

Author	Letter No.	Comment No.	Comment Text	Resource/Section	Comment Response
Cabanne	4A	1	<p>To begin with, the Final EIR should support the conclusion of the Draft EIR -the environmentally superior alternative is no project at this site. There is no compelling need to site a fourth large composting facility within a two mile radius of three existing large composting facilities. This small area of the most eastern portion of the county is already saturated with composting facilities:</p> <p>(1)Green Waste Composting 30 Greenville Road, Livermore --- 3,375 permitted tons per day, (2)Altamont Landfill Composting, 10840 Altamont Pass Road, Livermore --- 500 permitted tons per day, (3) Vision Recycling, 30 Greenville Road, Livermore, --- 200 permitted tons per day.) (see chart page 35)</p> <p>There is only one small composting facility located in northern Alameda County. Siting yet another large industrial sized composting facility here is redundant, and an undue burden on the Tri-Valley.</p>	Existing Conditions	<p><i>Comment noted. As discussed in DEIR Section 4.3, CEQA Guidelines Section 15126.6 (e)(2) states: "If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." Although the No-Build Alternative would not result in any physical impacts to the environment, it would fail to meet the purpose and need of the project. Further, determination of the environmentally superior alternative does not preclude the other alternatives from being selected. The lead agency may adopt a statement of overriding considerations which expresses the agency's views on the merits of approving a project despite its significant adverse environmental impacts. The statement of overriding considerations provides the justification for proceeding with a project despite its environmental impacts. Finally, comment indicates opposition to the project and does not address any deficiencies in the EIR/EIS. In regards to existing facilities, according to CalRecycle and StopWaste (Alameda County Waste Authority) there are only two composting facilities in the area. These sites include the Altamont Landfill composting facility that is permitted for 500 tons per day and Greenwaste Composting located on Greenville Road in Livermore. Greenwaste Composting, owned by Vision Recycling, is permitted for 50,000 cubic yards of throughput per year. According to a Stop Waste report dated June 9, 2016, the maximum tonnage for site is 12,500 tons per year or approximately 35 tons per day. The DEIR Table 2.1-1 lists existing compost facilities in Alameda County. The table lists Vision Recycling Greenwaste Composting facility as having permitted capacity of 3,375 tons per day and 13,500 tons per year. These are numbers are not correct. According to StopWaste's Conditions of Approval for CoWMP Amendment and Conformity Determination for the Vision Recycling Compost Facility, the permit allows a maximum of 12,500 of material on-site at any time and allows a processing of a maximum of 12,000 per year. The permitted site consists of only 3 acres. Your comment lists Vision Recycling, 30 Greenville Road, Livermore as being a composting facility. The facility is not permitted for composting and is only permitted for the chipping and grinding of greenwaste. The final EIR will make the appropriate changes to Table 2.1-1.</i></p> <p><i>Please also refer to comments 4B-40 and 4B-29.</i></p>
Cabanne	4A	2	<p>This project brings significant and unavoidable negative air quality impacts (Impact Air Quality 1 and 3 both significant and unavoidable) to an area of the county that has triggered weeks of air violations in the last two years (Livermore/Rincon monitoring station). It will condemn Tri-Valley residents and eight schools within a five-mile radius to decades of dirty air and its negative health impacts.</p>	Air Quality	<p><i>As discussed in Impact AQ-4 in Section 3.4.3 of the Draft EIR, the Proposed Project's emissions would not result in any health risks at the closest homes to the project area. Further, as shown in Figure 3.4-1 of the Draft EIR, all of the schools in the project area are 2.5-5 miles from the project fence line. Therefore, the project emissions would not result in any long-term health effects at homes or schools. Health risks to the maximally exposed receptor, located 430 feet northwest of the project site, were compared to BAAQMD thresholds and determined to be less-than-significant, with non-cancer risks being 10 percent of the applicable threshold, cancer risks being 1 percent of the applicable threshold, and ambient fine particulate matter levels being 33 percent of the applicable threshold. The risk to other residents and school children are de minimis to non-existent.</i></p>
Cabanne	4A	3	<p>Furthermore, public safety is compromised as this project at build out would add 400 additional daily truck trips along a section of 580 already at LOS F. Adding these truck trips -- estimated to be traveling at least 70 miles from all Bay Area counties and beyond to a gridlocked area of the Altamont Pass -- is unacceptable.</p>	Transportation	<p><i>The commenter is mistaken about facts presented in the DEIR. The project is expected to generate a total of 204 daily vehicle trips, consisting of truck, employee, and visitor trips, and the average truck trip was estimated to be 70 miles (not the minimum trip). The traffic impact analysis has been completed in accordance with Alameda County guidelines, goals, and policies, and is compliant with the transportation analysis required under CEQA. Specifically, the DEIR estimated that project operations would generate 170 truck trips per day, but that trucks would be scheduled to arrive and depart the project site outside of AM and PM peak commute hours. A total of 204 trips, including employee and visitor trips, is expected, generating 15 trips during the AM peak hour and 17 trips during the PM peak hour, as disclosed in Table 3.14-8 of the DEIR. The level of service F determination reported in the DEIR describes traffic conditions during the home commute peak hour under present conditions, and this is an existing delay that occurs in the absence of the project. The project, which would generate de minimis trips, would only increase delay by 0.1 seconds. As disclosed in the DEIR, the applicable threshold of significance measures whether a project impact would increase delay at substandard intersections by 4 or more seconds, as disclosed on pages 3.14-27 to -28 of the DEIR. Accordingly, the project would not have significant impacts with respect to traffic congestion. In year 2040, it is anticipated that intersection conditions would improve compared to present conditions due to a planned signal intersection upgrade at this location, and per traffic models conducted by expert traffic engineers, project-related trips would not cause the intersection to degrade by any substantial amount, as reported on pages 3.14-28 to 3.14-29 of the DEIR.</i></p>

Cabanne	4A	4	Moreover, dismissing the traffic impacts because no standards exist for areas of existing LOS F is not an acceptable public safety position.	Transportation	<p><i>The traffic impact analysis has been completed in accordance with Alameda County guidelines, goals, and policies. This is compliant with the transportation analysis required under CEQA.</i></p> <p><i>Please see response to comment 4A-3. The DEIR includes thresholds of significance for substandard intersections, and meticulously analyzes project impacts against these thresholds. Per this analysis, the project would not result in any significant delays, and would have less-than-significant traffic impacts.</i></p>
Cabanne	4A	5	Furthermore, the biological mitigations proposed are insufficient protection for an existing threatened species habitat that overlaps the project site. The project site also has the potential to negatively affect 8 special concern species including the Northern Harrier (two were observed during an onsite survey) as well as 9 special status plant species. Once damaged or lost permanently, these biological resources will not be replaceable in the Tri-Valley. A composting facility this large needs to be placed in a biologically less sensitive area.	Biology	<p><i>As stated in the DEIR, the proposed project would be consistent with the East Alameda County Conservation Strategy, which is intended to provide an effective framework to protect, enhance, and restore natural resources in eastern Alameda County. The mitigation measures presented in the DEIR are also consistent with those required by the East Alameda County Conservation Strategy. The Strategy has been reviewed and approved by both USFWS and CDFW for efficacy in conserving special-status species and their habitats. Mitigation for the project will be approved by the State Department of Fish and Game and the US Fish and Wildlife Service according the East Alameda Conservation Plan.</i></p> <p><i>The commenter indicates that the measures are insufficient, but does not provide any substantial evidence to support this allegation. The DEIR's analysis is supported by expert biologist opinions, including experts who work for regulatory agencies charged with protecting the listed plant and animal species.</i></p>
Cabanne	4A	6	The majority of the feedstock needed for composting, including food waste, is generated in northern Alameda County; a composting facility needs to be sited where the majority of generated wastes are generated not trucked at least 70 miles to a small rural area with three existing large scale composting facilities. This project is a massive, regional composting facility -- 40% of its customer base will be out of county clients.	Project Description	<p><i>There are many sources of organic waste in the vicinity of the project (Pleasanton, Livermore, Dublin, San Ramon). A large portion of the compostable materials in Alameda County are sent out of county to composting sites in Santa Clara County, Stanislaus County and Marin County.</i></p> <p><i>As discussed in the report "Composting in California," cited on DEIR page 2-6 and incorporated by this reference, Alameda County currently retains and processes only 50 percent of the materials it generates, and the project is designed to help meet this local demand. Meanwhile, the report demonstrates that the entire Bay Area will need between 12.1 and 14.8 new compost facilities to meet Senate Bill 1383's 75 percent 2025 diversion goal.</i></p>
Cabanne	4A	7	The project is not justifiable because it imposes severe and long term health impacts, air quality impacts, safety impacts (traffic gridlock), and impacts on threatened species and species of special concern for decades to come in a small area of the county already saturated with composting facilities.	General	<p><i>Thank you for your comment. Please see responses to Comments 4A-2, 4A-3, 4A-5, and 4A-6 above.</i></p>

Cabanne	4A	8	How many air violations were triggered at the Livermore/Rincon monitoring station in 2019? Were 21 or more spare the-air days registered in the Tri-Valley in 2019 due to violations of air standards? How many air violations were recorded at this same station in the Tri-Valley in 2018? 2017? 2016?	Air Quality	<p>The local air quality concentrations and violations are provided to demonstrate what the existing conditions are in the project area. This is background information only and does not affect the analysis. Therefore, providing data for the Livermore Rincon station would have no effect on the analysis or conclusions.</p> <p>On page 3.4-16 of the DEIR, the analysis indicates that the Livermore-Rincon air quality monitoring station indicated various violations of air quality standards for fine particulate matter had occurred. The DEIR evaluates the project's contribution to air quality emissions and evaluates project-related emissions against standards set forth by the Bay Area Air Quality Management District, including a health risk assessment. The DEIR properly evaluates project impacts against these standards and, for instance, concludes that project contributions to fine particulate matter levels are de minimis, and would not have a significant impact. Please note that BAAQMD standards, by design, evaluate project contributions to cumulative impacts, and these standards are the appropriate metric by which to evaluate impacts under CEQA. They take into account the status of the regional air basin and current compliance or non-compliance statuses.</p> <p>Information and historical records for the Livermore-Rincon air quality monitoring station can be found online at the following address: <http://aqicn.org/city/california/alameda/livermore-rincon/>. In addition, annual summaries of the exceedances can be found online at the following address: https://www.arb.ca.gov/adam/. Within the past three years, exceedances of the ozone and particulate matter standards were recorded at this monitoring station.</p>
Cabanne	4A	9	Which type of air violations/exceedances were recorded at the Livermore Rincon station over the past four years in each category--- PM2.5, PM10, Nitrogen Oxide (NOx), Reactive Organic Gases (ROG), Diesel Particulate Matter (DMP), Carbon Monoxide, Nitrogen Dioxide, Ozone, Toxic Air Contaminants (TACs), Lead, and Sulfur Dioxide? Simply stating that several violations were recorded at this station does not provide the public with adequate information to make an informed decision about the project.	Air Quality	Please see response to comment 4A-8
Cabanne	4A	10	How many air violations were recorded at the closest Tracy air monitoring station in 2019? 2018? 2017? 2016?	Air Quality	<p>Please see response to comment 4A-8</p> <p>The Tracy air monitoring station is located 9 miles away and is not a relevant indicator of the environmental setting. Information and historical data for the Tracy air monitoring station is available online at the following address: <https://aqicn.org/city/california/san-joaquin/tracy-airport/></p>
Cabanne	4A	11	Forty percent (40%) of the feedstock will be transported from San Joaquin County and the project is located about two miles from the San Joaquin County line; air data from the San Joaquin County Air District is critical to understand the true air impacts of the project. Prevailing winds blow from Alameda County toward Tracy and San Joaquin County, making Tracy and San Joaquin County unwilling recipients of negative air impacts from this project.	Air Quality	<p>The commenter is mistaken when stating that forty percent of the feedstock will be transported to the site from San Joaquin County. Table 3.14.7 breaks down the vehicle trips and direction of origin. According to the table, it is anticipated that 40 trucks per day would deliver organic waste to the site, 30 arriving on Highway 580 from the west and 10 arriving from the east. Also, there would be approximately 40 trucks picking up compost from the site, 10 from the west and 30 from the east.</p> <p>Air emission controls at the site will reduce odors and VOCs by approximately 90% by the use of biofilters and covering of compost piles.</p> <p>Of the operational emissions listed in Table 3.4-10 of the Draft EIR, less than 25 percent of the mobile sources would be generated within San Joaquin County. Therefore, up to 0.4 pounds per day (lb/day) of ROG, 11.8 lb/day of NOx, 5.8 lb/day of PM10, and 1.5 lb/day of PM2.5 would be generated within San Joaquin County. These emissions are lower than the San Joaquin Valley Air Pollution Control District's CEQA significance thresholds of 55 lb/day of ROG, 55 lb/day of NOx, 82 lb/day of PM10, and 82 lb/day of PM2.5. Therefore, the impact of the proposed project's mobile source on San Joaquin County would be less than</p>

					<p>significant.</p> <p>The prevailing wind directions did not influence the conclusions in the analysis.</p>
Cabanne	4A	12	Was the Air Board for San Joaquin County notified about the project in time to submit comments to the Draft EIR?	Air Quality	<p>Notice of availability for the DEIR was submitted (emailed) to the San Joaquin Valley Air Pollution Control District and no comments have been received.</p>
Cabanne	4A	13	The project will use recycled water and compost leachate as main sources of quench water to keep outdoor compost piles sufficiently moist. According to the Draft EIR "compost leachate and truck washing wastewater would be held onsite for moisture conditioning of the compost piles" (2-17 pg. 61.) The Central Valley Regional Water Quality Board has not allowed this practice at the Altamont Landfill Composting facility. Why would the Central Valley RWQB allow this practice here?	Water Quality	<p>The State Water Resources Board's General Order for Composting does not prohibit the use of compost leachate (contact water) and truck washing water on active compost piles. The RWQCB Notice of Applicability for the Altamont Landfill's composting facility states "contact water collected in the wastewater pond will be pumped back to the CASP (covered aerated static pile) Pad for moisture conditioning active compost, quenching feedstock, and dust control. Such water may also be supplemented with non-contact storm water and/or irrigation water". That regional water board notice and staff report are found here:</p> <p><https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/2015-0121-dwq_noas/2015-0121-dwq-r5s008.pdf></p> <p>The State Water Resources Control Board - ORDER WQ 2015-0121-DWQ - General Waste Discharge Requirements For Composting Operations states in the Findings #19, "Water is evaporated from the compost piles, in part due to the heat generated in biological decomposition. Water is added to maintain appropriate moisture content. The water may include wastewater collected in the detention pond, or water from another water supply source".</p> <p>The General Order can be found online at the following address:</p> <p><https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2015/wqo2015_0121_dwq.pdf></p>
Cabanne	4A	14	Was the Central Valley RWQB contacted for comments on the Draft EIR?	Water Quality	<p>The Regional Water Quality Control Board Zone #5 was identified on Notice of Completion to be notified by the State Clearinghouse with filing of the DEIR. Letter #1 in this spreadsheet documents comments received from the RWQCB.</p>

Cabanne	4A	15	The project proposes a 25-year/24-hour peak storm pond as sufficient to contain water onsite. Was this approved by the Central Valley RWQB? The Altamont Composting facility had an issue in 2019 with a similar sized pond which was inadequate to contain storm runoff.	Water Quality	<i>The 25-year/24-hour peak storm containment is a requirement of the Central Valley RWQCB. Requirements for detention basins can be found in the General Waste Discharge Requirements for Composting Operations - Mitigation Measures 9.2, 11.1 and 11.3. In any case the project proponents engineer will provide specific design of the pond(s) based on historical rainfall and impervious surfaces at the site.</i>
Cabanne	4A	16	What provisions, if any, have been made for a heavy rain cycle such as the one experienced in February 2019?	Water Quality	<i>As discussed in the DEIR in Sections 2.2.4 and 2.2.5, all rainfall on the site will be collected in retention basins constructed on the property per Central Valley RWQCB requirements.</i>
Cabanne	4A	17	Are there separate ponds for the capture of storm drainage and composting leachate?	Water Quality	<i>As discussed in the DEIR in Sections 2.2.4 and 2.2.5, the project will collect storm drainage and direct it to stormwater detention basin(s) on the site. A separate composting leachate collection system will be installed under the compost piles. The leachate will be directed to storage tanks to prevent site odors. The leachate may be applied to the compost piles during the initial composting stage or treated and disposed of offsite at an approved location.</i>
Cabanne	4A	18	According to the Draft EIR, the project proposes combined systems of wastewater reuse. (Page 61) The Central Valley RWQB has not allowed co-mingling of compost leachate with other wastewater sources at the Altamont Landfill Composting Facility. Why would co-mingling of wastewater be allowed at this project?	Water Quality	<i>The term "combined" is a reference to the combination of truck washing wastewater and compost leachate, and where stormwaters go to a separate catchment pond. The project intent is to provide separate collection systems. Leachate will not be mixed with septic wastewater; either a septic system or separate holding tank will be used for collection of septic wastewater. Further truck wash water was removed from text as that would not constitute a primary source of wastewater at the facility.</i>

Cabanne	4A	19	It is not clear how storm runoff and compost leachate would be separated. Please clarify if separate storage ponds and separate drainage systems are planned. If not, why not?	Water Quality	See response to Comment 4A-17 above.
Cabanne	4A	20	How would the repeated use of composting leachate as quench water add to higher quantities of pathogens, VOCs, and undesirable chemicals in the finished composting product?	Water Quality	<i>The addition of leachate to a compost pile will occur during the active composting phase (first 22 days) only. Once the material is removed from the active compost area to the curing area, the addition of leachate is prohibited. Any pathogens present in the composting leachate would be killed in the composting process due to the high temperatures created in the composting piles. By definition, volatile organic compounds (VOCs) are released to the atmosphere as organic material degrades. In the case of composting, a majority of the VOCs are released during the first 14 days of the composting process. The proposed composting technology for the site is designed to capture up to 95% of the VOCs produced during the composting process. The project will require permits from the Bay Area Air Quality Management District for construction and operation of the proposed facility. Please see responses to comments 4A-40 and 4A-42 related to the testing requirements for the finished compost.</i>
Cabanne	4A	21	Would the practice of repeated application of leachate to compost piles require more intensive screening than what has been proposed?	Water Quality	<i>Leachate is a liquid byproduct of composting and may be added during the initial composting phases. The addition of leachate at the beginning of the process will not affect the normal screening process or require additional screening.</i>
Cabanne	4A	22	Why would the project use a higher percentage of biosolids as feedstock?	Project Description	<i>Biosolids management and reuse is a major concern for Bay Area wastewater treatment plants. During winter months land application of biosolids is prohibited due to wet ground conditions. There is currently a shortage of landfill capacity in Alameda County and the project would help solve this problem. Specifically, the Bay Area produces approximately 160,000 dry tons of biosolids annually. As indicated in section 2.1.3 of the DEIR, there are no other composting facilities in Alameda County accepting biosolids. Please also see Table 2.1-1.</i>

Cabanne	4A	23	Are biosolids being introduced because of a lack of sustainable water other than recycled water?	Project Description	<i>No, please refer to Comment 4A-22 above. Biosolids are targeted to help the County meet its waste diversion goals, and not to address concerns about water availability.</i>
Cabanne	4A	24	According to the Draft EIR the project would "use biosolids as one of its primary feedstocks (30 to 50 percent) to reduce water demand necessary to keep composting piles moist. If so, the use of biosolids is fundamentally a water demand issue and a sewage issue, not a composting issue as the project proclaims.	Project Description	<i>The project will assist local wastewater treatment plants in managing their biosolids through beneficial reuse. At the same time, the use of biosolids in the composting process will reduce water requirements for the project.</i>
Cabanne	4A	25	Most composting facilities will not accept biosolids; is this due to higher restrictions and constraints on the composting protocols for biosolids?	Project Description	<i>According to CalRecycle, 16% of California's composting facilities accept biosolids. In 2015, 206,000 dry tons of biosolids were composted in California. Composting facilities that accept biosolids are classified by the Central Valley RWQCB as Tier II. Additionally, all composting facilities that process more than 25,000 cubic yards annually are classified as Tier II facilities. Tier I and Tier II facilities are discussed on page 3.10-2 of the DEIR, and the project is designed to comply with all applicable orders and regulations of the RWQCB and other regulatory agencies.</i>
Cabanne	4A	26	What added measures or permits are necessary to guarantee the safety of the finished compost given that a high percentage of biosolids would be used?	Permitting	<i>The testing requirements for biosolids-based compost is the same as is required for all compost products. Please see responses to comments 4A-40 and 4A-42. The State Water Resources Control Board issued General Order WQ-2015-0121-DWG for composting facilities that included restrictions for biosolids composting facilities.</i>

Cabanne	4A	27	This project site contains seasonal wetlands and sensitive habitat. An overlapping portion of the project is habitat for one threatened species, 8 species of concern, and at least 9 sensitive plant species. The project overlaps the Arroyo Valley area, critical habitat for the California Red-legged frog. In addition, the project intersects with the eastern edge of an essential connectivity area.	Biology	<i>Thank you for your comment. Section 3.5.3 (pages 3.5- 9 through 3.9-20) of the DEIR address your comments. No significant and unavoidable impacts to biological resources would occur.</i>
Cabanne	4A	28	The project also intersects patch habitats in the Bay Area Linkage Network for many other special concern species. In addition to core habitat, movement corridors could be negatively affected which are necessary for foraging and to maintain adequate distribution of species.	Biology	<i>Thank you for your comment; it is noted that this information was extracted from the DEIR. The issues raised were addressed in the DEIR in Section 3.5 (pages 3.5-12 and 3.5-13).</i>
Cabanne	4A	29	How can movement corridors and core habitat be maintained with permanent concrete pad structures necessary for leachate containment?	Biology	<i>The majority of the site will contain undeveloped habitats thus remaining largely permeable to wildlife movement post-construction. Infrastructure such as concrete pads has been sited in habitats dominated by invasive species, which provide less than suitable habitat for special-status species, and the surrounding areas provide ample habitats to support movement. Additionally, the project will be consistent with the terms and condition of the EACCS with regards to movement corridors. Finally, project proponents will be required to obtain permits from federal and state Fish and Wildlife agencies to mitigate project impacts. The DEIR evaluated impacts to all species and, to the extent potential significant impacts were identified, recommended 36 separate mitigation measures to ensure impacts could be reduced to levels of insignificance.</i> <i>The DEIR on p. 3.5-30 that provides the project site "has largely been sited to impact mustard and ruderal/developed habitats," and the development footprint of the project will not encroach on any high value movement corridors or special status species habitats, and the supporting Biological Resource Assessment (in DEIR Appendix D) maps out biological communities and overlaps development plans on these mapped habitats. Moreover, the great majority of the project site outside the proposed development footprint, and the surrounding properties, are all open space, and there currently are no plans to develop these areas, allowing for the continuation of habitat and use of movement corridors. Accordingly, the DEIR satisfies CEQA's disclosure and mitigation requirements.</i>
Cabanne	4A	30	The proposed size of each concrete pad is massive; wider than Olympic sized swimming pools and 250 ft. long-almost as long as a football field. How could wildlife maneuver around such large permanent structures without special passages?	Biology	<i>Please see answer to 4A-29 above.</i>

Cabanne	4A	31	According to the Draft EIR, ground disturbing activities during construction and the permanent placement of concrete pads and structures will lead to the permanent loss of habitat. Mitigations suggest replacement habitat at a 3 to 1 ratio is sufficient. How was this conclusion reached?	Biology	<i>The East Alameda County Conservation Strategy contains information related to endangered species/habitat mitigation requirements for projects located in the area. The mitigation ratios presented in the DEIR are consistent with the requirements of the East Alameda County Conservation Strategy.</i>
Cabanne	4A	32	Proposed mitigations support purchase credits and donations to mitigation banks outside the area as suitable replacements for permanent loss of habitat. This is unacceptable in the East County where restrictions imposed by ECAP and Measure D were passed by voters specifically to protect and maintain open space, wetlands and movement corridors. Could critical habitat and wetlands be replaced in this small area of the county?	Biology	<p><i>Mitigation will be provided based on the ratios outlined in the DEIR or as defined in permits from the regulating agencies such as the Corps, Water Board, CDFW, and USFWS. It is anticipated that the mitigation for the project will be accomplished on-site by deeding mitigation property to an approved land trust. The Project proponent will provide an endowment to pay the trust to manage and monitor the mitigation property in perpetuity.</i></p> <p><i>The DEIR, in four different mitigation measures, also provides that the purchases of credits at mitigation bank is an acceptable form of mitigation so long as credits are purchased at an approved mitigation bank and is consistent with the determinations of state and federal resource agencies. Such mitigation banks can be located outside of the project area with approval of the applicable resource agency, and CEQA permits this type of mitigation. The East County Area Plan and Measure D (which approved the ECAP), meanwhile, do not prohibit the development of the project or implementation of mitigation measures that contemplate mitigation banks. As discussed on pages 3.11-2 to -7 of the DEIR, the project site is designated in the ECAP as Large Parcel Agriculture (A-160 District). This designation expressly permits agricultural uses, agricultural processing facilities (for example wineries, olive presses), limited agricultural support service uses (for example animal feed facilities, silos, stables, and feed stores), secondary residential units, visitor-serving commercial facilities (by way of illustration, tasting rooms, fruit stands, bed and breakfast inns), recreational uses, public and quasi-public uses, solid waste landfills and related waste management facilities, quarries, windfarms and related facilities, utility corridors, and similar uses compatible with agriculture. (See ECAP p. 47; see also ECAP Policies 152, 247, and 248 [encouraging composting operations and other solid waste facilities within and outside the Urban Growth Boundary where compatible with surrounding uses].) Accordingly, waste management facilities are specifically permitted. The project's consistency with applicable land use designations is fully discussed on page 3.11-9 of the DEIR, in compliance with CEQA.</i></p> <p><i>As discussed on page 3.5-6 of the DEIR, the project site is located in Conservation Zone 10 of the East Alameda County Conservation Strategy (EACCS). The EACCS contemplates the use of mitigation banks for impacts within the EACCS study area (see, for instance, Tables 3-7, 3-8, 3-10, 3-11, and 3-12 of the EACCS Conservation Strategy; section 5.6.4 of the EACCS Conservation Mitigation Strategy). The EACCS is incorporated by reference in the administrative record of proceedings for the project.</i></p>
Cabanne	4A	33	One mitigation measure recommends that employees be trained to identify threatened and special concern species on the project site. How could employees be expected to identify 8 special concern species, one threatened species -- the Calif. Red-legged frog -- and 9 sensitive plant species, in addition to their daily job requirements? Will a test be required to assess skills? Otherwise, this is an unenforceable meaningless mitigation.	Biology	<i>This mitigation measure language is a specific requirement of the East Alameda County Conservation Strategy, and is consistent with measures required by USFWS and CDFW. Employees will be provided with information on endangered species that may be present in the vicinity of the facility, including photos of species. Additionally, training is not the sole mitigation, but a component of a robust mitigation plan comprising dozens of measures.</i>

Cabanne	4A	34	Mitigation Measure Bio 17 states off road vehicle travel will be minimized. How? How will this be enforced?	Biology	<i>This mitigation measure language is a specific requirement of the East Alameda County Conservation Strategy, and is consistent with measures required by USFWS and CDFW. The composting facility will have one access road, which will be fenced to prevent off-road traffic. The composting facility will be bermed and fenced to also prevent any off-road or off-site road traffic.</i>
Cabanne	4A	35	Mitigation Measure Bio. 23 proposes the translocation of any threatened species or species of special concern on a project specific basis. How successful have translocation efforts in the area been in the past?	Biology	<i>This mitigation measure language is a specific requirement of the East Alameda County Conservation Strategy, and is consistent with measures required by USFWS and CDFW. An approved biologist will survey the project site immediately prior to start of construction of the facility. Biologists will also be present on the site during construction to make sure no endangered species are harmed. There are established protocols related to any endangered species found on the site. The species that would likely be translocated would be tiger salamanders and/or red-legged frogs. The other species of concern, if they are found in the construction area, would not require translocation (such as kit fox, burrowing owls).</i>
Cabanne	4A	36	Mitigation Measure Bio 36 suggests there will be no net loss of sensitive biological communities if purchase credits are used. This does not replace the communities in this area; in fact , the Draft EIR clearly states the implementation of this project's related activities will result in the permanent loss of federally protected wetlands. How is this justifiable when a composting facility can be sited in another area of the county that would not result in the loss or critical habitat or wetlands?	Biology	<i>Mitigation measure 36 states: mitigation for permanent impacts on sensitive communities would be provided at a minimum 1:1 ratio. Mitigation can include onsite restoration, in-lieu fee payment, or purchase of mitigation credits at a USACE approved mitigation bank. Mitigation as required in regulatory permits issued through the USACE and/or CDFW may be applied to satisfy this measure. This language provides multiple opportunities to provide mitigation through various means and methods and will be ultimately approved by the regulating agencies.</i>
Cabanne	4A	37	Was the California Department of Fish and Wildlife contacted for comments on the DRAFT EIR and proposed mitigations?	CEQA	<i>Yes, the California Department of Fish and Wildlife was contacted for comments on the DRAFT EIR and proposed mitigations.</i>

Cabanne	4A	38	Was the US Fish and Wildlife Service contacted for comments on the Draft EIR and proposed mitigations?	CEQA	<i>Yes, the US Fish and Wildlife Service was contacted for comments on the Draft EIR and proposed mitigations.</i>
Cabanne	4A	39	The project sits within the California Altamont Pass Wind Resource Corridor. What restrictions would this Wind Resource Corridor place on the project? Please clarify with specific conditions and data.	Air Quality	<i>Based on the maps included in the Altamont Pass Wind Resource Area Repowering Program Draft PEIR (June 2014), the proposed project is adjacent to the California Altamont Pass Wind Resource Corridor. Therefore, as the project is not located within the corridor, no restrictions would be placed on the operation of the project. The FEIR will be revised to indicate that the project is not located within the Altamont Pass Wind Resource Area.</i>
Cabanne	4A	40	The quality of finished composting product is dependent on high quality feedstock. Feedstock can contain pesticides, heavy metals, chemical and organic compounds as well as pathogens. 1. Given the stated intent to use a high percent of biosolids, what extra screening methods will be used to sample finished compost for pathogens, heavy metals, and endocrine disrupters?	Project Description	<i>Biosolids are required to be tested by wastewater treatment plant operators and certified to meet EPA criteria for pathogen reduction, heavy metals levels, and volatile and semi-volatile organic compounds levels. Finished compost products are also required to be tested prior to sale to the public.</i> <i>The DEIR addresses these testing protocols and the pertinent regulations in multiple sections, including on pages 2-5, 2-14, 3.9-19 of EIR, where applicable regulations include without limitation Title 14, Chapter 3.1, Article 7, Section 17868.1-17868.4 of California Code of Regulations, OSHA, and the ACWMA's Draft Compost Quality Standards and Testing Protocol.</i>
Cabanne	4A	41	Who will the finished product be sold to? The Draft EIR states there will be an average of 10 visitors to the site per day. Will this product be sold to residents to use on their vegetable gardens? If so, will the finished product include a summary alerting customers to the fact that a high percentage of biosolids were used in the compost feedstock? Will customers be given the ratio of biosolids to green waste feedstock used in the compost?	Project Description	<i>It is expected that a majority of the compost will be sold to agricultural markets in the Central Valley. Purchasers of biosolids-based products will be provided with a written disclosure that states the compost product contains biosolids.</i> <i>With regard to markets served by the project, as the DEIR specifically discusses, the proposed project is expected to serve waste materials to and from the San Francisco Bay Area and the Central Valley. Trips from Stanislaus County, Sacramento County, and Merced County are anticipated to be pass-by trips on the driver routes to other facilities. In the future, there would be a total of 85 daily trucks to the Proposed Project (generating 170 trips) and it is anticipated that, based on anticipated service area information, each truck would be travelling approximately 70 vehicle roundtrip miles daily to the Proposed Project. Table 3.14-7 illustrates the expected distribution of trips to regional markets, with 60 truck trips associated with the delivery of compost product to easterly markets. Please see pages 3.14-22 to 3.14-25 of the DEIR.</i>

Cabanne	4A	42	What will be the sampling ratio of cured product for pathogens and other unacceptable materials? 20%? 40%? 60%?	Project Description	<i>Federal and state law requires regular testing of all compost products prior to sale to the public. The DEIR provides that sampling will be conducted as part of project operations per Title 14 of the California Code of Regulations, including regulation 17868.1. Please see response to comment 4A-40. These regulations provide for detailed sampling procedures and protocols that apply as a matter of law, including specifications of sampling frequency (i.e., monthly) and methodology (i.e., procurement of a dozen samples that are representative and random, and processed at certified laboratories), and would govern activities at the project site.</i>
Cabanne	4A	43	How will adequate temperature monitoring of compost piles occur with only one employee working from midnight to seven am?	Project Description	<i>Each compost pile temperature will be monitored 24 hours a day by several temperature probes inserted into each pile. The temperature probes will be used to control an in-ground aeration system located under each pile that will engage when temperatures in the piles increase above the set-point. The temperature probes are connected wirelessly to a computerized control system that sends out an alarm notice via the internet and cell service to facility employees if temperatures in the piles exceed safe levels. The details regarding the composting methodology that will be utilized in project operations, including the aerated static pile (ASP) system and its incorporation of temperature sensors, are set forth on pages ES-2, 2-3, and other portions of the DEIR.</i>
Cabanne	4A	44	The only type of cured compost screening described in the Draft EIR involves screening for unders (composting that can pass through a 3/8 inch screen) and overs. Is this the only screening that will occur?	Project Description	<i>Yes, the only type of cured compost screening proposed for use, as described in the Draft EIR, involves screening for unders (composting that can pass through a 3/8 inch screen) and overs.</i>
Cabanne	4A	45	What other types of screening should occur to eliminate potential health hazards such as pathogens, heavy metals, etc.?	Project Description	<i>Federal and state law require that finished compost be tested for a wide variety of parameters, including pathogens and heavy metals on a regular basis. Please see responses to comments 4A-40 and 4A-42.</i>

Cabanne	4A	46	Why was only one traffic count collected for the project? Isn't collecting at least two traffic counts the standard practice for Draft EIRs?	Transportation	<i>Thank you for your comment. A single traffic count collection is valid if it represents typical traffic. The Alameda County Congestion Management Plan requires that traffic counts be taken during a 24-hour period anytime from Tuesday through Thursday of a typical week when schools are in session. Project traffic counts were taken during a 24-hour period on Tuesday, October 9, 2018, as explained in the DEIR and Appendix G.</i>
Cabanne	4A	47	The traffic consultant discussed what he considered to be peak hours -- 4:40 pm to 5:30 pm -- and determined level of service on I-580 EB LOS F. Since there are no current standards for areas already experiencing LOS F, it was suggested using models to determine in increments how much worse the problem would become with the project. This approach is problematic and unacceptable. This project is placed in the center of one of the worst, if not the worst traffic gridlock commute in the Bay Area: the Altamont Pass on I-580 EB in the afternoon and evening. This area is gridlocked at LOS F every week day from 3:00 pm to 7:00 pm.	Transportation	<i>Thank you for your comment. The traffic impact analysis has been completed in accordance with Alameda County guidelines, goals, and policies. This is compliant with the transportation analysis required under CEQA. See response to comment 4A-3.</i>
Cabanne	4A	48	To imply that this stretch is only at LOS F from 4:30 pm to 5:30 pm is inaccurate. Anyone who lives in the area or makes the commute from Alameda County to San Joaquin County will verify the gridlock situation extends hours beyond peak hours.	Transportation	<i>The analysis conducted and summarized in this EIR focuses on the am and pm peak hours only, defined as 8-9am and 4:30-5:30pm, respectively. LOS is not reported for timeframes outside of these two peak hour periods. LOS analyses for traffic impacts generally identify one PEAK hour for each of am and pm periods, using those times as proxies to focus assessment. The traffic impact analysis has been completed in accordance with Alameda County guidelines, goals, and policies. This is compliant with the transportation analysis required under CEQA.</i>
Cabanne	4A	49	To conclude that the situation is already horrible, so we can make it worse, is unacceptable.	Transportation	<i>Thank you for your comment. The traffic impact analysis has been completed in accordance with Alameda County guidelines, goals, and policies. This is compliant with the transportation analysis required under CEQA. See response to comment 4A-3 and 4A-4.</i>

Cabanne	4A	50	A composting facility can be sited in areas without serious and unavoidable air impacts and traffic impacts that will be made even worse with 400 more trucks daily idling or traveling at speeds under 5 miles an hour for miles.	Transportation	<i>Thank you for your comment. The DEIR, using approved methodologies, identified all traffic and air quality impacts.</i>
Cabanne	4A	51	Scheduling trucks arrival at the facility outside peak hours is not a workable solution; schedules can change. Why is there no provision to prohibit deliveries during gridlock hours, not just peak hours? This makes no sense, even if a truck -- traveling approximately 70 miles -- arrives at the site after peak hours; it has been on the road for at least an hour to get to the composting facility, adding to the air pollution and traffic gridlock.	Transportation	<i>Thank you for your comment. The traffic impact analysis has been completed in accordance with Alameda County guidelines, goals, and policies. This is compliant with the transportation analysis required under CEQA. Please see response to comment 4B-15.</i>
Cabanne	4A	52	The project is not located where the majority of Alameda County wastes are generated, nor is it centrally located for Alameda County businesses or residents.	Project Description	<i>The project will not create any additional organic waste in the Bay Area. Collected organic waste is currently being transported to local landfills, or in many cases, transported out of the county to composting facilities located in Santa Clara County, Marin County and Stanislaus County. Trucks carrying hundreds of tons of organic Bay Area waste currently travel by the proposed site to a composting facility located in Stanislaus every day.</i> <i>Additionally, the project related traffic was evaluated in Section 3.14, with a focus on impacts associated with VMT and LOS, and no significant and unavoidable impacts are expected. The DEIR provides that the project would increase VMT by a marginal amount of 0.03 percent for the County and 0.86 percent in the County TAZ. This would be a conservative estimate. Therefore, if trucks now go to the Project site rather than Keller Canyon Landfill or Stanislaus County, there is a possibility of a net reduction of VMT.</i> <i>As discussed in Section 2.1.3, Need for the Proposed Project, the Project site would be the only composting operation in the Bay Area that could use biosolids as a compost feedstock. Although the Project site is fairly far removed from the Alameda County population centers, it still would be the closest facility and serve as an important component in the region's efforts to divert waste. The site is zoned for a composting facility and is precisely where the County land use plans intend to build such a use, where these land use plans were prepared, considered, and approved with considerable forethought.</i>
Cabanne	4A	53	The proposed project is a large, regional composting facility, attempting to provide cheap composting at the expense of the health and safety of Eastern Alameda County residents, and will also result in the loss of wetlands and significant biological resources. Composting goals can be met at less sensitive sites.	Project Description	<i>Thank you for your comment. The health and safety of local residents was fully evaluated, including through the preparation and consideration of a health risk assessment, and no significant impacts to human health were identified. Further, all impacts to biological resources were determined to be less than significant. These assertions are contrary to reasoned and detailed analysis.</i>

Cabanne	4A	54	<p>In summary, the Draft EIR has not proven the need for a fourth large composting facility in the small eastern portion of the county already saturated with 3 large composting facilities less than two miles from Jess Ranch. The significant and unavoidable air impacts, traffic and safety impacts, permanent loss of wetlands and biological resources are too high a price to pay to support generic composting goals that can be met with composting facilities placed in northern Alameda County where the majority of food wastes and green wastes are generated.</p>	General	<p><i>As noted in responses to Comment 4A-1 above, in regards to existing facilities, according to CalRecycle and StopWaste (Alameda County Waste Authority) there are only two composting facilities in the area. These sites include the Altamont Landfill composting facility that is permitted for 500 tons per day and Greenwaste Composting located on Greenville Road in Livermore. Greenwaste Composting, owned by Vision Recycling, is permitted for 50,000 cubic yards of throughput per year. According to a Stop Waste report dated June 9, 2016, the maximum tonnage for site is 12,500 tons per year or approximately 35 tons per day. Further, comment indicates general opposition to the project and does not address any deficiencies in the EIR.</i></p> <p><i>As discussed in Section 2.1.3, in the August 2018 report, Composting in California, a joint paper written by the California Air Pollution Control Officers Association, the California Air Resources Board and CalRecycle, it is stated that California will need at least 75-100 new organics processing facilities to meet the demands of the new policies.</i></p> <p><i>The Proposed Project responds to a series of Alameda County (County) and State of California (State) mandates to increase organics diversion from landfills. Additionally, the Bay Area produces approximately 160,000 dry tons of biosolids annually. The Proposed Project would be the only site in the Bay Area that could use biosolids as a compost feedstock.</i></p>
Cabanne	4A	55	<p>The Final EIR must support the Draft EIR conclusion that the environmentally superior alternative is no project at this site.</p>	CEQA	<p><i>Comment noted. As discussed in Section 4.3 of the DEIR, CEQA Guidelines Section 15126.6 (e)(2) also states: "If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." Although the No-Build Alternative would not result in any physical impacts to the environment, it would fail to meet the purpose and need of the project. Please see response to comment 4A-1.</i></p>
Cabanne	4B	1	<p>Air quality in the Livermore Valley is often the worst in the Bay Area and has significant impacts on human health. The non-profit Tri-Valley Air Quality Community Alliance (TVAQCA) data shows that Livermore Valley exceeded federal and state limits for respirable particulate matter (PM 2.5) a record number of 14.8 days in 2018. In 2019, a record of 46 days exceeding thresholds was recorded and in 2020 Livermore Valley has exceeded thresholds 54 days so far. In addition, Livermore Valley exceeds federal ozone standards every summer. (TVAQCA). Data about all TACS must also be included.</p>	Air Quality	<p><i>Thank you for your comment. The commenter provides general information regarding air quality in the Livermore Valley, but does not identify a specific environmental concern resulting from the Project and therefore a detailed response is not required. Impact AQ-4 in Section 3.4.3 of the Draft EIR properly addresses potential criteria air pollutant and TAC emissions associated with construction and operation of the project in light of contextual air basin data</i></p>
Cabanne	4B	2	<p>It is well known that air pollutants increase hospitalizations, increase lung and heart disease, increase asthma, and interfere with oxygen transport to the brain and other sensitive, essential organs. The TVAQCA has offered many mitigations to reduce air impacts. The proposed project, which includes large outdoor composting, big enough to process a 1,000 tons per day of waste, will only exacerbate airborne pollutants and hazards already present.</p>	Air Quality	<p><i>Thank you for the comment. The project will be required to obtain construction and operating permits from the Bay Area Air Quality Management District. The Air District requires mitigation for any new air impacts within the district to reduce impacts that exceed threshold levels. Impact AQ-4 in Section 3.4.3 of the Draft EIR discussed human health risks posed by PM2.5 emissions. The cumulative risks and hazards resulting from Project operation would not exceed any of the BAAQMD threshold criteria and would therefore constitute a less than significant impact.</i></p>

Cabanne	4B	3	340 (round trip) big rig trucks traveling from all over the Bay Area will further degrade current exceedances. These impacts and potential mitigations need to be reevaluated using current and documented exceedances before completing the re-circulated Draft EIR.	Air Quality	<i>Please see Table 3.14.7 which breaks down the vehicle trips per day to and from the site. It is unknown where the commenter's number of 340 (round trip) big rig trucks number came from. According to Table 3.14.7 there will be a total of 170 roundtrip big rig trucks per day if and when the project reaches 1,000 tons per day of incoming organic waste.</i>
Cabanne	4B	4	Air quality has continued to significantly deteriorate in this area of the county for the last three years and the gravity of air impacts in and near Livermore have not been addressed adequately.	Air Quality	<i>As discussed in Impact AQ-4 in Section 3.4.3 of the Draft EIR, the proposed project's emissions would not result in any health risks at the closest homes to the project area. Health risks to the maximally exposed receptor, located 430 feet northwest of the project site, were compared to BAAQMD thresholds and determined to be less-than-significant. Further, as shown in Figure 3.4-1 of the Draft EIR, all of the schools in the project area are 2.5-5 miles from the project fence line. Therefore, the project emissions would not result in any long-term health effects at homes or schools.</i>
Cabanne	4B	5	The Altamont Landfill, located less than two miles from the proposed project, is the third highest Greenhouse Gas Emitting landfill in the state, after Puente Hills Landfill in Los Angeles County and Kiefer Landfill in Sacramento County (Livermore City Community Monitor Report, January 2020) The Altamont Landfill is currently applying for an extension of operations from 2025 to 2075. It generates high methane emissions even with the operation of its LNG plant. This will continue to pose health risks that cannot be sufficiently reduced for the next fifty years.	Air Quality	<i>Landfills produce significant quantities of methane gas due to the anaerobic bacteria that break down organic wastes in landfills. Composting on the other hand is an aerobic process that creates very little methane. The push to divert organic waste from landfills is driven by the goal to reduce methane in the atmosphere. Composting is a major component of the state's methane reduction strategy. Commenter states a general concern about methane emissions from landfills. The Project, however, is a composting facility, not a landfill project.</i>
Cabanne	4B	6	When disclosing and assessing a project's environmental effects, "an EIR must also assess " human health and safety". (California Building Industry Assn. v. Bay Area Air Quality Management District (2015) 62 Cal 4th 369,386 21083 (b)(3); see San Lorenzo Valley Unified School District (92006) 139 Cal App.1356,1372 (human health is among the many "environmental values" protected by CEQA and the guidelines.)"	Air Quality	<i>Thank you for your comment. The Draft EIR evaluates the extent to which the Project's air quality impacts have an effect on human health in comparison to thresholds of significance for local community risk and hazard impacts, carbon monoxide impacts, and odor impacts. As discussed in Impact AQ-4 in Section 3.4.3 of the Draft EIR, the proposed project's emissions would not result in any health risks to sensitive receptors in the project area. The comment does not address the adequacy or accuracy of the EIR; therefore, no additional response is warranted.</i>

Cabanne	4B	7	Additionally, "CEQA calls upon an agency to evaluate existing conditions to assess whether a project could exacerbate hazards already present. (California Building Industry Assn, supra 62 Cal 4th at p.388) Mitigating air quality impacts will also mitigate human health impacts associated with the exposure to airborne pollutants."	Air Quality	<i>Thank you for your comment. The comment does not address the adequacy or accuracy of the EIR; therefore, no additional response is warranted.</i>
Cabanne	4B	8	Forty percent of the feed stock will be transported from San Joaquin County.	Air Quality	<i>The commenter is mistaken when stating that forty percent of the feedstock will be transported to the site from San Joaquin County. Table 3.14.7 breaks down the vehicle trips and direction of origin. According to the table, it is anticipated that 40 trucks per day would deliver organic waste to the site, 30 arriving on Highway 580 from the west and 10 arriving from the east. Also, there would be approximately 40 trucks picking up compost from the site, 10 from the west and 30 from the east. Commenter does not raise a specific environmental concern related to the geographic location of the feedstock source and therefore no additional response is required.</i>
Cabanne	4B	9	As the project is located about two miles from the San Joaquin County line, air data from the San Joaquin Air District is critical to assess true cumulative air impacts of the project. Prevailing winds blow from Alameda County towards Tracy and San Joaquin County making both unwilling recipients of negative air impacts and traffic impacts from the project.	Air Quality/ Transportation	<i>Air emission controls at the site will reduce odors and VOCs by approximately 90% by the use of biofilters and covering of compost piles.</i> <i>Please also see response to comment 4B-8. Of the operational emissions listed in Table 3.4-10 of the Draft EIR less than 25 percent of the mobile sources would be generated within San Joaquin County. Therefore, up to 0.4 pounds per day (lb/day) of ROG, 11.8 lb/day of NOx, 5.8 lb/day of PM10, and 1.5 lb/day of PM2.5 would be generated within San Joaquin County. These emissions are lower than the San Joaquin Valley Air Pollution Control District's CEQA significance thresholds of 55 lb/day of ROG, 55 lb/day of NOx, 82 lb/day of PM10, and 82 lb/day of PM2.5. Therefore, the impact of the proposed project's mobile source on San Joaquin County would be less than significant.</i> <i>The prevailing wind directions did not influence the conclusions in the analysis.</i>
Cabanne	4B	10	Was the air board for San Joaquin County notified about the Draft EIR and the recirculated Draft EIR?	Air Quality	<i>Notice of availability for the DEIR was submitted (emailed) to the San Joaquin Valley Air Pollution Control District and no comments have been received.</i>

Cabanne	4B	11	Cumulative impacts may compound or increase other environmental impacts and the recirculated Draft EIR must inquire into and discuss the incremental impacts of the project such as "...incremental air pollution, traffic, etc." when added to closely related past, present or probable foreseeable future developments taking place over a period of time." (Guidelines 15130,15355,15358, see North Coast Rivers Alliance v. Kawamura (2015) 243 Cal App.4th 647,682; King's County Farm Bureau, supra, 221 Cal .App.3d at p.721).	Air Quality/ Transportation	<i>Thank you for your comment. Information regarding cumulative impacts can be found in Chapter 5 of the Draft EIR and addressed in various other chapters of the EIR (e.g., pp. 3.4-8, 3.4-28, 3.4-29, 3.4-31, 3.14-29).</i>
Cabanne	4B	12	Was the site assessed for PFAs (Teflon contaminants)? If so, what were the results? If not, why not?	Public Safety	<i>The site has not been tested for PFAs at this time. As discussed in Section 3.9, Hazards and Human Health, the SWRCB's GeoTracker online database was consulted for records located within or near the Project site. Based on this research, there are no existing records for the Project site. Further, historical use of the site included the location of wind-generating turbines, cattle grazing and dry land farming. No hazardous materials are stored onsite. Based on the historical use of the site and the SWRCB's GeoTracker online database results for the Project site, there is no indication of potential contamination onsite and PFSs were therefore not assessed.</i>
Cabanne	4B	13	Were the traffic impacts calculated using Vehicle Miles Traveled as an informational tool or as a measure of significant impacts?	Transportation	<i>VMT was calculated to assess the significance of the VMT impacts of the Proposed Project. As the Proposed Project would not increase the daily employee VMT of the TAZ or the County by more than 5 percent, the Proposed Project's impact on VMT is less than significant. See Impact TRANS-1 in Section 3.14.3 of the Draft EIR for analysis of the Proposed Project's VMT impacts.</i>
Cabanne	4B	14	While the original Draft EIR was circulated before new (VTM) regulations were enacted, any recirculated Draft EIR must incorporate (VMT) as a measure. If the traffic impacts using (VMT) as a measure are required, then traffic impacts would increase significantly and the new data and proposed mitigations would need to be reevaluated using (VMT) as a measure. The public cannot comment in a "meaningful" way if the data used is outdated or models used no longer allowed. (CEQA Guidelines Section 15088.5)	Transportation	<i>Although the requirement under Senate Bill 743 to analyze Vehicle Miles Traveled went into effect in July 2020, the Draft EIR has incorporated the new requirements. A VMT analysis for the Proposed Project is presented in Section 3.14.3 of the Draft EIR. Please refer to Comment 13.</i>

Cabanne	4B	15	This stretch of 580 adjacent to the project experiences gridlock conditions (LOS F) from 3 pm until 7 pm every week day when traveling from Oakland and western Alameda County ---where the majority of wastes are generated-- to the project site at the limit of eastern Alameda County. The peak hours used for counts in the morning and evening do not reflect current traffic conditions. To suggest that adding up to 340 daily big rig trips--hauling feed stock to the site--will not have an impact is disingenuous.	Transportation	<p>As discussed in Section 3.14.2, the 2018 existing volumes were collected on October 9, 2018, during the AM peak period from 7:00 AM to 9:00 AM, and the PM peak period from 4:00 PM to 6:00PM. The AM peak hour was determined to be 8:00 AM to 9:00 AM and the PM peak hour was determined to be 4:30 PM to 5:30 PM. Appendix G provides the detailed information of traffic counts.</p> <p>Please see Section 3.14.3 Impact Analysis, "Impacts and Mitigation Measures", starting on Page 3.14-27 to view the traffic analysis related to Highway 580. The analysis conducted and summarized in this EIR focuses on the am and pm peak hours only. LOS is not reported for timeframes outside of these two peak hour periods. LOS analyses for traffic impacts generally identify one PEAK hour for each of am and pm periods, using those times as proxies to focus assessment. The traffic impact analysis has been completed in accordance with Alameda County guidelines, goals, and policies. This is compliant with the transportation analysis required under CEQA.</p>
Cabanne	4B	16	Dismissing significant traffic impacts related to the project because no standards exist for areas of existing LOS F is not an acceptable public safety position.	Transportation	<p>Please see Section 3.14.1 Regulatory Framework, starting on page 3.14-7, which summarizes State and local regulations that apply to the Proposed Project within the Project study area. Highways fall under the jurisdiction of Caltrans, while most roads within the study area are under the jurisdiction of Alameda County.</p> <p>CEQA does not require mitigation of existing operational deficiencies in the baseline condition. As discussed in Impact 3.14-2 in Section 3.14.3 of the Draft EIR, if a freeway segment currently operates at LOS F, an impact is only considered significant if the v/c ratio would increase by 0.01. The I-580 Westbound segment between I-205 and Grant Line Road currently operates at LOS F during the AM peak hour, the Proposed Project would not contribute to any increase in v/c ratio. Therefore, the Proposed Project's impact on the I-580 Westbound segment between I-205 and Grant Line Road is less than significant and its contribution to an existing cumulative impact is not considerable.</p>
Cabanne	4B	17	Many of the biological resources mitigations used to evaluate the proposed project are not adequate.	Biological	<p>As stated in the DEIR, the proposed project would be consistent with the East Alameda County Conservation Strategy, which is intended to provide an effective framework to protect, enhance, and restore natural resources in eastern Alameda County. The mitigation measures presented in the DEIR are also consistent with those required by the East Alameda County Conservation Strategy. The Strategy has been reviewed and approved by both USFWS and CDFW for efficacy in conserving special-status species and their habitats. Mitigation for the project will be approved by the State Department of Fish and Game and the US Fish and Wildlife Service according the East Alameda Conservation Strategy.</p>
Cabanne	4B	18	According to California Fish and Wildlife, impacts are permanent if they affect land cover for more than a year. Most of the biological mitigations in the recirculated Draft EIR deal with construction activities and do not adequately mitigate permanent operations for the life of the project. The project is located in the conservation Zone 4 of the Eastern Alameda Conservation Strategy.	Biological	<p>Biological mitigations were taken from the East Alameda Conservation Strategy recommendations for projects developed within the strategy area. The project is located in Zone 10 of the Conservation Plan, not Zone 4.</p> <p>As discussed in Section 5.2, Cumulative Analysis, implementation of the Proposed Project, as well as other future development projects in the area could result in temporary and permanent loss of land cover types. However, consultation with applicable resource agencies regarding protection of these biological resources during construction and operations and implementation of recommended and/or required avoidance, minimization and mitigation measures would avoid or reduce the Proposed Project's contribution to cumulative effects on these habitats and species and impacts would be less than significant.</p>

Cabanne	4B	19	Grasslands, wetlands and the presence of the California red legged frog all require mitigation in the form of "habitat conservation for the loss of species habitat when it cannot be avoided". The recirculated Draft EIR should include permanent habitat conservation as an enforceable mitigation measure.	Biological	<p>Please see the mitigation measures below that address mitigation for permanent impacts on endangered species and their habitats:</p> <p>Mitigation Measure BIO-29 (Page 3.5-7): Mitigation for permanent impacts on California red-legged frog and California tiger salamander habitat would be provided at a minimum 3:1 ratio. Mitigation can include onsite restoration, in-lieu fee payment, or purchase of mitigation credits at a USFWS approved mitigation bank. Mitigation as required in regulatory permits issued through the USFWS and/or USACE may be applied to satisfy this measure.</p> <p>Mitigation Measure BIO-35 (Page 3.5-38): Mitigation for permanent impacts on San Joaquin kit fox habitat would be provided at a minimum 3:1 ratio. Mitigation can include onsite restoration, in-lieu fee payment, or purchase of mitigation credits at a USFWS approved mitigation bank. Mitigation as required in regulatory permits issued through the USFWS and/or USACE may be applied to satisfy this measure.</p> <p>It should be noted that the mitigation ration of 3:1 may cover more than one species. For example, the proposed project will impact a number of endangered species. Whether there is one species, or several species affected by a project, the maximum mitigation ratio is 3:1.</p>
Cabanne	4B	20	Was compensatory mitigation offered for loss of foraging habitat for birds?	Biological	<p>There is no compensatory mitigation requirement for foraging habitat for birds; however, however a compensation ratio of 3:1 identified in the DEIR for other affected species, which would also provide foraging habitat for birds. Additionally, Mitigation Measure BIO-36 requires a minimum 1:1 ratio for impacts to sensitive communities which would equally provide foraging habitat for birds.</p>
Cabanne	4B	21	Were surveys conducted to detect the presence/absence of the western bumblebee?	Biological	<p>Thank you for the comment. Surveys were not done for the western bumblebee because the species lacks any formal protection under state or federal law and there is no critical habitat identified for the Western Bumblebee in the area of the Project. Substantial evidence therefore supports the EIR's treatment of the western bumblebee.</p> <p>The western bumble bee is a species of concern and is being considered for listing by the U.S. Fish and Wildlife Service under the Endangered Species Act. The parent species <i>B. occidentalis</i> which has been petitioned for endangered species status, has received a positive 90-day finding, and is currently the focus of a Species Status Assessment by the USFWS to determine if the species warrants ESA listing (USFWS 2016). The species does not currently have any formal protection under the Endangered Species Act and there is no critical habitat identified for the Western Bumble Bee in the area of the project.</p> <p>In November 2020 the Sacramento County Superior Court issued a ruling in <i>Almond Alliance v. California Fish and Game Commission (the Commission)</i>, deeming the State of California lacks authority to list four threatened bumble bee species (including the Western Bumble Bee) as Endangered under the California Endangered Species Act (CESA). The East Alameda County Conservation Strategy does not list the Western Bumble Bee in Appendix A – Wildlife Species List (Invertebrates).</p>

Cabanne	4B	22	Fencing can have negative impacts on the daily movement of wildlife including deer and birds. Large low flying birds such as geese, ducks, hawks, owls, are especially vulnerable to collisions with fencing. Low flying owls and hawks (American kestrel) may collide with fences when swooping in on prey."	Biological	<i>As part of permitting process for incidental take permits from state and federal fish and wildlife agencies, fencing designs would have to be reviewed and approved by regulatory agencies prior to issuance of permits. Additionally, all construction related fencing is temporary in nature (removal required post-construction) and is intended to minimize potential effects to special-status species. Further, barrier fencing and any deterrent type fencing would be high visibility and made from soft/flexible materials to minimize collision harm.</i>
Cabanne	4B	23	Furthermore, " improperly designed fencing can result in red-legged frogs becoming trapped along either side of the fence line causing desiccation" or death.	Biological	<i>The project will be required to obtain Incidental Take Permits from both state and federal fish and wildlife agencies. Final fencing design will require both agencies to approve the type and location of any permanent fencing.</i> <i>Mitigation Measure BIO-5 includes a full description of project fencing requirements. In this it notes, "In places where wildlife exclusionary fencing is necessary, as determined by the biological monitor(s), silt fencing or other appropriate wildlife exclusion fencing materials would be used in place of the high visibility temporary construction fencing to prevent listed species from entering the Project area." Further, this measure requires daily inspection by a qualified biologist.</i> <i>Mitigation Measure BIO-28 discusses fencing in relation to special-status amphibians. This measure requires a qualified biologist to stake and flag an exclusion zone in accordance with MM BIO-5 above. The exclusion zone would encompass the maximum practicable distance from the work site and at least 500 feet from the aquatic feature wet or dry. Further, this exclusion zone is temporary in nature and is required to be removed within 72 hours of completion of work.</i>
Cabanne	4B	24	Did the Draft EIR analyze alternative wildlife friendly designs that could be used to limit fencing impacts? Without this information, the conclusion that the current project is the environmentally superior alternative cannot be made.	Biological	<i>Please see comment responses 22 and 23. Incidental Take Permits can only be issued once the Final EIR has been certified by Alameda County. The final design of the project has not been completed and wildlife fencing will be designed to meet agency requirements in addition to those avoidance and minimization measures laid out in the DEIR.</i>
Cabanne	4B	25	Artificial water bodies such as storage ponds can" create a nuisance for California red-legged frogs, who have been documented as attempting to breed in these aquatic features. This can result in amphibians becoming trapped and can be considered a take."	Biological	<i>The commenter is correct regarding potential problems related to red-legged frogs and also California Tiger Salamanders entering water storage ponds. Fish and wildlife agencies are aware of these issues and will require approved fencing to keep these animals out of the storage ponds. In addition, please see response to Comment 4B-23 above.</i>

Cabanne	4B	26	Did the draft EIR analyze retention pond designs that avoid amphibian entrapment?	Biological	<i>The retention ponds at the proposed site will be designed to meet Regional Water Quality Board requirements for composting facilities. Precise engineering designs of retention ponds is not necessary. CEQA only requires a general description of the project's technical characteristics. (Dry Creek Citizens Coalition v. County of Tulare (1999) 70 Cal.App.4th 20.) Further, avoidance and minimization measures included in the DEIR work to limit entrapment. Please see response to Comment 4B-22 through 4B-25 above.</i>
Cabanne	4B	27	One of the biological mitigations includes workers removing red-legged frogs with their hands. (Mitigation Bio-23 and 27) " Moving state and federally listed species out of harm's way is considered a form of "take" and can only be authorized by an Incidental Take Permit Removal of threatened species must be conducted by a" permitted biologist"; removal by construction workers is not allowed.	Biological	<i>Please see Section 3.5.1 Regulatory Framework, Federal "Endangered Species Act", on Page 3.5-1 which discusses the requirement for a federal incidental take permit. Also see "California Endangered Species Act" on Page 3.5-3 which discusses the requirement for a state incidental take permit. The commenter is correct that the "removal by construction workers is not allowed". Mitigation Measures Bio-26 and Bio-27 discuss the requirement for a qualified biologist to move endangered species.</i>
Cabanne	4B	28	Measure Bio-36 calculates mitigation for permanent impacts on sensitive communities to be compensated at 1:1 ratio. Has this low ratio been approved by CFWD? Costs for mitigation could significantly increase and affect the feasibility of the project as proposed.	Biological	<i>Thank you for the comment. The purpose of Mitigation Measure BIO-36 is to set a minimum standard for mitigation to offset the potential loss of sensitive communities. The 1:1 mitigation ratio included in this measure meets a standard of no-net-loss and would adequately minimize impacts and result in less-than-significant impacts; however, mitigation ratios will be negotiated with permitting agencies and may be greater than 1:1. As discussed on page 3.5-29 of the Draft EIR, implementation of Mitigation Measure BIO-36 would generally avoid and minimize potential impacts to sensitive biological resources. The measure would reduce the area of disturbance to the smallest footprint feasible to avoid unnecessary encroachment into sensitive habitat areas; instruct all workers on proper avoidance techniques of sensitive areas. Additionally, the mitigation measure would minimize the potential for sensitive communities from becoming degraded by erosion, sedimentation, or other harmful materials. Finally, Mitigation Measure BIO-36 would provide for no net loss of sensitive natural communities, and it would reduce impacts on sensitive natural communities to a less than significant level. The available evidence indicates that this mitigation measure is not cost-prohibitive.</i>
Cabanne	4B	29	Without necessary information concerning the above items, the conclusion that the current project is the superior environmental alternative cannot be supported.	CEQA	<i>The EIR provides full and complete disclosures of the Project's potential environmental effects, as well as a full and complete description of all mitigation measures that will be implemented to reduce the significance of the project's environmental effects. No further disclosures are necessary, and the public and decisionmakers are fully appraised of all information that will be needed to make an informed decision regarding the adequacy of CEQA compliance.</i> <i>Furthermore, as discussed in DEIR Section 4.3, CEQA Guidelines Section 15126.6 (e)(2) states: "If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." Although the No-Build Alternative would not result in any physical impacts to the environment, it would fail to meet the purpose and need of the project. Further, determination of the environmentally superior alternative does not preclude the other alternatives from being selected. The lead agency may adopt a statement of overriding considerations which expresses the agency's views on the merits of approving a project despite its significant adverse environmental impacts. The statement of overriding considerations provides the justification for proceeding with a project despite its environmental impacts. Finally, comment indicates opposition to the project and does not address any deficiencies in the EIR.</i>

Cabanne	4B	30	The project description includes using leachate runoff from aerobic composting piles as quench water. This practice has NOT been approved at other composting facilities. Was this practice approved by the Central Valley Water Board District?	Hydrology and Water Quality	<p><i>The use of leachate runoff from aerobic composting piles as quench water is outside of the scope of CEQA. CEQA only requires a general description of the project's technical characteristics and an analysis of physical improvements and impacts.</i></p> <p><i>However, as described in Section 3.10.3 of the Draft EIR, a water management plan would be prepared and provided to the RWQCB for review and approval, which would describe on the water in the catchment ponds would be managed to prevent discharge. No discharge from the recycling basin system would be allowed by the RWQCB and no such thing is proposed or contemplated under the Project. Further, general water quality WDRs or composting facilities' General Order WDRs for the Proposed Project would include site design requirements and/or a water quality monitoring program.</i></p> <p><i>The use of leachate runoff has been approved by the State Water Resources Control Board (SWRCB). SWRCB issued a General Order (WQ 2015-0121-DWQ) for Composting Operations on August 4, 2015. As set forth in Draft EIR Section 3.10.1 starting on page 3.10-1, the General Order has been developed to create a streamlined and efficient permit process, and to achieve statewide consistency in regulating composting operations. The General Order also contains prohibitions, specifications, and general procedures to protect surface water and groundwater quality related to composting facility operations, and specifies the terms and conditions of discharges from composting operations. The project applicant will request coverage under the General Order.</i></p>
Cabanne	4B	31	The project also allows water from storm drainage and composting piles to use the same storage ponds and drains. The co-mingling of leachate and storm water runoff has NOT been allowed by the CVWBD in nearby composting facilities. Has this design been approved? Using separate drains, ponds, and water storage areas could substantially increase the cost and feasibility of the project.	Hydrology and Water Quality	<p><i>As provided in Section 2.2.5 of the Draft EIR on page 2-16, the stormwater system, including catchment ponds, would be designed to meet or exceed RWQCB requirements. The RWQCB is a responsible agency. A request for water quality certification (including waste discharge requirements) by the RWQCB will be prepared and submitted following certification of the EIR.</i></p>
Cabanne	4B	32	Without additional information concerning water storage and drainage, the conclusion that the current project is the superior environmental alternative cannot be reached.	Hydrology and Water Quality	<p><i>The EIR provides full and complete disclosures of the Project's potential environmental effects, as well as a full and complete description of all mitigation measures that will be implemented to reduce the significance of the project's environmental effects. Impacts relating to hydrology and drainage are discussed in detail in section 3.10 of the Draft EIR. As explained in the analysis of Impact HWQ-1 and HWQ-3 (at pp. 3.10-7 and 3.10-8), although the Proposed Project would generate a new source of storm water requiring drainage, storm water runoff would be managed through a network of catchment basins, and perimeter drainage ditches and external berms. Therefore, the Proposed Project's impact related to alteration of the existing drainage pattern would be less than significant, and no mitigation would be required.</i></p> <p><i>Furthermore, as discussed in DEIR Section 4.3, CEQA Guidelines Section 15126.6 (e)(2) states: "If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." Although the No-Build Alternative would not result in any physical impacts to the environment, it would fail to meet the purpose and need of the project. Further, determination of the environmentally superior alternative does not preclude the other alternatives from being selected. The lead agency may adopt a statement of overriding considerations</i></p>

					<p>which expresses the agency's views on the merits of approving a project despite its significant adverse environmental impacts. The statement of overriding considerations provides the justification for proceeding with a project despite its environmental impacts.</p> <p>Here, the No Project Alternative does not meet any of the Project's objectives, and is not consistent with the State's organic waste reduction goals under Senate Bill 1383 or with County waste diversion goals that call for the siting of up to two in county composting facilities to facilitate the minimal goal of 75-percent diversion of waste products. Therefore, the No Project Alternative is not consistent with adopted plans and policies. The In-Building Composting Alternative was found to be infeasible due to building development restrictions and a substantially greater cost. The Reduced Project Size Alternative and the Proposed Project result in the same findings of significance for all resources evaluated and would require the same mitigation measures; however, the Reduced Project Size Alternative, as discussed above, does not meet the Project purpose or objectives for the long term. Therefore, the environmentally superior alternative is the Proposed Project.</p>
Cabanne	4B	33	<p>The recirculated Draft EIR states that no one in the area accepts biosolids for feed stock in composting. There is a reason for that; biosolids are much more dangerous than other composting feed stock materials. Biosolids contain pathogens, volatile organic compounds, large viruses that often cannot be removed, and hormones(many endocrine disrupters). Yet the recirculated Draft EIR did NOT analyze the health impacts and health hazards of biosolids that will be used in a whopping 30-50 percent of the feed stock.</p>	Public Safety	<p>The production of biosolids is inevitable in communities. According to the EPA 2019 biosolids annual reports, approximately 4.75 Million Dry Metric Tons (dmt) of biosolids were generated in the U.S. in 2019. Of that amount, approximately 1 million dmt of biosolids were landfilled (EPA 2020). Facilities, such as the Proposed Project, are intended to address the issues associated with the inevitability of generation of biosolids in local communities.</p> <p>Please refer to page 13 of the Partially Recirculated Draft EIR and section 3.9 of the Draft EIR. Section 3.9 of the Draft EIR addresses potential hazards associated with the construction and operation of the Proposed Project. The hazards assessment presented in this section summarizes the Proposed Project's operations, with a focus on the potential hazards associated with the waste stream and evaluates the risk of human exposure to these hazards. The Proposed Project would comply with all relevant federal, State, and local statutes and regulations related to transport, use, and disposal of hazardous materials. Accordingly, under the Proposed Project, impacts on hazards and human health would be less than significant with mitigation incorporated. Impacts would not differ substantially under the Reduced Project Size Alternative.</p> <p>Furthermore, the storage and containment of biosolids will comply with all applicable regulatory standards. Regulatory requirements for Tier I and Tier II facilities are discussed on page 3.10-2 of the Draft EIR, and the project is designed to comply with all applicable orders and regulations of the RWQCB and other regulatory agencies. As discussed on page 3.9-7 of the Draft EIR, the applicant shall prepare and implement a SWPPP, which is discussed in detail in Section 3.7 Hydrology and Water Quality and included in a corresponding Mitigation Measure (HWQ-1) in that section. Among other things, the SWPPP shall include BMPs for site housekeeping practices, hazardous material storage, inspections, maintenance, worker training in pollution prevention measures, and containment of releases to prevent run off into existing storm drains and sewers. Although designed primarily to protect water quality in local waterways, the SWPPP would also serve to minimize the number and severity of potential hazardous material releases that could affect construction workers.</p> <p>Finally, the State Water Resources Control Board has issued a General Order for Composting that outlines the requirements and restrictions for composting in California. The General Order specifies the requirements for biosolids composting facilities. A state-wide EIR was certified for the Composting General Order.</p>

Cabanne	4B	34	This is an EBMUD issue--a sewage issue because of limited sewage capacity---not a composting issue. The county is under no obligation to provide composting facilities using biosolids as feed stock to the greater Bay Area and beyond. The high percentage of biosolids as feed stock must be further analyzed to see if current screening and curing procedures are sufficient to remove potential biosolid hazards to workers, air, soil and water.	Public Safety	<i>The proposed project will be required to obtain permits from regulatory agencies to compost organic materials at the site, including biosolids. Permit requirements and conditions are intended to minimize public and worker health hazards at composting facilities.</i>
Cabanne	4B	35	We know that COVID 19 is transmitted through feces and can be detected in feces even after treatment. In fact, many areas around the US and the world are testing feces to check for community spread. Will biosolids used for feed stock be tested for the presence of COVID before being transferred to this composting facility?	Public Safety	<i>The commenter is mistaken about COVID 19 surviving wastewater treatment processes utilized by Bay Area facilities. There have been numerous studies related to the survival of viruses through the wastewater treatment process. The disinfection processes included in approved biosolids treatments have been documented to inactivate pathogens more resistant to treatment than COVID-19 virus or any other enveloped viruses (AAMI, 2010; Gattie & Lewis, 2004; Wang et al. 2005; Wolff et al., 2005). Members of the coronavirus family die off rapidly in wastewater, with the time required for the virus amounts to decrease 99.9% between 2 and 4 days before any treatment at 23°C (Gundy et al. 2009). Even in the examination of enteric viruses, typical wastewater treatment mechanisms (primary sedimentation, trickling filter/activated sludge, disinfection or coagulation, filtration, disinfection) have been shown to achieve a greater than 99.9% reduction in viral load (Pepper et al., 2006). Additionally, the latest CDC guidance indicates that, "While SARS-CoV-2 can be shed in the feces of individuals with COVID-19, there is no information to date that anyone has become sick with COVID-19 because of direct exposure to treated or untreated wastewater (CDC 2021).</i>
Cabanne	4B	36	The recirculated Draft EIR claims the need for more in county composting facilities is critical. Yet this CUP allows for wastes generated in other counties to be disposed of at the proposed project. In fact, almost half of the feed stock will be generated in San Joaquin County.	Project Need	<i>As discussed in response to Comment 4B-1 and Comment4B-4, Table 3.14-7 shows that 10 of 40 trucks delivering feedstock could come from the east on Highway 580, which is 25%. The feedstock would likely be agricultural waste, including wood chips that would be used as a bulking agent for the biosolids composting operation. Furthermore, as noted on page 6 of the Partially Recirculated Draft EIR, it is likely that the long-range goal of 75 percent and greater diversion (County General Plan) could not be met in the absence of an additional in-county composting facility. Additionally, targets under Senate Bill 1383 to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025 would likely not be met without the establishment of new composting facilities. While a few other in-county composting facilities are available in the Project area, only one accepts agricultural waste and foodwastes, and none accept biosolids. Many compostable materials would, therefore, continue to be processed by out-of-county facilities, which would require longer hauling distances and potentially greater traffic impacts, and would export a local waste problem to distant communities. Furthermore, exporting compostable organics out-of-county precludes the assurance of a long-term, cost-effective, reliable in-county facility. Please refer to Section 2.1.3 regarding the need for the Proposed Project.</i>

Cabanne	4B	37	If the need for in-county composting is so great, why would other counties be allowed to dump their wastes here? This claim is disingenuous. Is the county is allowing the profits of the applicant to take precedence over county needs?	Project Need	<p><i>As discussed above, feedstock from other counties is anticipated to be agricultural waste to be used as bulking agent.</i></p> <p><i>Please refer to Section 2.1.3 regarding the need for the Proposed Project. As noted at page 2-10 of the Draft EIR, the project would advance region-wide waste diversion goals, and it would help ensure that existing in-county landfills and composting facilities are not overburdened by out-of-county waste.</i></p>
Cabanne	4B	38	Crucial information about other composting facilities in the county is missing. The new mixed waste indoor composting facility at Davis Street in San Leandro will be operating shortly and will process a significant amount of green waste into compost.	Project Need	<p><i>Table 2.1-1 in the Draft EIR identifies active composting facilities in Alameda County and includes detailed information about each of those facilities. Specifically, Table 2.1-1 identifies the facilities' location, SWIS number, maximum permitted throughput tons/day, the maximum permitted capacity (tons/year), and the types of waste that are processed at those facilities. The Davis Street project in San Leandro is currently under construction and would be a small-scale indoor composting facility that is permitted for only 5,600 tons per year or approximately 15 tons per day.</i></p>
Cabanne	4B	39	Hence, the need to site another large composting facility at the eastern limit of the county--in a small area already saturated with three existing large composting facilities--- is not necessary.	Project Need	<p><i>In regards to existing facilities, according to CalRecycle and StopWaste (Alameda County Waste Authority) there are only two composting facilities in the area. These sites include the Altamont Landfill composting facility that is permitted for 500 tons per day and Green waste Composting located on Greenville Road in Livermore. Green waste Composting, owned by Vision Recycling, is permitted for 50,000 cubic yards of throughput per year. According to a Stop Waste report dated June 9, 2016, the maximum tonnage for site is 12,500 tons per year or approximately 35 tons per day.</i></p> <p><i>Furthermore, as noted on page 6 of the Partially Recirculated Draft EIR, it is likely that the long-range goal of 75 percent and greater diversion (County General Plan) could not be met in the absence of an additional in-county composting facility. Additionally, targets under Senate Bill 1383 to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025 would likely not be met without the establishment of new composting facilities. While a few other in-county composting facilities are available in the Project area, only one accepts agricultural waste and foodwastes, and none accept biosolids. Many compostable materials would, therefore, continue to be processed by out-of-county facilities, which would require longer hauling distances and potentially greater traffic impacts, and would export a local waste problem to distant communities. Furthermore, exporting compostable organics out-of-county precludes the assurance of a long-term, cost-effective, reliable in-county facility.</i></p>
Cabanne	4B	40	The Draft EIR was recirculated to consider a project alternative with lower daily tonnage; the county still selected the proposed project as the environmentally superior alternative. However, the recirculated Draft EIR does not include enough current and necessary data to select the proposed project as the environmentally superior alternative. This proposed project is, in fact, a massive regional composting facility, attempting to provide maximum profits at the expense of the health and safety of Eastern Alameda County residents. It will also impose significant biological impacts for years to come. Composting goals can be met closer to where the majority of wastes are generated and at a less sensitive site. When all critical and up-to-date data is added and considered, the environmentally superior choice is no project.	Project Need	<p><i>As discussed in DEIR Section 4.3, CEQA Guidelines Section 15126.6 (e)(2) states: "If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." Although the No-Build Alternative would not result in any physical impacts to the environment, it would fail to meet the purpose and need of the project. Further, determination of the environmentally superior alternative does not preclude the other alternatives from being selected. The lead agency may adopt a statement of overriding considerations which expresses the agency's views on the merits of approving a project despite its significant adverse environmental impacts. The statement of overriding considerations provides the justification for proceeding with a project despite its environmental impacts.</i></p>

				<p><i>The EIR provides full and complete disclosure of the Project's potential environmental effects, as well as a full and complete description of all mitigation measures that will be implemented to reduce the significance of the project's environmental effects.</i></p> <p><i>Here, the No Project Alternative does not meet any of the Project's objectives, and is not consistent with the State's organic waste reduction goals under Senate Bill 1383 or with County waste diversion goals that call for the siting of up to two in county composting facilities to facilitate the minimal goal of 75-percent diversion of waste products. Therefore, the No Project Alternative is not consistent with adopted plans and policies. The In-Building Composting Alternative was found to be infeasible due to building development restrictions and a substantially greater cost. The Reduced Project Size Alternative and the Proposed Project result in the same findings of significance for all resources evaluated and would require the same mitigation measures; however, the Reduced Project Size Alternative, as discussed above, does not meet the Project purpose or objectives for the long term. Therefore, the environmentally superior alternative is the Proposed Project.</i></p>
--	--	--	--	---