

## MEMORANDUM

**DATE:** November 15, 2023

**TO:** Zoe Merideth, Senior Planner, City of Antioch Planning Division

**FROM:** Edward Heming, AICP, Principal, Environmental Planner

**SUBJECT:** PG&E Antioch Service Center Project Initial Study/Mitigated Negative Declaration - Response to Comments

In accordance with Section 15074 of the CEQA Guidelines, prior to approving a project, the decision-making body of the lead agency shall consider the proposed environmental document together with any comments received during the public review process. Although there is no legal requirement to formally respond to comments on a proposed Mitigated Negative Declaration (MND) as there is for an Environmental Impact Report (EIR), this memorandum provides a response to the written comments received on the PG&E Antioch Service Center Project Initial Study/Mitigated Negative Declaration (IS/MND) to aid the City of Antioch decision-makers in their review of the project. Mitigation measures identified in the Draft IS/MND are incorporated into the Mitigation Monitoring and Reporting Program, which is attached. The MMRP will be adopted by the City if the IS/MND is adopted.

## COMMENTS AND RESPONSES

The Draft IS/MND was available for public review and comment from October 3, 2023 through November 2, 2023. Three comment letters were received on the Draft IS/MND. In the following pages, the comments and responses are enumerated to allow for cross-referencing of CEQA-related comments. The enumerated comment letters are included in this memorandum, followed by the respective responses. Individual comments within the letters are numbered consecutively. For example, comment A-1 is the first numbered comment in Letter A.

The following comment letters were submitted:

LETTER A  
Venesa Kremer  
Wilton Rancheria - Cultural Preservation Department  
October 20, 2023

LETTER B  
Yunsheng Luo, Branch Chief, Local Development Review  
California Department of Transportation District 4  
October 25, 2023

LETTER C

Peter Minkel, Engineering Geologist

Central Valley Regional Water Quality Control Board

November 2, 2023

As noted above, CEQA does not require or provide guidance on responding to comments on MNDs; therefore, this memorandum follows CEQA Guidelines Section 15088, applicable to responses to comments on EIRs, which requires that agencies respond only to significant environmental issues raised in connection with the project. Therefore, this document focuses primarily on responding to comments that relate to the adequacy of the information and environmental analysis provided in the IS/MND.

Written responses to each comment letter received on the Draft IS/MND are provided herein. All letters received during the public review period on the Draft IS/MND are provided in their entirety. Each letter is immediately followed by responses keyed to the specific comments.

Where revisions to the Draft IS/MND text are called for, the page is set forth followed by the appropriate revision. Added text is indicated with double underlined text, and deleted text is shown in ~~strikeout~~.



## Inadvertent Discovery Treatment Plan

If potential tribal cultural resources (TCRs), archaeological artifacts, other cultural resources, articulated, or disarticulated human remains are discovered during construction activities, all work will cease within 100 feet of the find (based on the apparent distribution of the resources. Examples of potential cultural materials include but are not limited to midden soils, artifacts, chipped or worked stone, baked clay, shell, or bone.)

A-1

A Native American Representative from the federally recognized, Wilton Rancheria will assess the significance of the find and make recommendations for further evaluation and treatment if necessary. Culturally appropriate treatment that preserves or restores the cultural qualities and integrity of a Tribal Cultural Resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of any further activities by a tribal representative, and or returning the objects to a location within the project area where they will not be subject to future impacts.

Wilton Rancheria does not consider curation of TCRs to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by the Tribe.

If any human remains are discovered during construction activities, the County Coroner and the Native American Heritage Commission shall be contacted immediately. Upon determination by the County Coroner that the remains are Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendant(s) (MLD) who will work the project proponents to define proper treatment and disposition.

A-2

After review of the find and consultation with the MLD, the authority to proceed may be accompanied by the addition of development requirements which provide for protection and preservation of the site and/or additional measures necessary to address the sensitive and unique nature of the site. All treatment recommendations made by the tribe and other cultural resources specialists will be documented in the confidential portion of the project record. Work in the area(s) of the cultural find may only proceed after authorization from the lead agency in coordination with the Tribe.

Please reach out to the tribe by using the contact information listed below. We appreciate your compliance and understanding in our endeavors to protect and preserve our tribal cultural resources.

**Venesa Kremer**

Cultural Resource Assistant

Lead Monitor

Wilton Rancheria- Cultural Preservation Department

Tel: 916.683.6000 ext. 2023

[vkremer@wiltonrancheria-nsn.gov](mailto:vkremer@wiltonrancheria-nsn.gov)

[cpd@wiltonrancheria-nsn.gov](mailto:cpd@wiltonrancheria-nsn.gov)

**LETTER A**

Venesa Kremer  
Wilton Rancheria - Cultural Preservation Department  
October 20, 2023

Comment A-1: This comment outlines the Inadvertent Discovery Treatment Plan for the discovery of tribal cultural resources (TCRs), archaeological artifacts, and other cultural resources.

Response A-1: MM CULT-1 has been modified to incorporate these recommendations.

Page 4-25 of the Draft IS/MND has been revised as follows to address this comment:

**Mitigation Measure CUL-1:** Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within ~~25~~ 100 feet shall be redirected and a qualified archaeologist meeting the *Secretary of the Interior's Professional Qualifications Standards for Archeology* contacted to assess the situation, determine if the deposit qualifies as a historical resource, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the deposit is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the Applicant shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recordation of the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods and findings shall be prepared and submitted to the City of Antioch for review, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate curation facility and used for public interpretive displays, as appropriate and in coordination with a local Native American tribal representative.

The Applicant shall inform its contractor(s) of the sensitivity of the project area for archaeological deposits and shall verify that the following directive has been included in the appropriate contract documents:

*“The subsurface of the construction site may be sensitive for Native American archaeological deposits. If archaeological deposits are encountered during project subsurface construction, all ground-disturbing activities within ~~25~~ 100 feet shall be redirected and a qualified archaeologist and Native American Representative contacted to assess the situation, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any archaeological materials. Archaeological deposits can include shellfish remains; bones; flakes of, and tools made from, obsidian, chert, and basalt; and mortars and pestles. Contractor acknowledges and understands that excavation or removal of archaeological material is prohibited by law and constitutes a misdemeanor under California Public Resources Code, Section 5097.5.”*

Comment A-2: This comment outlines the Inadvertent Discovery Treatment Plan for the discovery of human remains.

Response A-2: Comment noted. As outlined in section 4.5.1.a in the Draft IS/MND (pages 4-25 through 4-26), if human remains are discovered during project construction, CPRC Section 5097.5 will be followed. Per CPRC 5097.5, in the event of discovery or recognition of any human remains, the county coroner must be contacted. If the human remains are of Native American origin, the coroner must notify the California NAHC within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains.

# California Department of Transportation

DISTRICT 4  
OFFICE OF REGIONAL AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660  
[www.dot.ca.gov](http://www.dot.ca.gov)

Letter B



October 25, 2023

SCH #: 2023100100  
GTS #: 04-CC-2023-00724  
GTS ID: 31008  
Co/Rt/Pm: CC/4/R28.802

Zoe Merideth, Senior Planner  
City of Antioch  
200 H Street  
Antioch, CA 94531

## Re: PG&E Antioch Service Center Project – Initial Study/Mitigated Negative Declaration (IS/MND)

Dear Zoe Merideth:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the PG&E Antioch Service Center Project. We are committed to ensuring that impacts to the State’s multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system.

The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the October 2023 IS/MND.

### Project Understanding

The proposed project would demolish four existing buildings and construct a new 54,000-square-foot Logistics Warehouse building, a new 53,000-square-foot Logistics Shops building, a new 20,000-square-foot Operations building and new non-occupied support structures. This 36.39-acre project site is in vicinity of State Route (SR)-4.

B-1

### Construction-Related Impacts

Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits ([link](#)).

B-2

Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the State Transportation Network (STN).

B-3

### **Equitable Access**

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

B-4

### **Encroachment Permit**

Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' Right-of-Way (ROW) requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating Caltrans' ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to [D4Permits@dot.ca.gov](mailto:D4Permits@dot.ca.gov).

B-5

To obtain information about the most current encroachment permit process and to download the permit application, please visit Caltrans Encroachment Permits ([link](#)).

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future project referrals, please contact [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov).

Zoe Merideth, Senior Planner  
October 25, 2023  
Page 3

Sincerely,

A handwritten signature in black ink, appearing to read "Luo Yunsheng". The signature is fluid and cursive, with the first name "Luo" written in a larger, more prominent style than the last name "Yunsheng".

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

c: State Clearinghouse



**LETTER B****Yunsheng Luo, Branch Chief, Local Development Review****California Department of Transportation District 4****October 25, 2023**

- Comment B-1: This comment summarizes the proposed project, which is described in the IS/MND and states that 36.39-acre project site is in vicinity of State Route (SR)-4.
- Response B-1: Comment noted.
- Comment B-2: This comment indicates that any work requiring oversized or excessive loads vehicle on state roadways requires a transportation permit issued by Caltrans.
- Response B-3: Comment noted. Should this be required during construction the Applicant/Contractor will seek the required transportation permit.
- Comment: B-3: This comment indicates that a Transportation Management Plan (TMP) may be required in coordination with Caltrans to minimize traffic impacts on the State Transportation Network (STN) prior to construction.
- Response B-3: Comment noted. A TMP will be included as a Standard Condition of Approval (SCOA) for this project.
- Comment B-4: This comment indicates that if the project affects Caltrans facilities, the facilities must adhere to American Disabilities Act (ADA) Standards after completion and must maintain bicycle and pedestrian access during construction.
- Response B-4: Comment noted. This will be included as a Standard Condition for the project.
- Comment B-5: This comment indicates that any work encroaching onto Caltrans' Right-of-Way (ROW) requires an encroachment permit.
- Response B-5: Comment noted. If work should encroach into Caltrans ROW, the applicant will seek out an encroachment permit.



## Central Valley Regional Water Quality Control Board

2 November 2023

Zoe Merideth  
City of Antioch Planning Division  
200 H Street  
Antioch, CA 94531  
zmerideth@antiochca.gov

### COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, PG&E ANTIOCH SERVICE CENTER PROJECT, SCH#2023100100, CONTRA COSTA COUNTY

Pursuant to the State Clearinghouse’s 3 October 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the PG&E Antioch Service Center Project, located in Contra Costa County.

C-1

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

#### I. Regulatory Setting

##### Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State’s water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

C-2

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

C-3

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

C-4

C-5

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

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**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

C-7

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:

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[https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

### **Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

### **Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

### **NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

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C-10

C-11

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

*Peter Minkel*

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento

**LETTER C****Peter Minkel, Engineering Geologist****Central Valley Regional Water Quality Control Board**

- Comment C-1: This comment acknowledges receipt of the Draft IS/MND.
- Response C-1: Comment noted.
- Comment C-2: This comment outlines the rules and regulations associated with the Creation and adoption of Basin Plans.
- Response C-2: Comment noted.
- Comment C-3: This comment outlines the procedure for adopting a Basin Plan amendment.
- Response C-3: Comment noted.
- Comment C-4: This comment outlines the Antidegradation Policy.
- Response C-4: Comment noted. As outlined in Section 4.10.a, Hydrology and Water quality of the Draft IS/MND (page 4-52), MM HYD-1 includes provision of the SWPPP (including Best Management Practices) to adhere to the Basin Plan's Antidegradation requirements.
- Comment C-5: This comment outlines the requirements for the Construction General Permit.
- Response C-5: Comment noted. As outlined in Section 4.10.a, Hydrology and Water Quality of the Draft IS/MND (page 4-52), MM HYD-1 outlines the project's requirements to adhere to the Construction General Permit.
- Comment C-6: This comment outlines the requirements for the Clean Water Act Section 404 permit.
- Response C-6: Comment noted. As outlined in Section 4.4.c, Biology of the Draft IS/MND (page 4-21), the project did not identify 404 waters on site.
- Comment C-7: This comment outlines the requirements for the Clean Water Act Section 401 Permit.
- Response C-7: Comment noted. As outlined in Section 4.4.c, Biology of the Draft IS/MND (page 4-21), the project did not identify 401 waters on site.

- Comment C-8: This comment outlines the requirements for Waste Discharges to Waters of the State.
- Response C-8: Comment noted. As outlined in Section 4.4.c, Biology of the Draft IS/MND (page 4-21), the project did not identify State waters on site.
- Comment C-9: This comment outlines the requirements of the Dewatering Permit.
- Response C-9: Comment noted. As outlined in Section 4.10.a, Hydrology and Water Quality of the Draft IS/MND (page 4-53), dewatering is not anticipated as part of the project.
- Comment C-10: This comment provides an overview of the SWRCB National Pollutant Discharge Elimination System (NPDES) permit.
- Response C-10: Comment noted. Per response to C-9, dewatering is not anticipated.
- Comment C-11: This comment provides an overview of the SWRCB National Pollutant Discharge Elimination System (NPDES) permit.
- Response C-11: Comment noted. As outlined in Section 4.10 a, MM HYD-1 and HYD-2 provide BMPs to ensure compliance with the NPDES.

## **ATTACHMENT**

- Attachment: Mitigation Monitoring and Reporting Program



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## ATTACHMENT A

# MITIGATION MONITORING AND REPORTING PROGRAM

**PG&E ANTIOCH SERVICE CENTER PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

No.	Measure	Timing of Completion	Responsible Party	Completion Date and Responsible Party Initials
<b>AESTHETICS</b>				
<b>MM AES-1</b>	Outdoor lighting (building façade lighting, security lighting, and parking lot lighting) shall be designed to minimize glare and spillover to surrounding properties. The project design and building materials shall incorporate non-mirrored glass to minimize daylight glare. The proposed project lighting plan shall be reviewed and approved by the City of Antioch’s Planning Division during Design Review and prior to issuance of a building permit.	Prior to issuance of a building permit	City of Antioch, Resident Engineer, and Construction Contractor	
<b>AIR QUALITY</b>				
<b>MM-AIR-1</b>	<p>In order to meet the Bay Area Air Quality Management District (BAAQMD) fugitive dust threshold, the following BAAQMD Basic Construction shall be implemented:</p> <ul style="list-style-type: none"> <li>● All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>● All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>● All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li> <li>● All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.</li> <li>● All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.</li> <li>● Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>● All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> <li>● A publicly visible sign shall be posted with the telephone number and person to</li> </ul>	During construction	Resident Engineer, and Construction Contractor	

MM = Mitigation Measure  
SC = Standard Condition

**PG&E ANTIOCH SERVICE CENTER PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

No.	Measure	Timing of Completion	Responsible Party	Completion Date and Responsible Party Initials
	contact at City of Antioch regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.			
<b>MM-AIR-2</b>	During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the California Air Resources Board Tier 2 emissions standards equipped with Level 3 diesel particulate filters or the equivalent.	During construction	Resident Engineer, and Construction Contractor	
<b>BIOLOGICAL RESOURCES</b>				
<b>MM-BIO-1</b>	<p><b>Burrowing Owl Pre-Construction Surveys.</b> Take avoidance preconstruction surveys for western burrowing owl shall be conducted by a qualified biologist in accordance with the California Department of Fish and Wildlife's (CDFW) 2012 Staff Report on Burrowing Owl Mitigation. Surveys shall encompass the project site and a 150-meter buffer zone, as outlined in the CDFW 2012 Staff Report, and include burrow surrogates such as culverts, piles of concrete or rubble, and other non-natural features, in addition to burrows and mounds. If lawful access cannot be achieved to adjacent areas, surveys shall be performed with binoculars or a spotting scope. The first survey shall occur within 14 days prior to the start of project activities, and the second preconstruction survey focusing on previously identified habitat shall be conducted within 24 hours prior to ground disturbance. If no burrowing owls are detected, no further mitigation is required.</p> <p>If active burrowing owls are detected, the following additional measures shall be implemented:</p> <ul style="list-style-type: none"> <li>● Project implementation shall seasonally and spatially avoid negative impacts and disturbances that could result in the take of burrowing owls, nest or eggs.</li> <li>● If burrowing owls and their habitat can be protected in place or adjacent to a construction site, buffer zones, visual screens or other measures shall be used to minimize disturbance impacts while project activities are occurring. A qualified biologist shall establish buffer zones and monitor construction activities following the guidance described in the CDFW 2012 Staff Report.</li> <li>● If owls must be moved away from the project site during the nonbreeding season</li> </ul>	Prior to and during construction	Resident Engineer, Construction Contractor, and Qualified Biologist	

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	<p>(September 1 to January 31), passive relocation techniques (e.g., installing one-way doors at burrow entrances) shall be used instead of trapping, as described in the CDFW guidelines. A passive relocation plan shall be prepared for approval by CDFW.</p> <p>When destruction of occupied burrows is unavoidable during the nonbreeding season, a mitigation plan shall be prepared for approval by CDFW. The mitigation plan may include, but would not be limited to, the enhancement of unsuitable burrows (enlarged or cleared of debris) or the creation of new burrows (by installing artificial burrows) on protected lands, as approved by CDFW. Newly created burrows shall follow guidelines established by CDFW.</p>			
<b>MM-BIO-2</b>	<p><b>Pre-Construction Nesting Bird Survey and Avoidance of Breeding and Nesting Bird Season.</b> If construction activities are scheduled during the nesting season (February 1 through August 31), the project applicant shall retain a qualified biologist to conduct a pre-construction survey of all suitable nesting habitat (i.e., field, trees) within 250 feet of the project site (where accessible). The pre-construction survey shall be conducted no more than 7 days prior to the start of work. If the survey indicates the presence of nesting birds, protective buffer zones should be established around the nests as follows: for raptor nests, the size of the buffer zone should be a 250-foot radius centered on the nest; for other birds, the size of the buffer zone should be a 50- to 100-foot radius centered on the nest. In some cases, these buffers may be increased or decreased depending on the bird species and the level of disturbance that will occur near the nest.</p> <p>If there is a pause in construction activities of 7 days or more during the nesting season, an additional nesting bird survey shall be conducted to ensure that there are no new nests that require buffering.</p>	Pre-construction February 1 – August 31	Resident Engineer, Construction Contractor, and Qualified Biologist	

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<b>CULTURAL RESOURCES</b>				
<b>MM-CUL-1</b>	<p>Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within <del>25</del><u>100</u> feet shall be redirected and a qualified archaeologist meeting the <i>Secretary of the Interior’s Professional Qualifications Standards for Archeology</i> contacted to assess the situation, determine if the deposit qualifies as a historical resource, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the deposit is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the Applicant shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recordation of the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods and findings shall be prepared and submitted to the City of Antioch for review, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate curation facility and used for public interpretive displays, as appropriate and in coordination with a local Native American tribal representative.</p> <p>The Applicant shall inform its contractor(s) of the sensitivity of the project area for archaeological deposits and shall verify that the following directive has been included in the appropriate contract documents:</p> <p><i>“The subsurface of the construction site may be sensitive for Native American archaeological deposits. If archaeological deposits are encountered during project subsurface construction, all ground-disturbing activities within <del>25</del> <u>100</u> feet shall be redirected and a qualified archaeologist <u>and Native American Representative</u> contacted to assess the situation, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any archaeological materials. Archaeological deposits can include shellfish remains; bones; flakes of, and tools made from, obsidian, chert, and basalt; and mortars and pestles. Contractor acknowledges and understands that excavation or removal of archaeological material is prohibited by law and constitutes a misdemeanor under California Public Resources Code, Section 5097.5.”</i></p>	During construction	Resident Engineer, Construction Contractor, Native American Representative, and Qualified Archaeologist	

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<b>GEOLOGY AND SOILS</b>				
<b>MM-GEO-1</b>	<p>Should paleontological resources be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. For purposes of this mitigation, a “qualified paleontologist” shall be an individual with the following qualifications: (1) a graduate degree in paleontology or geology and/or a person with a demonstrated publication record in peer-reviewed paleontological journals; (2) at least two years of professional experience related to paleontology; (3) proficiency in recognizing fossils in the field and determining their significance; (4) expertise in local geology, stratigraphy, and biostratigraphy; and (5) experience collecting vertebrate fossils in the field. If the paleontological resources are found to be significant and project activities cannot avoid them, measures shall be implemented to ensure that the project does not cause a substantial adverse change in the significance of the paleontological resource. Measures may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Antioch for review. If paleontological materials are recovered, this report also shall be submitted to a paleontological repository such as the University of California Museum of Paleontology, along with significant paleontological materials. Public educational outreach may also be appropriate.</p> <p>The project Applicant shall inform its contractor(s) of the sensitivity of the project site for paleontological resources and shall verify that the following directive has been included in the appropriate contract documents:</p> <p><i>“The subsurface of the construction site may be sensitive for fossils. If fossils are encountered during project subsurface construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any</i></p>	During construction	Resident Engineer, Construction Contractor, and Qualified Paleontologist	

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	<p><i>paleontological materials. Fossils can include plants and animals, and such trace fossil evidence of past life as tracks or plant imprints. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Contractor acknowledges and understands that excavation or removal of paleontological material is prohibited by law and constitutes a misdemeanor under California Public Resources Code, Section 5097.5."</i></p>			
<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>MM-HAZ-1</b>	<p><b>Site Management Plan (SMP).</b> Prior to any groundbreaking activities, a Site Management Plan (SMP) shall be prepared which summarizes the known environmental conditions on the project site and recommends appropriate site management procedures based on the site-specific information and proposed redevelopment activities. The SMP shall include procedures for evaluating, handling, storing, testing and disposing of soil and groundwater generated during project excavation and grading activities. Materials generated from excavation and grading activities on the project site and materials that may be imported to the site shall be tested for potential contaminants prior to use as fill on-site. Fill testing shall be performed by a qualified environmental professional and demonstrated to meet the appropriate threshold criteria (e.g., ESLs). The results of the fill testing shall be submitted to the City of Antioch (City) and the San Francisco Bay Regional Water Quality Control Board (RWQCB) for review and approval prior importing or re-use of the material. The SMP shall include a contingency plan that shall be implemented if previously unidentified potentially contaminated material or regulated features (e.g., underground storage tanks [USTs]) are encountered during construction activities. The contingency plan shall include provisions that require notification of the City, RWQCB, or any other regulatory agencies with jurisdiction, when potentially contaminated material is encountered. Physical signs of potentially contaminated materials include staining/discoloration, oily sheen or free phase products, odors, the presence of rubble/debris/refuse, or the presence of buried features that may contain hazardous materials (e.g., drums, buckets, sumps, vaults, or pipelines). The contingency plan shall include guidelines for the collection of soil and/or groundwater samples by a qualified environmental professional prior to further work in the newly</p>	<p>Prior to any groundbreaking activities</p>	<p>City of Antioch, Resident Engineer, Qualified Water Quality Consultant, and Qualified Environmental Professional</p>	

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	<p>discovered affected area. The samples shall be submitted for laboratory analysis by a state-certified laboratory under chain-of-custody procedures. The analytical methods shall be selected by the environmental professional. The analytical results of the sampling shall be reviewed by the qualified environmental professional and submitted to the appropriate regulatory agency, if appropriate. The environmental professional shall provide recommendations, as applicable, regarding soil/waste management, worker health and safety training, and regulatory agency notifications, in accordance with local, state, and federal requirements. Work shall not resume in the area(s) affected until these recommendations have been implemented under oversight by the City, the RWQCB, or any other regulatory agencies with jurisdiction, as appropriate.</p>			
<b>MM-HAZ-2</b>	<p><b>Hazardous Building Materials Survey (HBMS).</b> Prior to the issuance of any demolition permits for existing structures on the project site, a comprehensive Hazardous Building Materials Survey (HBMS) for the project site shall be prepared and signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials, lead-based paint, polychlorinated biphenyls-containing materials and electrical equipment, and any other hazardous building materials. The HBMS and abatement specifications shall be submitted to and approved by the City prior to the start of abatement activities. The HBMS shall include abatement specifications for the stabilization and/or removal of the identified hazardous building materials in accordance with all applicable laws and regulations. The demolition contractor(s) shall implement the abatement specifications and submit to the City evidence of completion of abatement activities prior to demolition of the existing structures.</p>	Prior to demolition	Qualified Environmental Professional, Construction Contractor, and City	
<b>HYDROLOGY AND WATER QUALITY</b>				
<b>MM-HYD-1</b>	<p><b>Construction General Permit.</b> The Project Applicant shall obtain coverage under the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit). This shall include submission of Permit Registration Documents (PRDs), including a Notice of Intent for coverage under the permit to the State Water</p>	Prior to construction	City of Antioch, and Qualified Water Quality Consultant	

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	<p>Resources Control Board (SWRCB) via the Stormwater Multiple Application and Report Tracking System (SMARTs). The Project Applicant shall provide the Waste Discharge Identification Number (WDID) to the Planning Manager of the City of Antioch or designee, to demonstrate proof of coverage under the Construction General Permit. Project construction shall not be initiated until a WDID is received from the SWRCB and is provided to the City, or designee.</p> <p>A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared by a Qualified SWPPP Developer in accordance with the requirements of the Construction General Permit. These include: BMPs for erosion and sediment control, site management/housekeeping/waste management, management of non- stormwater discharges, run-on and runoff controls, and BMP inspection/maintenance/repair activities. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association’s Stormwater Best Management Handbook: Construction.</p> <p>The SWPPP shall include a construction site monitoring program that identifies requirements for dry weather visual observations of pollutants at all discharge locations, and as appropriate (depending on the Risk Level), sampling of the site effluent and receiving waters. A Qualified SWPPP Practitioner shall be responsible for implementing the BMPs at the site and performing all required monitoring and inspection/maintenance/repair activities.</p> <p>Upon completion of construction and stabilization of the site, a Notice of Termination shall be submitted via SMARTs.</p>			
<b>MM-HYD-2</b>	<p><b>Final Stormwater Control Plan (SCP).</b> Prior to the issuance of any permits for ground-disturbing activities, the project Applicant shall submit a Final Stormwater Control Plan (SCP) to the City of Antioch Planning Division for review and approval in compliance with Section C.3 of the San Francisco Bay Regional Water Quality Control Board’s Municipal Regional Stormwater NPDES Permit (MRP) requirements. The Final SCP would act as the overall program document designed to provide measures to mitigate potential water quality impacts associated with the operation of the proposed project. The Final SCP shall be prepared in accordance with the requirements and guidelines set forth in the Contra Costa County Clean Water</p>	Prior to issuance of building permit	City of Antioch, Resident Engineer, Construction Contractor, and Qualified Water Quality Consultant	

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	<p>Program Stormwater C.3 Guidebook.<sup>36</sup> At a minimum, the Final SCP for the project shall include:</p> <ul style="list-style-type: none"> <li>• An inventory and accounting of existing and proposed impervious areas.</li> <li>• Low Impact Development (LID) design details incorporated into the project. Specific LID design may include, but is not limited to, using pervious pavements and green roofs, dispersing runoff to landscaped areas, and/or routing runoff to rain gardens, cisterns, swales, and other small-scale facilities distributed throughout the site.</li> <li>• Measures to address potential stormwater contaminants. These may include measures to cover or control potential sources of stormwater pollutants at the project site.</li> <li>• A Draft Stormwater Facility Operation and Maintenance Plan for the project site, which will include periodic inspection and maintenance of the storm drainage system. Persons responsible for performing and funding the requirements of this plan shall be identified. This plan must be finalized prior to the issuance of building permits for the project.</li> </ul>			
<b>TRANSPORTATION</b>				
<b>SC -TRAN-1</b>	<b>Transportation Management Plan.</b> Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the State Transportation Network (STN).	Prior to construction	Project Engineer, Construction Contractor, and Caltrans	
<b>SC -TRAN-2</b>	<b>Equitable Access.</b> If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.	After project completion	Project Engineer	

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