

Edwards, Dawn

From: Curry, Damien, CDA <damien.curry@acgov.org>
Sent: Monday, January 13, 2020 3:39 PM
To: Edwards, Dawn; Tice, Leslie
Subject: FW: CCWD comment letter on the Jess Ranch Compost Facility DEIR is attached
Attachments: Jess Ranch Compost Facility DEIR_CCWD Comments_01132020.pdf

From: Christine Schneider <cschneider@ccwater.com>
Sent: Monday, January 13, 2020 3:38 PM
To: Curry, Damien, CDA <damien.curry@acgov.org>
Cc: Laurel Mendoza <mendozaranch@gmail.com>
Subject: CCWD comment letter on the Jess Ranch Compost Facility DEIR is attached

Hello Damien—the CCWD comment letter on the Jess Ranch Compost Facility DEIR is attached. Please let me know if you have questions.

Thanks, Christine

Christine Schneider, MS, RLA

Senior Planner

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CONTRA COSTA WATER DISTRICT

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January 13, 2020

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Sent via Hard Copy & Email

Damien Curry
ATTN: Jess Ranch Compost Facility / PLN2015-00087
Alameda County Community Development Agency
224 W. Winton Avenue, Suite 111
Hayward, CA 94544

Subject: Comment Letter for the Jess Ranch Compost Facility, Conditional Use Permit Draft Environmental Impact Report (DEIR), PLN2015-00087

Dear Mr. Curry:

The Contra Costa Water District (CCWD) has reviewed the DEIR for the proposed Jess Ranch Compost Facility Conditional Use Permit Project and submits the comments set forth below. CCWD owns and manages adjacent parcels for conservation purposes. A brief description of the conservation lands, including management goals and objectives, and grazing operations is also presented to provide context for CCWD's comments on the DEIR. It should be noted that CCWD submitted comments on the Notice of Preparation for the project on May 24, 2018, many of which were not addressed in the DEIR.

Grant Line Road Site Background

The Proposed Project site is located just east of CCWD's 433-acre Grant Line Road Unit within the larger 651-acre Altamont Habitat Management Unit (HMU). This land was purchased as mitigation to offset project effects on state and federal threatened and endangered species from the expansion of the Los Vaqueros Reservoir in Contra Costa County, California. This land was acquired because of its ecological resources. It is being managed according to a Habitat Management Plan (HMP) approved by both U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW), consistent with requirements in the USFWS Biological Opinion (Reference # 81420-2009-F-0201-1) and CDFW Incidental Take Permit (Permit No. 2081-2011-002-03) for the Los Vaqueros Expansion Project. A Conservation Easement for the entire Altamont Habitat Management unit is pending with CDFW.

The Grant Line Road property was acquired and is managed to preserve, enhance and restore habitat for various species protected under the federal and State endangered species acts including the California red-legged frog (*Rana draytonii*), the California tiger salamander (*Ambystoma californiense*) (Central California DPS), and the endangered San Joaquin kit fox (*Vulpes macrotis mutica*). Two of these species, California red-legged frog and California tiger salamander, have been observed on the Altamont HMU and potential habitat for the San Joaquin kit fox is also present on the HMU. Western

burrowing owl, a California species of special concern, is also found at the site. The majority (415 acres) of the site is grassland. Consistent with the HMP, grazing is the primary management tool used to meet habitat goals on the Grant Line Road property.

Two 10-foot wide tunnels pass under Highway 580 and connect the Grant Line Road parcel with CCWD's 77-acre Altamont parcel, just north of Highway 580. The Altamont Parcel was also purchased by CCWD as mitigation for habitat values lost as a result of the Los Vaqueros Reservoir Expansion Project, and evidence of wildlife use of both of these tunnels has been observed during habitat assessments. These tunnels enhance the habitat functions and values of both of these conservation properties.

The Altamont HMU, including the Grant Line Road parcel, has been grazed for both habitat management and fire suppression since CCWD purchased the site in 2012. The grazing operation has been managed by CCWD's tenant, Mendoza Ranch, since 2013.

Comments on the DEIR

A. Clarifications Needed

1. **Page 2-1, Section 2.1: Introduction to the Composting Process:** Please clarify in this section what type of the two composting methods described are proposed at the site, or if both types will be used.
2. **Page 2-11, last sentence of page, and Page 2-12, first sentence of page, Incorrect statement about existing building removal at CCWD parcel:** This sentence states that "The CCWD parcel contains a temporary modular residence that will be removed from the site in 2019, as well as a service center structure for wind turbine operators". CCWD is not aware of any proposed removal of this residence, so please confirm. If this residence is to remain, the inhabitants of this residence must be considered a sensitive receptor in the FEIR.
3. **Page 2-14, second and third paragraphs, Discussion of "full build out":** This section states that "as market needs determine, the facility would be further developed to full build out, supporting a maximum throughput of up to 1,000 [tons per day] TPD." Please give a better estimate when full build-out is expected, and also clarify what the expected lifetime is of this project (i.e., in perpetuity?).
4. **Page 2-16, Figure 2.2-4 Site Plan (Overview) and Figure 2.2-5 Site Plan (Detail):** These graphics do not show all the site features that are listed on pages 2-1 and 2-2, and on other pages as listed in the comments below. Please develop a graphic for the FEIR that shows all site features in detail, including those that are in the conceptual stage. We note that Figure 2 shown in the Notice of Preparation has a lot more detail and shows how these site features were conceptualized at that time.

B. Questions on Access

- 5

1. **Page 2-6, Construction Staging and Access, third paragraph, Use of Existing Offsite Road:** This section states that “The offsite road shares an easement with Contra Costa Water District and would be utilized only temporarily during the early portion of Phase 1 construction. A new access road would be constructed to avoid crossing Contra Costa Water District property during construction of the facility.” The DEIR does not contain a graphic that shows this new road in detail, so it is difficult to determine if the security and ease of access issues raised in CCWD’s NOP comment letter have been addressed. Please provide a figure in the FEIR that shows exactly how these offsite improvements would look and demonstrate how the access issues identified in the NOP are addressed.
- 6

2. **Page 2-12, first paragraph, Temporary Access Road:** This section states that “The CCWD parcel is currently accessed by a number of vehicles daily. An easement shared with the CCWD would be used as part of the Proposed Project only during pre-construction as a temporary access road. Access to the Project site during construction and operations would be through use of a new road that would be constructed as part of the project.” However, there is no further discussion on how exactly this would work, so please describe the temporary access road completely including frequency and duration of use, types of vehicles, etc. Additionally, the temporary construction road should be shown on a figure in the FEIR in a large enough scale and detail so that CCWD can determine if this new road would affect current access and/or grazing operations at our Grant Line Road parcel. Since the full effects cannot be determined at this time, the Project Proponent should be required to coordinate with CCWD in advance of any use of the shared easement for pre-construction purposes, and to commit to repair, restore or make whole CCWD for any impacts associated with this use.
- 7

3. **Page 2-16, Figure 2.2-3, Separate Entrances to Site:** It is difficult to see in this graphic how the separate entrance to the site will be laid out. Please provide a detailed drawing that shows both the existing and proposed entrances to the site.
- 8

4. **Page 3.14-33, New 20-foot Wide Access Road:** This discussion states that “[a] new 20 feet wide main access road would be constructed to support the Proposed Project. The main access road would have one access connection onto Jess Ranch Road, a road shared with the windmill farm maintenance building and windmill access.” Please show this on a new Figure in enough detail so that CCWD can determine if this new road will negatively affect existing Grant Line Road parcel habitat management and grazing operations. If CCWD determines that any new access road would hinder our ability to manage this parcel, the Project Proponent should be required to coordinate with CCWD and to resolve all potential issues in advance of project approval.

C. Impact Area Comments

- 9 1. **Page 2-16, second paragraph, Water Demand and Supply:** This section states that “The Proposed Project would utilize biosolids for feedstock as one of the primary feedstocks in the process, which contain approximately 80 percent water.”

CCWD is concerned that any new addition of water to the site in the Primary Compost 1 Area and Primary Compost 2 Area, which are upslope and adjacent to the Grant Line Road parcel could enter the Grant Line Road parcel, either as surface or sub-surface flow, causing a change in either vegetation type and/or abundance or a change in moisture in the soil. CCWD and its tenant currently have issues with controlling weedy nonnative plant material¹ on the Grant Line Road parcel (mostly *Brassica* species, as noted on page 3-6-10 of this DEIR) and this existing situation could be further exacerbated by adding more water to this slope. In addition, the addition of water to any slopes within the Grant Line Road parcel could change how wet the slopes are. This change could negatively affect grazing practices. Finally, the addition of more water, either surface or sub-surface, to these slopes could affect slope stability and cause erosion. These issues need to be analyzed in the Final EIR.

- 10 2. **Page 3.5-24, Concern about nonnative mustard expanding onto Grant Line Road Property:** It is assumed in the DEIR that the composting process will heat up the incoming compostable material to a temperature high enough to kill any weed seeds. And while Mitigation Measures Bio-21 and Bio-22 address the spread of nonnatives from proposed construction activities, there are no mitigation measures in the DEIR that specifically address the spread of windborne weed seeds during the operation stage of the project (seeds that could be transported in the trucks carrying the incoming material or during the initial stages of windrow composting operations before the material heats up adequately). Please edit Mitigation Measure BIO-21 to ensure that reseeding to discourage nonnative plant establishment at the site will also occur during the life of the project. This needs to be done in terms of both controlling existing nonnative black mustard and discouraging other nonnative invasive species into newly graded areas of the site that could occur as a result of operating the facility. Please edit BIO-22 to include monitoring of all active areas at the site to ensure that other nonnative plants do not get established during the life of the project.

- 11 3. **Discussion of Introduction of Pathogens from Compost Facility to CCWD Parcel:** Mitigation Measures HAZ-1 and HAZ-4 addresses the potentially significant impacts from the composting activities that could affect human health, either in sampling composts for pathogens and heavy metals (at Mitigation Measure HAZ-1) or reducing exposure to bioaerosols by reducing particulate matter emissions (at Mitigation Measure HAZ-4). However, contaminants from composting activities or exposure to bioaerosols could also have impacts to cattle and/or

¹ Contra Costa Water District. 2019. Los Vaqueros Reservoir Expansion Project Habitat Management Plan Annual Report. Page 441.

amphibians. Please work with the Resource Agencies (e.g., US Fish and Wildlife Service, California Department of Fish and Game) to ensure that these mitigation measures satisfy parameters for special-status species (specifically amphibians) and cattle, especially those that will be consumed by humans for food.

- 12
4. **Page 3.9-11, Mitigation Measure HAZ-3, Vector Control Plan:** CCWD would like to see this Vector Control Plan before this project is approved.
- 13
5. **Section 3.16, Wildfire:** This section is not contained in the DEIR document linked to the County's website. CCWD is concerned not only about heat generated by the composting process, which could be combustible, but also about the proposed compost facility's fire suppression systems. It should be noted that the Altamont Pass area is windy and subject to frequent grass fires typically caused by motorists on Highway 580. This facility needs to have a robust fire safety and suppression system, and it needs to be described and analyzed in this environmental document.

CCWD values our relationship with the County and looks forward to continuing to work together on this important project. If you would like clarification on any of these comments, please email or call me directly at either cschneider@ccwater.com or (925) 688-8118.

Sincerely,



Christine Schneider
Senior Planner
CS:ck

CC: Laurel Mendoza



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November 17, 2020

Sent via Hard Copy and Email

Damien Curry
Alameda County Planning Department
224 West Winton Avenue, Room 111
Hayward, CA 94544

Subject: Jess Ranch Compost Facility Project Recirculated Draft Environmental Impact Report (RDEIR)(SCH #2018052056)

Dear Mr. Curry:

The Contra Costa Water District (CCWD) has reviewed the Recirculated Draft Environmental Impact Report (RDEIR) for the proposed Jess Ranch Compost Facility Project. CCWD understands that the County developed a Partial RDEIR in response to public comments from the Alameda County Waste Management Authority (ACWMA), as ACWMA requested an additional reduced project size alternative. CCWD also understands that construction of this reduced project size alternative would only progress to what is described as Phase 1 of the project, instead of the project as proposed which has two phases. Phase 1 would result in construction of a facility with the capacity of 500 tons per day of organic material utilizing a windrow system incorporating either negative air or positive air aerated static pile technology, as opposed to Phase 2 which would increase the capacity to 1,000 tons per day.

CCWD commented on the DEIR on January 13, 2020, during the public comment phase. This comment letter is attached. CCWD has reviewed the RDEIR and finds that none of the analysis contained in the RDEIR affects our comments as contained in this letter. We look forward to reviewing a Response to Comments document/Final EIR that addresses our comments and resolves the issues raised in that letter.

1

Mr. Damien Curry
Alameda County Planning Department
November 17, 2020
Page 2

Please let me know if you have any questions. I can be reached at cschneider@ccwater.com or (510) 406-1889.

Sincerely,

Christine Schneider, MS, RLA
Senior Planner

CLS:ck