

---

# **1.0 INTRODUCTION**

---



This Draft Environmental Impact Report (Draft EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The City of Pittsburg (Pittsburg; City) is the lead agency for the environmental review of the proposed Mt. Diablo Resource Recovery Park project (project; proposed project) evaluated herein and has the principal responsibility for approving the project. This Draft EIR assesses the potentially significant environmental impacts that may result from approval of the proposed project and subsequent development under the project.

This section summarizes the purpose of the Environmental Impact Report (EIR) and describes the environmental procedures that are to be followed according to CEQA. It also discusses the intended uses of the EIR and describes the EIR's scope and organization, contact person, and impact terminology.

### 1.1 TYPE AND PURPOSE OF THE EIR

The City of Pittsburg has prepared this Draft EIR to provide the public, trustee agencies, and responsible agencies with information about the potential environmental effects of the proposed project. As described in CEQA Guidelines Section 15121(a), an EIR is a public informational document that assesses potential environmental effects of a proposed project and identifies mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development, where feasible, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

CEQA requires the preparation of an environmental impact report prior to approving any project that may have a significant adverse effect on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]). The City has determined that the proposed action is a project within the definition of CEQA.

The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a project EIR pursuant to State CEQA Guidelines Section 15161. Project EIRs are defined by State CEQA Guidelines Section 15161 as:

*The most common type of EIR examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development of the project. The EIR shall examine all phases of the project including planning, construction, and operation.*

By preparing a project EIR, the City intends to allow the entire project, if approved, to proceed without additional CEQA analysis, absent the kinds of changed circumstances or project modifications that trigger the preparation of a subsequent EIR, supplemental EIR, or addendum (see State CEQA Guidelines Sections 15162–15164).

## **1.0 INTRODUCTION**

---

This Draft EIR utilizes technical information provided by the project applicant (Contra Costa Waste Service), the applicant's existing Use Permit, the City of Pittsburg General Plan and Zoning Code, and information gathered from federal, state, and local agencies, as well as any other data supported by the State CEQA Guidelines (see Section 15148 [Citation] and 15150 [Incorporation by Reference]). By utilizing these provisions of the State CEQA Guidelines, the City, in preparing this Draft EIR, has been able to make maximum feasible and appropriate use of this technical information.

### **1.2 INTENDED USES OF THE EIR**

This Draft EIR is intended to evaluate the environmental impacts of the project to the greatest extent possible. This Draft EIR, prepared in accordance with State CEQA Guidelines Section 15126, will be used as the primary environmental document to evaluate all planning and permitting actions associated with the project. The actions by the City include, but are not limited to, the following:

- Approval of Use Permit Application
- Design Review
- Solid Waste Permit

### **1.3 KNOWN RESPONSIBLE AND TRUSTEE AGENCIES**

"Responsible agency" means a public agency that proposes to carry out or approve a project for which a lead agency is preparing or has prepared an EIR or Negative Declaration. For the purpose of CEQA, the term "responsible agency" includes all California public agencies, other than the lead agency, that have discretionary approval power over the project or an aspect of the project. The following agencies are identified as potential responsible agencies:

- Bay Area Air Quality Management District
- California Department of Toxic Substances Control
- California Department of Transportation (Caltrans)
- State Water Resources Control Board
- California Department of Resources, Recycling and Recovery (CalRecycle)

"Trustee agency" means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. There are no identified trustee agencies for the proposed project.

### **1.4 ORGANIZATION AND SCOPE OF THE DRAFT EIR**

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a brief summary of the proposed actions and its consequences, a description of the project, a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The environmental issues addressed in this Draft EIR were established through environmental documentation of existing projects located in the vicinity and private and public agency responses to the Notice of Preparation/Initial Study (NOP/IS).

## 1.0 INTRODUCTION

---

This Draft EIR is organized in the following manner:

**Executive Summary (State CEQA Guidelines Section 15123)** – Includes a summary of the characteristics of the proposed project, known areas of controversy, and issues to be resolved, and provides a concise summary matrix of the project’s environmental impacts, proposed mitigation measures, and identification of alternatives that reduce or avoid at least one environmental effect of the proposed project.

**Introduction** – Provides an introduction and overview describing the purpose, type, and intended use of the EIR. This section also identifies responsible agencies and describes the organization of the EIR and the review and certification process, as well as includes a summary of comments received on the NOP.

**Project Description** – Provides a detailed description of the proposed project, including intended objectives, background information, and physical and technical characteristics.

**Technical Sections** – Each contains an analysis of environmental topic areas as identified below. Each subsection contains a description of the existing setting of the project area, identifies project-related impacts, and recommends mitigation measures.

This section also includes an introduction to the environmental analysis that describes the general assumptions used to evaluate project-specific and cumulative environmental impacts. Specific analyses are provided in each environmental issue area section:

- Air Quality
- Climate Change and Greenhouse Gases
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Public Services and Utilities
- Transportation and Circulation
- Biological Resources

**Cumulative Impacts** – Discusses the cumulative impacts associated with the proposed project and includes mitigation measures. As required by State CEQA Guidelines Section 15130, the EIR discusses cumulative impacts when the project’s incremental effect is cumulatively considerable.

**Project Alternatives** – State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project which could feasibly attain most of the basic objectives of the project while avoiding and/or lessening any of the significant environmental effects of the project. This alternatives analysis provides a comparative analysis between the project and the selected alternatives.

**CEQA-Mandated Sections** – Contains discussions and analysis of various topical issues mandated by State CEQA Guidelines Section 15126.2. These issues include growth-inducing impacts, significant environmental effects that cannot be avoided if the project is implemented and significant irreversible environmental changes, and effects not found to be significant.

## 1.0 INTRODUCTION

---

**Report Preparers** – Lists all authors and agencies that assisted in the preparation of the EIR by name, title, and company or agency affiliation.

**Appendices** – Includes all notices and correspondence pertinent to the Draft EIR, as well as technical materials prepared and used to support the analysis. Appendices are included on a CD at the back of the Draft EIR.

## 1.5 ENVIRONMENTAL REVIEW PROCESS

### NOTICE OF PREPARATION AND INITIAL STUDY

In accordance with Section 15082 of the State CEQA Guidelines, the City prepared an NOP/IS for the project on May 18, 2011. The NOP/IS was circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the proposed project. The issues and concerns identified in responses to the NOP/IS document, as summarized below, are addressed in this Draft EIR. The NOP/IS comments are presented in **Appendix A**.

The Initial Study completed for the proposed project concluded that the preparation of an EIR would be required for the project. The City also held a scoping meeting for the project on June 2, 2011. Concerns and comments received during the scoping meeting were considered during preparation of the Draft EIR. The City received letters from the following federal, state, and local agencies and other interested parties:

Agency/Name	Date	Summary of Comments
City of Antioch	June 16, 2011	<ul style="list-style-type: none"><li>• The EIR should analyze the project's potential effects to the Keller Canyon Landfill's current projected life span.</li><li>• The City of Antioch requests an opportunity to review and comment on the project's proposed odor minimization plan and the project's potential odor impacts on the city.</li><li>• The EIR and supporting traffic impact analysis should address any potential impacts to roadways and intersections in Antioch and provide mitigation if necessary.</li></ul>
Delta Diablo Sanitation District	June 20, 2011	<ul style="list-style-type: none"><li>• The EIR should analyze the capacity of the facility's existing on-site wastewater collection system. Should the project require increased capacity at the on-site system, a hydraulic analysis should be prepared to determine any impacts to related district facilities.</li><li>• If an industrial waste discharge permit is required for the project, the application for such permit should be submitted to the district's industrial pretreatment department.</li><li>• The EIR should analyze the project's potential contribution to projected wastewater flow increases as described in the District Conveyance System Master Plan to determine potential impacts to existing and planned district facilities.</li><li>• The district's wastewater treatment facility has a permitted average dry weather flow of 22.7 million gallons per day (mgd). In 2010, the actual dry weather flow influent to the plant was 13.2 mgd.</li><li>• The district provides recycled water for industrial and landscape irrigation use. The EIR should address the potential for recycled water use on the project site.</li><li>• The district operates the Delta Household Hazardous Waste Collection Facility located in Pittsburg.</li></ul>

## 1.0 INTRODUCTION

<p>California Department of Transportation</p>	<p>June 22, 2011</p>	<ul style="list-style-type: none"> <li>• The department’s “Guide for Preparation of Traffic Impact Studies” should be used to determine the scenarios and methodologies to be used in the traffic impact study for the proposed project.</li> <li>• The traffic impact study should including following: <ul style="list-style-type: none"> <li>○ Regional and local maps and site plan showing all project access points and internal driveways, state and local roadways and intersections, state right-of-way, parking, and transit facilities.</li> <li>○ Project-related trip generation, distribution, and assignment and associated methodologies and assumptions.</li> <li>○ Average daily traffic and peak hour volumes and levels of service for all significantly affected roadways as determined by the department’s level of service threshold for existing, existing plus project, cumulative, and cumulative plus project scenarios.</li> <li>○ Schematic illustrations of traffic conditions for each scenario.</li> <li>○ An evaluation of the project’s consistency with the City’s General Plan Circulation Element and the County’s Congestion Management Plan.</li> <li>○ Mitigation for each roadway and intersection where level of service would exceed the applicable threshold.</li> <li>○ Consideration of trip-reducing measures.</li> </ul> </li> </ul>
<p>Native American Heritage Commission (NAHC)</p>	<p>July 15, 2011</p>	<ul style="list-style-type: none"> <li>• The EIR must assess whether the project will have an adverse impact on historical resources within the area of project effect (APE) and, if it would, mitigation must be provided.</li> <li>• In order to assess the project’s potential impact to historical resources the lead agency should do the following: <ul style="list-style-type: none"> <li>○ Contact the appropriate regional archaeological information center for a records search.</li> <li>○ Contact the NAHC for a sacred lands file check and list of appropriate Native American contacts for consultation.</li> </ul> </li> <li>• A lack of surface evidence of archaeological resources does not preclude their subsurface existence; therefore, the EIR should include mitigation that provides for the identification and evaluation of accidentally discovered resources and, if necessary, monitoring of ground-disturbing activities by a certified archaeologist</li> <li>• The EIR should include mitigation with provisions for the disposition of recovered artifacts and the discovery of human remains.</li> </ul>

### DRAFT EIR

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Upon completion of the Draft EIR, the City filed a Notice of Completion (NOC) with the state Office of Planning and Research to begin the public review period (Public Resources Code Section 21161).

## 1.0 INTRODUCTION

---

### PUBLIC NOTICE/PUBLIC REVIEW

Concurrent with the NOC, the City provided public notice of the availability of the Draft EIR for public review and invited comment from the general public, agencies, organizations, and other interested parties. Consistent with CEQA Guidelines Section 15105, the review period for this Draft EIR will be 45 days. Public comment on the Draft EIR will be accepted both in written form and orally at a public meeting. All comments or questions regarding the Draft EIR should be addressed to:

Dana Hoggatt Ayers, Planning Manager  
Development Services Department, Planning Division  
65 Civic Avenue  
Pittsburg, CA 94565  
Phone: (925) 252-4920  
Fax: (925) 252-4814  
E-mail: dhoggatt@ci.pittsburg.ca.us

### RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR (FEIR) will be prepared. The FEIR will respond to CEQA issues raised in written and oral comments received during the Draft EIR public review period.

### CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

Upon review and certification of the FEIR, the Planning Commission and/or City Council, as appropriate, may take action to approve, revise, or reject the project. A decision to approve the project would be accompanied by written findings in accordance with CEQA Guidelines Section 15091 (Findings) and, if applicable, Section 15093 (Statement of Overriding Considerations). A Statement of Overriding Considerations requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve a project. A mitigation monitoring and reporting program (MMRP), as described below, would also be adopted for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. The MMRP will be designed to ensure that these measures are carried out during project implementation.

### MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code Section 21081.6(a) requires lead agencies, at the time of project approval, to adopt an MMRP to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The specific "reporting or monitoring" program required by CEQA is not required to be included in the EIR; it will be presented to City decision-makers for adoption. Throughout the EIR, however, mitigation measures have been clearly identified and presented in language that will facilitate establishment of a monitoring and reporting program. Any mitigation measures adopted by the City as conditions for approval of the project will be included in the MMRP to ensure and verify compliance.