle the increase. At this time we do not. Our roads are terrible and we want to add more cars to them when their upkeep is poor. Second after recently rebuilding our highschool we already have a 100 million bond on our ballot showing that we can barely afford to serve the students we have. I do imagine some or all of the homes may fall in the Mt Diablo school district which is offensive to me because it will place people to live in our town without full involvment in the town and its outcomes. My wife works in the city and often commutes with others who live in the newest Baily contstruction and from the conversations she has had with those who purchase those homes I would not want them to live in this great town because they have a disdain for it, choosing to live her only as a placeholder because rent is cheaper than places they feel are superior. Most spend little money in the town opting to head west or south with their dollars; very few support our downtown business.

I work as a therapist and many of my clients are Pittsburg high students. One thing I have heard from all is that they feel the school is overcrowded and that they often get lost in the shuffle. If school population increases this problem will be exacerbated.

45-3 Also BART is packed, so much so my wife often has to wait for two trains before she has space to get on one. She is away from her family and children far too much already and adding more cars to the commute, or more people on BART will have further deleterious effects on our towns families if commute times increase.
Before we increase the population yet again we need to bring more jobs out here. More manufacturing and we need to step into the tech industry. There is no reason why these giant companies cannot build a satellite office in the town for those who dont want to live in the city but have high education and technical skills.

45-4 Then we have Seeno. How long will we continue to let that goon do what he wants to this town. In the 30 years I have lived here I have seen him pave over every empty lot and a good chunk of the hills, often with shady environmental and even worse labor practices. Unchecked growth in biology is called cancer and Seeno is a malignant tumor. He is metastasizing all over the town and like cancer it is affecting our organs (police, fire, roads, schools, quality of life, crime etc). Please stop this before it is too late.

1

LETTER 45: MATT LASLEY

Response to Comment 45-1

The comment does not address the adequacy of the Draft EIR.

Response to Comment 45-2

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to infrastructure and schools are addressed in Chapter 4.11, Public Services and Utilities, of the Draft EIR, while impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Response to Comment 45-3

The comment does not address the adequacy of the Draft EIR.

Response to Comment 45-4

The comment does not address the adequacy of the Draft EIR.

Letter 46

Kristin Pollot

From: Thomas Litawa <litawa1@hotmail.com>
Sent: Wednesday, October 31, 2018 8:17 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

46-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be including access points for Pittsburgers...period.

In addition... Greenbelt alliance has done a remarkable job in the last 50 years to retain the sightlines of the entire Contra Costa County.... In one egregious action by the Pittsburg City Council, all of that can be lost. And for what?...So, 1 aggressive Contractor with Hundreds of millions in their coffers...Can take advantage of the poor, working class city of Pittsburg.

46-2 I've lived in this city over 30 years, have numerous friends that vote and I will make it a personal mission to find out "who voted what?.."...Any council members voting FOR this project will find themselves voted OUT in a hurry.

Thank you and please vote for what's right and not WHO funds your campaign. No one in Pittsburg wants this. Represent your people!

Thomas Litawa
Longtime Resident who always votes in Pittsburg, CA

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LETTER 46: THOMAS LITAWA

Response to Comment 46-1

Please see Master Response #3.

Response to Comment 46-2

The comment does not address the adequacy of the Draft EIR.

Letter 47

Kristin Pollot

From: Alice Evenson
Sent: Monday, November 5, 2018 4:20 PM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

-----Original Message-----
From: Manuel Lopez <lopezmanuel545@gmail.com>
Sent: Monday, November 5, 2018 3:36 PM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

47-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

Not only would this cause these problems but as a first generation college student, this would be a contributing factor towards gentrification in Pittsburg and diminish my chances of living and finding a home there. Pittsburg is a great close knit city that has continued to thrive with its local residents. I hope you all make a wise decision on the impact of Pittsburg's future and continue to watch over the middle class working families there.

47-2

Sincerely,

Manuel Lopez
Resident of Pittsburg, CA

Sent from my iPhone

1

LETTER 47: MANUEL LOPEZ

Response to Comment 47-1

Please see Master Response #3.

Response to Comments 47-2

The comment does not address the adequacy of the Draft EIR.

Letter 48

Kristin Pollot

From: Dolores Maatug <smartset@pacbell.net>
Sent: Thursday, November 8, 2018 8:35 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

48-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

48-2 Another concern is the traffic on highway 4, it is horrible now and it will just get worst.

Sincerely,

Ali and Dolores Maatug
Residents of Pittsburg, CA

Sent from my iPhone

1

LETTER 48: ALI AND DOLORES MAATUG

Response to Comment 48-1

Please see Master Response #3.

Response to Comment 48-2

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 49

Kristin Pollot

From:	Latasha Malone <lmalone77@yahoo.com>
Sent:	Wednesday, November 28, 2018 9:38 PM
To:	Kristin Pollot
Subject:	comments on draft EIR for Faria/SW Hills Annexation Project

49-1 Resubmit the new environmental impact report done actual site.

Thank You,

Latasha Malone

1

LETTER 49: LATASHA MALONE

Response to Comment 49-1

The comment does not provide enough specificity on which to respond.

Letter 50

Kristin Pollot

From: Erica Mariscal <emariscal42@gmail.com>
Sent: Wednesday, November 28, 2018 9:11 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

50-1 Homes are being built on lands that are important to our environments. Builders do not have in mind all of the impact these houses will have on our environment such as animals, more traffic, pollution and many more factors. These hills are our sacred lands and should be left as they are. There is plenty of other land for building.

Sent from my iPhone

1

LETTER 50: ERICA MARISCAL

Response to Comment 50-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the analyses of impacts to air quality and biological resources are addressed in Chapter 4.3, Air Quality and Greenhouse Gas Emissions, and Chapter 4.4, Biological Resources, of the Draft EIR, respectively. Impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 51

Kristin Pollot

From: Henry Martinez <martinezhj@msn.com>
Sent: Wednesday, November 28, 2018 6:51 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

My name is Henry Martinez and have lived in Pittsburg for 10 years.
I am originally from Brentwood.

I have seen much growth that has made sense and others that certainly
are run by ambitious developers which have crippled East County.

In the early 70's I attended Diablo Valley College.
Back then Hwy 4 was only three lanes each way and already showing excessive traffic.
BART was introduced to help reduce traffic and make an impact on commuting.
But that never happened nor now because of bad management.
The impact of congested commuting has overwhelmed East County and continues to get worse.

51-1

So it certainly makes no sense to allow another housing track to go up without "first" addressing what is plaguing East County: TRAFFIC!

The other item which plagues Pittsburg and Antioch is quality Restaurants, stores and parks.
We need quality stores such as WholeFoods and Sprouts. Quality restaurants that serve quality"organic" choices.

Therefore I encourage you to re-evaluate this project and do what is right and makes sense for the masses not for the
few profiting from the Corporate developers offering payoffs.

Thank you,
Henry Martinez

1

LETTER 51: HENRY MARTINEZ

Response to Comment 51-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 52

Kristin Pollot

From: Alice Evenson
Sent: Friday, November 30, 2018 10:27 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

From: Yahoo <irmamask@yahoo.com>
Sent: Friday, November 30, 2018 9:59 AM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and mostly the horrific traffic congestion. Bailey Road is already becoming more and more congested because it's an alternate to head west on Leland and to get to Hwy 4 East bound.

52-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

52-2

If the project is considered by the City Council, it should be greatly improved. But why can't we allow our beautiful green hills to just remain the HIGHLIGHT of our east bound drive on Hwy 4?

Irma Mask
Resident of Pittsburg, CA

Sent from Yahoo Mail on Android

1

Letter 52: Irma Mask

Response to Comment 52-1

Please see Master Response #3.

Response to Comment 52-2

Please see Response to Comment 21-1. The comment does not specifically address the adequacy of the Draft EIR.

Letter 53

Kristin Pollot

From: Lyana Monterrey <gmonterrey@comcast.net>
Sent: Thursday, November 29, 2018 7:34 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

53-1

- **The ridgeline and views should be protected** by placing development at low elevations
- **Reduce the number of houses to** decrease significant impacts on species, like golden eagle, California tiger salamander, etc
- **Cluster houses on the low part of the property** so they're away from the regional park on the Concord side and are built in a less visible area
- **Create trail connections** so people can access open space

53-2

- **Complete Environmental Review.** The project should be resubmitted and a new Environmental Impact Report done when the actual site plans for the development are included as part of the project.

Lyana Monterrey
346 Avalon Circle
Pittsburg CA 94565

Sent from my iPhone

1

LETTER 53: LYANA MONTERREY

Response to Comment 53-1

See Response to Comment 27-1.

Response to Comment 53-2

See Master Response #2.

Letter 54

Kristin Pollot

From: Karla Moreno <karlai1988@gmail.com>
Sent: Saturday, November 3, 2018 6:52 PM
To: citycouncil
Subject: Resident of Pittsburg for 25 years. My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

54-1 The median household income in Pittsburg is estimated to be about $65,000 and for Bay Point it is about $50,000. According to multiple mortgage affordability calculators these families are only able to afford $250,000 max (assuming there is no added debt such as car payments and/or credit cards). These new homes by seenohomes are starting at $519,000 and $639,900! These homes are not for the average Pittsburg/Bay point residents, we need affordable housing! Traffic in the East Bay is becoming unbearable. Wether you try by BART, HW4, or even Bailey Rd, the roads are saturated everywhere in the mornings and evenings! Traffic means valuable time wasted and increased stress! I hope this project is is denied. I hope the residents are fully aware of this project and stand up for our city!

54-2 The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

54-3 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

Sincerely,

Karla Moreno,
Resident of Pittsburg, CA and Registered Nurse at CCRMC

1

LETTER 54: KARLA MORENO

Response to Comment 54-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, issues related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Response to Comment 54-2

See Master Response #3.

Response to Comment 54-3

See Master Response #2.

Letter 55

Kristin Pollot

From: Vaneeth Nand <vaneethnand@yahoo.com>
Sent: Thursday, November 29, 2018 9:15 AM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

55-1 We do not want any more housing constructions in the Pittsburg Hill area. The highways are already too crowded. Not enough shopping options and crime rates will be going up.

Sent from my iPhone

1

LETTER 55: VANEETH NAND

Response to Comment 55-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, issues related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 56

Kristin Pollot

From: Priscilla <priscilla511@gmail.com>
Sent: Wednesday, November 28, 2018 7:00 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

56-1 This project should not take place as it creates an unhealthy environment for All. The traffic currently is treacherous and with only one gas station and no other way to get on the freeway, this would create a really accident prone area. We do not need more homes in this area as it is already congested and it creates unsafe drivers. Please consider the opinions of the residents who live in San Marco, we already face many issues with the current situation.

Priscilla Nand

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LETTER 56: PRISCILLA NAND

Response to Comment 56-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, issues related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 57

Kristin Pollot

From: Alice Evenson
Sent: Thursday, November 1, 2018 3:06 PM
To: Kristin Pollot
Subject: FW: DO NOT CONSIDER THE Faria/SW Hills Annexation Project

-----Original Message-----
From: Tricia Narine <trician06@gmail.com>
Sent: Thursday, November 1, 2018 2:38 PM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: DO NOT CONSIDER THE Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

57-1 The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

57-2 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

57-3 I feel as though the city council continues to sell out the people of Pittsburg California. Thy take advantage of he fact that lower income and middle class residents are too busy working to pay attention to the detrimental projects taking place in their backyard. How dare you do this to us? From landfills that risk our health, make jogging and enjoying our property unpleasant, the city council is not acting in favor of the people of this community.

Please do not move forward with this project! You are destroying our home!

Sincerely,
Tricia Narine
26 year Resident if Pittsburg, CA

1

LETTER 57: TRICIA NARINE

Response to Comment 57-1

See Master Response #3.

Response to Comment 57-2

See Master Response #2.

Response to Comment 57-3

The comment does not address the adequacy of the Draft EIR.

Letter 58

Kristin Pollot

From: Marahya Navas <navasmarahya@gmail.com>
Sent: Friday, November 30, 2018 3:04 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

58-1

- **Protect the ridgeline and views** by placing development at low elevations
- **Reduce the number of houses** to decrease significant impacts on species, like golden eagle, California tiger salamander, etc

1

LETTER 58: MARAHYA NAVAS

Response to Comment 58-1

See Master Response #3.

Letter 59

Kristin Pollot

From: Chanelle Nelson <chanelle.nelson@gmail.com>
Sent: Thursday, November 29, 2018 9:36 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

To whom it may concern,

Our community cannot support additional housing in the proposed area. Our schools are already impacted by the many people who already live here. Pittsburg is not a community where workplaces are close by. Many of us residents have to commute 30 miles or more. Our streets are already crowded and traffic is congested. Parking is also an issue for many who take public transportation. Simply put, we do not have the infrastructure to support the development of more housing.

59-1

The environmental impact is not just harmful for the existing habitats in the hills. Building of housing developments leads to additional pollutants into the air. With the constant fires in California, the air quality has been continuously concerning for all living things. This is just one example of the environmental impacts that concerns me.

I hope this project is not approved to move forward. As a concerned resident, I oppose the Faria project. I hope money and greed don't outweigh the community and environmental impacts.

Sincerely,

Chanelle Nelson

1

LETTER 59: CHANELLE NELSON

Response to Comment 59-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, discussions of impacts related to air quality, biological resources, schools, and infrastructure are addressed in the following Draft EIR chapters: Chapter 4.3, Air Quality and Greenhouse Gas Emissions, Chapter 3.4, Biological Resources, and Chapter 4.11, Public Services and Utilities. Impacts related to traffic are discussed in Chapter 4.12, Transportation, Traffic, and Circulation of the Partially Recirculated Draft EIR.

Letter 60

Kristin Pollot

From: mn659@hotmail.com
Sent: Sunday, November 11, 2018 3:08 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

Hi,

As a current resident of the city of Pittsburg, the Faria/SW Hills Annexation Projects scope should be adjusted by the following bullet points below:

- **Protect the ridgeline and views** by placing development at low elevations
- **Reduce the number of houses** to decrease significant impacts on species, like golden eagle, California tiger salamander, etc
- **Cluster houses on the low part of the property** so they're away from the regional park on the Concord side and are built in a less visible area
- **Create trail connections** so people can access open space
- **Complete Environmental Review.** The project should be resubmitted and a new Environmental Impact Report done when the actual site plans for the development are included as part of the project

60-1

60-2

Me and my wife have nothing against adding more development to the hills but not to such an extent as the current project scope is suggesting.

Best,

Michael & Chere Nott
Residents of Pittsburg

1

LETTER 60: MICHAEL AND CHERE NOTT

Response to Comment 60-1

See Response to Comment 54-2.

Response to Comment 60-2

See Master Response #2.

Letter 61

Kristin Pollot

From: Reyna Olvera <reynaolvera1818@gmail.com>
Sent: Wednesday, November 28, 2018 9:11 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

61-1

These should not be built at all. See I can buy individual properties and remodel. This is unnecessary.

If you must then please actively protect local wildlife and minimize the number of units. Give people yards and space!

Please have compassion.

Sent from my iPhone

1

LETTER 61: REYNA OLVERA

Response to Comment 61-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to biological resources are addressed in Chapter 4.4, Biological Resources, of the Draft EIR.

Letter 62

Kristin Pollot

From: Mohammed Osman <osmismoh@yahoo.com>
Sent: Wednesday, October 31, 2018 7:27 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council, The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around. This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts. If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

62-1

Many of us commute to work every day. The traffic congestion as it is now is ridiculous and takes away 3 to 4 hours of our daily life. This development has not taken into account this important fact.
Mohammed Osman, Resident of Pittsburg, CA

62-2

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LETTER 62: MOHAMMED OSMAN

Response to Comment 62-1

See Master Response #3.

Response to Comment 62-2

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to traffic are discussed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 63

Kristin Pollot

From: Alice Evenson
Sent: Thursday, November 15, 2018 10:33 AM
Subject: FW: Comments for Thursday Nov. 15th Hearing

From: Gregory Osorio <Gregory.Osorio@sbcglobal.net>
Sent: Wednesday, November 14, 2018 7:03 PM
To: RPatague-Forward <RPatague@ci.pittsburg.ca.us>
Cc: Alice Evenson <AEvenson@ci.pittsburg.ca.us>; Joe Sbranti <JSbranti@ci.pittsburg.ca.us>
Subject: Comments for Thursday Nov. 15th Hearing

Becky,

Please pass on comments below to all city council members -

63-1 I am not aware of the details of the planned development on the hillside by Discovery Homes that is before you, however did want to ask you to please use wisdom in reasonably protecting our hillsides, below is an overview of considerations that have prudently been discussed in the past dating back to 2014/2015 when I thought that a hillside ordinance was passed, but later learned that it was not.

General concept of hillside ordinance which was originally proposed:
1. Protect the ridgelines – Requiring a 150' vertical set back from the top of all ridgelines and not allow development above that threshold (hillsides are ruined when they are graded and if a value is placed on hillsides then really no development should be constructed in the top section of them). Unfortunately for Concord our land overlooks their city, and they have enjoyed virgin hillsides for generations (would disagree **63-2** that their complaint is just Pittsburg looking over the hill\sides if they are destroyed, it would not matter who it was, and we cannot ignore a legitimate concern just because they are not our residents).
2. Density – As homes are built going up the hillside a requirement should be stipulated that fewer homes per acre should be allowed to avoid a "Daily City" appearance (wall-to-wall homes, an ugly sight), this type of requirement would also protect its beauty.

The argument presented is that higher density homes allows for lower cost, and I would argue that it primarily allows for higher profits for developers (that is the primary motive), for the market pricing will only bear what the area will allow given other construction features along with the geographic location. A counter argument would be that larger lot sizes in the higher elevations would also attract higher pricing.

63-3

As council members you are stewards of our city, and the two great geographic natural beauties of Pittsburg are our beautiful hills and the waterfront, and if they are allowed to be over-developed that beauty will be lost forever.

Please carefully consider the above as you deliberate this and any future projects in Pittsburg.

Thank you

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Letter 63: Gregory Osorios

Response to Comment 63-1

The comment does not address the adequacy of the Draft EIR.

Response to Comment 63-2

The comment does not address the adequacy of the Draft EIR.

Response to Comment 63-3

The comment does not address the adequacy of the Draft EIR.

Letter 64

Kristin Pollot

From: Ligia Padilla <padilla_ligia@yahoo.com>
Sent: Thursday, November 29, 2018 3:39 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

64-1 Stop building new homes!!! Schools are overcrowded. Streets are overcrowded. Hwy 4 is way overcrowded. Enough!!! We are tired of having thousands of kids at Pittsburg High and even more tired of dealing with an hour long commute on a 15-20 minute drive due to overcrowding of cars on the freeways.
These people have enough millions already. Enough is enough!

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LETTER 64: LIGIA PADILLA

Response to Comment 64-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to schools are addressed in Chapter 4.11, Public Services and Utilities, of the Draft EIR, while impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 65

Kristin Pollot

From: Ed Palma <edpalma88@gmail.com>
Sent: Friday, November 30, 2018 9:31 AM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

65-1 I am a Pittsburg home owner and the hills need to be preserved for everyone. Please vote NO on this proposed project. Thank you, Ed Palma

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LETTER 65: ED PALMA

Response to Comment 65-1

The comment does not address the adequacy of the Draft EIR.

Letter 66

Kristin Pollot

From: Wildie Perez <wildiep@hotmail.com>
Sent: Wednesday, November 28, 2018 11:07 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

66-1 Think green save the environment

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LETTER 66: WILDIE PEREZ

Response to Comment 66-1

The comment does not address the adequacy of the Draft EIR.

Letter 67

Kristin Pollot

From: Earlean Perry <earlnene@msn.com>
Sent: Thursday, November 29, 2018 3:29 AM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

67-1 Pittsburg does not need anymore new developments. Existing property should be used instead for restoration.

Sent from my Sprint Samsung Galaxy S7 edge.

1

LETTER 67: EARLEAN PERRY

Response to Comment 67-1

The comment does not address the adequacy of the Draft EIR.

Letter 68

Kristin Pollot

From: MARTA <martapr5@comcast.net>
Sent: Wednesday, November 21, 2018 3:33 PM
To: Kristin Pollot
Subject: Save Pittsburg Hills....

Greetings,
I wanted to share that my neighbor enlightened me about Seeno/Discovery Builders, wanting to build 1,500 homes above the San Marco & Vista Del Mar neighborhoods. I don't get the newspaper & this is the FIRST I've heard of this project, Farías/Southwest Hills Annexation Project that has been proposed for 10 years?????

68-1 As it is, so many people have moved to the East County & there is so much traffic to say the least. I am NOT happy about this Project especially knowing how it will affect us. Getting rid of these beautiful hills, views, & the traffic jams that this is going to cause, upsets me. As it is right now, it takes me a while to get home being caught up in the traffic.

I'd like to recommend that this info be placed in one of our bills (water,, garbage) so that people know what's going on.

Lastly, I implore you that this NOT take place. I love Pittsburg & all the beautiful hills in the areas where Seeno wants to build.

Regards,
Marta P. Rodríguez

Have a Grateful Day

Sent from XFINITY Connect Mobile App

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LETTER 68: MARTA RODRIGUEZ

Response to Comment 68-1

Please see Master Response #1. The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to aesthetics and traffic are addressed in Chapter 4.1, Aesthetics, of the Draft EIR, while impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 69

Kristin Pollot

From: Sharon Roscher <sharonroscher@gmail.com>
Sent: Wednesday, November 28, 2018 5:36 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

69-1 When all the Camp fires were blazing out of control, I told my children & grandchildren not to look for us because **there's no way on earth Pittsburg could be evacuated safely or in a timely manner. Hwy 4 is our only way in or out and it's constantly bottlenecked and so jammed up it takes a half hour (or longer) just to get over the hill to Concord.** And you guys want to add more homes and more cars? Are you Fn crazy! Let Seeno go build in his neighborhood and leave us alone! We have enough problems without yet another gully wash of "Little matchbooks lined all in a row!"

Sent from Sharon Grant-Roscher
477 W10th Street
Pittsburg, CA 94565
(925)439-0286

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LETTER 69: SHARON ROSCHER

Response to Comment 69-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 70

Kristin Pollot

From:	Robert Severs <rse6726287@aol.com>
Sent:	Wednesday, November 28, 2018 5:42 PM
To:	Kristin Pollot
Subject:	comments on draft EIR for Faria/SW Hills Annexation Project

70-1 this is all wrong traffic will be a big issue. its all about tax money on new homes bigger salaries pittsburg city employess police fire and retirement. all will be kept secret as now . the average home owner suffers all new taxes will come a sucker play on the public. only winners public employees and county .

1

LETTER 70: ROBERT SEVERS

Response to Comment 70-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 71

Kristin Pollot

From: Bernadette Silva <bpettit_2000@yahoo.com>
Sent: Tuesday, November 27, 2018 6:23 PM
To: Kristin Pollot
Subject: Faria Project

Please reconsider about building more houses; especially taking over our beautiful hills.

Traffic is already a nightmare during morning commute. It take me 45 minutes from the Pittsburg BART Station to get onto the freeway at San Marcos. People DO NOT follow the laws and continue to make their own lanes. I lost count on how many near misses I've had with those not following the rules of the road.

71-1 Seeno wants to build 1,500 houses at the top of San Marcos; that's an additional 3,000+ cars added to the mess that's there now. Also you have Delta View Elementary at the corner of San Marcos/Rio. That intersection is crazy because the parents aren't following the rules around the school and you want to make matters worse?

The hills are steep and unstable. Do you really want new residents go after the City and Seeno again because the foundation is sinking?

Leave the open space alone and hear the outcry from the residents. We don't want this to happen. We don't want to become San Francisco.

Bernadette Silva
59 Promenade Ct
Pittsburg
925-207-7881

Sent from my iPhone

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LETTER 71: BERNADETTE SILVA

Response to Comment 71-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to geology/hill stability are addressed in Chapter 4.6, Geology, Soils, and Seismicity, of the Draft EIR. Impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 72

Kristin Pollot

From: Aaron G. Smith <ag_smith@outlook.com>
Sent: Wednesday, October 31, 2018 10:09 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

To Whom It May Concern,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders would seriously degrade the views of the beautiful hills from all around. The views are one of the primary attractions of living in the North East Bay. Destroying those views with new homes that will compete with existing home sales has the potential significantly impact existing home values. Is the city prepared to financially restore its existing community for lost equity? Additionally, it threatens an important wildlife corridor and the new regional park on the Concord side of the hills.

72-1

This is not only a poorly planned project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.
Sincerely,

Aaron G. Smith
Resident of Pittsburg, CA

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LETTER 72: AARON SMITH

Response to Comment 72-1

See Master Response #3.

Letter 73

Kristin Pollot

From: Justin Steele <j.a.b.steele@gmail.com>
Sent: Wednesday, October 31, 2018 9:24 PM
To: citycouncil
Subject: Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery is an important project that must be approved.

73-1 I received an unsolicited email from save Mt Diablo asking me to oppose this project, but these people are completely out of touch with reality. Opposing 1500 homes being built by a BART station is pure madness. Please ignore these people, and contribute to the growth of Pittsburg, and California as a whole.

Thank you,

Justin Steele

Resident of Pittsburg, CA

Sent from my iPhone

1

LETTER 73: JUSTIN STEELE

Response to Comment 73-1

The comment does not address the adequacy of the Draft EIR.

Letter 74

Kristin Pollot

From: Jaime Young <youngbowler300@yahoo.com>
Sent: Wednesday, November 28, 2018 10:33 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

I urge you to reject The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders.

As it stands, there is much traffic congestion in the early morning as people leave the neighborhood for work. There is only one road servicing the entire neighborhood on San Marco. The surrounding infrastructure is also lacking for accommodating more homes. There is only one grocery store nearby which is already quite overwhelmed with shoppers at all hours. This area is already supporting the maximum number of occupants and would greatly degrade the living conditions of this zone if these houses were to be built.

74-1

Moreover, these builder's plans up to the present have been with only profit in mind, with no consideration for the comfort or livability of the spaces they create. This region desperately needs access to nature, recreational attractions and trails, not more track home neighborhoods.

One of the most attractive things about Pittsburg is the beautiful rolling hills that enchanted me from the very first time I saw them 22 years ago, moving to Pittsburg as a child. Please do not let Seeno/Discovery Builders destroy one of the very last attractions.

I thank you in advance for rethinking this project proposal.

Jaime Y. Tamrakar
Resident of Pittsburg, CA

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LETTER 74: JAMIE TAMRAKAR

Response to Comment 74-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to aesthetics and infrastructure are addressed in Chapter 4.1, Aesthetics, Chapter 4.11, and Public Services and Utilities. The Partially Recirculated Draft EIR discusses impacts related to traffic in Chapter 4.12, Transportation, Traffic, and Circulation, of the Draft EIR, respectively.

Letter 75

Kristin Pollot

From: Geoff Taylor <glt101@hotmail.com>
Sent: Monday, November 26, 2018 1:05 PM
To: Kristin Pollot
Subject: Comments on draft EIR for Faria/SW Hills Annexation Project

Dear Kristin,

Below are my comments on the Draft EIR for the Faria/SW Hills Annexation Project.
Please note these are my own comments and are not affiliated with Pittsburg Defense Council.

The Faria/SW Hills Annexation Project is bad for Pittsburg.
The main issue with the project is aesthetic: we have seen the results of allowing Seeno/Discovery to build on the green space above route 4. The Positano and San Marco housing developments have utterly destroyed the appeal of the view across the delta from Willow Pass. Instead of the glorious,
golden, rolling hills that once graced that scene, we are instead presented with a jarring, geometrical
slabs. The landscaping used on the site, such as it was, has left a series of planes and linear slopes,
completely at odds with the surrounding countryside. The density of the buildings leave the development
in danger of becoming a modern day (if over-priced) slum. It is a disgrace that the developers have left
the hills in this state.

75-1

On a more practical note, the infrastructure in Pittsburg is simply not able to support further increases
in its population at this stage. The air quality will be degraded even further by the additional traffic
the new housing brings to route 4. The traffic congestion (not noticeably improved after the opening of
eBart) will be exacerbated.

Finally, it is noteworthy that the EIR does not include the actual plans for the housing. Only the annexation of the land. It is not possible to evaluate the impact of these separately. This alone means the EIR is not acceptable in its current state.

75-2

It is clear to me the route that should be taken: reject the draft EIR.

Sincerely,

Geoff Taylor Ph. D.

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LETTER 75: GEOFF TAYLOR

Response to Comment 75-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, impacts related to aesthetics, air quality, and infrastructure are addressed in the following Draft EIR chapters: Chapter 4.1, Aesthetics; Chapter 4.3, Air Quality and Greenhouse Gas Emissions; and Chapter 4.11, Public Services and Utilities. The Partially Recirculated Draft EIR address impacts related to traffic in Chapter 4.12, Transportation, Traffic, and Circulation.

Response to Comment 75-2

See Master Response #2.

Letter 76

Kristin Pollot

From: Je Ton <teacherjeton@gmail.com>
Sent: Wednesday, November 28, 2018 6:45 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

I speak for many in the coffee, nail and salon shops I visit. We are completely against the new constitution of homes on our hills. Here's what the community is saying:

Traffic is already congested taking away from our quality of life having to endure the hours in our vehicles. We don't need more congestion we need LESS!

Our hillsides are a valuable natural and historic part of our small town community. It's what sets us aside from the big city towns of the bay. It also provides invaluable resources to the other smaller inhabitants in our community. Protect our natural resources!

76-1

With the undeniable existence of climate change and the recent unprecedented fires across our state, now more than ever is the time to reject the construction of homes on our hillside to prevent the threat to our community. Building new homes on hillsides put my safety at risk!

Lastly, the cost of housing has drastically increased to push everyday working class people out of reach of home ownership. The new housing previously built has not provided housing to these groups of people but instead has benefited and gentrified a community while creating an economic genocide to existing working class families. We need more affordable housing not more luxury homes

Sent from my iPhone

1

Letter 76: Je Ton

Response to Comment 76-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the Draft EIR addresses impacts related to aesthetics, climate change, hillside development, and fire hazards in the following chapters: Chapter 4.1, Aesthetics; Chapter 4.3, Air Quality and Greenhouse Gas Emissions; Chapter 4.4, Biological Resources; Chapter 4.6, Geology, Soils, and Seismicity; and Chapter 4.7, Hazards and Hazardous Materials. The Partially Recirculated Draft EIR address impacts related to traffic in Chapter 4.12, Transportation, Traffic, and Circulation.

Letter 77

Kristin Pollot

From: miriam.vasquez23@yahoo.com
Sent: Wednesday, November 28, 2018 8:03 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

To whom it may concern,

77-1 I'm going to get straight to the point. I do not want 1,500 homes to be built on those beautiful hills. Unless your going to house the homeless, We do not need it. To take away such beauty from this city and waste space just so you can make money and bring in greedy, selfish "rich" people into Pittsburg is dumb. Why don't you spend your money taking care of those in need.

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LETTER 77: MIRIAM VASQUEZ

Response to Comment 78-1

The comment does not address the adequacy of the Draft EIR.

Letter 78

Kristin Pollot

From: Miriam V <miriamverdin5@gmail.com>
Sent: Wednesday, November 28, 2018 7:44 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

78-1 Main concern for me is the traffic!

--
Sent from my iPhone

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LETTER 78: MIRIAM VERDIN

Response to Comment 78-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the Partially Recirculated Draft EIR addresses impacts related to traffic in Chapter 4.12, Transportation, Traffic, and Circulation.

Letter 79

Kristin Pollot

From: cherella.walston@gmail.com
Sent: Wednesday, November 28, 2018 7:16 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

79-1 No, too much traffic

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LETTER 79: CHERELLA WALSTON

Response to Comment 79-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the Partially Recirculated Draft EIR addresses impacts related to traffic in Chapter 4.12, Transportation, Traffic, and Circulation.

Letter 80

Kristin Pollot

From: Miss Sue <missle1102@gmail.com>
Sent: Wednesday, November 28, 2018 8:59 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

80-1 NO on more housing.

Sent from my iPhone

1

LETTER 80: MISS SUE

Response to Comment 80-1

The comment does not address the adequacy of the Draft EIR.

Letter 81

Kristin Pollot

From: Gloria <glowspa@cs.com>
Sent: Wednesday, November 28, 2018 5:50 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

81-1 Let him build

Sent from my iPad

LETTER 81: GLORIA

Response to Comment 81-1

The comment does not address the adequacy of the Draft EIR.

Letter 82

Kristin Pollot

From: Demi <demi.3000@yahoo.com>
Sent: Saturday, December 1, 2018 10:12 AM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

Hello,

We have been life long residents of Pittsburg. With the amount of residence in Pittsburg, we are unable to properly educate our children since there are insufficient school in our community. Pittsburg high school is over full and under staffed. Students are also bussed over to concord in search of better education.

82-1

Most of our money spent is in concord. From shopping to, sports to our children's education. This is because our food store is over populated, our gas station is low grade and our sports organizations aren't very organized.

We need to invest in our infrastructure and community. Is it reasonable to have one lane to enter a freeway? Is it acceptable to have to drive to the next town to go shopping? We should invest in our town so the people who live here want to spend here.

-Demetria

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LETTER 82: DEMETRIA

Response to Comment 82-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the Draft EIR addresses impacts related to schools in Chapter 4.11, Public Services and Utilities, while impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 83

Kristin Pollot

From: Cynthia <townlove510@gmail.com>
Sent: Wednesday, November 28, 2018 11:03 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

83-1 I oppose to this project of constructing more community homes due to the fact Pittsburg is getting overcrowded. Leland, Railroad, Bailey and Loveridge are so crowded all day even on the weekends. Traffic is ridiculous especially when people need to commute just to Concord or walnut creek. Elementary schools are so crowded that children who belong to certain schools can't attend there and get sent somewhere else due to space. As a person who graduated in 2012 from Pittsburg high the school was crowded, my sister graduated in 2018 and complained how they would arrive a minute or 2 late to class because there is no space on the hallways due to too many students. Pittsburg hills should remain clear and view able especially when it's near jus a one way street on bailey.

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LETTER 83: CYNTHIA

Response to Comment 83-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the Draft EIR addresses impacts related to schools in Chapter 4.11, Public Services and Utilities, while impacts related to traffic are addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 84

Kristin Pollot

From: dezkwi71@gmail.com
Sent: Wednesday, November 28, 2018 6:15 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

84-1 We do not need any more house traffic is to conjested

Sent from my iPhone

LETTER 84: ANONYMOUS

Response to Comment 84-1

The comment does not specifically address the adequacy of the Draft EIR. For informational purposes, the Draft EIR addresses impacts related to traffic in Chapter 4.12, Transportation, Traffic, and Circulation.

Letter 85

Kristin Pollot

From: Desiree Aguilar <chepitaone@gmail.com>
Sent: Saturday, November 3, 2018 8:34 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

85-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included Sincerely,

Desiree Aguilar BSN RN
Resident of Pittsburg, CA

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LETTER 85: DESIREE AGUILAR

Response to Comment 85-1

See Master Response #3.

Letter 86

Kristin Pollot

From: Brianna Andrews <8bandrews8@gmail.com>
Sent: Wednesday, October 31, 2018 5:39 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

86-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

[Your Name]
Resident of Pittsburg, CA

Cheers!

Bri Andrews

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LETTER 86: BRIANNA ANDREWS

Response to Comment 86-1

See Master Response #2.

Letter 87

Kristin Pollot

From: Alice Evenson
Sent: Friday, November 2, 2018 9:36 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

From: Gwen Armstrong <gwennysue@hotmail.com>
Sent: Friday, November 2, 2018 9:32 AM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

87-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included
Sincerely,

Susan Armstrong
Resident of Pittsburg, CA

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LETTER 87: SUSAN ARMSTRONG

Response to Comment 87-1

See Master Response #3.

Letter 88

Kristin Pollot

From: Alice Evenson
Sent: Tuesday, November 13, 2018 8:49 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

From: Gwen Armstrong <gwennysue@hotmail.com>
Sent: Monday, November 12, 2018 8:56 AM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

88-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included
Sincerely,

Alan Armstrong
Resident of Pittsburg, CA

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LETTER 88: ALAN ARMSTRONG

Response to Comment 88-1

See Master Response #3.

Letter 89

Kristin Pollot

From: Olga Sierra Arrellano. <osyta66@yahoo.com>
Sent: Wednesday, November 28, 2018 5:46 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.%2%0

89-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.%2%0

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

[Your Name]
Resident of Pittsburg, CA

Sent from Yahoo Mail on Android

1

LETTER 89: OLGA SIERRA ARRELLANO

Response to Comment 89-1

See Master Response #3.

Letter 90

Kristin Pollot

From: Mariana Atwood <mariana.atwood@gmail.com>
Sent: Thursday, November 8, 2018 7:27 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

90-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Mariana Atwood
Resident of Pittsburg, CA

Sent from my iPhone

1

LETTER 90: MARIANA ATWOOD

Response to Comment 90-1

See Master Response #3.

Letter 91

Kristin Pollot

From: glenda cabuang <adnelgmc@yahoo.com>
Sent: Thursday, November 8, 2018 5:37 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

91-1

Dear Pittsburg City Council, The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around. This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts. If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included Sincerely, [Your Name] Resident of Pittsburg, CA

I am against the construction of new houses in this site.

1

LETTER 91: GLENDA CUBUANG

Response to Comment 91-1

See Master Response #3.

Letter 92

Kristin Pollot

From: Alice Evenson
Sent: Monday, December 3, 2018 8:42 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

-----Original Message-----
From: Edgar Calderon <blurpixel@hotmail.com>
Sent: Sunday, December 2, 2018 4:32 PM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

92-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included Sincerely,

Edgar Calderon
Resident of Pittsburg, CA

Sent from my iPhone

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LETTER 92: EDGAR CALDERON

Response to Comment 92-1

See Master Response #3.

Letter 93

Kristin Pollot

From: Alice Evenson
Sent: Friday, November 9, 2018 8:52 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

From: Carlen <carlen0785@gmail.com>
Sent: Friday, November 9, 2018 8:08 AM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

93-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included
Sincerely,

Carlen Crespo
Resident of Pittsburg, CA

- Carlen Farias de Crespo-
♡Mom of Adrian(2nd Grade) ♡and Paolo- (1st Grade)♡

Od. Carlen Farias de Crespo
Facultad de Odontología,
Universidad Central de Venezuela

Every day is a good day if you want it to be. :)
Sent from my iPhone

1

LETTER 93: CARLEN CRESPO

Response to Comment 93-1

See Master Response #3.

Letter 94

Kristin Pollot

From: Alice Evenson
Sent: Friday, November 16, 2018 8:38 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

-----Original Message-----
From: Terri Personal <terridavis40@gmail.com>
Sent: Thursday, November 15, 2018 6:40 PM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

94-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Kenneth and Teresa Davis
Resident of Pittsburg, CA

Sent from iPhone

1

LETTER 94: KENNETH AND TERESA DAVIS

Response to Comment 94-1

See Master Response #3.

Letter 95

Kristin Pollot

From: Sara gueret-negash <gueret.us@gmail.com>
Sent: Wednesday, November 28, 2018 7:16 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

95-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.
Sally Gueret-Negash
[Your Name]
Resident of Pittsburg, CA

Sent from my iPhone

1

LETTER 95: SARA GUERET-NEGASH

Response to Comment 95-1

See Master Response #3.

Letter 96

Kristin Pollot

From: Andrew Guitarte <acguitarte@yahoo.com>
Sent: Wednesday, November 28, 2018 8:00 PM
To: citycouncil
Subject: REJECT the Faria/SW Hills Annexation Project

Dear Honorable Council Members,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders should be REJECTED because it threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

96-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Dr. Andrew Guitarte
Resident of Pittsburg, CA 94565
1107 Cannon Ct

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LETTER 96: ANDREW GUITARTE

Response to Comment 96-1

See Master Response #3.

Letter 97

Kristin Pollot

From: Javier Hernandez <nicatlnahauc@yahoo.com>
Sent: Thursday, November 8, 2018 5:50 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.%2%0

97-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.%2%0

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Jose Javier Hernández

Resident of Pittsburg, CA

Sent from Yahoo Mail on Android

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LETTER 97: JOSE JAVIER HERNÁNDEZ

Response to Comment 97-1

See Master Response #3.

Letter 98

Kristin Pollot

From: Jose Javier Hernandez <nicatlnahauc@gmail.com>
Sent: Thursday, November 8, 2018 5:59 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.%2%0

98-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.%2%0

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Jose Francisco Hernández
Resident of Pittsburg, CA

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LETTER 98: JOSE FRANCISCO HERNÁNDEZ

Response to Comment 98-1

See Master Response #3.

Letter 99

Kristin Pollot

From: Gale Higgins <ghiggins52@gmail.com>
Sent: Thursday, November 8, 2018 8:16 PM
To: citycouncil
Subject: Proposed Faria/SW Hills Annexation

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

99-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Gale Higgins
164 N C

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LETTER 99: GALE HIGGINS

Response to Comment 99-1

See Master Response #3.

Letter 100

Kristin Pollot

From: Gale Higgins <bnkrldy@aol.com>
Sent: Thursday, November 8, 2018 8:18 PM
To: citycouncil
Subject: Faria/SW Hills Project

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

100-1 *This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.*

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Richard Higgins
164 N Catamaran Circle
Pittsburg, CA 94565

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LETTER 100: RICHARD HIGGINS

Response to Comment 100-1

See Master Response #3.

Letter 101

Kristin Pollot

From: Pardeep Kumar <pardeepprincekumar@gmail.com>
Sent: Wednesday, November 28, 2018 6:14 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

101-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included Sincerely,

Pardeep kumar
Resident of Pittsburg, CA

Sent from my iPhone

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LETTER 101: PARDEEP KUMAR

Response to Comment 101-1

See Master Response #3.

Letter 102

Kristin Pollot

From: Patrick Lalor <pjlalor@comcast.net>
Sent: Wednesday, November 28, 2018 5:27 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

102-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Patrick Lalor
Resident of Pittsburg, CA

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LETTER 102: PATRICK LALOR

Response to Comment 102-1

See Master Response #3.

Letter 103

Kristin Pollot

From: Erica Mariscal <emariscal42@gmail.com>
Sent: Wednesday, November 28, 2018 9:08 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

103-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included Sincerely,

Erica Mariscal
Resident of Pittsburg, CA

Sent from my iPhone

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LETTER 103: ERICA MARISCAL

Response to Comment 103-1

See Master Response #3.

Letter 104

Kristin Pollot

From: Brandy Martinez <martinezbrandy52@gmail.com>
Sent: Thursday, November 8, 2018 6:30 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

104-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Brandy Martinez
Resident of Pittsburg, CA

Sent from my iPhone

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LETTER 104: BRANDY MARTINEZ

Response to Comment 104-1

See Master Response #3.

Letter 105

Kristin Pollot

From: Alice Evenson
Sent: Thursday, November 1, 2018 3:32 PM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

-----Original Message-----
From: Penne Mathey <faeries60@aol.com>
Sent: Thursday, November 1, 2018 3:14 PM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

105-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Penne Mathey
Resident of Pittsburg, CA

Sent from my iPhone

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LETTER 105: PENNE MATHEY

Response to Comment 105-1

See Master Response #3.

Letter 106

Kristin Pollot

From: Evangeline Meek <evangelinemeek44@gmail.com>
Sent: Thursday, November 29, 2018 6:23 AM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

106-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Evangeline Meek
Resident of Pittsburg, CA

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LETTER 106: EVANGELINE MEEK

Response to Comment 106-1

See Master Response #3.

Letter 107

Kristin Pollot

From: Alice Evenson
Sent: Tuesday, November 13, 2018 8:49 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

-----Original Message-----
From: Victor Molina <molina6327@sbcglobal.net>
Sent: Monday, November 12, 2018 11:25 AM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

107-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Sincerely,

Maria Ericka Molina
Resident of Pittsburg, CA

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LETTER 107: MARIA ERICKA MOLINA

Response to Comment 107-1

See Master Response #3.

Letter 108

Kristin Pollot

From: Alice Evenson
Sent: Friday, November 2, 2018 8:43 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

-----Original Message-----
From: monic cisneros <monic_cabello@yahoo.com>
Sent: Friday, November 2, 2018 6:54 AM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

108-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Mónic
Resident of Pittsburg, CA

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LETTER 108: MÓNIC

Response to Comment 108-1

See Master Response #3.

Letter 109

Kristin Pollot

From: Alice Evenson
Sent: Wednesday, November 7, 2018 8:32 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

From: carmen moreno <c_7moreno@hotmail.com>
Sent: Tuesday, November 6, 2018 8:04 PM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

109-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included
Sincerely,

Carmen Moreno
Resident of Pittsburg, CA

Sent via the Samsung Galaxy S8, an AT&T 4G LTE smartphone

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LETTER 109: CARMEN MORENO

Response to Comment 109-1

See Master Response #3.

Letter 110

Kristin Pollot

From: Char Nash <charnash@comcast.net>
Sent: Thursday, November 1, 2018 10:20 AM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.Â

110-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.Â

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

[Charlotte Nash]
Resident of Pittsburg, CA

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LETTER 110: CHARLOTTE NASH

Response to Comment 110-1

See Master Response #3.

Letter 111

Kristin Pollot

From: Alice Evenson
Sent: Tuesday, November 13, 2018 8:49 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

From: mn659@hotmail.com <mn659@hotmail.com>
Sent: Sunday, November 11, 2018 3:04 PM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

111-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included
Sincerely,

Best,

Michael & Chere Nott
Resident of Pittsburg, CA

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LETTER 111: MICHAEL AND CHERE NOTT

Response to Comment 111-1

See Master Response #3.

Letter 112

Kristin Pollot

From: Alice Evenson
Sent: Tuesday, November 13, 2018 8:49 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

From: Eddie coasta Omoregbee <eddiecoasta57@gmail.com>
Sent: Saturday, November 10, 2018 9:10 AM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

112-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included
Sincerely,

[Osadion Edward Omoregbee]
Resident of Pittsburg, CA

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LETTER 112: OSADION EDWARD OMOREGBEE

Response to Comment 112-1

See Master Response #3.

Letter 113

Kristin Pollot

From: Earlean Perry <earlnene@msn.com>
Sent: Thursday, November 1, 2018 3:31 AM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

113-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

[Earlean Perry]
Resident of Pittsburg, CA

Sent from my Sprint Samsung Galaxy S7 edge.

1

LETTER 113: EARLEAN PERRY

Response to Comment 113-1

See Master Response #3.

Letter 114

Kristin Pollot

From: Naveen Pratap <npratap@actransit.org>
Sent: Thursday, November 1, 2018 12:07 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

114-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.
Naveen Pratap
Resident of Pittsburg, CA

1

LETTER 114: NAVEEN PRATAP

Response to Comment 114-1

See Master Response #3.

Letter 115

Kristin Pollot

From: mimi Chavez <irmachavez46@gmail.com>
Sent: Wednesday, November 28, 2018 9:07 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

115-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included
Sincerely,

Irma Yolanda Prieto]
Resident of Pittsburg, CA

1

LETTER 115: IRMA YOLANDA PRIETO

Response to Comment 115-1

See Master Response #3.

Letter 116

Kristin Pollot

From: Stephanie Quintero <teti_taquito@yahoo.com>
Sent: Wednesday, October 31, 2018 6:22 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

116-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included Sincerely,

Stephanie Quintero
Resident of Pittsburg, CA

Sent from my iPhone

1

LETTER 116: STEPHANIE QUINTERO

Response to Comment 116-1

See Master Response #3.

Letter 117

Kristin Pollot

From: Brianna Robinson <heybrirobinson@gmail.com>
Sent: Wednesday, October 31, 2018 5:39 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

117-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

[Your Name]
Resident of Pittsburg, CA

Bri Robinson

1

LETTER 117: BRIANNA ROBINSON

Response to Comment 117-1

See Master Response #3.

Letter 118

Kristin Pollot

From: michael scott <mike4004@att.net>
Sent: Thursday, November 29, 2018 5:47 PM
To: Kristin Pollot
Subject: comments on draft EIR for Faria/SW Hills Annexation Project

118-1

Dear Pittsburg City Council, The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around. This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts. If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included. [Michael R Scott]2278 willow ave Resident of Pittsburg, CA

1

LETTER 118: MICHAEL SCOTT

Response to Comment 118-1

See Master Response #3.

Letter 119

Kristin Pollot

From: Bernadette Silva <bpettit_2000@yahoo.com>
Sent: Friday, November 9, 2018 2:55 AM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

119-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Anthony and Bernadette Silva
Resident of Pittsburg, CA

Sent from my iPhone

1

LETTER 119: ANTHONY AND BERNADETTE SILVA

Response to Comment 119-1

See Master Response #3.

Letter 120

Kristin Pollot

From: Ganesh Tamrakar <gtamrakar@sangamo.com>
Sent: Friday, November 9, 2018 3:01 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

120-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Ganesh Tamrakar
Resident of Pittsburg, CA

1

LETTER 120: GANESH TAMRAKAR

Response to Comment 120-1

See Master Response #3.

Letter 121

Kristin Pollot

From: Kristin Tanyag <kjtanyag@yahoo.com>
Sent: Thursday, November 8, 2018 6:09 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,

The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

121-1

This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included.

Kristin Tanyag
Resident of Pittsburg, CA

1

LETTER 121: KRISTIN TANYAG

Response to Comment 121-1

See Master Response #3.

Letter 122

Kristin Pollot

From: Kandie Torres <kandietorres@yahoo.com>
Sent: Friday, November 9, 2018 3:40 PM
To: citycouncil
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

122-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included Sincerely,

[Kandie Torres]
Resident of Pittsburg, CA

Sent from my iPhone

1

LETTER 122: KANDIE TORRES

Response to Comment 122-1

See Master Response #3.

Letter 123

Kristin Pollot

From: Alice Evenson
Sent: Friday, November 30, 2018 10:29 AM
To: Kristin Pollot
Subject: FW: My thoughts on the Faria/SW Hills Annexation Project

-----Original Message-----
From: Gabe Velasco <dhariusgabriel@gmail.com>
Sent: Thursday, November 29, 2018 8:58 PM
To: citycouncil <citycouncil@ci.pittsburg.ca.us>
Subject: My thoughts on the Faria/SW Hills Annexation Project

Dear Pittsburg City Council,
The Faria/SW Hills Annexation Project proposed by Seeno/Discovery Builders threatens an important wildlife corridor and the new regional park on the Concord side of the hills. It would have significant negative impacts on wildlife, and would seriously degrade the views of the beautiful hills from all around.

123-1 This is not only a bad project, the environmental analysis that's been done for it is incomplete. No specific development plans were submitted for review even though they exist. The current Environmental Impact Report should be rejected. The entire project should be analyzed and the public fully informed of its impacts.

If the project is considered by the City Council, it should be greatly improved. Development should be clustered on lower elevations so that it's not visible from all around and reduces other impacts. Public access through the project to the new regional park on the Concord side should be included Sincerely,

Dharius Velasco
Resident of Pittsburg, CA

1

LETTER 123: DHARIUS VELASCO

Response to Comment 123-1

See Master Response #3.

Letter 124

Delta Diablo
A CALIFORNIA SPECIAL DISTRICT

December 4, 2018

Ms. Kristin Pollot, Planning Manager
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

SUBJECT: FARIA/SOUTHWEST HILLS ANNEXATION PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT. ASSESSOR PARCEL NUMBERS: 097-180-002, 097-180-006, 097-190-002, 097-200-002, 097-200-003, 097-230-004, 097-240-002, AND 097-230-008

Dear Ms. Pollot:

Thank you for providing Delta Diablo (District) with the opportunity to review the subject Draft Environmental Impact Report (DEIR). The DEIR includes a review of environmental impacts for the proposed 606-acre annexation area located within the Southwest Hills planning sub-area of the City of Pittsburg (City). The proposed project is located within the sphere of influence of the City and the District. The project includes a request for (1) approval of annexation of the site into the City of Pittsburg, the Contra Costa Water District, and Delta Diablo; (2) reclassification of the site from Hillside Planned Development to RS-4-P and OS-P Master Plan Overlay District prezoning; (3) approval of the draft Faria/Southwest Hills Master Plan consisting of a Master Plan Overlay District, a Land Use Map, development regulations, design review guidelines, and a definition of the proposed circulation system; (4) approval of a General Plan Amendment (GPA) to modify policies and goals and change existing land use patterns to match the proposed Faria SW Hills Master Plan Map; and (5) approval of a development agreement.

124-1

The DEIR assumes the maximum future buildout of the proposed 606-acre project area is 1,500 single-family units, which is the maximum buildout for the project site according to the current General Plan. The proposed Land Use Map indicates that proposed development includes 3-5 DU/acre on 236 acres, 1-3 DU/acre on 137.1 acres, and 233.1 acres undeveloped land.

The following summarizes District comments related to wastewater conveyance and treatment, recycled water, and household hazardous waste.

1. Wastewater Conveyance and Treatment: Chapter 4.11 – Public Services and Utilities
   a. Wastewater Treatment: The DEIR-stated Wastewater Treatment Plant (WWTP) capacities and influent flow information are not correct. The

124-2

2500 Pittsburg-Antioch Hwy · Antioch, CA 94509 · p 925.756.1900 · f 925.756.1961 · www.deltadiablo.org

Letter 124 Cont'd

following corrections and clarifications should be incorporated prior to finalizing the DEIR

i. The WWTP current National Pollutant Discharge Elimination System (NPDES) permitted capacity for average dry-weather flow is 19.5 million gallons per day (MGD). The current NPDES Permit order was issued on August 13, 2014.
ii. An Environmental Impact Report (EIR) for the expansion of the WWTP to 22.7 MGD (ADWF) was completed in April 1988.
iii. The ADWF for the most recent reporting period, 2017, was 12.8 MGD.

124-2 Cont'd

b. The general descriptions of wastewater collection and conveyance in Chapter 4.11 and Appendix M Technical Memorandum by Isakson and Associates need further clarification and/or corrections as follows:

124-3

i. For the area described as the northern three-quarters, routing to the existing 12" San Marco sewer, the following corrections and clarifications are requested.

1. The technical memorandum indicates that the District trunk sewer was completed in Willow Pass Road in 2004. The sewer construction was not started until 2005.

124-4

2. The District sewer in Willow Pass Road ranges from 12" to 16". The Vista del Mar (fka Alves Ranch) connection was made at Enes Avenue rather than Alves Lane based on an updated predesign report by Nute Engineering.

124-5

ii. For the area described as the southern quarter, routing through the existing Bailey Estates:

1. In 2006, Isakson & Associates prepared a proposed Bailey Estates offsite sewer improvements plan for District review and approval. See Attachment 1 for copy of proposed plan. The DEIR Appendix M technical memorandum does not describe how flows are planned to route through the District owned collection system in the vicinity of Broadway Avenue and should be clarified.

124-6

2. The DEIR Appendix M technical memorandum describes the offsite downstream connection as being at Willow Pass Road. However, the connection of the 12" trunk main is to the District Rossmoor Interceptor, located west of the Frontage Road intersection with Dover Road.

124-7

Letter 124 Cont'd

Ms. Kristin Pollot, Planning Manger
November 4, 2018
FARIA/SOUTHWEST HILLS ANNEXATION PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT. ASSESSOR PARCEL NUMBERS: 097-180-002, 097-180-006, 097-190-002, 097-200-002, 097-200-003, 097-230-004, 097-240-002, AND 097-230-008
Page 3

124-8

c. Section 4.11-2, page 4.11-29, paragraph 1 notes: *"Based on the analysis below, while adequate capacities exist, the project site is not currently within the DDSD service district, but with implementation of mitigation, the impact would be less than significant."* However, on page 4.11-30, it is stated that "Therefore, according to the Sanitary Sewer System technical memorandum prepared for the proposed project by Isakson & Associates Inc., development of the proposed project would not result in any new capacity deficiencies at buildout. It is not clear how Isakson & Associates determined that adequate capacities exist, particularly for sewers offsite of the Bailey Estates subdivision (e.g. Attachment 1 sewer).

124-9

d. Proposed Mitigation Measures included in the DEIR indicate that:

"4.11-2(1) The developer shall provide all necessary documentation required by the DDSD for its application for inclusion of the project site in the DDSD's service area. No grading or building permits shall be issued until the project site has been annexed into the DDSD service area and the developer provides the City with a "Will Serve" letter from the DDSD.
4.11-2(b) In conjunction with the first development application within the Draft Master Plan area, the developer shall provide to the City confirmation from the DDSD that adequate trunk sewer system capacity exists to serve the proposed project."

These proposed mitigations address most District concerns. However, the Cumulative Impacts and Mitigation Measures: 4.11-10 wastewater summary does not discuss potential cumulative impacts, if any, within the existing City-owned portion of the offsite sewer collection system. Additionally, it is requested that corrections of District facility capacity and flows noted in comment 1 a-b be incorporated in the DEIR.

124-10

2. Recycled Water – Per section 4.11, page 2: As noted, the recycled water supply for the City is provided by Delta Diablo. The use of recycled water is not proposed for the project.

124-11

3. Solid Waste – Section 4.11 describes curbside garbage, recycling, and green waste programs. In addition to these programs, please note that the District operates the regional Household Hazardous Waste Collection facility at 2550 Pittsburg-Antioch Highway, Antioch.

Letter 124 Cont'd

Ms. Kristin Pollot, Planning Manger
November 4, 2018
FARIA/SOUTHWEST HILLS ANNEXATION PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT. ASSESSOR PARCEL NUMBERS: 097-180-002, 097-180-006, 097-190-002, 097-200-002, 097-200-003, 097-230-004, 097-240-002, AND 097-230-008
Page 4

124-12 If you have any questions regarding this information, please contact me at (925) 756-1939 or Thanh Vo at (925) 756-1949.

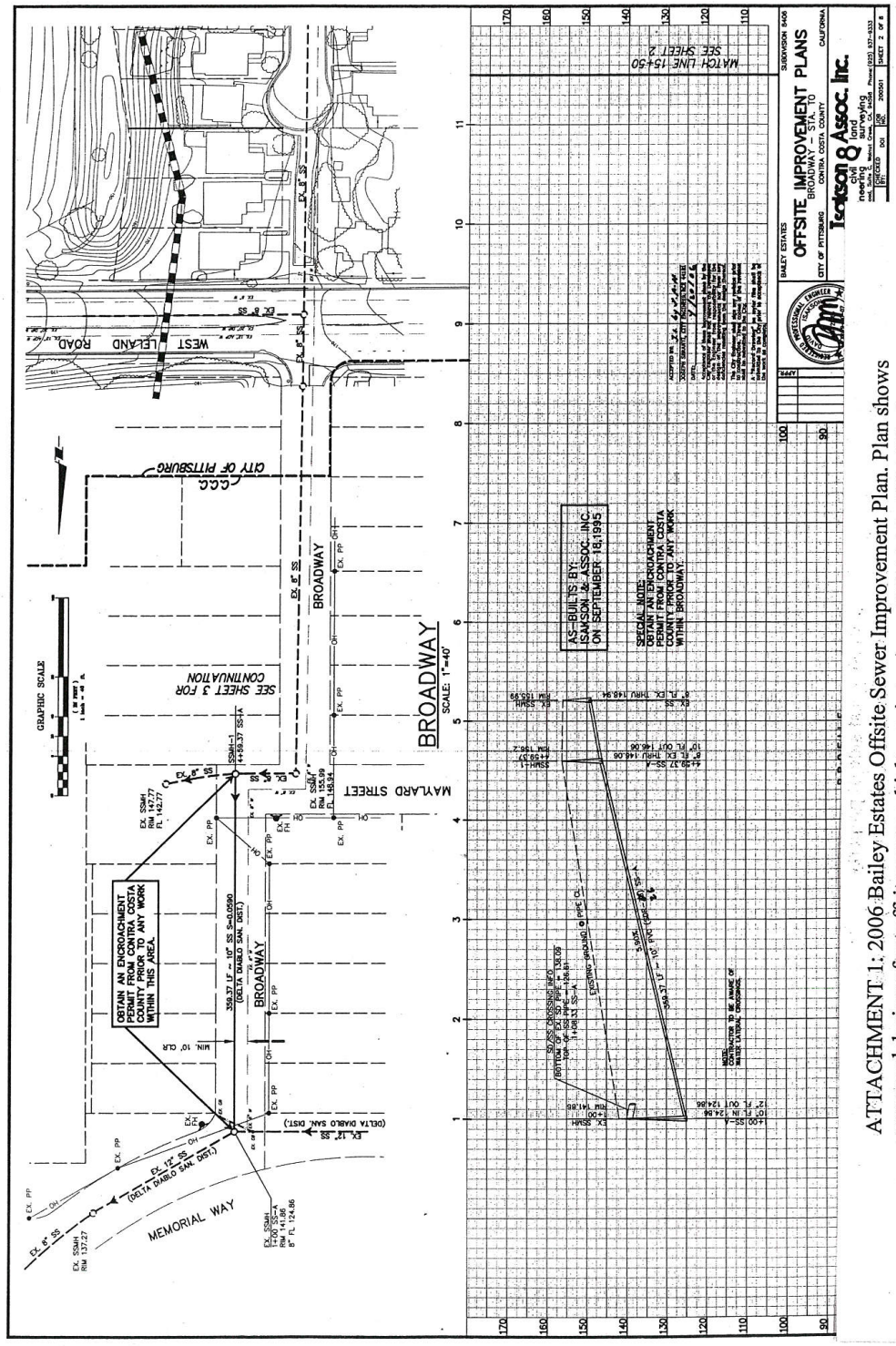
Sincerely,

Patricia Chapman
Associate Engineer

PEC:clk

Attachment

cc: Amanda Roa, Environmental Programs Manager, Delta Diablo
Brian Thomas, Engineering Services Director/District Engineer, Delta Diablo
Thanh Vo, Senior Engineer, Delta Diablo
District File DEV.02-DEVDOC
Chron File



ATTACHMENT 1: 2006 Bailey Estates Offsite Sewer Improvement Plan. Plan shows proposed design of an offsite sewer which was in review at District in 2006/07 when development work ceased. The Bailey Estates development is not constructed as of December 2018.

LETTER 124: PATRICIA CHAPMAN, DELTA DIABLO

Response to Comment 124-1

The comment provides a summary of the Draft EIR's requested entitlements and does not address the adequacy of the Draft EIR.

Response to Comment 124-2

In response to the commenter's suggestions, page 4.11-6 of the draft EIR is hereby revised as follows:

> Wastewater Treatment
>
> As discussed above, regional conveyance facilities transport wastewater to the Delta Diablo WWTP. After secondary treatment, the effluent is either discharged through a deep-water outfall to New York Slough or further processed through the RWF. The WWTP National Pollutant Discharge Elimination System (NPDES) permitted capacity for Permit allows an average dry weather flow of is 16.5 19.5 MGD., and the plant has an average dry weather flow design capacity of 19.5 MGD. An EIR for expansion of the WWTP to 22.7 MGD was completed in April 1988. The average dry weather flow influent to the treatment plant for the most recent reporting period was 13.4 12.8 MGD in 2017. The current NPDES Permit order was issued on August 13, 2014.

The forgoing revisions are for clarification purposes and do not affect the conclusions of the Draft EIR.

Response to Comment 124-3

Isakson & Associates, Inc. has provided an updated cover letter for the Faria Property Sanitary Sewer System technical memorandum (see Appendix A to this Final EIR) confirming that construction of sewer trunk infrastructure within Willow Pass Road began in 2005.

The revision is for clarification purposes only, and does not affect the analysis or conclusions presented in the Draft EIR.

Response to Comment 124-4

See Response to Comment 124-3.

Response to Comment 124-5

Isakson & Associates, Inc. has provided an updated cover letter for the Faria Property Sanitary Sewer System technical memorandum (see Appendix A to this Final EIR) confirming that the Vista Del Mar "As Built" connection point to the Willow Pass trunk line is at Enes Avenue, rather than Alves Lane. The revision is for clarification purposes only, and does not affect the analysis or conclusions presented in the Draft EIR.

Response to Comment 124-6

A complete sewer study would be prepared along with development plans for the proposed project. With preparation of the compete sewer study, Engineer and Survey crews would determine and clarify the precise direction of sewer flows to the DDSD-owned collection line in the vicinity of Broadway Avenue.

Response to Comment 124-7

Isakson & Associates, Inc. has provided an updated cover letter for the Faria Property Sanitary Sewer System technical memorandum (see Appendix A to this Final EIR) confirming that the referenced "As Built" connection is located at the Rossmoor interceptor west of the frontage road and Dover Road intersection. The revision is for clarification purposes only, and does not affect the analysis or conclusions presented in the Draft EIR.

Response to Comment 124-8

A complete sewer study would be prepared along with development plans for the proposed project. The complete sewer study would include reanalysis of the off-site capacity for the Baily Estates subdivision at buildout conditions. If any deficiencies are identified, the proposed project would be required to fund necessary upgrades to accommodate the additional sewer flows from the project, consistent with standard Public Works Department conditions for all new development projects.

Response to Comment 124-9

A discussion of potential cumulative impacts related to implementation of the proposed project is located on pages 4.11-39 through 4.11-42 of Chapter 4.11, Public Services and Utilities, of the Draft EIR. The Draft EIR determined that cumulative impacts related to wastewater and solid waste would be less than cumulatively significant.

See Response to Comment 124-2.

Response to Comment 124-10

The comment does not address the adequacy of the Drat EIR.

Response to Comment 124-11

Based on the commenter's suggestions, page 4.11-7 of the Draft EIR is hereby amended as follows:

> Keller Canyon Landfill disposes of industrial non-recyclable waste from Pittsburg. Mount Diablo Recycling Center provides recycling service through their Recycling Center and Transfer Station at 1300 Loveridge Road. The Keller Canyon Landfill has a maximum

permitted throughput of 3,500.00 tons per day, and a maximum permitted capacity of 75,018,280 cubic yards with a remaining capacity of 63,408,410 cubic yards.

The Public Works Department's Environmental Affairs Division, in conjunction with Pittsburg Disposal, coordinates the curbside recycling, and green waste programs. Pittsburg Disposal provides a container for garbage, recycling and green waste separately.

In addition, the District operates the regional Household Hazardous Waste Collection facility, located at 2550 Pittsburg-Antioch Highway, Antioch.

The forgoing revisions are for clarification purposes and do not affect the conclusions of the Draft EIR.

Response to Comment 124-12

The comment is a conclusion statement and does not address the adequacy of the Draft EIR.

Response to Comment 8-118

As noted on page 6-28 of the Draft EIR, the reduction in units associated with the Reduced Intensity Alternative would reduce the demand for park facilities in comparison to the proposed project; thus, the Reduced Intensity Alternative would result in fewer impacts than the proposed project related to parks and recreation. Thus, the Draft EIR includes consideration of an alternative that would have a reduced impact on local and regional recreational resources. An All Recreation Alternative would be inconsistent with the voter-approved initiative and the General Plan designation of the site.

Response to Comment 8-119

The comment is a concluding statement. Specific issues raised by the commenter are addressed in the responses above.

Letter 125

Water Boards

Gavin Newsom, Governor
Jared Blumenfeld, Secretary for Environmental Protection

San Francisco Bay Regional Water Quality Control Board

Sent via electronic mail: No hard copy to follow

December 2, 2019

Kristin Pollot
City of Pittsburg, Planning Department
65 Civic Avenue
Pittsburg, CA 94565
Email: kpollot@ci.pittsburg.ca..us

Subject: Faria/Southwest Hills Annexation Project Partially Recirculated Draft Environmental Impact Report

Dear Ms. Pollot:

We would like to take this opportunity to identify a major problem with the 2018 Draft Environmental Impact Report (Draft EIR) for the Faria/Southwest Hills Annexation Project in the City of Pittsburg (City). The Draft EIR fails to adequately characterize State waters on the site, including all intermittent and ephemeral streams that could be impacted by the proposed development. This letter is sent to ensure that the City is fully aware of our requirements when it comes to proposed fill of such intermittent and ephemeral streams.

125-1 Either a Clean Water Act (CWA) Section 401 water quality certification (and a corresponding CWA Section 404 Permit from the U.S. Army Corps of Engineers), or Waste Discharge Requirements under the State Water Code would be necessary to permit any fill of ephemeral or intermittent streams on the site. The Water Board adopted U.S. EPA's Section 404(b)(1), "Guidelines for Specification of Disposal Sites for Dredge or Fill Material," dated December 24, 1980, in its Basin Plan for determining the circumstance under which filling of wetlands, streams or other waters of the State may be permitted. Section 404(b)(1) Guidelines prohibit all discharges of fill material into regulated waters of the United States, unless a discharge, as proposed, constitutes the least environmentally damaging practicable alternative that will achieve the basic project purpose. This approach applies to headwater ephemeral streams as well as all other water features.

The Guidelines sequence the order in which proposals should be approached: 1) Avoid - avoid impacts to waters; 2) Minimize - modify project to minimize impacts to waters; and, 3) Mitigate – once impacts have been fully minimized, compensate for unavoidable impacts to waters. When it is not possible to avoid impacts to water bodies, disturbance should be minimized. Mitigation for lost water body acreage and functions through restoration or creation should only be considered after disturbance has been minimized. Where impacts cannot be avoided, the

Letter 125
Cont'd

125-1 Cont'd

creation of adequate mitigation habitat to compensate for the loss of water body acreage, functions and values must be provided. Onsite mitigation is generally required for this type of project, so such efforts should be taken into consideration moving forward.

Cumulative and indirect impacts of wetlands must also be prevented. Indirect impacts include deposition of sediments; erosion of substratum; additional water (flooding); reduced water supply or flows; creating a condition of pollution; shading; and watershed degradation.

The Faria/Southwest Hills Annexation Project involves significant impacts to streams that have not been adequately characterized in the Draft EIR. For any future permitting by the Water Board, a rigorous evaluation of alternative project layouts, including a reduced scope, will be needed to ensure that adequate protection of water quality and beneficial uses is provided.

If you have any questions concerning the information contained herein, please contact Kathryn Hart at (510) 622-2356 or kathryn.hart@waterboards.ca.gov.

Sincerely,

Digitally signed by Kathryn Hart
Date: 2019.12.02 20:06:29 -08'00'

Kathryn R. Hart
Water Resource Control Engineer
Watershed Division

Letter 125: Kathryn R. Hart, San Francisco Bay Regional Water Quality Control Board

Response to Comment 125-1

The comment does not address the adequacy of the Partially Recirculated Draft EIR. See Response to Comment 8-107.

Letter 126

Contra Costa County
Flood Control
& Water Conservation District

Brian M. Balbas,
ex officio Chief Engineer
Allison Knapp,
Deputy Chief Engineer

November 21, 2019

Kristin Pollot
City of Pittsburg
Planning Division
65 Civic Avenue
Pittsburg, CA 94565

RE: Partially Recirculated DEIR for the Southwest Hills/Faria Annexation
Our File: 3048B-06 Southwest Hills-Faria Annexation

Dear Ms. Pollot:

126-1 We have reviewed the Partially Recirculated Draft Environmental Impact Report (DEIR) for the Southwest Hills/Faria Annexation Project for the City of Pittsburg (City). We received the request on October 18, 2019, and have the following comments:

126-2 1. The DEIR estimates that 12,560 new daily trips will occur due to development in the annexation area. To accommodate the increase in daily traffic, multiple new public arterial and collector roads will be required, greatly increasing the annexation area's total impervious area. Furthermore, development of the annexation area will result in significant alterations to existing grading and drainage of the hillside terrain. These changes result in the following concerns:

126-3 a. Western portions of the annexation area appear to drain towards Mt. Diablo Creek. The Final Environmental Impact Report (FEIR) should discuss flooding along the downstream segment of Mt. Diablo Creek, north of Highway 4. The downstream section of Mt. Diablo Creek is a private section, maintained by private and public property owners, including the United States Government, the City of Concord, Contra Costa Water District, and Tesoro. The lower section of the Mt. Diablo Creek Watershed has unimproved reaches and wetlands that silt up easily, and for this reason, they are regularly maintained by private owners. However, when the area is not properly maintained, the Port Chicago Highway right-of-way floods and becomes an access issue for the residents of the unincorporated area of Clyde. There is a concern that future development and new impervious surfaces will significantly increase runoff and downstream flows, increase erosion and siltation downstream of Highway 4, and potentially flood Port Chicago Highway. The FEIR should identify measures to mitigate for the additional runoff, including diverting storm runoff to drainage facilities in formed areas, such as Drainage Area 48B, where a majority of the annexation area is located.

b. The watersheds that may be affected by newly constructed roads and impervious surfaces extend outside of the City limits. The FEIR should include a hydrology map that includes the Mt. Diablo Creek watershed south of the annexation area.

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Letter 126
Cont'd

126-3 Cont'd

c. Although the DEIR states that post-development runoff does not exceed pre-development flows, the FEIR should also include as a mitigation measure that all drainage will be conveyed into an adequate drainage facility. The FEIR should note any drainage facilities that have capacity, maintenance, and/or flooding concerns under existing conditions.

2. The Contra Costa County Flood Control and Water Conservation District (FC District) should be included in the review of all drainage facilities that have a region-wide benefit, that impact region-wide facilities, or that impact FC District-owned facilities. The FC District is available to provide technical assistance, including hydrology and hydraulic information and our HYDRO6 method, under our Fee-for-Service program.

126-4

We appreciate the opportunity to comment on the DEIR and welcome continued coordination. If you have any questions, please contact me by phone at (925) 313-2348 or by e-mail at Joe.Smithonic@pw.cccounty.us.

Sincerely,

Joe Smithonic
Engineering Staff
Contra Costa County Flood Control
& Water Conservation District

JS:cw
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c: Michelle Cordis, Flood Control
Teri E. Rie, Flood Control
Raney Planning & Management, Inc
1501 Sports Drive, Suite A
Sacramento, CA 95834

Letter 126: Joe Smithonic, Contra Costa County Flood Control

Response to Comment 126-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR or the Partially Recirculated Draft EIR.

Response to Comment 126-2

The comment summarizes concerns related to increased impervious surfaces and altering the existing drainage patterns. Please see Response to Comment 8-95.

Response to Comment 126-3

The Response does not address the adequacy of the Partially Recirculated Draft EIR. Please see Response to Comment 8-95, which address altering the existing drainage patterns.

Response to Comment 126-4

The comment is a concluding statement and does not address the adequacy of the Draft EIR or the Partially Recirculated Draft EIR.

Letter 127

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WINTER KING
Attorney
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November 26, 2019

Via Email Only

Ms. Kristin Pollot
Planning Manager
City of Pittsburg, Planning Department
65 Civic Avenue
Pittsburg, CA 94565
Email: kpollot@ci.pittsburg.ca.us

Re: Faria/Southwest Hills Annexation Project and Partially Recirculated Draft Environmental Impact Report

Dear Ms. Pollot:

127-1 On behalf of Save Mount Diablo ("SMD"), we have reviewed the Partially Recirculated Draft Environmental Impact Report ("PRDEIR") for the Faria/Southwest Hills Annexation Project ("Project"). We submit this letter to state our position that the PRDEIR fails to meet the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 et seq., and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 et seq. ("Guidelines"). Like all concerned members of the public, SMD relies on the environmental document required by CEQA for an honest and thorough assessment of the environmental impacts of a project such as this. The PRDEIR's failure to provide that assessment undermines CEQA's core purpose and renders the document inadequate.

127-2 SMD previously submitted extensive comments on the original Draft Environmental Impact Report ("DEIR"). *See generally* Appendix A. Since those comments remain applicable to the City's analysis of the Project, SMD incorporates its earlier comments and all accompanying exhibits by reference as if fully set forth herein. SMD also submits with this letter a report prepared by Neal Liddicoat, PE, of Griffin Cove Transportation Consulting, PLLC. Mr. Liddicoat's report is attached hereto as Appendix B. We respectfully refer the City to the aforementioned attached report, both here and throughout these comments, for further detail and discussion of the PRDEIR's inadequacies. We request that the City reply to the comments in this letter, to the

Letter 127
Cont'd

127-2 Cont'd comments in SMD's November 30, 2018 letter, and to the comments in the attached Liddicoat report.

127-3 After carefully reviewing the PRDEIR for the proposed Project, we have again concluded that the EIR[1] fails in numerous respects to comply with the requirements of CEQA. The EIR is "the heart of CEQA." *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392. It "is an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return. The EIR is also intended 'to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.' Because the EIR must be certified or rejected by public officials, it is a document of accountability." *Id.* (citations omitted).

127-4 But neither the DEIR nor the Recirculated Transportation, Traffic, and Circulation Chapter of the PRDEIR provide any meaningful degree of accountability for the Project. As discussed at length in SMD's previous comments, the DEIR falls woefully short of each of CEQA's primary substantive requirements: a complete and stable project description, a thorough analysis of significant impacts, identification of feasible and enforceable mitigation measures, and an analysis of a reasonable range of alternatives. *See generally* Appendix A. Taken together, these failures prevent the public and decisionmakers from discerning the true impacts of the Project. *Id.*

As explained in our prior comments, the proposed Project promotes sprawl development in one of the most environmentally constrained areas of the County. This Project would have serious long-term consequences, not only for the area residents, but for the region. Those consequences include jeopardizing habitat planning efforts and loss of lands identified as high priority areas for conservation, impacts to multiple sensitive species and their habitats, loss of open space, loss of access to planned open space and trails, significant public safety impacts associated with unstable hillsides, visual impacts, increased traffic congestion, and an increased risk of air and water pollution, among others.

127-5 Unfortunately, the PRDEIR does nothing to correct these flaws. Instead, as discussed in the attached Liddicoat report, the technically deficient revised traffic analysis serves only to further obscure the true impacts of the Project. For example, by failing to adhere to the technical procedures established by the Contra Costa Transportation Authority, the PRDEIR underestimates the Project's daily trip generation

[1] This letter refers to the original DEIR and the PRDEIR collectively as the "EIR".

Letter 127
Cont'd

127-5 Cont'd

by 12.7 percent. Appendix B at 3-4. Additionally, with respect to its intersection level of service calculations, the PRDEIR selects significance criteria that are functionally meaningless, as "neither . . . could ever possibly apply." Appendix B at 6. And still elsewhere, the PRDEIR bases its so-called analysis on unmistakably flawed data. *See, e.g.*, Appendix B at 7 (noting the PRDEIR's Delay Index calculations result in vehicle speeds of approximately 4,500 miles per hour). The net result of these shortcomings is a traffic analysis that does not provide an accurate portrait of the Project's likely impacts to traffic, transportation, and circulation. *See generally* Appendix B.

127-6

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For the foregoing reasons and for those set forth in the attached appendices, the EIR for this Project must be revised and recirculated **in full** so as to adequately convey the Project's impacts to decisionmakers and to the public. See CEQA Guidelines § 15002(a)(1) (listing as one of the "basic purposes" of CEQA to "[i]nform governmental decision makers and the public about the potential, significant environmental effects of proposed activities"). Additionally, the Project must be modified to comply with the City's General Plan and other governing plans.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Winter King

cc: Bob Doyle and Brian Holt, East Bay Regional Park District
Guy Bjerke, Reuse Director Concord Naval Weapons Station
Andrea Ouse, City of Concord Community and Economic Planning Director
Lou Anne Texeira, Executive Officer LAFCO
Abby Fateman, East Contra Costa County Habitat Conservancy
John Kopchik and Will Nelson, Contra Costa County Department of Conservation and Development
Jerry Brown and Mark Seedal, Contra Costa Water District
Vince Delange and Amanda Roa, Delta Diablo Sanitary District
Melissa Farinha and Jennifer Rippert, California Department of Fish and Wildlife
Ryan Olah and Stephanie Jentsch, United State Fish and Wildlife Service
Brian Wines and Kathy Hart, San Francisco Regional Water Quality Control Board

Letter 127
Cont'd

List of Appendices

Appendix A: Letter from Winter King to Kristin Pollot re: Faria/Southwest Hills Annexation Project and Draft Environmental Impact Report (November 30, 2018)

Appendix B: Letter from Neal K. Liddicoat, PE, to Carmen Borg re: Review of Recirculated Transportation, Traffic, and Circulation Chapter, Partially Recirculated Draft Environmental Impact Report, Faria/Southwest Hills Annexation Project, Pittsburg, California (November 14, 2019)

Letter 127
Cont'd

Griffin Cove Transportation Consulting, PLLC

November 14, 2019

Ms. Carmen Borg, AICP
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, California 94102

Subject: ***Review of Recirculated Transportation, Traffic, and Circulation Chapter***
Partially Recirculated Draft Environmental Impact Report
Faria/Southwest Hills Annexation Project, Pittsburg, California

Dear Ms. Borg:

As requested, Griffin Cove Transportation Consulting, PLLC (GCTC) has completed a review of the "Recirculated Transportation, Traffic, and Circulation Chapter" completed with respect to the proposed Faria/Southwest Hills Annexation Project in Pittsburg, California. The proposed project is the subject of a Partially Recirculated Draft Environmental Impact Report (PRDEIR) prepared for the City of Pittsburg (Reference: Raney Planning & Management, Inc., *Partially Recirculated Draft Environmental Impact Report – Faria/Southwest Hills Annexation Project*, October 2019). The PRDEIR incorporates (as Appendix A) a traffic impact study prepared by Kimley-Horn and Associates, Inc. (KHA). (Reference: Kimley-Horn and Associates, Inc., *Traffic Impact Study – Faria Annexation Pittsburg, CA*, August 2019)

Our review focused on the technical adequacy of the "Transportation, Traffic, and Circulation" analysis, including the detailed procedures and conclusions documented in the KHA report.

BACKGROUND

127-10 The proposed Faria/Southwest Hills Annexation project involves the potential development of 1,500 single-family residential units on a 606-acre site, which would be annexed into the City of Pittsburg, California. A Draft Environmental Impact Report (DEIR) for the proposed project was completed in October 2018. In response to comments received with respect to the transportation, traffic and circulation analysis presented in that document, the City of Pittsburg determined that it was necessary to prepare a revised version of the analysis, which is presented in the PRDEIR that is the subject of this comment letter.

Critical guidance in the preparation of the Transportation, Traffic and Circulation analysis is provided within the January 16, 2013 *Technical Procedures* document published by the Contra Costa Transportation Authority (CCTA). According to that document:

> *The purpose of this document is to establish a uniform approach, methodology, and tool set that public agencies in Contra Costa County may apply to evaluate the impacts of land use decisions and related transportation projects on the local and regional transportation system. Compliance with the Measure J Growth Management Program requires that local jurisdictions use these* Technical Procedures *to analyze the impact of proposed development projects, General Plans, and General Plan Amendments.*

In part, our review addresses whether the PRDEIR analysis conforms to the required CCTA analysis procedures and protocols.

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Letter 127
Cont'd

TRANSPORTATION, TRAFFIC, AND CIRCULATION ANALYSIS REVIEW

127-10 Cont'd Our review of the "Transportation, Traffic, and Circulation" analysis for the proposed Faria/Southwest Hills Annexation Project revealed several issues that must be addressed prior to certification of the environmental document and approval of the project by the City of Pittsburg. These issues are presented below.

1. ***Project Trip Generation Estimate*** – The PRDEIR (p. 4.12-41) states that the volume of traffic associated with the proposed project was estimated using:

> *. . . trip generation rates for Single-Family Detached Housing (Land Use Code 210) from the Institute of Transportation Engineer's* [sic] *Trip Generation Manual, 9th Edition . . .*

This is based on a similar statement at page 23 of the KHA technical report. The detailed trip generation estimate is presented within the appendix to the KHA report. For ease of reference, the pertinent table is presented here as Attachment A.

127-11 Although the title of the table indicates that it presents information from the 9th Edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, footnote A reveals the actual source of the project traffic estimates:

> *Trip generation data from ITE* Trip Generation, 8th Edition

Further, footnote G to the table states:

> *Worksheet is intended as a planning tool. Verify results w/ ITE* Trip Generation, 9th Edition

Review of the trip generation equations presented in KHA Table 8 (p. 24) confirms that they were taken from the 8th Edition of the ITE document (published in 2008), not the 9th Edition (published in 2012). To verify this, Attachment B contains a copy of KHA Table 8, while copies of the pertinent pages from the 8th Edition of the ITE *Trip Generation Manual* are presented as Attachment C. (Vertical lines have been drawn on each of the data plots in Attachment C to indicate where the 1,500-dwelling-unit (DU) project would fall. It is interesting to note that data points illustrating the number of trips generated by other similar-sized projects generally fall near or above the dashed line representing the weighted average rate and the solid line representing the fitted curve equation.)

We acknowledge that the differences between the 8th Edition equations and those presented in the 9th Edition are not great, although the 9th Edition indicates that slightly more daily trips would occur as a result of the proposed project. However, we also note that the 10th Edition of the *Trip Generation Manual* was published in September 2017, shortly after the traffic analysis was initiated (based on data collection activities occurring in June 2017). Given that the ITE document was released shortly after the analysis began, and that the analysis was not completed until August 2019, it would have been a simple matter to incorporate updated trip generation estimates at an early stage of the analysis process. **127-12**

Table 1 summarizes the effect of using the most current, 10th Edition trip generation data, compared to the obsolete information utilized in the KHA analysis. For the reader's convenience, Attachment D contains sheets illustrating the derivation of the project's trip generation estimates using the 10th Edition of the *Trip Generation Manual*. (Again, we see that trip generation data points for other

Letter 127
Cont'd

127-12 Cont'd

similar-sized projects typically fall near or above the lines representing the weighted average rate and the fitted curve equation.)

Table 1
Trip Generation Comparison
Current Fitted Curve Equation vs. Obsolete Fitted Curve Equation

Trip Generation Manual	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
		In	Out	Total	In	Out	Total
10th Edition (2017)	12,560	267	803	1,070	861	506	1,367
8th Edition (2008)	12,560	265	795	1,060	757	445	1,202
Difference	0	2	8	10	104	61	165

Source: Institute of Transportation Engineers

As shown, the differences are again not great, except in the critical PM peak hour, when use of the up-to-date information indicates that 165 more trips would be generated by the proposed project, a difference of 14 percent.

We note, however, that the CCTA *Technical Procedures* (p. 20) specifically call for use of ". . . the latest edition of the *ITE Trip Generation*." Thus, it is clearly inappropriate to use the eleven-year-old 8th Edition as the basis for the project's trip generation estimate when two-year-old information is readily available in the 10th Edition.

127-13

Of greater concern is the inappropriate use of the "fitted curve equation" provided by ITE to develop the project's trip generation estimate.

As background, for single-family residential uses, the ITE *Trip Generation Manual* provides two methods of estimating project-related traffic for each time period: a fitted curve equation (developed through a regression process) and a weighted average rate. For daily and PM peak hour conditions, the fitted curve equations for single-family residential are logarithmic equations, while the AM peak hour equation is linear in nature. A weighted average rate has been employed (rather than a simple, unweighted average) to ensure that data sets with large variances do not have excessive influence over the resulting trip rate.

This is important to understand because the CCTA *Technical Procedures* specifically state that the weighted average rate should be used, not the fitted curve equation. Page 20 of the CCTA document states:

> *The average trip generation rate provided by ITE represents a weighted average. The weighting is based on the number of trips with rates within a specified range. This weighted average should be used as a starting point for estimating a project's trip generation.*

Several additional references to the use of the weighted average rate are found in the CCTA *Technical Procedures* document, which serve to clarify the meaning of the reference to using that rate as the "starting point" in the trip generation estimation process. These references occur in Section 4.3, "Adjustments to Trip Generation Rates," beginning on p. 21 of the document, where potential modifications related to a number of factors are described (e.g., transit usage and availability, transportation demand management strategies, pass-by trips, mixed-use projects, etc.). The KHA

Letter 127
Cont'd

127-13
Cont'd

analysis has appropriately not employed any of the potential adjustments, which would not apply to a single-family residential project.

In fact, the *Technical Procedures* present the following approach to developing a project trip generation estimate:

1. *Obtain weighted average trip generation rate from ITE or equivalent source.*
2. *Apply rate to size of proposed development to obtain total gross peak hour project trips.*
3. *Adjust trip rate up or down to reflect project-specific characteristics, including:*
   - *Transit usage and availability,*
   - *TDM strategies and effectiveness,*
   - *Mixed use project characteristics,*
   - *Multi-use sites (no other adjustments permitted), and*
   - *Surrounding land uses.*
4. *For retail uses, reduce the gross peak hour trips to reflect pass-by trips or diverted linked trips (no other adjustments permitted).*
5. *Result is total adjusted peak hour trips.*

In short, to be consistent with locally-adopted methodologies, the proposed project's trip generation estimate must be based on the weighted average rate presented in the most recent version of the ITE *Trip Generation Manual*. Table 2 summarizes a comparison of the estimated trip generation figures using this correct approach versus the values employed in the KHA traffic analysis.

Table 2
Trip Generation Comparison
Current Weighted Average Rate vs. Obsolete Fitted Curve Equation

Trip Generation Basis	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
		In	Out	Total	In	Out	Total
Weighted Average Rate – 10th Edition (2017)	14,160	277	833	1,110	936	549	1,485
Fitted Curve Equation – 8th Edition (2008)	12,560	265	795	1,060	757	445	1,202
Difference	1,600 (12.7%)	12 (4.5%)	38 (4.8%)	50 (4.7%)	179 (23.6%)	104 (23.4%)	283 (23.5%)

Source: Institute of Transportation Engineers

On a daily basis, correctly using the current weighted average rate results in an estimated 1,600 additional trips, a difference of 12.7 percent compared to the values stated in the PRDEIR. In the AM peak hour, the correct method indicates 50 more trips would be generated by the proposed project (i.e., 4.7 percent more). The greatest difference is seen in the PM peak hour, when the current average rate results in a trip estimate that is 283 trips and almost 24 percent higher than was used in the

Letter 127
Cont'd

127-13 Cont'd

PRDEIR analysis. Further, as noted above, the data plots provided in the 8th and 10th Editions of the ITE *Trip Generation Manual* clearly suggest that the weighted average rate provides trip estimates that more closely reflect the magnitude of traffic associated with 1,500-unit residential developments, such as the proposed project.

In summary, the failure to develop trip generation estimates that are consistent with the technical direction provided by CCTA results in considerable underestimation of the volume of project traffic. This represents a substantial deficiency in the analysis, which would directly affect the accuracy of the traffic impact assessment. Based on this, it is reasonable to expect that the magnitude of the project's traffic impacts have been understated, particularly in the PM peak hour.

The traffic impact analysis must be modified to incorporate up-to-date trip generation estimates that conform to CCTA procedures, and the revised analysis must be distributed for further public review.

127-14

2. ***Intersection Level of Service Calculations*** – With regard to intersection level of service (LOS) calculation methodologies, the January 2013 CCTA *Technical Procedures* document (p. 25) says:

> *Roadway LOS at signalized intersections should be calculated using the* 2010 Highway Capacity Manual *operational method unless the calculation is being compared to an MTSO or other standard that was established using the methodology previously adopted by the Authority (CCTALOS), in which case the CCTALOS method may be used. . . . Guidelines for the use of the* 2010 Highway Capacity Manual *operational method are provided in Appendix C.*

In reviewing the intersection LOS calculations in the KHA appendix, we note that a large number of the signalized intersections were evaluated using the year 2000 version of the *Highway Capacity Manual* in one or both of the peak-hour periods, rather than the required 2010 version, including the following:

- Leland Road/San Marco Boulevard,
- Westbound State Route 4 (SR 4) Ramps/San Marco Boulevard,
- Leland Road/Southwood Drive,
- Leland Road/Bailey Road,
- Maylard Street/Bailey Road,
- Eastbound SR 4 Ramps/Bailey Road,
- Westbound SR 4 Ramps/Bailey Road,
- Leland Road/Montevideo Drive,
- Eastbound SR 4 Ramps/Railroad Avenue,
- Westbound SR 4 Ramps/Railroad Avenue,
- Concord Boulevard/Bailey Road,
- Clayton Road/Farm Bureau Road,
- Clayton Road/Treat Boulevard,

Letter 127
Cont'd

127-14 Cont'd

- Clayton Road/Bailey Road,
- Willow Pass Road/Diamond Boulevard,
- Willow Pass Road/Market Street,
- Concord Boulevard/Port Chicago Highway,
- Kirker Pass Road/Oakhurst Drive/Concord Boulevard, and
- Ygnacio Valley Road/Clayton Road.

As required by CCTA, these intersections should be analyzed using the 2010 *Highway Capacity Manual*, and the results should be presented in a revised document, which must be recirculated for further public review.

3. ***Significance Criteria for Freeway Segments and Freeway Ramps*** – The level of service standards employed in the PRDEIR traffic analysis for freeway segments and ramps are presented in Tables 4.12-4 and 4.12-5, respectively (PRDEIR pp. 4.12-18 – 4.12-21). The standards for freeway segments are also summarized in the KHA report (p. 4), as follows:

> *Based on the Draft 2017 Update of the Contra Costa Congestion Management Program by CCTA, the following shows the LOS standards for freeway segments:*
>
> - *EB and WB SR-4 (I-680 to SR-242) – LOS E*
> - *EB and WB SR-4 (SR-242 to Loveridge Road) – LOS F*
> - *NB SR-242 (I-680 to SR-4) – LOS E*
> - *SB SR-242 (I-680 to SR-4) – LOS F*

127-15

Relating these criteria to the freeway segments evaluated in the traffic study, we see that 36 of the 51 segments (i.e., 71 percent) would be allowed to operate at LOS F. Further, PRDEIR Table 4.12-5 reveals that all (i.e., 100 percent) of the freeway ramps are allowed to operate at LOS F.

Further, the applicable significance criteria are presented at PRDEIR p. 4.12-37, as follows:

> *For freeway segments and ramps, a significant impact would occur under either of the following scenarios:*
>
> - *If the freeway segment or ramp operates at an acceptable LOS without the project and degrades to an unacceptable LOS with the project.*
> - *If the freeway segment or ramp operates at an unacceptable LOS without the project and experiences an increase in density, and the project contributes more than one percent of the volume to the freeway segment or ramp.*

It is important to understand that level of service is presented on a scale ranging from LOS A (the best) through LOS F (the worst), with LOS F representing traffic volumes that exceed the capacity of the freeway facility. Because LOS F is the worst level of operation that could possibly be identified, it is obvious that: (A) no unacceptable operation is possible, and (B) no degradation in that operation could ever occur. Consequently, neither of the criteria presented above could ever possibly apply, and

Letter 127
Cont'd

127-15 Cont'd

it is simply impossible to ever have a project-related significant impact. In other words, this "standard" is no standard at all, and the analysis of these freeways segments and ramps is pointless.

4. ***Delay Index Calculations*** – The PRDEIR includes consideration of impacts on "Multi-Modal Transportation Service Objectives" (MTSOs). Within this analysis is an evaluation of the "Delay Index," which is the ratio between the peak congested travel time and the uncongested travel time along a roadway. That analysis addresses State Route 4 (SR 4) and State Route 242 (SR 242). The uncongested travel times shown for Existing Conditions in PRDEIR Table 4.12-8 (PRDEIR, p. 4.12-22) range from 1.78 seconds to 3.55 seconds in both the AM and PM peak hours. (These values have been modified substantially compared to the information presented in the DEIR, where they ranged from 194.71 seconds to 339.53 seconds.)

At the 65 MPH freeway speed limit, these travel times equate to travel distances of 170 feet to 340 feet. PRDEIR Table 4.12-8 also provides segment lengths, however, which range from 2.23 miles to 4.43 miles.

Table 3 summarizes the segment length and uncongested travel times for Existing Conditions, and also presents derived travel speeds that correspond to the information presented in the PRDEIR.

127-16

Table 3
Travel Time and Speed Summary[1]

Roadway Segment	Distance (Miles)	AM Peak Hour Uncongested Travel Time (Seconds)	AM Peak Hour Uncongested Travel Speed FPS[2]	AM Peak Hour Uncongested Travel Speed MPH[3]	PM Peak Hour Uncongested Travel Time (Seconds)	PM Peak Hour Uncongested Travel Speed FPS	PM Peak Hour Uncongested Travel Speed MPH
East County							
Eastbound SR 4	2.99	2.39	6,606	4,504	2.39	6,606	4,504
Westbound SR 4	3.53	2.82	6,609	4,506	2.82	6,609	4,506
Central County							
Eastbound SR 4	4.43	3.55	6,589	4,492	3.55	6,589	4,492
Westbound SR 4	3.63	2.90	6,609	4,506	2.90	6,609	4,506
Northbound SR 242	2.50	2.00	6,600	4,500	2.00	6,600	4,500
Southbound SR 242	2.23	1.78	6,615	4,510	1.78	6,615	4,510

Notes:
[1] Source: PRDEIR Table 4.12-8 (PRDEIR, p. 4.12-22)
[2] Feet per second
[3] Miles per hour

As shown, the travel time results presented in the PRDEIR indicate that vehicles are traveling at roughly 6,600 feet (i.e., 1.25 miles) per second or 4,500 miles per hour on SR 4 and SR 242 under uncongested conditions in the AM and PM peak hours. This seems unlikely.

Letter 127
Cont'd

127-16 Cont'd

In short, the analysis results indicating freeway travel times of less than 4 seconds and travel speeds in excess of 4,500 miles per hour are simply not credible. The analysis must be corrected to provide results that make sense. The corrected analysis must then be incorporated into a revised version of the PRDEIR and circulated for further public review.

5. ***Transit, Pedestrian, and Bicycle Impacts*** – The "Transportation Element" of the City of Pittsburg *General Plan* includes several policies that address "alternative modes," such as public transit, pedestrian travel, and bicycle travel, including the following:

127-17

> *Policy 7-P-26* *Require mitigation for development proposals which increase transit demand above the service levels provided by public transit operators and agencies.*
>
> *Policy 7-P-27* *Support the expansion of existing transit service and an increase in the service levels of existing transit. . . .*
>
> *Policy 7-P-29* *Preserve options for future transit use when designing improvements for roadways. Ensure that developers provide bus turnouts and/or shelters, where appropriate, as part of projects.*
>
> *Policy 7-P-30* *Work with Tri-Delta and planning area residents to plan for local bus routes that more effectively serve potential riders within local neighborhoods.*
>
> *Policy 7-P-33* *Require mitigation for development proposals which result in potential conflicts, or fail to provide adequate access, for pedestrians and bicycles.*
>
> *Policy 7-P-34* *As part of development approval, ensure that safe and contiguous routes for pedestrians and bicyclists are provided within new development projects and on any roadways that are impacted as a result of new development.*
>
> *Policy 7-P-40* *Ensure provision of sufficiently wide sidewalks and pedestrian paths in all new residential development.*

Despite this, the PRDEIR presents no meaningful analysis of the proposed project's impacts on these non-automotive modes of travel. No attempt was made to estimate the additional transit demand or the additional numbers of pedestrians or bicyclists that would result from implementation of the proposed project.

In this regard, we note that the CCTA *Technical Procedures* (p. 26) state:

> *Procedures for qualifying LOS for pedestrians, bicyclists, and transit users have been developed and used by many local[,] regional and state agencies over the years. More recently, a standardized methodology has been developed by a national committee and is documented in the* 2010 Highway Capacity Manual. *The* 2010 Highway Capacity Manual *provides a rigorous quantitative methodology for defining LOS by roadway segment separately for pedestrians, bicyclists, and transit. Methods are also provided for pedestrian and bicycle LOS at intersections. . . . Analysts are encouraged to use the* 2010 Highway Capacity Manual *for analyses of impacts of development or benefits from transportation improvements.*

Letter 127
Cont'd

Transit System Impact Analysis

The transit impact analysis (PRDEIR, p. 4.12-71) states that:

> *Residents would have the option of driving, walking, or bicycling; however, due to the remote nature of the project site, most residents would likely drive. Existing transit routes are not located adjacent to the proposed entrances . . . However, the Pittsburg BART station is approximately two miles from the project entrances, and some of the residents would likely drive to BART and commute from the BART station.*

127-18 The PRDEIR (p. 4.12-71) also says that the U.S. Census states that 10.5 percent of Pittsburg residents use transit to travel to work but, without justification, dismisses the possibility that residents of the proposed project would do so. A reasonable attempt should be made to estimate how many new residents would commute via BART, as well as to determine the impacts of those new riders on the BART system.

Further, in accordance with *General Plan* Policies 7-P-27 and 7-P-30, consideration should be given to adding project design features or mitigation measures aimed at expanding transit service in the vicinity of the project. The "remote nature of the project" should not be taken as an excuse to avoid conformance with *General Plan* policies aimed at improving the quality of life for existing and future residents. (As a side note, the reference to the "remote nature of the project" is indicative of a project contributing to urban sprawl, along with its related issues of fuel consumption and pollutant emissions.)

Bicycle and Pedestrian System Impact Analysis

According to the PRDEIR (p. 4.12-72):

> *The proposed project would generate additional pedestrian and bicycle traffic in the area.*

Again, however, no effort was made to estimate how much additional traffic would occur.

Conclusion

127-19 The qualitative analysis of project-related impacts on pedestrians, bicyclists, and transit users is inadequate. To ensure that the public is fully informed, we believe that a quantitative analysis of those impacts should be provided, in keeping with the guidance in the CCTA *Technical Procedures*.

While the PRDEIR acknowledges that a significant impact "could" occur, it leaves resolution and mitigation of that impact to an uncertain later time, after development applications have been submitted to the City of Pittsburg. A preferable approach would be incorporate appropriate transit, pedestrian, and bicycle system improvements into the project's Master Plan.

For example, the proposed project could provide shuttle service to the Pittsburg BART station to accommodate resident commuters, and the project developers could work with local transit service providers to promote available services and to encourage residents to take advantage of those services. Also, the KHA report (p. 51), describes a gap in bicycle facilities between El Cajon Court and West Leland Road, which could be filled to mitigate the project's impacts on the bicycle system. According to KHA:

Letter 127
Cont'd

127-19 Cont'd

If this gap were fixed, the bicycle facilities would provide connectivity to the existing bike lanes along W. Leland Road from San Marco Boulevard to Burton Avenue.

In summary, the PRDEIR fails to quantitatively address the potential transit, pedestrian, and bicycle impacts of the proposed project. The analysis of those non-automotive travel modes must be improved, and the results must be circulated for public review.

6. ***Existing + Project Mitigation*** – Several of the Existing + Project mitigation measures call for payment of a "fair share fee" toward completion of the identified improvement. This is, of course, inappropriate, as any Existing + Project mitigation measure reflects a direct project-related impact for which the project is fully responsible; "fair share" payments are inadequate and inappropriate under these circumstances.

Furthermore, this approach is inconsistent with the requirements of the City of Pittsburg *General Plan*, in which Goal 7-G-7 specifically says:

Complete arterial roadway improvements required to mitigate traffic impacts of an approved project before the project is fully occupied. . . .

On a similar note, Pittsburg *General Plan* Goal 7-P-7 says:

Development approvals should require reasonable demonstration that traffic improvements necessary to serve the development will be in place in time to accommodate trips generated by the project.

127-20

Typically, mitigation measures must be completed prior to occupancy of the first residential unit, unless it can be demonstrated through a phasing analysis that the improvement is not needed until later in the development process.

Specific mitigation measures to which this comment applies are the following:

- Mitigation Measure 4.12-2(a)
  - Eastbound SR 4 Ramps/Willow Pass Road – This measure calls for payment of a fair share fee toward improvements planned in the Capital Improvement Program (CIP) for the Contra Costa Congestion Management Plan (CMP). However, the description of the measure also states that "funding sources have not yet been identified and a timeframe for the improvement has not been established." Based on the lack of funding for the improvement, the project impact was declared significant and unavoidable. Appropriately requiring the proposed project to cover the full cost of the measure eliminates this funding issue and allows the impact to be reduced to less than significant.
  - Westbound SR 4 Ramps/Willow Pass Road – The description of this mitigation measure is very similar to the measure above. Again, it states that "funding sources have not yet been identified and a timeframe for the improvement has not been established." This impact has again been determined to be significant and unavoidable based on the lack of funding. Full funding of the proposed mitigation measure by the proposed project, as appropriate, would resolve this issue, again allowing the impact to be reduced to less than significant.

Letter 127
Cont'd

127-20 Cont'd

- Mitigation Measure 4.12-2(b)
  - Concord Boulevard/Bailey Road – This measure calls for payment of a fair share fee toward improvements planned in the Concord CIP. However, the proposed improvement is insufficient to improve operations to acceptable levels, so the impact would remain significant and unavoidable.
  - Bailey Road/Myrtle Drive – This measure calls for payment of a fair share fee toward improvements planned in the CIP for the Contra Costa CMP. In this case, the impact was described as remaining significant and unavoidable because "a timeframe has not been established, [so] completion of the proposed improvements prior to buildout of the project cannot be guaranteed." Full funding of the improvement by the proposed project would allow a meaningful timeframe for its completion to be established and the impact to be reduced to less than significant.

127-21

7. ***Secondary Impacts*** – According to the CCTA *Technical Procedures* (p. 27):

   Furthermore, as appropriate, the traffic impact analysis should disclose any secondary impacts that the proposed mitigation measures could generate. By way of example, the secondary impact generated by adding approach lanes to an intersection could include an increase in pedestrian crossing time.

   No such analysis has been included in the PRDEIR.

127-22

8. ***Long-Term Road System*** – The analysis of the "Long-Term (2035)" scenarios assumes the completion of a number of roadway system improvements. As described at PRDEIR p. 4.12-42 – 4.12-44, those improvements would affect the lane configurations at the following twelve study intersections:
   - Avila Road/Willow Pass Road,
   - Willow Pass Road/SR 4 Eastbound Ramps,
   - Willow Pass Road/SR 4 Westbound Ramps,
   - San Marco Boulevard/W. Leland Road,
   - Willow Pass Road/Loftus Road,
   - Leland Road/Alves Ranch Road,
   - Bailey Road/W. Leland Road,
   - Olivera Road/Willow Pass Road,
   - Farm Bureau Road/Concord Boulevard,
   - Farm Bureau Road/Clayton Road,
   - W. Leland Road/Santa Teresa Drive, and
   - Bailey Road/Project Entrance.

Letter 127
Cont'd

127-22 Cont'd

In addition, the PRDEIR states that W. Leland Road, James Donlon Boulevard, and San Marco Boulevard are all planned to be extended beyond their current limits. The PRDEIR also notes that the City of Concord has historically objected to certain assumed improvements planned for Avila Road.

While these significant improvements have been "identified" by the Cities of Pittsburg and Concord, no assurance is provided that funding will be available so that the projects will actually occur. In fact, the certainty of these improvements is highly questionable, given the fact that, according to the PRDEIR (pp. 4.12-60 – 4.12-61), even for projects included in the Capital Improvement Program for the 2015 Update to the Contra Costa CMP "funding sources have not been identified" and "funding is not available." (Specifically, this relates to planned improvements at Eastbound SR 4 Ramps/Willow Pass Road and Westbound SR 4 Ramps/Willow Pass Road.)

Evidence must be provided that construction of the assumed roadway system improvements can reasonably be expected within the long-term time frame. Lacking such evidence, it is inappropriate to assume completion of the listed road system improvements.

127-23

9. ***Cumulative Mitigation*** – Beginning at p. 4.12-83, the PRDEIR presents mitigation measures for long-term/cumulative conditions. In several cases, the timing of implementation of the required mitigation measures is unclear, however. For example, Mitigation Measure 4.12-8(a) says that it shall be completed "prior to occupancy of the proposed buildings." For Mitigation Measures 4.12-8(c), 4.12-8(d), 4.12-8(e), and 4.12-8(g), the PRDEIR says:

> *The improvements shall be completed prior to occupancy of the proposed residences.*

It is not clear if this refers to completion of the first residence or all of the residences. Given the magnitude of the proposed project, it is entirely likely that (if approved) it will not be built out for many years to come (if ever). Thus, it would be inappropriate for completion of the required mitigation to be deferred until full completion of the project.

These statements should be modified to state that the improvements shall be completed "prior to the first of the proposed residences," unless a phasing analysis is completed that demonstrates at what point each of the mitigation measures is necessary. If such a phasing analysis is completed, it must be circulated for public review.

127-24

10. ***Construction Traffic Impacts*** – The PRDEIR contains no meaningful analysis of construction traffic impacts, which are addressed at PRDEIR pages 4.12-45 - 4.12-47. As stated at PRDEIR p. 4.12-45:

> *Construction of the project, including site preparation and construction, and delivery activities, would generate contractor employee trips and a variety of construction-related vehicles. As a result, construction activities could include disruptions to the transportation network near the project site, including the possibility of temporary lane closures, street closures, sidewalk closures, and bikeway closures. The increase in traffic as a result of construction activities associated with the proposed project has been quantified assuming a worst-case, single-phase construction period of five years.*

The reality, though, is that no quantitative estimates of the volume of construction-related traffic are presented in the PRDEIR. It, therefore, remains a mystery as to how many construction employee trips will occur during peak travel periods and, perhaps more importantly, how many truck trips will be generated as a result of the construction process. Full consideration of the effects of trucks on

Letter 127
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traffic operations is particularly important, as those vehicles have lower operating characteristics than passenger cars (i.e., they accelerate more slowly and require a greater distance to stop). Consequently, they have an inordinate effect with respect to reductions in the effective capacity of the road.

The PRDEIR concludes (p. 4.12-46):

> *Therefore, the proposed project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system during construction, and a* **less-than-significant** *impact would occur.* [Emphasis not added]

127-24 Cont'd

However, this statement is unsubstantiated, as no analysis was documented that would allow such a conclusion to be reached. As noted above, no estimate of the amount of construction-related traffic was prepared. Further, no analysis was performed to establish "measures of effectiveness for the performance of the circulation system during construction." (Of course, no such analysis is even possible without pertinent traffic volume estimates.)

In this case, no evidence is presented to document the number of peak-hour employee and truck trips that would occur during the construction period. Without that basic information, it is simply impossible to make a determination regarding the significance of project impacts.

The finding of a less-than-significant impact seems to be based, at least in part, on the proposed preparation of a Traffic Control Plan for each phase of the project. Deferring the preparation of those plans until after the proposed project has been approved, however, effectively amounts to closing the barn door after the livestock are long departed.

The PRDEIR must be revised to incorporate a credible analysis of the project's construction-related impacts. Full consideration of construction-related impacts within the study area would identify both the number of construction-worker vehicle-trips and the volume of heavy trucks. Further, appropriate factors would be applied to convert the truck volumes to "passenger car equivalents," in recognition of the reduced operating characteristics of such heavy vehicles.

127-25

11. ***Vehicles-Miles Traveled*** – In our comment regarding the failure of the analysis to address project-related transit impacts, we mentioned the PRDEIR reference to "the remote nature of the project," and commented that this characteristic of the project contributes to urban sprawl. Although we recognize that such an analysis is not yet required, we believe that it would be beneficial to the public to see an estimate of the vehicle-miles-traveled (VMT) due to the proposed project and how that VMT value compares to local and regional per capita VMT figures.

    To provide appropriate perspective with regard to the results of that process, we suggest that it be evaluated relative to the following standard, as presented in the document entitled, *Technical Advisory on Evaluating Transportation Impacts in CEQA* (State of California, Governor's Office of Planning and Research, April 2018):

    > ***Recommended threshold for residential projects:*** *A proposed project exceeding a level of 15 percent below existing VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as regional VMT or as city VMT per capita.*

    Upon completion of this VMT analysis, it should be circulated for public review.

Letter 127
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CONCLUSION

127-26 Our review of the "Transportation, Traffic, and Circulation" analysis presented in the Partially Recirculated Draft Environmental Impact Report for the proposed Faria/Southwest Hills Annexation Project in Pittsburg, California revealed several issues affecting the validity of the conclusions presented in that document. These issues must be addressed prior to approval of the proposed project and its environmental documentation by the City of Pittsburg.

We hope this information is useful. If you have questions concerning any of the items presented here or would like to discuss them further, please feel free to contact me at (906) 847-8276.

Sincerely,

GRIFFIN COVE TRANSPORTATION CONSULTING, PLLC

Neal K. Liddicoat, P.E.
Principal

Attachments

Letter 127: Winter King, Shute, Mihaly & Weinberger LLP

The following responses to comments address the above letter from Winter King, Shute, Mihaly & Weinberger LLP, as well as Appendix B of the letter. Appendix A of the aforementioned letter was previously submitted during the comment period for the original Draft EIR. Responses to Appendix A can be found under Responses to Comments 8-1 through 8-119.

Response to Comment 127-1

The comment is introductory paragraph, stating that the comment letter was submitted on the behalf of Save Mount Diablo. The comment states that the Partially Recirculated Draft EIR does not meet the requirements of CEQA. However, the comment does not directly address the adequacy of the Draft EIR or the Partially Recirculated Draft EIR.

Response to Comment 127-2

The comment summarizes the attached letters, including the original letters submitted on the original Draft EIR and the report prepared by Neal Liddicoat, PE. of Griffin Cove Transportation Consulting, PLLC. The commenter asks the City to respond in full to both attachments; however, the comment does not directly address the adequacy of the Draft EIR or the Partially Recirculated Draft EIR.

Response to Comment 127-3

The comment generally cites a previous court case regarding the requirements of CEQA; however, the paragraph consists of legal argument related to an EIR document.

Response to Comment 127-4

The comment summarizes previous comments made on the Draft EIR, as well as new comments on the Partially Recirculated Draft EIR. As discussed above, responses to Appendix A of the comment letter can be found within Responses to Comments 8-1 through 8-119. Responses to Appendix B of the comment letter can be found under Responses to Comments 127-10 through 127-26, below.

Response to Comment 127-5

See Response to Comment 127-11 below.

Response to Comment 127-6

See Response to Comment 127-15 below.

Response to Comment 127-7

See Response to Comment 127-16 below.

Response to Comment 127-8

The comment does not specifically address the adequacy of the Partially Recirculated Draft EIR. Responses to comments regarding Griffin Cove Transportation Consulting, PLLC., comment letter can be found below.

Response to Comment 127-9

The comment is a general concluding paragraph requesting that the entire EIR be recirculated. However, recirculation of the entire EIR is not necessary, as the required revisions only related to Chapter 4.12, Transportation, Traffic, and Circulation.

Response to Comment 127-10

The comment is an introduction that summarizes background information provided for the proposed project and does not address the adequacy of the Draft EIR or the Partially Recirculated Draft EIR.

Response to Comment 127-11

As discussed in Chapter 1.0, Introduction and List of Commenters, of this Final EIR, based on comments on the Draft EIR Chapter 4.12, Transportation, Traffic, and Circulation was recirculated. The AM and PM peak hour trip generation for the proposed project was estimated using the rates for Single-Family Detached Housing (Land Use Code 210) from the 8th Edition of the Institute of Transportation Engineer's (ITE) Manual.

While the Partially Recirculated Draft EIR used the ITE Trip Generation Manual, 8th Edition instead of the ITE Trip Generation Manual, 9th Edition, the fitted curve regression equations for Land Use Code 210 are the same for the AM and PM peak hours between the 8th Edition and the 9th Edition. The 9th Edition was the proper methodology to use at the time of the analysis and report. Table 2.0-1 below shows the comparison of the two versions. As shown in the table, only the daily trips differ when using the regression equations, and because the LOS impacts are only determined based on the AM and PM peak hour volumes, the use of 8th Edition does not change any of the analysis or conclusions.

As for the suggestion that the ITE Tip Generation Manual, 10th Edition should be used, this publication was released in October 2017. The Draft traffic study was submitted to the City for review in September 2017, prior to the release of the 10th Edition. In addition, the project started well before this date and the NOP for the project as released in March 2017 thereby establishing the CEQA baseline.

Table 2.0-1
Trip Generation Comparison – 8th Edition vs 9th Edition

ITE Trip Generation Manual	Daily Trips Equation	Daily Trips	AM Peak Hour Equation	AM Peak	PM Peak Hour Equation	PM Peak
8th Edition	Ln(T) = 0.92Ln(X) + 2.71	12,560	T = 0.70(X) + 9.74	1,060	Ln(T) = 0.90Ln(X) + 0.51	1,202
9th Edition	Ln(T) = 0.92Ln(X) + 2.72	12,686	T = 0.70(X) + 9.74	1,060	Ln(T) = 0.90Ln(X) + 0.51	1,202
Difference		*+126*		*0*		*0*

Lastly, regarding the suggestion that the average rates should have been used instead of the fitted curve regression equations. Kimley-Horn followed ITE methodology regarding the use of the ITE Trip Generation rates, as follows:

> *ITE methodology dictates that the fitted curve equation should be used if there are 20 or more data points, or if the R^2 value is greater than 0.75 (the R^2 value shows how close the data is to the fitted curve, with 1.0 being the best fit, and 0.0 showing no fit) and the weighted standard deviation for the weighted average rate is greater than or equal to 55 percent of the weighted average rate.*

All of these conditions were met and therefore the fitted curve equations were used. It should be noted that the commenter concedes that the included trip estimates would be higher, thereby resulting in a more conservative analysis. As such, the estimated trips for the proposed project are accurate and adequate analysis is provided in Chapter 12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Response to Comment 127-12

See Response to Comment 127-11. Please note that the 2017 NOP, established the CEQA baseline conditions. The 9th Edition of the ITE Manual was the latest edition at the time the study was conducted. The Draft TIS was completed in September 2017, before the 10th Edition of the ITE Manual was published. All of the trip generations and analysis would have required updates and would only have reflected minor changes. The slight increase in trips generated by the proposed project would not change the overall conclusions provided in Chapter 12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR. As such, use of the 9th Edition of the ITE Manual is sufficient to capture the proposed project's estimated trip generation.

Response to Comment 127-13

See Response to Comment 127-11 and Response to Comment 127-12.

ITE methodology dictates that the fitted curve equation should be used if 20 or more data points are included, or if the R^2 value is greater than 0.75 (the R^2 value shows how close the data is to the fitted curve, with 1.0 being the best fit, and 0.0 showing no fit) and the weighted standard deviation for the weighted average rate is greater than or equal to 55 percent of the weighted average rate. All of the aforementioned conditions were met.

Additionally, the project trip distribution was analyzed using the County's travel forecast demand model provided by CCTA. A discussion of the proposed project's trip distribution can be found on page 4.12-42 of Chapter 12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR. The trip distribution discussion on page 4.12-42 states the following:

> The proposed project trip distribution is based on the County's travel forecast demand model provided by CCTA as well as existing traffic patterns and field observations. A select zone analysis was run for the proposed project to determine the distribution of vehicle trips throughout the study area. The results were checked to ensure that trips were using San Marco Boulevard and Bailey Road to access the project site in the Existing Plus Project Condition and the Leland Road access in the Cumulative Plus Project Condition.
>
> Figure 4.12-3 shows the traffic distribution for the proposed project assumed in the TIS. Based on the assumed trip distribution, new vehicle trips generated by the proposed project were assigned to the street network in the Existing Plus Project and Cumulative Plus Project Conditions.
>
> It should be noted that in the Cumulative Plus Project Condition, Leland Road will be extended to Avila Road, and, thus, trip distribution would differ from the Existing Plus Project Condition.

Therefore, the TIS used appropriate trip generation and distribution estimates that conform to the CCTA.

Response to Comment 127-14

According to Kimley-Horn, the intersections that were reported using the 2000 version of the Highway Capacity Model (HCM) instead of 2010 version of the HCM was because the HCM 2010 analysis was not supported for the specific intersections in Synchro. Between the two versions of HCM, different methodologies are used for calculating the intersection delay and LOS. However, with the changes, some intersections cannot be calculated using the new methodology (i.e., HCM 2010) due to the way the intersection operates or is configured. The intersections were not supported in Synchro due to the following reasons:

- The intersection had non-NEMA phasing;
- Clustered intersections;
- Custom phasing; and
- Shared and exclusive phasings.

Non-NEMA phasing refers to an intersection that does not have a standard phasing where protected left turns occur prior to the through and right turn movements. Some intersections have unique phasing to try to increase the capacity of the intersection, however, this cannot be evaluated in Synchro using the HCM 2010 methodology, but it can be in HCM 2000. Clustered intersections refer to an intersection that is grouped with an adjacent intersection in terms of signal timing and phasing because they are in close proximity and therefore need to operate as one system. This cannot be evaluated in Synchro using the HCM 2010 methodology, but it can be in HCM 2000.

Custom phasing is similar to the non-NEMA phasing where a unique phasing is needed. Lastly, the HCM 2010 version in Synchro cannot evaluate an intersection that has a protect movement for a lane that has shared left turn and right turn movement, or an exclusive phase. Therefore, HCM 2000 results were used in preparing the TIS.

Response to Comment 127-15

Comment 127-15 summarizes the City of Pittsburg's significance criteria for LOS operations and the findings at freeway segments and freeway ramps in the project area. The comment does not provide any additional information other than what has been addressed in Chapter 12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR. Nonetheless, a short explanation of the City of Pittsburg's significance criteria is provided.

The applicable significance criteria for the City of Pittsburg indicates that freeway segments or ramps that operate at an unacceptable LOS without the project cannot result in a significant impact from the proposed project because the segment already operates at an unacceptable level. According to page 6 of the TIS, a significant impact would occur if the freeway segment or ramp operates at an unacceptable LOS without the project and experiences an increase in density, and the project contributes more than one percent of the volume to the freeway segment or ramp. As discussed on Pages 4.12-73 through 4.12-76 of the Partially Recirculated Draft EIR, the TIS evaluated all intersections and found that all study freeway segments would continue to meet established LOS standards under Existing Plus Project Conditions, except at the following segments:

- NB SR-242 between Clayton Road off-ramp and SR-4 (PM peak hour); and
- EB SR-4 between I-680 on-ramp and SR-242 off-ramp (PM peak hour).

All other freeway segments would operate at an acceptable LOS with the addition of project traffic. The aforementioned standard is consistent with City of Pittsburg General Plan standards and CCTA methodology and is appropriate under CEQA to examine whether a contribution to a substandard condition is "considerable," such that not every contribution makes for a significant impact.

Response to Comment 127-16

The comment suggests that a typographic error was made in Chapter 4.12, Transportation, Traffic, Circulation, of the Partially Recirculated Draft EIR. In the table presented in the comment letter, the travel time units should be minutes not seconds. Given that a delay index is derived from different types of data and used as an indicator, the delay index is considered to be unitless. Because the delay index is unitless, the revision does not change the results presented in the table. However, the units can be updated in Table 4.12-2. Table 4.12-2, on page 4.12-12 of Chapter 4.12 of the Partially Recirculated Draft EIR, is hereby revised as follows:

Table 4.12-1
Delay Index Summary – Existing Conditions

Roadway Segment	Distance (miles)	Uncongested Travel Time		AM Peak Hour		PM Peak Hour	
		AM Peak	PM Peak	CTT	DI	CTT	DI
East County							
EB SR 4	2.99	2.39	2.39	2.58	1.1	12.15	**5.1**
WB SR 4	3.53	2.82	2.82	8.35	**3.0**	2.93	1.0
Central County							
Eastbound SR-4	4.43	3.55	3.55	4.10	1.2	12.38	3.5
Westbound SR-4	3.63	2.90	2.90	5.51	1.9	3.17	1.1
Northbound SR-242	2.50	2.00	2.00	2.41	1.2	6.70	**3.4**
Southbound SR-242	2.23	1.78	1.78	4.47	2.5	1.97	1.1

Note: CTT = Congested Travel Time, measured in ~~seconds~~minutes.

Source: Kimley-Horn and Associates, Inc., 2019.

The above revision would not change the conclusions of the analysis in the Partially Recirculated Draft EIR.

Response to Comment 127-17

The project consists of a Draft Master Plan that is being evaluated by a programmatic EIR under CEQA Guidelines section 15168, as stated on page 1-2 of the Draft EIR. The Draft EIR clearly states, "where sufficient information is available, the Draft EIR includes a project level analysis to the extent feasible." Conversely, where it is infeasible to conduct a project level analysis, the Draft EIR does not do so, and CEQA does not impose such a requirement.

The project contemplates the development of the 606-acre project site with residential uses and open space. Approvals covered by the Draft EIR include annexation of the project site into the City of Pittsburg and various districts, general plan amendments, zoning amendments, and a master plan. The Draft EIR on page 3-14 specifically states that tentative maps are not being proposed, meaning the exact distribution of residential densities is unknown, and will not be known, until subdivision maps are plotted and proposed, and that, accordingly, subsequent environmental review might be necessary. By extension, the project circulation system remains unarticulated, as well as the location of transit stops and other infrastructure. CEQA does not require, then, that this programmatic environmental review cover all impacts if the requisite project detail is not available.

With regard to impacts on transit, pedestrian facilities, and bicycle facilities, the following clarifications are provided:

- **Impacts on public transit.** The Draft EIR has forecast impacts to the extent possible, including through the adoption of very conservative assumptions. It should be noted,

> again, that complete forecasts cannot be made to the extent forecasts depend on knowing details included in a tentative map. To this end, the project Draft Master Plan does not pinpoint where individual lots will be located, what specific residential densities will occur within residentially designated areas or, by extension, how many homes will be located in proximity to major and minor transit stops. Moreover, while Mitigation Measures 4.12-4(a) and 4.12-4(b) contemplate the inclusion of bus shelters and other transit infrastructure, the Draft Master Plan under review does specify what and where transit facilities will be included, as discussed on pages 4.12-60 and -61 of the Draft EIR. In fact, Mitigation Measure 4.12-4(a) specifically provides that "the final location and design of the [bus] turnouts, shelters, and bicycle racks shall be submitted to the City Engineer for review and approval prior to approval of a future tentative subdivision map," and page 4.12-60 of the Draft EIR provides that "Draft Master Plan does not include specific designs for transit facilities for the project do not exist at this time; however, upon future submittal of a Tentative Subdivision Map, the City's Design Review process would ensure that adequate transit infrastructure is provided consistent with City policies." (See also Partially Recirculated Draft EIR, pg. 4.12-71.)

Without these details, understanding the precise project impacts on all public transit is not feasible. To provide further clarity, consider that Tri Delta Transit runs 12 bus lines near project site, and County Connection runs four bus lines near the project site, as disclosed in the Draft EIR on pages 4.12-19 and -20 (with more detailed information in Appendix N of the Draft EIR; see also Partially Recirculated Draft EIR, pg. 4.12-24 to -25). Given the project's circulation system cannot yet include precise alignments, it is infeasible to predict the distribution of transit routes and demand for those routes.

Notwithstanding the above, in December 2018, the California Governor's Office of Planning and Research issued Technical Advisory providing that, when "evaluating impacts to multimodal transportation networks, lead agencies generally should not treat the addition of new transit users as an adverse impact. An infill development may add riders to transit systems and the additional boarding and alighting may slow transit vehicles, but it also adds destinations, improving proximity and accessibility. Such development also improves regional vehicle flow by adding less vehicle travel onto the regional network." The Technical Advisory further provides that "increased demand throughout a region may, however, cause a cumulative impact by requiring new or additional transit infrastructure."

OPR's Technical Advisory provides, then, that increased ridership alone does not create a CEQA impact, but rather the inquiry is whether new or additional transit infrastructure will be necessary to accommodate new ridership. As such, the need to run more trains or buses does not fall within the contemplation of OPR's Technical Analysis, and instead the focus is whether new bus turnouts, BART tracks, or BART stations will be required, the construction of which would have environmental impacts. Bus turnouts, again, will be evaluated when the project applicant submits plans for a subdivision map that identifies with more specificity population centers and roadways. With regard to train and other bus infrastructure (e.g., stations), neither BART nor any other entity has contemplated that increased ridership in the region will require additional tracks, stations, or infrastructure in the City of Pittsburg. BART extensions east of Antioch are meant to serve population centers in those areas, and not Pittsburg, and these projects will undergo development

regardless of whether the project proposed here is constructed. Moreover, at this time there is no evidence that increased demand cannot be satisfied with the addition of trains or changes in schedules.

To this end, BART's Short Range Transit Plan/Capital Improvement Program contemplate the replacement of old fleet vehicles with higher capacity cars, and additional new cars, with an expected increase in its fleet from about 670 cars to 1,200 cars by year 2028. To the extent expanded maintenance facilities are needed to service such vehicles, BART has already planned expansions to these facilities in its Capital Improvement Program and they will occur with or without project implementation. It should be noted that BART recently has projected lower ridership than prior forecasts, and acknowledges significant uncertainty about long-term ridership and fare revenue trends. Ridership has not increased year-to-year for a variety of factors set forth in BART's Short Range Transit Plan. Further, BART's ridership forecasts are based, in part, on the Metropolitan Transportation Commission's Plan Bay Area, which project's that Pittsburg will see an increase in population of about 19,000 people through 2040. This estimate is in line with population increases anticipated by the Draft EIR's citywide cumulative development scenario, which contemplates 1,500 project related homes plus 4,357 new homes from other Pittsburg projects, with an associated population of roughly 19,000 people. The proposed project site was one of multiple areas identified in the City of Pittsburg 2005 voter-approved Urban Limit Line and Prezoning Act, and thus has long been incorporated into the City's Sphere of Influence and been prezoned for residential and open space uses. As such, the Draft EIR's estimate, on page 4.12-60 (see also Partially Recirculated Draft EIR, pg. 41.12-71), that 10.5 percent of Pittsburg residents use transit to travel to work, is in line with region-wide expectations and suggests impacts would in fact be less-than-significant.

In summary, given the planning-level nature of the project, to the extent transit levels of service can be forecast, the evidence shows that transit levels of service can be maintained through the addition of service vehicles (e.g., train cars), and that no new facilities resulting from the project would be required. Given these facts and certain unknown information (e.g., circulation system alignments and corresponding changes to bus service), the Partially Recirculated Draft EIR's conclusion that impacts could be significant is very conservative, and the prescribed mitigation provides as much detail as possible and is fully complies with CEQA. To the extent more project construction and operation details are proposed during later stages of project planning, such as when tentative maps are proposed, any further necessary environmental review can lawfully take place at that time.

- **Bicycle and pedestrian facilities.** As with public transit facilities, the Draft Master Plan does not include specific connections to existing trail systems, nor what quantity of pedestrian and bicycle pathways will be provided. For instance, please see page 4.12-72 of the Partially Recirculated DEIR, which provides that the "Draft Master Plan does not include specific connections to [off-site] trail systems." These details will become clear upon a submission of subdivision map applications, which are expressly not included in the instant project. Generally, given the proposed amount of reserved open space in the project site (almost 270 acres), and that significant portions of residentially designated areas will be set aside for roadways and trail linkages, the proposed project in relation to the existing conditions would likely improve the pedestrian or bicycle conditions in the

area, and potentially offset demand by project users and off-site users for off-site facilities. As noted on page 4.12-72 of the Partially Recirculated DEIR, the Design Review Guidelines in the Draft Master Plan require that future development prioritizes pedestrian circulation by developing linear parks, public trails, and/or trailheads to connect pedestrians to schools, commercial centers, parks, and other neighborhoods and local and regional open space areas. Moreover, the project would not significantly impact or require changes to the design of any existing or planned bicycle or pedestrian facilities, as documented in the Partially Recirculated Draft EIR. To the extent bicycle and pedestrian facility impacts can be identified, the Partially Recirculated Draft EIR does so in full compliance with CEQA.

- **Levels of service for non-automotive travel.** To the extent it has not already been addressed, the following clarifications address the issue of non-automotive transportation. To this end, the commenter indicated that the EIR must adopt methodologies set forth in the 2010 Highway Capacity Manual to evaluate non-automotive levels of service, per the CCTA Technical Procedures. First, the CCTA does not mandate adoption of these methodologies, but has "encouraged" their use, as the commenter acknowledges. Nor does the General Plan mandate such methodologies; rather, the General Plan speaks more generally about ensuring a development provides pedestrian and bicycle linkages, bus shelters, bus turnouts, and sidewalks that meet minimum widths. The project, as designed and mitigated, will meet all such requirements. Second, such methodologies are not appropriate in all urban settings. For instance, level of services standards for pedestrians are appropriate for dense urban areas where sidewalk crowding is a legitimate concern. Here, the City's sidewalks are underused, and bicycle travel is minimal. Pedestrians will typically walk for up to a 0.25- to 0.5-mile distance to the nearest transit facility. Currently, the nearest transit stop is at the intersection of W Leland Road and San Marco Boulevard, which is approximately one mile from the northern border of the project site. In addition, there is a steep grade going southbound on San Marco Boulevard that would make bicycle travel difficult. As mentioned in Appendix N, it is highly unlikely that there will be many pedestrian and bicycle trips generated by this project to the study intersections. The Partially Recirculated Draft EIR and Appendix N took into account pedestrian and bicycle counts associated with each study intersections, and hourly pedestrian counts generally ranged from 0 to 60 pedestrians per hour at all intersection approaches, meaning that, per minute, intersections were generally vacant in terms of pedestrian travel. In the few instances where pedestrian counts numbered more than 100 per hour (e.g., at the intersection of Oak Grove Road and Treat Boulevard, and Bailey Road and the eastbound State Route 4 ramps), the number of pedestrians visiting an intersection from all approaches, on average, ranged from two to three per minute. Since such intersections are well over the typical walking distance from the project site, the proposed project is not likely to add pedestrians to the intersections. Bicycle travel was even more sparse, with bicycle trips generally ranging from 1 to 10 per hour. One cannot reasonably allege or propose that existing pedestrian or bicycle travel is heavy in terms of volume, or that the project's contribution to such volumes would be anything but de minimis. For instance, while the project might generate some foot traffic between the project site and the Pittsburg BART station, one must consider that the distance between the two is two miles over hilly terrain, discouraging any considerable pedestrian trips.

A chart included under Response to Comment 127-21 distills information from the Partially Recirculated Draft EIR and its appendices, clarifying that key intersections are devoid of significant pedestrian and bicycle traffic, and that project-related contributions would not be considerable or result in any significant impacts.

Under CEQA, a lead agency need not conduct every last test, and there is no evidence proffered by commenter that any such tests are necessary from a practical standpoint or would produce meaningful information. CEQA's limitation on tests is designed specifically to ensure that lead agencies and applicants need not undertake expensive and time-consuming analyses when common sense and practicality dictates the opposite.

Response to Comment 127-18

See Response to Comment 127-17.

Response to Comment 127-19

See Response to Comment 127-17.

Response to Comment 127-20

Only if the Partially Recirculated Draft EIR relied on Mitigation Measures 4.12-2(a) and 4.12-2(b) to conclude less than significant would the measures be inappropriate for use under CEQA. The Partially Recirculated Draft EIR does not contend that payment of these fees reduces the impact to a less-than-significant level. Mitigation Measures 4.12-2(a) and 4.12-2(b) identify improvements that are outside of the City of Pittsburg's jurisdiction. Therefore, the City cannot guarantee that the improvements would be constructed prior to the impact occurring; hence the Significant and Unavoidable conclusion. However, because the improvements are included within the CIPs of the City of Concord and the Contra Costa CMP, the City of Pittsburg has elected to require the applicant to pay fair-share fees into these programs in order to ensure all feasible mitigation measures are required. In addition, the "fair share" fees will account for the direct environmental effects of the proposed project by funding infrastructure improvements (through the Capital Improvement Program for the Contra Costa Congestion Management Plan) that accommodate increased traffic congestion from multiple projects in the area. Furthermore, under CEQA, cumulative impacts involve those changes to the environment that result 'from the incremental impact of the project when added to other closely related past, *present*, and reasonably foreseeable probable future projects, per CEQA Guidelines section 15355. Here, the project alone does not cause impacts, even under present condition scenarios, but results in impacts in combination with other existing projects (i.e., as opposed to a situation where a building footprint encroaches on wetland areas, and no off-site development can encroach on the same jurisdictional water). Therefore, the Partially Recirculated Draft EIR and mitigation measures therein are adequate for CEQA purposes.

Response to Comment 127-21

The proposed project assessed all potential impacts based on the Standards of Significance which can be found on Page 4.12-36 through 4.12-38, Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR. Intersection LOS resulting from the implementation of the mitigation measures included in the Partially Recirculated Draft EIR is summarized in Tables 4.12-13 and 4.12-20 of the Partially Recirculated Draft EIR. Therefore, the Partially Recirculated Draft EIR has adequately evaluated secondary impacts associated with implementation of the proposed mitigation measures.

In addition, to further analyze and confirm that there are no significant secondary impacts, a chart with an intersection by intersection review was prepared, using data from the appendices to the TIS, to confirm all crossroads are urbanized for pedestrian use. The chart is included as Appendix B to this Final EIR. The chart suggests that none of the intersections undergoing mitigation are crowded with bicycle and pedestrian traffic. The attached chart includes a comparison of the intersections at issue, and more particularly shows the following:

- Intersections requiring mitigation do not see more than a maximum of 20 pedestrian trips per hour for the entire intersection (i.e., adding pedestrians from all four corners).
- More crowded intersections generally see a maximum of between 30 and 60 pedestrian trips per hour for the entire intersection.
- One intersection, Treat Boulevard and Oak Grove Road, includes approximately 154 pedestrian trips.
    - 24 pedestrians approached on the north leg, 24 pedestrians approached on the east leg, 19 approached on the south leg, and 87 approached on the west leg.
    - The max ped count in a 15-minute window (all intersections legs) was 55, with 31 approaching on the west leg.
    - Under the "worst" case scenario, approximately two to three pedestrian trips would occur on the sidewalk per minute.

Response to Comment 127-22

The 2015 Contra Costa Congestion Management Plan (CMP) states: "The Capital Improvement Program (CIP) contains those roadways, transit and trail projects that are already programmed (and thus have committed funding), those proposed for funding through MTC's RTIP process, TSM projects, TFCA projects and those developer-funded projects where funding through fee programs is imminent. Because costs for some projects have not been identified, the total estimated cost may not reflect the extent of State, federal, and local funding needed." Due to the long-term planning horizon for the improvements, authorities have not yet completely identified funding sources for construction of the improvements. A discussion of the 2015 CMP is also provided on page 4.12-28 and states the following:

> The Contra Costa Transportation Authority (the Authority) is responsible for preparing and adopting a Congestion Management Program (CMP) and updating the Program every other year. The Authority adopted the County's first CMP in October 1991. The 2011 Contra Costa CMP Update represents the twelfth biennial update.

> The 2015 update, which was prepared with help from and consultation with representatives of local, regional and State agencies, transit operators and the public, responds to changes in regional transportation planning, projects, and programs made since 2013. The 2015 CMP focuses primarily on bringing the required seven-year CIP up-to-date, while also responding to primarily technical changes and corrections from the 2013 CMP.

The Contra Costa County Congestion Management Plan reflects state CMP legislation that, in part, requires a 7-year capital improvement program. Therefore, while funding sources for certain short-term improvements must be identified, there is no such requirement for long-term improvements. The fact that no funding sources are yet identified does not suggest it is unreasonable to assume their implementation; the proper regulatory agencies have identified such improvements and plan for their construction, and the agencies' deferral in identifying funding sources years before this task is legally mandated merely reflects a thoughtful and efficient use of agency resources. The County's CIP has a long history of implementing regional transportation projects in a timely manner and is subject to many processes and checks and balances that ensure transportation infrastructure is sufficient.

Response to Comment 127-23

In response to the comments, Mitigation Measure 4.12-8(d) is hereby revised as follows:

4.12-8(d) *As part of future development applications, the project improvement plans shall show that the eastbound approach of the EB SR 4 ramps and San Marco Boulevard intersection would be restriped to be an eastbound left turn lane, a shared left-through-right lane, and an eastbound right turn lane. Implementation of the required improvements shall be accomplished by way of one of the following methods:*

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed ~~residences~~. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

In response to the comments, Mitigation Measure 4.12-8(e) is hereby revised as follows:

4.12-8(e) *As part of future development applications, the project improvement plans shall show that a northbound right turn lane at the W. Leland Road and Bailey Road intersection would be striped and the shared northbound*

through-right lane would be restriped to be through lane. In addition, the project improvement plans shall show that a southbound right turn overlap phase and a westbound right turn overlap phase would be implemented. Implementation of the required improvements shall be accomplished by way of one of the following methods:

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed ~~residences~~. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

In response to the comments, Mitigation Measure 4.12-8(g) is hereby revised as follows:

4.12-8(g) *As part of future development applications, the project improvement plans shall show that the eastbound left turn phase and westbound left turn phase at the W. Leland and Crestview Drive intersection would be changed from protected to permitting phasing. Implementation of the required improvements shall be accomplished by way of one of the following methods:*

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed ~~residences~~. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

Response to Comment 127-24

As discussed in Response to Comment 127-17, which is incorporated herein by this reference, the Draft Master Plan is a planning-level project, and a project-level analysis is not required. With respect to construction impacts, the Draft EIR mistakenly indicated the "increase in traffic as a result of construction activities associated with the proposed project has been quantified assuming

a worst-case, single-phase construction period of five years." In preparing the environmental analysis, it was determined that a single-phase project was unrealistic. However, it presently is not feasible to determine how construction specifically will be phased, and such information will be provided during the tentative map consideration process. Once phasing is determined, it will become possible to estimate traffic generation from construction worker, delivery, and other construction-related trips. As such, to the extent it was feasible to discuss construction-related traffic impacts, the Partially Recirculated Draft EIR did so in a manner that satisfies CEQA. When a tentative map application for the project is submitted at a later date, any necessary further CEQA review will occur at that time, consistent with state law and as explained in the Partially Recirculated Draft EIR.

In response to the comment, page 4.12-39 of the Partially Circulated Draft EIR is hereby revised as follows:

> Construction of the project, including site preparation and construction, and delivery activities, would generate contractor employee trips and a variety of construction-related vehicles. As a result, construction activities could include disruptions to the transportation network near the project site, including the possibility of temporary lane closures, street closures, sidewalk closures, and bikeway closures. ~~The increase in traffic as a result of construction activities associated with the proposed project has been quantified assuming a worst-case, single-phase construction period of five years.~~

The foregoing revision is for clarification purposes only and does not affect the analysis or conclusions presented in the EIR.

Response to Comment 127-25

Please note that the 2017 NOP established the CEQA baseline conditions. Section 15064.3 of the CEQA guidelines provides specific considerations for evaluating a project's transportation impacts. Per Section 15064.3, analysis of VMT attributable to a project is the most appropriate measure of transportation impacts. However, the provisions of Section 15064.3 apply only prospectively; determination of impacts based on VMT is not required Statewide until July 1, 2020. Nonetheless, the commenter's concerns have been forwarded to the decision-makers for their consideration.

Response to Comment 127-26

The comment is a concluding statement and does not specifically address the adequacy of the Draft EIR or the Partially Recirculated Draft EIR.

Letter 128

Kristin Pollot

From: Darrin Atkins <darrinatkins@gmail.com>
Sent: Thursday, October 31, 2019 11:41 AM
To: Kristin Pollot
Subject: Public comment on Partially Recirculated Draft EIR of Faria/Southwest Hills Annexation Project

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I have some comments on this project.

128-1 1. The Draft EIR does not seem to discuss the heavy truck and trailer traffic on Bailey Rd to and from the landfill in the mornings. How will this impact with and compound with all of the traffic from the homes in the new project plus regular tesffic? Will the landfill be closed? Often we are backed up or slowed by all the truck traffic every weekday morning. If you combine these trucks and lots of new car traffic, then Bailey Rd will be unusable for those who travel from Pittsburg to Concord.

128-2 2. I don't see a discussion about the cows that sometimes escape and get into the roadway on Bailey Rd. causing big delays.

128-3 3. I don't see a section about creating a third major roadway that could extend south or southwest from this project into Concord, which could pull traffic away from Bailey Rd.

128-4 4. I don't see a section about expanding Bailey Road into wider lanes or more lanes. I have seen cars that flew off the road or were abandoned or disabled and there wasn't much room for them.

Darrin Atkins
Pittsburg, CA

1

LETTER 128: DARRIN ATKINS

Response to Comment 128-1

Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR, analyzed the local roadways under Existing Conditions, as well as Existing Plus Project Conditions. The Existing conditions analyzed in the Partially Recirculated Draft EIR are based on vehicle traffic counts conducted by Kimley-Horn and Associates, Inc. in June of 2017. As noted on page 4.12-39, volumes were collected during the AM (7:00 AM to 9:00 PM) and PM (4:00 PM to 6:00 PM) peak periods of a typical weekday when local schools were in session.

To the extent that existing heavy-duty truck traffic on Bailey Road overlaps with the AM and PM peak hours, such traffic was accounted for in the traffic counts conducted by Kimley-Horn and Associates, Inc. and, thus, is a component of the Existing Conditions presented in the Partially Recirculated Draft EIR. It should also be noted that the proposed project would not result in the closure of the existing landfill in the project area.

Response to Comment 128-2

In the event that livestock causes traffic delays on local roadways, such events would be limited and would not be considered long-term. As such, although the proposed project could increase traffic on local roadways, increased congestion and delays due to livestock would not be considered an impact resulting from the proposed project. Furthermore, the mid-roadway segment blockages are outside the scope of the LOS methodology that was used in preparation of the TIS.

Response to Comment 128-3

As discussed throughout the Partially Recirculated Draft EIR, San Marco Boulevard would be extended southward through the site, providing connection to the City's existing circulation system. However, the specific development plans for extension of the roadway are not included as part of the proposed project. Because the analysis presented within the EIR is generally program level, further level of detail regarding the extension of roadways is not available.

Response to Comment 128-4

Page 4.12-42, of the Partially Recirculated Draft EIR outlines the long-term roadway improvements within the project area. As discussed on Page 4.12-43, the City has anticipated improvements to the intersection of Bailey Road and W. Leland Road including an additional left turn lane and an exclusive right turn lane. While the City has not anticipated widening of the roadway, existing traffic issues associated with Bailey Road are considered part of the baseline condition under CEQA.

Letter 129

Kristin Pollot

From: Ed Barr <ebtransport1997@gmail.com>
Sent: Tuesday, December 3, 2019 2:17 PM
To: Kristin Pollot
Cc: e.barrios@fehrandpeers.com
Subject: Faria/Southwest Hills Annexation Project Recirculated EIR - One Comment

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Hi Kristin,

Comment #1: Existing Plus Project Intersection LOS at Bailey Road/Project Entrance

129-1

Table 4.12-12: Intersection 43 (Bailey Road/Project Entrance)
The table indicates that during the AM peak hour the intersection would operate at LOS C; thus, there is no significant impact identified.
The technical analysis worksheet in the Traffic Study for this intersection indicates that the intersection would actually operate at LOS F (delay =100.2) during the AM peak hour. The table is inconsistent with the analysis results and there appears to be a significant project impact at this location under Existing Plus Project conditions.

Assuming that the technical analysis worksheet is correct then there is a significant impact at intersection #43 and the current proposed design at the Project Entrance is inadequate and would result in very long southbound vehicle queues on Bailey Road under near-term conditions. Please reconsider the design of the Project Entrance to provide adequate capacity (one additional northbound/southbound through lane) as part of approving the development. I suggest that the final design provide no worse than LOS D for each movement to ensure that project entrance design can accommodate the traffic from the proposed development.

Diana & Eddie Barrios
3054 Barranca Dr, Pittsburg

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LETTER 129: DIANA & EDDIE BARRIOS

Response to Comment 129-1

The TIS prepared for the proposed project included an inadvertent output page for Intersection 43 within the attached appendix. Intersection 43 of the Existing Plus Project Traffic Conditions Appendix included in the TIS has been corrected, as follows:

Movement	EBL	EBR	NBL	NBT	SBT	SBR		
Lane Configurations								
Traffic Volume (veh/h)	321	182	61	261	1059	107		
Future Volume (veh/h)	321	182	61	261	1059	107		
Number	7	14	5	2	6	16		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1765	1765	1765	1765	1765	1765		
Adj Flow Rate, veh/h	349	198	66	284	1151	116		
Adj No. of Lanes	1	1	1	1	1	1		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92		
Percent Heavy Veh, %	2	2	2	2	2	2		
Cap, veh/h	357	319	134	1213	1213	1031		
Arrive On Green	0.21	0.21	0.69	0.69	0.69	0.69		
Sat Flow, veh/h	1681	1500	436	1765	1765	1500		
Grp Volume(v), veh/h	349	198	66	284	1151	116		
Grp Sat Flow(s),veh/h/ln	1681	1500	436	1765	1765	1500		
Q Serve(g_s), s	16.5	9.6	8.1	4.8	46.9	2.1		
Cycle Q Clear(g_c), s	16.5	9.6	55.0	4.8	46.9	2.1		
Prop In Lane	1.00	1.00	1.00			1.00		
Lane Grp Cap(c), veh/h	357	319	134	1213	1213	1031		
V/C Ratio(X)	0.98	0.62	0.49	0.23	0.95	0.11		
Avail Cap(c_a), veh/h	357	319	134	1213	1213	1031		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00		
Uniform Delay (d), s/veh	31.3	28.6	37.3	4.7	11.2	4.2		
Incr Delay (d2), s/veh	41.4	3.7	2.8	0.1	15.2	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(50%),veh/ln	11.8	4.3	1.6	2.3	27.5	0.9		
LnGrp Delay(d),s/veh	72.7	32.3	40.1	4.8	26.4	4.3		
LnGrp LOS	E	C	D	A	C	A		
Approach Vol, veh/h	547			350	1267			
Approach Delay, s/veh	58.1			11.4	24.4			
Approach LOS	E			B	C			

Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4		6		
Phs Duration (G+Y+Rc), s		59.0		21.0		59.0		
Change Period (Y+Rc), s		4.0		4.0		4.0		
Max Green Setting (Gmax), s		55.0		17.0		55.0		
Max Q Clear Time (g_c+I1), s		57.0		18.5		48.9		
Green Ext Time (p_c), s		0.0		0.0		4.4		

Intersection Summary	
HCM 2010 Ctrl Delay	30.8
HCM 2010 LOS	C

Because Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR assumed Intersection 43 would operate at LOS C with 30.8 seconds of delay, the above revision does not change the conclusions presented within the EIR.

Letter 130

Kristin Pollot

From: David <davidk5160@icloud.com>
Sent: Sunday, December 1, 2019 10:07 PM
To: Kristin Pollot
Subject: PUBLIC COMMENT - FARIA DRAFT EIR
Attachments: PUBLIC COMMENT - FARIA DRAFT EIR.eml

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Kristin,

I have reviewed the updated EIR for the Faria project and continue to have the following comments:

130-1

- Figure 4.12-1 in Volume I of the draft EIR shows the study intersections. The figure shows Alves Ranch Road extending into the Project Site. The report does not contain any more information about traffic impacts or mitigations on Alves Ranch Road. Alves Ranch Road has had historic speeding issues, with a City of Pittsburg study showing some cars traveling uphill in excess of 60 mph (posted speed limit is 25 mph). Alves Ranch Road is a residential street with homes on it. Connecting it through to a neighborhood with an additional 1500 homes will have a negative impact to the Vista Del Mar neighborhood, especially for the residents who live on Alves Ranch Road. If Figure 4-12.1 is accurate, the EIR needs to evaluate and mitigate the effects of extending Alves Ranch Road.

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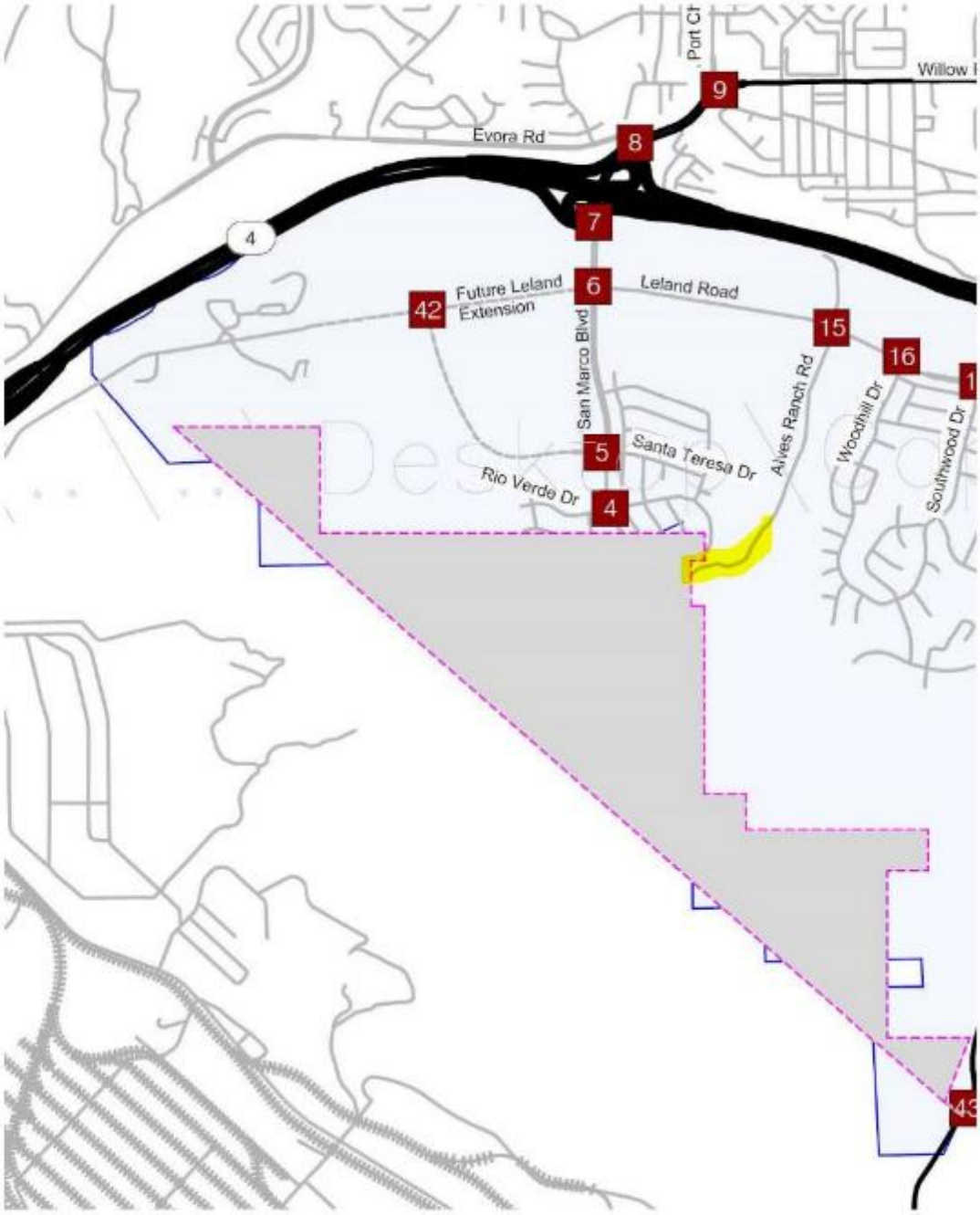
Letter 130
Cont'd



- The high winds in the area push construction trash around the area. Consideration needs to be given to containing trash during construction in a high wind area.

2

Letter 130
Cont'd

Please confirm receipt of this message and advise if any additional information is required.

Regards,

David Kubeck
2776 Alves Ranch Rd
Pittsburg, CA 94565

3

Letter 130: David Kubeck

Response to Comment 130-1

The comment pertains to potential impacts on the W. Leland Road/Alves Ranch Road intersection. Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR, addresses Alves Ranch Road and impacts to the W. Leland Road/Alves Ranch Road study intersection. As noted in the Partially Recirculated Draft EIR, Alves Ranch Road does not currently extend north of W. Leland Road as shown in Figure 4-12.1. Furthermore, according to the TIS modeling, Alves Ranch Road would not have a direct connection to the project. In the introduction section of the TIS, the only road connections to the project would be via Bailey Road, San Marco Boulevard, and a future access to West Leland Road via Santa Teresa Drive. Therefore, a direct connection to Alves Ranch Road was not assumed. However, the TIS did evaluate potential impacts to the intersection of Leland Road and Alves Ranch Road with vehicles using San Marco Boulevard to Leland Road (and passing through the intersection). Additional trips were not added to Alves Ranch Road.

Letter 131

Kristin Pollot

From: padilla_ligia@yahoo.com
Sent: Wednesday, October 30, 2019 8:33 AM
To: Kristin Pollot
Subject: re: Faria partial recirc dEIR cmnts

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131-1 We don't need to make traffic worse than it already is just so the Seenos can get richer. More traffic=more accidents=more lives lost.

Thank you,

1

LETTER 131: LIGIA PADILLA

Response to Comment 131-1

The comment does not specifically address the adequacy of the Partially Recirculated Draft EIR, but has been forwarded to the decision-makers for their consideration. For information purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR.

Letter 132

Kristin Pollot

From: Bernadette Silva <bpettit_2000@yahoo.com>
Sent: Tuesday, October 29, 2019 9:31 PM
To: Kristin Pollot
Subject: re: Faria partial recirc dEIR cmnts

External Sender: Use caution before opening links or attachments

Adding more box houses is not needed. It used to take me 30 minutes to get to work (Oak Hill taking Leland to San Marco to Hwy 4 to North Concord BART). Now it can take over an hour or more).

132-1 You need to really listen to the many residents who take the same route to the freeway STOP BUILDING!!! Take our concerns over money. Don't make quiet neighborhood streets into speeding shortcuts or main thoroughfares.

Also, our schools can't hold more kids. Think of the teachers who's class sizes are over 35 students.

Tell Seeno to stop being greedy and most importantly DON'T BUILD ON OUR BEAUTIFUL HILLS. THIS ISN'T SAN FRANCISCO

Sent from my iPhone

1

LETTER 132: BERNADETTE SILVA

Response to Comment 132-1

The comment does not specifically address the adequacy of the Partially Recirculated Draft EIR. For information purposes, analysis of traffic impacts is addressed in Chapter 4.12, Transportation, Traffic, and Circulation, of the Partially Recirculated Draft EIR. Additionally, analysis of school facilities affected by the proposed project is provided in Chapter 4.11, Public Services and Utilities, of the Draft EIR.

3. REVISIONS TO THE DRAFT EIR AND PARTIALLY RECIRCULATED DRAFT EIR TEXT

3 REVISIONS TO THE DRAFT EIR TEXT

Introduction

The Revisions to the Draft EIR and Partially Recirculated Draft EIR Text chapter presents minor corrections, additions, and revisions initiated by the Lead Agency (City of Pittsburg), reviewing agencies, the public, and/or consultants based on their review. The chapter includes revisions identified as part of the City of Pittsburg's responses to a comment letter provided by the City of Concord related to the Partially Recirculated Draft EIR, but received by Pittsburg subsequent to the preparation of the original Final EIR. In addition, the chapter contains revisions in response to the order issued on February 10, 2022 by the Superior Court of the State of California, County of Contra Costa (Superior Court) in connection with litigation over the original Final EIR. The revisions in response to the Superior Court order are supported by new memoranda prepared for this Revised and Updated Final EIR, which clarify and amplify the discussions and analyses in the original Final EIR. It should be noted that the following revisions do not change the intent or content of the analysis or effectiveness of mitigation measures presented in the Draft EIR and Partially Recirculated Draft EIR, and, therefore, recirculation is not required.

Description of Changes

New text is <u>double underlined</u> and deleted text is ~~struck through~~. Text changes are presented in the page order in which they appear in the Draft EIR.

2 EXECUTIVE SUMMARY

For clarification purposes, Table 2-1 in Chapter 2, Executive Summary, of the Draft EIR is hereby revised for Chapter 4.1, Aesthetics (Mitigation Measure 4.1-3), Chapter 4.3 Air Quality and Greenhouse Gas Emissions (Mitigation Measures 4.3-2, 4.3-5(a), and 4.3-5(b)), Chapter 4.4, Biological Resources (Mitigation Measure 4.4-2(b)), Chapter 4.8, Hydrology and Water Quality (Mitigation Measures 4.8-2), and Chapter 4.12, Transportation, Traffic, and Circulation (Mitigation Measures 4.12-8(a), 4.12-8(d), 4.12-8(e), 4.8-12(f), 4.12-8(g), and 4.8-12(h)) beginning on page 2-5. Rather than include the entirety of Table 2-1 from Chapter 2, Executive Summary, of the Draft EIR with the revisions shown where appropriate, only the impact that has been revised is presented below. The revision to the Executive Summary table merely provides flexibility should changes to the allowable construction activities arise. Thus, the revision to Table 2-1 does not change the adequacy of the analysis or the conclusions contained in the Draft EIR.

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.1 Aesthetics			
4.1-3 Creation of new sources of substantial light or glare that would adversely affect day or nighttime views in the area.	S	*4.1-3* *In conjunction with the submittal of any development applications for future development on the project site, the applicant shall prepare and submit a detailed lighting plan showing that light would not trespass onto adjacent properties to the City of Pittsburg Community Development Department for review and approval as part of the development review process. The lighting plan shall include, but not necessarily be limited to, the following provisions:* • *Shield or screen lighting fixtures to direct the light downward and prevent light from spilling onto adjacent properties <u>and nearby open space areas within the City of Concord</u>;* • *Place and shield or screen flood and area lighting needed for construction activities and/or security so as not to disturb adjacent residential areas and passing motorists;* • *For public lighting, prohibit the use of light fixtures that are of unusually high intensity or brightness (e.g., harsh mercury vapor, low-pressure sodium, or fluorescent bulbs) or that blink or flash; and*	LTS

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned colored paint and roofing materials), shielded or screened lighting, and appropriate signage to prevent light and glare from adversely affecting motorists on nearby roadways.*	
4.3 Air Quality and Greenhouse Gas Emissions			
4.3-2 Generation of operational criteria air pollutant emissions in excess of 54 lbs/day for ROG, NO_x, and $PM_{2.5}$ and 82 lbs/day for PM_{10} and conflict with or obstruct implementation of the 2017 Clean Air CAP, and/or the 2011 Ozone Attainment Plan.	S	*4.3-2* *In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that ROG and NO_x emissions associated with project operations would not exceed the BAAQMD 54 lbs/day thresholds of significance. Mitigation measures shall be developed in coordination with the BAAQMD and shall include~~, but would not be limited to, BAAQMD's recommended mitigation measures as follows:~~ those measures set forth in Mitigation Measure 4.3-5(a) and the following measures listed below:*	SU

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Use zero-VOC paints, finishes, and adhesives only;* • ~~*Use of cool roof materials;*~~ • ~~*Plant shade trees;*~~ • ~~*Orient buildings to maximize passive solar heating;*~~ • *Install smart meters and programmable thermostats;* • *Improve bike and pedestrian network (complete sidewalks, connection to adjacent areas, connection to bike network, etc.);* • *Implement bicycle and pedestrian facilities such as bike lanes, routes, and paths, bike parking, sidewalks, and benches;* • *Promote ridesharing, transit, bicycling, and walking for work trips;* • ~~*Extend transit service into project site;*~~ • ~~*Participate in bike sharing programs;*~~ • ~~*Implement programs that offer residents free or discounted transit passes to encourage transit use;*~~ • ~~*Subsidize residential transit passes;*~~ • *Promote use of public electric vehicle charging infrastructure;* • ~~*Provide charging stations and preferential parking spots for electric vehicles;*~~	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Provide traffic calming features;* • ~~*Minimize use of cul-de-sacs and incomplete roadway segments;*~~ • ~~*Install energy star appliances;*~~ • ~~*Install solar water heating;*~~ • ~~*Exceed minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures);*~~ • *Pre-wire homes for photovoltaic systems;* • ~~*Provide community composting facilities or curb-side food waste services;*~~ • *Use water efficient landscapes and native/drought-tolerant vegetation; and* • *Provide electrical outlets outside of homes to allow for use of electrically powered landscaping equipment.* ~~*The above mitigation measures are mandatory to reduce any significant impacts unless the applicant demonstrates that the measures are not feasible.*~~ *If off-site mitigation measures are proposed, the applicant must be able to show that the emission reductions from identified projects are real, permanent through the duration of the project, enforceable, and are equal to the pollutant type and amount of the project impact being offset. BAAQMD recommends that off-site mitigation projects occur within the nine-county Bay Area in*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		order to reduce localized impacts and capture potential co-benefits. If BAAQMD has established an off-site mitigation program at the time a development application is submitted, as an off-site mitigation measure, the applicant may choose to enter into an agreement with BAAQMD and pay into the established off-site mitigation program fund, where BAAQMD would commit to reducing the type and amount of emissions identified in the agreement. *The analysis and proposed mitigation measures shall be reviewed as part of the development review process.*	
4.3-5 Generation of a cumulatively considerable contribution to GHG emissions in excess of 1,100 $MTCO_2e$/yr or 4.6 $MTCO_2e$/SP/yr by 2020, 660 $MTCO_2e$/yr or 2.76 $MTCO_2e$/SP/yr by 2030, or an 80 percent reduction from 1990 levels by 2050.	S	*4.3-5(a)* ~~*Implement Mitigation Measure 4.3-2.*~~ *In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that project GHG emissions would not exceed 2.76 $MTCO_2e$/SP/yr threshold of significance. Mitigation measures shall be developed in coordination with BAAQMD and shall include, but*	SU

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		not be limited to, BAAQMD's recommended mitigation measures as follows: • *Use of cool roof materials;* • *Planting of shade trees;* • *Improvement of bike network (connection to adjacent areas, connection to bike network, etc.);* • *Improvement of pedestrian network (complete sidewalks, connection to adjacent areas, etc.);* • *Extension of transit service into project site;* • *Implementation of bicycle facilities;* • *Community-based traveling;* • *Participation in bike sharing programs;* • *Providing of charging stations and preferential parking spots for electric vehicles;* • *Minimizing the use of cul-de-sacs and incomplete roadway segments;* • *Installation of energy star appliances;* • *Installation of solar water heating;* • *Exceeding minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures);* • *Providing community composting facilities or curb-side food waste services;*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Elimination of natural gas infrastructure; and* • *Reduction of VMT by 15 percent per capita consistent with SB 743 targets and OPR technical guidance.* *4.3-5(b) The project-level air quality analysis required by Mitigation Measure ~~4.3-2~~ 4.3-5(a) shall include an analysis of project-level GHG emissions. Such ~~future~~ project-level analyses shall include, but not be limited to, quantification of GHG emissions, as well as determination of operational GHG emission impacts, which shall be evaluated prior to any tentative map approval and in accordance with the BAAQMD CEQA Guidelines adopted in April 2022, which align with the State's 2030 and 2045 carbon targets ~~based on existing statewide climate change laws in effect at the time of analysis~~. The project-level GHG emissions shall be reduced through the implementation of the mitigation measures identified in Mitigation Measure ~~4.3-2~~ 4.3-5(a) designed to reduce operational GHG emissions. During future project-level reviews, the effectiveness of each implementation measure shall be quantified using the methodology shown in the 2022 Ramboll Report or using other methods supported by substantial evidence in light of project-level details included in the subject application. The City shall*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		deem all measures in Mitigation Measure 4.3-5(a) feasible or presumptively feasible unless the applicant can demonstrate otherwise with substantial evidence.	
4.4 Biological Resources			
4.4-2 Have a substantial adverse effect, either directly or through habitat modifications, on special-status bird species, including those covered under the East Contra Costa County HCP/NCCP, such as Swainson's hawk, tricolored blackbird, burrowing owl, and golden eagle.	S	*4.4-2(b) The project shall implement the following avoidance measures for potential effects on golden eagles during construction:* • *Based on the potential for active nests, prior to implementation of construction activities, including tree removal, a qualified biologist shall conduct a pre-construction survey to establish whether an active golden eagle nest is present on the project site or within 0.5 mile of the project site to the extent the biologist can gain access. If an active nest is not present, further mitigation is not required. If an occupied nest is present, minimization requirements and construction monitoring shall be required, as detailed below.* • *Construction activities shall be prohibited within 0.5 mile of active nests. Nests can be built and active at almost any time of the year, although mating and egg incubation occurs late January through August, with peak activity in March through July. If site-specific conditions or*	LTS

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		the nature of the construction activity (e.g., steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be appropriate or that a larger buffer should be implemented, the East Contra Costa County Habitat Conservancy shall coordinate with CDFW/USFWS to determine the appropriate buffer size. • *Construction monitoring shall ensure that no construction activities occur within the buffer zone established around an active nest. Construction monitoring shall ensure that direct effects to golden eagles are avoided.*	
4.8 Hydrology and Water Quality			
4.8-2 Violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality through erosion during construction.	S	*4.8-2 Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of Best Management Practices (BMPs). Construction BMPs included in the SWPPP may include, but are not limited to, the following measures:* • *Silt fencing;*	LTS

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Fiber Rolls;* • *Vehicle washout areas and trackout control;* • *Desilting Basins;* • *Gravel Bag Berms; or* • *Storm Drain inlet protection.* *The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Property boundaries between the project site and the Concord Hills Regional Park shall be identified, mapped, fenced, and signed for no entry. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.*	
4.12 Transportation, Traffic, and Circulation			
4.12-8 Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the study	S	*4.12-8(a)* *Prior to occupancy of the proposed buildings, the project applicant shall complete the following improvements at intersections within the City of Concord, subject to coordination with and*	SU

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
roadway intersections under Long-Term (2035) Plus Project Conditions.		*approval by the City of Concord Traffic Engineering and Transportation Planning Division.* • *The northbound approach at the Avila Road and Willow Pass Road intersection shall be restriped to include one through lane and one right turn lane; ~~and~~* • *The southbound approach at the Clayton Road and Bailey Road intersection shall be restriped to be a southbound left-turn lane, a shared southbound through/right-turn lane, and a southbound right-turn lane; and* • *The intersection timing splits at the following intersections shall be optimized: Clayton Road/Treat Boulevard (Intersection #39) and Concord Boulevard/Port Chicago Highway (Intersection #48).* *4.12-8(d) As part of future development applications, the project improvement plans shall show that the eastbound approach of the EB SR 4 ramps and San Marco Boulevard intersection would be restriped to be an eastbound left turn lane, a shared left-through-right lane, and an eastbound right turn lane. Implementation of the required*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		improvements shall be accomplished by way of one of the following methods: *If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residences. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.* *Or* *If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.* *4.12-8(e) As part of future development applications, the project improvement plans shall show that a northbound right turn lane at the W. Leland Road and Bailey Road intersection would be striped and the shared northbound through-right lane would be restriped to be through lane. In addition, the project improvement plans shall show that a*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		southbound right turn overlap phase and a westbound right turn overlap phase would be implemented. Implementation of the required improvements shall be accomplished by way of one of the following methods: *If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residences. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.* *Or* *If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.* *4.12-8(f) As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP (Project S-16) to the City of Pittsburg Community*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Development Department. Such improvements would include optimization of timing splits at the following intersection~~s~~: *1. W. Leland Road and Burton Avenue~~; and~~* *~~2. Clayton Road and Treat Boulevard~~.* *Proof of payment shall be submitted to the City of Pittsburg Community Development Department.* *4.12-8(g) As part of future development applications, the project improvement plans shall show that the eastbound left turn phase and westbound left turn phase at the W. Leland and Crestview Drive intersection would be changed from protected to permitting phasing. Implementation of the required improvements shall be accomplished by way of one of the following methods:* *If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the <u>first</u> proposed residence~~s~~. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Or *If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.* *4.12-8(h) Implement Mitigation Measure 4.12-2(~~d~~b).*	

2 EXECUTIVE SUMMARY

Based on a comment received on the Draft EIR, page 2-1 of Chapter 2, Executive Summary, of the Draft EIR, is hereby revised as follows:

> The proposed project is located just southwest of the municipal boundary of the City of Pittsburg and within the Southwest Hills planning subarea of the Pittsburg General Plan. With the exception of two isolated single-family residences and a small agricultural operation, the site consists primarily of open expanses of undeveloped hilly terrain covered with grasslands, with elevations ranging from approximately 435 feet at the lowest point to approximately 1,000 feet at the highest. The project is identified as Assessor's Parcel Numbers (APNs) ~~097-180-006, 097-200-002, 097-230-006, 097-240-002, and a portion of 097-190-002~~091-040-002, 092-010-002 and -006, 092-020-002 and -003, 092-040-008, 092-050-002, and a portion of 092-030-012. The proposed project site consists of approximately 606 acres of grazing land and is currently prezoned for residential and open space uses under the City of Pittsburg Zoning Code.

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

3 PROJECT DESCRIPTION

Based on a comment received on the Draft EIR, page 3-3 of Chapter 3, Project Description, of the Draft EIR, is hereby revised as follows:

> The project site consists of approximately 606 acres of grazing land located immediately southwest of the municipal boundary of the City of Pittsburg and within the Southwest Hills planning subarea of the Pittsburg General Plan. The project site is identified as Assessor's Parcel Numbers (APNs) ~~097-180-006, 097-200-002, 097-230-006, 097-240-002, and a portion of 097-190-002~~ 091-040-002, 092-010-002 and -006, 092-020-002 and -003, 092-040-008, 092-050-002, and a portion of 092-030-012 (see 3-2, Project Location Map). With the exception of two isolated single-family residences located near the terminus of San Marco Boulevard, the site consists primarily of open expanses of undeveloped hilly terrain covered with grasslands, with elevations ranging from approximately 435 feet at the lowest point to approximately 1,000 feet at the highest. The project site does not include creeks, streams, or other watercourses. The site is currently prezoned for residential and open space uses under the City of Pittsburg Zoning Code (see Figure 3-3). The City's General Plan designates the site as Low Density Residential, Hillside Low Density Residential, and Open Space (see Figure 3-4). It should be noted that a non-participating property located outside of the City of Pittsburg City limits would additionally be included in the annexation component of the proposed project and would not be subject to the provisions of the Draft Faria/Southwest Hills Master Plan (Draft Master Plan).

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

4.1 AESTHETICS

Mitigation Measure 4.1-3 on page 4.1-33 of Chapter 4.1, Aesthetics, of the Draft EIR is hereby revised as follows:

4.1-3 *In conjunction with the submittal of any development applications for future development on the project site, the applicant shall prepare and submit a detailed lighting plan showing that light would not trespass onto adjacent properties to the City of Pittsburg Community Development Department for review and approval as part of the development review process. The lighting plan shall include, but not necessarily be limited to, the following provisions:*

- *Shield or screen lighting fixtures to direct the light downward and prevent light from spilling onto adjacent properties and nearby open space areas within the City of Concord;*
- *Place and shield or screen flood and area lighting needed for construction activities and/or security so as not to disturb adjacent residential areas and passing motorists;*
- *For public lighting, prohibit the use of light fixtures that are of unusually high intensity or brightness (e.g., harsh mercury vapor, low-pressure sodium, or fluorescent bulbs) or that blink or flash; and*
- *Use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned colored paint and roofing materials), shielded or screened lighting, and appropriate signage to prevent light and glare from adversely affecting motorists on nearby roadways.*

The above staff-initiated change is for clarification purposes only and would not change the aesthetics technical analysis conclusion, nor the mitigation requirements presented in the Draft EIR.

4.2 AGRICULTURAL RESOURCES

Page 4.2-16 of Chapter 4.2, Agricultural Resources, of the Draft EIR is hereby revised as follows:

Consequently, the project would minimize the conversion of open space land to other uses through incorporation of open space land preservation, consistent with Goal 1 and Goal 3 and Policy 1, respectively, of the Contra Costa LAFCo's AOSPP. By preserving more open space land than currently designated in the project area, the proposed project would minimize adverse impacts to open space uses, consistent with AOSPP Policy 8. In addition, consistent with AOSPP Goal 5, the potential for impacts associated with effects of the project on existing open space land are addressed throughout this EIR.

Areas within the project site to be preserved as open space would be subject to the regulations established in Sections 18.58.020 and 18.58.030 of the City's Municipal Code. Within the proposed open space buffer along the southwestern boundary of the site, development would not be permitted, with the exception of open space amenities such as

parks and trails. The proposed open space areas would be consistent with criteria (1), (3), and (4) of Section Government Code Section 65560, as referenced in LAFCO's AOSPP, which defines Open Space Land as follows:

> (h) "Open-space land" means any parcel or area of land or water that is devoted to an open-space use as defined in this section, and that is designated on a local, regional, or state open-space plan as any of the following:
>
> (1) Open space for the preservation of natural resources, including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.
>
> (2) Open space used for the managed production of resources, including, but not limited to, forest lands, rangeland, agricultural lands, and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams that are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
>
> (3) Open space for outdoor recreation, including, but not limited to, areas of outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas that serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
>
> (4) Open space for public health and safety, including, but not limited to, areas that require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.
>
> (5) Open space in support of the mission of military installations that comprises areas adjacent to military installations, military training routes, and underlying restricted airspace that can provide additional buffer zones to military activities and complement the resource values of the military lands.
>
> (6) Open space for the protection of places, features, and objects described in Sections 5097.9 and 5097.997 of the Public Resources Code.

Because the proposed project site does not contain agricultural lands or prime agricultural land, as defined by Contra Costa LAFCo, and because the proposed project would preserve a greater area of open space lands than what currently exists on the project site, the project would be consistent with the goals and policies included in the Contra Costa LAFCo AOSPP, and a ***less-than-significant*** impact would occur.

The above staff-initiated change is for clarification purposes only and would not change the aesthetics technical analysis conclusion, nor the mitigation requirements presented in the Draft EIR.

4.3 AIR QUALITY AND GREENHOUSE GAS EMISSIONS

Mitigation Measure 4.3-2 on page 4.3-36 of Chapter 4.3, Air Quality and Greenhouse Gas Emissions, is hereby revised as follows:

4.3-2 In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that ROG and NO_x emissions associated with project operations would not exceed the BAAQMD 54 lbs/day thresholds of significance. Mitigation measures shall be developed in coordination with the BAAQMD and shall include~~, but would not be limited to, BAAQMD's recommended mitigation measures as follows:~~ those measures set forth in Mitigation Measure 4.3-5(a) and the following measures listed below:

- *Use zero-VOC paints, finishes, and adhesives only;*
- ~~*Use of cool roof materials;*~~
- ~~*Plant shade trees;*~~
- ~~*Orient buildings to maximize passive solar heating;*~~
- *Install smart meters and programmable thermostats;*
- *Improve bike and pedestrian network (complete sidewalks, connection to adjacent areas, connection to bike network, etc.);*
- *Implement bicycle and pedestrian facilities such as bike lanes, routes, and paths, bike parking, sidewalks, and benches;*
- *Promote ridesharing, transit, bicycling, and walking for work trips;*
- ~~*Extend transit service into project site;*~~
- ~~*Participate in bike sharing programs;*~~
- ~~*Implement programs that offer residents free or discounted transit passes to encourage transit use;*~~
- ~~*Subsidize residential transit passes;*~~
- *Promote use of public electric vehicle charging infrastructure;*
- ~~*Provide charging stations and preferential parking spots for electric vehicles;*~~
- *Provide traffic calming features;*
- ~~*Minimize use of cul-de-sacs and incomplete roadway segments;*~~
- ~~*Install energy star appliances;*~~
- ~~*Install solar water heating;*~~
- ~~*Exceed minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures);*~~
- *Pre-wire homes for photovoltaic systems;*
- ~~*Provide community composting facilities or curb-side food waste services;*~~
- *Use water efficient landscapes and native/drought-tolerant vegetation; and*
- *Provide electrical outlets outside of homes to allow for use of electrically powered landscaping equipment.*

~~*The above mitigation measures are mandatory to reduce any significant impacts unless the applicant demonstrates that the measures are not feasible.*~~

If off-site mitigation measures are proposed, the applicant must be able to show that the emission reductions from identified projects are real, permanent through the duration of the project, enforceable, and are equal to the pollutant type and amount of the project impact being offset. BAAQMD recommends that off-site mitigation projects occur within the nine-county Bay Area in order to reduce localized impacts and capture potential co-benefits. If BAAQMD has established an off-site mitigation program at the time a development application is submitted, as an off-site mitigation measure, the applicant may choose to enter into an agreement with BAAQMD and pay into the established off-site mitigation program fund, where BAAQMD would commit to reducing the type and amount of emissions identified in the agreement.

The analysis and proposed mitigation measures shall be reviewed as part of the development review process.

The above changes clarify the applicable GHG mitigation measures that would apply to the proposed project, and the updated GHG technical analysis confirms the conclusions of the previous GHG analysis prepared for the Draft EIR.[1] Accordingly, the revisions do not alter the conclusions of the Draft EIR.

Mitigation Measures 4.3-5(a) and 4.3-5(b) on page 4.3-35 of Chapter 4.3, Air Quality and Greenhouse Gas Emissions, are hereby revised as follows:

4.3-5(a) ~~*Implement Mitigation Measure 4.3-2.*~~ *In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that project GHG emissions would not exceed 2.76 MTCO$_2$e/SP/yr threshold of significance. Mitigation measures shall be developed in coordination with BAAQMD and shall include, but not be limited to, BAAQMD's recommended mitigation measures as follows:*

- *Use of cool roof materials;*
- *Planting of shade trees;*
- *Improvement of bike network (connection to adjacent areas, connection to bike network, etc.);*
- *Improvement of pedestrian network (complete sidewalks, connection to adjacent areas, etc.);*
- *Extension of transit service into project site;*
- *Implementation of bicycle facilities;*

[1] Ramboll. *Memorandum: Greenhouse Gas Mitigation Measures for the Proposed Faria/Southwest Hills Annexation Project in Pittsburg, California*. May 17, 2022.

- *Community-based traveling;*
- *Participation in bike sharing programs;*
- *Providing of charging stations and preferential parking spots for electric vehicles;*
- *Minimizing the use of cul-de-sacs and incomplete roadway segments;*
- *Installation of energy star appliances;*
- *Installation of solar water heating;*
- *Exceeding minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures);*
- *Providing community composting facilities or curb-side food waste services;*
- *Elimination of natural gas infrastructure; and*
- *Reduction of VMT by 15 percent per capita consistent with SB 743 targets and OPR technical guidance.*

4.3-5(b) The project-level air quality analysis required by Mitigation Measure ~~4.3-2~~ 4.3-5(a) shall include an analysis of project-level GHG emissions. Such ~~future~~ project-level analyses shall include, but not be limited to, quantification of GHG emissions, as well as determination of operational GHG emission impacts, which shall be evaluated prior to any tentative map approval and in accordance with the BAAQMD CEQA Guidelines adopted in April 2022, which align with the State's 2030 and 2045 carbon targets ~~based on existing statewide climate change laws in effect at the time of analysis~~. The project-level GHG emissions shall be reduced through the implementation of the mitigation measures identified in Mitigation Measure ~~4.3-2~~ 4.3-5(a) designed to reduce operational GHG emissions. During future project-level reviews, the effectiveness of each implementation measure shall be quantified using the methodology shown in the 2022 Ramboll Report or using other methods supported by substantial evidence in light of project-level details included in the subject application. The City shall deem all measures in Mitigation Measure 4.3-5(a) feasible or presumptively feasible unless the applicant can demonstrate otherwise with substantial evidence.

The above changes clarify the applicable GHG mitigation measures that would apply to the proposed project, and the updated GHG technical analysis confirms the conclusions of the previous GHG analysis prepared for the Draft EIR.[2] Accordingly, the revisions do not alter the conclusions of the Draft EIR.

4.4 BIOLOGICAL RESOURCES

Mitigation Measure 4.4-2(b) on pages 4.4-49 and 4.4-50 of Chapter 4.4, Biological Resources, of the Draft EIR is hereby revised as follows:

[2] Ramboll. *Memorandum: Greenhouse Gas Mitigation Measures for the Proposed Faria/Southwest Hills Annexation Project in Pittsburg, California*. May 17, 2022.

4.4-2(b) *The project shall implement the following avoidance measures for potential effects on golden eagles during construction:*

- *Based on the potential for active nests, prior to implementation of construction activities, including tree removal, a qualified biologist shall conduct a pre-construction survey to establish whether an active golden eagle nest is present on the project site or within 0.5 mile of the project site to the extent the biologist can gain access. If an active nest is not present, further mitigation is not required. If an occupied nest is present, minimization requirements and construction monitoring shall be required, as detailed below.*
- *Construction activities shall be prohibited within 0.5 mile of active nests. Nests can be built and active at almost any time of the year, although mating and egg incubation occurs late January through August, with peak activity in March through July. If site-specific conditions or the nature of the construction activity (e.g., steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be appropriate or that a larger buffer should be implemented, the East Contra Costa County Habitat Conservancy shall coordinate with CDFW/USFWS to determine the appropriate buffer size.*
- *Construction monitoring shall ensure that no construction activities occur within the buffer zone established around an active nest. Construction monitoring shall ensure that direct effects to golden eagles are avoided.*

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

4.8 HYDROLOGY AND WATER QUALITY

Mitigation Measure 4.8-2 on pages 4.8-19 and 4.8-20 of Chapter 4.8, Hydrology and Water Quality, of the Draft EIR is hereby revised as follows:

4.8-2 *Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of Best Management Practices (BMPs). Construction BMPs included in the SWPPP may include, but are not limited to, the following measures:*

- *Silt fencing;*
- *Fiber Rolls;*
- *Vehicle washout areas and trackout control;*
- *Desilting Basins;*
- *Gravel Bag Berms; or*
- *Storm Drain inlet protection.*

> *The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Property boundaries between the project site and the Concord Hills Regional Park shall be identified, mapped, fenced, and signed for no entry. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.*

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

4.11 PUBLIC SERVICES AND UTILITIES

Based on a comment received on the Draft EIR, page 4.11-6 of Public Services and Utilities, Chapter 4.11 of the Draft EIR, is hereby revised as follows:

> Wastewater Treatment
>
> As discussed above, regional conveyance facilities transport wastewater to the Delta Diablo WWTP. After secondary treatment, the effluent is either discharged through a deep-water outfall to New York Slough or further processed through the RWF. The WWTP National Pollutant Discharge Elimination System (NPDES) permitted capacity for Permit allows an average dry weather flow of is 16.5 19.5 MGD., and the plant has an average dry weather flow design capacity of 19.5 MGD. An EIR for expansion of the WWTP to 22.7 MGD was completed in April 1988. The average dry weather flow influent to the treatment plant for the most recent reporting period was 13.4 12.8 MGD in 2017. The current NPDES Permit order was issued on August 13, 2014.

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

Based on a comment received on the Draft EIR, page 4.11-7 of the Draft EIR is hereby amended as follows:

> Keller Canyon Landfill disposes of industrial non-recyclable waste from Pittsburg. Mount Diablo Recycling Center provides recycling service through their Recycling Center and Transfer Station at 1300 Loveridge Road. The Keller Canyon Landfill has a maximum permitted throughput of 3,500.00 tons per day, and a maximum permitted capacity of 75,018,280 cubic yards with a remaining capacity of 63,408,410 cubic yards.
>
> The Public Works Department's Environmental Affairs Division, in conjunction with Pittsburg Disposal, coordinates the curbside recycling, and green waste programs. Pittsburg Disposal provides a container for garbage, recycling and green waste separately.

> In addition, the District operates the regional Household Hazardous Waste Collection facility, located at 2550 Pittsburg-Antioch Highway, Antioch.

The forgoing revisions are for clarification purposes and do not affect the conclusions of the Draft EIR.

Based on a comment received on the Draft EIR, page 4.11-33 of Public Services and Utilities, Chapter 4.11 of the Draft EIR, is hereby revised as follows:

> In addition to the above, the proposed project would conflict with the location standard established by General Plan Policy 11-P-26, as the site would be located outside of the 1.5-mile response time radius of the nearest fire station, which would have the primary responsibility for serving the project site. Therefore, although the proposed project would be required to pay Fire Facility Impact Fees in effect at the time of building permit issuance, the project would conflict with location and response time standards established by the General Plan. Furthermore, the project site is not currently included within CFD 2017-1, and would not be subject to the special taxes required to provide fire service to new development. Consequently, the proposed project would conflict with General Plan Policy 11-P-26 and would not provide for adequate funding of fire emergencies, both of which would be considered a ***significant*** impact. Nonetheless, the proposed project would be consistent with the ~~Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and~~ Contra Costa County Local Agency Formation Commission Policies (b) and (j), as discussed in Appendix J of this EIR, due to payment of applicable fees and availability of CCCFPD to provide service to the project site.

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

Based on a comment received on the Draft EIR, page 4.11-42 of Public Services and Utilities, Chapter 4.11 of the Draft EIR, is hereby revised as follows:

> Based on the above, the proposed project's incremental contribution to increases in demand for public services and utilities would not be cumulatively considerable, with the exception of impacts related to fire protection services. Therefore, the cumulative impact, specifically related to cumulative impacts to fire protection services, would be considered ***significant and unavoidable***. ~~Nonetheless, the project would be consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Contra Costa County Local Agency Formation Commission Policies (b), (j), and (k), as discussed in Appendix J of this EIR, due to payment of applicable fees and availability of service providers to provide service to the project site.~~

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

4.12 TRANSPORTATION, TRAFFIC, AND CIRCULATION

Based on a comment received by the City of Pittsburg, page 4.12-12 of the Partially Recirculated Draft EIR is hereby revised as follows:

> For roadways in the City of Concord, the intersections and roadway segments are to operate at LOS D or better, as specified in the City of Concord General Plan. However, in the Downtown area (as generally defined by Port Chicago Highway to the east, Mt. Diablo High School to the north, Cowell Road to the south, and Market Street to the west), and along the City's transit routes, LOS E is acceptable. In addition, LOS E is considered acceptable in the vicinity of the Concord and North Concord BART stations. Table 4.12-3 shows the existing delay and LOS at the study intersections for weekday peak hour conditions.

The foregoing revision does not alter the analysis or conclusions presented in the Partially Recirculated Draft EIR, given that the Partially Recirculated Draft EIR does not include any study intersections in the immediate vicinity of the referenced Bay Area Rapid Transit (BART) stations.

Based on a comment received on the Partially Recirculated Draft EIR, Table 4.12-8, on page 4.12-22 of Chapter 4.12 of the Partially Recirculated Draft EIR, is hereby revised as follows:

Table 4.12-8
Delay Index Summary – Existing Conditions

Roadway Segment	Distance (miles)	Uncongested Travel Time		AM Peak Hour		PM Peak Hour	
		AM Peak	PM Peak	CTT	DI	CTT	DI
East County							
EB SR 4	2.99	2.39	2.39	2.58	1.1	12.15	**5.1**
WB SR 4	3.53	2.82	2.82	8.35	**3.0**	2.93	1.0
Central County							
Eastbound SR-4	4.43	3.55	3.55	4.10	1.2	12.38	3.5
Westbound SR-4	3.63	2.90	2.90	5.51	1.9	3.17	1.1
Northbound SR-242	2.50	2.00	2.00	2.41	1.2	6.70	**3.4**
Southbound SR-242	2.23	1.78	1.78	4.47	2.5	1.97	1.1

Note: CTT = Congested Travel Time, measured in ~~seconds~~minutes.

Source: Kimley-Horn and Associates, Inc., 2019.

The above revision does not change the results presented in the table because the delay index is unitless. Accordingly, this revision does not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, page 4.12-45 of the Partially Recirculated Draft EIR is hereby revised as follows:

> Construction of the project, including site preparation and construction, and delivery activities, would generate contractor employee trips and a variety of construction-related vehicles. As a result, construction activities could include disruptions to the transportation network near the project site, including the possibility of temporary lane closures, street closures, sidewalk closures, and bikeway closures. ~~The increase in traffic as a result of construction activities associated with the proposed project has been quantified assuming a worst-case, single-phase construction period of five years.~~

The foregoing revision is for clarification purposes only and does not affect the analysis or conclusions presented in the EIR.

Based on a comment received by the City of Pittsburg, page 4.12-56 of the Partially Recirculated Draft EIR is hereby revised as follows:

- EB SR 4 Ramps/Willow Pass Road (Intersection #2);
- WB SR 4 Ramps/Willow Pass Road (Intersection #3);
- W. Leland Road/San Marco Boulevard (Intersection #6);
- WB SR-4 Ramps/San Marco Boulevard (Intersection #18); ~~and~~
- Concord Boulevard and Bailey Road (Intersection #35)~~.~~; and
- Bailey Road and Myrtle Drive (Intersection #36).

The foregoing revision does not affect the analysis and conclusions presented in the Partially Recirculated Draft EIR. The significant and unavoidable impact conclusion for the Bailey Road and Myrtle Drive intersection presented on page 4.12-64 of the Partially Recirculated Draft EIR remains valid.

Based on a comment received by the City of Pittsburg, page 4.12-60 of the Partially Recirculated Draft EIR is hereby revised as follows:

EB SR 4 ramps and Willow Pass Road (Intersection #2)

As presented above, Mitigation Measure 4.12-2(a) includes the following improvements to the EB SR 4 ramps and Willow Pass Road intersection: signalization; addition of a southbound left turn lane; restriping of the shared southbound through-left lane to be a through lane; and restriping of the eastbound approach to be an eastbound left turn lane and a shared eastbound through-right lane. The aforementioned improvement has been planned by the Capital Improvement Program for the 2015 Update to the Contra Costa CMP (Project 1028); however, funding sources have not yet been identified, and a timeframe for the improvement has not been established. As shown in Table 4.12-13, implementation of Mitigation Measure 4.12-2(a) would improve the operations at the EB SR 4 ramps and Willow Pass Road intersection to LOS B in the PM peak hour~~s~~ which would meet the LOS requirement of LOS D or better for a signalized intersection in ~~the City of Pittsburg~~ unincorporated Contra Costa County. However, given that funding is not available for the required improvements, the impact to the EB SR 4 ramps and Willow Pass Road intersection would remain *significant and unavoidable.*

- Implement Mitigation Measure 4.12-2(a).

WB SR 4 Ramps and Willow Pass Road (Intersection #3)

As shown above, Mitigation Measure 4.12-2(a) includes the following improvements to the WB SR 4 ramps and Willow Pass Road intersection: signalization; addition of a northbound left turn lane; restriping of the northbound shared through-left turn lane to be a through lane; and restriping of the westbound approach to be two westbound left turn lanes and a shared westbound through-right lane. The aforementioned improvement has been planned by the Capital Improvement Program for the 2015 Update to the Contra Costa

CMP (Project 1028), although funding sources have not yet been identified, and a timeframe for the improvement has not been established As shown in Table 4.12-13, implementation of Mitigation Measure 4.12-2(a) would improve the operations at the WB SR 4 ramps and Willow Pass Road intersection to LOS E in the AM peak hour, which would not meet the LOS requirement of LOS D or better for a signalized intersection in ~~the City of Concord~~ unincorporated Contra Costa County. Although the intersection would operate better than without the proposed project, funding is not available for the required improvements, Therefore, the project impact to the WB SR 4 ramps and Willow Pass Road intersection would remain *significant and unavoidable.*

- Implement Mitigation Measure 4.12-2(a).

The foregoing revisions do not affect the analysis and conclusions presented in the Partially Recirculated Draft EIR, as the significance standard at the affected intersections does not change across jurisdictions.

Based on a comment received by the City of Pittsburg, Table 4.12-18 on page 4.12-77 of the Partially Recirculated Draft EIR is hereby revised, as shown on the following page. The revisions to Table 4.12-18 do not affect the conclusions presented in the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, page 4.12-83 of the Partially Recirculated Draft EIR is hereby revised as follows:

Mitigation Measure(s)

Table 4.12-20 shows the study intersection LOS in the Long Term (2035) Plus Project Condition both with and without mitigation. With the exception of impacts to the following intersections, which would all remain *significant and unavoidable*, implementation of the following mitigation measures would reduce impacts to the remaining intersections to less-than-significant levels:

- Avila Road/Willow Pass Road (Intersection #1);
- WB SR4 Ramps/Willow Pass Road (Intersection #3);
- W. Leland Road/San Marco Boulevard (Intersection #6);
- W. Leland Road/Bailey Road (Intersection #18);
- Concord Boulevard and Bailey Road (Intersection #35);
- Bailey Road and Myrtle Drive (Intersection #36);
- Clayton Road and Treat Boulevard (Intersection #39);
- Clayton Road and Bailey Road (Intersection #40);
- Cowell Road/Treat Boulevard (Intersection #41);
- Bailey Road/Project Entrance (Intersection #43);
- Treat Boulevard and Oak Grove Road (Intersection #44); and
- Concord Boulevard/Port Chicago Highway (Intersection #48).

A discussion of the mitigation measure(s) required for each impacted intersection, as well as a description of how the measures would reduce impacts at that intersection, is provided below, immediately following the list of mitigation measures.

Table 4.12-18
Freeway Ramp LOS – Existing Plus Project Conditions

Freeway Section	Criteria LOS	Existing				Existing Plus Project			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		LOS	Density[1] (pcpmpl)	LOS	Density[1] (pcpmpl)	LOS	Density[1] (pcpmpl)	LOS	Density[1] (pcpmpl)
Eastbound SR 4									
Willow Pass Road Off-Ramp	F	A	5.2	F	35.2	A	5.7	F	37.6
Willow Pass Road On-Ramp	F	A	9.0	F	44.8	B	17.2	F	47.0
San Marco Boulevard Off-Ramp	F	A	8.6	~~D~~ F	34.2	A	9.3	~~E~~ F	36.1
SB San Marco Boulevard Loop On-Ramp	F	A	8.0	~~D~~ F	29.1	A	8.1	~~D~~ F	29.6
NB San Marco Boulevard Diagonal On-Ramp	F	A	5.5	~~C~~ F	26.5	A	5.8	~~C~~ F	27.1
SB Bailey Road Diagonal Off-Ramp	F	A	5.1	~~C~~ F	24.3	A	5.5	~~C~~ F	26.5
NB Bailey Road Loop Off-Ramp	F	A	7.3	~~C~~ F	26.2	A	7.4	~~C~~ F	26.1
Bailey Road On-Ramp	F	B	11.6	~~E~~ F	35.0	B	11.3	~~E~~ F	35.5
Westbound SR 4									
NB Bailey Road Diagonal Off-Ramp	F	~~C~~ F	27.3	B	15.3	~~C~~ F	27.5	B	15.8
SB Bailey Road Loop Off-Ramp	F	~~C~~ F	25.1	B	19.5	~~C~~ F	22.8	C	20.6
Bailey Road On-Ramp	F	~~C~~ F	24.3	B	14.1	~~C~~ F	25.3	B	14.8
San Marco Boulevard Off-Ramp	F	~~D~~ F	28.2	B	16.3	~~D~~ F	28.7	B	16.8
NB San Marco Boulevard Loop On-Ramp	F	~~E~~ F	36.7	B	17.4	~~E~~ F	38.1	B	18.2
SB San Marco Boulevard Diagonal On-Ramp	F	F	45.4	B	16.2	F	45.7	B	16.7
Willow Pass Road Off-Ramp	F	~~C~~ F	27.3	B	16.6	~~D~~ F	28.6	B	17.4
Willow Pass Road On-Ramp	F	~~E~~ F	37.3	C	20.3	~~E~~ F	38.5	C	21.0

Notes:
[1] pcpmpl = passenger cars per mile per lane.

Source: Kimley-Horn and Associates, ~~2017~~2019.

4.12-8(a) *Prior to occupancy of the proposed buildings, the project applicant shall complete the following improvements at intersections within the City of Concord, subject to coordination with and approval by the City of Concord Traffic Engineering and Transportation Planning Division.*

- *The northbound approach at the Avila Road and Willow Pass Road intersection shall be restriped to include one through lane and one right turn lane; ~~and~~*
- *The southbound approach at the Clayton Road and Bailey Road intersection shall be restriped to be a southbound left-turn lane, a shared southbound through/right-turn lane, and a southbound right-turn lane; and*
- *The intersection timing splits at the following intersections shall be optimized: Clayton Road/Treat Boulevard (Intersection #39) and Concord Boulevard/Port Chicago Highway (Intersection #48).*

The foregoing revisions clarify that the required improvements would be subject to review and approval by the City of Concord and are consistent with the information presented in Table 4.12-20 of the Partially Recirculated Draft EIR and with the Traffic Impact Study (TIS) prepared for the proposed project by Kimley-Horn and Associates, Inc., which was included as Appendix A to the Partially Recirculated Draft EIR. The revisions do not affect the analysis and conclusions presented in the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, Mitigation Measure 4.12-8(d) on page 4.12-86 of the Partially Recirculated Draft EIR is hereby revised as follows:

4.12-8(d) *As part of future development applications, the project improvement plans shall show that the eastbound approach of the EB SR 4 ramps and San Marco Boulevard intersection would be restriped to be an eastbound left turn lane, a shared left-through-right lane, and an eastbound right turn lane. Implementation of the required improvements shall be accomplished by way of one of the following methods:*

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed ~~s~~residences. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

The above change is for clarification purposes only and does not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, Mitigation Measure 4.12-8(e) is hereby revised as follows:

4.12-8(e) *As part of future development applications, the project improvement plans shall show that a northbound right turn lane at the W. Leland Road and Bailey Road intersection would be striped and the shared northbound through-right lane would be restriped to be through lane. In addition, the project improvement plans shall show that a southbound right turn overlap phase and a westbound right turn overlap phase would be implemented. Implementation of the required improvements shall be accomplished by way of one of the following methods:*

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residences. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

The above change is for clarification purposes only and does not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received by the City of Pittsburg, Mitigation Measure 4.12-8(f) on pages 4.12-88 and 4.12-89 of the Partially Recirculated Draft EIR is hereby revised as follow:

4.12-8(f) *As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP (Project S-16) to the City of Pittsburg Community Development Department. Such improvements would include optimization of timing splits at the following intersections:*

1. *W. Leland Road and Burton Avenue~~; and~~*
~~*2. Clayton Road and Treat Boulevard.*~~

Proof of payment shall be submitted to the City of Pittsburg Community Development Department.

The above changes are for clarification purposes only and do not change the technical analysis prepared for the project. Accordingly, the revisions do not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, Mitigation Measure 4.12-8(g) on page 4.12-89 of the Partially Recirculated Draft EIR is hereby revised as follows:

4.12-8(g) *As part of future development applications, the project improvement plans shall show that the eastbound left turn phase and westbound left turn phase at the W. Leland and Crestview Drive intersection would be changed from protected to permitting phasing. Implementation of the required improvements shall be accomplished by way of one of the following methods:*

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed ~~residences~~. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

The above change is for clarification purposes only and does not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received by the City of Pittsburg, Mitigation Measure 4.12-8(h) on page 4.12-90 is hereby revised as follows:

4.12-8(h) *Implement Mitigation Measure 4.12-2(~~d~~b).*

The above change is for clarification purposes only and does not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received by the City of Pittsburg, page 4.12-95 is hereby revised as follows:

Concord Boulevard and Bailey Road (Intersection #35)

As presented above, Mitigation Measure 4.12-8(h) includes the following improvements to the Concord Boulevard and Bailey Road intersection: widening of the southbound approach; restriping of the southbound approach to include a southbound left turn lane, a

southbound through lane, and a southbound right turn lane; and widening of the northbound approach to be a northbound left turn lane and a shared through-right turn lane. The aforementioned improvements have been planned in the Concord CIP (Project 2049) with funding from traffic mitigation fees, grant funds, and Concord-owned ROW. As shown in Table 4.12-20, implementation of Mitigation Measure 4.12-2(h) would improve the operations at the Concord Boulevard and Bailey Road intersection in the AM and PM peak hours. However, even with implementation of Mitigation Measure 4.12-8(h), the v/c is still increased by 0.03 or more in the AM peak hour and decreases in the PM peak hour without project conditions; therefore, the intersection would remain an impact in the AM peak hour and would be reduced to less than significant in the PM peak hour. However, the intersection is located in the City of Concord, the City of Pittsburg cannot guarantee the completion of the improvements. Therefore, the impact to the Concord Boulevard and Bailey Road intersection would remain *significant and unavoidable*.

- Implement Mitigation Measure 4.12-8(~~m~~h).

The above changes are for clarification purposes only and do not change the technical analysis prepared for the project. Accordingly, the revisions do not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received by the City of Pittsburg, page 4.12-96 is hereby revised as follows:

Bailey Road and Myrtle Drive (Intersection #36)

As presented above, Mitigation Measure 4.12-8(h) includes the following improvements to the Bailey Road and Myrtle Drive intersection: signalization; addition of a southbound left turn lane; and restriping of the shared southbound through-left lane to be a through lane. The aforementioned improvements have been planned in the Concord CIP (Project 2049) with funding from traffic mitigation fees, grant funds, and Concord-owned ROW. It should be noted that the intersection does not meet the peak hour traffic signal warrant in the Existing plus Project scenario (two vehicles less than the threshold on the minor street approach), but does meet the warrant in the Long-Term (2035) Plus Project Condition. As shown in Table 4.12-20, implementation of Mitigation Measure 4.12-8(h) would improve the operations ~~at the Bailey Road and Myrtle Drive intersection to LOS B~~ in the AM and PM peak hours, and would decrease v/c during the PM peak hour relative to without project conditions.~~, which would meet the LOS requirement of LOS D or better for a signalized intersection in the City of Concord.~~ However, even with implementation of Mitigation Measure 4.12-8(h), the v/c during the AM peak hour would increase by 0.03 or more under the Long-Term (2035) Plus Project Condition; therefore, the intersection would remain impacted in the AM peak hour and would be reduced to less than significant in the PM peak hour. Furthermore, given that a timeframe has not been established, completion of the proposed improvements prior to buildout of the project site cannot be guaranteed. Therefore, the impact to the Bailey Road and Myrtle Drive intersection would temporarily remain *significant and unavoidable*.

- Implement Mitigation Measure 4.12-8(m).

Clayton Road and Treat Boulevard (Intersection #39)

As presented above, Mitigation Measure 4.12-8(f) includes optimization of the timing splits at the intersection. As shown in Table 4.12-20, implementation of Mitigation Measure 4.12-8(f) would improve the operations at the Clayton Road and Treat Boulevard intersection in the PM peak hour. ~~Although the intersection would not meet the requirement of LOS E or better for a signalized intersection in the City of Concord, the intersection v/c ratio would be equal to or better than the Long-Term (2035) Plus Project v/c ratio.~~ However, even with implementation of Mitigation Measure 4.12-8(f), the v/c during the PM peak hour would increase by 0.03 or more under the Long-Term (2035) Plus Project Condition; therefore, the intersection would remain impacted in the PM peak hour. Furthermore, given that the intersection is located in the City of Concord, the City of Pittsburg cannot guarantee the completion of the improvements. Therefore, the impact to the Clayton Road and Treat Boulevard intersection would temporarily remain *significant and unavoidable*.

- Implement Mitigation Measure 4.12-8(f).

Clayton Road and Bailey Road (Intersection #40)

As presented above, Mitigation Measure 4.12-8(a) includes restriping of the southbound approach at the Clayton Road/Bailey Road intersection to include a southbound left-turn lane, a shared southbound through/right-turn lane, and a southbound right-turn lane. As shown in Table 4.12-20, implementation of Mitigation Measure 4.12-8(a) would improve the operations at the Clayton Road/Bailey Road intersection; however, the intersection would continue to operate at LOS E in the AM peak hour, which would not meet the LOS requirement of LOS D or better for a signalized intersection in the City of Concord, although the intersection would decrease in v/c with the mitigation and operate better than without the proposed project. Nonetheless, because the intersection is located outside of the City of Pittsburg's jurisdiction, completion of the proposed improvements cannot be guaranteed. Therefore, the project impact to the Clayton Road/Bailey Road intersection would remain *significant and unavoidable.*

- Implement Mitigation Measure 4.12-8(a).

The above changes are for clarification purposes only and do not change the technical analysis prepared for the project. Accordingly, the revisions do not alter the conclusions of the Partially Recirculated Draft EIR.

7 REFERENCES

Based on a comment received on the Draft EIR, the following reference contained in Chapter 7, References, of the Draft EIR, is hereby revised as follows:

Contra Costa Local Agency Formation Commission. *2nd Round EMS/Fire Services Municipal Service Review/Sphere of Influence Updates*. August 10, 2016.

Contra Costa Local Agency Formation Commission. *Agricultural & Open Space Preservation Policy.* Amended December 12, 2016.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Sections, 56000, *et seq*.

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

APPENDIX M: SANITARY SEWER SYSTEM TECHNICAL MEMORANDUM

In response to comments received on the Draft EIR, Isakson & Associates, Inc. has provided an updated cover letter for the Faria Property Sanitary Sewer System technical memorandum (see Appendix A to this Revised and Updated Final EIR). The updated cover letter is hereby incorporated into Appendix M to the Draft EIR.

The updated cover letter does not affect the ultimate conclusions presented in the Faria Property Sanitary Sewer System technical memorandum and does not alter the analysis or conclusions presented in the Draft EIR.

APPENDIX A

Isakson & Assoc. Inc.
civil engineering land surveying

2 MIRANGO COURT
CLAYTON, CA 94517
925-876-0889

July 15, 2020

Response to Delta Diablo Letter dated December 4, 2018

Re: Faria/Southwest Hills Annexation Project Draft Environmental Impact Report

124-1: District provided a summary of the project's requested entitlements. A response is not necessary.

124-2: The DEIR has been revised to incorporate the WWTP's existing permit capacity, potential future expansion capacity, and the current sewer flow rate, all as provided by the District.

124-3 to 124-7: District requested corrections and clarifications to the description of its sewer system provided in Isakson's Technical Memo (December 27, 2013). These requests have been incorporated into a Clarification Memo to the original Technical Memo. Please see attached.

124-8: District requested clarification on the determination of sewer capacity offsite of the Bailey Estates Project. The Clarification Memo referenced above clarified that while the sewer study for the Bailey Estates Project anticipated the buildout of Bailey Estates and the 300 homes in the southern quarter of Faria, a final and complete sewer study will be performed once Faria advances to final design after entitlement approval, in order to account for the approved buildout configuration, and to re-confirm downstream sewer system capacity and physical condition, routing, and any upsizing that would be required.

Isakson & Assoc. Inc.
civil engineering & land surveying

2 MIRANGO COURT
CLAYTON, CA 94517
925-876-0889

July 15, 2020

Clarification Memo to Isakson's December 27, 2013 Technical Memo

Re: Faria Property Sanitary System

The following clarifications to the subject Technical Memo are issued in response to Delta Diablo's December 4, 2018 Letter. These clarifications do not change the conclusions in the Technical Memo.

In the first paragraph (concerning sewer flow from the northerly three quarters of Faria) of the Technical Memo, reference was made to a sewer main being constructed in 2004. Per Delta Diablo's letter, construction of this sewer main in Willow Pass Rd was not started until 2005; the sewer main in Willow Pass Rd ranges from 12" to 16"; and the Vista de Mar (fka Alves Ranch) connection was made at Enes Ave rather than Alves Ln based on an updated predesign report by Nute Engineering.

In the second paragraph (concerning sewer flow from the southerly quarter of Faria) of the Technical Memo, reference was made to sewer flow to the existing interceptor sewer in Willow Pass Rd. Per Delta Diablo's letter, the connection of the 12" trunk main is to the District Rossmoor Interceptor, located west of the Frontage and Dover intersection. It should also be clarified that while the sewer study for the Bailey Estates Project anticipated the buildout of Bailey Estates and the 300 homes in the southern quarter of Faria, a final and complete sewer study will be performed once Faria advances to final design after entitlement approval, in order to account for the approved buildout configuration, and to re-confirm downstream sewer system capacity and physical condition, routing, and any upsizing that would be required.

APPENDIX B

Appendix A

Intersection Analysis of Pedestrian and Bicycle Counts

Pedestrian and Bicycle Counts						
Mitigation Measure	**Intersection**	**Mitigation**	**Pedestrian Counts (max/hr)**		**Bicycle Counts (max/hr)**	
			AM	**PM**	**AM**	**PM**
4.12-2(a)	EB SR-4 Ramps/Willow Pass Road	The EB SR-4 Ramps/Willow Pass Road intersection shall be signalized, a southbound left turn lane shall be added, the shared southbound through-left lane shall be restriped to be a through lane, and the eastbound approach shall be restriped to be an eastbound left turn lane and a shared eastbound through-right lane.	0	1, East Leg	0, all approaches	1 NB
4.12-2(a)	WB SR-4 Ramps/Willow Pass Road	The WB SR-4 Ramps/Willow Pass Road shall be signalized, a northbound left turn lane shall be added, the northbound shared through-left turn lane shall be restriped to be a through lane, and the westbound approach shall be restriped to be two westbound left turn lanes and a shared westbound through-right lane.	1, EL 1 WL (2 Total)	0	2 SBRT 1 WBTH (3 Total)	2 NBRT
4.12-2(b)	W. Leland Road and San Marco Boulevard (Intersection #6)	Optimization of cycle lengths/intersection timing splits	4 EL (4 Total)	1 NL 1 EL 4 SL 4 WL (10 Total)	1 SBLT	1 SBTH

4.12-2(b)	Willow Pass Road and Loftus Road (Intersection #11)	Optimization of cycle lengths/intersection timing splits	5 NL 11 EL 7 SL (23 Total)	4 NL 2 EL 7 SL (13 Total)	1 WBTH 1 NBLT 1 EBTH (3 Total)	1 WBTH 2 EBTH (3 Total)
4.12-2(b)	Leland Road and Bailey Road (Intersection #18)	Optimization of cycle lengths/intersection timing splits	22 NL 12 EL 2 SL (36 Total)	12 NL 6 EL 2 SL 4 WL (24 Total)	1 SBLT 1 WBTH 1 EBTH (3 Total)	1 NBRT 1 EBTH (2 Total)
4.12-2(b)	Leland Road and Jacqueline Drive (Intersection #24)	Optimization of cycle lengths/intersection timing splits	3 EL 2 SL 1 WL (6 Total)	1 NL 4 SL 1 WL (6 Total)	1 WBTH 2 EBTH (3 Total)	3 EBTH
4.12-2(b)	Leland Road and Crestview Drive (Intersection #29)	Optimization of cycle lengths/intersection timing splits	1 NL 7 EL 5 SL 7 WL (20 Total)	6 NL 6 EL 1 SL 3 WL (16 Total)	1 NBLT 1 EBRT 2 EBTH (4 Total)	2 SBTH 1 WBRT 1 WBTH 1 NBRT 2 NBTH (7 Total)

4.12-2(c)	W. Leland Road and Chestnut Drive	As part of future development applications, the project applicant shall show that the westbound left turn and eastbound left turn movements at W. Leland Road and Chestnut Drive (Intersection #23) would be converted from protected left turn phasing to permitted left turn phasing.	1 NL 8 SL 4 WL (13 Total)	2 NL 3 SL (5 Total)	1 WBTH 2 EBTH (3 Total)	2 EBTH
4.12-2(d)	Concord Boulevard and Bailey Road	The southbound approach at the Concord Boulevard and Bailey Road intersection shall be widened and restriped to include a southbound left turn lane, a southbound through lane, and a southbound right turn lane. In addition, the northbound approach shall be widened to be a northbound left turn lane and a shared throughright turn lane.	1 NL 2 WL (3 Total)	1 EL 3 SL 3 WL (7 Total)	2 WBTH 2 EBTH (4 Total)	1 SBRT 1 WBLT (2 Total)
4.12-2(d)	Bailey Road and Myrtle Drive	The Bailey Road and Myrtle Drive intersection shall be signalized, a southbound left turn lane shall be added, and the shared southbound through-left lane shall be restriped to be a through lane	0	0	0	1 WBLT

4.12-2(e)	Clayton Road and Treat Boulevard	The Clayton Road and Treat Boulevard intersection shall be widened for the northbound approach to be two northbound left turn lanes, two northbound through lanes, and a northbound right turn lane. In addition, the northbound and southbound phases shall be changed from split phasing to protected phasing and the intersection timing splits shall be optimized.	5 NL 2 EL 6 SL 1 WL (14 Total)	10 NL 4 EL 14 SL 12 WL (40 Total)	1 WBRT 1 WBTH 2 WBLT 2 EBTH (6 Total)	2 WBTH 2 WBLT 4 EBTH (8 Total)
4.12-2(f)	Cowell Road and Treat Boulevard (Intersection #41)	Optimize intersection timing splits.	2 NL 6 EL 7 SL 2 WL (17 Total)	1 NL 9 EL 4 SL (14 Total)	4 SBTH 2 WBTH 1 NBTH 2 EBLT (9 Total)	2 SBLT 1 WBTH 1 WBLT 6 NBTH 2EBTH (12 Total)
4.12-2(f)	Treat Boulevard and Oak Grove Road (Intersection #44)	Optimize intersection timing splits.	24 NL 24 EL 19 SL 87 WL (154 Total)	8 NL 11 EL 11 SL 20 WL (50 Total)	1 SBRT 13 SBTH 1 WBTH 1 WBLT 2 NBTH 1 NBLT 1 EBRT (20 Total)	2 SBTH 1 SBLT 1 WBLT 4 NBTH 1 EBRT 2 EBTH (11 Total)

4.8-12(a)	Avila Road and Willow Pass Road	The northbound approach at the Avila Road and Willow Pass Road intersection shall be restriped to include one through lane and one right turn lane	0	0	1 WBLT 1 NBRT (2 Total)	1 NBTH
4.8-12(a)	Cowell Road and Treat Boulevard (Intersection #41)	The intersection timing splits shall be optimized.	2 NL 6 EL 7 SL 2 WL (17 Total)	1 NL 9 EL 4 SL (14 Total)	4 SBTH 2 WBTH 1 NBTH 2 EBLT (9 Total)	2 SBLT 1 WBTH 1 WBLT 6 NBTH 2EBTH (12 Total)
4.8-12(a)	Treat Boulevard and Oak Grove Road (Intersection #44)	The intersection timing splits shall be optimized.	24 NL 24 EL 19 SL 87 WL (154 Total)	8 NL 11 EL 11 SL 20 WL (50 Total)	1 SBRT 13 SBTH 1 WBTH 1 WBLT 2 NBTH 1 NBLT 1 EBRT (20 Total)	2 SBTH 1 SBLT 1 WBLT 4 NBTH 1 EBRT 2 EBTH (11 Total)

4.8-12(a)	Concord Boulevard/Port Chicago Highway (Intersection #48)	The intersection timing splits shall be optimized.	5 NL 16 EL 1 SL (22 Total)	6 NL 27 EL 1 SL (34 Total)	2 WBTH 1 WBLT 1 EBLT (4 Total)	1 WBRT 1 WBTH 1 NBTH 1 NBLT 3 EBTH (7 Total)
4.8-12(b)	WB SR-4 Ramps and Willow Pass Road	The southbound right turn lane at the WB SR-4 Ramps and Willow Pass Road intersection shall be converted to a free right turn lane.	1, EL 1 WL (2 Total)	0	2 SBRT 1 WBTH (3 Total)	2 NBRT
4.8-12(c)	Rio Verde Circle and San Marco Boulevard	As part of future development applications, the project improvement plans shall show that an eastbound left turn lane would be added to the Rio Verde Circle and San Marco Boulevard intersection.	16 NL 4 EL 8 SL 10 WL (38 Total)	7 NL 1 EL 1 SL 1 WL (10 Total)	2 WBTH 1 EBTH (3 Total)	0
4.12-8(d)	EB SR 4 ramps and San Marco Boulevard	As part of future development applications, the project improvement plans shall show that the eastbound approach of the EB SR 4 ramps and San Marco Boulevard intersection would be restriped to be an eastbound left turn lane, a shared left-through-right lane, and an eastbound right turn lane	2 EL	2EL	1 NBTH	2 SBTH

4.12-8(e)	WB SR-4 Ramps and San Marco Boulevard	As part of future development applications, the project improvement plans shall show that one of the northbound through lanes at the WB SR-4 Ramps and San Marco Boulevard intersection would be converted to a northbound left turn lane.	2 NL 2 WL (4 Total)	1 all legs each (4 Total)	1 SBTH 1 EBRT (2 Total)	1 NBTH
4.12-8(f)	W. Leland Road and Southwood Drive	As part of future development applications, the project improvement plans shall show that the northbound approach at the W. Leland Road and Southwood Drive Intersection would be restriped to be a northbound left turn lane and a northbound right turn lane.	1 EL 19 SL 1 WL (21 Total)	15 SL (15 Total)	1 WBLT 1 NBRT 1 EBRT 2 EBTH (5 Total)	3 WBTH 1 NBRT (4 Total)
4.12-8(g)	W. Leland Road and Bailey Road	As part of future development applications, the project improvement plans shall show that a northbound right turn lane at the W. Leland Road and Bailey Road intersection would be striped and the shared northbound through-right lane would be restriped to be through lane. In addition, the project improvement plans shall show that a southbound right turn overlap phase and a westbound right turn overlap phase would be implemented.	22 NL 12 EL 2 SL (36 Total)	12 NL 6 EL 2 SL 4 WL (24 Total)	3 WBTH	1 NBRT 1 EBTH (2 Total)

4.12-8(i)	W. Leland Road and Jacqueline Drive intersection	Department. Such improvements would include conversion of the westbound left turn and eastbound left turn movements from protected left turn phasing to permitted left turn phasing at the W. Leland Road and Jacqueline Drive intersection.	3 EL 2 SL 1 WL (6 Total)	1 NL 4 SL 1 WL (6 Total)	1 WBTH 2 EBTH (3 Total)	3 EBTH
4.12-8(j)	W. Leland Road and Range Road	Optimize intersection timing splits.	4 NL 10 EL 7 SL (21 Total)	3 NL 2 EL 4 SL 5 WL (14 Total)	3 SBLT 1 WBTH (4 Total)	2 WBRT 3 WBTH 5 EBTH (10 Total)
4.12-8(j)	W. Leland Road and Dover Way	Optimize intersection timing splits.	12 NL 1 EL 6 SL 2 WL (21 Total)	2 NL 8 EL 2 SL 3WL (15 Total)	2 EBLT	3 WBTH 4 EBTH (7 Total)
4.12-8(j)	W. Leland Road and Burton Avenue	Optimize intersection timing splits.	13 NL 14 SL 30 WL (57 Total)	6 NL 1 SL 2 WL (9 Total)	1 WBTH	1 SBRT 1 EBRT 1 EBLT (3 Total)

4.12-8(k)	W. Leland and Crestview Drive	As part of future development applications, the project improvement plans shall show that the eastbound left turn phase and westbound left turn phase at the W. Leland and Crestview Drive intersection would be changed from protected to permitting phasing.	1 NL 7 EL 5 SL 7 WL (20 Total)	6 NL 6 EL 1 SL 3 WL (16 Total)	1 NBLT 1 EBRT 2 EBTH (4 Total)	2 SBTH 1 WBRT 1 WBTH 1 NBRT 2 NBTH (7 Total)
4.12-8(l)	Willow Pass Road and Olivera Road	As part of future development applications, the project improvement plans shall show that the southbound approach at the Willow Pass Road and Olivera Road intersection would be restriped to be two southbound left turn lanes, a southbound through lane, and a shared southbound through-right turn lane.	1 EL 6 SL 2 WL (9 Total)	3 NL 4 EL 3 SL 4 WL (14 Total)	2 EBTH	1 SBTH 2 SBLT 2 WBRT 2 WBTH 1 EBTH (8 Total)
4.12-8(o)	Bailey Road (south of Willow Avenue, between Concord and Keller Canyon Landfill; closest intersection is Willow Pass and Bailey Road)	Improvements would include widening of Bailey Road from two lanes to four lanes.	11 NL 3 EL 3 SL 9 WL (26 Total)	16 NL 8 EL 8 SL 23 WL (55 Total)	6 WBTH 1 EBTH (7 Total)	2 SBRT 1 WBTH 2 NBTH 2 EBTH (7 Total)

APPENDIX C

RAMBOLL

ENVIRONMENT
& HEALTH

MEMORANDUM

To: Louis Parsons, Discovery Builders

From: Shari Beth Libicki
Shaena Ulissi
Ramboll US Consulting, Inc.

Subject: **Greenhouse Gas Mitigation Measures for the Proposed Faria/Southwest Hills Annexation Project in Pittsburg, California**

May 17, 2022

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1. INTRODUCTION

Ramboll US Consulting, Inc (Ramboll) has prepared this memorandum to assist the City of Pittsburg (the City), California in supplementing the greenhouse gas (GHG) analysis that was presented in the programmatic Environmental Impact Report (EIR) for the Faria/Southwest Hills Annexation Project (Project). The purpose of this report is to provide more specificity for evaluating the effectiveness and feasibility of the GHG mitigation measures in the EIR (i.e., Mitigation Measure (MM) 4.3-5(a), MM 4.3-5(b), and MM 4.3-2 referenced therein). This report also addresses the GHG Thresholds and Guidelines recently adopted by the Bay Area Air Quality and Management District (BAAQMD) for the purpose of identifying other feasible mitigation measures for consideration in the EIR. This memorandum concludes with recommended revisions to MM 4.3-5(b) to ensure that the proposed mitigation is appropriate for this programmatic EIR, while providing clear, objective performance standards to guide the City in determining the feasibility of the proposed mitigation in future project-level reviews under CEQA.

2. BACKGROUND

Discovery Builders, Inc. is proposing to develop a 607-acre master plan, to be annexed by the City of Pittsburg for future development of up to 1,500 single family homes. In the EIR prepared by the City, the Project was found to have significant and unavoidable impacts related to GHG emissions. To mitigate these impacts, the EIR incorporates the following mitigation measures:

- *4.3-5(a) Implement Mitigation Measure [MM] 4.3-2.*
- *4.3-5(b) The project-level air quality analysis required by Mitigation Measure 4.3-2 shall include an analysis of project-level GHG emissions. Such future analyses shall include, but not be limited to, quantification of GHG emissions, as well as determination of operational GHG emission impacts based on existing statewide climate change laws in effect at the time of analysis. The project-level GHG emissions shall be reduced through the implementation of the mitigation measures identified in Mitigation Measure 4.3-2 designed to reduce operational GHG emissions.*

Air Quality MM 4.3-2 is as follows.

In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts. Mitigation measures shall be developed in coordination with the BAAQMD and shall include, but would not be limited to, BAAQMD's recommended mitigation measures as follows:

- *Use zero-volatile organic compounds (zero-VOC) paints, finishes, and adhesives only*
- *Use of cool roof materials*
- *Plant shade trees*
- *Orient buildings to maximize passive solar heating*
- *Install smart meters and programmable thermostats*
- *Improve bike and pedestrian network (complete sidewalks, connection to adjacent areas, connection to bike network, etc.)*
- *Implement bicycle and pedestrian facilities such as bike lanes, routes, and paths, bike parking, sidewalks, and benches*
- *Promote ridesharing, transit, bicycling, and walking for work trips*
- *Extend transit service into project site*
- *Participate in bike sharing programs*
- *Implement programs that offer residents free or discounted transit passes to encourage transit use*
- *Subsidize residential transit passes*
- *Promote use of public electric vehicle charging infrastructure*
- *Provide charging stations and preferential parking spots for electric vehicles*
- *Provide traffic calming features*
- *Minimize use of cul-de-sacs and incomplete roadway segments*
- *Install energy star appliances*
- *Install solar water heating*
- *Exceed minimum California Green Building (CALGreen) standards (e.g., adopt Tier 1 or Tier 2 voluntary measures)*
- *Pre-wire homes for photovoltaic systems*
- *Provide community composting facilities or curb-side food waste services*
- *Use water efficient landscapes and native/drought-tolerant vegetation*
- *Provide electrical outlets outside of homes to allow for use of electrically powered landscaping equipment*

The above mitigation measures are mandatory to reduce any significant impacts unless the applicant demonstrates that the measures are not feasible.

If off-site mitigation measures are proposed, the applicant must be able to show that the emission reductions from identified projects are real, permanent through the duration of the project, enforceable, and are equal to the pollutant type and amount of the project impact being offset. BAAQMD recommends that off-site mitigation projects occur within the nine-county Bay Area in order to reduce localized impacts and capture potential co-benefits. If BAAQMD has established an off-site mitigation program at the time a development application is submitted, as an off-site mitigation measure, the applicant may choose to enter into an agreement with BAAQMD and pay into the established off-site mitigation program fund, where BAAQMD would commit to reducing the type and amount of emissions identified in the agreement.

The analysis and proposed mitigation measures shall be reviewed as part of the development review process.

MM 4.3-5(a) and 4.3-2, as currently proposed in the EIR, requires an analysis of project-level GHG emissions and quantification of reduction measures. Implementing feasible measures from this list should reduce these impacts toward or under the City's preferred threshold of significance of 2.76 metric tons of carbon dioxide equivalents per service population (MT CO_2e/SP) by 2030, which was developed based on a 40% reduction in emissions associated with land use sectors compared to the 2020 threshold of 4.6 MT CO_2e/SP. However, given the uncertainty in the actual development strategy and feasibility of implementing the measures, the reduction measures were not initially quantified in the programmatic EIR. As described further below, the potential effectiveness of each feasible or presumptively feasible measure is quantified in this analysis to the extent that programmatic information is available. The feasibility analysis contained in this memo are based on today's technologies and regulations. At the time of the application for individual projects, the feasibility will be re-evaluated to ensure that the latest technological and legal developments are considered.

3. ASSESSING ADDITIONAL GHG PERFORMANCE STANDARDS

California has ambitious climate targets, including legislatively mandated GHG reduction targets through 2030. Several levels of state-wide and local planning include strategies and measures that aim at achieving these targets. At the state government level, Executive Order S-03-05 was promulgated by Gov. Schwarzenegger and established a long-term statewide goal to reduce GHG emissions to 80 percent below 1990 levels by 2050. This has been supplemented more recently by Executive Order No. B-55-18 (2018), which set a goal of reducing the State's GHG emissions to net carbon neutral by the year 2045 and maintaining net negative emissions thereafter. Executive Order No. B-55-18 also directed the California Air Resources Board (CARB) to develop a framework for implementing measures that will achieve carbon neutrality by 2045, which CARB is currently developing via its 2022 Scoping Plan. CARB, however, has not yet adopted the 2022 Scoping Plan.

The Bay Area Air Quality Management District (BAAQMD) recently adopted a new Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans (BAAQMD GHG Thresholds). The BAAQMD GHG Thresholds provide a framework for lead agencies to determine whether new land use plans or development projects will achieve California's long-term climate goal of carbon neutrality by 2045. These thresholds were adopted on April 20, 2022 and BAAQMD has stated its intention for lead agencies to apply the new thresholds to projects where the Notice of Preparation of EIR was filed after that date.

The Project is comprised of prezoning the property in anticipation of annexation by the City, and approval of a General Plan Amendment, Master Plan for the Project area, and Development Agreement. As such, the EIR was prepared as a programmatic or plan-level document with the

intention that it will be followed by subsequent project-level environmental assessments if and when project implementation occurs (i.e., via an application for a subdivision map and related project-level approvals). However, for the purpose of evaluating the feasibility and effectiveness of individual GHG reduction measures, the BAAQMD recommended project-level reduction measures are set forth and evaluated below.

For project-level approvals, the BAAQMD GHG Thresholds provide that a new land use development project being built today needs to incorporate the following design elements to do its "fair share" of implementing the goal of carbon neutrality by 2045.

- The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
- The project will not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
- Achieve compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2
- Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
    - Residential projects: 15 percent below the existing VMT per capita
    - Office projects: 15 percent below the existing VMT per employee
    - Retail projects: no net increase in existing VMT

4. DETERMINING FEASIBILITY FOR POTENTIAL GHG REDUCTION MEASURES

The effectiveness and feasibility of measures set forth in Mitigation Measure 4.3.2 are appropriately assessed at this planning-level stage using the following objective criteria:

- Legal: If a measure conflicts with an existing rule or regulation, or the measure is not intended to be enforceable by the City, the developer, or a combination of both, the measure is not considered feasible. If a measure may conflict with an existing rule or regulation depending on the more detailed project-level design, or if the implementation of the measure requires multiple stakeholders beyond the City and the developer, the measure is still considered presumptively feasible. In this case, if the other factors are feasible, the project proponent would be required to implement the measure at the time of project-level evaluations (e.g., subsequent environmental documentation, building permits) unless the project proponent demonstrates that the measure is not feasible by demonstrating a legal conflict or that the City does not have the authority to enforce a particular measure. If a measure does not conflict with known existing rules or regulations and is enforceable, it is considered feasible.

- Technological: If the technology for a measure is not readily and commercially available or applicable to the project site, the measure is not considered feasible. If the technology is likely to be implementable at a project level but there are some potential barriers, the measure is still considered presumptively feasible. In this case, if the other factors are feasible, the

project proponent would be required to implement the measure at the time of project-level evaluations (e.g., subsequent environmental documentation, building permits) unless it demonstrates that the measure is not feasible (e.g., through engineering, design diagrams, or a technical report).

The feasibility evaluations for each measure along with the quantification described in Section 4 are included in the Appendix.

5. QUANTIFYING POTENTIAL GHG REDUCTION MEASURES

The range of GHG emissions reductions for each feasible measure that might be expected upon buildout of the 1,500 single family homes has been quantified using approved methodologies that are backed by substantial evidence. This includes the 23 measures in the mitigation measure MM 4.3-2 as well as additional measures that represent the project-level components of the updated BAAQMD CEQA guidelines. The primary data source for the reduction quantification methodologies is the Final Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (CAPCOA Handbook).[1]

This analysis directly uses the emissions and project information reported in the EIR along with default data suggested in the CAPCOA Handbook and does not reanalyze the Project emissions inventory. Where insufficient data is available, the maximum effectiveness from the CAPCOA Handbook has been shown in the detailed tables to provide context for the potential level of effectiveness. For measures that are feasible but lack sufficient detailed inputs to be quantified (flagged with a [3] in **Table 1** below), project-level analyses would be required when more details are available to quantify these benefits to evaluate the effectiveness.

The quantification evaluations for each measure are included in the Appendix. According to the Project EIR, it was estimated the Project would have significant and unavoidable impacts of 3.29 MT CO_2e/SP, based on the City's threshold of significance of achieving 2.76 MT CO_2e/SP by 2030. To achieve a level of less-than-significance, it would be necessary to reduce GHG emissions by 0.53 MT CO_2e/SP, or approximately 16 percent. As demonstrated in the next section, implementing feasible measures in Mitigation Measure 4.3-2 would result in more than 16 percent of GHG reductions; however, while the evaluation of potential reduction measures suggests that more than 16 percent of reduction is feasible, at this planning-level stage, the actual effectiveness of the proposed GHG reduction measures cannot be predicted with sufficient certainty until vesting tentative maps and other project-level details are provided. Therefore, it is appropriate to determine that impacts, conservatively, are significant and unavoidable, until the actual reduction potential is verified at the project-level.

6. SUMMARY OF POTENTIAL GHG REDUCTION MEASURES

A summary of feasibility and effectiveness for the evaluated measures is shown in **Table 1**. As shown in Table 1, many of the measures are likely feasible. The range of effectiveness demonstrates that project-level analyses are still required to determine the level of impacts. Some measures do not reduce GHG emissions (e.g., #1) or do not result in emissions reductions beyond existing regulatory requirements (e.g., #20). Measures are not all additive. For example, measure BAAQMD #1 to eliminate natural gas consumption in homes would result in decreased effectiveness of other measures

[1] SMAQMD. 2021. Available at: https://www.airquality.org/residents/climate-change/ghg-handbook-caleemod.

that reduce energy consumption (e.g., #2, 4, 5, 17, 18). Measures that reduce VMT may double-count emissions reductions if they target the same residents (e.g., if the residents who would take transit are the same as those who would use bikeways). More details are included in the measure-specific tables.

Table 1. Potential GHG Reduction Measures

#	Mitigation Measures Descriptions	Feasibility	Quantifiable, Additional GHG Reductions from Measure?	Effectiveness (% of total 2030 DEIR emissions)[1]	
				Minimum	Maximum
1	Use zero-VOC paints, finishes, and adhesives only	Feasible	No[2]	-	-
2	Use of cool roof materials	Presumptively Feasible	Yes	0%	1.4%
3	Plant shade trees	Feasible	Yes	0%	0.7%
4	Orient buildings to maximize passive solar heating	Not Feasible	No[7]	-	-
5	Install smart meters and programmable thermostats	Feasible	No[4]	-	-
6a	Improve bike network (connection to adjacent areas, connection to bike network, etc.)	Feasible	Yes	0%	0.06%
6b	Improve pedestrian network (complete sidewalks, connection to adjacent areas, etc.)	Feasible	No[3]	-	-
7	Implement bicycle and pedestrian facilities such as bike lanes, routes, and paths, bike parking, sidewalks, and benches	*[see components below]*			
7a	Implement Bicycle Facilities: Construct or Improve Bike Facility	Feasible	No[3,6]	-	-
7b	Implement Bicycle Facilities: Construct or Improve Bike Boulevard	Feasible	No[3,6]	-	-
7c	Implement Bicycle Facilities: Provide End-of-Trip Bicycle Facilities	Not Feasible	No[5]	-	-
7d	Implement Bicycle Facilities: Provide Bike Parking	Feasible	No[3,7]	-	-
7e	Implement Bicycle Facilities: Dedicated Land for Bike Trails	Feasible	No[6,7]	-	-
8	Promote ridesharing, transit, bicycling, and walking for work trips	*[see components below]*			
8a	Voluntary Trip Reduction Program	Not Feasible	No[5]	-	-
8b	Mandatory Trip Reduction Program	Not Feasible	No[5]	-	-
8c	Trip Reduction Marketing	Not Feasible	No[5]	-	-
8d	Provide Ridesharing	Not Feasible	No[5]	-	-

8e	Provide Employer Sponsored Vanpool	Not Feasible	No[5]	-	-
8f	Pricing Workplace Parking	Not Feasible	No[5]	-	-
8g	Community-Based Traveling	Presumptively Feasible	Yes	0%	0.6%
9	Extend transit service into project site	*[see components below]*			
9a	Extending transit service	Presum. Feasible	No[3]	-	-
9b	Increasing Transit Frequency	Presum. Feasible	No[3]	-	-
10	Participate in bike sharing programs	*[see components below]*			
10a	Non-Electric Bikeshare Program	Presumptively Feasible	Yes	0%	0.009%
10b	Electric Bikeshare Program	Presumptively Feasible	Yes	0%	0.024%
11	Implement programs that offer residents free or discounted transit passes to encourage transit use	*[see measure #12]*			
12	Subsidize residential transit passes	Not Feasible	No	-	-
13	Promote use of public electric vehicle charging infrastructure	Feasible	Yes		
14	Provide charging stations and preferential parking spots for electric vehicles	Feasible	Yes		4.05%
15	Provide traffic calming features	Feasible	No[7]	-	-
16	Minimize use of cul-de-sacs and incomplete roadway segments	Presumptively Feasible	No[3]	-	-
17	Install energy star appliances	Feasible	Yes	0%	0.3%
18	Install solar water heating	Feasible	Yes	0%	11.7%
19	Exceed minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures)	Feasible	No[3]	-	-
20	Pre-wire homes for photovoltaic systems	Feasible	No[4]	-	-
21	Provide community composting facilities or curb-side food waste services	Presumptively Feasible	Yes	0%	0.9%
22	Use water efficient landscapes and native/drought-tolerant vegetation	Feasible	No[3]	-	-
23	Provide electrical outlets outside of homes to allow for use of electrically powered landscaping equipment	Feasible	No[7]	-	-
BAAQMD 1	Eliminate natural gas infrastructure	Presumptively Feasible	Yes	13.6%	13.6%
BAAQMD 2	Install EV charger prewiring consistent with the New BAAQMD CEQA thresholds	Feasible	No[4]	-	-
BAAQMD 3	Reduce VMT by 15% per capita consistent with SB 743 targets and OPR technical guidance	Presumptively Feasible	Yes	8.8%[8]	8.8%[8]

Notes:

1. Measures are not all additive. For example, measure BAAQMD #1 to eliminate natural gas consumption in homes would result in decreased effectiveness of other measures that reduce energy consumption (e.g., #2, 4, 5, 17, 18). Measures that reduce VMT may double-count emissions reductions if they target the same residents (e.g., if the residents who would take transit are the same as those who would use bikeways). More details are included in the measure-specific tables.
2. This does not result in GHG reductions.
3. This may result in GHG reductions but would require project-specific data that is not available at this time. Where relevant, the maximum potential effectiveness from the CAPCOA Handbook is provided in the detailed tables, but for mobile emissions mitigation measures this maximum is based on infill-type developments and therefore likely overestimates the maximum effectiveness at this project location.
4. This does not result in additional GHG reductions because it is already required by current regulations that were included in the EIR.
5. This measure would be implemented by employers, not residential developers, and is therefore considered legally infeasible. However, if subsequent project-level environmental submittals require preparation of a vehicle miles traveled (VMT) analysis and Transportation Demand Management (TDM) plan, these measures would be reconsidered as the developer could potentially help enable their funding or implementation.
6. GHG emissions reductions associated with this measure would already be captured through potential measure #6a Improve bike network.
7. The effectiveness of this measure is not quantified in the CAPCOA Handbook.
8. The 15-percent or more VMT reduction goal would be achieved through a combination of the transportation measures above, including but not limited, Measures 6-8. Therefore, the GHG reduction from Measure BAAQMD 3 is not additive with other transportation measures.

7. RECOMMENDED REVISED MITIGATION MEASURE

Based on the analyses and data above, the following revision is recommended to the mitigation measure in the EIR.

- 4.3-5(b) The project-level air quality analysis required by Mitigation Measure 4.3-2 shall include an analysis of project-level GHG emissions. Such project-level analyses shall include, but not be limited to, quantification of GHG emissions, as well as determination of operational GHG emission impacts, which shall be evaluated prior to any tentative map approval and in accordance with the BAAQMD CEQA Guidelines adopted in April 2022, which align with the State's 2030 and 2045 carbon targets. The project-level GHG emissions shall be reduced through the implementation of the mitigation measures identified in Mitigation Measure 4.3-2 designed to reduce operational GHG emissions. During future project-level reviews, the effectiveness of each implementation measure shall be quantified using the methodology shown in the GHG Mitigation Memorandum or using other methods supported by substantial evidence in light of project-level details included in the subject application. The City shall deem all measures in Mitigation Measure 4.3-2 feasible or presumptively feasible unless the applicant can demonstrate otherwise with substantial evidence.

  4.3-5(a): *In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation*

measures necessary to reduce any significant impacts. Mitigation measures shall be developed in coordination with the BAAQMD and shall include, but would not be limited to, BAAQMD's recommended mitigation measures as follows:

- *Use of cool roof materials*
- *Plant shade trees*
- *Improve bike network (connection to adjacent areas, connection to bike network, etc.)*
- *Improve pedestrian network (complete sidewalks, connection to adjacent areas, etc.)*
- *Implement Bicycle Facilities*
- *Community-Based Traveling*
- *Participate in bike sharing programs*
- *Provide charging stations and preferential parking spots for electric vehicles*
- *Minimize use of cul-de-sacs and incomplete roadway segments*
- *Install energy star appliances*
- *Install solar water heating*
- *Exceed minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures)*
- *Provide community composting facilities or curb-side food waste services*
- *Eliminate natural gas infrastructure*
- *Reduce VMT by 15% per capita consistent with SB 743 targets and OPR technical guidance*

Potential GHG Reduction Measure 2
Use of Cool Roof Materials
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would install cool roofs and/or walls in place of dark roofs and/or conventional walls in the single-family residential homes. Cool roofs are designed to reflect more sunlight and absorb less heat than a standard roof, keeping buildings cooler in the summertime and thus reducing air-conditioning loads. This reduces the electricity needed to provide cooling but can potentially increase the energy needed to provide winter heating, depending on the project parameters (e.g., climate, level of implementation, carbon intensity of local electricity provider).				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	2	The feasibility of the measure is subject to potential conflicts with other environmental rules and regulations. e.g., likely to conflict with the 2019 Title 24 requirement to install solar panels on roofs sufficient to offset the site electricity consumption. While a cool roof may be installed below the solar panels, its effectiveness would be greatly decreased. This may also conflict with potential reduction measure 18, install solar water heating, which would use roof space.		
Measure feasibility[2]	Presumptively Feasible	See footnote #2.		
Effectiveness				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to 2030 DEIR Emissions	1.4%	Maximum effectiveness	100% roof and walls comply with this measure. Assume HVAC operates on a combination of electricity and natural gas.	
	1.1%	Average	20% roof and 100% walls comply with this measure. Assume HVAC operates on a combination of electricity and natural gas.	
	0.0%	Minimum effectiveness	Traditional roof and walls; OR if the residence already operates on carbon-free energy and does not consume natural gas.	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	E-4. Install Cool Roofs and/or Cool Walls in Residential Development		Energy Efficiency Improvements	Potentially small reduction in GHG from building energy use
Co-Benefits				
Improved air quality	Energy and fuel savings	Improved public health	Improved ecosystem health	Enhanced energy security
Social equity				
Quantification Details				
$H_T = H_N + H_S + H_E + H_W$				Equation 1
$L_T = \Sigma L_Z*(H_Z/H_T)$	where z refers to north, south, east, west sides.			Equation 2
$A = [((I_R*G_R*H_R) + (I_T*L_T*H_T))*M*O*Q*R]-[((J_R*G_R*H_R)+(J_T*L_T*H_T))*N*P*Q*R]$				Equation 3

Parameters	**Value**	**Unit**	**Reference/Assumptions**
Number of residences	1,500	unit	DEIR
H_R - Coverage of cool building roof	1.8	thousand square foot	DEIR Appendix D. Assume roof is the same size as residential floor area in square footage.
$H_{R,partial}$ - Partial (20%) coverage of cool building roof	0.36	thousand square foot	As an alternative, assume only 20% roof is cool roof.
One-story residence height	20	foot	--
H_N, H_S, H_E, H_W - Coverage of cool building side (north, south, east, west)	0.849	thousand square foot	Assume a square residence and all four walls are the same size
H_T - Total area of non-roof building sides to be cooled	3.394	thousand square foot	Sum of H_N, H_S, H_E and H_W
Canyon aspect ratio	0.2	--	CAPCOA Handbook, Table E-4.1. Assume the least density.
L_N - Solar availability factor of building side north	1.02	--	CAPCOA Handbook, Table E-4.2.
L_S - Same as above, for south	0.96	--	
L_E - Same as above, for east	0.95	--	
L_W - Same as above, for west	0.95	--	

Potential GHG Reduction Measure 2
Use of Cool Roof Materials
Faria/Southwest Hills Annexation Project
Pittsburg, California

L_T - Composite solar availability factor of non-roof building sides to be cooled.	0.97	--	Equation 2
I_R - Change in natural gas use of building (roof only)	-0.018	therm per year per m^2	Assume Albedo of cool roofs = 0.6 to maximize the mitigation potential. Lawrence Berkeley National Laboratory's Cool Surface Savings Explorer tool.
G_R - Coverage of cool roof material	100%	--	Assume 100% cool roof.
I_T -Change in natural gas use of non-roof building sides	-0.027	therm per year per m^2	Assume cool non-roof surfaces (i.e., walls) for all directions and Albedo = 0.6 to maximize the mitigation potential. Lawrence Berkeley National Laboratory's Cool Surface Savings Explorer tool.
M -Carbon intensity of residential natural gas	117.325	lb/MMBTU	CAPCOA Handbook, Table E-4.5
O - Conversion factor	0.1	MMBTU per therm	--
Q - Conversion factor	0.000454	MT per lb	--
R - Conversion factor	92.9	m^2 per ksf	--
J_R- Change in electricity use of building (roof only)	1.225	kWh per year per m^2	Assume Albedo of cool roofs = 0.6 to maximize the mitigation potential. Lawrence Berkeley National Laboratory's Cool Surface Savings Explorer tool.
J_T -Change in electricity use of non-roof building sides	1.448	kWh per year per m^2	Assume cool non-roof surfaces (i.e., walls) for all directions and Albedo = 0.6 to maximize the mitigation potential. Lawrence Berkeley National Laboratory's Cool Surface Savings Explorer tool.
N - Carbon intensity of local electricity provider	302.08	lb/MWh	DEIR Appendix D, for 2030.
P - Conversion factor	0.001	MWh per kWh	--
A - Reduction in GHG emissions per dwelling uit from building energy with 100% cool roof and walls	-0.149	MT CO2e per residence per year	Equation 3 ,100% cool roof and walls
$A_{partial}$ - Same as above with 20% cool roof	-0.114	MT CO2e per residence per year	Equation 3 ,20% cool roof and 100% cool walls
Plan-Level A - Plan's GHG emissions reduction	223	MT CO2e per year	--
Plan-Level $A_{partial}$ - Plan's GHG emissions reduction with partial cool roof	170	MT CO2e per year	--

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
m^2 - Square Meter
MMBTU - Metric Million British Thermal Unit
MT - Metric Ton
ksf - thousand square feet
GHG - Greenhouse gas
lb - Pound
kWh - Kilowatt hour
CO2e - Carbon Dioxide Equivalent

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Lawrence Berkeley National Laboratory's Cool Surface Savings Explorer tool. Available at: http://bit.ly/2Kwvtpu.

Potential GHG Reduction Measure 3
Plant Shade Trees
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would incoporate trees into a project's landscape desgin, with a particular emphasis on urban settings. Trees can reduce surface and air temperatures by providing shade and through evapotranspiration. In urban centers, trees can drastically mitigate the heat island effect, and reduce energy demand from air conditioning units. Expected energy savings and associated GHG emissions are highly variable based on extent of tree abundance, location, and species.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to 2030 DEIR Emissions	0.7%	Maximum effectiveness	Assume 1.5 trees per household are planted	
	0.2%	Average	Assume 0.5 trees per household are planted	
	0.0%	Minimum effectiveness	Assume the project would result in a net zero number of trees upon completion	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	N/A		Energy Efficiency Improvements	Potentially small reduction in GHG emissions from project plan/site
Co-Benefits				
Improved air quality	Energy and fuel savings	Improved public health	Improved ecosystem health	Enhanced energy security
Social equity				
Quantification Details[3]				
A = L * S * T				
Parameters	**Value**	**Unit**	**Reference/Assumptions**	
S - sequestration rate	0.0521	MT CO2e per year	ENVIRON, International	
L - growing period	20			
T_{max} - maximum number of trees planted	2250	trees	1.5 trees per household planned in DEIR	
T_{min} - minimum number of trees planted	750	trees	0.5 trees per household planned in DEIR	
A_{max} - reduction in GHG emissions from tree planting in plan/community	117.225	MT CO2e per year	Annual sequestration rate average over a 20 year period	
A_{min} - reduction in carbon dioxide emissions	39.075	MT CO2e per year	Annual sequestration rate average over a 20 year period	

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.
2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.
3. The quantification presented here focuses solely on sequestration potential of each shade tree planted. Importantly, shade trees can result in decreased energy consumption, and thereby decreased GHG emissions, but this quantification would require more project-specific inputs.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - Greenhouse Gas

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.

ENVIRON International, 2013. Appendix A Caculation Details for CalEEMod. July.

Potential GHG Reduction Measure 4
Orient Buildings to Maximize Passive Solar Heating
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would encourage orienting buildings with the angle of sunlight to mazimize passive solar heating. Increased heating from daylight hours would decrease reliance on in-home HVAC systems, thereby decreasing fuel usage and associated GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	1	Depsite technology being readily available, this measure is in direct conflict with proposed measures to increase building cooling (see MM#2). Additionally, because the project area is in a cooling-dominated climate, this measure would also conflict with energy effiency best practices.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Co-Benefits				
Improved air quality	Energy and fuel savings	Improved public health	Improved ecosystem health	Enhanced energy security
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.
2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

GHG - Greenhouse Gas

References:

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.

Potential GHG Reduction Measure 5
Install Smart Meters and Programmable Thermostats
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would encourage installing smart meters and programmable thermostats in homes. Smart meters improve on exisitng meter technology by providing automatic updates to the energy provider, and giving residents access to their energy usage data in real time. This kind of access can increase awareness about consumption, and may encourage residents to save money on energy by using less, thereby decreasing residential GHG emissions. Programmable thermostats alllow their user to set desired temperature levels at specific intervals. This can reduce energy usage by reducing wasted energy during hours residents are not home, or if they forget to turn off their HVAC system, leading to lower residential GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	N/A		Energy Efficiency Improvements	--
Co-Benefits				
Improved air quality	Energy and fuel savings	Improved public health	Improved ecosystem health	Enhanced energy security
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.
2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.
3. This measure is not quantified in the CAPCOA GHG Handbook.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - Greenhouse Gas
HVAC - Heating, Ventilation and Air Conditioning

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.

Potential GHG Reduction Measure 6a
Improve Bike Network (connection to adjacent areas, connection to bike network, etc.)
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would increase the length of a city or community bikeway network. A bicycle network is an interconnected system of bike lanes, bike paths, bike routes, and cycle tracks. Providing bicycle infrastructure with markings and signage on appropriately sized roads with vehicle traffic traveling at safe speeds helps to improve biking conditions. In addition, expanded bikeway networks can increase access to and from transit hubs, thereby expanding the "catchment area" of the transit stop or station and increasing ridership. This encourages a mode shift from vehicles to bicycles, displacing VMT and thus reducing GHG emissions. The bikeway network must consist of either Class I, II, or IV infrastructure. (Class I bike paths are physically separated from motor vehicle traffic. Class IV bikeways are protected on-street bikeways, i.e., cycle tracks. Class II bike lanes are striped bicycle lanes that provide exclusive use to bicycles on a roadway.)				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to 2030 DEIR Emissions	0.06%	Maximum effectiveness	Assume project users cannot use any existing bike lane infrastructure and the project would build bikeway	
	0.0%	Minimum effectiveness	Assume existing bike lane infrastructure supplies sufficient biking alternatives.	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-20. Expand Bikeway Network		Neighborhood Design	Up to 0.5% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				
Quantification Details				
A = -1 * [(C-B)/B*D*F*H]/(E*G)				
A = -1 * [(1000%)*D*F*H]/(E*G)	B = (1/11*C) if there is no existing bike lane, resulting in a %change of 1000%			

Parameters	**Value**	**Unit**	**Reference/Assumptions**
B - Existing bikeway miles in plan	--	miles	User input
C - Bikeway miles in plan with measure	--	miles	User input
D - Bicycle mode share in plan	0.47	%	CAPCOA Handbook Table T-20.1. Core-Based Statistical Area: San Francisco-Oakland-Hayward; FHWA 2017
E - Vehicle mode share in plan	86.96	%	CAPCOA Handbook Table T-3.1. Core-Based Statistical Area: San Francisco-Oakland-Hayward; FHWA 2017
F - Average one-way bicycle trip length in plan	2.1	miles per trip	CAPCOA Handbook Table T-10.1. Core-Based Statistical Area: San Francisco-Oakland-Hayward; FHWA 2017
G - Average one-way vehicle trip length in plan	12.4	miles per trip	CAPCOA Handbook Table T-10.1. Core-Based Statistical Area: San Francisco-Oakland-Hayward; FHWA 2017
H - Elasticity of bike commuters with respect to bikeway miles per 10,000 population	0.25	unitless	Pucher & Buehler 2011.
A - % reduction in GHG emissions from employee commute vehicle travel in plan	-0.23	%	Calculated; Assume there is no existing bike lane infrastructure and the project would expand the bikeway of any reasonal distance
VMT_C - Portion of VMT from commute trips in DEIR	47	%	Calculated using the home-work trips from DEIR Appendix D.
GHG_C - GHG emissions from commute trips in DEIR	4,367	MT CO2e per year	Calculated using VMT_C out of total mobile emissions from DEIR Appendix D.
Reduction in GHG emissions from employee commute vehicle travel in plan	10	MT CO2e per year	Calculated; A x GHG_C

Notes:

[1] Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

[2] If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
FHWA - Federal Highway Administration
GHG - Greenhouse Gas
MT CO2e - Metric Tons of Carbon Dioxide Equivalent
VMT - Vehicle Miles Traveled

Potential GHG Reduction Measure 6a
Improve Bike Network (connection to adjacent areas, connection to bike network, etc.)
Faria/Southwest Hills Annexation Project
Pittsburg, California

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December. Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Federal Highway Administration (FHWA). 2017. National Household Travel Survey – 2017 Table Designer. Travel Day PMT by TRPTRANS by HH_CBSA. Available: https://nhts.ornl.gov/. Accessed: May 2022.

Pucher, J., and Buehler, R. 2011. Analysis of Bicycling Trends and Policies in Large North American Cities: Lessons for New York. March. Available: http://www.utrc2.org/sites/default/files/pubs/analysis-bike-final_0.pdf. Accessed: May 2022.

Potential GHG Reduction Measure 6b
Improve Pedestrian Network (complete sidewalks, connection to adjacent areas, etc.)
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would increase the sidewalk coverage to improve pedestrian access, which includes not only building new sidewalks but also improving degraded or substandard sidewalks (e.g., damaged from street tree roots). Providing sidewalks and an enhanced pedestrian network encourages people to walk instead of drive. This mode shift results in a reduction in VMT and thereby GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-18. Provide Pededstrian Network Improvement		Neighborhood Design	Up to 6.4% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.
3. The project-level effectiveness is not quantifiable due to lack of project inputs such as existing and proposed sidewalk length.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - Greenhouse Gas
VMT - Vehicle Miles Traveled

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 7a
Implement Bicycle Facilities: Construct or Improve Bike Facility
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would construct or improve a single bicycle lane facility (only Class I, II, and IV) that connects to a larger existing bikeway network. Providing bicycle infrastructure helps to improve biking conditions within an area. This encourages a mode shift on the roadway parallel to the bicycle facility from vehicles to bicycles, displacing VMT and thus reducing GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-19-A. Construct or Improve Bike Facility		Neighborhood Design	Up to 0.8% of GHG emissions from vehicles parallel roadways
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.
2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.
3. The project-level effectiveness is not quantifiable due to lack of project inputs including percent of project VMT on parallel roadway.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - Greenhouse Gas
VMT - Vehicle Miles Traveled

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.
Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.

Potential GHG Reduction Measure 7b
Implement Bicycle Facilities: Construct or Improve Bike Boulevard
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would construct or improve a single bicycle boulevard that connects to a larger existing bikeway network. Bicycle boulevards are a designation within Class III Bikeway that create safe, low-stress connections for people biking and walking on streets. This encourages a mode shift from vehicles to bicycles, displacing VMT and thus reducing GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-19-B. Construct or Improve Bike Facility		Neighborhood Design	Up to 0.2% of GHG emissions from vehicles on roadway
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.
2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.
3. The project-level effectiveness is not quantifiable due to lack of project inputs including percent of VMT on roadway to have bicycle boulevard.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - Greenhouse Gas
VMT - Vehicle Miles Traveled

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 7c
Implement Bicycle Facilities: Provide End-of-Trip Bicycle Facilities
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would install and maintain end-of-trip facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourage commuting by bicycle, there reducing VMT and GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	This measure is intended for employers, and outside of the purview of site developers.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-10. Provide End-of-Trip Bicycle Facilities		Neighborhood Design	Up to 4.4% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - Greenhouse Gas
VMT - Vehicle Miles Traveled

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.

Potential GHG Reduction Measure 7d
Implement Bicycle Facilities: Provide Bike Parking
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would provide short-term and long-term bicycle parking facilities to meet peak season maximum demand. Parking can be provided in designated areas or added within rights-of-way, including by replacing parking spaces with bike parking corrals. Ensure that bike parking can be accessed by all, not just project employees or residents.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-34. Provide Bike Parking		Neighborhood Design	--
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

3. The effectiveness is not quantitatively evaluated in the CAPCOA Handbook.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - Greenhouse Gas
VMT - Vehicle Miles Traveled

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.

Potential GHG Reduction Measure 7e
Implement Bicycle Facilities: Dedicate Land for Bike Trails
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would provide for, contribute to, or dedicate land for the provision of off-site bicycle trails linking the project to designated bicycle commuting routes in accordance with an adopted citywide or countywide bikeway plan. Existing desire paths can make good locations, as it represents a community-identified transportation need. Availability of bike paths can encourage a mode shift to increase bicycle usage and reduce VMT and thereby GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-37. Dedicate Land for Bike Trails		Neighborhood Design	--
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.
2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.
3. The effectiveness is not quantitatively evaluated in the CAPCOA Handbook.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - Greenhouse Gas
VMT - Vehicle Miles Traveled

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.
Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.

Potential GHG Reduction Measure 8a
Implement Commute Trip Reduction Program (Voluntary)
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would implement a voluntary commute trip reduction (CTR) program with employers. CTR programs discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions. Voluntary implementation elements are described in this measure.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	This measure is intended for employers, and outside of the purview of site developers.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-5 Implement Commute Trip Reduction Program (Voluntary)		Transit	Up to 4% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
GHG - Greenhouse Gas
CAPCOA - California Air Pollution Control Officers Association
CTR - Commute Trip Reduction

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 8b
Implement Commute Trip Reduction Program (Voluntary)
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would implement a voluntary commute trip reduction (CTR) program with employers. CTR programs discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions. Voluntary implementation elements are described in this measure.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	This measure is intended for employers, and outside of the purview of site developers.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-6 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring)		Transit	Up to 26% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
GHG - Greenhouse Gas
CAPCOA - California Air Pollution Control Officers Association
CTR - Commute Trip Reduction

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 8c
Implement Commute Trip Reduction Marketing
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would implement a marketing strategy to promote the projecct site employer's commute trip reduction (CTR) program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond dricing such as carpooling, taking tranist, walking, and biking, thereby reducing VMT and GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	This measure is intended for employers, and outside of the purview of site developers.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-7 Implement Commute Trip Reduction Marketing		Transit	Up to 4% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
GHG - Greenhouse Gas
CAPCOA - California Air Pollution Control Officers Association
CTR - commute trip reduction

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 8d
Provide Ridesharing Program
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would implement a ridesharing program and establish a permanent transportation management association with funding requirements for employers. Ridesharing encourages carpooled vehicle trips in place of single-occupied vehicle trips, thereby reducing the number of trips, VMT, and GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	This measure is intended for employers, and outside of the purview of site developers.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-8 Provide Ridesharing Program		Trip Reduction Programs	Up to 8% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
GHG - Greenhouse Gas
CAPCOA - California Air Pollution Control Officers Association

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 8e
Provide Employer Sponsored Vanpool
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would implement an employer-sponsored vanpool service. Vanpooling is a flexible form of public transportation that provides groups of 5 to 15 people with a cost-effective and convenient rideshare option for commuting. The mode shift from long-distance, single-occupied vehicles to shared vehicles reduces overall commute VMT, thereby reducing GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	This measure is intended for employers, and outside of the purview of site developers.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-11 Provide Employer-Sponsored Vanpool		Trip Reduction Programs	Up to 20.4% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
GHG - Greenhouse Gas
CAPCOA - California Air Pollution Control Officers Association

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 8f
Pricing Workplace Parking
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would work to reduce the number of VMT from residents traveling to work by increasing the cost of driving to their workplace, therby discouraging single-occupancy vehicle commute trips. This can signficicanlty reduce GHG emissions from mobile sources.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	This measure is intended for employers, and outside of the purview of site developers.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-12 Price Workplace Parking		Trip Reduction Programs	Up to 20% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Improved public health	Social equity

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
GHG - Greenhouse Gas
CAPCOA - California Air Pollution Control Officers Association

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

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Potential GHG Reduction Measure 8g
Provide Community-Based Travel Planning
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would target residences in the plan/community with community-based travel planning (CBTP). CBTP involves outreach to residences in a community to provide community-specific information, incentives, and support to encourage the use of alternative transportation in place of single-occupany trips. When successful, this mitigation measure will reduce household VMTs and associated GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	2	Implementing a truly comprehensive community-based travel program would require collaboration with local transit agencies or other third parties to offer accessible transit. Solutions would depend on cooperation between the developer and these third parties, potentially complicating ownership of services.		
Measure feasibility[2]	Presumptively Feasible	See footnote #2.		
Effectiveness				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to Baseline	0.6%	Maximum effectiveness	Assume all residents are targeted by CBTP	
	0.3%	Average	Assume half of residents are targeted by CBTP	
	0.0%	Minimum effectiveness	Assume CBTP is implemented, but invokes neglibile travel mode shifts from residents	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-23 Provide Community-Based Travel Planning		Trip Reduction Programs	Up to 2.3% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				
Quantification Details				
A=(C/B)*D*-E*F				
Parameters	**Value**	**Unit**	**Reference/Assumptions**	
B - residences in plan/community	1500	residences	DEIR	
C_{max} - residences in plan/community targeted with CBTP	1500	residences	DEIR	
$C_{average}$ - residences in plan/community targeted with CBTP	750	residences	Assume half of residents are targed by CBTP	
D - percent of targeted residences that participate	19	%	MTC 2021	
E - percent vehicle trip reduction by partcipating residences	12	%	MTC 2021	
F - adjustment factor from vehicle trips to VMT	1	unitless	CAPCOA GHG Handbook	
A - percent reduction in GHG emissions from household vehicle travel in plan/community	2.28	%	Calculated	
$A_{average}$ - percent reduction in GHG emissions from household vehicle travel in plan/community	1.14	%	Calculated	
Maximum mass reduction in GHG emissions from household vehicle travel in plan/community	92	MT CO2e per year	Assumes all residences would be targeted by CBTP	
Average mass reduction in GHG emissions from household vehicle travel in plan/community	46	MT CO2e per year	Assumes 50% of residences would be targeted by CBTP	

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
CBTP - Community-Based Traveling Plan
GHG - Greenhouse Gas
CAPCOA - California Air Pollution Control Officers Association
MT CO2e - Metric Tons of Carbon Dioxide Equivalent
DEIR - Draft Environmental Impact Report

Potential GHG Reduction Measure 8g
Provide Community-Based Travel Planning
Faria/Southwest Hills Annexation Project
Pittsburg, California

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

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Potential GHG Reduction Measure 9a
Extend Tranist Service
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure expands options for alternative methods for travel to single occupancy vehicles by increasing the range of effective transit service or operational hours. This measure presents an opportunity to reduce VMT and associated GHG emissions from mobile sources.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	This measure would need to be implemented in coordination with local transportation agencies and the City, which presents legal challenges and uncertainties. In addition, evaluating transit coverage in the project area may require additional environmental analysis and agency approval given that the project area has no existing transit infrastructure.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-25 Extend Transit Network Coverage or Hours		Transit	Up to 4.6% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - Greenhouse Gas
VMT - Vehicle Miles Traveled

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 9b
Increase Transit Frequency
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure will increase transit frequency on one or more transit lines serving the plan/community.This measure is focused on providing increased transit frequency, with no changes to transit network coverage. Increased transit frequency reduces waiting and overall travel times, which improves the user experience and increases the attractiveness of transit service. This results in a mode shift from single occupancy vehicles to transit, which reduces VMT and associated GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	This measure would need to be implemented in coordination with local transportation agencies and the City, which presents legal challenges and uncertainties. In addition, evaluating transit coverage in the project area may require additional environmental analysis and agency approval given that the project area has no existing transit infrastructure.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-26 Increase Transit Service Frequency		Transit	Up to 11.3% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
FHWA - Federal Highway Administration
GHG - Greenhouse Gas
MT CO2e - Metric Tons of Carbon Dioxide Equivalent
CAPCOA - California Air Pollution Control Officers Association

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

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Potential GHG Reduction Measure 10a
Non-Electric Bikeshare Program
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would establish a bikeshare program. Bikeshare programs provide users with on-demand access to bikes for short-term rentals. This encourages a mode shift from vehicles to bicycles, displacing VMT and thus reducing GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	2	Typical bike share service providers are protected from liability through agreements made between the company and users. However, this measure would require procuring services from a typical bikeshare company and this may introduce legal challenges.		
Measure feasibility[2]	Presumptively Feasible	See footnote #2.		
Effectiveness				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to Baseline	0.009%	Maximum effectiveness	All residents would have access to non-electric bikeshare after implementation	
	0.0%	Minimum effectiveness	Bikeshare program ineffective for driving mode shift.	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-22-A Implement Pedal (Non-Electric) Bikeshare Program		Neighborhood Design	Up to 0.02% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				
Quantification Details				
A = -1*((C-B)*D*E*F)/(G*H)				
Parameters	**Value**	**Unit**	**Reference/Assumptions**	
B - Percent of residences in plan/community with access to bikeshare system without measure	0.00	%	Assume no residents having access to the bikeshare program before implementing this measure	
C - Percent of residences in plan/community with access to bikeshare system with measure	100.00	%	Assume all residents having access to the bikeshare system after implemeting the measure	
D - Daily bikeshare trips per person	0.021	trips per day per person	MTC 2017	
E - Vehicle to bikeshare substitution rate	19.6	%	McQueen et al. 2020	
F - Bikeshare average one-way trip length	1.40	miles per trip	Lazarus et al. 2019	
G - Daily vehicle trips per person	2.70	trips per day per person	FHWA 2018	
H - Regional average one-way vehicle trip length	12.40	miles per trip	CAPCOA Handbook Table T-10.1; FHWA 2017	
A - Percent reduction in GHG emissions from vehicle travel in plan/community	-0.017	%	Calculated	
VMT_C - Portion of VMT from commute trips in DEIR	47	%	Calculated using the home-work trips from DEIR Appendix D.	
GHG_C - GHG emissions from commute trips in DEIR	4,367	MT CO2e per year	Calculated using VMT_C out of total mobile emissions from DEIR Appendix D.	
VMT_H - Portion of VMT from residential trips in DEIR	43	%	Calculated using the home-other trips from DEIR Appendix D.	
GHG_H - GHG emissions from residential trips in DEIR	4,018	MT CO2e per year	Calculated using VMT_H out of total mobile emissions from DEIR Appendix D.	
Reduction in GHG emissions from non-electric bikeshare program	1.4	MT CO2e per year	Calculated; (A x (GHG_C+GHG_H))	

Notes:

Potential GHG Reduction Measure 10a
Non-Electric Bikeshare Program
Faria/Southwest Hills Annexation Project
Pittsburg, California

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.
2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
FHWA - Federal Highway Administration
GHG - Greenhouse Gas
MTC - Metropolitan Transportation Commission
MT CO2e - Metric Tons of Carbon Dioxide Equivalent
CAPCOA - California Air Pollution Control Officers Association

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

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Federal Highway Administration (FHWA). 2017. National Household Travel Survey–2017 Table Designer. Travel Day PT by TRPTRANS by HH_CBSA. Available: https://nhts.ornl.gov/. Accessed: May 2022.

Federal Highway Administration (FHWA). 2018. Summary of Travel Trends 2017–National Household Travel Survey. July. Available: https://www.fhwa.dot.gov/policyinformation/documents/2017_nhts_summary_travel_trends.pdf. Accessed: May 2022.

Lazarus, J., J. Pourquier, F. Feng, H. Hammel, and S. Shaheen. 2019. Bikesharing Evolution and Expansion: Understanding How Docked and Dockless Models Complement and Compete – A Case Study of San Francisco. Paper No. 19-02761. Annual Meeting of the Transportation Research Board: Washington, D.C. Available: https://trid.trb.org/view/1572878.

McQueen, M., G. Abou-Zeid, J. MacArthur, and K. Clifton. 2020. Transportation Transformation: Is Micromobility Making a Macro Impact on Sustainability? Journal of Planning Literature. November. Available: https://doi.org/10.1177/0885412220972696.

Metropolitan Transportation Commission (MTC). 2017. Plan Bay Area 2040 Final Supplemental Report–Travel Modeling Report. July. Available: http://2040.planbayarea.org/files/2020-02/Travel_Modeling_PBA2040_Supplemental%20Report_7-2017.pdf.

Potential GHG Reduction Measure 10b
Electric Bikeshare Program
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would establish an electric bikeshare program. Electric bikeshare programs provide users with on-demand access to electric pedal assist bikes for short-term rentals. This encourages a mode shift from vehicles to electric bicycles, displacing VMT and reducing GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	2	Typical bike share service providers are protected from liability through agreements made between the company and users. However, this measure would require procuring services from a typical bikeshare company and this may introduce legal challenges.		
Measure feasibility[2]	Presumptively Feasible	See footnote #2.		
Effectiveness				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to Baseline	0.024%	Maximum effectiveness	No residents have access to an electric bikeshare program under the current plan, and all residents would have access to bikeshare after implementation	
	0.0%	Minimum effectiveness	No electric bikeshare program is implemented	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-22-A Implement Electric Bikeshare Program		Neighborhood Design	Up to 0.06% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Quantification Details

A = -1*((C-B)*D*E*F)/G*H

Parameters	**Value**	**Unit**	**Reference/Assumptions**
B - Percent of residences in plan/community with access to bikeshare system without measure	0.00	%	Assume no residents having access to the electric bike share program before implementing this measure
C - Percent of residences in plan/community with access to bikeshare system with measure	100.00	%	Assume all residents having access to the electric bike share program before implementing this measure
D - Daily bikeshare trips per person	0.021	trips per day per person	MTC 2017
E - Vehicle to electric bikeshare substitution rate	35.0	%	McQueen et al. 2020
F - Electric bikeshare average one-way trip length	2.10	miles	Lazarus et al. 2019
G - Daily vehicle trips per person	2.70	trips per day per person	FHWA 2018
H - Regional average one-way vehicle trip length	12.40	miles per trip	CAPCOA Handbook Table T-10.1; FHWA 2017
A - Percent reduction in GHG emissions from vehicle travel in plan/community	-0.046	%	Calculated
VMT_C - Portion of VMT from commute trips in DEIR	47	%	Calculated using the home-work trips from DEIR Appendix D.
GHG_C - GHG emissions from commute trips in DEIR	4,367	MT CO2e per year	Calculated using VMT_C out of total mobile emissions from DEIR Appendix D.
VMT_H - Portion of VMT from residential trips in DEIR	43	%	Calculated using the home-other trips from DEIR Appendix D.
GHG_H - GHG emissions from residential trips in DEIR	4,018	MT CO2e per year	Calculated using VMT_H out of total mobile emissions from DEIR Appendix D.
Reduction in GHG emissions from non-electric bikeshare program	3.9	MT CO2e per year	Calculated; (A x (GHG_C+GHG_H))

Potential GHG Reduction Measure 10b
Electric Bikeshare Program
Faria/Southwest Hills Annexation Project
Pittsburg, California

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
FHWA - Federal Highway Administration
GHG - Greenhouse Gas
MTC - Metropolitan Transportation Commission
MT CO2e - Metric Tons of Carbon Dioxide Equivalent
CAPCOA - California Air Pollution Control Officers Association

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

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Federal Highway Administration (FHWA). 2017. National Household Travel Survey–2017 Table Designer. Travel Day PT by TRPTRANS by HH_CBSA. Available: https://nhts.ornl.gov/. Accessed: May 2022.

Federal Highway Administration (FHWA). 2018. Summary of Travel Trends 2017–National Household Travel Survey. July. Available: https://www.fhwa.dot.gov/policyinformation/documents/2017_nhts_summary_travel_trends.pdf. Accessed: May 2022.

Lazarus, J., J. Pourquier, F. Feng, H. Hammel, and S. Shaheen. 2019. Bikesharing Evolution and Expansion: Understanding How Docked and Dockless Models Complement and Compete – A Case Study of San Francisco. Paper No. 19-02761. Annual Meeting of the Transportation Research Board: Washington, D.C. Available: https://trid.trb.org/view/1572878.

McQueen, M., G. Abou-Zeid, J. MacArthur, and K. Clifton. 2020. Transportation Transformation: Is Micromobility Making a Macro Impact on Sustainability? Journal of Planning Literature. November. Available: https://doi.org/10.1177/0885412220972696.

Metropolitan Transportation Commission (MTC). 2017. Plan Bay Area 2040 Final Supplemental Report–Travel Modeling Report. July. Available: http://2040.planbayarea.org/files/2020-02/Travel_Modeling_PBA2040_Supplemental%20Report_7-2017.pdf.

Potential GHG Reduction Measure 11
Implement Subsidized or Discounted Transit Program for Employees
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would provide subsidized or discounted, or free transit passes for employees. Reducing the out-of-pocket cost for choosing transit improves the competitiveness of transit against driving, increasing the total number of transit trips and decreasing vehicle trips. This decrease in vehicle trips results in reduced VMT and thus a reduction in GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	This measure would require funding from employers, which means that this measure is not enforceable by project developers.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-9 Implement Subsidized or Discounted Transit Program		Trip Reduction Programs	Up to 5.5% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
GHG - Greenhouse Gas
CAPCOA - California Air Pollution Control Officers Association

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 12
Implement Subsidized or Discounted Transit Program for Residents
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would provide subsidized or discounted, or free transit passes for residents. Reducing the out-of-pocket cost for choosing transit improves the competitiveness of transit against driving, increasing the total number of transit trips and decreasing vehicle trips. This decrease in vehicle trips results in reduced VMT and thus a reduction in GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	1	Establishing a transit subsidy program requires legally binding agreements between the developer and the occupants. The agreement might occur later at individual developments, but its legal feasibility is unknown at this time.		
Measure feasibility[2]	Not Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-9 Implement Subsidized or Discounted Transit Program		Trip Reduction Programs	Up to 5.5% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all four feasibility categories, the measure is feasible. If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure' feasiblity is "maybe". In this situation, the measure's effectiveness at reducing GHG emissions should be considered to determine whether it is reasonable to proceed despite some likely barriers. If a measure's contains any 1's, the measure is not feasible at this time.

Abbreviations:

VMT - Vehicle Miles Traveled
GHG - Greenhouse Gas
CAPCOA - California Air Pollution Control Officers Association
MT CO2e - Metric Tons of Carbon Dioxide Equivalent

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 13
Promote use of public electric vehicle charging infrastructure
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would install onsite electric vehicle chargers in an amount beyond what is required by the 2019 California Green Building Standards (CALGreen) at buildings with designated parking areas (e.g., commercial, educational, retail, multifamily). This will enable drivers of PHEVs to drive a larger share of miles in electric mode (eVMT), as opposed to gasoline-powered mode, thereby displacing GHG emissions from gasoline consumption with a lesser amount of indirect emissions from electricity.				
Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	2	No known regulatory barriers.		
Measure feasibility[2]	Presumptively Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	N/A		Parking or Road Pricing/Management	--
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.
2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.
3. This measure is not quantified at this time due to a lack of project-specific inputs, such as open land area, parks, and recreational land use area.

Abbreviations:

VMT - Vehicle Miles Traveled
GHG - Greenhouse Gas
CAPCOA - California Air Pollution Control Officers Association
MT CO2e - Metric Tons of Carbon Dioxide Equivalent

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.

Potential GHG Reduction Measure 14
Provide Charging Stations and Preferential Parking Spots for Electric Vehicles
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would install onsite electric vehicle chargers, which would result in greater GHG reductions than what is currently required by the California Green Building Standards (CALGreen 2019 at the time of this analysis) for single-family residences. This will enable drivers of PHEVs to drive a larger share of miles in electric mode (eVMT), as opposed to gasoline-powered mode, thereby displacing GHG emissions from gasoline consumption with a lesser amount of indirect emissions from electricity.				
Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to Baseline	4.05%	Maximum effectiveness	See assumptions in quantification details	
	2.02%	Average	See assumptions in quantification details	
	0.0%	Minimum effectiveness	No EV charging infrastructure developed.	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-14 Provide Electric Vehicle Charging Infrastructure		Parking or Road Pricing/Management	Up to 11.9% of GHG emissions from vehicles accessing commercial or residential buildings
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				
Quantification Details[3]				
A = (B*D*(F-E)*(G-(H*I*K*L)))/(-C*J)				

Parameters	**Value**	**Unit**	**Reference/Assumptions**
B - Number of charging stations installed at site	1500	stations	Assume each newly constructed residence planned in the DEIR has an EV charging station included
C - Total vehicles accessing the site per day	3000	vehicles	Assuming each residence has two vehicles
D - Average number of PHEVs served per day per charger installed	2.00	PHEVs/charger-day	CARB 2019
E - Percent of PHEV miles in electric mode without measure	46.0	%	CARB 2020a
F - Percent of PHEV miles in electric mode with measure	80.00	%	CARB 2017
G - Average emission factor of PHEV in gasoline mode	205.10	g CO2e per mile	CARB 202a; U.S. DOE 2021
H - Energy efficiency of PHEV in electric mode	0.33	kWh per mile	CARB2020b; U.S.DOE 2021
I - Carbon intensity of local electricity provider	411.00	lb CO2e per megawatt-hour (MWh)	CAPCOA Handbook Tables E-4.3 and E-4.4 CA Utilities 2021. Variable as value is location based, statewide average for the year 2022 shown here.
J - Average emission factor of non-electric vehicles accessing the site	307.50	g CO2e per mile	CARB 2020a
K - conversion from lb to g	454.00	g per lb	conversion
L - Conversion from kWh to MWh	0.001	MWh per kWh	conversion
A_{max} - Percent reduction in GHG emissions from vehicles accessing the office building or housing assuming maximum PHEV visits and 100% renewable energy	-15.93	%	Calculated
$A_{average}$ - Percent reduction in GHG emissions from vehicles accessing the office building or housing assuming medium PHEV visits	-7.97	%	Calculated
Maximum reduction in GHG emissions from increased use of PHEVs in residential trips	640	MT CO2e per year	Calculated by A * Total GHG emissions from residential trips
Medium reduction in GHG emissions from increased use of PHEVs in residential trips	320	MT CO2e per year	Calculated by A * Total GHG emissions from residential trips

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

Potential GHG Reduction Measure 14
Provide Charging Stations and Preferential Parking Spots for Electric Vehicles
Faria/Southwest Hills Annexation Project
Pittsburg, California

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

3. The quantification presented here targets residential transit only, and the associated reduction is taken as a percentage of mobile GHG emissions from residential trips.

Abbreviations:

VMT - Vehicle Miles Traveled
MT CO2e - Metric Tons of Carbon Dioxide Equivalent
lb - Pound
CAPCOA - California Air Pollution Control Officers Association
g - Gram
kWh - Kilowatt-Hour
MWh- Megawatt-Hour
PHEV - Plug In Hybrid Electric Vehicle

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

California Air Resources Board (CARB). 2017. Advanced Clean Cars Mid-Term Report, Appendix G: Plug-in Electric Vehicle In-Use and Charging Data Analysis. January.

CARB, 2019. Final Sustainable Communities Strategy Program and Evaluation Guidelines Appendices. November.

CARB, 2020a. EMFAC2017 v1.0.3. August.

CARB, 2020b. Unofficial electronic version of the Low Carbon Fuel Standard Regulation.

U.S. Department of Energy (U.S. DOE). 2021. Download Fuel Economy Data. January.

Potential GHG Reduction Measure 15
Provide Traffic Calming Features
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would include pedestrian/bicycle safety and traffic calming measures above jurisdictional requirements. Roadways should also be designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips with traffic calming features. Traffic calming features may include marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, and others. Providing traffic calming measures encourages people to walk or bike instead of using a vehicle. This mode shift will result in a decrease in VMT and thereby GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-35. Provide Traffic Calming Measures		Neighborhood Design	--
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.
2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.
3. The effectiveness is not quantitatively evaluated in the CAPCOA Handbook.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - greenhouse gas
VMT - vehicle miles traveled

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

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Potential GHG Reduction Measure 16
Minimize Use of cul-de-sacs and Incomplete Roadway Segments
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would increase intersection density by building a new street network in a subdivision or retrofitting an existing street network to improve connectivity (e.g., converting dul-de-sacs or dead-end streets to grid streets). Increased vehicle intersection density is a proxy for street connectivity improvements, which help to facilitate a greater number of shorter trips and thus a reduction in GHG emissions.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Presumptively Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	T-17. Improve Street Connectivity		Land Use	Up to 30.0% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	VMT reductions	Enhanced pedestrian or traffic safety	Improved public health
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.
2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.
3. The project-level effectiveness is not quantifiable due to lack of project inputs such as the proposed intersection density.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - greenhouse gas
VMT - vehicle miles traveled
GHG - Greenhouse Gas

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 17

Install Energy Star Appliances

Faria/Southwest Hills Annexation Project

Pittsburg, California

Measure Description				
This measure would install ENERGY STAR-certified appliances that exceed the energy efficiency of conventional appliances. By committing to more efficient appliances, the building's energy use is reduced, thereby reducing GHG emissions. This measure can be used for appliances such as refrigerators, clothes washers, dishwashers, and ceiling fans. This measure would only result in reductions associated with electricity use and does not apply to natural gas as no ENERGY STAR appliances that use natural gas were evaluated.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to Baseline	0.3%	Maximum effectiveness	ENERGY STAR certified refrigerators, clothes washers, dishwashers, and ceiling fans would be used in the proposed single family homes.	
	0.2%	Average	Only partial ENERGY STAR appliances (e.g, refrigerators and clothes washers) would be used in the proposed single family homes.	
	0.0%	Minimum effectiveness	Only conventional appliances would be installed.	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	E-2. Require Energy Efficient Appliances		Energy Efficiency Improvements	Up to 15% of GHG emissions from building electricity
Co-Benefits				
Improved air quality	Energy and fuel savings	Enhanced energy security	Social equity	
Quantification Details				
$A_{electricity} = (E_1*F_1) + (E_2*F_2) + (E_3*F_3) + (E_4*F_4)$			Equation 1	

Parameters	**Value**	**Unit**	**Reference/Assumptions**
E_1 - Residential Refrigerator	-9	%	Percent reduction in electricity for ENERGY STAR appliance compared to conventional appliance. CAPCOA Handbook, Table E-2.1.
E_2 - Clothes Washer	-25	%	
E_3 - Dishwasher	-12	%	
E_4 - Ceiling Fan	-60	%	
F_1 - Residential Refrigerator	18	%	Percent of total building electricity by appliance. CAPCOA Handbook, Table E-2.3, housing type: single family housing
F_2 - Clothes Washer	1.1	%	
F_3 - Dishwasher	1.1	%	
F_4 - Ceiling Fan	1.3	%	
D - Electricity Demand Forecast Zone	1	--	CAPCOA Handbook, Table E-1.1 Greater Bay Area.
$A_{electricity}$ - % reduction in GHG emissions from building electricity	-2.8	%	Calculated; Assume ENERGY STAR certified refrigerators, clothes washers, dishwashers, and ceiling fans would be used in the proposed single family homes.
$A_{electricity,partial}$ - % reduction in GHG emissions from building electricity	-1.9	%	Calculated; Assume only partial ENERGY STAR appliances (e.g, refrigerators and clothes washer) would be used in the proposed single family homes.
$A_{electricity}$ - mass redution in GHG emissions from building electricity	49.8	MT CO2e per year	Calculated based on the DEIR Appendix D unmitigated year 2030 Project GHG emissions.
$A_{electricity,partial}$ - partial mass redution in GHG emissions from building electricity	33.6	MT CO2e per year	Calculated based on the DEIR Appendix D unmitigated year 2030 Project GHG emissions.

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association GHG - greenhouse gas
MT CO2e - megatons carbon dioxide equivalent
GHG - Greenhouse Gas

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 18
Install Solar Water Heating
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would install solar water heaters with natural gas backup and/or electric backup in residential developments, which are less carbon intensive than a natural gas conventional storage tank water heater. A solar water heater with electric backup reduces GHG emissions by displacing natural gas with zero-emission solar energy when water is heated by the system's solar collectors and grid electricity when the back-up function is utilized. A solar water heater with natural gas backup reduces emissions by displacing natural gas with solar energy when water is heated by the solar collectors.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to Baseline	11.7%	Maximum effectiveness	Install solar water heaters with electric backup	
	2.3%	Average	Install solar water heaters with natural gas backup	
	0.0%	Minimum effectiveness	Install natural gas conventional storage tank water heater	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	E-12. Install Alternative Type of Water Heater in Place of Gas Storage Tank Heater in Residences		Building Decarbonization	Potentially moderate reduction in GHG emissions from building natural gas
Co-Benefits				
Improved air quality	Energy and fuel savings	Improved public health	Enhanced energy security	Social equity
Quantification Details				
A1 = (-E*C*G*I*J)+(F_1*C*H*K*J)				Equation 1
A2 = (F_2-E)*C*G*I*J				Equation 2

Parameters	**Value**	**Unit**	**Reference/Assumptions**
B - Housing type	Single Family Housing	--	DEIR
C - Number of dwelling units	1,500	DU	DEIR
D - Electricity Demand Forecast Zone	1	--	CAPCOA Handbook, Table E-1.1 Greater Bay Area.
E - Fuel consumption for storage tank heater	255	therm per year per du	CAPCOA Handbook, Table E-12.1
F_1 - Electricity use for solar water heater with electric backup	1,319	kWh per year per du	
F_2 - Fuel consumption for solar water heater with natural gas backup	210	therm per year per du	
G - Carbon intensity of residential natural gas	117	lb CO2e per MMBtu	CAPCOA Handbook
H - Carbon intensity of local electricity provider (i.e., PG&E)	206	lb CO2e per MWh	CAPCOA Handbook, Table E-4.3 and Table E-4.4
I - Conversion from therm to 1 million Btu (MMBtu)	0.1	--	Conversion factor
J - Conversion from lb to metric ton (MT)	0.000454	MT per lb	Conversion factor
K - Conversion from kWh to MWh	0.001	MWh per kWh	Conversion factor
A1 - Reduction in GHG emissions from building energy for solar water heater with electric backup	1846.7	MT CO2e per year	Calculated based on the DEIR Appendix D unmitigated year 2030 Project GHG emissions.
A2 - Reduction in GHG emissions from building energy for solar water heater with natural gas backup	358.5	MT CO2e per year	Calculated based on the DEIR Appendix D unmitigated year 2030 Project GHG emissions.

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
du - Dwelling Unit
MWh - Megawatt-Hour
lb - Pound
GHG - Greenhouse Gas
MT CO2e - Metric Tons of Carbon Dioxide Equivalent
kWh - Kilowatt-Hour
MMBtu - Metric Million British Thermal Units

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 19
Exceed Minimum CALGreen Standards (e.g., adopt Tier 1 or Tier 2 voluntary measures)
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
The California Green Building Standards Code (Part 11, Title 24), known as CALGreen, have voluntary Tier 1 and Tier 2 requirements in addition to the mandatory measures in five devisions, Planning and Design, Energy Efficiency, Water Efficiency and Conservation, Material Conservation and Resource Efficiency, and Environmental Quality. The current version is 2019, and the new (2022) version will take effect on January 1, 2023. The Tier 2 checklist is a conglomerate of mandatory and elective measures, some of which are not quantifiable in terms of GHG reduction magnitudes, and others quantified in other potential GHG Reduction Measures, described in "Details" section below.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	Tier 2 requirement can be included as a part of the building permit issuance process.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness: Quantified in other potential GHG Reduction Benefits below.				
Co-Benefits				
Improved air quality	Energy and fuel savings	Enhanced pedestrian or traffic safety	Water conservation	Improved public health
Improved ecosystem health	Enhanced energy security	Social equity		
Details				
This measure's mandatory and elective measures overlap with other reduction measures, some of which are detailed below. Some mandatory and elective measures can only be quantified at project level with sufficient information on project design. Therefore, the meausure's GHG reudction magnitudes were not quantified.				
Potentially quantifiable CALGreen Requirements	**Mandatory or Elective?**	**Similar to GHG Reduction Measure(s):**		
Short-term and long-term bicycle parking	Mandatory	7a, 7c, 7d, 8e		
EV charging	Mandatory and Tier Prerequisite	13,14, BAAQMD 2		
Cool roof	Tier 2 Prerequisite	2		
Community connectivity	Elective	6, 7, 8, 9, 10, 11		
Energy performance - outdoor lighting power 90% of Part 6	Tier 2 Prerequisite	None. Can quantify at project-level.		
Energy budget 90% or 85% of Part 6 calculated value of allowance	Tier 2 Prerequisite			
On-site renewable energy	Elective	20, CARB 1		
Green power	Elective	CARB 1		
Controls that reduce energy	Elective	5, 17, 18, 23, BAAQMD 1		
Water reduction Tier 2— 20% or 25% savings over the "water use baseline"	Tier 2 Prerequisite	None. Can quantify at project-level.		

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - Greenhouse Gas

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 20
Pre-wire Homes for Photovoltaic Systems
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description					
The State's 2019 Building Energy Efficiency Standards (Title 24) requires that new single-family residential developments meet the solar-ready requirements. A solar-ready building design would account for building orientation and shading for optimal solar panel placement, roof design and specification, establishing electrical conduits from the future photovoltaic systems to the building's electrical panel, and maximum size of the photovoltaic system. The solar-ready requirement is mandatory by code and is not considered as an additional GHG reduction measure.					
Preliminary Feasibility[1]					
	Rating	**Justification**			
Technological	3	Technology and design methodologies and guidelines readily available.			
Legal	3	No known legal constraints.			
Measure feasibility[2]	Feasible	See footnote #2.			
Effectiveness: Not Quantified.					
Co-Benefits					
Energy and fuel savings	Enhanced energy security	Social equity			
Details					
This measure would enable potential energy savings and GHG reduction, but would not result in any actual GHG reduction on its own. Therefore, the measure's GHG reduction is not quantified.					

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association

GHG - Greenhouse Gas

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 21
Provide Community Composting Facilities or Curb-side Food Waste Services
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure implements an organics diversion program to reduce the volume of organic waste sent to landfills. An organics diversion program lowers the landfill disposal rate of food waste, food soiled paper, yard waste, and non-hazardous wood waste. Decomposition of organic waste in landfills produces methane. Increasing organic waste diversion from landfills thus reduces GHG emissions. Two potentially viable methods to divert organic waste are providing community composting facilies and curb-side food waste services. Community composting is often done in community gardens or local urban farms with the additional benefits of environmental education and community engagement. Guidance manuals on best management practices of community composting are available through CalRecycle and Institute for Local Self-Reliance. Curb-side food waste pick-ups have been implemented through some, but not all, waste management districts. This method requires coordination between the local waste management district and the community. Its viability depends on funding availability, logistics, and stakeholder participation.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology and design methodologies and guidelines readily available.		
Legal	2	Implementation of these methods requires coordination between multiple stakeholders and involves uncertainties associated enforceability and monitoring.		
Measure feasibility[2]	Presumptively Feasible	See footnote #2.		
Effectiveness: Not Quantified.				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to 2030 DEIR Emissions	0.9%	Maximum effectiveness	100% organic waste is composted. None disposed at landfills.	
	0.4%	Average	50% of food waste is composted and 80% of yard trimming and mixed organic are composted. The rest are disposed at landfills.	
	0.0%	Minimum effectiveness	All organic waste is disposed at landfills.	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	S-2. Implement Organics Diversion Program		Solid Waste	Small
Co-Benefits				
Improved ecosystem health	VMT reductions	Improved air quality		
Quantification Details				
$A = E * D$				Equation 1
$B_z = A * F_z$				Equation 2
C = Input B_z into U.S. EPA WARM				Equation 3
Parameters	**Value**	**Unit**	**Reference/Assumptions**	
A - Waste disposed by building type	1200	tons per year	Equation 1	
E - Annual residential waste disposal rates by location	0.25	tons per resident per year	CAPCOA Handbook, Table S-1.1, value selected for single-family residence in Contra Costa County.	
D - Population	4,800	resident	Service population in Project Description	
z - Material type	Food, Yard Trimmings, Mixed Organics	--	These three categories are possible for composting.	
F_{food}	20	%	CAPCOA Handbook, Table S-1.3.	
$F_{yard\ trimmings}$	8	%	CAPCOA Handbook, Table S-1.3.	
$F_{mixed\ organics}$	2	%	CAPCOA Handbook, Table S-1.3.	
$B_{food,\ max}$	240	tons per year	Equation 3, assume 100% composting for food waste.	
$B_{yard\ trimmings,\ max}$	96	tons per year	Equation 3, assume 100% composting for yard trimmings.	
$B_{mixed\ organics,\ max}$	24	tons per year	Equation 3, assume 100% composting for mixed organics.	
$B_{food,\ avg}$	120	tons per year	Equation 3, assume 50% composting for food waste.	
$B_{yard\ trimmings,\ avg}$	76.8	tons per year	Equation 3, assume 80% composting for yard trimmings.	
$B_{mixed\ organics,\ avg}$	19.2	tons per year	Equation 3, assume 80% composting for mixed organics.	
C_{max}	139	MT CO2e per year	US EPA WARM output (Equation 3)	
C_{avg}	67	MT CO2e per year	US EPA WARM output (Equation 3)	

Notes:

Potential GHG Reduction Measure 21
Provide Community Composting Facilities or Curb-side Food Waste Services
Faria/Southwest Hills Annexation Project
Pittsburg, California

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association

US EPA WARM - United States Environmental Protection Agency Waste Reduction Model

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

USEPA, 2020. WARM version 15. November.

Potential GHG Reduction Measure 22
Use water efficient landscapes and native/drought-tolerant vegetation
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would require the use of landscapes that are water efficient, with lower water demands than required by the DWR 2015 Model Water Efficient Landscape Ordinance (MWELO) (California Code of Regulations [C.C.R.], Title 23, Division 2, Chapter 2.7). Designing water-efficient landscapes for a project site or throughout a community reduces water consumption and thus the corresponding energy and indirect GHG emissions that result from sourcing and transporting fresh water.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	W-5 Design Water-Efficient Landscapes		--	Potentially small reduction in GHG emissions from outdoor water use
Co-Benefits				
Energy and fuel savings	Water conservation	Enhanced energy security	Social equity	Improved air quality

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

3. The project-level effectiveness is not quantifiable due to lack of project inputs such as the landscape area and special landscape area.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - greenhouse Gas
MWELO - Model Water Efficient Landscape Ordinance

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

Potential GHG Reduction Measure 23
Provide Electrical Outlets Outside of Homes to Allow for Use of Electrically Powered Landscaping Equipment
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would provide electrical outlets on the exterior of buildings as necessary for sufficient powering of electric lawnmowers and other landscaping equipment. This measure also supports other measures that replace gasoline-powered equipment with electric and rechargeable battery-powered yard equipment to reduce GHG emissions by ensuring the accessibility of electrical outlets on the exterior of buildings.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	LL-3 Electric Yard Equipment Compatibility		Lawn and Landscaping	--
Co-Benefits				
Improved public health				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

3. The effectiveness is not quantitatively evaluated in the CAPCOA Handbook.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
GHG - greenhouse Gas

References:

CAPCOA, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. December.

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.

Potential GHG Reduction Measure BAAQMD 1
Natural Gas Infrastructure Ban
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
This measure would ban the use of natural gas infrastucture in new developments in the San Francisco Bay Area. Natural gas accounts for a significant portion of GHG emissions in the Bay Area, and this ban would effectively zero out nautral gas emissions entirely, presenting a significat project-level mitigation opportunity.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	2	Unclear whether there is sufficient electrical infrastructure to support all electric neighborhoods		
Legal	3	No known regulatory barriers to constructing natural gas-free buildings.		
Measure feasibility[2]	Presumptively Feasible	See footnote #2.		
Effectiveness				
	Percent (%)	**Type of Measure**	**Assumption**	
GHG Reduction Compared to 2030 DEIR Emissions[3]	13.6%	Maximum effectiveness	This measure bans natural gas entirely, thus there is only one level of effectiveness.	
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	N/A		Energy Efficiency Improvements	Up to 13.6% of total site GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	Improved public health	Improved ecosystem health	Enhanced energy security

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

3. To quantify GHG reductions associated with a complete hault in natural gas usage, it was assumed that any emissions associated with natural gas usage would be zero. Therefore, this reduction value is equal to the portion of GHG emissions that natural gas is responsible for.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association GHG - Greenhouse Gas
BAAQMD - Bay Area Air Quality Management District

References:

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity

BAAQMD, 2022. Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects. April. Available at: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa-thresholds-2022/justification-report-pdf.pdf?la=en.

Potential GHG Reduction Measure BAAQMD 2
Install EV Prewiring Consistent with CalGreen Tier 2 Guidelines
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
Threshold A2.b of BAAQMD's udpated threshold for land use projects reccomends that projects achieve compliance with off-street vehicle requirements in the most recently adopted version of CalGreen Tier 2. Achieving compliance woulld require a dedicated branch circuit (prewiring), circuit breakers, and other electrical componenents in each dwelling unit. By increasing availability of EV infrastructure, developers can reduce CO_2 intensity of vehicle travel. This measure would not provide any further reductions in GHG emissions, however, because it was included in the original EIR calculations. This measure also overlaps with Measure #19.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available.		
Legal	3	No known regulatory barriers.		
Measure feasibility[2]	Feasible	See footnote #2.		
Effectiveness				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	N/A		Energy Efficiency Improvements	--
Co-Benefits				
Improved air quality	Energy and fuel savings	Improved public health	Improved ecosystem health	Enhanced energy security
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

Abbreviations:

BAAQMD - Bay Area Air Quality Management District
CAPCOA - California Air Pollution Control Officers Association
EIR - Environmental Impact Report
EV - Electric Vehicle
GHG - Greenhouse Gas

References:

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.
California Building Standards Commission, 2020. 2019 California Green Building Standards Code. January. Refer to section A4.106.8 "Electric vehicle (EV) charging for new construction". Available at: https://calgreenenergyservices.com/wp/wp-content/uploads/2019_california_green_code.pdf.

Potential GHG Reduction Measure BAAQMD 3
Reduce VMT by 15% per capita consistent with SB 743 targets and OPR Technical Guidance
Faria/Southwest Hills Annexation Project
Pittsburg, California

Measure Description				
Threshold A2.a.ii of BAAQMD's udpated thresholds for land use projects recommends that projects achieve a reduction in VMT consistent with the current version of the California Climate Change Scoping Plan (2017), which stipulates a 15% reduction. The VMT reduction could be achieve through a combination of transportation measures, including but not limited, Measures 6-8. Therefore, the estimated GHG reduction from this measure is not additive with other transportation measures.				
Preliminary Feasibility[1]				
	Rating	**Justification**		
Technological	3	Technology readily available. VMT reduction may be achieved by tranportation measures (i.e., Measures #6, 7, 8, 10, 13, 14, 15, 16, and BAAQMD 2) listed in Table 1.		
Legal	2	A 15% reduction in VMT would require significant coordination with local transit agencies and other partners. Though feasible, this could present large legal obstacles.		
Measure feasibility[2]	Presumptively Feasible	See footnote #2.		
Effectiveness[3]				
	Measures		**Subsector**	**GHG Mitigation Potential**
Description in CAPCOA Handbook	N/A		Energy Efficiency Improvements	8.8% of mobile GHG emissions
Co-Benefits				
Improved air quality	Energy and fuel savings	Improved public health	Improved ecosystem health	Enhanced energy security
Social equity				

Notes:

1. Feasibility score given in each category ranges from 1-3. A score of 3 means no known or negligible barriers to implement in this category; A score of 2 means possible to implement with some barriers and/or uncertainties; A score of 1 means the project is not feasible given the existing barriers in this category, and needs to be evaluated when the project is implemented to determine if the situation has changed sufficiently to make the measure feasible.

2. If a measure's score is 3 for all feasibility categories, the measure is indicated "Feasible". If a measure's score includes 2's in some feasiblity categories and does not include 1's, the measure is considered "Presumptively Feasible". In this situation, the measure's feasibility should be re-evaluated in the project-level analysis to determine whether the measure is worth pursuing despite some likely barriers. If a measure's contains any 1's, the measure is indicated "Not Feasible" at this time.

3. Measure is only quantified based on the estimated 15% reduction in VMT due to a lack of project-specific data.

Abbreviations:

CAPCOA - California Air Pollution Control Officers Association
BAAQMD - Bay Area Air Quality Management District
GHG - Greenhouse Gas
MT CO2e - Metric Tons of Carbon Dioxide Equivalent
VMT - Vehicle Miles Traveled

References:

Definition of feasibility is based on California Code of Regulations, Section 15364: "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Current analysis excludes the consideration of economic feasiblity.

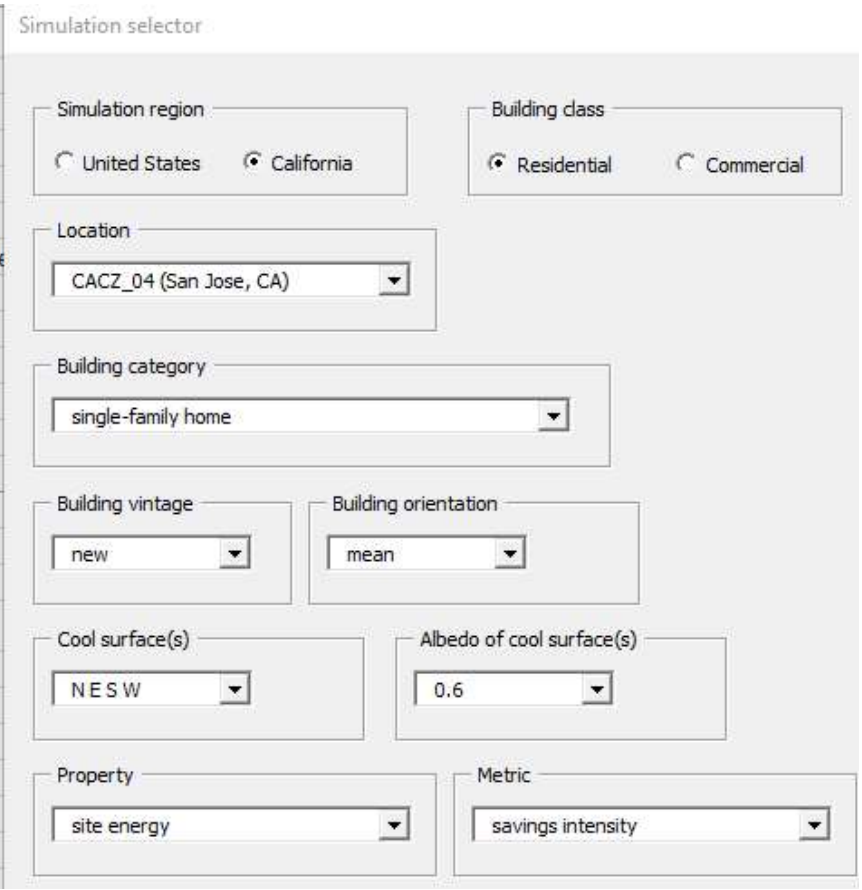
California Air Resource Board 2017. California's 2017 Climate Change Scoping Plan. November.

Supporting Model Output Files

Lawrence Berkeley National Lab Cool Roof Explorer - Non-Roof Run

Parameters	
Climate zone	CACZ_04
City	San-Jose
State	California
Vintage year	2016
Vintage group	new
Building category	single-family home
Building orientation	mean
Modified surface(s)	N E S W
Base wall albedo	0.25
Albedo of modified wall(s)	0.6
Base roof albedo	0.1
Albedo of modified roof	NA

Results	
Annual cooling site energy absolute savings intensity [kWh/m2]	1.176
Annual gas heating site energy absolute savings intensity [therms/m2]	-0.027
Annual electric heating site energy absolute savings intensity [kWh/m2]	0
Annual fan site energy absolute savings intensity [kWh/m2]	0.272
	1.448



Lawrence Berkeley National Lab Cool Roof Explorer - Roof Run

Parameters

Climate zone	CACZ_04
City	San-Jose
State	California
Vintage year	2016
Vintage group	new
Building category	single-family home
Building orientation	mean
Modified surface(s)	R
Base wall albedo	0.25
Albedo of modified wall(s)	NA
Base roof albedo	0.1
Albedo of modified roof	0.6

Results

Annual cooling site energy absolute savings intensity [kWh/m2]	0.978
Annual gas heating site energy absolute savings intensity [therms/m2]	-0.018
Annual electric heating site energy absolute savings intensity [kWh/m2]	0
Annual fan site energy absolute savings intensity [kWh/m2]	0.247
	1.225

Simulation selector

Simulation region: (○) United States (●) California

Building class: (●) Residential (○) Commercial

Location: CACZ_04 (San Jose, CA)

Building category: single-family home

Building vintage: new

Building orientation: mean

Cool surface(s): roof

Albedo of cool surface(s): 0.6

Property: site energy

Metric: savings intensity

Waste Reduction Model (WARM)
Summary Report (MTCO2E) for C_avg

Summary Report | Analysis Report

GHG Emissions Analysis - Summary Report

GHG Emissions Waste Management Analysis for **Ramboll**
Prepared by:
Project Period for this Analysis: to

Material	Baseline Scenario						Alternative Scenario							Change (Alt-Base) MTCO2E
	Tons Recycled	Tons Landfilled	Tons Combusted	Tons Composted	Tons Anaerobically Digested	Total MTCO2E	Tons Source Reduced	Tons Recycled	Tons Landfilled	Tons Combusted	Tons Composted	Tons Anaerobically Digested	Total MTCO2E	
Food Waste	N/A	120.00	0.00	0.00	0.00	59.70	0.00	N/A	0.00	0.00	120.00	0.00	-13.87	-73.57
Yard Trimmings	N/A	76.80	0.00	0.00	0.00	-15.40	N/A	N/A	0.00	0.00	76.80	0.00	-4.11	11.29
Mixed Organics	N/A	19.20	0.00	0.00	0.00	3.46	N/A	N/A	0.00	0.00	19.20	0.00	-1.36	-4.82
						47.76							-19.34	

a) For explanation of methodology, see the EPA WARM Documentation (https://www.epa.gov/warm/documentation-waste-reduction-model-warm)

b) Emissions estimates provided by this model are intended to support voluntary GHG measurement and reporting initiatives.

c) The GHG emissions results estimated in WARM indicate the full life-cycle benefits waste management alternatives. Due to the timing of the GHG emissions from the waste management pathways, (e.g., avoided landfilling and increased recycling), the actual GHG implications may accrue over the long-term. Therefore, one should not interpret the GHG emissions implications as occurring all in one year, butrather through time.

d) The equivalency values included in the box to the right were developed based on the EPA Greenhouse Gas Equivalencies Calculator (https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator) and are presented as an example of potential equivalencies. Additional equivalencies can be calculated using WARM results at the Greenhouse Gas Equivalencies Calculatorwebsite or using alternativedata sources.

Total Change in GHG Emissions (MTCO2E): **-67.10**

This is equivalent to...
Removing annual emissions from **14** Passenger Vehicles
Conserving **7550** Gallons of Gasoline
Conserving **2795** Cylinders of Propane Used for Home Barbeques

Waste Reduction Model (WARM)
Summary Report (MTCO2E) for C_max

Summary Report | Analysis Report

GHG Emissions Analysis - Summary Report

GHG Emissions Waste Management Analysis for **Ramboll**
Prepared by:
Project Period for this Analysis: to

Material	Baseline Scenario						Alternative Scenario							Change (Alt-Base) MTCO2E
	Tons Recycled	Tons Landfilled	Tons Combusted	Tons Composted	Tons Anaerobically Digested	Total MTCO2E	Tons Source Reduced	Tons Recycled	Tons Landfilled	Tons Combusted	Tons Composted	Tons Anaerobically Digested	Total MTCO2E	
Food Waste	N/A	240.00	0.00	0.00	0.00	119.40	0.00	N/A	0.00	0.00	240.00	0.00	-27.74	-147.14
Yard Trimmings	N/A	96.00	0.00	0.00	0.00	-19.25	N/A	N/A	0.00	0.00	96.00	0.00	-5.14	14.11
Mixed Organics	N/A	24.00	0.00	0.00	0.00	4.32	N/A	N/A	0.00	0.00	24.00	0.00	-1.70	-6.02
						104.47							-34.58	

a) For explanation of methodology, see the EPA WARM Documentation (https://www.epa.gov/warm/documentation-waste-reduction-model-warm)

b) Emissions estimates provided by this model are intended to support voluntary GHG measurement and reporting initiatives.

c) The GHG emissions results estimated in WARM indicate the full life-cycle benefits waste management alternatives. Due to the timing of the GHG emissions from the waste management pathways, (e.g., avoided landfilling and increased recycling), the actual GHG implications may accrue over the long-term. Therefore, one should not interpret the GHG emissions implications as occurring all in one year, butrather through time.

d) The equivalency values included in the box to the right were developed based on the EPA Greenhouse Gas Equivalencies Calculator (https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator) and are presented as an example of potential equivalencies. Additional equivalencies can be calculated using WARM results at the Greenhouse Gas Equivalencies Calculator website or using alternativedata sources.

Total Change in GHG Emissions (MTCO2E): **-139.05**

This is equivalent to...
Removing annual emissions from **29** Passenger Vehicles
Conserving **15646** Gallons of Gasoline
Conserving **5793** Cylinders of Propane Used for Home Barbeques

APPENDIX D

May 19, 2022

Diane Moore
Moore Biological Consultants
10330 Twin Cities Road, Ste. 30
Galt, CA 95632

RE: Springtime Rare Plant Survey for the ±600-acre Faria Property
City of Pittsburg, Contra Costa County, CA

Dear Ms. Moore:

Salix Consulting, Inc. has conducted a springtime rare plant survey for the ±600-acre Faria Property located in the City of Pittsburg, in Contra Costa County, California. The property is located in Sections 21, 22, 26, and 27, in Township 2 North, Range 1 West of the USGS 7.5-minute Clayton and Honker Bay topographic quadrangles (Figure 1).

BACKGROUND

The Faria Property was assessed for special status plants on December 12, 2013, and April 17, June 23, and September 3, 2014 by Moore Biological Consultants (Moore Biological Consultants, 2014). And more recently on August 22, 2017 by Pacific Biology & Vollmar Natural Lands Consulting (Pacific Biology & Vollmar Natural Lands Consulting, 2018). While no special-status plant species have been documented on the Faria Property during previous surveys, it has been eight years since a springtime survey was conducted.

This springtime survey was done in response to court guidance to "conduct one additional survey to document special-status plant species during a time of year when they would likely be present." The survey was conducted during the peak blooming season (the month of April). The survey was consistent with the survey objectives and survey timing criteria outlined in California Department of Fish and Wildlife's (CDFW) Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW, 2018).

The Faria Property is located in the East Contra Costa County Habitat Conservation Plan & Natural Community Conservation Plan (ECCCHCP/NCCP) and subject to its governance (Jones & Stokes 2006). The Plan includes 17 covered plant species which are considered in this

study, along with other regionally-occurring special status plant species. For purposes of this study, special status plant species includes state and federally-listed species (including candidate species), plants listed as rare under the California Native Plant Protection Act CNPS Rare Plant Ranks 1A, 1B, 2A, or 2B species.

This study is intended to provide a springtime floristic evaluation of the entire 600 acres but is not intended to be a final analysis of the presence or absence of special status species throughout the Faria Property. Further, in accordance with CDFW guidance regarding surveys being relatively current (CDFW, 2018), supplemental botanical surveys are recommended prior to when each phase is graded.

SETTING

The Faria Property is a series of hills and valleys (Suisun Hills and Valleys), generally aligned in a north northeast to south southwest orientation. Elevation on the property ranges from approximately 450' near the residences to 1000' on the hilltops in the northeastern area. The climate is characterized as Mediterranean with cool, wet winters and warm to hot, dry summers. Because of its proximity to the Carquinez Strait, it is often very windy, especially over the hilltops.

According to the Soil Survey of Contra Costa County, California (USDA 1977), nearly all of the soils in the Study Area are the Altamont-Fontana Complex of varying slope. In addition, there is a narrow band of Capay Clay along the main drainage in the central portion of the site. Notable on the Faria property is the lack of rocks. Most of the surfaces are smooth and lack any exposed surface protrusions. The Faria Property does not contain serpentine soils.

The average annual precipitation in Pittsburg is approximately 18 inches and nearly all the precipitation is rainfall. Hydrologically, the site is well drained and lacks any streams or wetlands, except for a small mitigation area in the northwest part of the property.

Nearly all the land is annual grassland (Figure 2). Further, the Faria Property is almost entirely devoid of woody vegetation, except for around the residential areas and in the mitigation area.

METHODS

The list of ECCCHCP/NCCP covered species was reviewed and the California Department of Fish and Wildlife California Natural Diversity Data Base (CNDDB) was queried to determine what special status plant species have been observed and recorded in the region. I conducted field surveys on four days: April 7, 8, 29 and 30, 2022. The surveys were conducted both by an All-Terrain Vehicle (ATV) and on foot. All roads on the property were driven for an overview as were many areas between the roads. Areas with more botanical diversity were traversed on foot and observed in more detail. Ridgetops and valley bottoms were emphasized in the survey effort. Hillsides were quite homogeneous and wide transects were conducted to sample those areas. Roadcuts were of particular interest because they exposed the subsurface and occasionally bedrock and thus, more plant diversity.

The CNDDB query was generated to include a five-mile buffer around the property boundary (Figure 3). Plant species that are not ECCCHCP/NCCP covered species were considered as well.

The survey was floristic in nature with the goal of identifying species observed to the taxonomic level necessary to determine if it was a special-status species or not. A list of species observed in the Faria Property during the 2022 survey is provided in Appendix A.

FINDINGS

Biological Communities

Nearly all the surface of the Faria Property is annual grassland and nearly all the annual grassland is grazed, primarily by cattle. Cattle were confined to the pastures around the residences during the April surveys but were on the entire site in recent months. Two residences with pavement, landscaping, outbuildings and graveled areas occur in the northern area and a mitigation area with planted woody vegetation occurs near the west edge of the site, approximately one half-mile west of the residences. Aerial site photos are presented from several views in Figures 4a-c and ground site photos are presented in several areas of the site in Figures 5a-c.

The annual grassland is dominated by several annual species throughout the site, notably: wild oat (*Avena barbata /fatua*), winter vetch (*Vicia villosa*), rose clover (*Trifolium hirtum*), wild mustard (*Sinapis arvensis*), black mustard (*Brassica nigra*), Italian thistle (*Carduus pycnocephalus*), wall barley (*Hordeum murinum*), and red-stemmed filaree (*Erodium cicutarium*). Milk thistle (*Silybum murianum*) is abundant throughout the property but patchier in recently disturbed areas such as along road cuts and high cattle use areas as well as along more moist swale bottoms. Common wildflowers include Chick lupine (*Lupinus microcarpus*), California poppy (*Eschscholzia californica*), purple owl's clover (*Castilleja exserta*), Mediterranean linseed (*Bellardia trixago*), and Ithuriel's spear (*Triteleia laxa*).

Special-Status Species

Table 1 is summary of the listing status, blooming periods, and habitats of each of the 17 special-status plant species that are covered by the ECCCHCP/NCCP.

TABLE 1. ECCCHCP/NCCP Covered Species

Species	Status*			Blooming Period	Habitat
	CNPS	CESA	FESA		
Large-flowered fiddleneck *Amsinckia grandiflora*	1B.1	CE	FE	Mar-May	Grassy slopes
Mt. Diablo manzanita *Arctostaphylos auriculata*	1B.3	None	None	Jan-Mar	Sandstone, upper chaparral near coast

Species	Status*			Blooming Period	Habitat
Alkali Milkvetch *Astragalus tener* ssp. *tener*	1B.2	None	None	Mar-Jun	Adobe areas in valley and foothill grassland, vernal pools
Brittlescale *Atriplex depressa*	1B.2	None	None	Apr-Oct	Chenopod scrub, mesic areas, playas, (alkaline, clay)
Big tarplant *Blepharizonia plumosa*	1B.1	None	None	Jul-Oct	Valley and foothill grassland (clay, usually)
Round-leaved filaree *California macrophylla*	CBR	None	None	Mar-May	Grasslands
Mt. Diablo fairy-lantern *Calochortus pulchellus*	1B.2	None	None	Apr-Jun	Wooded slopes with northern aspect
Recurved larkspur *Delphinium recurvatum*	1B.2	None	None	Mar-Jun	Poorly drained, fine, alkaline soils in grassland, Atriplex scrub
Mt. Diablo buckwheat *Eriogonum truncatum*	1B.1	None	None	Apr-Sep	Sand
Diamond-petaled poppy *Eschscholzia rhombipetala*	1B.1	None	None	Mar-Apr	Fallow fields, often on alkaline soil
San Joaquin spearscale *Extriplex joaquinana*	1B.2	None	None	Apr-Oct	Alkaline soils
Diablo helianthella *Helianthella castanea*	1B.2	None	None	Mar-Jun	Open grassy areas
Brewer's western flax *Hesperolinon breweri*	1B.2	None	None	May-Jul	Chaparral, grassland, often on serpentine

Species	Status*			Blooming Period	Habitat
Contra Costa goldfields *Lasthenia conjugens*	1B.1	None	FE	Mar-Jun	Vernal pools
Showy golden madia *Madia radiata*	1B.1	None	None	Mar-May	Grassy slopes sometimes on serpentine
Adobe navarretia *Navarretia nigelliformis ssp. nigelliformis*	4.2	None	None	Mar-Jul	Mesic areas in valley and foothill grassland, vernal pools
Caper-fruited tropidocarpum *Tropidocarpum capparideum*	1B.1	None	None	Mar-Apr	Alkaline soils

*Status Codes:

Federal

FE Federal Endangered

State

CE California Endangered

CNPS

Rank 1B Rare, Threatened, or Endangered in California

Rank 2 R, T, or E in California, more common elsewhere
1- Seriously threatened in California
2- Fairly threatened in California

Rank 4 limited distribution or infrequent throughout a broader area in California

CBR Considered But Rejected

Large-flowered fiddleneck (***Amsinckia grandiflora***): Large-flowered fiddleneck, a dicot of the Boraginaceae family, is an annual herb native and endemic to California. It is ranked by the CNPS as 1B.1. It is a striking annual plant, growing to 50 cm. tall and having bright orange flowers (14-20 mm. long). It occurs in annual grassland habitats at elevations below 300m. While the annual grassland in the site provides potentially suitable habitat for large-flowered fiddleneck, it was not observed on the site during the April 2022 field surveys.

Mount Diablo manzanita (***Arctostaphylos auriculata***): Mount Diablo manzanita, a dicot, is an evergreen shrub that is native and endemic to Contra Costa County, California. It is ranked by the CNPS as 1B.3. Mount Diablo manzanita occurs primarily in chamise or manzanita chaparral. It can also be found as an understory shrub in coast live oak woodland. It is found on Mount Diablo and in the adjacent foothills, between 150-650m. Mount Diablo manzanita is generally between 1 and 4.5 meters tall with serpentine, glandless stems covered in white hair. The short, silvery leaves overlap and have deeply lobed bases. It flowers densely in white. The

Mount Diablo manzanita has no basal burl for regrowth and must propagate by seed. Its bloom period is from January to March. The site does not provide suitable habitat for this species and it was not observed on the site during the April 2022 field surveys.

Alkali Milkvetch (*Astragalus tener* ssp. *tener*): Alkali milkvetch, a dicot of the Fabaceae family, is an annual herb native and endemic to California. It is ranked by the CNPS as 1B.2. It produces upright stems up to 30 cm tall with several lance-shaped to oval leaflets. The inflorescence is a dense cluster of pinkish-purple white-smudged flowers. This species occurs in alkaline flats, vernally moist areas in annual grasslands at elevations up to 197 feet. It grows in both coastal and inland areas. The CNPS Inventory also describes this species as extirpated in Contra Costa County. Alkali milkvetch was not observed during the April 2022 field surveys.

Brittlescale *(Atriplex depressa):* Brittlescale, a dicot, is an annual herb of the Chenopodiacae family that is native and endemic to California. It is ranked by the CNPS as 1B.2. Brittlescale occurs on alkali soils of the Pescadero and Solano series and typically occurs in barren areas within alkali grassland, alkali meadow, and alkali scrub. The CNPS states that the species occurs in alkaline and clay soils of chenopod scrub, meadows and seeps, playas, valley and foothill grassland and vernal pools. It is occasionally found on the margins of alkali vernal pools. Brittlescale occurs along the western side of the Great Valley from Glenn County to Merced County and in the small valleys of the inner Coast Ranges, including the Livermore Valley. It occurs in the broad flood basins of the valley floor and on alluvial fans associated with the major streams draining from the inner Coast Range foothills. It is generally found at low elevations, up to 320m. Brittlescale is diminutive and generally grows prostrate; it rarely exceeds 20 centimeters in height. It blooms from April to October. Alkaline soils are not present in the Study Area and there is no potential for this species to occur on the property. Brittlescale was not observed during the April 2022 field surveys.

Big Tarplant (*Blepharizonia plumosa*): Big tarplant, a dicot of the Asteraceae family, is an annual herb native and endemic to California. It is ranked by the CNPS as 1B.1. This aromatic annual herb produces a hairy, erect stem up to 2 meters tall. The leaves are linear in shape and sometimes toothed. The inflorescence bears several flower heads, each with a fringe of up to 13 red-veined white ray florets. This species occurs on dry slopes of annual grasslands at elevations below 500m. It grows in the Central Coast Ranges and adjacent sections of the southern San Francisco Bay Area and Central Valley. Habitat quality for big tarplant on the Faria property is marginal, as noted in the Species Accounts for the ECCCHCP/NCCP (Jones & Stokes 2006), and as noted in the 2017 Biological Evaluation Report for the project area (Pacific Biology & Vollmar Natural Lands Consulting, 2018), which found the project habitat to be marginal due to no heavy clay soils and the site dominated by tall, dense grass cover. This species blooms from July into November and was not observable during the April surveys.

Round-leaved filaree (*California macrophylla*): Round-leaved filaree, a dicot of the Geraniaceae family, is an annual herb native to California. It is ranked by the CNPS as 1B.2. It grows only a few centimeters high, forming a patch of slightly lobed, somewhat kidney-shaped to rounded leaves on long, slender petioles. The inflorescence is an umbel of flowers with petals around a centimeter long and white in color, often tinted pinkish or purplish. The fruit has a fuzzy base and a long, narrow style which may reach 5 cm. in length. This species occurs in annual grassland habitats with clay soils, at elevations below 1000m. While the annual

grassland on the site provides potentially suitable habitat for round-leaved filaree, this species was not observed on the site during the April 2022 field surveys.

Mount Diablo fairy-lantern (***Calochortus pulchellus***)**:** Mount Diablo fairy-lantern, a monocot of the Liliaceae family, is a perennial herb (bulb) that is native and endemic to California. It is ranked by the CNPS as 1B.2. It grows a branching stem up to about 30 cm. tall. The basal leaf is up to 40 cm. long and does not wither at flowering. The inflorescence is a solitary flower or a cluster of several flowers, which are nodding and usually spherical with all their petal tips touching. The three sepals and three petals are 2 or 3 cm long and pale to deep yellow. This species occurs on shaded wooded slopes between 200-800m. The Faria Property does not provide suitable habitat for this species, and it was not observed on the site during the April 2022 field surveys.

Recurved larkspur (***Delphinium recurvatum***). Recurved larkspur, a perennial herb, is a member of the buttercup family (Ranunculaceae). It is ranked by the CNPS as 1B.2. This species reaches a maximum height of about half a meter. Its deeply lobed leaves are mainly basal, with those located further up the dark purple stem being much smaller. The flowers are generally pale blue, with the sepals and lower petals darker than the upper petals. The sepals are usually curved back, the trait which gives the plant its name. Recurved larkspur occurs in poorly drained, fine, alkaline soils in grassland, Atriplex scrub habitat. ranging in elevation from 30-600m. The Faria Property does not provide suitable habitat for this species, and it was not observed on the site during the April 2022 field surveys.

Mount Diablo buckwheat (***Eriogonum truncatum***): Mount Diablo buckwheat, a dicot of the Polygonaceae family, is an annual herb native and endemic to California, known only from Mt. Diablo in Contra Costa County. It is ranked by the CNPS as 1B.1. Its blooms are several dozen pinkish flowers, having a maroon line down the center of each petal. It grows in sandy soils at elevations between 200-400m. The Faria property does not have areas of sandy soils and the site is considered quite marginal for the occurrence of Mount Diablo buckwheat. This species was not observed on the site during the April 2022 field surveys.

Diamond-petaled poppy (***Eschscholzia rhombipetala***): Diamond-petaled poppy, a dicot of the Papaveraceae family, is an annual herb native and endemic to California, growing 5-30 cm. tall. It is ranked by the CNPS as 1B.1. Diamond-petaled California poppy may have erect or nodding buds, the flowers are small and yellow, and the bases of the leaves are fleshy. The fruits are conspicuous because they are 4 to 7 cm. long, which may nearly equal the height of the plants This species occurs in open fallow fields, often on alkaline soils below 300m. The CNPS Inventory describes this species as extirpated in Contra Costa County. While the annual grassland in the site provides potentially suitable habitat for diamond-petaled poppy, it was not observed on the site during the April 2022 field surveys.

San Joaquin spearscale (*E**xtriplex joaquiniana***): San Joaquin spearscale, a dicot, is an annual herb of the Chenopodiacae family that is native and endemic to California. It is ranked by the CNPS as 1B.2. San Joaquin spearscale occurs along the western side of the Great Valley from Glenn County to Merced County and in the small valleys of the inner Coast Ranges, including the Livermore Valley. San Joaquin spearscale typically occurs in alkali grassland and alkali meadow, or on the margins of alkali scrub. It occurs on clay soils, often in areas of high

alkalinity. San Joaquin spearscale habitat is not present on the Faria Property and this species was not observed on the site during the April 2022 field surveys.

Diablo helianthella (***Helianthella castanea***): Diablo helianthella, a dicot, is a perennial herb of the sunflower family (Asteraceae) that is native to California and endemic to the San Francisco Bay Area, occurring in the Diablo Range, Berkeley Hills, and San Bruno Mountain. It is ranked by the CNPS as 1B.2. It usually occurs in thin, rocky, well-drained soils, often in partial shade. It occurs in open grassy sites between 200-1300m. Diablo helianthella grows up to 18 inches tall. Its leaves are up to 6 inches long. The plant usually produces one yellow flower head per stem. Each head contains both ray flowers and disc flowers. It blooms from March to June. A similar species, *Wyethia angustifolia*, was observed in the Study Area but Diablo helianthella was not observed on the site during the April 2022 field surveys.

Brewer's Dwarf Flax (*Hesperolinon breweri*): Brewer's dwarf flax, a dicot of the Linaceae family, is an annual herb native and endemic to California, where it is known from 3 Counties in the San Francisco Bay Area. It is ranked by the CNPS as 1B.2. It grows erect to a height of 5 to 20 cm. Its narrow, linear leaves are greenish to purplish in color, and it produces dense inflorescences of flowers with glandular sepals and five bright yellow petals. Brewer's dwarf flax grows in annual grasslands, usually in serpentinite soils, at elevations between 30 and 700m. The Faria Property does not contain serpentine soils. While the annual grassland in the site provides marginally suitable habitat for Brewer's dwarf flax, it was not observed during the April 2022 field surveys.

Contra Costa Goldfields (*Lasthenia conjugens*): Contra Costa goldfields, a dicot of the Asteraceae family, is an annual herb native and endemic to California, primarily in vernal pools. It is ranked by the CNPS as 1B.1. Stems are simple or freely branched and erect attaining a height of less than 40 cm. The yellow ray flowers may number six to thirteen petals, and the five- to ten-millimeter ligules are yellow as well. The yellow disk flowers are numerous, and anther tips are linear to somewhat ovate. There are no vernal pools in the Study Area and no suitable habitat exists for this species. Contra Costa goldfields was not observed during the April 2022 field surveys

Showy madia (***Madia radiata***): Showy madia, a dicot of the Asteraceae family, is an annual herb native to California, mostly from the Central Coast Ranges and adjacent edges of the San Francisco Bay Area and Central Valley. It is ranked by the CNPS as 1B.1. It grows upright 10 to 90 cm. tall, the stem often branching and coated in bulbous resin glands. The bristly, glandular leaves are up to 10 cm. long, often wider at the top of the plant than below. The inflorescence produces flower heads lined with hairy, gland-studded phyllaries. The head has golden yellow ray florets up to almost 2 cm, long and a center filled with many disc florets. Showy madia occurs on grassy or open slopes, vertic clay, occasionally on serpentine. The Faria Property provides marginal habitat for this species, but it was not observed on the site during the April 2022 field surveys.

Adobe Navarretia (*Navarretia nigelliformis* ssp. *nigelliformis*): Adobe navarretia, a dicot of the Polemoniaceae family, is an annual herb native to California. It is ranked by the CNPS as 4.2. The herbage is dark green with branches spreading-ascending. The corolla is exerted, 12–16 mm long, with lobes 3–4 mm. The small flowers are yellow with brown spots below the petal lobes.

Adobe navarretia occurs in vernal pools and clay depressions within annual grassland habitats at elevations from 10-1000 m. There are no vernal pools on the Faria Property and no habitat for this species. It was not observed during the April 2022 field surveys.

Caper-fruited tropidocarpum (***Tropidocarpum capparideum***): Caper-fruited tropicocarpum is an annual herb in the Brassicaceae (mustard) family. It is ranked by the CNPS as 1B.1. It occurs in alkaline soils of low hills and Valley and foothill grassland at elevation less than 400m. The species was generally considered to be extinct since the 1950s, but it has been reported since. According to CNPS, occurrences in Alameda, Contra Costa, Glenn, Santa Clara, and San Joaquin counties are presumed extirpated. Flowers are obovate to spoon-shaped, yellow, occasionally tinged purple, and the bloom period is from March to April. Alkaline soils are not present in the Study Area and Caper-fruited tropicocarpum was not observed during the April 2022 field surveys.

The CNDDB query for the project region, illustrated in Figure 3, shows additional, non ECCCHCP/NCCP covered special status species that we evaluated for potential occurrence on the Faria Property. These incluse: *Arctostaphylos manzanita ssp. laevigata, Centromadia parryi ssp. congdonii, Chloropyron molle ssp. mole, Cicuta maculata var. bolanderi, Delphinium californicum ssp. interius, Eriastrum ertterae, Eryngium jepsonii, Erysimum capitatum var. angustatum, Lathyrus jepsonii var. jepsonii, Lilaeopsis masonii, Malacothamnus hallii , Navarretia gowenii, Oenothera deltoides ssp. howellii, Senecio aphanactis,* and *Symphyotrichum lentum*

None of the non-covered species were detected on the Faria Property and most grow in habitats not occurring on the property.

There are no records of special-status plants in the CNDDB in the Faria Property and almost no recorded special status plant species within two miles of the site.

CONCLUSIONS

A springtime rare plant survey on the 600-acre Faria Property was conducted April 7, 8, 29 and 30, 2022. The survey was timed to coincide with the optimal survey window to detect 16 of the 17 ECCCHCP/NCCP Covered Species. None of these special-status species were observed within the Study Area, and no other special-status plant species were observed.

Thank you for the opportunity to conduct this survey. Please contact me if you have any questions regarding the results.

Sincerely,

Jeff Glazner
Principal Biologist/Botanist

Attachments:

Figure 1. USGS Site and Vicinity Map
Figure 2. Aerial Map
Figure 3. CNDDB Occurrences Map
Figures 4a-c. Aerial Site Photographs
Figure 5a-c. Site Photographs

Appendix A. List of Plants Observed within the Study Area, April 2022

REFERENCES

CDFW (California Department of Fish and Wildlife). 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. March 20. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959

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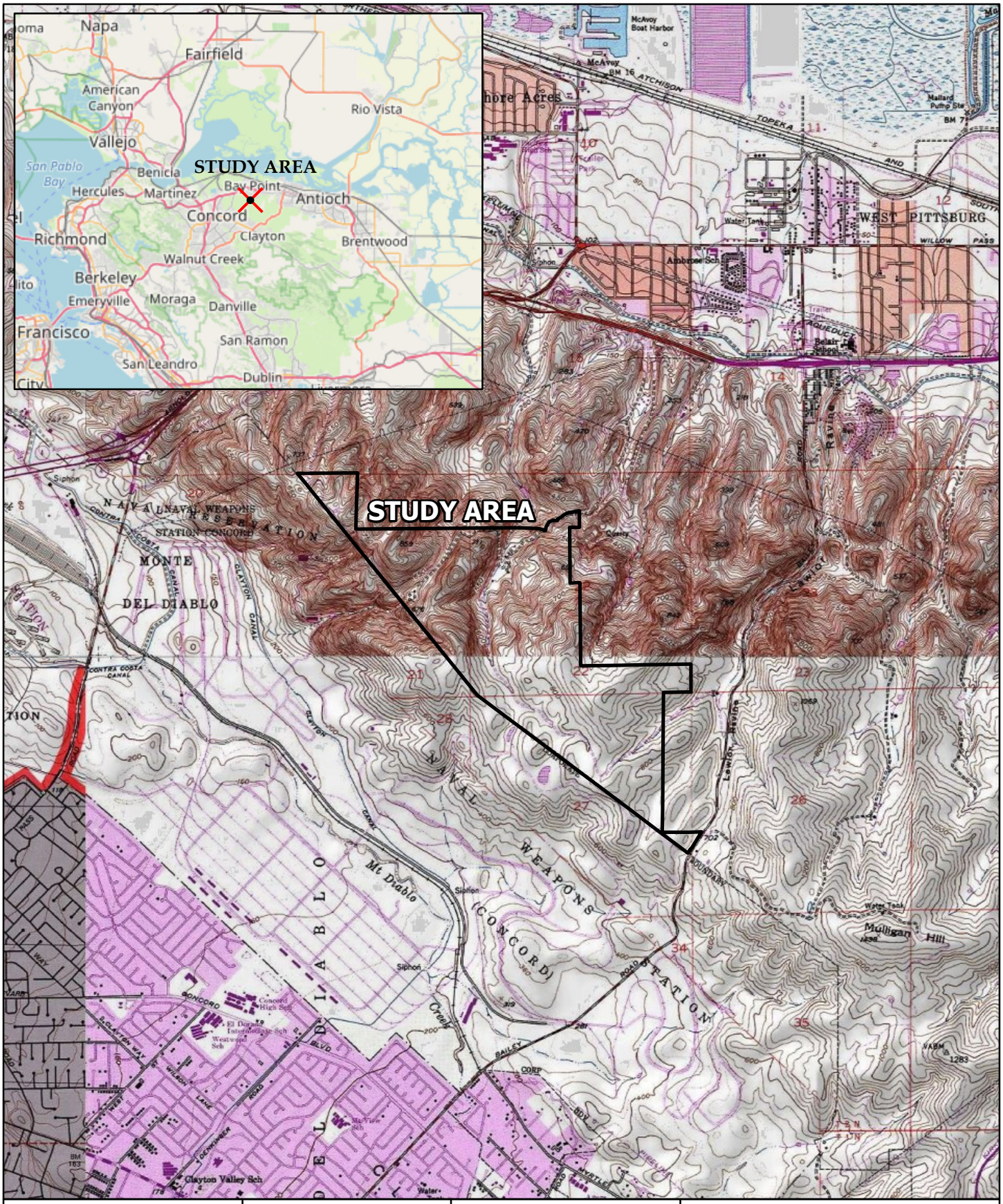
United States Department of Agriculture Soil Conservation Service. 1977. Soil Survey of Contra Costa County, California.



Salix consulting, inc.

N

0 2,000 4,000

Feet

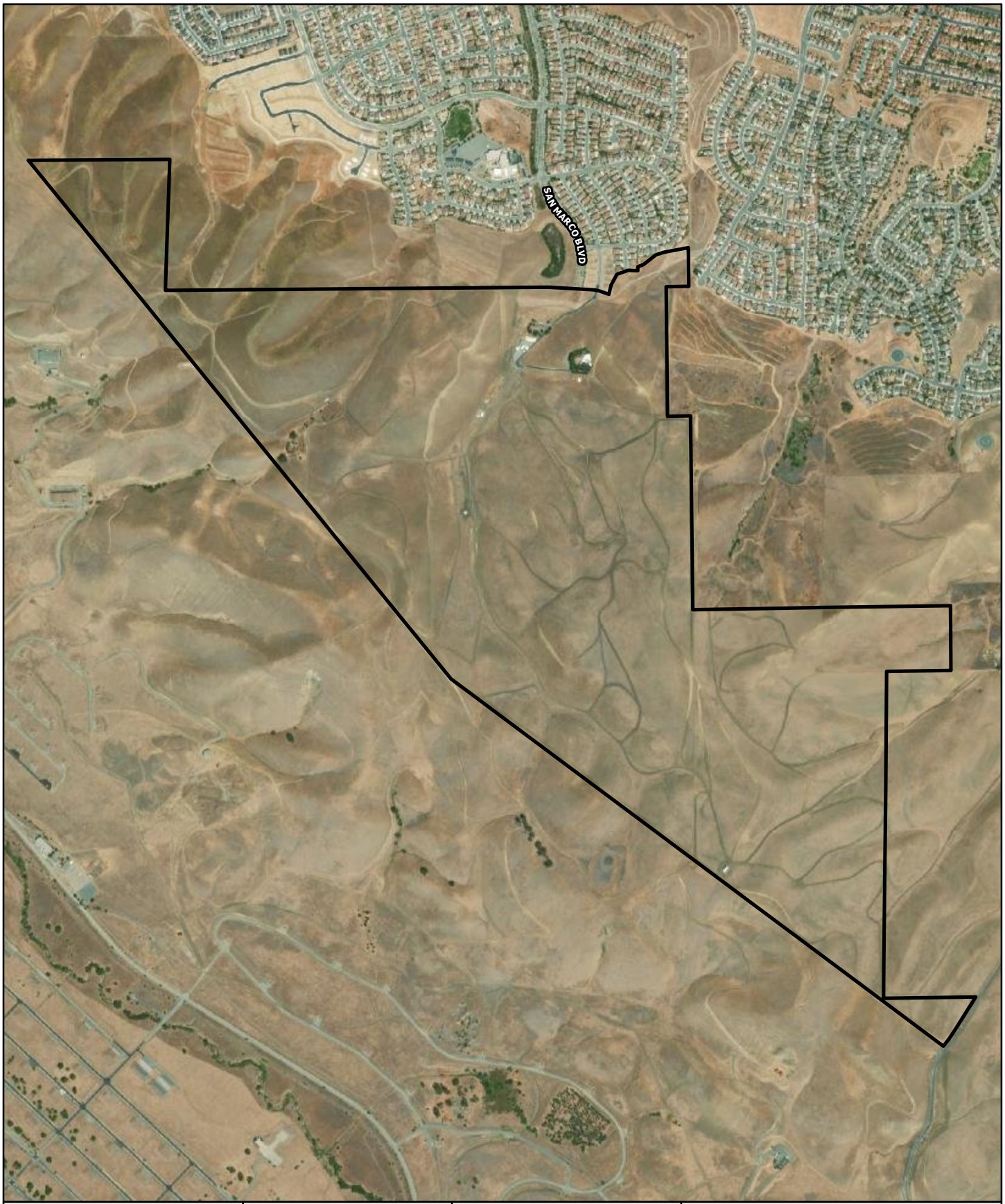
Source Maps: USGS Topographic Map
Honker Bay and Clayton Quads
S21/22/26/27 T2N R1W

Figure 1

SITE AND VICINITY MAP

Faria

Pittsburg, Contra Costa County, CA



Salix consulting, inc.

N

0 675 1,350

Feet

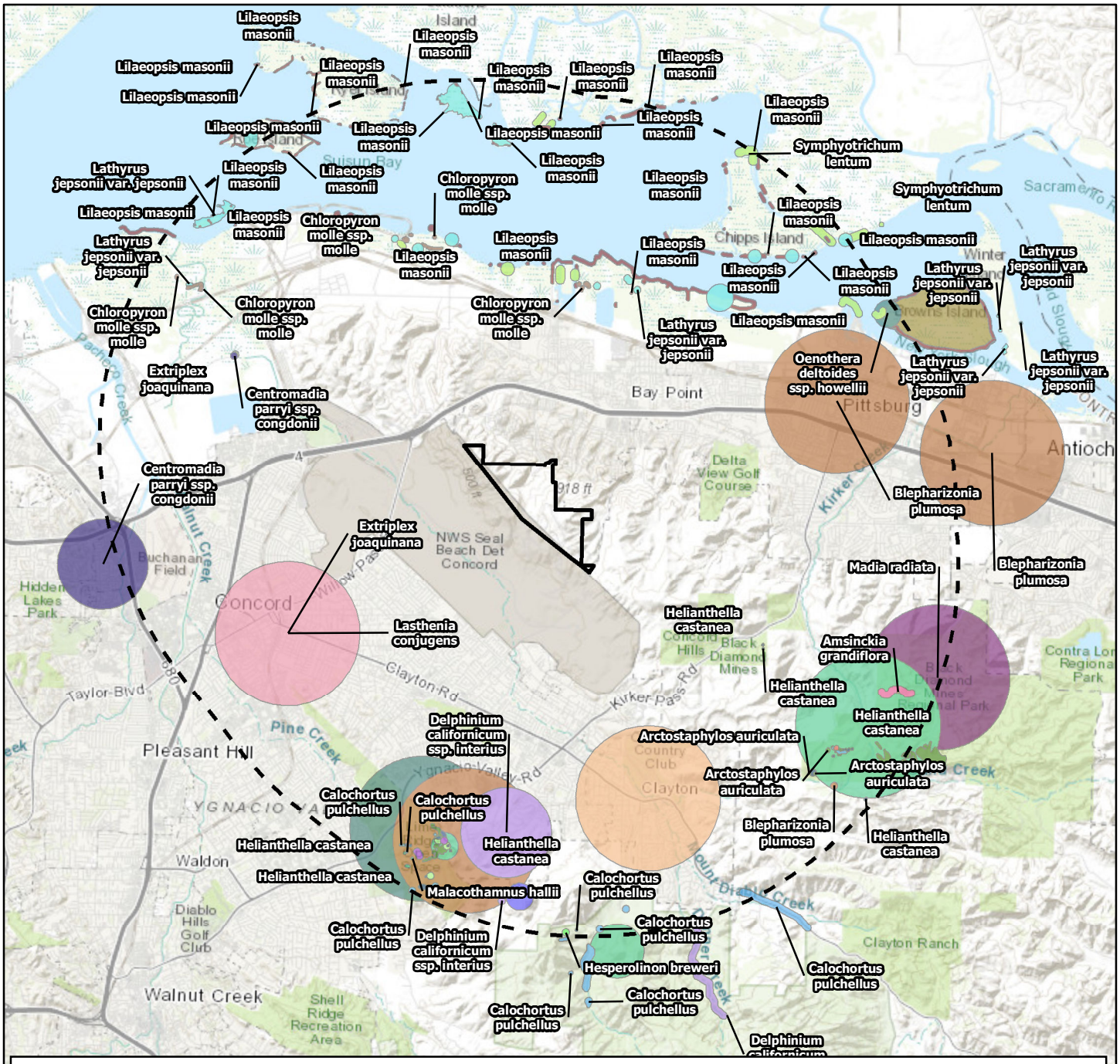
Study Area
(±606 acres)

Figure 2

AERIAL MAP

Faria

Pittsburg, Contra Costa County, CA



CNDDB Special-Status Plant Species

- Amsinckia grandiflora
- Arctostaphylos auriculata
- Arctostaphylos manzanita ssp. laevigata
- Blepharizonia plumosa
- Calochortus pulchellus
- Centromadia parryi ssp. congdonii
- Chloropyron molle ssp. molle
- Cicuta maculata var. bolanderi
- Delphinium californicum ssp. interius
- Eriastrum ertterae
- Eriogonum truncatum
- Eryngium jepsonii
- Erysimum capitatum var. angustatum
- Extriplex joaquinana
- Helianthella castanea
- Hesperolinon breweri
- Lasthenia conjugens
- Lathyrus jepsonii var. jepsonii
- Lilaeopsis masonii
- Madia radiata
- Malacothamnus hallii
- Navarretia gowenii
- Oenothera deltoides ssp. howellii
- Senecio aphanactis
- Symphyotrichum lentum
- Tropidocarpum capparideum

Salix consulting, inc.

N

0 6,000 12,000

Feet

5-Mile Radius

Figure 3

CNDDB OCCURRENCES MAP

Faria

Pittsburg, Contra Costa County, CA

Looking to southeast over southern half of study area.
Photo date 4-8-22

Looking east over eastern area of site.
Photo date 4-8-22

Salix consulting, inc.

Figure 4a

AERIAL SITE PHOTOS

Faria Property

Pittsburg, Contra Costa County, CA

Looking north over western portion of study area.
Photo date 4-8-22

Looking east over northcentral area of site.
Photo date 4-8-22

Salix consulting, inc.

Figure 4b

AERIAL SITE PHOTOS

Faria Property

Pittsburg, Contra Costa County, CA

Looking to north over northcentral area of study area.
Photo date 4-8-22

Looking northwest over mitigation area.
Photo date 4-8-22

Salix consulting, inc.

Figure 4c

AERIAL SITE PHOTOS

Faria Property

Pittsburg, Contra Costa County, CA

Looking southeast over ranch outbuildings.
Photo date 4-7-22

Looking southeast over ranch outbuildings.
Photo date 4-30-22

Salix consulting, inc.

Figure 5a

SITE PHOTOS

Faria Property

Pittsburg, Contra Costa County, CA

Looking north over central area of site.
Photo date 4-8-22

Looking southeast over towards Mt. Diablo.
Photo date 4-30-22

Salix consulting, inc.

Figure 5b

SITE PHOTOS

Faria Property

Pittsburg, Contra Costa County, CA

Looking southeast along project boundary.
Photo date 4-29-22

Looking north over northcentral area of site.
Photo date 4-29-22

Salix consulting, inc.

Figure 5c

SITE PHOTOS

Faria Property

Pittsburg, Contra Costa County, CA

Appendix A

Faria - Plants Observed - April 2022

Angiosperms - Dicots

Adoxaceae - Muskroot Family

Sambucus nigra	Black elderberry

Apiaceae (Umbelliferae) - Carrot Family

**Foeniculum vulgare*	Sweet fennel

Asteraceae (Compositae) - Sunflower Family

Achillea millefolium	Common yarrow
Achyrachaena mollis	Blow-wives
**Carduus pycnocephalus*	Italian thistle
**Centaurea calcitrapa*	Purple starthistle
**Centaurea solstitialis*	Yellow starthistle
**Cynara cardunculus*	Artichoke thistle
Grindelia camporum	Great Valley gumplant
Holocarpha virgata subsp. virgata	Virgate tarweed
**Hypochaeris glabra*	Smooth cat's-ear
**Lactuca serriola*	Prickly lettuce
**Matricaria discoidea*	Pineapple-weed
Micropus californicus	Q tips
**Senecio vulgaris*	Common groundsel
**Silybum marianum*	Milk thistle
**Sonchus asper subsp. asper*	Prickly sow-thistle
**Sonchus oleraceus*	Common sow-thistle
Wyethia angustifolia	Narrowleaf mule's-ears
Xanthium spinosum	Spiny cockleburr

Boraginaceae - Borage Family

Nemophila menziesii	Baby blue-eyes

Brassicaceae (Cruciferae) - Mustard Family

**Brassica nigra*	Black mustard
**Capsella bursa-pastoris*	Shepherd's purse
**Hirschfeldia incana*	Short-podded mustard
**Lepidium draba*	Hoary cress
**Lepidium latifolium*	Broadleaf pepperweed
Lepidium nitidum	Shining peppergrass
Lepidium strictum	Peppergrass
**Raphanus sativus*	Wild radish
**Sinapis arvensis*	Wild mustard
**Sisymbrium officinale*	Hedge mustard

Caryophyllaceae - Pink Family

**Cerastium glomeratum*	Sticky mouse-ear chickweed
**Petrorhagia dubia*	Grass-pink
**Silene gallica*	Windmill-pink
**Spergularia rubra*	Ruby sand-spurrey

Chenopodiaceae - Goosefoot Family

**Chenopodium murale*	Nettle-leaf goosefoot

Convolvulaceae - Morning-Glory Family

**Convolvulus arvensis*	Bindweed

Euphorbiaceae - Spurge Family

Croton setiger	Turkey mullein

Fabaceae (Leguminosae) - Legume Family

Acmispon americanus	Spanish lotus
Astragalus sp.	Loco weed
Lupinus microcarpus var. microcarpus	Chick lupine
Lupinus succulentus	Arroyo lupine
**Medicago polymorpha*	California burclover
**Melilotus indicus*	Annual yellow sweetclover
**Trifolium fragiferum*	Strawberry clover
**Trifolium hirtum*	Rose clover
**Vicia sativa*	Common vetch
**Vicia villosa*	Winter vetch

Fagaceae - Oak Family

Quercus lobata	Valley oak

Geraniaceae - Geranium Family

**Erodium botrys*	Broad-leaf filaree
**Erodium cicutarium*	Red-stem filaree
**Geranium dissectum*	Cut-leaf geranium
**Geranium molle*	Dove's-foot geranium

Juglandaceae - Walnut Family

Juglans hindsii	Northern California black walnut

Malvaceae - Mallow Family

**Malva sylvestris*	Hight mallow
Malvella leprosa	Alkali mallow

Montiaceae - Miner's Lettuce Family

Claytonia perfoliata	Common miner's lettuce

Myrtaceae - Myrtle Family

**Eucalyptus globulus*	Blue gum

Onagraceae - Evening Primrose Family

Clarkia purpurea	Winecup clarkia
Epilobium brachycarpum	Summer cottonweed

Orobanchaceae - Broomrape Family

**Bellardia trixago*	Mediterranean linseed
Castilleja exserta subsp. exserta	Purple owl's-clover

Papaveraceae - Poppy Family

Eschscholzia californica	California poppy

Plantaginaceae - Plantain Family

Plantago erecta	California plantain
**Plantago lanceolata*	English plantain

Polygonaceae - Buckwheat Family

Eriogonum nudum	Naked wild buckwheat

**Polygonum aviculare*	Common knotweed
**Rumex crispus*	Curly dock
**Rumex pulcher*	Fiddle dock

Salicaceae - Willow Family

Populus fremontii	Fremont cottonwood
Salix exigua	Narrow-leaved willow
Salix laevigata	Red willow

Sapindaceae - Soapberry Family

Aesculus californica	California buckeye

Angiosperms -Monocots

Agavaceae - Agave Family

Chlorogalum pomeridianum	Soaproot

Juncaceae - Rush Family

Juncus bufonius	Toad rush

Poaceae (Gramineae) - Grass Family

**Aira caryophyllea*	Silver European hairgrass
**Avena fatua*	Wild oat
**Briza minor*	Small quaking grass
**Bromus diandrus*	Ripgut grass
**Bromus hordeaceus*	Soft chess
**Bromus madritensis*	Foxtail brome
**Cynodon dactylon*	Bermudagrass
Festuca microstachys	Small fescue
**Festuca myuros*	Rattail sixweeks grass
**Festuca perennis*	Italian ryegrass
**Hordeum marinum subsp. gussoneanum*	Mediterranean barley
**Hordeum murinum*	Wall barley
Phalaris angusta	Canary timothy grass
**Poa annua*	Annual bluegrass
Stipa pulchra	Purple needlegrass
**Triticum aestivum*	Wheat

Themidaceae - Brodiaea Family

Brodiaea elegans subsp. elegans	Elegant harvest brodiaea
Dichelostemma capitatum	Blue dicks
Triteleia laxa	Ithuriel's spear

August 2, 2022

Diane Moore
Moore Biological Consultants
10330 Twin Cities Road, Ste. 30
Galt, CA 95632

RE: Summertime Rare Plant Surveys in early and late July for the ±600-acre Faria Property, City of Pittsburg, Contra Costa County, CA

Dear Ms. Moore:

Salix Consulting, Inc. has conducted two summertime rare plant surveys for the ±600-acre Faria Property located in the City of Pittsburg, in Contra Costa County, California (the "July surveys"). The July surveys are a supplement to our recent four-day springtime surveys conducted during April 2022. The purpose of the July surveys was to assess the property for potentially suitable habitat for late-blooming species that may not have been identifiable or present during the springtime, including a focused search for big tarplant (*Blepharizonia plumosa)*. The property is located in Sections 21, 22, 26, and 27, in Township 2 North, Range 1 West of the USGS 7.5- minute Clayton and Honker Bay topographic quadrangles (Figure 1).

The surveys were intended to provide a summertime floristic evaluation of the entire ±600 acres and further assess the site for ECCCHCP/NCCP covered species. The primary target species that would not have been identifiable during the springtime surveys is big tarplant, which blooms from July into September. Big tarplant is in the sunflower family (Asteraceae) and is known primarily to exist in the Contra Costa County region (and sparsely to the south). It grows in grasslands on dry, clayey hillsides.

The surveys provide additional detail to the recent springtime surveys, on existing conditions and the likelihood of any of the ECCCHCP/NCCP covered species to occur on the property. California Department of Fish and Wildlife guidance regarding botanical surveys requires that field surveys be relatively current and it is recommended that supplemental botanical surveys be conducted prior to each phase of grading.

METHODOLOGY

Summer surveys were conducted on July 6 by Jeff Glazner and on July 28 by Jeff Glazner and Diane Moore. Tarplants, tarweeds, or any other still-green plants were the focus of the July surveys. Because the property has numerous dirt roads, each road was traveled by truck, ATV or on foot to assess the adjacent landscape. The ATV allowed for slow and unobstructed views of the hillsides, and stoppage to view with binoculars was frequent and at regular intervals. The landscape was scanned to look for big tarplant or any plant not previously identified. Forays into the grasslands were made into all areas of the site to assess vegetation and look for additional species. Because big tarplant blooms later than the annual grasses that blanket the site, has a contrasting stem color and showy white flowers, and is taller than the grasses, this was an effective survey methodology to determine presence or absence.

FINDINGS

Nearly all of the vegetation in the study area is herbaceous and nearly all the vegetation in the study area was dead or dormant by July 6, 2022. Ground-level photographs of the site taken on both survey dates are presented in Figures 2-4. Some species were still robustly growing and still green such as Mediterranean hoary mustard (*Hirschfeldia incana*), yellow star thistle (*Centaurea solstitialis*), Stanislaus milkvetch (*Astragalus oxyphysus*), fennel (*Foeniculum vulgare*), gumplant (*Grindelia camporum*), and field bindweed (*Convolvulus arvensis*). Clustered tarweed (*Deinandra fasciculata)* was observed in a few locations of the western area of the property. This species grows in coastal regions of southern California, but there are known populations in the Bay Area as well. The most common species observed in the dry grassland was wild oats (*Avena fatua* and *A. barbata*), ranging in height from 1 to 2 feet. Much of the grassland in the middle third of the site is currently heavily grazed due to the concentration of cattle and support facilities (water, supplemental feed, etc.). The eastern and western areas are relatively ungrazed since early spring and much of that vegetation is intact and more identifiable than in the currently grazed areas.

Tarweeds (and tarplants) are not well represented in the study area. Big tarplant, if present, would be readily identifiable within and above the grasses at Faria because of its height and showy white flowers. It was not observed on the site. Big tarplant requires heavy clay soils which are only mapped in a small area of the site (near the main cattle operation) but are not mapped elsewhere (USDA soil mapping). Clayey soils were not evident during the field surveys. Habitat quality for big tarplant on the Faria property is extremely low. An updated plant list is presented in Appendix A.

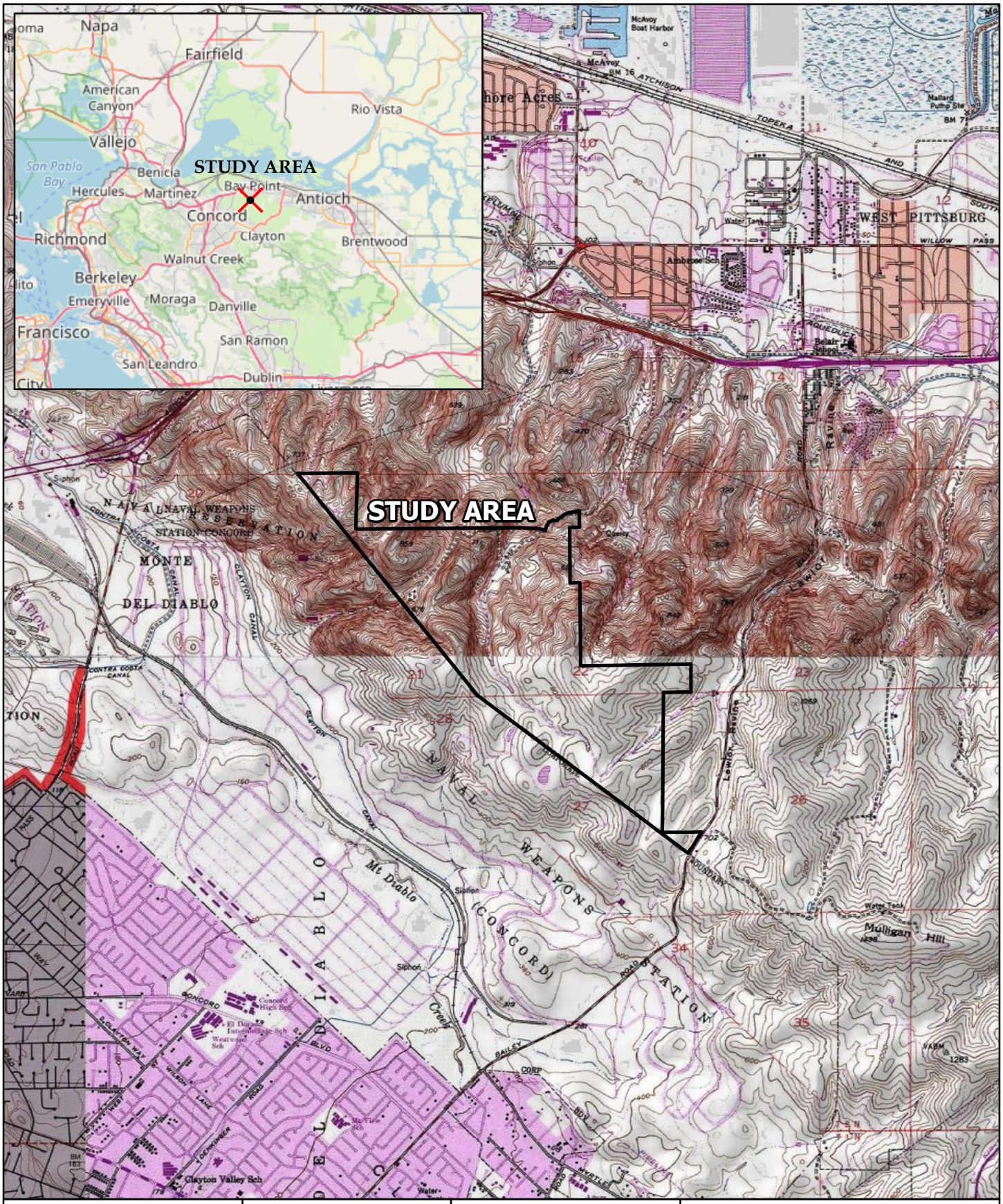
CONCLUSIONS

Summertime rare plant survey on the ±600-acre Faria Property were conducted on July 6 and July 28, 2022. The surveys were a follow-up to a four-day springtime survey conducted in April 2022 and was timed to coincide with late-blooming species, including big tarplant. During the 6 days of site surveys in April and July of 2022 no special status species were found.

Please contact me if you have any questions regarding the results.

Sincerely,

Jeff Glazner
Principal Biologist/Botanist



Salix consulting, inc.

N

0 2,000 4,000

Feet

Source Maps: USGS Topographic Map
Honker Bay and Clayton Quads
S21/22/26/27 T2N R1W

Figure 1

SITE AND VICINITY MAP

Faria

Pittsburg, Contra Costa County, CA

Looking south over property.
Photo Date 07-6-22.

Looking west over typical dirt road and grassland.
Photo Date 07-6-22.

Salix consulting, inc.

Figure 2

Faria Property

City of Pittsburg,
Contra Costa County, CA

Looking southwest from near southern boundary over ranch complex.
Photo Date 07-6-22.

Looking north over eastern area of site.
Photo Date 07-6-22.

Salix consulting, inc.

Figure 3

Faria Property

City of Pittsburg,
Contra Costa County, CA

Looking northeast along hillside with abundant *Foeniculum vulgare, Grindelia camporum* and *Lupinus microcarpus*.
Photo Date 07-28-22.

Looking north over property.
Photo Date 07-28-22.

Salix consulting, inc.

Figure 4

Faria Property

City of Pittsburg,
Contra Costa County, CA

Appendix A

Faria - Plants Observed - April and July 2022

Angiosperms - Dicots

Adoxaceae - Muskroot Family

Sambucus nigra	Black elderberry

Amaranthaceae - Amaranth Family

Amaranthus blitoides	Mat amaranth

Apiaceae (Umbelliferae) - Carrot Family

**Foeniculum vulgare*	Sweet fennel

Asteraceae (Compositae) - Sunflower Family

Achillea millefolium	Common yarrow
Achyrachaena mollis	Blow-wives
**Carduus pycnocephalus*	Italian thistle
**Carduus tenuiflorus*	Plumeless thistle
**Centaurea calcitrapa*	Purple starthistle
**Centaurea solstitialis*	Yellow starthistle
**Cynara cardunculus*	Artichoke thistle
Deinandra fasciculata	Clustered moonshine-daisy
Grindelia camporum	Great Valley gumplant
Heterotheca sessiliflora subsp. bolanderi	Bolander's goldenaster
Holocarpha virgata subsp. virgata	Virgate tarweed
**Hypochaeris glabra*	Smooth cat's-ear
**Lactuca serriola*	Prickly lettuce
**Matricaria discoidea*	Pineapple-weed
Micropus californicus	Q tips
**Senecio vulgaris*	Common groundsel
**Silybum marianum*	Milk thistle
**Sonchus asper subsp. asper*	Prickly sow-thistle
**Sonchus oleraceus*	Common sow-thistle
Wyethia angustifolia	Narrowleaf mule's-ears
Xanthium spinosum	Spiny cockleburr

Boraginaceae - Borage Family

Nemophila menziesii	Baby blue-eyes

Brassicaceae (Cruciferae) - Mustard Family

**Brassica nigra*	Black mustard
**Capsella bursa-pastoris*	Shepherd's purse
**Hirschfeldia incana*	Short-podded mustard
**Lepidium draba*	Hoary cress
**Lepidium latifolium*	Broadleaf pepperweed
Lepidium nitidum	Shining peppergrass
Lepidium strictum	Peppergrass
**Raphanus sativus*	Wild radish
**Sinapis arvensis*	Wild mustard
**Sisymbrium officinale*	Hedge mustard

Thysanocarpus curvipes	Lacepod

Caryophyllaceae - Pink Family

**Cerastium glomeratum*	Sticky mouse-ear chickweed
**Petrorhagia dubia*	Grass-pink
**Silene gallica*	Windmill-pink
**Spergularia rubra*	Ruby sand-spurrey

Chenopodiaceae - Goosefoot Family

**Chenopodium album*	White pigweed
**Chenopodium murale*	Nettle-leaf goosefoot

Convolvulaceae - Morning-Glory Family

**Convolvulus arvensis*	Bindweed

Euphorbiaceae - Spurge Family

Croton setiger	Turkey mullein

Fabaceae (Leguminosae) - Legume Family

Acmispon americanus	Spanish lotus
Astragalus oxyphysus	Stanislaus milkvetch
Lupinus microcarpus var. microcarpus	Chick lupine
Lupinus succulentus	Arroyo lupine
**Medicago polymorpha*	California burclover
**Melilotus indicus*	Annual yellow sweetclover
**Trifolium fragiferum*	Strawberry clover
**Trifolium hirtum*	Rose clover
**Trifolium hybridum*	Alsike clover
**Vicia sativa*	Common vetch
**Vicia villosa*	Winter vetch

Fagaceae - Oak Family

Quercus lobata	Valley oak

Geraniaceae - Geranium Family

**Erodium botrys*	Broad-leaf filaree
**Erodium cicutarium*	Red-stem filaree
**Geranium dissectum*	Cut-leaf geranium
**Geranium molle*	Dove's-foot geranium

Juglandaceae - Walnut Family

Juglans hindsii	Northern California black walnut

Malvaceae - Mallow Family

**Malva sylvestris*	Hight mallow
Malvella leprosa	Alkali mallow

Montiaceae - Miner's Lettuce Family

Claytonia perfoliata	Common miner's lettuce

Myrsinaceae - Myrsine Family

**Lysimachia arvensis*	Scarlet pimpernel

Myrtaceae - Myrtle Family

**Eucalyptus globulus*	Blue gum

Onagraceae - Evening Primrose Family

Clarkia purpurea	Winecup clarkia
Epilobium brachycarpum	Summer cottonweed

Orobanchaceae - Broomrape Family

**Bellardia trixago*	Mediterranean linseed
Castilleja exserta subsp. exserta	Purple owl's-clover

Papaveraceae - Poppy Family

Eschscholzia californica	California poppy

Plantaginaceae - Plantain Family

Plantago erecta	California plantain
**Plantago lanceolata*	English plantain
**Plantago major*	Common plantain

Polygonaceae - Buckwheat Family

Eriogonum nudum	Naked wild buckwheat
**Polygonum aviculare*	Common knotweed
**Rumex crispus*	Curly dock
**Rumex pulcher*	Fiddle dock

Salicaceae - Willow Family

Populus fremontii	Fremont cottonwood
Salix exigua	Narrow-leaved willow
Salix laevigata	Red willow

Sapindaceae - Soapberry Family

Aesculus californica	California buckeye

Solanaceae - Nightshade Family

Datura wrightii	Thornapple

Angiosperms -Monocots

Agavaceae - Agave Family

Chlorogalum pomeridianum	Soaproot

Juncaceae - Rush Family

Juncus bufonius	Toad rush

Poaceae (Gramineae) - Grass Family

**Aira caryophyllea*	Silver European hairgrass
**Avena fatua*	Wild oat
**Briza minor*	Small quaking grass
**Bromus diandrus*	Ripgut grass
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**Cynodon dactylon*	Bermudagrass
Festuca microstachys	Small fescue
**Festuca myuros*	Rattail sixweeks grass
**Festuca perennis*	Italian ryegrass
**Hordeum marinum subsp. gussoneanum*	Mediterranean barley
**Hordeum murinum*	Wall barley
**Paspalum dilatatum*	Dallis grass
**Phalaris paradoxa*	Paradox canary-grass
**Poa annua*	Annual bluegrass
Stipa pulchra	Purple needlegrass
**Triticum aestivum*	Wheat

Themidaceae - Brodiaea Family

Brodiaea elegans subsp. elegans	Elegant harvest brodiaea
Dichelostemma capitatum	Blue dicks
Triteleia hyacinthina	White triteleia
Triteleia laxa	Ithuriel's spear

APPENDIX E

6800 Koll Center Parkway
Suite 150
Pleasanton CA 94566

925.426.2580 phone
530.756.5991 fax
westyost.com

TECHNICAL MEMORANDUM

DATE: August 30, 2022

Project No.: 623-60-22-02
SENT VIA: EMAIL

TO: Louis Parsons, Faria Land Investors, LLC

CC: Sean Marciniak, Hanson Bridgett LLP

FROM: Elizabeth Drayer, PE, RCE# 46872

REVIEWED BY: Rhodora Biagtan, PE, RCE# 59371

SUBJECT: Water Supply Assessment for Faria/Southwest Hills Annexation EIR – Updated Evaluation and Response to Peer Review Comments

INTRODUCTION

A Water Supply Assessment (WSA) for the Faria/Southwest Hills Annexation Project (Project) was completed by West Yost in March 2015. WSAs are required to be prepared based on a water supplier's most recent adopted Urban Water Management Plan (UWMP). At the time the WSA was prepared, the City of Pittsburg's (City's) most recent UWMP was the 2010 UWMP, which had been adopted by the Pittsburg City Council in August 2011. Based on the City's projected water supplies, as documented in the City's 2010 UWMP, the March 2015 WSA found that the City had adequate water supplies to meet the projected water demand for the Project.

In April 2019, West Yost conducted an updated evaluation of the adequacy of the City's water supplies to meet the projected water demand for the Project based on the City's updated water supply projections as documented in the City's 2015 UWMP, which had been adopted by the Pittsburg City Council in June 2016. West Yost prepared a Technical Memorandum which documented that the City's projected water supplies, as documented in the City's 2015 UWMP, were adequate to meet the projected water demand for the Project and that the findings of the March 2015 WSA remained valid.

In May 2022, West Yost conducted an updated evaluation of the adequacy of the City's water supplies to meet the projected water demand for the Project based on the City's updated water supply projections as documented in the City's 2020 UWMP, which had been adopted by the Pittsburg City Council in September 2021. West Yost prepared a Technical Memorandum which documented that the City's projected water supplies, as documented in the City's 2020 UWMP, were adequate to meet the projected water demand for the Project and that the findings of the March 2015 WSA remained valid.

In July 2022, Todd Groundwater conducted a peer review of the Water Supply Assessment for the Faria/Southwest Hills Annexation. The peer review addressed the March 2015 WSA and the two subsequent WSA evaluations prepared in April 2019 and May 2022 with regard to WSA documentation, water demand estimation, water supply assessment, and WSA findings. The peer review recommended several clarifications addressing the City's water service area, the cumulative water demand of other planned projects, and the availability of the City's water supplies.

CITY WATER SERVICE AREA AND GROWTH PROJECTIONS

The peer review recommended certain details from the record be included in the Project's update, including whether the City and Contra Costa Water District (CCWD) service area boundaries were different from the City limits, and how the location of the Project related to those service area boundaries. As described in the City's 2020 UWMP (Section 3.1.2), the City's water service area is consistent with the City limits. As described in the WSA (Section 2.1), the Project includes annexation of the Project site into the City limits (and thus the City's water service area) and the CCWD water service area.

The City's 2020 UWMP expressly indicates on pages 3-1 and 3-7 that it accounts for citywide population growth. As described in Section 3.1.3 of the 2020 UWMP, the City's General Plan was adopted in 2004 and identified the planned future growth within the City's Urban Limit Line. Subsequent amendments to the General Plan Land Use modified these future land use conditions and the City is in the process of preparing the 2040 General Plan, which reflects an update to the planned land use condition. Two future land use plans from the City's 2040 General Plan were included in the City's 2020 UWMP (in Appendix B), both which include the Faria Project area and all other City growth within the 2040 General Plan planning area, and are being used by the City as a basis for future water system planning. These future land use plans encompass the current City limits and the City Sphere of Influence and anticipate future annexations, including the proposed annexation of the Faria Project. Copies of these two future land use plans are included as Attachment A of this technical memorandum for easy reference.

Consistent with the above growth scenarios, the City's 2020 UWMP projected growth and associated water demands through 2045. As described in Section 3.3 of the City's 2020 UWMP, a growth rate of 1.6 percent (based on the historical growth rate from 2010 to 2020) was assumed through 2040, and a growth rate of 1.3 percent was assumed for 2040 through 2045. This assumed growth rate captures the cumulative growth, and thus the cumulative water demand associated with that growth, assumed in the City's existing and projected future water service area through 2045.

AVAILABILITY OF THE CITY'S WATER SUPPLIES TO MEET THE PROJECTED WATER DEMAND FOR THE PROJECT

The purpose of West Yost's evaluation is to evaluate the City's most recent water supply projections as documented in the City's 2020 UWMP, which was adopted by the Pittsburg City Council in September 2021, and the City's ability to meet the projected water demand for the Project. The evaluation includes the following:

- Review of the water demand and supply projections from the City's 2010 UWMP incorporated in the March 2015 WSA;
- Evaluation of the updated water demand and supply projections documented in the City's 2020 UWMP; and
- Documentation of whether the findings of the March 2015 WSA—that the City does have sufficient water supply to serve the Project—are still valid.

The following analysis includes the content of the May 2022 Technical Memorandum with the clarifications requested by Todd Groundwater. The updated water supply analysis clarifications are set forth below in <u>underlined text</u> to facilitate the City's review.

2010 UWMP and March 2015 WSA Water Demand and Supply Projections

Projected Growth and Water Demand

In the 2010 UWMP, the City projected population growth from 64,967 persons in 2010 to 99,019 persons by 2035, a population increase of approximately 34,052 persons. The corresponding total water demand (potable and non-potable) for the City water service area was projected to increase from 9,335 acre-feet per year (AFY) in 2010 to 14,974 AFY in 2035, an increase of approximately 5,639 AFY.

The Project, with its proposed 1,500 single family dwelling units, a projected population of approximately 4,935 persons (based on 3.29 people per dwelling unit) and a projected water demand of approximately 572 AFY (based on a water use of 340 gallons per day per dwelling unit), is easily accommodated within the City's projected population growth and corresponding increase in water demand. The Project area is included in the City's December 2011 General Plan Diagram (land use map) as low density residential and so is assumed to be included in the population growth projections.

Projected Water Supply

The City's water supply projections were based on anticipated supply availability for normal, single dry and multiple dry years from the City's surface water supplies (purchased from the Contra Costa Water District, CCWD), groundwater supplies (from two City wells) and recycled water supplies (provided by Delta Diablo).

A summary of the City's projected 2035 water demand and water supply, as presented in the City's 2010 UWMP, is provided in Table 1.

Table 1. Projected City of Pittsburg Water Demand and Water Supply in 2035 as Presented in the City's 2010 UWMP

Supply Source	Normal Year Supply, AFY	Single Dry Year Supply, AFY	Multiple Dry Year Supply, AFY		
			Year 1	Year 2	Year 3
Surface Water (2010 UWMP Tables 4-2 and 5-1)[(a)]	12,976	12,327	12,976	12,327	11,029
Groundwater (2010 UWMP Table 4-4)[(b)]	1,500	1,500	1,500	1,500	1,500
Recycled Water (2010 UWMP Table 4-9)[(c)]	498	498	498	498	498
Total Supply[(d)]	**14,974**	**14,325**	**14,974**	**14,325**	**13,027**
Water Demand[(d)]	**14,974**	**14,974**	**14,974**	**14,974**	**14,974**
Water Supply Shortage	**--**	**649**	**--**	**649**	**1,946**
Water Supply Shortage (Percent of Demand)		**4%**		**4%**	**13%**

(a) Future surface water supply in normal years is equal to that needed to meet the City's potable water demand in conjunction with the City's groundwater supply. Surface water supplies are assumed to have a 5 percent reduction in single dry years, and 0 percent, 5 percent and 15 percent reductions in the first, second and third years, respectively, of a three-year multiple dry year period.

(b) Future groundwater supply is based on the annual production rate of the City's two municipal wells (Rossmoor and Bodega).

(c) Future recycled water supply is based on the City's projected recycled water demand, which Delta Diablo can meet.

(d) Includes potable and non-potable water supplies and water demands.

In Table 5-1 of the City's 2010 UWMP (Table 7-1 of the WSA), the City projected being able to provide sufficient water supply to serve the projected water demand through 2035, with minor water supply shortfalls during dry periods. As shown in Table 1 above, the maximum water supply shortfall was projected to be 1,946 AFY, or about 13 percent of projected water demands in the third year of a three-year drought by 2035.

The magnitude of the maximum water supply shortfall is well within the City's ability to reduce demands during drought conditions by implementing its Water Shortage Contingency Plan (WSCP), which is included in Chapter 5 of the City's 2010 UWMP. A 13 percent shortfall would correspond to Stage II of the City's WSCP as documented in the City's 2010 UWMP. As described in the WSA, the Project, if approved, would have the same water supply reliability as the water supply available to the City's other existing and future water customers and would be subject to the same water demand reductions as the City's other water customers in dry year periods.

2020 UWMP Water Demand and Supply Projections

Projected Growth and Water Demand

In September 2021, the City adopted its 2020 UWMP. In the 2020 UWMP, the City projected the population to grow from 74,321 persons in 2020 to 109,700 persons in 2045, a population increase of 35,379 persons. At the time that the City's 2020 UWMP was being prepared, the City was also preparing its 2040 General Plan. As described above, the future land use plans prepared for the 2040 General Plan were included in Appendix B of the City's 2020 UWMP and show the Project area as part of the City's General Plan planning area and Sphere of Influence. Copies of these two future land use plans are included as Attachment A of this technical memorandum.

In the 2020 UWMP, the City projected its total water demand to increase from 9,343 AFY in 2020 to 15,056 AFY in 2045, an increase of 5,713 AFY. To calculate the projected potable water demand, a per capita water use of 120 gallons per capita per day (gpcd) was applied to the projected population. The future demand assumption of 120 gpcd was relatively conservative given that the 2020 UWMP calculated actual water use in 2020 to be 111 gpcd.

The projected water demand for the Project included in the 2015 WSA was approximately 572 AFY based on a water use of 340 gallons per day per dwelling unit. If the methodology used in the City's 2020 UWMP were applied to the Project, the projected water demand for the Project would be approximately 663 AFY (projected population of 4,935 people with a per capita water use of 120 gpcd). For purposes of projecting future demand, even if the more conservative assumption of 120 gpcd is used, the revised water demand projection of 663 AFY is still easily accommodated within the City's projected population growth and corresponding increase in water demand.

Projected Water Supply

The City's water supply projections were based on anticipated supply availability for normal, single dry and multiple dry years from the City's surface water supplies (purchased from CCWD), groundwater supplies (from two City wells) and recycled water supplies (provided by Delta Diablo).

A summary of the City's projected 2045 water demand and water supply, as presented in the City's 2020 UWMP, is provided in Table 2.

Table 2. Projected City of Pittsburg Water Demand and Water Supply in 2045 as Presented in the City's 2020 UWMP

Supply Source	Normal Year Supply, AFY	Single Dry Year Supply, AFY	Multiple Dry Year Supply, AFY				
			Year 1	Year 2	Year 3	Year 4	Year 5
Surface Water (2020 UWMP Tables 6-9 and 7-1)[(a)]	14,745	14,745	14,745	14,745	14,008	13,270	12,533
Groundwater (2020 UWMP Table 6-9)[(b)]	1,349	1,349	1,349	1,349	1,349	1,349	1,349
Recycled Water (2020 UWMP Table 6-4)[(c)]	311	311	311	311	311	311	311
Total Supply[(d)]	**16,405**	**16,405**	**16,405**	**16,405**	**15,668**	**14,930**	**14,193**
Water Demand[(d)]	**15,056**	**15,056**	**15,056**	**15,056**	**15,056**	**15,056**	**15,056**
Water Supply Shortage	--	--	--	--	--	**126**	**863**
Water Supply Shortage (Percent of Demand)	--	--	--	--	--	**0.8%**	**6%**

(a) Future surface water supply in normal years is equal to the City's potable water demand. Surface water supplies are assumed to have a 0 percent reduction in single dry years and the first two years of a five-year multiple dry year period, and 5 percent, 10 percent and 15 percent reductions in the third, fourth and fifth years, respectively, of a five-year multiple dry year period.
(b) Future groundwater supply is based on the average volume of historical pumped groundwater from 1993 to 2020.
(c) Future recycled water supply is based on the City's projected recycled water demand, which Delta Diablo can meet.
(d) Includes potable and non-potable water supplies and water demands.

In Tables 7-2, 7-3, and 7-4 of the City's 2020 UWMP, the City projected being able to provide sufficient water supply to serve the projected water demand through 2045, with minor water supply shortfalls during the fourth and fifth years of multiple dry periods[1]. As shown in Table 2 above, the maximum water supply shortfall was projected to be 863 AFY (about 6 percent of projected water demands) in the fifth year of a five-year drought by 2045.

The magnitude of the maximum water supply shortfall is well within the City's ability to reduce demands during drought conditions by implementing its WSCP, which is documented in Chapter 8 of the City's 2020 UWMP. The projected water supply shortfall is less than the water supply shortfall projected in the City's 2010 UWMP (i.e., the 6 percent supply shortfall projected in the fifth year of a five-year drought in the 2020 UWMP is less than the 13 percent supply shortfall projected in the 2010 UWMP). A 6 percent supply shortfall would correspond to a Level 1 Shortage Level of the City's WSCP as documented in the City's 2020 UWMP. As noted above, the Project, if approved, would be subject to the same water demand reductions as the City's other water customers in dry year periods.

A summary of the availability and reliability of the City's water supplies is provided in the following sections.

[1] Note that the 2020 UWMP required an evaluation of a five-year multiple dry year period, while the 2010 and 2015 UWMPs only required an evaluation of a three-year multiple dry year period.

Purchased Surface Water from CCWD

The water supply reliability goal adopted by CCWD's Board of Directors is to meet 100 percent of the City's demand in normal years and at least 85 percent of demand during water shortage conditions. The remaining demands during drought conditions would be met by a combination of short-term water purchases, groundwater supply augmentation, and a voluntary, mandatory short-term conservation program.

The projected water supplies from CCWD are not anticipated to incur supply deficits in normal years due to CCWD's long-term conservation program, existing CVP contract supply, and long-term water transfer agreement with East Contra Costa Irrigation District (ECCID). CCWD entered into an agreement with the ECCID in 2000 to purchase surplus irrigation water from ECCID's service area. CCWD's currently available and planned supplies are sufficient to meet their reliability goals and estimated water demands during normal, single dry, and the first two years of a multi-year drought. In later years, several types of drought conditions may result in supply shortfalls. The maximum amount of short-term conservation expected to be necessary is 15 percent of supply.

Local Groundwater

The City's secondary source of supply is groundwater extracted from the Pittsburg Plain subbasin of the Pittsburg Plain Groundwater Basin. This groundwater basin is not an adjudicated basin and no legal factors are expected to limit the availability of supply.

The City prepared the Pittsburg Plain Groundwater Management Plan (GWMP) in October 2012. The purpose of the GWMP is to manage and protect groundwater resources within and underlying the City. The primary objectives of the GWMP included the following:

- Provide a long-term strategy to maintain the quality, reliability, and sustainability of the Pittsburg Plain groundwater resources
- Manage groundwater conjunctively with available surface water resources
- Support Basin Management Objectives that promote sustainability and optimal use of groundwater supplies.

The Pittsburg Plain Groundwater Basin is considered a low priority basin under the Sustainable Groundwater Management Act (SGMA) and is not subject to SGMA requirements for preparation and implementation of groundwater sustainability plans.

The City has two active wells, the Rossmoor Well and the Bodega Well. Water from these wells can be high in manganese, iron and dissolved solids. Total dissolved solids (TDS) in the Rossmoor Well have been recorded at concentrations of 1,100 mg/L. A maximum concentration of 500 mg/L is recommended for secondary water quality standards (water aesthetics). However, because the water produced from these wells undergoes blending and complete conventional treatment at the City's Water Treatment Plant, the TDS levels are reduced to below the secondary standard. The City conducts regular tests of the water pumped from these two wells in compliance with State of California water quality standards to make sure that the utilization of this water source is consistent with applicable State water standards.

The City's groundwater supply has proven to be very consistent through variable climatic conditions. There has been no change in groundwater levels reported by DWR in this area as a result of the City's use of the groundwater basin. The City has implemented groundwater monitoring to evaluate groundwater

level trends over time to ensure that overdraft conditions (potentially resulting in seawater intrusion) do not occur.

The City's 2020 UWMP projects future groundwater supplies based on historical use and, at present, anticipates no significant changes in supply through the 2020 UWMP's planning horizon. Accordingly, the 2020 UWMP expects future groundwater supplies to approximate the average volume of historical pumped groundwater from 1993 to 2020.

Recycled Water

Non-potable water use is a continued component of the City's long-term sustainable water supply strategy. While the City does not directly provide non-potable water supplies, continued coordination with CCWD and Delta Diablo is a key component to ensure non-potable water can be used within the City's service area for appropriate designated uses.

Delta Diablo began recycled water deliveries within the City's service area in the 1990s and the City has continued to add service connections since that time. The City continues to support developing irrigation and industrial recycled water uses where there is available supply and the use is economically feasible. Recycled water is not proposed for the Faria Project due to the high cost to extend recycled water infrastructure to the Project location.

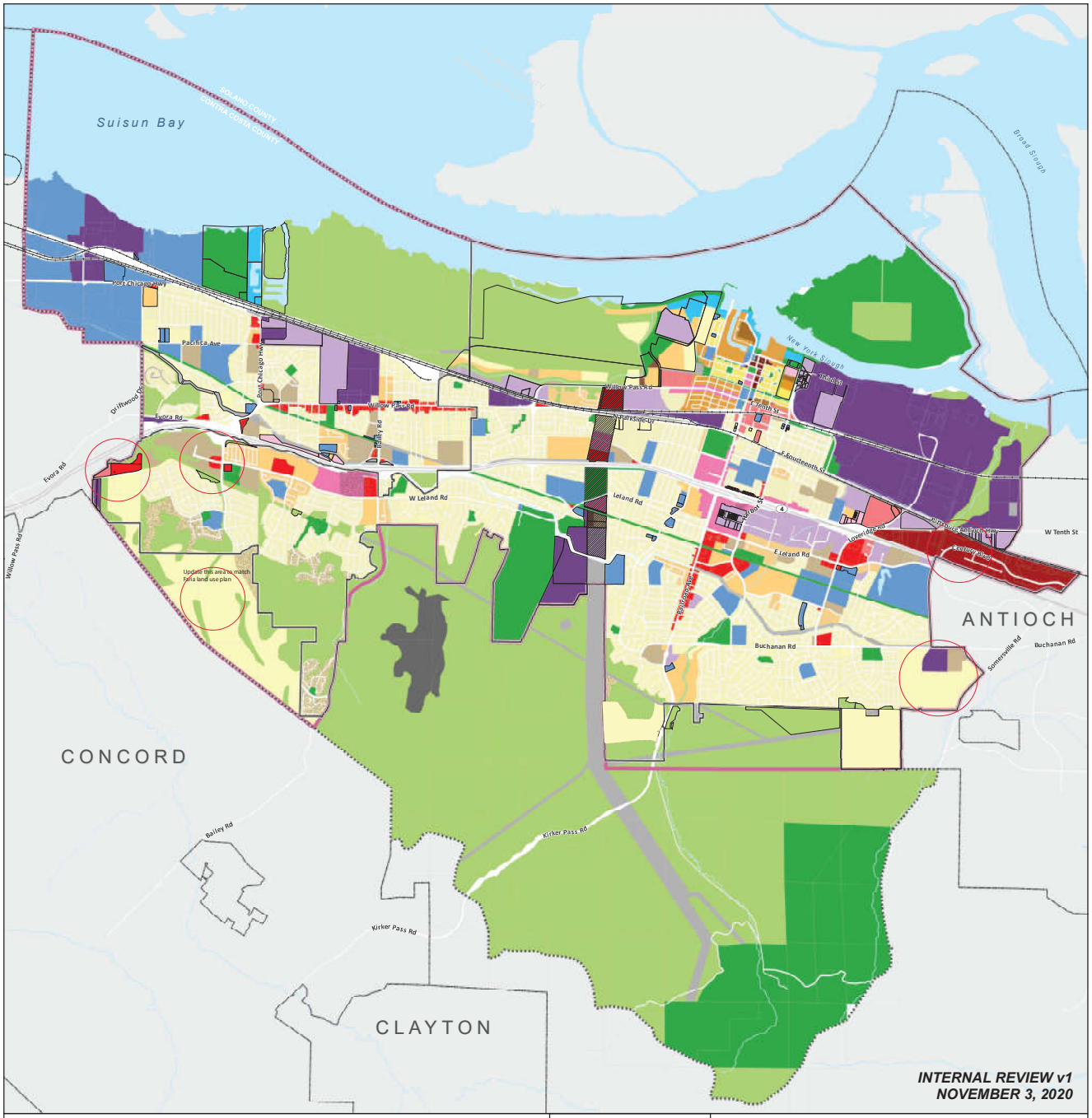
The current and projected use of recycled water is summarized in the City's 2020 UWMP. Current (2020) recycled water use is approximately 111 AFY and is produced by Delta Diablo for the City. The City's 2020 UWMP projects that recycled water use will almost triple to 311 AFY by 2025 and remain at that level through 2045 based on increased recycled water use for irrigation at several locations in the City (see Table 6-6 in the City's 2020 UWMP for a list of locations).

Confirmation of 2015 WSA Findings

The City updated its population, water demand and water supply projections for the 2020 UWMP. Based on the projections provided in the 2020 UWMP, the City is capable of serving the Project and other projected growth in its service area through 2045. Only minor water supply shortages in the fourth and fifth years of a five-year drought are projected and these water supply shortages can be addressed with the implementation of the City's WSCP. Therefore, the findings and conclusions of the WSA remain valid.

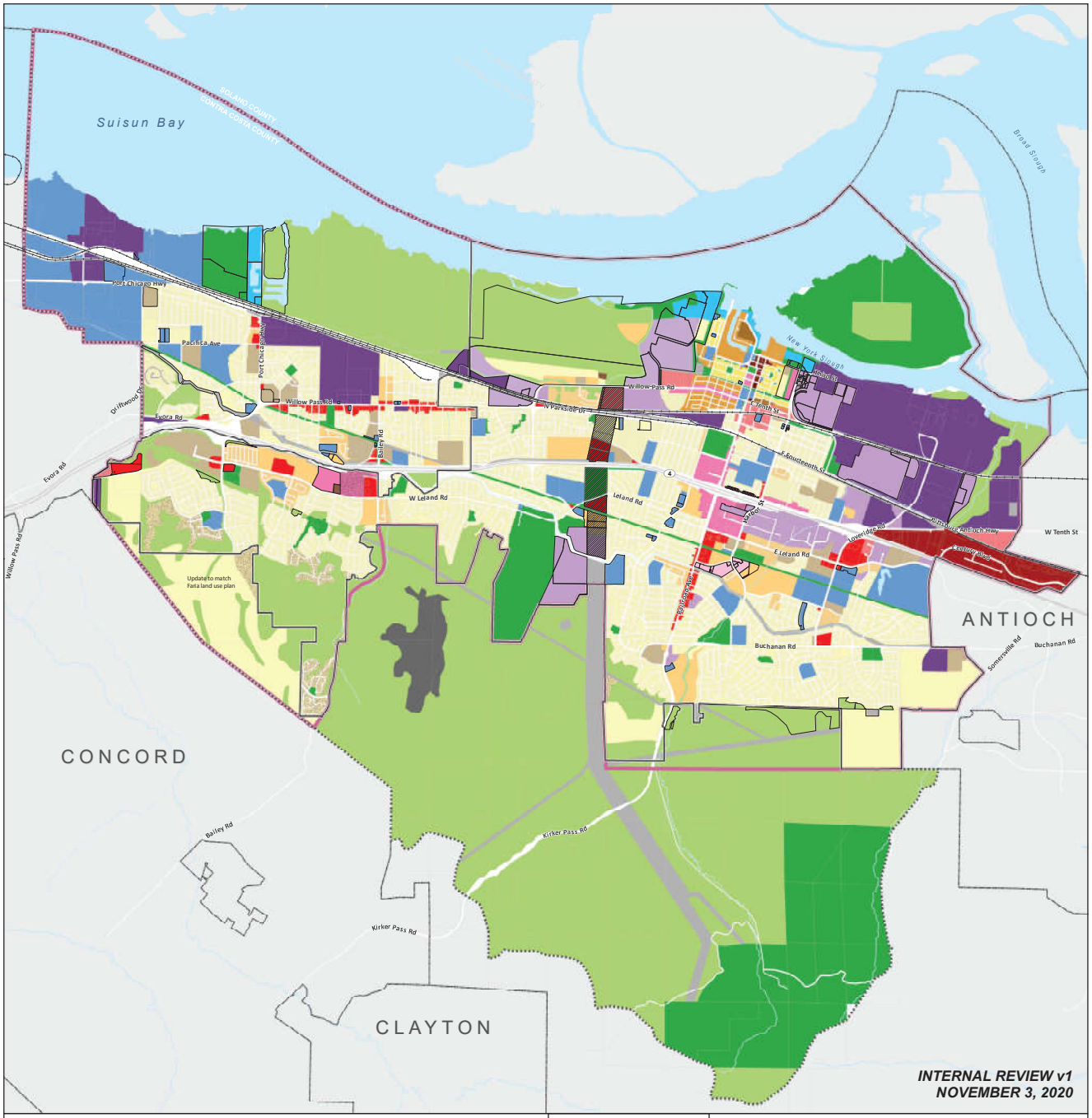
Attachment A

Future land use plans from the City's 2040 General Plan (as included in Appendix B of the City's 2020 UWMP)



GENERAL PLAN LAND USE ALTERNATIVE A

ENVISION Pittsburg



INTERNAL REVIEW v1
NOVEMBER 3, 2020

Legend

- Pittsburg City Limits
- Sphere of Influence
- Planning Area
- Assessor Parcel Boundary
- Assessor Parcel with Designation Change (Existing to Alt B)
- PG&E Corridor Conversion Overlay
- Transit-Oriented Development Overlay
- Hillside Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Very High Density Residential
- Regional Commercial
- Service Commercial
- Community Commercial
- Community Commercial Mixed Use
- Mixed Use
- Marina Commercial
- Employment Center Light Industrial
- Industrial
- Landfill
- Open Space
- Park
- Public/Institutional
- Utility/ROW
- Downtown Low Density Residential
- Downtown Med Density Residential
- Downtown High Density Residential
- Downtown Commercial
- Water

N

0 ½ 1
Miles
1 in = 1/4 mile

GENERAL PLAN LAND USE ALTERNATIVE B

ENVISION Pittsburg

APPENDIX F

Faria/Southwest Hills Annexation Project
Revised and Updated Final Environmental Impact Report

Summary of Changes to the Original Final Environmental Impact Report
March 2023

This Summary of Changes presents the staff-generated changes to the Faria/Southwest Hills Project Final Environmental Impact Report (Final EIR) that have been determined to be appropriate since the release of the original Final EIR. This Summary of Changes contains revisions in response to the order issued on February 10, 2022, by the Superior Court of the State of California, County of Contra Costa (Superior Court) in connection with litigation over the original Final EIR. The revisions in response to the Superior Court order are supported by new memoranda prepared for this Revised and Updated Final EIR, which clarify and amplify the discussions and analyses in the original Final EIR.

The new memoranda consist of a Greenhouse Gas Mitigation Memorandum prepared by Ramboll (attached as Appendix C to this Revised and Updated Final EIR),[1] a Springtime Rare Plant Survey Memorandum and Summertime Rare Plant Survey Memorandum by Salix Consulting, Inc. (incorporated into Appendix F of the Draft EIR, attached as Appendix D to this Revised and Updated Final EIR),[2,3] and a Water Supply Assessment Technical Memorandum prepared by West Yost (incorporated into Appendix L of the Draft EIR, attached as Appendix E to this Revised and Updated Final EIR).[4] The memoranda prepared demonstrate that the analyses and conclusions presented in the Faria/Southwest Hills Annexation Project Draft EIR and Partially Recirculated Draft EIR (Draft EIRs) sufficiently address the Superior Court's comments related to Accessory Dwelling Units (ADUs), the level of detail included in mitigation to address potential air quality and greenhouse gas (GHG) emission impacts, the baseline description of biological resources, and the adequacy of the Draft EIR's water usage analysis. As such, the changes contained herein amplify the analyses and conclusions presented in the Draft EIRs and would not constitute "significant new information" that would necessitate recirculation of the Draft EIRs. Therefore, recirculation of the Draft EIRs is not required.

All changes to the original Final EIR are highlighted and presented in ~~strikethrough~~ and double underline. Changes to the Draft EIRs as part of the Revised and Updated Final EIR are presented in ~~red strikethrough~~ and red double underline text.

Pages 1-1 through 1-3 of the original Final EIR are hereby revised as follows:

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1 Ramboll. *Memorandum: Greenhouse Gas Mitigation Measures for the Proposed Faria/Southwest Hills Annexation Project in Pittsburg, California*. May 17, 2022.

2 Salix Consulting, Inc. *Memorandum: Springtime Rare Plant Survey for the ±600-acre Faria Property, City of Pittsburg, Contra Costa County, CA*. May 19, 2022.

3 Salix Consulting, Inc. *Memorandum: Summertime Rare Plant Surveys in early and late July for the ±600-acre Faria Property, City of Pittsburg, Contra Costa County, CA*. August 2, 2022.

4 West Yost. *Technical Memorandum: Water Supply Assessment for Faria/Southwest Hills Annexation EIR – Updated Evaluation and Response to Peer Review Comments*. August 30, 2022.

Introduction

~~This Final Environmental Impact Report (EIR) contains public and agency comments received during the public review period of the Faria/Southwest Hills Annexation Project Draft EIR and Partially Recirculated Draft EIR. This document has been prepared by the City of Pittsburg, as lead agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Introduction and List of Commenters chapter of the Final EIR discusses the background of the Draft EIR and Partially Recirculated Draft EIR, describes the purpose of the Final EIR, identifies the comment letters received on the Draft EIR and Partially Recirculated Draft EIR, and provides an overview of the Final EIR's organization.~~

This Revised and Updated Final Environmental Impact Report (EIR) contains public and agency comments received during the public review period of the Faria/Southwest Hills Annexation Project Draft EIR and Partially Recirculated Draft EIR (Draft EIRs). In addition, this Revised and Updated Final EIR contains the original Faria/Southwest Hills Annexation Project Final EIR, as well as memoranda prepared subsequent to the completion of the aforementioned Draft EIRs and original Final EIR, which contain studies and calculations that amplify the analyses and conclusions presented therein and do not identify new significant impacts not previously identified in the original Final EIR. This Revised and Updated Final EIR supersedes the original Final EIR and has been prepared by the City of Pittsburg, as lead agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Introduction and List of Commenters chapter of the Revised and Updated Final EIR discusses the background of the Draft EIR, Partially Recirculated Draft EIR, and original Final EIR; describes the purpose of the Revised and Updated Final EIR; identifies the comment letters received on the Draft EIR and Partially Recirculated Draft EIR; and provides an overview of the Revised and Updated Final EIR's organization.

As discussed further in the Background section below, through approvals completed on February 22, 2021 and March 15, 2021, the Pittsburg City Council approved the City of Pittsburg entitlements for the proposed project, certified the original Final EIR, approved CEQA findings, and adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program (MMRP). However, on March 30, 2021, Save Mount Diablo filed a petition for writ of mandate in which the group challenged the adequacy of the original Final EIR. The Superior Court of the State of California, County of Contra Costa (Superior Court), entered an order on February 10, 2022 granting Save Mount Diablo's petition in part, and the Court commanded the City of Pittsburg to set aside project approvals and to set aside the certification of the original Final EIR. In accordance with the Superior Court order, the City set aside specified project approvals and certification of the original Final EIR on August 15, 2022.

This Revised and Updated Final EIR has been prepared to address, through the inclusion of the aforementioned new memoranda, the inadequacies of the original Final EIR cited in the Superior Court order, which are discussed further below. The new memoranda demonstrate that the analyses and conclusions presented in the Draft EIRs sufficiently address the Superior Court's comments related to Accessory Dwelling Units (ADUs), the level of detail included in the Draft EIR's mitigation to address potential air quality and greenhouse gas (GHG) emission impacts, the Draft EIR's baseline description of biological resources, and the adequacy of the Draft EIR's water usage analysis.

A Summary of Changes has been prepared as part of this Revised and Updated Final EIR that incorporates revisions to the original Final EIR, based on the discussions and analyses presented in the new memoranda. This Revised and Updated Final EIR amplifies the analyses and conclusions presented in the Draft EIRs and would not constitute "significant new information" that would necessitate recirculation of the Draft EIRs. Therefore, recirculation is not required. Please note that the revisions and updates made to the original FEIR are summarized and presented in the Summary of Changes attached to this Revised and Updated Final EIR.

Background

The Draft EIR identified the proposed project's potential impacts and the mitigation measures that would be required to be implemented. The following environmental analysis chapters are contained in the Faria/Southwest Hills Annexation Project Draft EIR:

- Aesthetics;
- Agricultural Resources;
- Air Quality and Greenhouse Gas Emissions;
- Biological Resources;
- Cultural and Tribal Resources;
- Geology, Soils, and Seismicity;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise;
- Public Services and Utilities; and
- Transportation, Traffic, and Circulation.

In accordance with CEQA, the City of Pittsburg used the following methods to solicit public input on the Draft EIR: a Notice of Preparation (NOP) for the Draft EIR was released for a 30-day review from March 9, 2017 to April 7, 2017. In addition, a public scoping meeting was held on April 4, 2017 to solicit public comments regarding the scope of the Draft EIR. A Notice of Availability (NOA) of the Draft EIR was distributed and the Draft EIR was sent to the State Clearinghouse for distribution on October 10, 2018 for the 45-day public review period. Copies of the document were made available at the City of Pittsburg Planning Department, located at 65 Civic Avenue, Pittsburg, at the Pittsburg Library, located at 80 Power Avenue, Pittsburg, and on the City's website at: http://www.ci.pittsburg.ca.us/index.aspx?page=945. In addition, a public workshop was held on November 15, 2018 to solicit public comments regarding the Draft EIR.

Based on comments received regarding the Draft EIR, the City determined that recirculation of Chapter 4.12 of the Draft EIR, pertaining to Transportation, Traffic, and Circulation was necessary to comply with CEQA Guidelines Section 15088.5. Revisions to the Transportation, Traffic, and Circulation chapter included a change to conclusions and, thus, met the criteria for CEQA Guidelines Section 15088.5. A Notice of Availability (NOA) of the Partially Recirculated Draft EIR was distributed and the Partially Recirculated Draft EIR was sent to the State Clearinghouse for distribution on October 18, 2019 for a 45-day review period, consistent with the time periods set forth in the CEQA Guidelines.

Through approvals completed on February 22, 2021 and March 15, 2021 of Resolution No. 21-13905, Resolution No. 21-13906, Resolution No. 21-13906, and Resolution No. 21-13907, as well as Ordinance No. 21-1484 and Ordinance No. 21-1485, the Pittsburg City Council approved the City of Pittsburg entitlements for the proposed project, certified the original Final EIR, approved CEQA findings, and adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program (MMRP). However, on March 30, 2021, Save Mount Diablo filed a petition for writ of mandate in which the group challenged the adequacy of the original Final EIR. The Superior Court of the State of California, County of Contra Costa, entered an order on February 10, 2022 granting Save Mount Diablo's petition in part, and the Court commanded the City of Pittsburg to set aside project approvals and to set aside the certification of the original Final EIR. In accordance with the Superior Court order, the City set aside specified project approvals and certification of the original Final EIR on August 15, 2022. More specifically, the Superior Court order cited inadequacies in the original Final EIR related to ADUs, the level of detail included in mitigation to address potential air quality and GHG emission impacts, the baseline description of biological resources, and the adequacy of the Draft EIR's water usage analysis.

With respect to the Superior Court's determination related to ADUs, the Superior Court found that the original Final EIR did not adequately address the potential population increase that could be generated through 150 ADUs facilitated by the development of the proposed project. The Draft EIR and Partially Recirculated Draft EIR assumed maximum buildout of the project site with 1,500 residential units. However, the Superior Court concluded that such analysis did not constitute evaluation of the worst-case potential impacts on the environment, which should have entailed assessing potential impacts that could occur through population growth induced by 1,650 residential units (i.e., 1,500 residences + 150 ADUs). The Superior Court's conclusions related to ADUs are no longer applicable, as the proposed Development Agreement has been revised to remove the previous ADU component. Pursuant to the currently proposed Development Agreement, the developer would comply with applicable inclusionary housing requirements set forth in Pittsburg Municipal Code Chapter 18.86 through payment of an Affordable Housing In-Lieu Fee (see Section 3.09 of the Development Agreement).

With respect to the Superior Court's comments related to the level of detail included in mitigation to address potential air quality and GHG emission impacts, the baseline description of biological resources, and the adequacy of the water usage analysis, the Superior Court determined that certain mitigation measures set forth in Chapter 4.3, Air Quality and Greenhouse Gas Emissions, of the Draft EIR improperly deferred formulation and lacked specific performance standards. In addition, the Superior Court found that the baseline description of special-status plant species that could potentially occur on the project site in Chapter 4.4, Biological Resources, of the Draft EIR lacked sufficient information detailing the location or frequency of plant species within the site. Finally, the Superior Court concluded that the water usage analysis in Chapter 4.11, Public Services and Utilities, of the Draft EIR improperly evaluated the anticipated water usage of the proposed project, due to the analysis assuming 1,500 residential units. The Superior Court additionally noted that the Draft EIR relied upon the previous City of Pittsburg 2015 Urban Water Management Plan, instead of the current 2020 UWMP. For the reasons stated above, the Superior Court concluded that the original Final EIR violated CEQA.

In response to the Superior Court order, this Revised and Updated Final EIR includes new memoranda to address the Superior Court's comments. The new memoranda consist of a

Greenhouse Gas Mitigation Memorandum prepared by Ramboll (attached as Appendix C to this Revised and Updated Final EIR),[1] a Springtime Rare Plant Survey Memorandum and Summertime Rare Plant Survey Memorandum by Salix Consulting, Inc. (attached as Appendix D to this Revised and Updated Final EIR),[2,3] and a Water Supply Assessment Technical Memorandum prepared by West Yost (attached as Appendix E to this Revised and Updated Final EIR).[4]

This Revised and Updated Final EIR acknowledges and incorporates the revisions made as part of the Partially Recirculated Draft EIR, along with public comments received during the 45-day review period for the Partially Recirculated Draft EIR. Where applicable, the Responses to Comments presented in this Revised and Updated Final EIR refer the reader to revisions made as part of the Partially Recirculated Draft EIR. Additionally, as detailed further in Chapter 3, Revisions to the Draft EIR and Partially Recirculated Draft EIR Text, in response to the Superior Court's February 10, 2022 order, this Revised and Updated Final EIR acknowledges and incorporates revisions to mitigation measures set forth in Chapter 4.3, Air Quality and Greenhouse Gas Emissions, of the original Draft EIR, which are supported by the discussions and analyses within the Greenhouse Gas Mitigation Memorandum prepared by Ramboll. Therefore, the Revised and Updated Final EIR is consistent with the direction provided by the Superior Court and the requirements set forth by CEQA.

In addition, pursuant to the Springtime Rare Plant Survey Memorandum and Summertime Rare Plant Survey Memorandum prepared by Salix Consulting, Inc., the following species were not observed during the 2022 surveys: bent-flowered fiddleneck, big tarplant, round-leaved filaree, Mt. Diablo fairy-lantern, Mt. Diablo buckwheat, fragrant fritillary, Diablo helianthella, Brewer's western flax, showy golden madia, Mt. Diablo cottonweed, woodland woollythreads, adobe navarretia, shining navarretia, and rock sanicle. The 2022 surveys were performed consistent with the objectives and timing criteria outlined in the California Department of Fish and Wildlife's 2018 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. The 2022 surveys were conducted both by All-Terrain Vehicle (ATV) and foot. All roads on the property were driven for an overview, as were many areas between the roads. Areas with more botanical diversity were traversed on-foot and observed in more detail. Ridgetops and valley bottoms were emphasized in the survey effort. Hillsides were quite homogeneous and wide transects were conducted to sample those areas. Thus, the results of the 2022 surveys amplify the analyses and conclusions presented in the Draft EIR and do not identify new significant impacts not previously identified in the original Final EIR related to biological resources.

[1] Ramboll. *Memorandum: Greenhouse Gas Mitigation Measures for the Proposed Faria/Southwest Hills Annexation Project in Pittsburg, California*. May 17, 2022.
[2] Salix Consulting, Inc. *Memorandum: Springtime Rare Plant Survey for the ±600-acre Faria Property, City of Pittsburg, Contra Costa County, CA*. May 19, 2022.
[3] Salix Consulting, Inc. *Memorandum: Summertime Rare Plant Surveys in early and late July for the ±600-acre Faria Property, City of Pittsburg, Contra Costa County, CA*. August 2, 2022.
[4] West Yost. *Technical Memorandum: Water Supply Assessment for Faria/Southwest Hills Annexation EIR – Updated Evaluation and Response to Peer Review Comments*. August 30, 2022.

Finally, pursuant to the Water Supply Assessment Technical Memorandum prepared by West Yost, the City's 2020 UWMP anticipates population growth from 74,321 persons in 2020 to 109,700 persons in 2045, a population increase of 35,379 persons. At the time that the City's 2020 UWMP was being prepared, the City was also preparing its 2040 General

Plan. The future land use maps prepared for the 2040 General Plan were included in Appendix B of the City's 2020 UWMP and show the project area as part of the City's General Plan planning area and Sphere of Influence.

In Tables 7-2, 7-3, and 7-4 of the City's 2020 UWMP, the City projected being able to provide sufficient water supply to serve the projected water demand through 2045, with minor water supply shortfalls during the fourth and fifth years of multiple dry periods. As shown in Table 1-1 below, the maximum water supply shortfall is projected to be 863 AFY (about six percent of projected water demand) in the fifth year of a five-year drought by 2045. In addition, it should be noted that the 2020 UWMP required an evaluation of a five-year multiple dry year period, while the 2010 and 2015 UWMPs only required an evaluation of a three-year multiple dry year period.

Table 1-1
City of Pittsburg 2020 UWMP Projected 2045 Water Supply and Demand in Normal, Single Dry, and Multiple Dry Years (AFY)

Supply Source	Normal Year Supply	Single Dry Year Supply	Multiple Dry Years				
			Year 1	Year 2	Year 3	Year 4	Year 5
Surface Water[1]	14,745	14,745	14,745	14,745	14,008	13,270	12,533
Groundwater[2]	1,349	1,349	1,349	1,349	1,349	1,349	1,349
Recycled Water[3]	311	311	311	311	311	311	311
Total Supply[4]	**16,405**	**16,405**	**16,405**	**16,405**	**15,668**	**14,930**	**14,193**
Water Demand[4]	**15,056**	**15,056**	**15,056**	**15,056**	**15,056**	**15,056**	**15,056**
Water Supply Shortage	-	-	-	-	-	**126**	**863**
Supply Shortage Percent of Demand	-	-	-	-	-	**0.8%**	**6%**

[1] Future surface water supply in normal years is equal to the City's potable water demand. Surface water supplies are assumed to have a 0 percent reduction in single dry years and the first two years of a five-year multiple dry year period, and five percent, 10 percent, and 15 percent reductions in the third, fourth, and fifth years, respectively, of a five-year multiple dry year period.
[2] Future groundwater supply is based on the average volume of historical pumped groundwater from 1993 to 2020.
[3] Future recycled water supply is based on the City's projected recycled water demand, which the Delta Diablo Sanitation District can meet.
[4] Includes potable and non-potable water supplies and water demands.

Source: City of Pittsburg. 2020 Urban Water Management Plan Final Draft. July 2021.

Consistent with the analysis and conclusions presented in Chapter 4.11, Public Services and Utilities, of the Draft EIR, the City's 2020 UWMP includes a water shortage contingency plan to address shortfalls. The 2015 similarly included a water shortage contingency plan. The water shortage contingency plan incorporates various levels of responses to water shortages, which are intended to allow the City to meet future water conservation needs that reduce the shortfall between 10 and 50 percent, depending on the shortage's level of severity. In the event that the City experiences a shortfall, as anticipated by the 2020 UWMP for the fourth and fifth years of a five-year multiple dry year period, the City would implement applicable responses to ensure that sufficient supply is available to serve the City's demand, including demand reduction measures such as prohibiting irrigation and outdoor water usage water rate structure changes, or water supply service adjustments; and operation changes, including improving water usage consumption and tracking, changes to fire hydrant testing frequencies, and expedited water leak repairs.

Therefore, consistent with the conclusions of the Draft EIR, sufficient supply would be available to serve the proposed project. Thus, the findings of the Water Supply Assessment Technical Memorandum amplify the analyses and conclusions presented in the Draft EIR and do not identify new significant impacts not previously identified in the original Final EIR related to water supply.

~~This Final EIR acknowledges and incorporates the revisions made as part of the Partially Recirculated Draft EIR, along with public comments received during the 45-day review period for the Partially Recirculated Draft EIR. Where applicable, the Responses to Comments presented in this Final EIR refer the reader to revisions made as part of the Partially Recirculated Draft EIR.~~

Overall, this Revised and Updated Final EIR acknowledges and incorporates the revisions made as part of the Partially Recirculated Draft EIR, along with public comments received during the 45-day review period for the Partially Recirculated Draft EIR, which were included in the original Final EIR. In addition, this Revised and Updated Final EIR incorporates the Responses to Comments and the Revisions to the Draft EIR and Partially Recirculated Draft EIR Text presented in the original Final EIR. Where applicable, new revisions are included in response to the Superior Court's February 10, 2022 order, which are supported by the discussions and analyses within the Greenhouse Gas Mitigation Memorandum prepared by Ramboll and clarify and amplify the discussions and analyses in the original Final EIR. All changes made to the original Final EIR as part of this Revised and Updated Final EIR are included in the attached Summary of Changes (see Appendix F of this Revised and Updated Final EIR).

PURPOSE OF THE FINAL EIR

Under CEQA Guidelines, Section 15132, the Final EIR shall consist of:

1. The Draft EIR or a revision of the Draft.
2. Comments and recommendations received on the Draft EIR.
3. A list of persons, organizations, and public agencies commenting on the Draft EIR.
4. The responses to significant environmental points raised in the review process.
5. Any other information added by the Lead Agency.

As required by CEQA Guidelines, Section 15090(a)(1)-(3), a Lead Agency must make the following three determinations in certifying a Final EIR:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
3. The Final EIR reflects the Lead Agency's independent judgment and analysis.

Under CEQA Guidelines, Section 15091, a public agency shall not approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects. Findings of Fact must be accompanied by a brief explanation of the rationale for each finding supported by

substantial evidence in the records. The Findings of Fact are included in a separate document that will be considered for adoption by the City's decision-makers.

In addition, pursuant to CEQA Guidelines, Section 15093(b), when a Lead Agency approves a project that would result in significant unavoidable impacts, the agency must state in writing the reasons supporting the action (Statement of Overriding Considerations). The Statement of Overriding Considerations shall be supported by substantial evidence. Here, the proposed project would result in significant and unavoidable impacts to aesthetics, air quality and greenhouse gas emissions, public services and utilities, and transportation, traffic, and circulation; thus, a Statement of Overriding Considerations must be adopted if the project is approved.

As discussed above, this Revised and Updated Final EIR has been prepared to address the inadequacies of the original Final EIR that were cited in the Superior Court order entered on February 10, 2022 and were related to ADUs, the level of detail included in mitigation to address potential air quality and GHG emission impacts, the baseline description of biological resources, and the adequacy of the Draft EIR's water usage analysis. Pursuant to CEQA Guidelines Section 15088.5(a), a lead agency is required to recirculate a Draft EIR if "significant new information" is added after the Draft EIR is circulated but before certification. Significant new information is defined as information that changes the Draft EIR "…in a way that deprives the public of a meaningful opportunity to comment on…" a significant impact, a feasible way to mitigate an impact, or a feasible way to avoid an impact. The following identifies circumstances that would be considered "significant new information" that would trigger recirculation:

- Information that shows a new significant impact;
- Information that shows an increase in the severity of an impact (unless mitigation measures are identified to reduce it to acceptable levels);
- Information that identifies a feasible new alternative or mitigation measure considerably different from other analyzed alternatives or mitigation measures that would clearly lessen project impacts and the applicant declines to implement the measure; and/or
- Information that demonstrates that the Draft EIR was fundamentally flawed, basically inadequate, and conclusory in nature, thus, precluding meaningful public review and comment.

Pursuant to CEQA Guidelines Section 15088.5(b), recirculation is not required if the information added to an EIR merely clarifies, amplifies, or makes insignificant modifications. As demonstrated in this Revised and Updated Final EIR, the revisions identified in the attached Summary of Changes, provide additional details regarding implementation of the proposed project, and do not fall into any of the four circumstances identified by CEQA as triggering recirculation, as the revisions do not identify new significant impacts or substantially more severe impacts beyond what were identified in the Draft EIR, nor do the revisions identify new alternatives or mitigation measures considerably different from those presented in the Draft EIR that would clearly diminish the severity of identified impacts and that the project applicant would decline to implement.

Overall, with incorporation of the revisions to the original Final EIR (as summarized in the attached Summary of Changes and reflected in this Revised and Updated Final EIR), which are based on discussions and analyses in the new memoranda, the conclusions within the

Draft EIRs would not change. As such, the revisions reflected in this Revised and Updated Final EIR clarify and amplify the original Final EIR such that the Revised and Updated Final EIR is consistent with the conclusions of the Superior Court and the requirements set forth by CEQA. Thus, recirculation of the Draft EIRs is not required.

Page 1-6 of the original Final EIR is hereby revised as follows:

ORGANIZATION OF THE FINAL EIR

The Final EIR is organized into the following chapters:

1. Introduction and List of Commenters

Chapter 1 provides an introduction and overview of the document, describing the background and organization of the Revised and Updated Final EIR. Chapter 1 also provides a list of commenters who submitted letters in response to the Draft EIR and Partially Recirculated Draft EIR.

2. Responses to Comments

Chapter 2 presents the comment letters received and responses to each comment. Each comment letter received has been numbered at the top and bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1.

3. Revisions to the Draft EIR and Partially Recirculated Draft EIR Text

Chapter 3 summarizes changes made to the Draft EIR and Partially Recirculated Draft EIR text either in response to comment letters or other clarifications/amplifications of the analysis in the Draft EIR and Partially Recirculated Draft EIR that do not change the intent of the analysis or effectiveness of mitigation measures. In addition, the chapter includes revisions in response to the Superior Court's February 10, 2022 order, which are supported by the discussions and analyses within the Greenhouse Gas Mitigation Memorandum prepared by Ramboll and clarify and amplify the discussions and analyses in the original Final EIR.

MITIGATION MONITORING AND REPORTING PROGRAM

CEQA Guidelines, Section 15097, requires lead agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The intent of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure implementation of the mitigation measures identified within the EIR for the Faria/Southwest Hills Annexation Project, a small portion of which have been updated based on information contained in the Greenhouse Gas Mitigation Memorandum prepared by Ramboll for this Revised and Updated Final EIR in response to the Superior Court's February 10, 2022 order. The MMRP for the proposed project will be prepared separately from this Revised and Updated Final EIR.

Page 3-1 of the original Final EIR is hereby revised as follows:

INTRODUCTION

The Revisions to the Draft EIR and Partially Recirculated Draft EIR Text chapter presents minor corrections, additions, and revisions initiated by the Lead Agency (City of Pittsburg), reviewing agencies, the public, and/or consultants based on their review. The chapter includes revisions identified as part of the City of Pittsburg's responses to a comment letter provided by the City of Concord related to the Partially Recirculated Draft EIR, but received by Pittsburg subsequent to the preparation of the original Final EIR. In addition, the chapter contains revisions in response to the order issued on February 10, 2022 by the Superior Court of the State of California, County of Contra Costa (Superior Court) in connection with litigation over the original Final EIR. The revisions in response to the Superior Court order are supported by new memoranda prepared for this Revised and Updated Final EIR, which clarify and amplify the discussions and analyses in the original Final EIR. It should be noted that the following revisions do not change the intent or content of the analysis or effectiveness of mitigation measures presented in the Draft EIR and Partially Recirculated Draft EIR, and, therefore, recirculation is not required.

DESCRIPTION OF CHANGES

New text is double underlined and deleted text is ~~struck through~~. Text changes are presented in the page order in which they appear in the Draft EIR.

2 EXECUTIVE SUMMARY

For clarification purposes, Table 2-1 in Chapter 2, Executive Summary, of the Draft EIR is hereby revised for Chapter 4.1, Aesthetics (Mitigation Measure 4.1-3), Chapter 4.3 Air Quality and Greenhouse Gas Emissions (Mitigation Measures 4.3-2, 4.3-5(a), and 4.3-5(b)), Chapter 4.4, Biological Resources (Mitigation Measure 4.4-2(b)), Chapter 4.8, Hydrology and Water Quality (Mitigation Measure 4.8-2), and Chapter 4.12, Transportation, Traffic, and Circulation (Mitigation Measures 4.12-8(a), 4.12-8(d), 4.12-8(e), 4.12-8(f), ~~and~~ 4.12-8(g), and 4.12-8(h)) beginning on page 2-5. Rather than include the entirety of Table 2-1 from Chapter 2, Executive Summary, of the Draft EIR with the revisions shown where appropriate, only the impact that has been revised is presented below. The revision to the Executive Summary table merely provides flexibility should changes to the allowable construction activities arise. Thus, the revision to Table 2-1 does not change the adequacy of the analysis or the conclusions contained in the Draft EIR.

Starting on page 3-3, the original Final EIR is hereby revised as follows:

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned colored paint and roofing materials), shielded or screened lighting, and appropriate signage to prevent light and glare from adversely affecting motorists on nearby roadways.*	
4.3 Air Quality and Greenhouse Gas Emissions			
4.3-2 Generation of operational criteria air pollutant emissions in excess of 54 lbs/day for ROG, NO_x, and $PM_{2.5}$ and 82 lbs/day for PM_{10} and conflict with or obstruct implementation of the 2017 Clean Air CAP, and/or the 2011 Ozone Attainment Plan.	S	*4.3-2 In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that ROG and NO_x emissions associated with project operations would not exceed the BAAQMD 54 lbs/day thresholds of significance. Mitigation measures shall be developed in coordination with the BAAQMD and shall include~~, but would not be limited to, BAAQMD's recommended mitigation measures as follows:~~ those measures set forth in Mitigation Measure 4.3-5(a) and the following measures listed below:*	SU

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Use zero-VOC paints, finishes, and adhesives only;* • ~~*Use of cool roof materials;*~~ • ~~*Plant shade trees;*~~ • ~~*Orient buildings to maximize passive solar heating;*~~ • *Install smart meters and programmable thermostats;* • *Improve bike and pedestrian network (complete sidewalks, connection to adjacent areas, connection to bike network, etc.);* • *Implement bicycle and pedestrian facilities such as bike lanes, routes, and paths, bike parking, sidewalks, and benches;* • *Promote ridesharing, transit, bicycling, and walking for work trips;* • ~~*Extend transit service into project site;*~~ • ~~*Participate in bike sharing programs;*~~ • ~~*Implement programs that offer residents free or discounted transit passes to encourage transit use;*~~ • ~~*Subsidize residential transit passes;*~~ • *Promote use of public electric vehicle charging infrastructure;* • ~~*Provide charging stations and preferential parking spots for electric vehicles;*~~ • *Provide traffic calming features;*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		~~• Minimize use of cul-de-sacs and incomplete roadway segments;~~ ~~• Install energy star appliances;~~ ~~• Install solar water heating;~~ ~~• Exceed minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures);~~ • *Pre-wire homes for photovoltaic systems;* ~~• Provide community composting facilities or curb-side food waste services;~~ • *Use water efficient landscapes and native/drought-tolerant vegetation; and* • *Provide electrical outlets outside of homes to allow for use of electrically powered landscaping equipment.* ~~*The above mitigation measures are mandatory to reduce any significant impacts unless the applicant demonstrates that the measures are not feasible.*~~ *If off-site mitigation measures are proposed, the applicant must be able to show that the emission reductions from identified projects are real, permanent through the duration of the project, enforceable, and are equal to the pollutant type and amount of the project impact being offset. BAAQMD recommends that off-site mitigation projects occur within the nine-county Bay Area in order to reduce localized impacts and capture*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		potential co-benefits. If BAAQMD has established an off-site mitigation program at the time a development application is submitted, as an off-site mitigation measure, the applicant may choose to enter into an agreement with BAAQMD and pay into the established off-site mitigation program fund, where BAAQMD would commit to reducing the type and amount of emissions identified in the agreement. *The analysis and proposed mitigation measures shall be reviewed as part of the development review process.*	
4.3-5 Generation of a cumulatively considerable contribution to GHG emissions in excess of 1,100 $MTCO_2e$/yr or 4.6 $MTCO_2e$/SP/yr by 2020, 660 $MTCO_2e$/yr or 2.76 $MTCO_2e$/SP/yr by 2030, or an 80 percent reduction from 1990 levels by 2050.	S	*4.3-5(a)* ~~*Implement Mitigation Measure 4.3-2.*~~ *In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that project GHG emissions would not exceed 2.76 $MTCO_2e$/SP/yr threshold of significance. Mitigation measures shall be developed in coordination with BAAQMD and shall include, but not be limited to, BAAQMD's recommended mitigation measures as follows:*	SU

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Use of cool roof materials;* • *Planting of shade trees;* • *Improvement of bike network (connection to adjacent areas, connection to bike network, etc.);* • *Improvement of pedestrian network (complete sidewalks, connection to adjacent areas, etc.);* • *Extension of transit service into project site;* • *Implementation of bicycle facilities;* • *Community-based traveling;* • *Participation in bike sharing programs;* • *Providing of charging stations and preferential parking spots for electric vehicles;* • *Minimizing the use of cul-de-sacs and incomplete roadway segments;* • *Installation of energy star appliances;* • *Installation of solar water heating;* • *Exceeding minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures);* • *Providing community composting facilities or curb-side food waste services;* • *Elimination of natural gas infrastructure; and*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Reduction of VMT by 15 percent per capita consistent with SB 743 targets and OPR technical guidance.* *4.3-5(b) The project-level air quality analysis required by Mitigation Measure ~~4.3-2~~ 4.3-5(a) shall include an analysis of project-level GHG emissions. Such ~~future~~ project-level analyses shall include, but not be limited to, quantification of GHG emissions, as well as determination of operational GHG emission impacts, which shall be evaluated prior to any tentative map approval and in accordance with the BAAQMD CEQA Guidelines adopted in April 2022, which align with the State's 2030 and 2045 carbon targets ~~based on existing statewide climate change laws in effect at the time of analysis~~. The project-level GHG emissions shall be reduced through the implementation of the mitigation measures identified in Mitigation Measure ~~4.3-2~~ 4.3-5(a) designed to reduce operational GHG emissions. During future project-level reviews, the effectiveness of each implementation measure shall be quantified using the methodology shown in the 2022 Ramboll Report or using other methods supported by substantial evidence in light of project-level details included in the subject application. The City shall deem all measures in Mitigation Measure 4.3-5(a) feasible or presumptively feasible unless the applicant can demonstrate otherwise with*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		substantial evidence.	
4.4 Biological Resources			
4.4-2 Have a substantial adverse effect, either directly or through habitat modifications, on special-status bird species, including those covered under the East Contra Costa County HCP/NCCP, such as Swainson's hawk, tricolored blackbird, burrowing owl, and golden eagle.	S	*4.4-2(b) The project shall implement the following avoidance measures for potential effects on golden eagles during construction:* • *Based on the potential for active nests, prior to implementation of construction activities, including tree removal, a qualified biologist shall conduct a pre-construction survey to establish whether an active golden eagle nest is present on the project site or within 0.5 mile of the project site to the extent the biologist can gain access. If an active nest is not present, further mitigation is not required. If an occupied nest is present, minimization requirements and construction monitoring shall be required, as detailed below.* • *Construction activities shall be prohibited within 0.5 mile of active nests. Nests can be built and active at almost any time of the year, although mating and egg incubation occurs late January through August, with peak activity in March through July. If site-specific conditions or the nature of the construction activity (e.g., steep topography, dense vegetation, limited activities) indicate that a smaller*	LTS

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		buffer could be appropriate or that a larger buffer should be implemented, the East Contra Costa County Habitat Conservancy shall coordinate with CDFW/USFWS to determine the appropriate buffer size. • *Construction monitoring shall ensure that no construction activities occur within the buffer zone established around an active nest. Construction monitoring shall ensure that direct effects to golden eagles are avoided.*	
4.8 Hydrology and Water Quality			
4.8-2 Violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality through erosion during construction.	S	*4.8-2 Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of Best Management Practices (BMPs). Construction BMPs included in the SWPPP may include, but are not limited to, the following measures:* • *Silt fencing;* • *Fiber Rolls;* • *Vehicle washout areas and trackout control;* • *Desilting Basins;*	LTS

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Gravel Bag Berms; or* • *Storm Drain inlet protection.* *The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Property boundaries between the project site and the Concord Hills Regional Park shall be identified, mapped, fenced, and signed for no entry. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.*	
4.12 Transportation, Traffic, and Circulation			
4.12-8 Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the study roadway intersections under Long-Term (2035) Plus Project Conditions.	S	*4.12-8(a) Prior to occupancy of the proposed buildings, the project applicant shall complete the following improvements at intersections within the City of Concord, subject to coordination with and approval by the City of Concord Traffic Engineering and Transportation Planning Division.*	SU

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *The northbound approach at the Avila Road and Willow Pass Road intersection shall be restriped to include one through lane and one right turn lane;* ~~*and*~~ • *The southbound approach at the Clayton Road and Bailey Road intersection shall be restriped to be a southbound left-turn lane, a shared southbound through/right-turn lane, and a southbound right-turn lane; and* • *The intersection timing splits at the following intersections shall be optimized: Clayton Road/Treat Boulevard (Intersection #39) and Concord Boulevard/Port Chicago Highway (Intersection #48).* *4.12-8(d)* *As part of future development applications, the project improvement plans shall show that the eastbound approach of the EB SR 4 ramps and San Marco Boulevard intersection would be restriped to be an eastbound left turn lane, a shared left-through-right lane, and an eastbound right turn lane. Implementation of the required improvements shall be accomplished by way of one of the following methods:* *If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residences. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits. *Or* *If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.* *4.12-8(e) As part of future development applications, the project improvement plans shall show that a northbound right turn lane at the W. Leland Road and Bailey Road intersection would be striped and the shared northbound through-right lane would be restriped to be through lane. In addition, the project improvement plans shall show that a southbound right turn overlap phase and a westbound right turn overlap phase would be implemented. Implementation of the required improvements shall be accomplished by way of one of the following methods:* *If the required improvements are not included in*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residences. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits. *Or* *If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.* *4.12-8(f) As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP (Project S-16) to the City of Pittsburg Community Development Department. Such improvements would include optimization of timing splits at the following intersections:* *1. W. Leland Road and Burton Avenue; and* *2. Clayton Road and Treat Boulevard.*	

TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Proof of payment shall be submitted to the City of Pittsburg Community Development Department. 4.12-8(g) *As part of future development applications, the project improvement plans shall show that the eastbound left turn phase and westbound left turn phase at the W. Leland and Crestview Drive intersection would be changed from protected to permitting phasing. Implementation of the required improvements shall be accomplished by way of one of the following methods:* *If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residences. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.* *Or* *If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.*	

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	**Level of Significance Prior to Mitigation**	**Mitigation Measures**	**Level of Significance After Mitigation**
		4.12-8(h) Implement Mitigation Measure 4.12-2(~~d~~b).	

Starting on page 3-13, the original Final EIR is hereby revised as follows:

4.3 AIR QUALITY AND GREENHOUSE GAS EMISSIONS ~~Air Quality and Greenhouse Gas Emissions~~

Mitigation Measure 4.3-2 on page 4.3-36 of Chapter 4.3, Air Quality and Greenhouse Gas Emissions, is hereby revised as follows:

4.3-2 In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that ROG and NO_x emissions associated with project operations would not exceed the BAAQMD 54 lbs/day thresholds of significance. Mitigation measures shall be developed in coordination with the BAAQMD and shall include~~, but would not be limited to, BAAQMD's recommended mitigation measures as follows:~~ those measures set forth in Mitigation Measure 4.3-5(a) and the following measures listed below:

- *Use zero-VOC paints, finishes, and adhesives only;*
- ~~*Use of cool roof materials;*~~
- ~~*Plant shade trees;*~~
- ~~*Orient buildings to maximize passive solar heating;*~~
- *Install smart meters and programmable thermostats;*
- *Improve bike and pedestrian network (complete sidewalks, connection to adjacent areas, connection to bike network, etc.);*
- *Implement bicycle and pedestrian facilities such as bike lanes, routes, and paths, bike parking, sidewalks, and benches;*
- *Promote ridesharing, transit, bicycling, and walking for work trips;*
- ~~*Extend transit service into project site;*~~
- ~~*Participate in bike sharing programs;*~~
- ~~*Implement programs that offer residents free or discounted transit passes to encourage transit use;*~~
- ~~*Subsidize residential transit passes;*~~
- *Promote use of public electric vehicle charging infrastructure;*
- ~~*Provide charging stations and preferential parking spots for electric vehicles;*~~
- *Provide traffic calming features;*
- ~~*Minimize use of cul-de-sacs and incomplete roadway segments;*~~
- ~~*Install energy star appliances;*~~
- ~~*Install solar water heating;*~~
- ~~*Exceed minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures);*~~
- *Pre-wire homes for photovoltaic systems;*
- ~~*Provide community composting facilities or curb side food waste services;*~~
- *Use water efficient landscapes and native/drought-tolerant vegetation; and*
- *Provide electrical outlets outside of homes to allow for use of electrically powered landscaping equipment.*

~~*The above mitigation measures are mandatory to reduce any significant impacts unless the applicant demonstrates that the measures are not feasible.*~~

If off-site mitigation measures are proposed, the applicant must be able to show that the emission reductions from identified projects are real, permanent through the duration of the project, enforceable, and are equal to the pollutant type and amount of the project impact being offset. BAAQMD recommends that off-site mitigation projects occur within the nine-county Bay Area in order to reduce localized impacts and capture potential co-benefits. If BAAQMD has established an off-site mitigation program at the time a development application is submitted, as an off-site mitigation measure, the applicant may choose to enter into an agreement with BAAQMD and pay into the established off-site mitigation program fund, where BAAQMD would commit to reducing the type and amount of emissions identified in the agreement.

The analysis and proposed mitigation measures shall be reviewed as part of the development review process.

The above changes clarify the applicable GHG mitigation measures that would apply to the proposed project, and the updated GHG technical analysis confirms the conclusions of the previous GHG analysis prepared for the Draft EIR.[1] Accordingly, the revisions do not alter the conclusions of the Draft EIR.

Mitigation Measures 4.3-5(a) and 4.3-5(b) on page 4.3-35 of Chapter 4.3, Air Quality and Greenhouse Gas Emissions, are hereby revised as follows:

4.3-5(a) ~~*Implement Mitigation Measure 4.3-2.*~~ *In conjunction with the submittal of each application for any development within the proposed project area, a project-level, detailed air quality analysis shall be performed. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts in such a manner that project GHG emissions would not exceed 2.76 $MTCO_2e/SP/yr$ threshold of significance. Mitigation measures shall be developed in coordination with BAAQMD and shall include, but not be limited to, BAAQMD's recommended mitigation measures as follows:*

- *Use of cool roof materials;*
- *Planting of shade trees;*
- *Improvement of bike network (connection to adjacent areas, connection to bike network, etc.);*
- *Improvement of pedestrian network (complete sidewalks, connection to adjacent areas, etc.);*
- *Extension of transit service into project site;*
- *Implementation of bicycle facilities;*
- *Community-based traveling;*
- *Participation in bike sharing programs;*
- *Providing of charging stations and preferential parking spots for electric vehicles;*

[1] Ramboll. *Memorandum: Greenhouse Gas Mitigation Measures for the Proposed Faria/Southwest Hills Annexation Project in Pittsburg, California*. May 17, 2022.

- *Minimizing the use of cul-de-sacs and incomplete roadway segments;*
- *Installation of energy star appliances;*
- *Installation of solar water heating;*
- *Exceeding minimum CALGreen standards (e.g., adopt Tier 1 or Tier 2 voluntary measures);*
- *Providing community composting facilities or curb-side food waste services;*
- *Elimination of natural gas infrastructure; and*
- *Reduction of VMT by 15 percent per capita consistent with SB 743 targets and OPR technical guidance.*

4.3-5(b) The project-level air quality analysis required by Mitigation Measure ~~4.3-2~~ 4.3-5(a) shall include an analysis of project-level GHG emissions. Such ~~future~~ project-level analyses shall include, but not be limited to, quantification of GHG emissions, as well as determination of operational GHG emission impacts, which shall be evaluated prior to any tentative map approval and in accordance with the BAAQMD CEQA Guidelines adopted in April 2022, which align with the State's 2030 and 2045 carbon targets ~~based on existing statewide climate change laws in effect at the time of analysis~~. The project-level GHG emissions shall be reduced through the implementation of the mitigation measures identified in Mitigation Measure ~~4.3-2~~ 4.3-5(a) designed to reduce operational GHG emissions. During future project-level reviews, the effectiveness of each implementation measure shall be quantified using the methodology shown in the 2022 Ramboll Report or using other methods supported by substantial evidence in light of project-level details included in the subject application. The City shall deem all measures in Mitigation Measure 4.3-5(a) feasible or presumptively feasible unless the applicant can demonstrate otherwise with substantial evidence.

The above changes clarify the applicable GHG mitigation measures that would apply to the proposed project, and the updated GHG technical analysis confirms the conclusions of the previous GHG analysis prepared for the Draft EIR.[2] Accordingly, the revisions do not alter the conclusions of the Draft EIR.

4.4 BIOLOGICAL RESOURCES ~~Biological Resources~~

Mitigation Measure 4.4-2(b) on pages 4.4-49 and 4.4-50 of Chapter 4.4, Biological Resources, of the Draft EIR is hereby revised as follows:

[2] Ramboll. *Memorandum: Greenhouse Gas Mitigation Measures for the Proposed Faria/Southwest Hills Annexation Project in Pittsburg, California.* May 17, 2022.

Starting on page 3-13, the original Final EIR is hereby revised as follows:

4.8 HYDROLOGY AND WATER QUALITY ~~Hydrology and Water Quality~~

Mitigation Measure 4.8-2 on pages 4.8-19 and 4.8-20 of Chapter 4.8, Hydrology and Water Quality, of the Draft EIR is hereby revised as follows:

4.8-2 Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of

Best Management Practices (BMPs). Construction BMPs included in the SWPPP may include, but are not limited to, the following measures:

- *Silt fencing;*
- *Fiber Rolls;*
- *Vehicle washout areas and trackout control;*
- *Desilting Basins;*
- *Gravel Bag Berms; or*
- *Storm Drain inlet protection.*

The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Property boundaries between the project site and the Concord Hills Regional Park shall be identified, mapped, fenced, and signed for no entry. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

4.11 PUBLIC SERVICES AND UTILITIES ~~Public Services and Utilities~~

Based on a comment received on the Draft EIR, page 4.11-6 of Public Services and Utilities, Chapter 4.11 of the Draft EIR, is hereby revised as follows:

Wastewater Treatment

As discussed above, regional conveyance facilities transport wastewater to the Delta Diablo WWTP. After secondary treatment, the effluent is either discharged through a deep-water outfall to New York Slough or further processed through the RWF. The WWTP National Pollutant Discharge Elimination System (NPDES) permitted capacity for Permit allows an average dry weather flow of is 16.5 19.5 MGD., and the plant has an average dry weather flow design capacity of 19.5 MGD. An EIR for expansion of the WWTP to 22.7 MGD was completed in April 1988. The average dry weather flow influent to the treatment plant for the most recent reporting period was 13.4 12.8 MGD in 2017. The current NPDES Permit order was issued on August 13, 2014.

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

Starting on page 3-16, the original Final EIR is hereby revised as follows:

4.12 TRANSPORTATION, TRAFFIC, AND CIRCULATION ~~Transportation, Traffic, and Circulation~~

Based on a comment received on the Partially Recirculated Draft EIR, page 4.12-12 of the Partially Recirculated Draft EIR is hereby revised as follow:

> For roadways in the City of Concord, the intersections and roadway segments are to operate at LOS D or better, as specified in the City of Concord General Plan. However, in the Downtown area (as generally defined by Port Chicago Highway to the east, Mt. Diablo High School to the north, Cowell Road to the south, and Market Street to the west), and along the City's transit routes, LOS E is acceptable. In addition, LOS E is considered acceptable in the vicinity of the Concord and North Concord BART stations. Table 4.12-3 shows the existing delay and LOS at the study intersections for weekday peak hour conditions.

The foregoing revision does not alter the analysis or conclusions presented in the Partially Recirculated Draft EIR, given that the Partially Recirculated Draft EIR does not include any study intersections in the immediate vicinity of the referenced Bay Area Rapid Transit (BART) stations.

Based on a comment received on the Partially Recirculated Draft EIR, Table 4.12-~~2~~8, on page 4.12-~~12~~22 of Chapter 4.12 of the Partially Recirculated Draft EIR, is hereby revised as follows:

Table 4.12-~~1~~8
Delay Index Summary – Existing Conditions

Roadway Segment	Distance (miles)	Uncongested Travel Time		AM Peak Hour		PM Peak Hour	
		AM Peak	PM Peak	CTT	DI	CTT	DI
East County							
EB SR 4	2.99	2.39	2.39	2.58	1.1	12.15	**5.1**
WB SR 4	3.53	2.82	2.82	8.35	**3.0**	2.93	1.0
Central County							
Eastbound SR-4	4.43	3.55	3.55	4.10	1.2	12.38	3.5
Westbound SR-4	3.63	2.90	2.90	5.51	1.9	3.17	1.1
Northbound SR-242	2.50	2.00	2.00	2.41	1.2	6.70	**3.4**
Southbound SR-242	2.23	1.78	1.78	4.47	2.5	1.97	1.1

Note: CTT = Congested Travel Time, measured in ~~seconds~~minutes.

Source: Kimley-Horn and Associates, Inc., 2019.

The above revision does not change the results presented in the table because the delay index is unitless. Accordingly, this revision does not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, page 4.12-~~39~~45 of the Partially Circulated Draft EIR is hereby revised as follows:

> Construction of the project, including site preparation and construction, and delivery activities, would generate contractor employee trips and a variety of construction-related vehicles. As a result, construction activities could include disruptions to the transportation network near the project site, including the possibility of temporary lane closures, street

closures, sidewalk closures, and bikeway closures. ~~The increase in traffic as a result of construction activities associated with the proposed project has been quantified assuming a worst-case, single-phase construction period of five years.~~

The foregoing revision is for clarification purposes only and does not affect the analysis or conclusions presented in the EIR.

Based on a comment received on the Partially Recirculated Draft EIR, page 4.12-56 of the Partially Recirculated Draft EIR is hereby revised as follows:

- EB SR 4 Ramps/Willow Pass Road (Intersection #2);
- WB SR 4 Ramps/Willow Pass Road (Intersection #3);
- W. Leland Road/San Marco Boulevard (Intersection #6);
- WB SR-4 Ramps/San Marco Boulevard (Intersection #18); ~~and~~
- Concord Boulevard and Bailey Road (Intersection #35)~~.~~; and
- Bailey Road and Myrtle Drive (Intersection #36).

The foregoing revision does not affect the analysis and conclusions presented in the Partially Recirculated Draft EIR. The significant and unavoidable impact conclusion for the Bailey Road and Myrtle Drive intersection presented on page 4.12-64 of the Partially Recirculated Draft EIR remains valid.

Based on a comment received on the Partially Recirculated Draft EIR, page 4.12-60 of the Partially Recirculated Draft EIR is hereby revised as follows:

EB SR 4 ramps and Willow Pass Road (Intersection #2)

As presented above, Mitigation Measure 4.12-2(a) includes the following improvements to the EB SR 4 ramps and Willow Pass Road intersection: signalization; addition of a southbound left turn lane; restriping of the shared southbound through-left lane to be a through lane; and restriping of the eastbound approach to be an eastbound left turn lane and a shared eastbound through-right lane. The aforementioned improvement has been planned by the Capital Improvement Program for the 2015 Update to the Contra Costa CMP (Project 1028); however, funding sources have not yet been identified, and a timeframe for the improvement has not been established. As shown in Table 4.12-13, implementation of Mitigation Measure 4.12-2(a) would improve the operations at the EB SR 4 ramps and Willow Pass Road intersection to LOS B in the ~~AM and~~ PM peak hours~~s~~ which would meet the LOS requirement of LOS D or better for a signalized intersection in ~~the City of Pittsburg~~ unincorporated Contra Costa County. However, given that funding is not available for the required improvements, the impact to the EB SR 4 ramps and Willow Pass Road intersection would remain *significant and unavoidable*.

- Implement Mitigation Measure 4.12-2(a).

WB SR 4 Ramps and Willow Pass Road (Intersection #3)

As shown above, Mitigation Measure 4.12-2(a) includes the following improvements to the WB SR 4 ramps and Willow Pass Road intersection: signalization; addition of a northbound left turn lane; restriping of the northbound shared through-left turn lane to be a through lane; and restriping of the westbound approach to be two westbound left turn lanes and a shared westbound through-right lane. The aforementioned improvement has been planned by the Capital Improvement Program for the 2015 Update to the Contra Costa CMP (Project 1028), although funding sources have not yet been identified, and a

timeframe for the improvement has not been established As shown in Table 4.12-13, implementation of Mitigation Measure 4.12-2(a) would improve the operations at the WB SR 4 ramps and Willow Pass Road intersection to LOS E in the AM peak hour, which would not meet the LOS requirement of LOS D or better for a signalized intersection in ~~the City of Concord~~ unincorporated Contra Costa County. Although the intersection would operate better than without the proposed project, funding is not available for the required improvements, Therefore, the project impact to the WB SR 4 ramps and Willow Pass Road intersection would remain *significant and unavoidable.*

- Implement Mitigation Measure 4.12-2(a).

The foregoing revisions do not affect the analysis and conclusions presented in the Partially Recirculated Draft EIR, as the significance standard at the affected intersections does not change across jurisdictions.

Based on a comment received on the Partially Recirculated Draft EIR, Table 4.12-18 on page 4.12-77 of the Partially Recirculated Draft EIR is hereby revised, as shown on the following page. The revisions to Table 4.12-18 do not affect the conclusions presented in the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, page 4.12-83 of the Partially Recirculated Draft EIR is hereby revised as follows:

Mitigation Measure(s)
Table 4.12-20 shows the study intersection LOS in the Long Term (2035) Plus Project Condition both with and without mitigation. With the exception of impacts to the following intersections, which would all remain *significant and unavoidable*, implementation of the following mitigation measures would reduce impacts to the remaining intersections to less-than-significant levels:

- Avila Road/Willow Pass Road (Intersection #1);
- WB SR4 Ramps/Willow Pass Road (Intersection #3);
- W. Leland Road/San Marco Boulevard (Intersection #6);
- W. Leland Road/Bailey Road (Intersection #18);
- Concord Boulevard and Bailey Road (Intersection #35);
- Bailey Road and Myrtle Drive (Intersection #36);
- Clayton Road and Treat Boulevard (Intersection #39);
- Clayton Road and Bailey Road (Intersection #40);
- Cowell Road/Treat Boulevard (Intersection #41);
- Bailey Road/Project Entrance (Intersection #43);
- Treat Boulevard and Oak Grove Road (Intersection #44); and
- Concord Boulevard/Port Chicago Highway (Intersection #48).

A discussion of the mitigation measure(s) required for each impacted intersection, as well as a description of how the measures would reduce impacts at that intersection, is provided below, immediately following the list of mitigation measures.

Table 4.12-18
Freeway Ramp LOS – Existing Plus Project Conditions

Freeway Section	Criteria LOS	Existing				Existing Plus Project			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		LOS	Density[1] (pcpmpl)	LOS	Density[1] (pcpmpl)	LOS	Density[1] (pcpmpl)	LOS	Density[1] (pcpmpl)
Eastbound SR 4									
Willow Pass Road Off-Ramp	F	A	5.2	F	35.2	A	5.7	F	37.6
Willow Pass Road On-Ramp	F	A	9.0	F	44.8	B	17.2	F	47.0
San Marco Boulevard Off-Ramp	F	A	8.6	~~D~~ F	34.2	A	9.3	~~E~~ F	36.1
SB San Marco Boulevard Loop On-Ramp	F	A	8.0	~~D~~ F	29.1	A	8.1	~~D~~ F	29.6
NB San Marco Boulevard Diagonal On-Ramp	F	A	5.5	~~C~~ F	26.5	A	5.8	~~C~~ F	27.1
SB Bailey Road Diagonal Off-Ramp	F	A	5.1	~~C~~ F	24.3	A	5.5	~~C~~ F	26.5
NB Bailey Road Loop Off-Ramp	F	A	7.3	~~C~~ F	26.2	A	7.4	~~C~~ F	26.1
Bailey Road On-Ramp	F	B	11.6	~~E~~ F	35.0	B	11.3	~~E~~ F	35.5
Westbound SR 4									
NB Bailey Road Diagonal Off-Ramp	F	~~C~~ F	27.3	B	15.3	~~C~~ F	27.5	B	15.8
SB Bailey Road Loop Off-Ramp	F	~~C~~ F	25.1	B	19.5	~~C~~ F	22.8	C	20.6
Bailey Road On-Ramp	F	~~C~~ F	24.3	B	14.1	~~C~~ F	25.3	B	14.8
San Marco Boulevard Off-Ramp	F	~~D~~ F	28.2	B	16.3	~~D~~ F	28.7	B	16.8
NB San Marco Boulevard Loop On-Ramp	F	~~E~~ F	36.7	B	17.4	~~E~~ F	38.1	B	18.2
SB San Marco Boulevard Diagonal On-Ramp	F	F	45.4	B	16.2	F	45.7	B	16.7
Willow Pass Road Off-Ramp	F	~~C~~ F	27.3	B	16.6	~~D~~ F	28.6	B	17.4
Willow Pass Road On-Ramp	F	~~E~~ F	37.3	C	20.3	~~E~~ F	38.5	C	21.0

Notes:
[1] pcpmpl = passenger cars per mile per lane.

Source: Kimley-Horn and Associates, 2019.

4.12-8(a) Prior to occupancy of the proposed buildings, the project applicant shall complete the following improvements at intersections within the City of Concord, subject to coordination with and approval by the City of Concord Traffic Engineering and Transportation Planning Division.

- *The northbound approach at the Avila Road and Willow Pass Road intersection shall be restriped to include one through lane and one right turn lane; ~~and~~*
- *The southbound approach at the Clayton Road and Bailey Road intersection shall be restriped to be a southbound left-turn lane, a shared southbound through/right-turn lane, and a southbound right-turn lane; and*
- *The intersection timing splits at the following intersections shall be optimized: Clayton Road/Treat Boulevard (Intersection #39) and Concord Boulevard/Port Chicago Highway (Intersection #48).*

The foregoing revisions clarify that the required improvements would be subject to review and approval by the City of Concord and are consistent with the information presented in Table 4.12-20 of the Partially Recirculated Draft EIR and with the Traffic Impact Study (TIS) prepared for the proposed project by Kimley-Horn and Associates, Inc., which was included as Appendix A to the Partially Recirculated Draft EIR. The revisions do not affect the analysis and conclusions presented in the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, Mitigation Measure 4.12-8(d) on page 4.12-86 of the Partially Recirculated Draft EIR is hereby revised as follows:

4.12-8(d) As part of future development applications, the project improvement plans shall show that the eastbound approach of the EB SR 4 ramps and San Marco Boulevard intersection would be restriped to be an eastbound left turn lane, a shared left-through-right lane, and an eastbound right turn lane. Implementation of the required improvements shall be accomplished by way of one of the following methods:

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residence~~s~~. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

The above change is for clarification purposes only and does not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, Mitigation Measure 4.12-8(e) is hereby revised as follows:

4.12-8(e) *As part of future development applications, the project improvement plans shall show that a northbound right turn lane at the W. Leland Road and Bailey Road intersection would be striped and the shared northbound through-right lane would be restriped to be through lane. In addition, the project improvement plans shall show that a southbound right turn overlap phase and a westbound right turn overlap phase would be implemented. Implementation of the required improvements shall be accomplished by way of one of the following methods:*

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residences. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

The above change is for clarification purposes only and does not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, Mitigation Measure 4.12-8(f) on pages 4.12-88 and 4.12-89 of the Partially Recirculated Draft EIR is hereby revised as follow:

4.12-8(f) *As part of future development applications, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP (Project S-16) to the City of Pittsburg Community Development Department. Such improvements would include optimization of timing splits at the following intersection:*

1. W. Leland Road and Burton Avenue; and
2. Clayton Road and Treat Boulevard.

Proof of payment shall be submitted to the City of Pittsburg Community Development Department.

The above changes are for clarification purposes only and do not change the technical analysis prepared for the project. Accordingly, the revisions do not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, Mitigation Measure 4.12-8(g) on page 4.12-89 of the Partially Recirculated Draft EIR is hereby revised as follows:

4.12-8(g) *As part of future development applications, the project improvement plans shall show that the eastbound left turn phase and westbound left turn phase at the W. Leland and Crestview Drive intersection would be changed from protected to permitting phasing. Implementation of the required improvements shall be accomplished by way of one of the following methods:*

If the required improvements are not included in the Pittsburg CIP prior to issuance of building permits, the project shall be responsible for the construction of the improvements. The improvements shall be completed prior to occupancy of the first proposed residences. If the improvements are subsequently included in an update to the Pittsburg CIP, the project applicant may be subject to fee credits.

Or

If, prior to issuance of building permits, the City's then-current CIP includes the needed improvements, the project applicant shall pay the fair-share fee for the improvements planned in the Pittsburg CIP to the City of Pittsburg Community Development Department.

The above change is for clarification purposes only and does not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, Mitigation Measure 4.12-8(h) on page 4.12-90 is hereby revised as follows:

4.12-8(h) Implement Mitigation Measure 4.12-2(~~d~~b).

The above change is for clarification purposes only and does not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, page 4.12-95 is hereby revised as follows:

Concord Boulevard and Bailey Road (Intersection #35)

As presented above, Mitigation Measure 4.12-8(h) includes the following improvements to the Concord Boulevard and Bailey Road intersection: widening of the southbound approach; restriping of the southbound approach to include a southbound left turn lane, a southbound through lane, and a southbound right turn lane; and widening of the northbound approach to be a northbound left turn lane and a shared through-right turn lane. The aforementioned improvements have been planned in the Concord CIP (Project 2049) with funding from traffic mitigation fees, grant funds, and Concord-owned ROW. As shown in Table 4.12-20, implementation of Mitigation Measure 4.12-2(h) would improve the operations at the Concord Boulevard and Bailey Road intersection in the AM and PM peak hours. However, even with implementation of Mitigation Measure 4.12-8(h), the v/c is still increased by 0.03 or more in the AM peak hour and decreases in the PM peak hour without project conditions; therefore, the intersection would remain an impact in the AM peak hour and would be reduced to less than significant in the PM peak hour. However, the intersection is located in the City of Concord, the City of Pittsburg cannot guarantee the completion of the improvements. Therefore, the impact to the Concord Boulevard and Bailey Road intersection would remain *significant and unavoidable.*

- Implement Mitigation Measure 4.12-8(~~m~~h).

The above changes are for clarification purposes only and do not change the technical analysis prepared for the project. Accordingly, the revisions do not alter the conclusions of the Partially Recirculated Draft EIR.

Based on a comment received on the Partially Recirculated Draft EIR, page 4.12-96 is hereby revised as follows:

Bailey Road and Myrtle Drive (Intersection #36)

As presented above, Mitigation Measure 4.12-8(h) includes the following improvements to the Bailey Road and Myrtle Drive intersection: signalization; addition of a southbound left turn lane; and restriping of the shared southbound through-left lane to be a through lane. The aforementioned improvements have been planned in the Concord CIP (Project 2049) with funding from traffic mitigation fees, grant funds, and Concord-owned ROW. It should be noted that the intersection does not meet the peak hour traffic signal warrant in the Existing plus Project scenario (two vehicles less than the threshold on the minor street approach), but does meet the warrant in the Long-Term (2035) Plus Project Condition. As shown in Table 4.12-20, implementation of Mitigation Measure 4.12-8(h) would improve the operations ~~at the Bailey Road and Myrtle Drive intersection to LOS B~~ in the AM and PM peak hours, and would decrease v/c during the PM peak hour relative to without project conditions.~~, which would meet the LOS requirement of LOS D or better for a signalized intersection in the City of Concord.~~ However, even with implementation of Mitigation Measure 4.12-8(h), the v/c during the AM peak hour would increase by 0.03 or more under the Long-Term (2035) Plus Project Condition; therefore, the intersection would remain impacted in the AM peak hour and would be reduced to less than significant in the PM peak hour. Furthermore, given that a timeframe has not been established, completion of the proposed improvements prior to buildout of the project site cannot be guaranteed. Therefore, the impact to the Bailey Road and Myrtle Drive intersection would temporarily remain *significant and unavoidable*.

- Implement Mitigation Measure 4.12-8(m).

Clayton Road and Treat Boulevard (Intersection #39)

As presented above, Mitigation Measure 4.12-8(f) includes optimization of the timing splits at the intersection. As shown in Table 4.12-20, implementation of Mitigation Measure 4.12-8(f) would improve the operations at the Clayton Road and Treat Boulevard intersection in the PM peak hour. ~~Although the intersection would not meet the requirement of LOS E or better for a signalized intersection in the City of Concord, the intersection v/c ratio would be equal to or better than the Long-Term (2035) Plus Project v/c ratio.~~ However, even with implementation of Mitigation Measure 4.12-8(f), the v/c during the PM peak hour would increase by 0.03 or more under the Long-Term (2035) Plus Project Condition; therefore, the intersection would remain impacted in the PM peak hour. Furthermore, given that the intersection is located in the City of Concord, the City of Pittsburg cannot guarantee the completion of the improvements. Therefore, the impact to the Clayton Road and Treat Boulevard intersection would temporarily remain *significant and unavoidable*.

- Implement Mitigation Measure 4.12-8(f).

Clayton Road and Bailey Road (Intersection #40)

As presented above, Mitigation Measure 4.12-8(a) includes restriping of the southbound approach at the Clayton Road/Bailey Road intersection to include a southbound left-turn lane, a shared southbound through/right-turn lane, and a southbound right-turn lane. As shown in Table 4.12-20, implementation of Mitigation Measure 4.12-8(a) would improve the operations at the Clayton Road/Bailey Road intersection; however, the intersection would continue to operate at LOS E in the AM peak hour, which would not meet the LOS requirement of LOS D or better for a signalized intersection in the City of Concord, although the intersection would decrease in v/c with the mitigation and operate better than without the proposed project. Nonetheless, because the intersection is located outside of the City of Pittsburg's jurisdiction, completion of the proposed improvements cannot be guaranteed. Therefore, the project impact to the Clayton Road/Bailey Road intersection would remain *significant and unavoidable.*

- Implement Mitigation Measure 4.12-8(a).

The above changes are for clarification purposes only and do not change the technical analysis prepared for the project. Accordingly, the revisions do not alter the conclusions of the Partially Recirculated Draft EIR.

7 REFERENCES ~~References~~

Based on a comment received on the Draft EIR, the following reference contained in Chapter 7, References, of the Draft EIR, is hereby revised as follows:

Contra Costa Local Agency Formation Commission. *2nd Round EMS/Fire Services Municipal Service Review/Sphere of Influence Updates*. August 10, 2016.

Contra Costa Local Agency Formation Commission. *Agricultural & Open Space Preservation Policy.* Amended December 12, 2016.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Sections, 56000, *et seq*.

The above change is for clarification purposes only and would not change the technical analysis prepared for the project. Accordingly, this revision does not alter the conclusions of the Draft EIR.

APPENDIX M: SANITARY SEWER SYSTEM TECHNICAL MEMORANDUM ~~Appendix M: Sanitary Sewer System Technical Memorandum~~

In response to comments received on the Draft EIR, Isakson & Associates, Inc. has provided an updated cover letter for the Faria Property Sanitary Sewer System technical memorandum (see Appendix A to this Revised and Updated Final EIR). The updated cover letter is hereby incorporated into Appendix M to the Draft EIR.

The updated cover letter does not affect the ultimate conclusions presented in the Faria Property Sanitary Sewer System technical memorandum and does not alter the analysis or conclusions presented in the Draft EIR.

The foregoing revisions are for clarification purposes and do not affect the conclusions presented in the original Final EIR.