

APPENDIX A

Notice of Preparation and NOP Comments

Notice of Preparation



Community and Economic Development Department – Planning Division

NOTICE OF PREPARATION

To: State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812

From: City of Pittsburg, Planning Division
65 Civic Avenue
Pittsburg, CA 94565

To: Interested Parties;
Responsible & Trustee
Agencies

Subject: Notice of Preparation of an Environmental Impact Report for the
Pittsburg Technology Park Specific Plan

The City of Pittsburg (City) will serve as the Lead Agency, consistent with Section 15020 and 15021 of the California Environmental Quality Act (CEQA), in preparing an Environmental Impact Report (EIR) for the Pittsburg Technology Park Specific Plan project (proposed project). The purpose of this Notice of Preparation (NOP) is to provide responsible and trustee agencies with sufficient information describing the proposed project and to request input on the scope and content of the environmental issues and alternatives to be evaluated in the EIR. The City is also soliciting comments on the scope of the EIR from any interested persons.

Project Title: Pittsburg Technology Park Specific Plan

Project Applicant: Pittsburg Data Hub, LLC
107 Elm St – Suite 501; Stamford, CT 06902

Date: February 28, 2024

Signature: *Alison Hodgkin*

Title: Associate Planner

Telephone: (925) 252-6987

Email: ahodgkin@pittsburgca.gov

Reference: California Code of Regulations, Title 14 (California Environmental Quality Act Guidelines) Sections 15082(a), 15103, 15375

PUBLIC SCOPING MEETING AND COMMENT SUBMITTAL

Pursuant to the public participation goals of CEQA, as set forth in particular in Public Resources Code Section 21083.9, subdivision (a), the City, in its role as Lead Agency, shall hold a public scoping meeting to provide an opportunity for the public and representatives of public agencies to address the scope of the EIR.

Two scoping meetings, open to the public, agencies, and stakeholders, will be held to receive public comments and suggestions on the proposed project. At these meetings, staff will give a brief presentation of the EIR process and will take public comment on the proposed EIR. The scoping meetings will be open to the public and held at the following locations:

An online (Zoom) scoping meeting will be held:

Date: Thursday, March 14, 2024
Time: 11:00 A.M.
Zoom Link: <https://us02web.zoom.us/j/87523808494?pwd=TmQwZ0JRQzFYt2ZkUHE1M3NuT3ZWZz09>
Meeting ID: 875 2380 8494
Passcode: 744913

An in-person scoping meeting will be held:

Date: Thursday, March 14, 2024
Time: 6:00 P.M.
Location: Pittsburg City Hall, 3rd Floor Council Chambers
65 Civic Avenue, Pittsburg, California 94565

The purpose of the EIR is to provide information about potential significant environmental impacts of the Pittsburg Technology Park Specific Plan project, to identify possible ways to minimize those significant impacts, and to describe and analyze possible alternatives to the proposed project if potential significant impacts are identified. Preparation of an NOP or EIR does not indicate a decision by the City to approve or disapprove the project. However, prior to making any such decision, the City Council must review and consider the information contained in the EIR.

Written comments on the scope of the EIR during the 30-day review period are encouraged. **Please submit comments by 5:00 PM on Friday, March 29, 2024.** Written comments should be sent to Alison Hodgkin, Associate Planner, at 65 Civic Avenue, Pittsburg, California 94565, or via email at ahodgkin@pittsburgca.gov, or via fax at (925) 252-4814. The NOP is also available on-line at [Public Environmental Reviews | City of Pittsburg \(pittsburgca.gov\)](https://pittsburgca.gov/public-environmental-reviews).

Questions concerning the environmental review of the proposed project should be directed to Alison Hodgkin at ahodgkin@pittsburgca.gov. To be considered during preparation of the EIR, comments must be received in writing by the deadline identified above.

PROJECT LOCATION AND SETTING

The Specific Plan project area (Plan Area) is located in the City of Pittsburg, approximately 45 miles southwest of Sacramento and 33 miles northeast of the San Francisco Bay Area, in Contra Costa County. The Plan Area generally encompasses the eastern half of the former municipal Delta View Golf Course, south of West Leland Road, located at 2232 Golf Club Road (Attachment 1). The Plan Area consists of three individual parcels totaling approximately 76.38 acres.

The Contra Costa Canal runs east-west through the Plan Area, separating the site into two major project areas. The parcel north of the canal is approximately 22.05 acres and the two parcels south of the canal total approximately 54.33 acres. The Plan Area is predominantly undeveloped and includes remnant features of the defunct golf course including sand pits, paved roads, and parking areas. Vegetation onsite primarily consists of annual grasses and large trees with some wetlands occurring in larger drainage swales.

The Plan Area has a *2020 General Plan* land use designation of “Park,” consistent with the former golf course use. The Notice of Preparation for the *2040 General Plan Update*, circulated in April 2022, anticipates the Plan Area to be redesignated from “Park” to “Employment Center Industrial (ECI),” consistent with City Council direction provided in 2018. To achieve internal consistency between the proposed *2040 General Plan Update* and the City’s zoning ordinance, as required by Government Code 65860, the City also anticipates proposing a series of associated zoning map and text amendments. One of the proposed zoning map amendments would include a rezone of the Plan Area from “Open Space (OS)” District to “Limited Industrial with an Overlay (IL-O)” District to allow for employment-generating and light manufacturing uses with specific development regulations. Both of these actions are anticipated to occur prior to release of the EIR for the proposed project.

PROJECT DESCRIPTION

The proposed Pittsburg Technology Park Specific Plan (Specific Plan) would serve as the overarching planning document for the Plan Area, providing policy guidance, implementation measures, development standards and design guidelines for future development of the Plan Area as a technology-focused business park. The proposed Specific Plan would also include sections addressing circulation and mobility, and utilities and infrastructure for the Plan Area.

Specific Plan Uses

As described in the *2040 General Plan*, allowable uses for properties with the “ECI” land use designation include those that accommodate technology, advanced manufacturing, logistics, and other sectors that generate substantial employment opportunities. For instance, administrative, financial, business, professional, medical and public offices, business incubators, research and development, custom and light manufacturing, limited assembly, warehousing and distribution, data centers, technology and innovation, energy, services, light and heavy automobile services, and supporting commercial uses.

Allowable uses within the Plan Area would be subject to development standards and design guidelines, and land use entitlement procedures and actions outlined in the Specific Plan.

Project Phases

The proposed Specific Plan is based on a concept for development of the Plan Area in three phases. Phase I would include the development of a data center and corresponding substation on the 22.05-acre portion of the Plan Area north of the Contra Costa Canal. Phase I development

would allow up to 347,740 square feet of estimated development. The Phase I data center CEQA compliance documentation would be completed by the California Energy Commission, as it has regulatory authority over data centers with over 49 megawatts (MW) or greater capacity.

Future Phases II and III, on the 54.33-acre portion of the Plan Area south of the canal, would be designed to accommodate up to 761,118 square feet of development. Phases II and III would allow for the development of a wide range of employment opportunities generated from allowable ECI uses based on market conditions.

The Conceptual Site Plan for the Plan Area illustrates the potential building envelopes for each phase of development, planned infrastructure, and circulation throughout the Plan Area (Attachment 2).

REQUIRED APPROVALS

The proposed Specific Plan would be accompanied by a Tentative Map to subdivide the parcels into lots for future development phases.

Note: The proposed Specific Plan will establish the standards and guidelines for development within the Plan Area and therefore does not provide project-level analysis. Future project proposals within the Plan Area will be evaluated for consistency with the objectives and provisions of the Specific Plan through individual permit applications, as determined by the Zoning Administrator.

POTENTIAL ENVIRONMENTAL IMPACTS

Pursuant to CEQA Guidelines Section 15063, the City is preparing an EIR to determine if the proposed Specific Plan may have a significant impact on the environment. The purpose of the EIR is to provide the public with information on potential environmental effects that could result from implementation of the proposed Specific Plan. The City anticipates that the EIR will address the following topic areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Based on a preliminary analysis, the City has determined that impacts to the following topics would be less than significant.

- Agricultural and Forestry Resources
- Mineral Resources

Full documentation of the factual basis for this determination will be provided in the EIR. Unless specific comments are received during the NOP public comment period that indicate a potential for the proposed Specific Plan to result in significant impacts, these topics will not be analyzed further in the EIR.

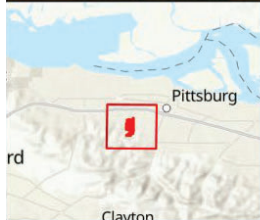
STATUTORILY REQUIRED SECTIONS

The Statutorily Required Sections chapter of the EIR will summarize potentially significant, unavoidable, significant irreversible, growth-inducing, and cumulative impacts. CEQA Guidelines, Section 15130 requires that an EIR discuss the cumulative and long-term effects of the proposed project that would adversely affect the environment. “Cumulative impacts” are defined as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts” (CEQA Guidelines, Section 15355). “Individual effects may be changes resulting from a single project or a number of separate projects” (CEQA Guidelines, Section 15355, subd. [a]). “The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time” (CEQA Guidelines, Section 15355, subd. [b]).

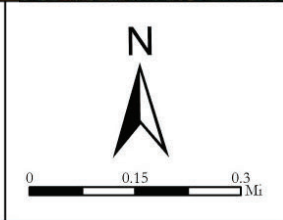
ALTERNATIVES TO THE PROPOSED PROJECT

In accordance with CEQA Guidelines Section 15126(a), the EIR will include an Alternatives Analysis. The Alternatives chapter will evaluate, at a minimum, three alternatives, including the no-project-alternative option. Alternatives will be selected when more information related to the proposed project’s impacts is available so the alternatives can be designed to reduce significant project impacts. Additional alternatives might be developed during preparation of the EIR to respond to identified significant impacts. The Alternatives chapter will describe the alternatives and identify the environmentally superior alternative. The alternatives will be analyzed at a level of detail less than that of the proposed project; however, the analysis will include sufficient detail to allow a meaningful comparison of the impacts. The Alternatives chapter will also include a section of alternatives considered but dismissed. A matrix comparing the impacts of the proposed project to the three alternatives will also be included.

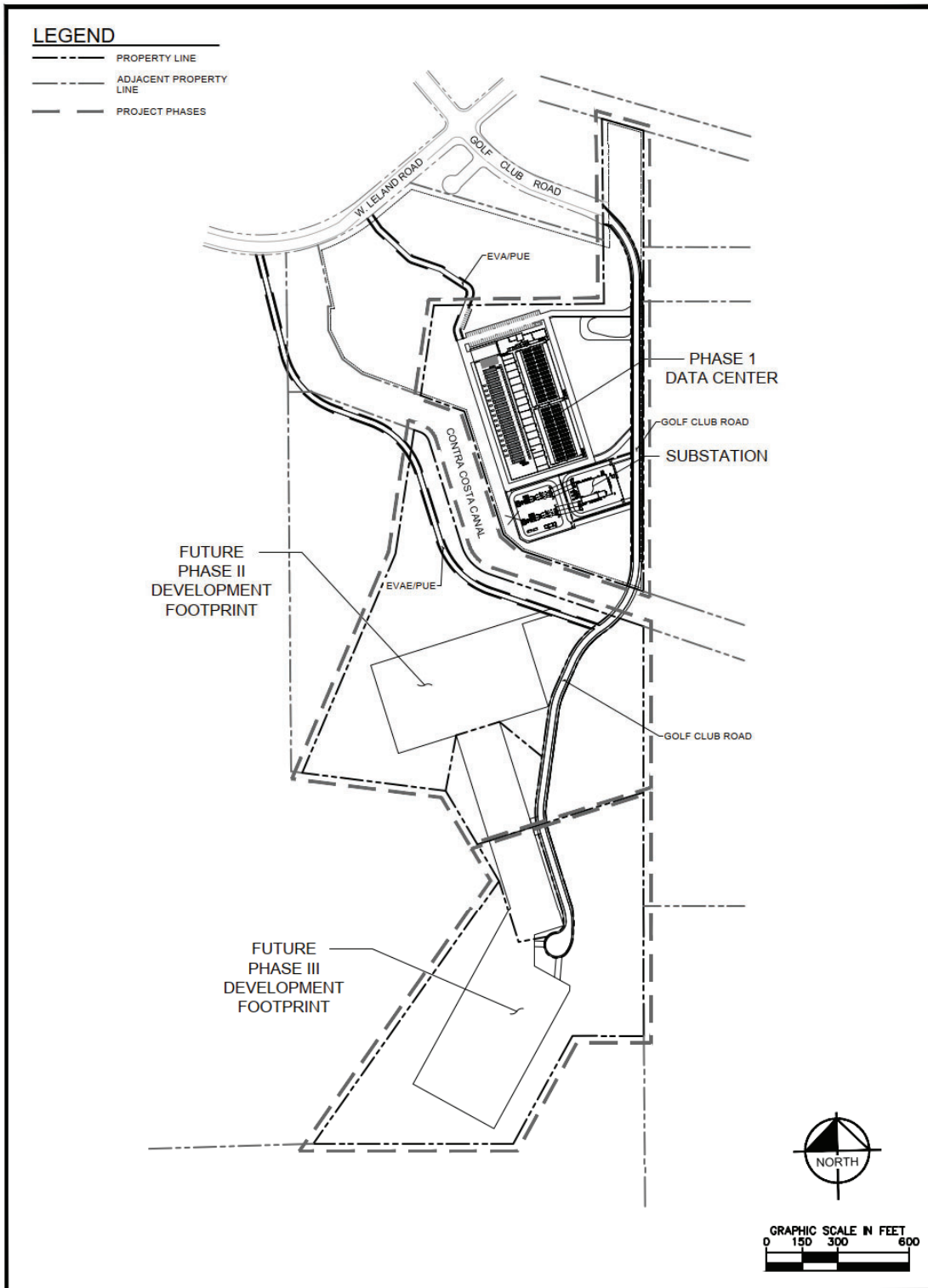
Attachment 1 – Plan Area



 Plan Area



Attachment 2 – Conceptual Site Plan



NOP Scoping Meeting

Pittsburg Technology Park Specific Plan NOP - Scoping Meeting

March 14, 2024 at 11 AM via Zoom

Attendees (from City Zoom list):

- Alison Hodgkin, Pittsburg Technology Park Specific Plan
- John Funderburg, Pittsburg Technology Park Specific Plan
- Stephanie Whitmore, Pittsburg Technology Park Specific Plan
- John DeLacio, Pittsburg Technology Park Specific Plan
- Alana Flaherty, Pittsburg Technology Park Specific Plan
- Eric Zell, Pittsburg Technology Park Specific Plan
- Bill Whitney, Contra Costa Building and Construction Trades Council
- Timothy Jeffries, International Brotherhood of Boil Makers
- William Chisolm, IUEC Local 8 - in support of project
- Brian Parra, Northern California District Council of Laborers
- Edgar Flores, Local 16 Union Painters
- Randy Thomas, Boil Makers Local 549
- Mark Plubell, Insulators Local 16
- Bob Llewellyn, District Council 16 Union Professional Finishers
- Anthony Viscuso, Insulators Local 16
- Nick Goodwin, Plumbers, Local 159
- R Longman
- Negar Vahidi
- Joe Hubbard
- Pedro Blanco
- Tatiana Inouye
- Fcampos

1. Project Review

Alison delivered a PowerPoint presentation and provided an overview of the project.

2. Scoping Comments

Alison noted that the goal of the meeting was to receive comments on the scoping process for the EIR, not on the merits of the project.

Commenters:

- **Bill Whitney**, Contra Costa Building and Construction Trades Council: In support of project and Project Labor Agreement with Developer.
- **Timothy Jeffries**, International Brotherhood of Boil Makers: In support of project and bringing jobs to the area.
- **William Chisolm**, IUEC Local 8: In support of project.
- **Brian Parra**, Northern California District Council of Laborers: In support of project
- **Edgar Flores**, Local 16 Union Painters: In favor of the project.

- Randy Thomas – Boil Makers Local 549 – project will allow living wage jobs within the city.
- Mark Plubell – Insulators Local 16 – in favor of the project.
- Bob Llewellyn – District Council 16 Union Professional Finishers – project would provide opportunity for people to work close to home.
- Anthony Viscuso – Insulators Local 16 – in favor of the project, EIR should highlight the positive impact on transportation with reduced VMT this project would bring.
- Nick Goodwin – Plumbers, Local 159 – in favor of the project.

Pittsburg Technology Park Specific Plan NOP - Scoping Meeting

March 14, 2024 – 6pm

City of Pittsburg City Hall, 3rd Floor Conference Room

Attendees:

- Alison Hodgkin, Pittsburg Technology Park Specific Plan
- John Funderburg, Pittsburg Technology Park Specific Plan
- Jordan Davis, Pittsburg Technology Park Specific Plan
- John DeLacio, Pittsburg Technology Park Specific Plan
- Eric Zell, Pittsburg Technology Park Specific Plan
- Ken Miller, Iron Workers Union Local 378
- Edgar Flores, Local 16 Union Painters
- Anthony Viscuso, Insulators Local 16
- Mark Plubell, Insulators Local 16

1. Project Review

Alison delivered a PowerPoint presentation and provided an overview of the project.

2. Scoping Comments

Alison noted that the goal of the meeting was to receive comments on the scoping process for the EIR, not on the merits of the project.

Commenters:

- **Ken Miller**, Iron Workers Union Local 378: In favor of the project
- **Edgar Flores**, Local 16 Union Painters: In favor of the project
- **Anthony Viscuso**, Insulators Local 16: In favor of the project
- **Mark Plubell**, Insulators Local 16: In favor of the project

NOP Comments



March 18, 2024

Alison Hodgkin, Associated Planner
City of Pittsburg, Department of Community and Economic Development
65 Civic Avenue
Pittsburg, CA 94565

RE: Pittsburg Technology Park Specific Plan, SCH #2024030184
Dear Ms. Hodgkin:

Thank you for the opportunity to provide comments on the Notice of Preparation for the Pittsburg Technology Park Specific Plan project. While the logistics industry is an important component of our modern economy, warehouses can bring various environmental impacts to the communities where they are located. For example, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.¹ Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.² The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate can contribute to traffic jams, deterioration of road surfaces, traffic accidents, and unsafe conditions for pedestrians and bicyclists. Depending on the circumstances of an individual project, warehouses may also have other environmental impacts.

To help lead agencies avoid, analyze, and mitigate warehouses' environmental impacts, the Attorney General Office's Bureau of Environmental Justice has published a document containing best practices and mitigation measures for warehouse projects. We have attached a copy of this document to this letter, and it is also available online.³ We encourage you to

¹ California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (NO_x); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts>; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf> (DPM).

² Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

³ <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>.

March 18, 2024

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consider the information in this document as you prepare the draft environmental impact report for this project.

Priority should be placed on avoiding land use conflicts between warehouses and sensitive receptors and on mitigating the impacts of any unavoidable land use conflicts. However, even projects located far from sensitive receptors may contribute to harmful regional air pollution, so you should consider measures to reduce emissions associated with the project to help the State meet its air quality goals. A distant warehouse may also impact sensitive receptors if trucks must pass near sensitive receptors to visit the warehouse.

The Bureau will continue to monitor proposed warehouse projects for compliance with the California Environmental Quality Act and other laws. We are available to discuss as you prepare the draft environmental impact report and consider how to guide warehouse development in your jurisdiction. Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

Sincerely,



CHRISTIE VOSBURG
Supervising Deputy Attorney General

For ROB BONTA
Attorney General



Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act

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In carrying out its duty to enforce laws across California, the California Attorney General’s Bureau of Environmental Justice (Bureau)¹ regularly reviews proposed warehouse projects for compliance with the California Environmental Quality Act (CEQA) and other laws. When necessary, the Bureau submits comment letters to lead agencies regarding warehouse projects, and in rare cases the Bureau has filed litigation to enforce CEQA.² This document builds upon the Bureau’s work on warehouse projects, collecting information gained from the Bureau’s review of hundreds of warehouse projects across the state.³ It is meant to help lead agencies pursue CEQA compliance and promote environmentally-just development as they confront warehouse project proposals.⁴ While CEQA analysis is necessarily project-specific, this document provides information on feasible best practices and mitigation measures, nearly all of which have been adapted from actual warehouse projects in California.

I. Background

In recent years, the proliferation of e-commerce and rising consumer expectations of rapid shipping have contributed to a boom in warehouse development.⁵ California, with its ports, population centers, and transportation network, has found itself at the center of this trend. In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade.⁶ The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day.⁷ Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately 700 million square feet, an increase of 20 percent over the last five years.⁸ This trend has only accelerated, with e-commerce growing to

¹ <https://oag.ca.gov/environment/justice>.

² <https://oag.ca.gov/environment/ceqa>; *People of the State of California v. City of Fontana* (Super. Ct. San Bernardino County, No. CIVSB2121829); *South Central Neighbors United et al. v. City of Fresno et al.* (Super. Ct. Fresno County, No. 18CECG00690).

³ This September 2022 version revises and replaces the prior March 2021 version of this document.

⁴ Anyone reviewing this document to determine CEQA compliance responsibilities should consult their own attorney for legal advice.

⁵ As used in this document, “warehouse” or “logistics facility” is defined as a facility consisting of one or more buildings that stores cargo, goods, or products on a short- or long-term basis for later distribution to businesses and/or retail customers.

⁶ Data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units) (2020), <https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/> (Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide) (last accessed September 18, 2022).

⁷ U.S. Dept. of Transportation, Federal Highway Administration, *FHWA Operations Support – Port Peak Pricing Program Evaluation* (2020), available at <https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm> (last accessed September 18, 2022).

⁸ South Coast Air Qual. Mgmt. Dist., *Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305*, at 7-8, 41 (May 2021).

13% of all retail sales and 2021 being a second consecutive record year for new warehouse space leased.⁹ The latest data and forecasts predict that the next wave of warehouse development will be in the Central Valley.¹⁰

When done properly, these activities can contribute to the economy and consumer welfare. However, imprudent warehouse development can harm local communities and the environment. Among other pollutants, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.¹¹ Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.¹² The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate contribute to traffic jams, deterioration of road surfaces, and traffic accidents.

These environmental impacts also tend to be concentrated in neighborhoods already suffering from disproportionate health impacts and systemic vulnerability. For example, a comprehensive study by the South Coast Air Quality Management District found that communities located near large warehouses scored far higher on California’s environmental justice screening tool, which measures overall pollution and demographic vulnerability.¹³ That

⁹ U.S. Census Bureau News, Quarterly Retail E-Commerce Sales 4th Quarter 2021 (February 22, 2022), https://www.census.gov/retail/mrts/www/data/pdf/ec_current.pdf (last accessed September 18, 2022); CBRE Research, *2022 North America Industrial Big Box Report: Review and Outlook*, at 2-3 (March 2022), available at <https://www.cbre.com/insights/reports/2022-north-america-industrial-big-box#download-report> (last accessed September 18, 2022).

¹⁰ CBRE Research, *supra* note 9, at 4, 36; New York Times, *Warehouses Are Headed to the Central Valley, Too* (Jul. 22, 2020), available at <https://www.nytimes.com/2020/07/22/us/coronavirus-ca-warehouse-workers.html>.

¹¹ California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (last accessed September 18, 2022) (NO_x); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts> (last accessed September 18, 2022); Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf> (last accessed September 18, 2022) (DPM).

¹² Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (last accessed September 18, 2022) (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

¹³ South Coast Air Quality Management District, “Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305” (May 2021), at 4-5.

study concluded that, compared to the South Coast Air Basin averages, communities in the South Coast Air Basin near large warehouses had a substantially higher proportion of people of color; were exposed to more diesel particulate matter; had higher rates of asthma, cardiovascular disease, and low birth weights; and had higher poverty and unemployment rates.¹⁴ Each area has its own unique history, but many of these impacts and vulnerabilities reflect historic redlining practices in these communities, which devalued land and concentrated poverty, racial outgroups, and pollution into designated areas.¹⁵

II. Proactive Planning: General Plans, Local Ordinances, and Good Neighbor Policies

To systematically guide warehouse development, we encourage local governing bodies to proactively plan for logistics projects in their jurisdictions. Proactive planning allows jurisdictions to prevent land use conflicts before they materialize and direct sustainable development. Benefits also include providing a predictable business environment, protecting residents from environmental harm, and setting consistent expectations jurisdiction-wide.

Proactive planning can take many forms. Land use designation and zoning decisions should channel development into appropriate areas. For example, establishing industrial districts near major highway and rail corridors but away from sensitive receptors¹⁶ can help attract investment while avoiding conflicts between warehouse facilities and residential communities. Transition zones with lighter industrial and commercial land uses may also help minimize conflicts between residential and industrial uses.

In addition, general plan policies, local ordinances, and good neighbor policies should set minimum standards for logistics projects. General plan policies can be incorporated into existing economic development, land use, circulation, or other related general plan elements. Many jurisdictions alternatively choose to consolidate policies in a separate environmental justice element. Adopting general plan policies to guide warehouse development may also help

¹⁴ *Id.* at 5-7.

¹⁵ Beginning in the 1930s, federal housing policy directed investment away from Black, immigrant, and working-class communities by color-coding neighborhoods according to the purported “riskiness” of loaning to their residents. In California cities where such “redlining” maps were drawn, nearly all of the communities where warehouses are now concentrated were formerly coded “red,” signifying the least desirable areas where investment was to be avoided. See University of Richmond Digital Scholarship Lab, Mapping Inequality, <https://dsl.richmond.edu/panorama/redlining/#loc=12/33.748/-118.272&city=los-angeles-ca> (Los Angeles), <https://dsl.richmond.edu/panorama/redlining/#loc=13/32.685/-117.132&city=san-diego-ca> (San Diego), <https://dsl.richmond.edu/panorama/redlining/#loc=11/37.81/-122.38&city=oakland-ca> (Oakland), <https://dsl.richmond.edu/panorama/redlining/#loc=13/37.956/-121.326&city=stockton-ca> (Stockton), <https://dsl.richmond.edu/panorama/redlining/#loc=12/36.751/-119.86&city=fresno-ca> (Fresno) (all last accessed September 18, 2022).

¹⁶ In this document, “sensitive receptors” refers to residences, schools, public recreation facilities, health care facilities, places of worship, daycare facilities, community centers, or incarceration facilities.

jurisdictions comply with their obligations under SB 1000, which requires local government general plans to identify objectives and policies to reduce health risks in disadvantaged communities, promote civil engagement in the public decision making process, and prioritize improvements and programs that address the needs of disadvantaged communities.¹⁷

Local ordinances and good neighbor policies that set development standards for all warehouses in the jurisdiction are a critical and increasingly common tool that serve several goals. When well-designed, these ordinances direct investment to local improvements, provide predictability for developers, conserve government resources by streamlining project review processes, and reduce the environmental impacts of industrial development. While many jurisdictions have adopted warehouse-specific development standards, an ordinance in the City of Fontana provides an example to review and build upon.¹⁸ Good neighbor policies in Riverside County and by the Western Riverside Council of Government include additional measures worth consideration.¹⁹

The Bureau encourages jurisdictions to adopt their own local ordinances that combine the strongest policies from those models with measures discussed in the remainder of this document.

III. Community Engagement

Early and consistent community engagement is central to establishing good relationships between communities, lead agencies, and warehouse developers and tenants. Robust community engagement can give lead agencies access to community residents' on-the-ground knowledge and information about their concerns, build community support for projects, and develop creative solutions to ensure new logistics facilities are mutually beneficial. Examples of best practices for community engagement include:

- Holding a series of community meetings at times and locations convenient to members of the affected community and incorporating suggestions into the project design.
- Posting information in hard copy in public gathering spaces and on a website about the project. The information should include a complete, accurate project description, maps and drawings of the project design, and information about how the public can provide input and be involved in the project approval process. The

¹⁷ For more information about SB 1000, see <https://oag.ca.gov/environment/sb1000>.

¹⁸ <https://oag.ca.gov/system/files/attachments/press-docs/Final%20Signed%20Fontana%20Ordinance.pdf> (last accessed September 18, 2022).

¹⁹ For example, the Riverside County policy requires community benefits agreements and supplemental funding contributions toward additional pollution offsets, and the Western Riverside Council of Governments policy sets a minimum buffer zone of 300 meters between warehouses and sensitive receptors. <https://www.rivcocob.org/wp-content/uploads/2020/01/Good-Neighbor-Policy-F-3-Final-Adopted.pdf> (last accessed September 18, 2022) (Riverside County); <http://www.wrcog.cog.ca.us/DocumentCenter/View/318/Good-Neighbor-Guidelines-for-Siting-Warehouse-Distribution-Facilities-PDF?bidId=> (last accessed September 18, 2022) (Western Riverside Council of Governments).

information should be in a format that is easy to navigate and understand for members of the affected community.

- Providing notice by mail to residents and schools within a certain radius of the project and along transportation corridors to be used by vehicles visiting the project, and by posting a prominent sign on the project site. The notice should include a brief project description and directions for accessing complete information about the project and for providing input on the project.
- Providing translation or interpretation in residents' native language, where appropriate.
- For public meetings broadcast online or otherwise held remotely, providing for access and public comment by telephone and supplying instructions for access and public comment with ample lead time prior to the meeting.
- Partnering with local community-based organizations to solicit feedback, leverage local networks, co-host meetings, and build support.
- Considering adoption of a community benefits agreement, negotiated with input from affected residents and businesses, by which the developer provides benefits to the affected community.
- Creating a community advisory board made up of local residents to review and provide feedback on project proposals in early planning stages.
- Identifying a person to act as a community liaison concerning on-site construction activity and operations, and providing contact information for the community liaison to the surrounding community.
- Requiring signage in public view at warehouse facilities with contact information for a local designated representative for the facility operator who can receive community complaints, and requiring any complaints to be answered by the facility operator within 48 hours of receipt.

IV. Warehouse Siting and Design Considerations

The most important consideration when planning a logistics facility is its location. Warehouses located in residential neighborhoods or near sensitive receptors expose community residents and those using or visiting sensitive receptor sites to the air pollution, noise, traffic, and other environmental impacts they generate. Therefore, placing facilities away from sensitive receptors significantly reduces their environmental and quality of life harms on local communities. The suggested best practices for siting and design of warehouse facilities does not relieve lead agencies' responsibility under CEQA to conduct a project-specific analysis of the project's impacts and evaluation of feasible mitigation measures and alternatives; lead agencies' incorporation of the best practices must be part of the impact, mitigation and alternatives analyses to meet the requirements of CEQA. Examples of best practices when siting and designing warehouse facilities include:

- Per California Air Resources Board (CARB) guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.²⁰
- Providing adequate amounts of on-site parking to prevent trucks and other vehicles from parking or idling on public streets and to reduce demand for off-site truck yards.
- Establishing setbacks from the property line of the nearest sensitive receptor to warehouse dock doors, loading areas, and truck drive aisles, and locating warehouse dock doors, loading areas, and truck drive aisles on the opposite side of the building from the nearest sensitive receptors—e.g., placing dock doors on the north side of the facility if sensitive receptors are near the south side of the facility.
- Placing facility entry and exit points from the public street away from sensitive receptors—e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.
- Ensuring heavy duty trucks abide by the on-site circulation plans by constructing physical barriers to block those trucks from using areas of the project site restricted to light duty vehicles or emergency vehicles only.
- Preventing truck queuing spillover onto surrounding streets by positioning entry gates after a minimum of 140 feet of space for queuing, and increasing the distance by 70 feet for every 20 loading docks beyond 50 docks.
- Locating facility entry and exit points on streets of higher commercial classification that are designed to accommodate heavy duty truck usage.
- Screening the warehouse site perimeter and onsite areas with significant truck traffic (e.g., dock doors and drive aisles) by creating physical, structural, and/or vegetative buffers that prevent or substantially reduce pollutant and noise dispersion from the facility to sensitive receptors.
- Planting exclusively 36-inch box evergreen trees to ensure faster maturity and four-season foliage.
- Requiring all property owners and successors in interest to maintain onsite trees and vegetation for the duration of ownership, including replacing any dead or unhealthy trees and vegetation.
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
- Including signs and drive aisle pavement markings that clearly identify onsite circulation patterns to minimize unnecessary onsite vehicle travel.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

²⁰ CARB, Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted in some scenarios. CARB, Concept Paper for the Freight Handbook (December 2019), available at https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf (last accessed September 18, 2022).

V. Air Quality and Greenhouse Gas Emissions Analysis and Mitigation

Emissions of air pollutants and greenhouse gases are often among the most substantial environmental impacts from new warehouse facilities. CEQA compliance demands a proper accounting of the full air quality and greenhouse gas impacts of logistics facilities and adoption of all feasible mitigation of significant impacts. Although efforts by CARB and other authorities to regulate the heavy-duty truck and off-road diesel fleets have made excellent progress in reducing the air quality impacts of logistics facilities, the opportunity remains for local jurisdictions to further mitigate these impacts at the project level. Lead agencies and developers should also consider designing projects with their long-term viability in mind. Constructing the necessary infrastructure to prepare for the zero-emission future of goods movement not only reduces a facility's emissions and local impact now, but it can also save money as demand for zero-emission infrastructure grows. In planning new logistics facilities, the Bureau strongly encourages developers to consider the local, statewide, and global impacts of their projects' emissions.

Examples of best practices when studying air quality and greenhouse gas impacts include:

- Fully analyzing all reasonably foreseeable project impacts, including cumulative impacts. In general, new warehouse developments are not ministerial under CEQA because they involve public officials' personal judgment as to the wisdom or manner of carrying out the project, even when warehouses are permitted by a site's applicable zoning and/or general plan land use designation.²¹
- When analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, even if the project's individual impacts alone do not exceed the applicable significance thresholds.
- Preparing a quantitative air quality study in accordance with local air district guidelines.
- Preparing a quantitative health risk assessment in accordance with California Office of Environmental Health Hazard Assessment and local air district guidelines.
- Refraining from labeling compliance with CARB or air district regulations as a mitigation measure—compliance with applicable regulations is required regardless of CEQA.
- Disclosing air pollution from the entire expected length of truck trips. CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur.

²¹ CEQA Guidelines § 15369.

- Accounting for all reasonably foreseeable greenhouse gas emissions from the project, without discounting projected emissions based on participation in California’s Cap-and-Trade Program.

Examples of measures to mitigate air quality and greenhouse gas impacts from construction are below. To ensure mitigation measures are enforceable and effective, they should be imposed as permit conditions on the project where applicable.

- Requiring off-road construction equipment to be hybrid electric-diesel or zero-emission, where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Using electric-powered hand tools, forklifts, and pressure washers, and providing electrical hook ups to the power grid rather than use of diesel-fueled generators to supply their power.
- Designating an area in the construction site where electric-powered construction vehicles and equipment can charge.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

Examples of measures to mitigate air quality and greenhouse gas impacts from operation include:

- Requiring all heavy-duty vehicles engaged in drayage²² to or from the project site to be zero-emission beginning in 2030.

²² “Drayage” refers generally to transport of cargo to or from a seaport or intermodal railyard.

- Requiring all on-site motorized operational equipment, such as forklifts and yard trucks, to be zero-emission with the necessary charging or fueling stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use.
- Posting both interior- and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the local air district, and the building manager.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building's projected energy needs, including all electrical chargers.
- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Running conduit to designated locations for future electric truck charging stations.
- Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.
- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability.
- Constructing and maintaining electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance)
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of

- trucks.
- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
 - Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
 - Designing to LEED green building certification standards.
 - Providing meal options onsite or shuttles between the facility and nearby meal destinations.
 - Posting signs at every truck exit driveway providing directional information to the truck route.
 - Improving and maintaining vegetation and tree canopy for residents in and around the project area.
 - Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
 - Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers.
 - Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

VI. Noise Impacts Analysis and Mitigation

The noise associated with logistics facilities can be among their most intrusive impacts to nearby sensitive receptors. Various sources, such as unloading activity, diesel truck movement, and rooftop air conditioning units, can contribute substantial noise pollution. These impacts are exacerbated by logistics facilities' typical 24-hour, seven-days-per-week operation. Construction noise is often even greater than operational noise, so if a project site is near sensitive receptors, developers and lead agencies should adopt measures to reduce the noise generated by both construction and operation activities.

Examples of best practices when studying noise impacts include:

- Preparing a noise impact analysis that considers all reasonably foreseeable project noise impacts, including to nearby sensitive receptors. All reasonably foreseeable project noise impacts encompasses noise from both construction and operations, including stationary, on-site, and off-site noise sources.
- Adopting a lower significance threshold for incremental noise increases when baseline noise already exceeds total noise significance thresholds, to account for the cumulative impact of additional noise and the fact that, as noise moves up the decibel scale, each decibel increase is a progressively greater increase in sound

pressure than the last. For example, 70 dBA is ten times more sound pressure than 60 dBA.

- Disclosing and considering the significance of short-term noise levels associated with all aspects of project operation (i.e. both on-site noise generation and off-site truck noise). Considering only average noise levels may mask noise impacts sensitive receptors would consider significant—for example, the repeated but short-lived passing of individual trucks or loading activities at night.

Examples of measures to mitigate noise impacts include:

- Constructing physical, structural, or vegetative noise barriers on and/or off the project site.
- Planning and enforcing truck routes that avoid passing sensitive receptors.
- Locating or parking all stationary construction equipment as far from sensitive receptors as possible, and directing emitted noise away from sensitive receptors.
- Verifying that construction equipment has properly operating and maintained mufflers.
- Requiring all combustion-powered construction equipment to be surrounded by a noise protection barrier
- Limiting operation hours to daytime hours on weekdays.
- Paving roads where truck traffic is anticipated with low noise asphalt.
- Orienting any public address systems onsite away from sensitive receptors and setting system volume at a level not readily audible past the property line.

VII. Traffic Impacts Analysis and Mitigation

Warehouse facilities inevitably bring truck and passenger car traffic. Truck traffic can present substantial safety issues. Collisions with heavy-duty trucks are especially dangerous for passenger cars, motorcycles, bicycles, and pedestrians. These concerns can be even greater if truck traffic passes through residential areas, school zones, or other places where pedestrians are common and extra caution is warranted.

Examples of measures to mitigate traffic impacts include:

- Designing, clearly marking, and enforcing truck routes that keep trucks out of residential neighborhoods and away from other sensitive receptors.
- Installing signs in residential areas noting that truck and employee parking is prohibited.
- Requiring preparation and approval of a truck routing plan describing the facility's hours of operation, types of items to be stored, and truck routing to and from the facility to designated truck routes that avoids passing sensitive receptors. The plan should include measures for preventing truck queuing, circling, stopping, and parking on public streets, such as signage, pavement markings, and queuing analysis and enforcement. The plan should hold facility operators responsible for violations of the truck routing plan, and a revised plan should be required from any new tenant that occupies the property before a business license

is issued. The approving agency should retain discretion to determine if changes to the plan are necessary, including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.

- Constructing new or improved transit stops, sidewalks, bicycle lanes, and crosswalks, with special attention to ensuring safe routes to schools.
- Consulting with the local public transit agency and securing increased public transit service to the project area.
- Designating areas for employee pickup and drop-off.
- Implementing traffic control and safety measures, such as speed bumps, speed limits, or new traffic signs or signals.
- Placing facility entry and exit points on major streets that do not have adjacent sensitive receptors.
- Restricting the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors.
- Constructing roadway improvements to improve traffic flow.
- Preparing a construction traffic control plan prior to grading, detailing the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations, and designing the plan to minimize impacts to roads frequented by passenger cars, pedestrians, bicyclists, and other non-truck traffic.

VIII. Other Significant Environmental Impacts Analysis and Mitigation

Warehouse projects may result in significant environmental impacts to other resources, such as to aesthetics, cultural resources, energy, geology, or hazardous materials. All significant adverse environmental impacts must be evaluated, disclosed and mitigated to the extent feasible under CEQA. Examples of best practices and mitigation measures to reduce environmental impacts that do not fall under any of the above categories include:

- Appointing a compliance officer who is responsible for implementing all mitigation measures, and providing contact information for the compliance officer to the lead agency, to be updated annually.
- Creating a fund to mitigate impacts on affected residents, schools, places of worship, and other community institutions by retrofitting their property. For example, retaining a contractor to retrofit/install HVAC and/or air filtration systems, doors, dual-paned windows, and sound- and vibration-deadening insulation and curtains.
- Sweeping surrounding streets on a daily basis during construction to remove any construction-related debris and dirt.
- Directing all lighting at the facility into the interior of the site.
- Using full cut-off light shields and/or anti-glare lighting.
- Requiring submission of a property maintenance program for agency review and approval providing for the regular maintenance of all building structures, landscaping, and paved surfaces.
- Using cool pavement to reduce heat island effects.

- Planting trees in parking areas to provide at least 35% shade cover of parking areas within fifteen years to reduce heat island impacts.
- Using light colored roofing materials with a solar reflective index of 78 or greater.
- Including on-site amenities, such as a truck operator lounge with restrooms, vending machines, and air conditioning, to reduce the need for truck operators to idle or travel offsite.
- Designing skylights to provide natural light to interior worker areas.
- Installing climate control and air filtration in the warehouse facility to promote worker well-being.

IX. Conclusion

California's world-class economy, ports, and transportation network position it at the center of the e-commerce and logistics industry boom. At the same time, California is a global leader in environmental protection and environmentally just development. The guidance in this document furthers these dual strengths, ensuring that all can access the benefits of economic development. The Bureau will continue to monitor proposed projects for compliance with CEQA and other laws. Lead agencies, developers, community advocates, and other interested parties should feel free to reach out to us as they consider how to guide warehouse development in their area.

Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

California Department of Transportation

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April 3, 2024

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GTS ID: 19365
Co/Rt/Pm: CC/4/21.7

Alison Hodgkin, Associate Planner
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Re: Pittsburg Technology Park Specific Plan –Notice of Preparation (NOP) for Draft Environmental Impact Report (DEIR)

Dear Alison Hodgkin:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Pittsburg Technology Park Specific Plan. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated, and efficient transportation system.

The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the March 2024 NOP. Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purpose only.

Project Understanding

The proposed Specific Plan is based on a concept for development of the Plan Area in three phases. Phase I would include the development of a data center and corresponding substation on the 22.05-acre portion of the Plan Area north of the Contra Costa Canal. Future Phases II and III, on the 54.33-acre portion of the Plan Area south of the canal, would be designed to accommodate up to 761,118 square feet of development.

Travel Demand Analysis

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and

multimodal improvements. For more information on how Caltrans assesses Vehicle Miles Traveled (VMT) analysis for land use projects, please review Caltrans' Transportation Impact Study Guide ([link](#)).

If the project meets the screening criteria established in the City's adopted VMT policy to be presumed to have a less-than-significant VMT impact and exempt from detailed VMT analysis, please provide justification to support the exempt status in alignment with the City's VMT policy. Projects that do not meet the screening criteria should include a detailed VMT analysis in the DEIR, which should include the following:

- VMT analysis pursuant to the City's guidelines. Projects that result in automobile VMT per capita above the threshold of significance for existing (i.e., baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally binding instruments under the control of the City.
- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential traffic safety issues to the State Transportation Network (STN) may be assessed by Caltrans via the Interim Safety Guidance ([link](#)).
- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.

Multimodal Transportation Planning

Please review and include the reference to the *Caltrans District 4 Pedestrian Plan* (2021) and the *Caltrans District 4 Bike Plan* (2018) in the DEIR. These two plans studied existing conditions for walking and biking along and across the STN in the nine-county Bay Area and developed a list of location-based and prioritized needs.

Please note that any Complete Streets reference should be updated to reflect Caltrans Director's Policy 37 ([link](#)) that highlights the importance of addressing the needs of non-motorists and prioritizing space-efficient forms of mobility, while also facilitating goods movement in a manner with the least environmental and social impacts. This supersedes Deputy Directive 64-R1, and further builds upon its goals of focusing on the movement of people and goods.

Equity and Public Engagement

We will achieve equity when everyone has access to what they need to thrive no matter their race, socioeconomic status, identity, where they live, or how they travel. Caltrans is committed to advancing equity and livability in all communities. We look forward to collaborating with the City to prioritize projects that are equitable and provide meaningful benefits to historically underserved communities.

Caltrans encourages the City to foster meaningful, equitable and ongoing public engagement in the Specific Plan development process to ensure future transportation decisions and investments reflect community interests and values. The public engagement process should include community-sensitive and equity-focused approaches seeking out the needs of individuals from underserved, Tribal, and low-income communities, the elderly, and individuals with disabilities.

Construction-Related Impacts

Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits ([link](#)). Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the STN.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Lisel Ayon, Associate Transportation Planner, via LDR-D4@dot.ca.gov. For future early coordination opportunities or project referrals, please contact LDR-D4@dot.ca.gov.

Sincerely,



YUNSHENG LUO
Branch Chief, Local Development Review
Office of Regional and Community Planning

c: State Clearinghouse



NATIVE AMERICAN HERITAGE COMMISSION

March 7, 2024

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Re: 2024030184, Pittsburg Technology Park Specific Plan Project, Contra Costa County

Dear Ms. Hodgkin:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation if Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Cody.Campagne@NAHC.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

cc: State Clearinghouse

From: Christine Asiata <Christine.Asiata@OPR.CA.GOV>

Sent: Tuesday, March 12, 2024 2:37 PM

To: Alison Spells <ASpells@pittsburgca.gov>

Subject: SCH Number 2024030184

****External Sender: Use caution before opening links or attachments****

Hi Alison,

Thank you for submitting your Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) for State review with the Governor's Office of Planning and Research (OPR).

We would like to inform you that your project may be eligible for judicial streamlining. To determine if you qualify for a reduction in litigation time to approximately 270 days through new judicial streamlining pathways, please visit the following link: <https://opr.ca.gov/ceqa/judicial-streamlining/>

For any inquiries, the link will provide information and contact details.

To view your submission, use the following link.

<https://ceqasubmit.opr.ca.gov/Document/Index/296557/1>

From: [PGE Plan Review](#)
To: [Alison Hodgkin](#)
Subject: RE: Notice of Preparation of an EIR for Pittsburg Technology Park Specific Plan Project
Date: Monday, March 4, 2024 10:44:18 AM
Attachments: [image002.png](#)
[image003.jpg](#)
[Initial Response Letter 3-2-2024.pdf](#)

****External Sender: Use caution before opening links or attachments****

Classification: Public

Dear Alison Hodgkin,

Thank you for submitting the Pittsburg Technology Park plans. The PG&E Plan Review Team is currently reviewing the information provided. Should this project have the potential to interfere with PG&E's facilities, we intend to respond to you with project specific comments. Attached is some general information when working near PG&E facilities that must be adhered to when working near PG&E's facilities and land rights.

This email and attachment does not constitute PG&E's consent to use any portion of PG&E's land rights for any purpose not previously conveyed. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at pgeplanreview@pge.com.

Thank you,



Pacific Gas and Electric Company
Plan Review Team
Email: pgeplanreview@pge.com

From: Alison Hodgkin <AHodgkin@pittsburgca.gov>
Sent: Wednesday, February 28, 2024 4:16 PM
To: Alison Hodgkin <AHodgkin@pittsburgca.gov>
Subject: Notice of Preparation of an EIR for Pittsburg Technology Park Specific Plan Project

CAUTION: EXTERNAL SENDER!

This email was sent from an EXTERNAL source. Do you know this person? Are you expecting this email? Are you expecting any links or attachments? If suspicious, do not click links, open attachments, or provide credentials. Don't delete it. **Report it by using the "Report Phish" button.**

Hello Responsible & Trustee Agencies; Interested Parties,

The City of Pittsburg is the lead agency for the preparation of an Environmental Impact Report (EIR) for the proposed **Pittsburg Technology Park Specific Plan Project** (proposed project). The scope of the EIR has been proposed based upon a determination by the City. The City has directed the

preparation of an EIR in compliance with the California Environmental Quality Act (CEQA).

The purpose of the attached notice is: (1) to serve as a Notice of Preparation (NOP) of an EIR pursuant to the State CEQA Guidelines Section 15082, (2) to advise and solicit comments and suggestions regarding the scope and content of the EIR to be prepared for the proposed project, and (3) to notice the public scoping meeting(s).

The proposed Pittsburg Technology Park Specific Plan project area (Plan Area) generally encompasses the eastern half of the former municipal Delta View Golf Course, south of West Leland Road, located at 2232 Golf Club Road, Pittsburg. The Plan Area consists of three individual parcels totaling approximately 76.38 acres.

The proposed Pittsburg Technology Park Specific Plan (Specific Plan) would serve as the overarching planning document for the Plan Area, providing policy guidance, implementation measures, development standards and design guidelines for future development of the Plan Area as a technology-focused business park. The proposed Specific Plan would also include sections addressing circulation and mobility, and utilities and infrastructure for the Plan Area.

PUBLIC SCOPING MEETING AND COMMENT SUBMITTAL

Two scoping meetings, open to the public, agencies, and stakeholders, will be held to receive public comments and suggestions on the proposed project. At these meetings, staff will give a brief presentation of the EIR process and will take public comment on the proposed EIR.

The scoping meetings will be open to the public and held at the following locations:

An online (Zoom) scoping meeting will be held:

Date: Thursday, March 14, 2024

Time: 11:00 AM

Zoom Link: <https://us02web.zoom.us/j/87523808494?pwd=TmQwZ0JRQzFYt2ZkUHE1M3NuT3ZWZz09>

Meeting ID: 875 2380 8494

Passcode: 744913

An in-person scoping meeting will be held:

Date: Thursday, March 14, 2024

Time: 6:00 PM

Location: Pittsburg City Hall, 3rd Floor Council Chambers, 65 Civic Avenue, Pittsburg, CA 94565

The purpose of the EIR is to provide information about potential significant physical environmental impacts of the **Pittsburg Technology Park Specific Plan Project**, to identify possible ways to minimize those significant impacts, and to describe and analyze possible alternatives to the proposed project if potential significant impacts are identified.

Preparation of an NOP or EIR does not indicate a decision by the City to approve or disapprove the proposed project. However, prior to making any such decision, the City must review and consider the information contained in the EIR. Written comments on the scope of the EIR are encouraged.

Please submit comments by **5:00 PM on Friday, March 29, 2024**. Written comments should be sent to Alison Hodgkin, Associate Planner, at 65 Civic Avenue, Pittsburg, California 94565, or via email at ahodgkin@pittsburgca.gov, or via fax at (925) 252-4814.

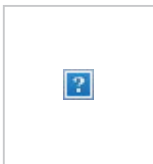
The NOP is also available on-line at: <https://www.pittsburgca.gov/pittsburgtechpark>

Please direct any questions concerning the environmental review of the proposed project to me at ahodgkin@pittsburgca.gov.

Thank you,

Alison Hodgkin, AICP

Associate Planner



City of Pittsburg
Community and Economic Development - Planning Division
65 Civic Avenue, Pittsburg, CA 94565
Tel: 925.252.6987 | Fax: 925.252.4814
<https://www.pittsburgca.gov/services/community-development/planning>
[Pittsburg Open Counter](#) | [eNews Sign Up](#) | [Facebook](#)
Make us the home of your next business opportunity: www.thinkpittsburg.com

You can read about PG&E's data privacy practices at [PGE.com/privacy](https://www.pge.com/privacy).



March 4, 2024

Alison Hodgkin
City of Pittsburg
65 Civic Ave
Pittsburg, CA 94565

Ref: Gas and Electric Transmission and Distribution

Dear Alison Hodgkin,

Thank you for submitting the Pittsburg Technology Park plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.



April 4, 2024

Alison Hodgkin
City of Pittsburg
65 Civic Ave
Pittsburg, CA 94565

Re: Pittsburg Technology Park Specific Plan

Dear Alison Hodgkin,

Thank you for providing PG&E the opportunity to review the proposed plans for Pittsburg Technology Park Specific Plan dated 2/28/2024. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
2150 Webster Street, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000

April 3, 2024

2024

Alison Hodgkin, Associate Planner
City of Pittsburg, Planning Division
65 Civic Avenue
Pittsburg, CA 94565

Bevan Dufty
PRESIDENT

Mark Foley
VICE PRESIDENT

Robert Powers
GENERAL MANAGER

Submitted by email to ahodgkin@pittsburgca.gov

RE: Pittsburg Technology Park Specific Plan Project: Notice of Preparation for an Environmental Impact Report

DIRECTORS

Dear Alison,

Debora Allen
1ST DISTRICT

Thank you for providing BART the opportunity to comment on this upcoming planning effort. We applaud efforts to bring densities of employment to areas of the region that have traditionally been considered bedroom communities. When implemented with a vision to utilize existing infrastructure most efficiently, these efforts encourage reverse commuting on BART trains at times when there is ample capacity.

Mark Foley
2ND DISTRICT

Rebecca Saltzman
3RD DISTRICT

We would have liked to see Technology Park located within walking distance of one of the city's two BART stations. Instead, its entrance at W Leland Road and Golf Club Road is over 1.3 miles from the Pittsburg Center BART station and over 1.8 miles from the Pittsburg/ Bay Point BART station in terms of straight-line distance.

Robert Raburn, Ph.D.
4TH DISTRICT

John McPartland
5TH DISTRICT

Elizabeth Ames
6TH DISTRICT

Lateefah Simon
7TH DISTRICT

Janice Li
8TH DISTRICT

Bevan Dufty
9TH DISTRICT

Given that Technology Park is not located within walking distance to a BART station, we ask that you consider incorporating strong transportation demand management (TDM) elements to minimize environmental impacts due to excessive increases in vehicle miles traveled (VMT). Some of the most effective elements to encourage employees and visitors to take transit and carpool include charging for parking, ensuring the provision commute benefits to employees that discourage single occupant vehicle use, and requiring a dedicated manager who will run and monitor a TDM program based on targets for VMT reduction that could be included in the EIR. Bishop Ranch in San Ramon and Hacienda Park in Pleasanton are two Bay Area examples of successful TDM programs in suburban job centers. If you intend to implement TDM measures, such as new shuttle service connecting to BART, please coordinate with us as soon as possible to ensure that we can accommodate your needs.

We appreciate your consideration and look forward to participating in future planning efforts related to Technology Park.

Sincerely,

DocuSigned by:

BE6D472C994D468...
Kamala Parks
BART, Principal Station Area Planner

Cc: Tim Chan, BART, Station Area Planning Group Manager



March 27, 2024

Alison Hodgkin, Associate Planner
City of Pittsburg Department of Community and Economic Development
65 Civic Avenue
Pittsburg, CA 94565

Re: Notice of Preparation of a Draft Environmental Impact Report – Pittsburg Technology Park Specific Plan

Dear Ms. Hodgkin:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report for the Pittsburg Technology Park Specific Plan located at 2232 Golf Club Road in the City of Pittsburg. EBMUD has the following comments.

WATER SERVICE

EBMUD's Mokelumne Aqueducts (Aqueduct), located in EBMUD's right-of-way and property owned in fee, are located adjacent to the northern boundary of the Specific Plan area. Any projects being planned within or immediately adjacent to EBMUD property will need to follow EBMUD's Procedure 718 – Authorized Uses of Pipeline Rights-of-Way. A copy of the procedure is enclosed for your reference. Design drawings for any project encroachment (roadway, utility, facility, etc.) or restoration projects crossing or within the Aqueduct property or right-of-way will need to be submitted to EBMUD for review of possible drainage, site grading, fencing, construction access, and other conditions that may impact EBMUD property. If any projects involve the construction of retaining walls and fences along the property line; these must be constructed completely outside of EBMUD property, including all footings. The project sponsor shall contact EBMUD's Survey Section to coordinate identifying, locating, and marking correct property lines.

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,

A handwritten signature in blue ink that reads 'David J. Rehnstrom'.

David J. Rehnstrom
Manager of Water Distribution Planning

DJR:AT:djr

wdpd24_051 Pittsburg Technology Park Specific Plan

Enclosure: Procedure 718 – Authorized Uses of Pipeline Rights-of-Way

375 ELEVENTH STREET • OAKLAND • CA 94607-4240 • TOLL FREE 1-866-40-EBMUD

cc: Pittsburg Data Hub, LLC



Procedure 718

EFFECTIVE 13 DEC 22

SUPERSEDES 08 JUL 20

LEAD DEPARTMENT O&M

AUTHORIZED USES OF PIPELINE RIGHTS-OF-WAY

PURPOSE – To establish procedures and criteria for review and authorization of overhead, surface, and sub-surface use of District-owned and easement established property containing raw and distribution water aqueducts and pipelines (“pipelines”) for purposes other than installation, maintenance, and operation of District pipelines.

Forms Used	L-14	Limited Land Use Permit
	K-47	Work Request Agreement
	N-15	Certificate of Public Liability Insurance
	N-17	Certificate of Workers' Compensation Insurance
		Application for Use of EBMUD Property or Request for Information
		General Fund Receipts for Miscellaneous Payments

Authority and Responsibility

Use, development, and control of fee-owned and easement established rights-of-way for District and non-District uses must be consistent with the District's operations, maintenance, security, and the rights and obligations of the District. District and non-District uses of District-owned pipeline rights-of-way may be permitted, at the District's sole discretion, only if the uses conform to Policy 7.01 - Aqueduct and Distribution Pipeline Rights-of-Way Maintenance and the requirements of this Procedure.

- No use of District pipeline rights of way or property by others will be permitted as a condition to meet city/county zoning requirements or to obtain any land use permit, approval, or entitlement affecting properties not owned by the District.
- No use of District properties by others will be permitted except under terms of a written agreement.
- Use of pipeline rights-of-way for District purposes shall have the concurrence of the Director of Operations and Maintenance and shall include all applicable protections required for similar third-party use.
- The Board of Directors has exclusive authority to approve any proposed right-of-way use requiring the adoption and implementation of one or more mitigation measures to minimize potentially significant environmental impacts.
- The decision whether to authorize any party other than the District to use District-owned property containing pipelines for any non-District purpose is a legislative act undertaken at the sole discretion of District staff. No notice or hearing is required to consider an application for use of such property, and staff's decision is not subject to appeal.

Acceptable long-term uses of the pipeline rights-of-way include but are not necessarily limited to: utility crossings, road crossings, limited agriculture, equestrian and pedestrian trails, parks, oil and gas leases, and District-owned ground water wells. Acceptable long-term uses of rights-of-way and easements for future pipelines will be evaluated upon facility completion. Such uses will be authorized in writing. All approved uses will conform to the requirements and limitations described in the attached EBMUD Requirements for Entry or Use of Pipeline Rights-of-Way (Requirements for Entry or Use) and all other conditions as specified in the written approval.

The Water Supply Division and the Water Treatment and Distribution Division are each primarily responsible to implement this Procedure with respect to proposed uses of rights-of-way containing a facility “owned” by that Division. Facility “ownership” for this purpose is determined based on which Division has “Overall Responsibility” for the facility according to Table 1 of Procedure 706 – Facilities: Inspection, Maintenance and Repair. Wherever this Procedure allocates responsibility to both Divisions in the

alternative, the responsibility shall rest with the Division which owns the facility within the right-of-way which is proposed to be used.

The Water Supply or the Water Treatment and Distribution Divisions are responsible for monitoring permitted uses and detecting and preventing unauthorized uses of pipeline rights-of-way, respectively.

The Office of General Counsel and the Manager of Real Estate Services will be consulted when an unauthorized user will not voluntarily desist.

The Water Supply or the Water Treatment and Distribution Divisions are responsible for coordinating the development of recommendations with respect to the terms and conditions to be stipulated when a District or non-District use of a pipeline right-of-way is to be permitted.

The Director of Engineering and Construction shall be consulted as necessary to provide location analysis or to determine what structural, grading, drainage, corrosion protection or other engineering measures are required and to obtain estimates of engineering, design and inspection costs.

Inquiries and Applications for Use

Applications and inquiries for use of pipeline rights-of-way shall be processed by the Water Operations Department. Applications for non-District uses will not be processed unless accompanied by the appropriate application fees specified in the District's "Water and Wastewater System Schedules of Rates and Charges, Capacity Charges, and Other Fees".

The **Water Operations Department** is responsible for:

- Providing requirements for use of the District's pipeline rights-of-way to applicants requesting use of the right-of-way. See the attached Requirements for Entry or Use.
- Providing requirements to applicants for proposed work located adjacent to the District's pipeline rights-of-way which has the potential to impact the District's pipelines (e.g., proposed excavations that may include use of tiebacks that could result in a vertical encroachment and/or excavations that have the potential for ground movements that could damage District pipelines).
- Checking for completeness of any permit (e.g., Encroachment Permit Application) to ensure compliance with the requirements for entry or use of pipeline rights-of-way contained in Requirements for Entry or Use plus any other conditions applicable to the proposed use.
- Collecting engineering, plan review and construction inspection costs and documentation of insurance coverage, if necessary.
- Monitoring existing encroachments and inspection of the construction of new approved encroachments.
- Providing information to the Engineering and Construction Department for technical input regarding additional permit requirements or special restrictions that may be applicable (in addition to those outlined in the Requirements for Entry or Use).
- Assuring proper environmental documentation for proposed uses through consultation with the Water Distribution Planning Division, when appropriate. Policy 7.01 - Aqueduct and Distribution Pipeline Rights-of-Way Maintenance, requires the District to ensure that any construction impacts from third-party use of District rights of way are mitigated to the level of "no significant impact."

Real Estate Services is responsible for:

- Advising the Manager of Water Supply or the Manager of Water Treatment and Distribution of any real estate matters which relate to a specific proposed use.
- Collecting application fees and charges, preparing and executing limited land use permits, leases, easements, and all other property-related agreements (except for revocable licenses and temporary entry permits) and recommending fees and charges appropriate to the property use allowed, and for securing payment. See the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees.
- Maintaining records relating to rights-of-way crossings and use, and providing information to the Engineering and Construction Department for the update of District pipeline drawings and GIS applications.

Types of Permit License or Easement

The Manager of Water Supply or Manager of Water Treatment and Distribution shall keep available the forms listing the general requirements set forth in Requirements for Entry or Use for each of the following:

Temporary Entry/Temporary Construction Permit

For temporary access to pipeline rights-of-way such as for surveying, potholing, construction, for temporary access via the District's right-of-way to property adjacent to the right-of-way, and other similar short-term situations.

Revocable License and Revocable Landscape License

For pipelines, sewers, storm drains, overhead and underground cables, public trails, landscaping and other crossings or lateral encroachments.

Limited Land Use Permit

Provides for agricultural or other surface use of the right-of-way for a period not to exceed one year (vehicular parking is prohibited). These permits are renewable annually if inspection reveals satisfactory conformance to conditions of permit.

Easement

For streets, highways, large diameter pipelines, canals and railroads, and other permanent publicly-owned encroachments. Easements are officially recorded with the county having jurisdiction. The consideration for the easement (e.g., fee) will be based on the value of the property being encumbered.

The Manager of Water Supply or Manager of Water Treatment and Distribution shall request review of any proposed revisions to application forms and lists of requirements from the Engineering and Construction Department, Real Estate Services Division, Office of General Counsel, and the District's Pipe Committee.

Processing Applications

Temporary Entry Permits and Temporary Construction Permits

The Manager of Water Supply or Manager of Water Treatment and Distribution (or designee) may issue temporary entry and construction permits including imposing standard and temporary conditions relating to the use. The Manager of Real Estate Services and the Office of General Counsel will be consulted regarding unusual circumstances.

Revocable Licenses

The Manager of Water Supply or Manager of Water Treatment and Distribution (or designee), if warranted, shall conduct a field investigation to determine pipeline protection requirements and in consultation with the Design Division or the Pipeline Infrastructure Division, will set forth the engineering and operating requirements.

The Manager of Water Supply or Manager of Water Treatment and Distribution (or designee), shall then specify any and all requirements, including special conditions to the applicant, and discuss the terms and conditions of the license agreement as well as any processing, design and inspection costs and license fee. The Manager of Water Supply or Manager of Water Treatment and Distribution may then enter into a standard license agreement with relevant special conditions on behalf of the District. The Manager of Real Estate Services and the Office of General Counsel shall be consulted regarding any unusual circumstances.

Copies of all revocable licenses issued by the Water Supply Division or the Water Treatment and Distribution Division shall be provided to the Manager of Real Estate Services.

Copies of all licenses or leases issued by the Manager of Real Estate Services on Pipeline Rights-of-Ways shall be provided to the Water Supply Division or the Water Treatment and Distribution Division.

Limited Land Use Permits

The Manager of Water Supply or Manager of Water Treatment and Distribution (or designee), shall convey the District's requirements to the applicant and investigate to determine any special conditions.

Real Estate Services shall prepare the Limited Land Use Permit (Form L-14) in duplicate, including special conditions or stipulations, accompanied by a District-prepared location sketch that will refer to pipeline stationing and other appropriate location identifiers, including adjacent pipeline structures.

Engineering and Construction Department shall prepare the location sketch.

After payment of the stipulated consideration determined by Real Estate Services, the Manager of Water Supply or Manager of Water Treatment and Distribution (or designee) shall review and execute the permit. These copies are then returned to the Manager of Real Estate Services, together with any stipulated consideration.

Forty-five days before expiration of a Limited Land Use Permit, the Manager of Real Estate Services shall notify the Manager of Water Supply or Manager of Water Treatment and Distribution, who shall investigate the permittee's operations. If renewal of the permit is recommended, the permit will be renewed by letter from the Manager of Real Estate Services.

Leases and Easements

The Water Supply or Water Treatment and Distribution Divisions shall conduct a field investigation to determine requirements for pipeline protection and, in consultation with the Design Division or Pipeline Infrastructure Division, if necessary, will set forth the engineering and operating requirements.

If structural or corrosion protective facilities are required, the Manager of Water Supply or Manager of Water Treatment and Distribution (or designee) shall request the Manager of Design Division or Pipeline Infrastructure Division to proceed with the required design or plan reviews. (During design, the designer will communicate with the applicant's engineer.) Upon completion of design, the plans will be delivered to the applicant via the Manager of Water Supply or Manager of Water Treatment and Distribution (or designee), who will arrange for inspection as required.

The Manager of Real Estate Services shall discuss with the applicant the terms of the agreement and the amount of the consideration, including any processing, design, and inspection costs. Real Estate Services shall obtain an appraisal and engineering estimates, if necessary.

Upon agreement with the applicant, the Manager of Real Estate Services, shall draft, for review and approval by the Manager of Water Supply Division or the Manager of Water Treatment and Distribution Division and Office of General Counsel, an agreement granting the applicant the property interest under the terms and for the consideration as approved. Real Estate Services shall assure that evidence of insurance is provided, if required. The lease or easement shall be submitted to the District's Board of Directors for approval, if required by Procedure 108 - Real Estate Transactions. Two copies of the lease or easement shall be sent to the applicant with instructions to sign and return the copies, together with the consideration, to the Manager of Real Estate Services. Easements shall be recorded and the applicant shall provide the Manager of Real Estate Services with the recording data.

Approvals

District and non-District uses of pipeline rights-of-way shall be confirmed in writing, listing any special conditions which may apply to the proposed use to the requesting District departments or third parties by the Manager of Water Supply or Manager of Water Treatment and Distribution (or designee).

Terminations

Any third-party use of the District's pipeline property may be terminated at the District's sole discretion, so long as the termination is authorized by and done in a manner compliant with the terms and conditions of the permit, license, or lease that governs the use. If the Water Supply Division or the Water Treatment and Distribution Division terminates any permit or license, the Manager of Real Estate Services and the Design Division shall be so notified by memo. The Office of General Counsel may be consulted before undertaking a termination which may affect the District's legal interests.

Terms and Conditions

The final determination of generally applicable terms and conditions appropriate for District uses of pipeline properties rests with the Director of Operations and Maintenance.

A specific third-party applicant for use of pipeline property may be required, as a condition of approval of the application, to comply with the generally applicable terms and conditions, or with different or additional terms and conditions that are determined to be in the District's best interest. The decision to approve or deny an application, and the selection of terms and conditions of any approval, shall rest with the Director of Operations and Maintenance. There is no right to an administrative appeal or hearing, and the decision of the Director or designee is final.

Records

The Manager of Real Estate Services shall maintain a file containing copies of all documents relating to right-of-way crossings or uses, except for temporary encroachment permits, and is responsible for the assignment of right-of-way crossing numbers to approved documents.

The Engineering and Construction Department shall maintain as-built and right-of-way drawings and other information of pipelines. Updates to these drawings shall be made following:

1. Grant of Revocable License or Easement. Notice to be supplied by the Manager of Real Estate Services.
2. Completion of crossing construction covered by license or easement. Notice, including "as built" location data, to be supplied by the applicant to the Water Supply Division or Water Treatment and Distribution Division for transmittal to the Engineering and Construction Department. This notice will be routed through the Engineering and Construction Department, as necessary, then to the Manager of Real Estate Services.
3. Termination of any pipeline right-of-way use. Notice to be supplied by the Manager of Real Estate Services.

Drawings of right-of-way crossings and uses within the service area will be updated in GIS applications by Mapping Services based on information provided from Real Estate Services.

Required Fees

Pipeline right-of-way fees for the processing of applications and documents related to proposed uses are included in the "Water and Wastewater System Schedules of Rates and Charges, Capacity Charges, and Other Fees". The Manager of Water Supply and Manager of Water Treatment and Distribution are responsible for periodic review and updating of Requirements for Entry or Use. The Manager of Real Estate Services is responsible for review and updating of Fees and Documentation Charges, Use of Aqueduct and Distribution Pipeline Rights-of-Way by Others.

References

Policy 7.01 – Aqueduct and Distribution Pipeline Rights-of-Way Maintenance
Procedure 108 – Real Estate Transactions
Procedure 436 – Miscellaneous Accounts Receivable and Cash Receipts
Procedure 706 – Facilities: Inspection, Maintenance and Repair
Requirements for Entry or Use of Pipeline Rights-of-Way (attached)
Water and Wastewater System Schedules of Rates and Charges, Capacity Charges, and Other Fees (as updated periodically)



**EBMUD REQUIREMENTS FOR
ENTRY OR USE OF PIPELINE RIGHTS-OF-WAY**

East Bay Municipal Utility District

1. Requests for encroachment rights or for other uses of the District's raw and distribution water aqueduct and pipeline ("pipeline") properties shall be directed to the Manager of Water Supply, 1804 West Main Street, Stockton, California 95203. Property uses shall only be permitted subject to appropriate written permit, license, easement, or lease agreement.
2. Requests for property uses shall be in writing and accompanied by a completed application, application fees, plan and profile drawings of the area and work involved. District pipeline stationing and adjacent above-ground structures must be shown. Applicant's horizontal and vertical control must be correlated to the District's. Drawings and maps shall be ANSI D size (22x34 inch) or ANSI B size (11x17 inch) and must also be provided in electronic .pdf format. Application must include complete insurance documentation.
3. The applicant must indemnify, defend, and hold harmless the District and associated personnel from and against any claims, losses, and liability arising by reason of the applicant's use of District's property or the applicant's acts or omissions pursuant to any permit or approval issued by the District, on such terms as the District may require. The applicant may be required to provide evidence of insurance coverage.
4. All requests for uses of District property must be consistent with requirements and limitations set forth by Procedure 718 and will be reviewed and approved on a case-by-case basis.
5. District land and facilities shall be restored to a condition as good as that which existed before applicant's entry on the right-of-way.
6. Applicant's use of property shall not increase District costs or interfere with District access, operations, maintenance, or repair of its facilities.
7. The applicant must pay the District the appraised value of the easement or lease, if appropriate, for the rights granted to the applicant. Appropriate environmental documentation must be completed in accordance with the California Environmental Quality Act before the rights can be granted. The District may require the applicant to prepare the documentation at its expense before the application will be considered for approval. The District will review the environmental documentation to determine whether it (i) adequately describes the applicant's project, (ii) contains a detailed disclosure and analysis of the project's impacts, (iii) describes feasible measures to mitigate any construction impacts to the District's right-of-way to a level of no significant impact, and (iv) is otherwise legally sufficient. The District may rely on any existing environmental documentation for the applicant's project if the District determines that the existing documentation meets the above-described standards.
8. For any District-approved encroachment, the applicant must pay the District for any of the following measures, as determined necessary by the District:
 - a. Design of structural protective measures
 - b. Design of fences or other structures
 - c. Corrosion control protective measures
 - d. District engineering, plan review, and inspection of activities
 - e. Environmental documentation
 - f. Application, permit or license fees.
9. The plan for the execution of the work must be approved by the District.
10. The type and weight of equipment working over the pipelines must be approved by the District.
11. The use of vibratory compaction equipment is prohibited on the pipeline right-of-way unless otherwise approved by EBMUD. Allowable compaction effort, allowable equipment, and maximum depth of each lift of fill shall be subject to District review and approval before start of construction.
12. A minimum of 48 business hours' notice must be given to the District before work commences on District pipeline right-of-way. Contact information will be provided in permit.

13. A preconstruction meeting is required prior to start of work.
14. No building or portions of buildings shall be constructed on the property. No other types of structures shall be constructed unless specific approval is given by the District.
15. No longitudinal encroachments such as drainage ditches; gas, phone, or electrical lines; pipelines, or roads will be permitted. All property line fences (including footings) must be located completely outside District property lines.
16. District staff shall monitor pile driving or other work which can result in vibration and occurs within 100 feet of the aqueducts. District staff shall also monitor other work located within 100 feet of the pipeline right-of-way, if such work has the potential to result in ground movements that could damage the District's facilities (i.e., large excavations with potential for horizontal or vertical ground deformations within the District's rights-of-way).
17. Railroad, freeway and highway crossings of the pipeline right-of-way shall be on permanent bridges with a minimum vertical clearance of 14 feet 6 inches between the finished ground surface and the underside of the bridge. Crossings of pipeline rights of way, on grade will be over structurally-encased aqueducts with a sleeve for a fourth aqueduct.
18. Street and road crossings constructed on grade shall incorporate protection of the pipelines. Protective measures will be designed by applicant's licensed engineer to District standards with specific District approval of each design.
19. Existing pipeline protective measures such as concrete slabs shall not be cut, penetrated, or otherwise disturbed. If a protective measure is cut, penetrated, or disturbed, it shall be replaced with a new protective measure, designed by applicant's licensed engineer to District standards with specific District approval of design.
20. Traffic control fences or approved barriers shall be installed along each side of the street, road or trail before opening to the public.
21. Temporary construction fences and barricades shall be installed by contractor as directed by the District.
22. No geotechnical exploration such as drilling or boring shall be allowed on an pipeline right-of-way without prior written approval from the District.
23. Any changes in finished grade in the pipeline right-of-way must be approved by the Aqueduct Section. Earth fills or cuts on adjacent property shall not encroach onto District property except where authorized for vehicular crossings on grade and where the District determines that there will be no detrimental effect on or maintenance of the pipelines.
24. Crossings shall be perpendicular to the pipelines and on a constant grade across District property.
25. Sanitary sewers, water lines, petroleum product lines, or other lines crossing above the pipelines must be encased in a steel, polyvinyl chloride (PVC), or reinforced concrete pipe conduit or be imbedded in reinforced concrete with a minimum vertical clearance of two (2) feet between the casing/embedment and the top of District pipelines. The casing shall extend the entire width of the pipelines right-of-way.
26. All pipelines crossing below the pipelines must be encased in a steel or reinforced concrete conduit and provide a minimum of three (3) feet of clearance between the casing and the bottom of the District pipelines.

27. Trenchless construction methods such as horizontal directional drilling or jack-and-bore between the top of the pipelines and the bottom of the protective structure (slab) are prohibited.
28. On pressurized pipe crossings, shutoff valves shall be provided outside and adjacent to both sides of District property.
29. At the point of crossing, steel pipeline crossings and steel casings shall incorporate electrolysis test leads, bond leads, and leads necessary for interference testing. Corrosion control devices, when required, must be approved by the District.
30. Cathodic protection for steel encasements must be installed as follows:
 - Provide a dielectric coating to the exterior surface of the steel casing within the District's right-of-way, 16 mil epoxy or equivalent.
 - Provide galvanic protection to the portion of the steel casing within the District's right-of-way in accordance with the National Association of Corrosion Engineers RP-01-69.
 - If the carrier pipe is constructed of ductile iron or steel, provide electrical isolation between the carrier and casing using casing insulators; redwood skids are not permitted.
 - Provide test results to the District demonstrating the adequacy of the cathodic protection system, and the adequacy of the electrical isolation of the carrier (if metallic) from the casing. The District reserves the right to witness any such tests.
31. Gravity drainage of District property shall be maintained. Open channels constructed across the right-of-way shall be paved with reinforced concrete. Headwalls, inlets, and other appurtenances shall be located outside District property. Drainage facilities shall be provided outside the District's property at the top and/or toe of fill slopes or cuts constructed adjacent to District property to assure adequate drainage.
32. Overhead electrical power conductors across the property shall be a minimum of 30 feet above ground. Communication and cable TV crossings shall be a minimum of 20 feet above the ground. Supporting poles or towers shall be located outside the pipelines right-of-way.
33. Buried electrical cables passing over the pipelines shall be installed in PVC conduit and encased in red concrete across the entire width of the right-of-way. In some cases, PVC-coated steel conduit with a red concrete cap may be substituted. All other buried cables shall be installed in conduits and marked in the appropriate Underground Service Alert (USA) colored marking materials and with surface signs installed at 4-foot intervals that include the utility name, type, and emergency contact information across the entire width of the right-of-way. The minimum vertical clearance between the conduit and the top of the District's pipelines is two (2) feet.
34. Electrical or telecommunications cables shall not be allowed to pass under the pipelines.
35. Vehicular parking and storage of equipment or material on aqueduct or distribution pipelines property are prohibited.
36. All District survey monuments and markers shall be undisturbed. If any District survey markers or monuments must be disturbed, they will be replaced or relocated by the District at applicant's expense prior to the start of any ground disturbing work.
37. All pipeline crossings involving mechanical excavation on the right-of-way require potholing of all pipelines at the site of the proposed crossing. Visible reference markings showing the pipeline alignments and depths to top of pipe shall be maintained for the duration of any mechanical excavation on District property. Excavations within two (2) feet of pipelines shall be made by hand. Entry permits are required for pothole work.
38. All grading or excavating of the right-of-way requires USA notification and the maintenance of a current inquiry identification number.

39. Certified six-sack mix is the minimum acceptable concrete batch to be used on the pipelines right-of-way. Concrete compression strength shall be 3,000 per square inch (PSI) or better at 28 days. If samples do not reach 3,000 PSI at 28 days, the entire section of slab or encasement related to that sample must be removed and replaced at applicant's expense.
40. Each truckload of concrete to be placed on the right-of-way may be sampled by the District. No water may be added to the mix after sampling.
41. Maximum allowable slump is three inches. All concrete exceeding three inches will be rejected and cannot be used on the right-of-way.
42. No traffic will be allowed over protective slabs until 3,000 PSI is reached.
43. All work areas shall be inspected by the District for final approval. As-built drawing submittals are required for District approval.
44. No work is allowed on weekends or District-recognized holidays unless otherwise authorized in the required permit.

From: [Arthur Calbert](#)
To: [Alison Hodgkin](#)
Subject: Re: Tech Park GIS map
Date: Monday, March 4, 2024 2:39:22 PM

****External Sender: Use caution before opening links or attachments****

If something comes to mind contact you.

Thanks

Sent from my iPhone

> On Mar 4, 2024, at 1:54 PM, Alison Hodgkin <AHodgkin@pittsburgca.gov> wrote:

>

> Good Afternoon Arthur,

>

> Thank you for your message.

>

> We have a public GIS site <https://gis.pittsburgca.gov/public/> where you can select the parcels, and even look at the Parcel Maps (though they are pop ups), but there are currently no design/construction layers to view the project in depth on our ArcGIS platform.

>

> Please let me know how else I may be of assistance.

>

> -----Original Message-----

> From: Arthur Calbert <artesq@icloud.com>

> Sent: Friday, March 1, 2024 2:16 PM

> To: Alison Hodgkin <AHodgkin@pittsburgca.gov>

> Subject: Tech Park GIS map

>

> ****External Sender: Use caution before opening links or attachments****

>

>

> Can you forward the GIS map/attribute data to me. I want to know how the project will affect the surrounding area. If you can send the map in layers I'd appreciate it. I can then analyze it with ArcGIS.

>

> Thank you

> Sent from my iPhone

From: [Kelly, Patricia@DeltaCouncil](mailto:Kelly.Patricia@DeltaCouncil)
To: [Alison Spells](mailto:Alison.Spells)
Subject: FW: Pittsburg Technology Park Specific Plan questions - NOP SCH #2024030184
Date: Monday, March 11, 2024 8:14:34 AM

****External Sender: Use caution before opening links or attachments****

Alison, Friday when I sent this, I incorrectly typed in your email address. pat

From: Kelly, Patricia@DeltaCouncil
Sent: Friday, March 8, 2024 9:44 AM
To: ahodgkin@pittsburg.gov
Subject: Pittsburg Technology Park Specific Plan questions - NOP SCH #2024030184

Alison, Thanks for taking the time this morning to talk to me and let me introduce myself to you. I have provided below some info on the project and my questions about the project site.

Is the project located within the Contra Costa Urban Limit Line (ULL)? If the project is **within the ULL the Delta Plan Policy DP P1 would not** be a concern based on the request to convert the project site from Park land use consistent with the former golf course, to ECI. If the project site is **not located within the ULL than Policy DP P1 would be a concern** and the Delta Stewardship Council staff would deem the project to be a “covered action” and prepare a NOP comment letter.

Reference: City of Pittsburg GP, Land Use Chapter, Figure 2-3

Regarding GP Land Use CH. Figure 2-3, what does “Exiting Municipal Boundary” define? It looks like, to me, it does not cover all of the City’s incorporated area, is that incorrect, or correct?

Land Use designation: The specific plan area has a 2020 GP land use designation of “Park”, consistent with the former golf course use. The NOP for the draft 2040 General Plan Update, anticipates the plan area redesignated from Park to Employment Center Industrial (ECI) land use, consistent with the city council direction in 2018. Zoning for the specific plan area is likely to be rezoned from Open Space (OS) to limited Industrial with an Overlay (IL-O) District to allow for employment-generating and light manufacturing uses with specific development regulations.

Project Description: The Specific Plan would serve as the overarching planning document for the Plan Area, providing policy guidance, implementation measures, development standards and design guidelines for future development. The Specific Plan would allow for 3 phases, Phase I would include a data center and a substation on 22.05 acres and Phases II & III allowing for 761,118 sq. ft. of development, on 54.33 acres, for a wide range employment opportunity generated from the allowable employee center industrial(ECI) land use designation.

Project Description: The Specific Plan would serve as the overarching planning document for the Plan Area, providing policy guidance, implementation measures, development standards and design guidelines for future development. The Specific Plan would allow for

3 phases, Phase I would include a data center and a substation on 22.05 acres and Phases II & III allowing for 761,118 sq. ft. of development, on 54.33 acres, for a wide range employment opportunity generated from the allowable employee center industrial(ECI) land use designation.

Does the proposed project have a land use permit application number? If so, can you provide for us.

Alison, Did you work with Claude Wade, DOT Civil Engineer, while at El Dorado Co. Community Development? Claude is now at the state, I am over due to connect with her.

Thanks for your help! Pat Kelly, Sr. Environmental Planner, Delta Stewardship Council (DSC) ph. Work is 916-902-6577 or cell 805-305-9084.

TRANSPLAN COMMITTEE

EAST COUNTY TRANSPORTATION PLANNING

Antioch • Brentwood • Oakley • Pittsburg • Contra Costa County
30 Muir Road, Martinez, CA 94553

March 29, 2024

Alison Hodgkin, Associate Planner
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

RE: Notice of Preparation for a Draft Environmental Impact Report – Pittsburg Technology Park Specific Plan

Dear Ms. Hodgkin:

On behalf of the TRANSPLAN Committee, I would like to thank you for the opportunity to provide comments on the Notice of Preparation (“NOP”) for a Draft Environmental Impact Report (“DEIR”) for the City of Pittsburg’s (“City”) proposed Pittsburg Technology Park Specific Plan (“proposed project”). This letter provides comments on multiple aspects of the proposed project, which include the following:

1. approval of a specific plan, and
2. subsequent future developments on the site:
 - a. data center and corresponding substation use up to 347,740 square feet on a 22.05-acre portion of the plan area (Phase I), and
 - b. “Employment Center Industrial” uses, for instance, professional offices, manufacturing, warehousing, and distribution centers, up to 761,118 square feet on a 54.33-acre portion of the plan area (Phase II and Phase III).

TRANSPLAN is the sub-regional transportation planning committee (“RTPC”) in eastern Contra Costa County and is comprised of five member agencies (cities of Antioch, Brentwood, Oakley and Pittsburg, and Contra Costa County), and includes partner agencies such as Tri-Delta Transit, BART, and 511 Contra Costa. TRANSPLAN coordinates the transportation interests of the communities in eastern Contra Costa County and administers the East County Action Plan for Routes of Regional Significance (“Action Plan”). The Action Plan facilitates establishment of goals and performance measures (called Multimodal Transportation Service Objectives, or “MTSOs”) for designated Routes of Regional Significance (“RRS”), and outlines a set of projects, programs, measures, and actions that will support achievement of the MTSOs.

The comments below on the NOP for the proposed project are derived from the current adopted Action Plan (2017)¹. It should be noted that TRANSPLAN, in coordination with the Contra

¹ <https://ccta.net/wp-content/uploads/2018/10/59cd5bc624446.pdf>

Costa Transportation Authority (“CCTA”), is currently in the process of updating the Action Plan², which will result in a number of revisions, including:

- the establishment of multimodal (i.e. bike/pedestrian and transit) RRS,
- a change in nomenclature from MTSOs to Regional Transportation Objectives, or “RTOs,” and
- the establishment of new RTOs related to active transportation (i.e. biking and walking), transit, safety, equity, climate change, and technology.

The updated Action Plan was approved by the TRANSPLAN Committee in 2023 and is expected to be formally adopted by CCTA as part of the Countywide Transportation Plan in 2025.

Comments

Freeways and Roadways

1. TRANSPLAN staff recommends that the DEIR’s Traffic Impact Analysis (“TIA”) evaluate signalized intersections (or freeway ramps) to which at least 50 net new peak hour vehicle trips would be added by the proposed project. The DEIR should also analyze impacts to existing freeway ramp metering operations (e.g. ramp queues).

The MTSOs for freeway and arterial routes are as follows:

MTSOs on Freeways:

- *The Delay Index should not exceed 2.5 during the AM or PM peak period.*
- *HOV lane utilization should exceed 600 vehicles per lane in the peak direction during the peak hour.*

MTSOs on Suburban Arterial Routes:

- *Maintain LOS D or better at all signalized intersections, except:*
 - *On Bailey Road, where LOS E will be acceptable; or,*
 - *At Traffic Management Program (TMP) sites that use performance measures other than average intersection delay.*
- *Within Priority Development Areas, any physical improvement identified as a result of applying the above standard shall be evaluated for its effects on all intersection users, including pedestrians, cyclists, and transit users.*

Transit

2. Transit productivity is an East County area-wide objective of the Action Plan. Therefore, the DEIR’s TIA should consider the proposed project’s potential impacts on transit service. The Action Plan’s measures for the purpose of monitoring this objective include:

Bus Riders per Service Hour:

² CCTA Action Plan Update webpage: <https://ccta.net/planning/countywide-transportation-plan>

• *The average number of riders boarding a fixed-route bus during an hour of scheduled bus service when persons may board with a fare or pass.*

BART Ridership:

• *The average number of weekday riders on all BART trains between Bay Point and North Concord Stations. (Note: this MTSO was established prior to the completion of the BART extension to Antioch. Evaluation should consider trains between Antioch and North Concord.)*

The proposed project will likely induce demand on existing transit systems (including BART). Several Tri-Delta Transit bus routes, some of which connect to local BART stations, serve areas adjacent to the proposed project site. The DEIR's TIA should determine if existing transit service from the aforementioned providers is adequate or if augmentation of existing service or establishment of new service to accommodate transit demand from the proposed project would be needed.

Active Transportation

3. The Action Plan encourages active transportation to improve multimodal mobility and decrease single-occupant vehicle travel. The DEIR's TIA should identify opportunities to provide appropriate infrastructure to eliminate physical barriers (i.e. freeway interchanges, lengthy street crossings, expansive parking lot driveways, etc.) and enhance network connectivity for bicycle and pedestrian travel to, from and within the project area.

“Pittsburg Moves³,” the City’s adopted active transportation plan, identifies proposed Class I separated paths within or in the vicinity of the proposed project, including along:

- a. the Contra Costa Canal and
- b. West Leland Road from the Contra Costa Canal (connecting to the aforementioned future trail) to the Delta De Anza Trail.

In addition, the proposed project should consider providing on-site short and long-term bicycle parking infrastructure (e.g. bicycle racks (short-term) and bicycle lockers (long-term) or a similar secure bicycle enclosure).

Transportation Demand Management

4. Consistent with a goal and an action in the Action Plan related to transportation demand management (“TDM”), the proposed project is encouraged to implement TDM strategies, which can benefit the region by promoting the use of travel modes that are more efficient and environmentally friendly. TDM strategies can potentially decrease the number of single-occupant auto trips, and therefore the proposed project’s impact on roadway network congestion. Project proponents should consult with the County’s TDM Agency, 511 Contra Costa⁴, to develop TDM strategies.

³ <https://www.pittsburgca.gov/home/showpublisheddocument/12728/637479142624630000#page=35>

⁴ <https://511contracosta.org>

Thank you for your consideration. TRANSPLAN appreciates the opportunity to participate in the review process for the proposed project and looks forward to reviewing future documents when appropriate. If you have any questions, please do not hesitate to contact me at Robert.sarmiento@dcd.cccounty.us or (925) 655-2918.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Sarmiento', with a long horizontal flourish extending to the right.

Robert Sarmiento
TRANSPLAN Staff

cc: TRANSPLAN TAC

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April 4th, 2024

Alison Hodgkin, Associate Planner
65 Civic Av.
Pittsburg, CA, 94565

Save Mount Diablo Comment Letter on Notice of Preparation of an Environmental Impact Report for the Pittsburg Technology Park Specific Plan Project

Dear Ms. Nelson,

Save Mount Diablo (SMD) is a non-profit conservation organization founded in 1971 which acquires land, or interests in land, for conservation purposes and often for addition to parks on and around Mount Diablo. We also monitor land use planning which might affect protected lands. We build trails, restore habitat, and are involved in environmental education. In 1971, there was just one park on Mount Diablo totaling 6,778 acres; today there are almost 50 parks and preserves around Mount Diablo totaling 120,000 acres. We include more than 11,000 donors and supporters.

We appreciate the opportunity to comment on the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Pittsburg Technology Park Specific Plan Project (Project).

This project could have significant impacts on what was public open space. The EIR should include chapters devoted to the description, impact analysis, and mitigation of impacts related to biological resources, aesthetics, carbon pollution (greenhouse gases), recreation, wildfire, and the other topic areas mentioned in the NOP.

In addition, the land use and planning chapter of the EIR should describe the history of how this land was granted to the City of Pittsburg. We understand that the Department of the Interior was involved in the initial transfer of land, and that this carries with it implications for how the land can be used if used for activities other than a park or public recreation.

Thank you for the opportunity to provide comments.

Regards,

Juan Pablo Galván Martínez
Senior Land Use Manager

