

General Response to comments on East County Service Center (ECSC) Initial Study and Mitigated Negative Declaration (IS/MND)

Public comments received on a mitigated negative declaration (MND) do not require formal, point by point, responses the way they do with an environmental impact report (EIR). However, Staff is providing the following general responses to aid the Board in evaluating the comments received and attached to the main staff report.

Non-CEQA related comments

Many of the comments received are not related to the MND, its analyses, or CEQA related issues. Staff is not providing responses to non-CEQA related issues. Included in this category are comments related to parking; parking is not a CEQA issue. Some commenters tried to connect parking to vehicle miles traveled (VMT) or other CEQA issues, but parking remains a non-CEQA issue and is not part of either the published guidelines or industry standard practice for analyzing transportation-related environmental impacts.

Comments asking clarifying questions or addressing formatting, typos or minor inconsistencies in the MND

Staff addressed these comments by making minor changes directly in the IS/MND. The revised IS/MND is attached to the staff report.

CEQA related comments

The largest number of comments focused on the traffic analysis for the project. Following CEQA and the Contra Costa Transportation Authority (CCTA) Growth Management Program Implementation Guidelines Appendix F, adopted in February 2021, (VMT Guidelines) a full VMT analysis was conducted for the proposed project in the traffic impact study included as Attachment E to the Draft IS/MND. VMT calculations used the CCTA Travel Demand Model, in accordance with industry standards. The model has calibrated parameters for where people travel to and from within each Travel Analysis Zone (TAZ). Thus, by coding the proposed project within TAZ #30325 into the CCTA Travel Demand Model, Base Year 2018 and Cumulative Year 2040 VMT and project VMT were identified for with project conditions, and without project conditions, as discussed on page 33 of the traffic impact study, which is included as Attachment E to the Draft IS/MND. With respect to greenhouse gases (GHGs), mobile source emissions were calculated in CalEEMod, which is the Bay Area Air Quality Management District's accepted model for quantifying GHG emissions. The analysis uses the number of vehicle trips associated with the proposed project (provided by TJKM in the traffic impact study) and default trip distances contained in the model. Thus, the GHG analysis does not rely on assumptions regarding the specific jurisdiction where a

trip starts and/or ends; rather, it uses default trip distances. As such, the lack of specificity regarding where workers and site visitors will be traveling from does not suggest that mobile source emissions estimated in the Final IS/MND are underestimated.

Several commenters demanded the County use the exact employee addresses for the VMT analysis. CEQA does not require perfection based on speculation, which is what the commenters appear to be seeking. Indeed, CEQA requires a good faith effort at analyzing environmental effects. The analysis requested by the commenters would require speculation insofar as the identities of the employees that may eventually work at this location, and their corresponding home addresses, will not be known, and cannot not be known, until they are actually assigned to the facility after it opens. Any class of position tentatively identified now as a possible assignment to this location does not guarantee that any particular incumbent in the position would still be in that position in 2028 when the facility opens, and would actually be assigned to that position following opening. Employees change positions and assignments for many reasons including promotion, hiring, changing jobs within the County, or leaving the County for other employment or retirement. Any attempt to connect an existing employee within a particular classification to this facility two years before it will be occupied would be purely speculative and not in keeping with standard industry practice for VMT analysis.

Other comments on the traffic analysis mention multiple items that were not part of the MND, such as bus schedules, SB 743 exemptions, major transit corridor definitions and others. To be clear, the County did not try to rely on any of these to reduce the vehicle miles traveled calculation used in the models. Therefore, none of these comments are applicable to the analysis performed for the MND.

We also received some comments on the noise analysis relating to noise standards. In the absence of specific County noise standards, the EIR prepared for the County General Plan was used as guidance for the development of the noise thresholds used in the IS/MND, as deemed acceptable by the County, as the lead agency. Thresholds for the County and the City of Brentwood have been used to assess construction and operational noise impacts, as follows:

- Construction noise: Federal Transit Administration (FTA) criteria
- Operational equipment daytime noise threshold: 60 dBA L50
- Operational equipment nighttime noise threshold: 55 dBA L50

FTA guidance is used to evaluate construction noise levels in the EIR prepared for the County General Plan and is appropriate for use in the IS/MND. The Draft IS/MND stated

that the threshold of significance is 90 dB for residential land uses during daytime hours. This has been corrected in the Final IS/MND to use the FTA guideline of 80 dBA for residences, consistent with what was used in the EIR prepared for the County General Plan. In doing this, the worst-case construction noise levels are predicted to exceed this threshold. However, as demonstrated in the Final IS/MND, the County's construction best practices that will be implemented as part of the project will reduce construction noise by 5 dB or more, which would reduce construction noise below the 80dBA threshold. The incorporation of the County's construction best practices will result in a less than significant impact from noise.

With respect to operation of the project (i.e., building and other stationary equipment that would be used on a permanent basis), the proposed project would be required to comply with City and County standards, as applicable. For this reason, operational noise impacts were assessed against the previously mentioned County thresholds, as well as the City of Brentwood specific thresholds. Mitigation Measure NOI-1 in the Final IS/MND requires building equipment and enclosures to meet County and City noise standards. Mitigation Measure NOI-1 will reduce impacts to adjacent residences by requiring a qualified acoustician to prepare an acoustical report documenting noise levels do not exceed County and City thresholds prior to the issuance of building permits (i.e., before construction occurs).