EXECUTIVE SUMMARY

The Recirculated Draft Environmental Impact Report (Recirculated Draft EIR) is part of the environmental review process for the proposed WesPac Pittsburg Energy Infrastructure Project (project). This document is considered a Recirculated Draft EIR because new and significant information and analyses have been added or changed throughout the original Draft EIR after it was circulated for public comment in June 2012. For clarity, this document will be hereby referred to as the Recirculated Draft EIR, and the previously circulated Draft EIR will be referred to as the Draft EIR. The Draft EIR for the project was made available for public comment for a 45-day public review period, beginning on June 12, 2012, and ending on July 27, 2012. The City of Pittsburg (City) received 17 comment letters. After the close of the public comment period, a revision to the project description was requested by the applicant, WesPac Energy–Pittsburg LLC (WesPac), in order to add a new method for oil delivery via rail, which was originally excluded from the project analysis. Due to significant changes in the scope of the project description and to conduct additional analyses deemed necessary in response to comments received on the Draft EIR, it has been determined that a recirculation of the document is warranted.

The Recirculated Draft EIR has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §§21000, et seq. and the State CEQA Guidelines, California Code of Regulations, title 14, §§15000, et seq. (CEQA Guidelines). The Recirculated Draft EIR will be used to enable the City and other interested parties to evaluate the significance of environmental impacts associated with the proposed project.

In accordance with CEQA Guidelines §15088.5(f)(1), comments on the Recirculated Draft EIR received during the public comment period will be reviewed and written responses prepared accordingly. As the Recirculated Draft EIR is substantially revised relative to the original Draft EIR and the entire document is being recirculated, the City of Pittsburg, as lead agency, is requiring reviewers to submit new comments on the Recirculated Draft EIR. Previously received comments on the original Draft EIR will remain part of the Administrative Record but will not receive written response(s) in the Final EIR, in accordance with CEQA Guidelines §15088.5(f)(1). Instead, written responses to comments will be limited to those new comments received following issuance of the Recirculated Draft EIR.

INTRODUCTION

WesPac proposes to modernize and reactivate an existing oil storage and transfer facility located at the NRG Energy, Inc. (formerly GenOn Delta, LLC) Pittsburg Generating Station in Pittsburg, California, known as the WesPac Pittsburg Energy Infrastructure Project. The proposed WesPac Energy–Pittsburg Terminal (Terminal) would be designed to receive crude oil and partially refined crude oil from trains, marine vessels, and pipelines, store the oil in the existing storage tanks, and then transfer the oil to nearby refineries. For the delivery of crude oil and partially refined crude oil by train, a new Rail Transload Operations Facility (Rail Transload Facility) would be constructed on a nearby existing rail yard, to be leased from BNSF Railway Company (BNSF). The proposed project is needed to relieve increasing concerns about available storage and receiving capacity for crude oil and partially refined crude oil in California and the San Francisco Bay Area (Bay Area) from distant sources. Increased receiving capacity of crude oil from marine vessels would also relieve ship congestion in the San Francisco Bay (Bay) and revitalize existing idled infrastructure. The proposed project would involve the repair, upgrade, and replacement of existing facilities and the construction and installation of new facilities for the purpose of increasing regional receiving capacity, storage capacity, and the revitalization of existed idled infrastructure. The proposed project would bring the facility into compliance with industry standards and with other applicable regulatory requirements. All products handled at the Terminal would be transported by rail, ship, barge, or pipeline; no products would be transported by truck as part of the proposed project.

The main components of the project consist of:

- Modernization, reactivation, and replacement (in some instances) of the facilities associated with the existing onshore storage terminal, including both the East Tank Farm and South Tank Farm, and onshore storage terminal piping. Construction would include replacement of four tanks within the South Tank farm, and upgrades or replacement of ancillary equipment, such as pumps, heaters, manifolds, thermal oxidizer, fire water pumps, stormwater collection pond, and oil water separator

- Installation of a new Rail Transload Facility, including landing and departure track, transloading area, administration building, associated utilities and stormwater management system

- Modernization and reactivation of the existing marine terminal

- Installation of a new office and control building, warehouse building, substation, and other onshore and offshore facilities for the operation of the Terminal

- Repair of the existing connection to the Shell San Pablo Bay Pipeline and installation of a proposed new pipeline connection to the Chevron KLM Pipeline and Rail Transload Facility

This document has been prepared to satisfy the requirements of the California Environmental Quality Act (California Public Resources Code, Section 21000 *et seq*.). It will be used by federal, state, and local agencies to identify, evaluate, and disclose potential significant environmental impacts of the proposed project.

The primary purpose of this Environmental Impact Report is to identify and publicly disclose significant environmental impacts that may result from implementation of the proposed project and to identify feasible alternatives, mitigation measures, and/or revisions to the project that would reduce those impacts to less-than-significant levels, wherever feasible.

CHANGES TO THE DRAFT EIR

The following is a summary of relevant changes made to the project description, environmental impact analysis, and associated proposed mitigation measures of the Draft EIR, subsequent to its public review period.

Changes to the Project Description

Delivery of crude oil to the WesPac Energy–Pittsburg Terminal by rail and the construction and operation of the Rail Transload Facility was not previously described or analyzed for environmental impacts as part of the original Draft EIR. This component is a significant change in the project design, construction, and operation, and is related to numerous changes found in the Recirculated Draft EIR's Chapter 2.0: Proposed Project and Alternatives. See Sections 2.3.3, 2.4.3, and 2.5.4 for detailed descriptions of Rail Transload Facility and locomotive project components, construction, and operation. For related information associated with the pipeline connection between the Rail Transload Facility and the Terminal (hereafter referred to as the Rail Pipeline) see Sections 2.3.4.3, 2.4.4, and 2.5.4.

In addition, although not anticipated to result in significant impacts to the physical environment, other new information has been added or changed in the original Draft EIR project description, subsequent to its circulation for public review. The following is a summary of relevant changes made to the project description in the Recirculated Draft EIR. For additional details describing these changes, see Chapter 2.0: Proposed Project and Alternatives.

- In July of 2012, GenOn Delta, LLC merged with NRG Energy, Inc. Former GenOn Delta, LLC Company properties are, therefore, described using current ownership titles.

- Capital cost of the proposed project is estimated to be approximately $200 million for the marine terminal, storage terminal, Rail Transload Facility, and pipeline facilities.

- Only those tanks with heating capability would be suitable for storing fuel oil, which include all six tanks in the East Tank Farm (Tanks 1, 2, 3, 4, 5, and 6) and *three* tanks in the South Tank Farm (Tanks 8, 9, and 12). Tank 10, located in the South Tank Farm, *will not* have the ability to store fuel oil as it will not have the capabilities for heating.

- The project proposes to demolish four existing 500,000-barrel (BBL) tanks (three of which are currently equipped with external floating roofs [Tanks 10, 11, and 14] and one of which has a cone-roof [Tank 12]) and replace them with four new 200,000–BBL tanks equipped with internal floating roof tanks in the same footprint locations. The remaining five existing 500,000-BBL tanks (Tanks 8, 9, 13, 15, and 16) would be upgraded to current industry and regulatory standards and would have retrofitted internal floating roofs installed. New bottoms would be installed in the existing 500,000-BBL tanks and would feature secondary containment and leak-detection systems. New 200,000-BBL tanks would also be equipped with secondary containment and leak-detection systems.

- The 54,000-BBL tank (Tank 17) would be utilized for the storage of crude oil (*rather than cutter stock described in the original Draft EIR*) and is equipped with an external floating roof, has a double bottom with secondary containment and a leak detection system.

- The Terminal would operate with an average throughput of *242,000 BBLs* of crude oil or partially refined crude oil per day, and would have a maximum capacity throughput of *375,000 BBLs per day* (rather than the originally estimated average of 192,000 BBLs per day and 327,000 BBLs maximum). The total annual throughput for the entire Terminal would be approximately *88,300,000 BBLs* of crude oil and/or partially refined crude oil per year.

- The acreage of submerged tidelands that would be leased from the City of Pittsburg for the marine terminal portion of the facility, in accordance with California State Senate Bill 551 (2011), has been increased from 39 acres to 43 acres.

- A new 0.42 mile-long (*rather than 0.70 mile-long)*, 12.75-inch-diameter pipeline connection would be constructed to connect the Terminal to the existing, active KLM common-carrier pipeline. The proposed alignment would be adjacent to the Rail Pipeline, extending south from the pipeline pump station along the Terminal's permanent access road, crossing West 10th Street and the Rail Transload Facility, and terminating on the south side of North Parkside Drive.

- Marine terminal construction, including dredging, would require approximately 75 barge trips to dispose of dredged and demolished materials, to supply new materials, and provide equipment.

  Construction would be divided into two major phases: Phase 1 would include facilities required to support receipt and delivery of oil by rail and pipeline, and Phase 2 would include facilities required to support offshore operations. Phase 1 is estimated to take approximately 16 months to complete; commencing in October 2013 and completing in January 2015. Operations associated with completed portions of the onshore storage terminal, Rail Transload Facility, and pipelines are estimated to begin in October 2014. Phase 2 is estimated to take approximately 19 months to complete; commencing in April 2014 and completing in October 2015. Marine terminal operations would begin in July 2015. Portions of each phase would be scheduled concurrent to one another so that total construction time for both Phase 1 and Phase 2 would be approximately 25 months.

- Section 2.7 includes revised Environmental Commitments proposed by the project applicant.

Changes to the Environmental Impact Analysis

Inclusion of rail delivery and the Rail Transload Facility has resulted in various changes to the environmental impact analysis, including changes to anticipated levels of significant impact discussed and revisions to the identified mitigation measures proposed as part of the original Draft EIR.

All movements of trains bringing rail tank cars to and from the Rail Transload Facility would be performed by BNSF, on BNSF property, and on trains operated by BNSF employees. As railroad operations are preempted from local and state environmental regulations by federal law (under the Interstate Commerce Commission Termination Act), the movements of locomotives to and from the Rail Transload Facility and within areas of potential impact for the project are included in this EIR for evaluation and discussion purposes only. The City of Pittsburg and other state and local responsible agencies are preempted from imposing mitigation measures, conditions or regulations to reduce or mitigate potential impacts of BNSF train movements.

By contrast, activities performed to unload rail cars and transfer oil product between the Rail Transload Facility and the storage terminal are not preempted by federal law, and therefore, the impacts of those activities are described and evaluated in respective chapters of this EIR. For additional details describing these changes, see Chapters 3.0 through 18.0.

The following is a summary of relevant changes made to the environmental impact analysis.

Air Quality (see Chapter 4.0)

- Emissions associated with construction and operation of the project, as described in the Recirculated Draft EIR were re-calculated using the California Emissions Estimator Model (version 2011.1). (*Previously, the Urban Emissions 2007 land use emission estimate model (version 9.2.4) was utilized for calculations.*)

- As recommended by the Bay Area Air Quality Management District (BAAQMD), construction emissions associated with the proposed project and project alternatives were broken down into two construction scenarios ("Air quality (AQ) Phase 1" and "AQ Phase 2") and separate air quality impact analyses and health risk assessments were performed for each. This was done to account for the project assumptions that the Rail Transload Facility and portions of the South Tank Farm would be in operation while the rest of the marine terminal was being constructed (see Chapter 2:0: Proposed Project and Alternatives, Section 2.4.10, Construction Schedule). AQ Phase 1 only considers emissions associated with construction activities that would occur before the rail operations begin in October 2014. AQ Phase 2 incorporates all emissions associated with construction activities that would occur after the rail operations begin, in addition to the operating emissions that would occur simultaneously with the remaining construction activities. Discussion of impacts associated with AQ Phase 1 and AQ Phase 2 are separated into Impacts AQ-1 and AQ-2, respectively, and are identified at significant and unavoidable levels. Mitigation Measure AQ-1 and AQ-2 have been proposed to alleviate potential impacts, and would include the utilization of construction equipment with Tier II engines or newer (see Impacts AQ-1 and AQ-2, and Mitigation Measures AQ-1 and AQ-2).

Greenhouse Gas Emissions (see Chapter 5.0)

- Greenhouse gas emissions associated with construction and operation of the project, as described in the Recirculated Draft EIR were re-calculated using the California Emissions Estimator Model (version 2011.1). (*Previously, the Urban Emissions 2007 land use emission estimate model (version 9.2.4) was utilized for calculations.*)

Aquatic Resources (see Chapter 6.0)

- Mitigation Measure AR-2, designed for the protection of special-status plants has been included. This measure would require pre-construction surveys for special-status plants along the shoreline within 250 feet of the existing dock to determine the aerial extent of special-status plant populations (see Impact AR-2).

- Impact AR-18, discussing the introduction and/or spread of aquatic invasive species in the San Francisco Bay-Delta Region, has been elevated to significant and unavoidable levels, previously identified in the original Draft EIR as less than significant. Subsequently, Mitigation Measure AR-12 has been proposed to alleviate the potential impact, which would include advising both agents and representatives of shipping companies about the California Marine Invasive Species Act and associated implementing regulations (see Impact AR-18 and Mitigation Measure AR-12).

- Impact AR-23, discussing degradation in water quality such that criteria for the protection of aquatic life and the prevention of bioconcentration of pollutants in aquatic organisms are exceeded, is included in the Recirculated Draft EIR (see Impact AR-23).

Hazards and Hazardous Materials (see Chapter 10.0)

- Impact HM-4, discussing potential hazards to the public or environment through reasonably foreseeable upset or accident conditions involving the release of a hazardous material to the environment, has been elevated to significant and unavoidable levels, previously identified in the original Draft EIR as less than significant. Subsequently, Mitigation Measures HM-1, HM-2. HM-3, HM-4, and HM-5 have been proposed to alleviate potential impacts. Mitigation Measure HM-1 requires the applicant not receive petroleum products in project bulk storage tanks prior to acceptance of the bulk storage tank auditing plan by the City Engineering Division. Mitigation Measure HM-2 requires the applicant not receive petroleum products in project bulk storage tanks prior to acceptance of the American Petroleum Institute (API) 653 inspection report and tank retrofitting as-built report by the City Engineering Department. Mitigation Measure HM-3 requires that the applicant not construct, repair or retrofit project bulk storage tanks or pipelines prior to acceptance of Quality Assurance/Quality Control (QA/QC) plans by the City Engineering Department. Mitigation Measure HM-4 requires that the applicant not receive petroleum products in project pipelines or storage tanks prior to acceptance of the stakeholder communication plan by the City Engineering Department. Mitigation Measure HM-5 requires that the applicant not receive petroleum products in project pipelines prior to acceptance of the pipeline auditing plan by the City Engineering Department (see Impact HM-4 and Mitigation Measures HM-1, HM-2, HM-3, HM-4, and HM-5).

Land Use and Recreation (see Chapter 12.0)

- Impact LUR-1, discussing potential conflicts of the project with any applicable land use plan, policy, or regulation of a jurisdictional agency, has been elevated to significant and unavoidable levels, previously identified in the original Draft EIR as less than significant. Subsequently, Mitigation

Measure LU-1 has been adopted as part of the project to alleviate the potential impact, which would require the use of Tier 2 engines or newer (see Impact LUR-1 and Mitigation Measure LUR-1).

- Impact LUR-5, discussing the project's potential to cause the loss of passive recreational opportunities in open spaces and multi-use trails, has been elevated to less than significant, previously identified in the original Draft EIR as having no impact (see Impact LUR-5).

- Impact LUR-11, discussing the project's potential to cause the loss of passive recreational opportunities in open spaces and multi-use trails, has been elevated to less than significant, previously identified in the original Draft EIR as having no impact (see Impact LUR-11).

- Impact LUR-12, discussing the project's potential to cause decreased public access to the Suisun Bay waterfront, has been elevated to less than significant levels, previously identified in the original Draft EIR as having no impact (see Impact LUR-12).

SUMMARY OF IMPACT FINDINGS

The impact findings, including a listing of identified potentially significant impacts and proposed mitigation measures, are presented by resource topic in Tables ES-1, ES-2 and ES-3. **Table ES-1** identifies all project impacts found by this analysis to be less than significant (no mitigation needed). **Table ES-2** identifies potentially significant impacts that can be reduced to a less-than-significant level with the incorporation of appropriate mitigation measures. **Table ES-3** identifies all the project impacts deemed significant and unavoidable, even where mitigation was included. A summary of key impact findings for project alternatives is presented in Chapter 20.0: Comparison of Alternatives and Impact Conclusions.

Many impacts associated with implementation of the proposed project that are considered to be potentially significant would become less than significant with implementation of the proposed mitigation measures. Construction emissions would be in excess of the thresholds of significance identified in the Bay Area Air Quality Management District California Environmental Quality Act (CEQA) Guidelines even after implementation of best management practices and mitigation measures. As depicted in **Table ES-4,** the project-related increase in health risk is less than the CEQA threshold for all health risk categories (cancer, chronic, and acute) and the cancer risk related to the proposed project operation is less than the significance threshold of 10 in a million at all residential points. Nevertheless, implementation of the proposed project would be expected to result in significant and unavoidable impacts to certain air quality and greenhouse gas emissions.

In addition, significant and unavoidable impacts to aesthetics, air quality, greenhouse gas emissions, aquatic and terrestrial resources, hazards and hazardous materials, public services and utilities, land use and recreation, and water resources could occur in the event of an accidental release of oil at or near the terminal or pipelines, even after implementation of mitigation measures. As detailed in Chapter 10.0: Hazards and Hazardous Materials and Chapter 16.0: Marine Terminal and Marine Terminal Operations, spill probabilities are low, and a number of federal and state regulations have been enacted that address design and construction standards, operational standards, and spill prevention and response measures. The combination of these laws and the proposed Environmental Commitments (refer to Chapter 2.0: Proposed Project and Alternatives) and proposed mitigation measures would reduce the severity of the impacts to the resources listed above; however, depending on the size and location of the spill, the season and weather conditions, and the first-response cleanup effort, an accidental spill could still be considered significant and unavoidable.

Table ES-1: Summary of Less than Significant Project Impacts, Not Requiring Mitigation

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
AESTHETICS (AE)			
Impact AE-3: Change the expectations of viewers, resulting in a negative impression of the viewshed.	LTS	None required.	LTS
Impact AE-4: Cause adverse impacts on a scenic vista or scenic highway.	LTS	None required.	LTS
Impact AE-6: Routine operations and maintenance visually contrast with or degrade the character of the viewshed.	LTS	None required.	LTS
Impact AE-8: Change the expectations of viewers, resulting in a negative impression of the viewshed.	LTS	None required.	LTS
AIR QUALITY (AQ)			
Impact AQ-4: Health risk from project operations in excess of the thresholds of significance identified in the BAAQMD CEQA Guidelines.	LTS	None required.	LTS
Impact AQ-5: Cumulative criteria pollutant health risk in excess of the thresholds of significance identified in the BAAQMD CEQA Guidelines.	LTS	None required.	LTS
Impact AQ-6: Creation of objectionable odors.	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact AQ-7: Emissions in exceedance of the General Conformity de minimus thresholds.	LTS	None required.	LTS
Impact AQ-8: Operational non-compliance with BAAQMD rules and regulations and, therefore, inability to pass pre-construction review and receive a permit.	LTS	None required.	LTS
GREENHOUSE GAS EMISSIONS			
Impact GG-1: Generate greenhouse gas emissions that exceed the adopted BAAQMD thresholds.	LTS	None required.	LTS
Impact GG-3: Conflict with an adoptable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions.	LTS	None required.	LTS
AQUATIC RESOURCES (AR)			
Impact AR-4: Introduce or spread aquatic invasive species into or within the Lower Estuarine River.	LTS	None required.	LTS
Impact AR-6: Cause entrainment as a result of dredging.	LTS	None required.	LTS
Impact AR-7: Cause increased turbidity and suspended-sediment concentration as a result of dredging.	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact AR-8: Cause resuspended contaminants as a result of dredging.	LTS	None required.	LTS
Impact AR-10: Cause habitat modification as a result of dredging.	LTS	None required.	LTS
Impact AR-11: Cause indirect effects as a result of dredging.	LTS	None required.	LTS
Impact AR-14: Increase the potential of hazardous material spills.	LTS	None required.	LTS
Impact AR-15: Cause increase in boat wake erosion of tidal marshes due to increased vessel traffic.	LTS	None required.	LTS
Impact AR-16: Cause increased sediment resuspension due to increased boat traffic.	LTS	None required.	LTS
Impact AR-17: Increase sediment in the water column due to routine maintenance dredging.	LTS	None required.	LTS
Impact AR-19: Increase the potential for minor accidental spills of fuel and other materials.	LTS	None required.	LTS
Impact AR-21: Cause significant impacts to special-status species and sensitive habitats under modeled sea rise projections.	LTS	None required.	LTS
Impact AR-22: Substantially affect threatened or endangered species, or protected species (including candidate, sensitive or special status species); cause the loss of sensitive native plant communities; or	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
cause the loss of wetlands as a result of routine maintenance.			
Impact AR-23: Cause a degradation in water quality such that criteria for the protection of aquatic life and the prevention of bioconcentration of pollutants in aquatic organisms are exceeded.	LTS	None required.	LTS
TERRESTRIAL RESOURCES (TR)			
Impact TR-6: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.	LTS	None required.	LTS
Impact TR-7: Substantially affect threatened or endangered species, or protected species (including candidate, sensitive, or special-status species); cause the loss of sensitive native plant communities; or cause the loss of wetlands as a result of stormwater runoff.	LTS	None required.	LTS
Impact TR-8: Substantially affect threatened or endangered species, or protected species (including candidate, sensitive, or special-status species); cause the loss of sensitive native plant communities; or cause the loss of wetlands as a result of routine	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
maintenance.			
Impact TR-9: Substantially affect threatened or endangered species, or protected species (including candidate, sensitive, or special-status species) as a result of collisions or electrocutions from power lines. (Less than significant.)	LTS	None required.	LTS
GEOLOGY SOILS & SEISMICITY (GSS)			
Impact GSS-1: Potential to cause substantial soil erosion or compaction.	LTS	None Required.	LTS
Impact GSS-2: Potential to cause adverse effects to natural resources as a result of disposal of dredged material during restoration of the navigation channel.	LTS	None Required.	LTS
Impact GSS-3: Expose people or structures to surface faulting, resulting in substantial structural damage and risk of injury or loss of life.	LTS	None Required.	LTS
Impact GSS-4: Expose people or structures to strong ground shaking, causing substantial structural damage and risk of injury or loss of life.	LTS	None Required.	LTS
Impact GSS-5: Expose people or structures to the risk of loss, injury, or death as a result of tsunamis and/or seiches.	LTS	None Required.	LTS
Impact GSS-6: Cause substantial soil erosion or	LTS	None Required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
compaction.			
Impact GSS-8: Cause adverse effects to natural resources as a result of disposal of dredged material during ongoing maintenance of the navigation channel.	LTS	None Required.	LTS
HAZARDS AND HAZARDOUS MATERIALS (HM)			
Impact HM-1: Create a hazard to workers, the public, and/or the environment through the routine transport, use, and/or disposal of hazardous materials.	LTS	None required.	LTS
Impact HM-2: Create a hazard to workers, the public, and/or the environment through exposure to existing hazardous materials at the site.	LTS	None required.	LTS
Impact HM-3: Create a hazard to workers, the public, and/or the environment through the routine transport, use, and/or disposal of hazardous materials.	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact HM-6: Emissions of hazardous substances and handling of hazardous materials within 0.25 mile of existing or proposed schools.	LTS	None required.	LTS
Impact HM-7: Risk to the public or the environment as a result of being located on a site that is included on the Cortese List.	LTS	None required.	LTS
Impact HM-8: Impair implementation of or physically interfere with an adopted emergency response plan or evacuation plan.	LTS	None required.	LTS
PUBLIC SERVICES AND UTILITIES (PSU)			
Impact PSU-1: Substantial adverse impacts to levels of service for public services.	LTS	None required.	LTS
Impact PSU-2: Result in noncompliance with required fire response distances or response times applicable to the project.	LTS	None required.	LTS
Impact PSU-3: Construction of new water, wastewater, or stormwater drainage facilities, or expansion of existing facilities.	LTS	None required.	LTS
Impact PSU-4: Determination that the wastewater service provider does not have adequate capacity to serve the project.	LTS	None required.	LTS
Impact PSU-5: Exceed wastewater treatment requirements of the applicable Regional Water	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Quality Control Board.			
Impact PSU-7: Result in substantial adverse impacts to public utilities.	LTS	None required.	LTS
Impact PSU-8: Result in substantial adverse impacts to levels of service for public services.	LTS	None required.	LTS
Impact PSU-9: Result in noncompliance with required fire response distances or response times applicable to the project.	LTS	None required.	LTS
Impact PSU-10: Require new or expanded entitlements for water supply.	LTS	None required.	LTS
Impact PSU-11: Determination that the wastewater service provider does not have adequate capacity to serve the project.	LTS	None required.	LTS
Impact PSU-12: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.	LTS	None required.	LTS
Impact PSU-13: Require new solid waste facilities.	LTS	None required.	LTS
LAND USE AND RECREATION (LUR)			
Impact LUR-5: Cause the loss of passive recreational opportunities in open spaces and multi-use trails.	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact LUR-6: Cause decreased public access to the Suisun Bay waterfront.	LTS	None required.	LTS
Impact LUR-7: Conflict with any land use plans, policies, or regulations, and/or divide an established community as a result of project operation.	LTS	None required.	LTS
Impact LUR-10: Cause a substantial long-term disruption of any institutionally recognized recreational facilities or activities.	LTS	None required.	LTS
Impact LUR-11: Cause the loss of passive recreational opportunities in open spaces and multi-use trails.	LTS	None required.	LTS
Impact LUR-12: Cause decreased public access to the Suisun Bay waterfront.	LTS	None required.	LTS
NOISE AND VIBRATION (NV)			
Impact NV-1: Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.	LTS	None required.	LTS
Impact NV-2: Expose persons to, or generate, excessive ground-borne vibration or ground-borne noise.	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact NV-3: Expose persons to, or generate, noise levels in excess of established standards.	LTS	None required.	LTS
Impact NV-4: Expose persons to, or generate, excessive ground-borne vibration or ground-borne noise levels.	LTS	None required.	LTS
Impact NV-5: Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.	LTS	None required.	LTS
POPULATION AND HOUSING (PH)			
Impact PH-1: Induce substantial population growth in the City of Pittsburg and/or Contra Costa County, either directly or indirectly, as a result of project construction.	LTS	None required.	LTS
Impact PH-2: Significantly change population and employment in the City of Pittsburg and/or Contra Costa County resulting from construction.	LTS	None required.	LTS
Impact PH-3: Changes to housing in the City of Pittsburg and/or Contra Costa County.	LTS	None required.	LTS
Impact PH-5: Physical impact (e.g., dilapidation of housing or other facilities) arising from economic effect resulting from project operation.	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact PH-6: Increase or decrease employment opportunities in the City of Pittsburg and/or Contra Costa County as a result of Terminal operations.	LTS	None required.	LTS
Impact PH-7: Changes to housing in the City of Pittsburg and/or Contra Costa County.	LTS	None required.	LTS
Impact PH-8: Induce substantial population growth in the City of Pittsburg and/or Contra Costa County, either directly or indirectly, as a result of Terminal operation.	LTS	None required.	LTS
LAND TRANSPORTATION (LT)			
Impact LT-1: Substantially increase traffic in relation to the existing traffic load and capacity of the street system.	LTS	None required.	LTS
Impact LT-2: Exceed level of service standards on city roads or state highways.	LTS	None required.	LTS
Impact LT-3: Result in substantial safety risks resulting from a change in traffic patterns.	LTS	None required.	LTS
Impact LT-5: Result in inadequate emergency access.	LTS	None required.	LTS
Impact LT-6: Result in inadequate parking.	LTS	None required.	LTS
Impact LT-7: Substantially increase traffic in relation to the existing traffic load and capacity of	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
the street system.			
Impact LT-8: Result in substantial safety risks resulting from a change in traffic patterns.	LTS	None required.	LTS
Impact LT-9: Substantially increase hazards caused by a design feature or incompatible uses.	LTS	None required.	LTS
Impact LT-10: Result in inadequate parking.	LTS	None required.	LTS
Impact LT-11: Conflict with adopted policies or programs within the City of Pittsburg General Plan or regional transportation plans.	LTS	None required.	LTS
MARINE TRANSPORTATION AND MARINE TERMINAL OPERATIONS (MT)			
Impact MT-1: Substantially increase vessel congestion in Suisun Bay resulting from marine construction vessels and associated vessel traffic.	LTS	None required.	LTS
Impact MT-2: Substantially increase the number of incidents in the San Francisco Bay arising from unsafe navigation conditions related to marine construction vessels and project-related vessel traffic.	LTS	None required.	LTS
Impact MT-3: Risk of injury or death to the public from fire, explosion, release of flammable or toxic materials, or other accident caused by marine construction vessels and associated vessel traffic.	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact MT-4: Substantially increase vessel congestion in the San Francisco Bay Area arising from the calling of marine vessels at the Terminal.	LTS	None required.	LTS
Impact MT-5: Substantially increase the number of incidents in the San Francisco Bay Area arising from unsafe navigation conditions caused by tank vessels transiting to and/or from the marine terminal.	LTS	None required.	LTS
Impact MT-6: Risk of injury or death to the public from fire, explosion, release of flammable or toxic materials, or other accident caused by tank vessels at or transiting to and/or from the Terminal within the San Francisco Bay Area.	LTS	None required.	LTS
Impact MT-7: Risk of injury or death to the public arising from an oil spill at the marine terminal.	LTS	None required.	LTS
Impact MT-8: Risk of injury or death to members of the public resulting from a fire or explosion at the marine terminal.	LTS	None required.	LTS
Impact MT-9: Risk of injury or death to members of the public arising from compromised operations of the marine terminal as a result of sea level rise.	LTS	None required.	LTS
WATER RESOURCES (WR)			
Impact WR-1: Degrade surface water quality as a	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
result of storage terminal, Rail Transload Facility, bridge structures, and pipeline construction activities.			
Impact WR-2: Degrade groundwater quality as a result of onshore storage terminal, Rail Transload Facility, bridge, and pipeline construction activities.	LTS	None required.	LTS
Impact WR-3: Degrade surface water quality as a result of marine terminal construction activities.	LTS	None required.	LTS
Impact WR-4: Cause insufficient capacity of the proposed stormwater management system.	LTS	None required.	LTS
Impact WR-5: Re-direct flood flows within the 100-year flood plain, or expose people, structures, or facilities to significant risk from flooding.	LTS	None required.	LTS
Impact WR-6: Degrade water quality due to runoff from the onshore terminal.	LTS	None required.	LTS
Impact WR-7: Degrade water quality due to runoff from the Rail Transload Facility, including associated bridge structures. (Less than significant.)	LTS	None required.	LTS
Impact WR-8: Degrade water quality due to biofouling, vessel hull paints, or maintenance dredging.	LTS	None required.	LTS
Impact WR-9: Degrade water quality as a result of a crude oil release from an aboveground storage tank.	LTS	None required.	LTS

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact WR-11: Degrade water quality as a result of a crude oil release from the Rail Transload Facility.	LTS	None required.	LTS

Table ES-2: Summary of Project Impacts Requiring Mitigation to Reduce Significance

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
AESTHETICS (AE)			
Impact AE-2: Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.	Potentially Significant	**Mitigation Measure AE-1: Direct construction lighting away from sensitive receptors.** Any necessary construction lighting shall be directed away from sensitive receptors, including residential areas, habitat, and open space adjacent to the project site.	LTS
Impact AE-5: Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.	Potentially Significant	**Mitigation Measure AE-2: Terminal lighting.** Terminal lighting shall consist of sodium-vapor lamps, and non-glare bulbs shall be used.	LTS
		Mitigation Measure AE-3: Exterior paint. If the exterior walls of the facilities (e.g., buildings and tanks) are re-painted, the paint shall be a matte, non-glare type of paint in a color to be determined by the Planning Commission through the design review process, as required by PMC 18.54.100.	LTS
AIR QUALITY (AQ)			
Impact AQ-3: Operations emissions in excess of the thresholds of significance identified in the BAAQMD CEQA Guidelines.	Potentially Significant	**Mitigation Measure AQ-3: Secure emission reduction credits (ERCs) to offset NO_x and POC emissions.** Proposed project NO_x and POC emissions shall be fully offset through the purchase of equivalent ERCs. Per BAAQMD Regulations 2-2-215, 302, and 303, the proposed project is required to provide	LTS

		operational emission offsets in the form of ERCs on a pollutant-specific basis for increased emissions of nonattainment pollutants in excess of specified thresholds. Per regulations, POC emissions and NO_x emissions would be offset with ERCs at a ratio of 1.15:1.0. Over the years, tug boat and rail locomotive engine emission standards tend to become more stringent. Starting in 2027, it was assumed that Tier IV emission standards would be in place for both of these sources. Marine vessel emissions are also expected to become cleaner over time; however, no regulatory emission standard has been approved internationally for $PM_{10}/PM_{2.5}$. Table 4-20 summarizes the mitigated proposed project operational emissions which also reflect the Tier IV engine standards, which would be less than significant under CEQA.	
AQUATIC RESOURCES (AR)			
Impact AR-12: Cause increased sediment resuspension in the water column due to pile removal.	Potentially Significant	**Mitigation Measure AR-7: Minimize sediment resuspension.** Before pulling the pile, the operator shall first hit or vibrate the pile to loosen the pile from the sediment. This will minimize the potential for the pile to break and reduce the amount of attached sediment that will slough during the pull. Piles shall be removed slowly to allow sediment to slough off at the mudline.	LTS
TERRESTRIAL RESOURCES (TR)			
Impact TR-1: Substantially affect threatened or endangered species, or protected species (including candidate, sensitive or special status species).	Potentially Significant	**Mitigation Measure TR-1: Blooming period surveys for special-status plants species and impact avoidance.** If required by the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (ECCC HCP/NCCP), additional surveys during the blooming period shall be conducted for large-flowered fiddleneck (April to May), bent-	LTS

		flowered fiddleneck (March to June), round-leaved filaree (March to May), Mt. Diablo fairy-lantern (April to June), diamond-petaled California poppy (March to April), Diablo helianthella (March to June), showy golden madia (March to May), robust monardella (June to July), and slender-leaved pondweed (May to July). Two field surveys shall be conducted to capture ground conditions during the blooming period. A report documenting the results of the rare plant surveys shall be submitted to the City of Pittsburg prior to the start of construction. Due to the degraded and disturbed conditions of the ruderal and annual grasslands and seasonal wetlands in the project site, and the resulting low potential for special-status plants to be present in these areas, the requirement for blooming period surveys may be waived by the City of Pittsburg in accordance with the ECCC HCP/NCCP. In the event that any special-status species are found, impacts shall be avoided where practicable through the use of 100-foot exclusion buffers. In the event that impacts are unavoidable, plant salvage measures for covered species shall be undertaken as outlined in ECCC HCP/NCCP Conservation Measure 3.10.	
		Mitigation Measure TR-2: Preconstruction surveys for Townsend's western big-eared bat and sensitive bat species, and impact avoidance. A preconstruction survey is required to determine whether the sites are occupied immediately prior to construction, or whether they show signs of recent previous occupation. Preconstruction surveys are used to determine what avoidance and minimization requirements are triggered before construction and whether construction	LTS

		monitoring is necessary. A report documenting the results of the preconstruction survey shall be submitted to the City of Pittsburg prior to the start of construction. If the species is discovered, or if evidence of recent prior occupation is established, construction shall be scheduled such that it minimizes impacts on bats. Hibernation sites with evidence of prior occupation shall be sealed before the hibernation season (November to March), and nursery sites shall be sealed before the nursery season (April to August). If the site is occupied, then the action shall occur either prior to or after the hibernation season for hibernacula and after August 15 for nursery colonies. Construction shall not take place as long as the site is occupied.	
		Mitigation Measure TR-3: Golden eagle, Swainson's hawk, and white-tailed kite nest surveys and impact avoidance. Prior to construction, a U.S. Fish and Wildlife Service (USFWS)/California Department of Fish and Wildlife (CDFW)-approved biologist shall conduct a preconstruction survey for potential golden eagle, Swainson's hawk, and white-tailed kite nests. The survey area shall include tall trees and other potential nesting sites within 0.5 mile of the project site. The presence of golden eagle nests within 0.5 mile or Swainson's hawks within 1,000 feet of the project shall trigger preconstruction surveys to determine nest occupancy. A report documenting the results of the preconstruction survey shall be submitted to the City of Pittsburg prior to the start of construction. If nests are occupied during the nesting season (approximately January to March for golden eagle;	LTS

		March 15 to September 15 for Swainson's hawk; February to August for white-tailed kite), the project proponents shall mitigate according to the standards of the ECCC HCP/NCCP, which include guidelines for impact avoidance and biological monitoring. Per Section 3503 of the California Fish and Game Code, nests of white-tailed kite shall not be disturbed or destroyed. Per Section 6.4.3 of the ECCC HCP/NCCP, construction activities shall be prohibited within 0.5 mile of active golden eagle or Swainson's hawk nests. This buffer may be reduced by the City of Pittsburg in coordination with the CDFW and/or USFWS to accommodate limited construction activities.	
		Mitigation Measure TR-4: Western burrowing owl preconstruction surveys and impact avoidance. No more than 30 days prior to construction of the proposed pipelines, a USFWS/CDFW-approved biologist shall conduct a preconstruction survey in the annual grassland south of Willow Pass Road according to guidelines in Section 6.4.3 of the ECCC HCP/NCCP to identify burrows and owls. During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. A report documenting the results of the preconstruction survey shall be submitted to the City of Pittsburg prior to the start of construction, and all mitigation measures required by the ECCC HCP/NCCP shall be attached as	LTS

		conditions to either the grading or site development permit issued by the City. If burrowing owls are found during the breeding season, the project proponent shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance shall include establishment of a 160-foot buffer zone. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1 to January 31), the project proponent shall avoid the owls and the burrows they are using, if possible. If occupied burrows for burrowing owls are not avoidable, passive relocation shall be implemented. Owls shall be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors shall be in place for 48 hours prior to excavation. The area shall be monitored daily for one week to confirm that the owl has abandoned the burrow. Whenever possible, burrows shall be excavated using hand tools and refilled to prevent reoccupation. Plastic tubing or a similar structure shall be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.	
		Mitigation Measure TR-5: Western pond turtle avoidance and minimization. Preconstruction surveys shall be conducted by a qualified biologist no more than 30 days prior to construction. Should a western pond	LTS

		turtle be identified, construction shall not commence until the biologist translocates the turtle or until the turtle leaves the construction site. A report documenting the results of the preconstruction survey shall be submitted to the City of Pittsburg prior to the start of construction, and all mitigation measures required by the ECCC HCP/NCCP shall be attached as conditions to either the grading or site permit by the City.	
		Mitigation Measure TR-6: California red-legged frog and California tiger salamander habitat assessment and notification. Following guidelines in Section 6.4.3 of the ECCC HCP/NCCP, no preconstruction surveys are required for these species. The project proponent shall provide written notification to the USFWS, CDFW, and the Implementing Entity (City of Pittsburg), including photos and a breeding habitat assessment, prior to disturbance of any suitable breeding habitat for California red-legged frog and California tiger salamander. The project proponent shall also notify these parties of the approximate date of removal of the breeding habitat at least 30 days prior to this removal to allow USFWS or CDFW staff to translocate individuals, if requested by either agency. Should the USFWS or CDFW communicate their desire to translocate individuals, the project proponent must coordinate the timing of disturbance of habitat to allow the USFWS or CDFW to translocate individuals. The USFWS and CDFW shall be allowed 45 days to translocate individuals from the date the first written notification is submitted by the project proponent, unless a longer period is agreed to by the project proponent, USFWS, and CDFW. Construction monitoring is not required.	LTS

Impact TR-2: Cause the loss of sensitive native plant communities, as defined by CDFW.	Potentially Significant	**Mitigation Measure TR-7: Environmentally sensitive area avoidance and education.** Environmentally sensitive area information shall be shown on contract plans and demarcated in the field for work avoidance. Environmentally sensitive area provisions could include, but are not limited to, the use of temporary orange fencing to delineate the proposed limit of work in areas adjacent to sensitive resources, or to delineate and exclude sensitive resources from potential construction impacts. Specific measures to protect aquatic and wetland features are detailed below in Mitigation Measure TR-8 and would be attached as conditions to either the grading or site development permit issued by the City. A qualified biologist shall create a Workers Environmental Awareness Program (WEAP) for work on the terrestrial portions of the project to provide construction workers with training in identification and avoidance of environmentally sensitive areas. Training material shall be sent to the City of Pittsburg for review 2 weeks prior to construction. Proof of training in the form of sign in sheets shall be submitted to the City of Pittsburg within 48 hours of each training conducted under the WEAP.	LTS
Impact TR-3: Cause the loss of wetlands or other waters of the United States under the Clean Water Act, 40 Code of Federal Regulations 230 Section 404.	Potentially Significant	**Mitigation Measure TR-8: Aquatic and wetland feature impact avoidance.** • All wetlands and waters to be avoided shall be temporarily staked in the field by a qualified biologist. • Work exclusion buffer zones equal to 50 feet or the	LTS

		extent practicable shall be maintained from the edge of all aquatic and wetland features. Construction activities that occur within 50 feet of an aquatic or wetland feature shall require environmental monitoring. Fencing shall be erected between the outer edge of the buffer zone and the project area. Fencing shall be temporary and removed after the construction is complete. • Appropriate erosion-control measures (e.g., fiber rolls, filter fences, vegetative buffer strips) shall be used on-site to reduce siltation and runoff of contaminants into wetlands, ponds, streams, or riparian woodland/scrub. Filter fences and mesh shall be of material that would not entrap reptiles and amphibians. Erosion control blankets shall be used as a last resort because of their tendency to biodegrade slowly and trap reptiles and amphibians. Erosion-control measures shall be placed between the outer edge of the buffer and the project site. Erosion barriers for disturbances in the South Tank Farm and between Tanks 15 and 16 shall be permanent. Fiber rolls used for erosion control shall be certified as free of noxious weed seed. Seed mixtures applied for erosion control shall not contain invasive nonnative species, and shall be composed of native species or sterile nonnative species. • Personnel conducting ground-disturbing activities within or adjacent to the buffer zone of wetlands, ponds, streams, or riparian woodland/scrub shall be trained by a qualified biologist in these avoidance	

		and minimization measures and the permit obligations of project proponents working under the ECCC HCP/NCCP. Vehicles and equipment shall be parked on pavement, existing roads, and previously disturbed areas. • Soil excavated during construction and intended for backfill shall be taken by truck from the site and stored at the existing storage terminal or in the annual grassland south of West 10th Street to be used as backfill. • Trash generated by covered activities shall be promptly and properly removed from the site. • No construction or maintenance vehicles shall be refueled within 200 feet of wetlands, ponds, streams, or riparian woodland/scrub unless a bermed and lined refueling area is constructed and hazardous material absorbent pads are available in the event of a spill. • Where feasible, stream crossings shall be located in stream segments without riparian vegetation and bridge footings shall be built outside the stream banks. • Herbicide shall not be applied within 100 feet of wetlands, ponds, streams, or riparian woodland/scrub; however, where appropriate to control serious invasive plants, herbicides that have been approved for use by the EPA in or adjacent to aquatic habitats may be used as long as label	

		instructions are followed and applications avoid or minimize impacts on covered species and their habitats. In seasonal or intermittent stream or wetland environments, appropriate herbicides may be applied during the dry season to control nonnative invasive species (e.g., yellow star-thistle). Herbicide drift shall be minimized by applying the herbicide as close to the target area as possible.	
Impact TR-4: Isolate wildlife populations and/or substantially disrupt wildlife migratory or movement corridors, or use of native wildlife nursery sites.	Potentially Significant	**Mitigation Measure TR-9: Nesting bird surveys.** To avoid tree removal and small-mammal burrow removal during nesting season, tree or shrub removal or pruning shall be avoided from February 1 through August 31, the bird-nesting period, to the extent feasible. A qualified biologist shall conduct preconstruction surveys no more than 14 days prior to construction to determine if migratory bird nests are present. A report documenting the results of the preconstruction survey shall be submitted to the City of Pittsburg prior to the start of construction. Provided that no birds or eggs are present in the nest, the nest may be removed without violation of the Migratory Bird Treaty Act. If eggs or birds are present, the biologist shall, in consultation with the CDFW, designate a construction-free buffer zone around the nest until the young have fledged.	LTS
CULTURAL RESOURCES (CR)			
Impact CR-1: Have the potential to disturb previously unrecorded historical, archaeological, or	Potentially Significant	**Mitigation Measure CR-1: Pre-construction worker education training.** Prior to the beginning of construction, the construction crew shall be informed that cultural resources (archaeological and paleontological) may be encountered during	LTS

paleontological resources, and human remains.		construction of the project. A preconstruction meeting shall be conducted at an on-site location to educate the construction crew about the cultural resources that may be encountered during project construction. The training shall be conducted by an archaeologist/paleontologist, and may be conducted by any member of the cultural resources team. The training may be conducted in conjunction with other project-related environmental/safety training. The training shall include: • a discussion of applicable laws and penalties under those laws, • samples or visual images of artifacts/fossils that might be found in the project area, and • an explanation of what to do if artifacts/fossils are found, including a communication plan and contact information.	
		Mitigation Measure CR-2: Unanticipated discovery. In the event of an unanticipated encounter with a cultural resource during construction, including, but not limited to, a shipwreck, the following course of action shall be implemented immediately by the construction manager and/or authorized site representative[1]. • Work within 50 feet of the find shall be halted, although construction activities can continue in other areas. • A qualified archaeologist/paleontologist shall be	LTS

[1]The title to all abandoned shipwrecks, archaeological sites, and historical or cultural resources on or in the tideland submerged lands of California would be vested in the State and under the jurisdiction of the California State Lands Commission.

		consulted to evaluate the find, make recommendations on the significance of the find, and determine the appropriate course of action to ensure proper treatment. • If significant or unique cultural resources are found, a time allotment for implementation of avoidance measures or other appropriate treatment shall be established. • Consultation shall be initiated with the California State Lands Commission (CSLC).	
		Mitigation Measure CR-3: Accidental discovery of human remains. In the event of an accidental discovery or recognition of human remains during construction, based on State of California Health and Safety Code, Section 7050.5, the following course of action shall be implemented immediately by the construction manager and/or authorized site representative. • No further excavation or disturbance of the site shall occur within 100 feet of the find and construction personnel shall promptly vacate the 100-foot buffer zone. • The county coroner shall be immediately notified of the find. • Consultation shall be initiated with the CSLC. • There shall be no further activity at the site until the county coroner has made a determination of origin and disposition pursuant to Section 5097.98 of the Public Resources Code. If the human remains are determined to be prehistoric, the county coroner	LTS

		shall notify the Native American Heritage Commission (NAHC), and the NAHC shall determine and notify a Most Likely Descendent. The Most Likely Descendent shall complete inspection of the site within 48 hours of such notification. • The Most Likely Descendent then has the opportunity to recommend to the property owner or the person responsible for the excavation work means for treating or disposing of, with appropriate dignity, the human remains and associated grave goods.	
		Mitigation Measure CR-4: Paleontological monitoring. A paleontological monitor shall be present during all ground-disturbing activities in the areas of moderate potential for fossils (all deposits from the Qpf-Latest Pleistocene alluvial fan deposits; this includes the East Tank Farm [see Figure 9-1: Regional Geology]), to ensure that subsurface paleontological resources are adequately protected. • If unique paleontological resources are discovered, all significant fossil material shall be collected, prepared, identified, and curated, and then placed into a scientific repository. Work within 50 feet of the find shall be halted, although construction activities can continue in other areas. • Consultation shall be initiated with the CSLC. • If necessary, salvage operations of significant fossils shall be conducted in accordance with the professional standards set forth by the Society of	LTS

		Vertebrate Paleontology.	
PUBLIC SERVICES AND UTILITIES (PSU)			
Impact PSU-6: Temporary increase in solid waste generation.	Potentially Significant	**Mitigation Measure PSU-1: Recycling of construction materials.** Excess construction materials shall be separated on-site for reuse/recycling or proper disposal. Separate bins for recycling of construction materials shall be provided on-site.	LTS
LAND USE AND RECREATION (LUR)			
Impact LUR-4: Conflict with established or proposed land uses, including potentially sensitive land uses.	Potentially Significant	**Mitigation Measure LUR-2: Direct construction lighting away from sensitive receptors.** Refer to Mitigation Measure AE-1 in Chapter 3.0: Aesthetics.	LTS
Impact LUR-9: Conflict with established or proposed land uses, including potentially sensitive land uses.	Potentially Significant	**Mitigation Measure LUR-3: Terminal lighting.** Refer to Mitigation Measure AE-2 in Chapter 3.0: Aesthetics.	LTS
LAND TRANSPORTATION (LT)			
Impact LT-4: Substantially increase hazards caused by a design feature or incompatible uses.	Potentially Significant	**Mitigation Measure LT-1: Minimize damage to existing roads.** To minimize damage to existing roads WesPac shall: • use regulation-sized vehicles, except for specific construction equipment, which may haul oversized loads; • enter into a secured agreement with the City of Pittsburg to ensure that any City roads that are demonstrably damaged by project-related activities	LTS

		are promptly repaired and, if necessary, paved, slurry-sealed, or reconstructed as per requirements of the City; and • post a security bond to cover the costs of road maintenance during construction.	

Table ES-3: Summary of Significant and Unavoidable Impacts

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
AESTHETICS (AE)			
Impact AE-7: Visual effects from accidental releases of oil at or near the Terminal or Rail Transload Facility.	SU	**No additional mitigation measures available.**	SU
AIR QUALITY (AQ)			
Impact AQ-1: Construction emissions or health risk in excess of the thresholds of significance identified in the BAAQMD CEQA Guidelines (AQ Phase 1).	SU	**Mitigation Measure AQ-1: Utilize equipment with Tier II engines or newer for AQ Phase 1 construction activities occurring before commencement of rail operations.** Under this mitigation measure, the construction contractor shall be responsible for supplying construction equipment with Tier II engines or newer for construction activities associated with AQ Phase I (or all construction activities occurring prior to commencement of rail operations). If the required equipment is not available, the contractor shall be required to provide documentation showing that equipment with a Tier II or newer engine is not available within 200 miles of the project site. (Transporting Tier II equipment longer distances would neutralize the emissions benefit gained by its use on site). Table 4-9 shows a summary of the calculated average daily mitigated (Tier II engines or newer) construction emissions, Table 4-10 provides the mitigated construction-related health	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
		risks, and Table 4-11 provides the health risks resulting from construction with mitigation and surrounding emission sources (i.e., cumulative construction-related health risks with mitigation). The proposed mitigation is expected to reduce the construction-related PM_{10} and $PM_{2.5}$ exhaust emissions, cancer health risks and chronic health hazard. Construction-related NO_x emissions is also expected to be reduced, but would remain above the BAAQMD CEQA threshold, and therefore, would remain significant under CEQA. It should be noted that with the proposed mitigation, the average daily construction-related POC emissions are expected to be increased, and would exceed the BAAQMD CEQA threshold. This emission increase is due to the tradeoff of engine emission levels that Tier II offroad engines generally result in lower PM_{10}, $PM_{2.5}$ and NO_x emission rates, but higher POC emissions rates, as compared to Tier I offroad engines.	
Impact AQ-2: Construction emissions or health risk in excess of the thresholds of significance identified in the BAAQMD CEQA Guidelines (AQ Phase 2)	SU	**Mitigation Measure AQ-2: Utilize equipment with Tier II engines or newer for AQ Phase 2 construction activities occurring after commencement of rail operations.** Under this mitigation measure, the construction contractor shall be responsible for supplying construction equipment with Tier II engines or newer for construction activities associated with AQ Phase 2 (or all construction activities occurring after commencement of rail operations). If the required equipment	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
		is not available, the contractor shall be required to provide documentation showing that equipment with a Tier II or newer engine is not available within 200 miles of the project site. (Transporting Tier II equipment longer distances would neutralize the emissions benefit gained by its use on site). Table 4-15 shows a summary of the calculated average daily mitigated (Tier II engines or newer) construction emissions, Table 4-16 provides the mitigated construction-related health risks, and Table 4-17 provides the health risks resulting from construction with mitigation and surrounding emission sources (i.e., cumulative construction-related health risks with mitigation).	
GREENHOUSE GAS EMISSIONS (GG)			
Impact GG-2: Generate greenhouse gas emissions that exceed the adopted BAAQMD thresholds.	SU	**No additional mitigation measures available.**	SU
AQUATIC RESOURCES (AR)			

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact AR-1: Cause adverse impacts to special-status species.	SU	**Mitigation Measure AR-1: Conduct environmental training prior to construction.** A qualified biologist shall prepare a WEAP to provide environmental training for construction personnel, including contractors, prior to the commencement of construction activities. The training shall include specific measures to prevent injury to special-status species and information about what to do if one is found in the construction area. The program shall also provide workers with information on their responsibilities with regard to special-status species, an overview of the life history of the species, information on take prohibitions, protections afforded the species under the Environmental Species Act, and an explanation of the relevant terms and conditions of the incidental take permit. Training material shall be submitted to the City of Pittsburg for review two weeks prior to construction. Proof of training in the form of sign-in sheets shall be submitted to the City of Pittsburg within 48 hours of each training conducted under the WEAP.	SU
		Mitigation Measure AR-2: Special-status plant protection. A qualified biologist or botanist will conduct pre-construction surveys for special-status plants along the shoreline within 250 feet of the existing dock to determine the aerial extent of special-status plant populations. Timing of pre-construction surveys and flagging shall correspond with the blooming period when the species is most conspicuous and easily recognizable. These periods are:	

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
		• Soft bird's-beak (*Cordylanthus mollis* ssp. *mollis*): April to November • Bolander's water-hemlock (*Cicuta maculata* var. *bolanderi*) July to September • Delta tule pea (*Lathyrus jepsonii* var. *jepsonii*): May to September • Mason's lilaeopsis (*Lilaeopsis masonii*): April to November • Delta mudwort (*Limosella subulata*): May to August • Suisun Marsh aster (*Symphyotrichum lentum*): May to November • Saline clover (*Trifolium hydrophilum*): April to June Areas identified as supporting special-status plants will be mapped and clearly marked in the field. These areas will be avoided during construction to the extent practicable. In the event that impacts to individual special-status plants cannot be avoided, the following conditions will apply: (1) A qualified biologist or botanist with experience in plant transplanting and propagation shall: a) Harvest plants and relocate them, either to a suitable permanent off-site location or to a nursery for storage to be replanted following construction; and/or b) Harvest seeds from mature plants and properly	

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
		store them for post-construction propagation and re-establishment. **(2)** A Restoration and Monitoring Plan shall be prepared that details the monitoring requirements and performance standards to restore the site and monitor transplants or seeded areas, in accordance with California Native Plant Society (CNPS) field sampling protocols. Following CNPS guidelines, the site will be monitored for success or failure for a minimum of five years. The Restoration and Monitoring Plan will be submitted to the City of Pittsburg for final approval.	
		Mitigation Measure AR-3: Conduct biological monitoring during construction. A qualified biologist shall inspect construction-related activities at the proposed project site to ensure that no unauthorized take of federally listed species or destruction of their habitat occurs. The biologist shall be available for monitoring throughout all phases of construction that may result in adverse effects to special-status species. Furthermore, the biologist shall have the authority, through communication with the resident engineer, to stop construction activities in the immediate area if a special-status species is encountered during construction until appropriate corrective measures are completed, or until the animal is determined to be unharmed. Special-status species encountered during construction should be allowed to move away from the area on their own volition. The biologist shall notify the appropriate	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
		agency(ies) immediately if any listed species are found on-site and submit a report, including date(s), location(s), habitat description, and any corrective measures taken to protect the species found. Specific reporting requirements to document biological monitoring shall be developed during consultation with the relevant agencies and included in the project's Mitigation Monitoring and Reporting Program, per applicable agency requirements.	
		Mitigation Measure AR-4: Schedule work to avoid impacts to species. Project components that have the potential to cause significant impacts such as pile driving shall be scheduled to the extent practicable to occur in summer when the fewest numbers of special-status species are expected to occur. With the exception of dredging, in-water construction activities shall occur from 30 minutes after sunrise to 30 minutes before sunset, when fewer fish species are active. Additional scheduling recommendations are provided in Mitigation Measures AR-6 and AR-7.	SU
		Mitigation Measure AR-5: Keep the work site clean and free of hazards. To protect seals or sea lions that may attempt to use the marine docks for haul-out in the evening and overnight, the work site shall be kept clean and free of sharp tools or other hazards that could cause harm.	SU
Impact AR-2: Disrupt wildlife migratory corridors.	SU	**No additional mitigation measures available.**	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact AR-3: Create adverse impacts to special-status habitats.	SU	**No additional mitigation measures available.**	SU
Impact AR-5: Cause impacts to species and habitat as a result of dredging.	SU	**Mitigation Measure AR-6: Time dredging to reduce impacts to special-status species.** Dredging activities shall be conducted from June 1 through November 30 or as otherwise specified by regulatory agencies such as the Dredged Material Management Office or CDFW. To the extent practicable, dredging shall be restricted to daylight hours to reduce the disturbance to salmonids, which are least active during daylight hours.	SU
Impact AR-9: Cause noise impacts as a result of dredging.	SU	**No additional mitigation measures available.**	SU
Impact AR-13: Cause increased underwater noise levels in the Lower Estuarine River as a result of pile driving.	SU	**Mitigation Measure AR-8: Consult with agencies to determine optimal schedule.** Conduct pile driving during allowable in-water work period of August, September, and October, or as determined through consultation with the USFWS, National Marine Fisheries Service, and/or CDFW. Schedule driving of the larger piles, such as the breasting dolphins, towards the beginning of the construction period to avoid impacts to the greatest number of special-status species.	SU
		Mitigation Measure AR-9: Time impact-hammer pile driving to coincide with low tide or slack currents. Where piles must be driven with an impact hammer in deep waters	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
		(i.e., waters greater than 7 meters), drive them at times of slack current, i.e. the ninety minutes on either side of low or high tide when the tidal currents are weakest.	
		Mitigation Measure AR-10: Start soft. Start work with a noise attenuator (i.e., soft start) to allow time for fish to move away from the immediate project site.	SU
		Mitigation Measure AR-11: Employ a sound attenuation system for impact-hammer pile driving. Use of the sound attenuation systems as described above would potentially reduce the distance to threshold for onset of physical injury as shown in Table 6-13. It is assumed that an air bubble curtain within a sleeve would be used to attenuate noise from impact hammers on steel piles and that the maximum level of attenuation would be attained. Caution is, therefore, suggested when evaluating these results. However, the results do suggest that with the implementation of sound attenuation and sound-reduction systems, the impacts to special-status fish, though reduced, would still be significant enough to change behavior of fish within the reduced impact range and, at close quarters, to cause direct injury or mortality. The particular sound attenuation and sound reduction system to be employed during pile driving, as appropriate, shall be developed as part of permitting conditions stipulated for the dock upgrades (e.g., Section 10 or Section 404 U.S. Army Corps of Engineers permit, or the lease agreement with the CSLC and/or City of Pittsburg).	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact AR-18: Introduce or increase the spread of aquatic invasive species in the San Francisco Bay-Delta Region as a result of increased international shipping.	SU	**Mitigation Measure AR-12: Marine Invasive Species Act Questionnaires**. Following the adoption of the Mitigation Monitoring Program for the proposed project, WesPac shall advise both agents and representatives of shipping companies having control over vessels that have informed WesPac of plans to call at the marine terminal about the California Marine Invasive Species Act and associated implementing regulations. WesPac shall satisfy itself that all vessels submit required reporting forms, as applicable for each vessel, to the California State Lands Commission Marine Facilities Division, including but not limited to, the Ballast Water Reporting Form, the Hull Husbandry Reporting Form, the Ballast Water Treatment Technology Reporting Form, and/or the Ballast Water Treatment Supplemental Reporting Form prior to the vessel's entry into San Francisco Bay or in the alternative, at least 24 hours prior to the vessel's arrival at the marine terminal. WesPac shall not discharge any non-segregated ballast water received at the marine terminal to San Francisco Bay. If WesPac needs to unload non-segregated ballast water, it shall be unloaded into a tanker truck or other suitable waste handling vehicle and disposed of at an appropriate facility. All vessels calling at the marine terminal must also have removed biofouling organisms from their wetted surfaces on a regular basis.	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact AR-20: Increase the potential for major accidental spills of fuel and other materials.	SU	**No additional mitigation measures available.**	SU
TERRESTRIAL RESOURCES (TR)			
Impact TR-10: Substantially affect threatened or endangered species, or protected species (including candidate, sensitive, or special-status species); cause the loss of sensitive native plant communities; or cause the loss of wetlands as a result of a hazardous materials spill.	SU	**Mitigation Measure TR-10: Implementation of a Spill Prevention Control and Countermeasures (SPCC) Plan.** An SPCC Plan shall be prepared to address spills resulting from operation of the pipelines and storage terminal. The SPCC Plan shall include the following provisions to mitigate impacts to biological resources: 1. A vulnerability analysis section that provides information about environmentally sensitive resources that could be harmed in the event of a spill. 2. A response section that includes: a. Notification of the spill to designated USFWS and CDFW offices. b. Specific measures to contain the spread of spilled oil within environmentally sensitive habitat utilized by special-status plant and wildlife species and any federal, State, county, or city-designated environmentally sensitive areas.	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
		c. Specific measures to block wildlife access to oiled areas through the use of physical barriers; for spill areas that are smaller and well defined, hazing methods (techniques that use visual and auditory deterrent methods such as shiny reflectors or recordings of predator calls) may be used. d. Species- and site-specific procedures for collection, transportation, and treatment of oiled wildlife, particularly for sensitive species. e. Oil removal methods that incorporate feasible, low-impact, site-specific techniques that minimize impacts to sensitive habitat. Oil removal methods should include, but are not limited to, hand cutting contaminated vegetation and using low-pressure water flushing to remove spilled material from particularly sensitive wildlife habitats such as coastal marshes. Mechanical oil removal, high-pressure or hot-water flushing, and sediment relocation should be avoided because these remediation activities can cause more damage to a sensitive habitat than the oil spill itself. The SPCC Plan shall also evaluate the non-cleanup option for ecologically vulnerable habitats such as coastal estuaries.	

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
		3. Specific measures requiring spill response personnel to be adequately trained for response in terrestrial environments and spill containment and recovery equipment to be maintained in full readiness. Inspection of equipment shall be conducted annually (at a minimum), and the results evaluated, so that spill-response personnel are familiar with the equipment and with the types and locations of sensitive biological resources. 4. When habitat disturbance cannot be avoided, stipulations for development and implementation of site-specific habitat restoration plans and other site-specific and species-specific measures appropriate for mitigating impacts to local populations of sensitive wildlife species and to restore native plant and animal communities to pre-spill conditions. 5. Monitoring procedures and success criteria to be satisfied for restoration areas. The success criteria shall consider the level of disturbance and condition of the adjacent habitats. Monitoring shall continue for three to five years, depending on habitat, or until the success criteria are met. Appropriate remedial measures such as replanting, erosion control, or control of invasive plant species shall be identified and implemented if it is determined that the success criteria are not being met.	

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
HAZARDS AND HAZARDOUS MATERIALS (HM)			
Impact HM-4: Create a hazard to the public or environment through reasonably foreseeable upset or accident conditions involving the release of a hazardous material to the environment.	SU	**Mitigation Measure HM-1: Operations bulk storage tank regulations and standards auditing plan.** The applicant shall not receive petroleum products in project bulk storage tanks prior to acceptance of the bulk storage tank auditing plan by the City Engineering Department. The auditing plan shall include: (1) a tabulation of the safety-related regulations and standards applicable to ongoing operation and maintenance of the project facilities; (2) procedures and schedule for periodic update of the list of applicable safety-related regulations and standards for the life of the project; (3) a self-auditing plan to be implemented by the applicant to self-monitor compliance with regulations and standards, including performance of required tasks, recordkeeping and training; and (4) a schedule for periodic independent audits by a qualified independent party acceptable to the City Engineering Department to be commissioned by the applicant. Third party audits shall occur at least biennially and a written report of findings shall be provided to the City Engineering Department.	SU
		Mitigation Measure HM-2: API Standard 653 inspection report documenting inspection and recommendations for repair, alteration and reconstruction of petroleum storage tanks. The applicant shall not receive petroleum products in project bulk storage tanks prior to acceptance of the API 653 inspection report and tank retrofitting as-built report by the City Engineering Department. The City Engineer may require	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
		reconstruction or removal from the project scope of any tank proposed for retrofitting if applicable engineering and safety standards cannot otherwise be met.	
		Mitigation Measure HM-3: Construction QA/QC plans. The applicant shall not construct, repair or retrofit project bulk storage tanks or pipelines prior to acceptance of QA/QC plans by the City Engineering Department. Following construction and prior to placing the facilities in operation, the applicant shall not receive petroleum products in bulk storage tanks or pipeline until as-built reports and QA/QC records have been accepted by the City Engineering Department.	SU
		Mitigation Measure HM-4: Stakeholder communication plan. The applicant shall not receive petroleum products in project pipelines or storage tanks prior to acceptance of the stakeholder communication plan by the City Engineering Department. The stakeholder communication plan shall be designed to communicate petroleum storage, pipeline and Rail Transload Facility risks and the operator's management of such risks, including planning for rapid implementation of the Community Warning System (CWS) and dissemination of information to facilitate appropriate response to the CWS in the event of any incident that poses an immediate threat to the public or the environment, including emergency warning system operation and appropriate public response.	SU
		Mitigation Measure HM-5: Operations pipeline regulations and standards auditing plan. The applicant shall not receive	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
		petroleum products in project pipelines prior to acceptance of the pipeline auditing plan by the City Engineering Department. The auditing plans shall include: (1) identification of the safety-related regulations and standards applicable to ongoing operation and maintenance of the project pipelines; (2) procedures and schedule for periodic update of the list of regulations and standards for the life of the project; (3) a self-auditing plan to be implemented by the Applicant to self-monitor compliance with regulations and standards, including performance of required tasks, recordkeeping and training; and (4) a schedule for periodic independent audits by a qualified independent party acceptable to the City Engineering Department to be commissioned by the Applicant. Third party audits shall occur at least biennially and a written report of findings shall be provided to the City Engineering Department.	
Impact HM-5: Create a hazard to the public or environment through reasonably foreseeable upset or accident conditions involving the release of crude oil creating an indirect hazard due to crude oil flammability.	SU	**No additional mitigation measures available.**	SU
PUBLIC SERVICES AND UTILITIES (PSU)			

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
Impact PSU-14: Result in substantial adverse impacts to public utilities.	SU	**No additional mitigation measures available.**	SU
LAND USE AND RECREATION (LUR)			
Impact LUR-1: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.	SU	**Mitigation Measure LUR-1: Utilize construction equipment with Tier II engines or newer.** Refer to Mitigation Measure AQ-1 in Chapter 4.0: Air Quality.	SU
Impact LUR-8: Cause residual impacts on sensitive shoreline lands and/or water and non-water recreation due to an accidental release of oil.	SU	**No additional mitigation measures available.**	SU

Impact	Level of Significance without Mitigation	Mitigation Measure(s)	Resulting Level of Significance after Mitigation
WATER RESOURCES (WR)			
Impact WR-10: Degrade water quality as a result of a crude oil pipeline release.	SU	**No additional mitigation measures available.**	SU
Impact WR-12: Degrade water quality due to a crude oil release at the marine terminal.	SU	**No additional mitigation measures available.**	SU

Table ES-4: Project-Related Maximum Residential Health Risk Increase

	Proposed Project[1]	**Significance Threshold**	**Exceeds Significance Threshold?**
Cancer Risk	9.2 in one million	10.0 in a million	No
Non-Cancer Risk Hazard Index (Chronic)	0.01	1.0	No
Non-Cancer Risk Hazard Index (Acute)	0.09	1.0	No
Ambient $PM_{2.5}$ Increase[2]	0.02	0.3 µg/m^3	No

[1]Reported risk based on maximum calculated risk at a residential location (coordinates 597625E, 4210750N).
[2] $PM_{2.5}$ = particulate matter less than 2.5 micrometers in diameter
µg/m3 = micrograms per cubic meter