Comment Set 8

1947 Galileo Court, Suite 103 • Davis, California 95616

YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT

(530) 757-3650 • (800) 287-3650 • Fax (530) 757-3

July 21, 2003

Judy Brown
Environmental Scientist
Division of Environmental Planning and Management
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, California 95825-8202

Subject: Concord to Sacramento Petroleum Products Pipeline Project Draft EIR (SCH# 2002022010)

Dear Ms. Brown,

The Yolo-Solano Air Quality Management District thanks you for referring the above referenced Draft Environmental Impact Report for review and comment. The District has reviewed the Draft EIR and it appears to evaluate all the District's concerns as noted in its March, 2002 NOP comment letter. In addition, the DEIR appears to include all feasible mitigation measures available to reduce project construction impacts. **8-1**

Best regards,

Daniel P. O'Brien
Associate Air Quality Planner

Responses to Comment Set 8

8-1 Comment noted. This Final EIR contains minor revisions to the mitigation measures of the Draft EIR in response to comments from SFPP (see Section 4, changes to Section D.3, Air Quality).

Comment Set 9

Napa-Solano Counties
BUILDING AND CONSTRUCTION TRADES COUNCIL

AFFILIATED WITH
AFL-CIO
CALIFORNIA LABOR FEDERATION, AFL-CIO
BUILDING TRADES DEPARTMENT, WASHINGTON, D.C.
STATE BUILDING & CONSTRUCTION TRADES COUNCIL

PHONE (707) 428-6454
FAX (707) 428-6419
2540 N. WATNEY WAY
FAIRFIELD, CALIFORNIA 94533

July 21, 2003

Ms. Judy Brown
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, Ca. 95825-8202

RE: Kinder Morgan Concord to Sacramento Replacement Pipeline Project
SCLC EIR 711

Dear Ms. Brown,

We are writing in support of the proposed Concord to Sacramento Replacement Pipeline. This proposed pipel will have a direct impact on the economic well-being and the quality of life of the members of the Napa-Solan Counties Building and Construction Trades Council and Contra Costa Building and Construction Trades Coun and their families. This critical infrastructure project translates directly to jobs in our community; the pipeline will be constructed with high quality union labor through a project labor agreement. 9-1

In order to ensure public safety and protect the environment, there are a number of safety features incorporated into the pipeline project that meet or exceed governmental or industry standards, including computerized monitoring 24-hour per day to detect and respond to leaks; block valves throughout the length of the pipeline t allow the line to be shut down and isolate the product; cathodic protection and protective coating to prevent corrosion; and 100% x-ray inspection of all pipeline welds - far exceeding the 10% inspection requirement. In the final EIR, these safety features should be compared to the current pipeline's features and acknowledge the greater risk of accidents and leaks if the pipeline is not replaced.

The applicant's route proposed in the Draft Environmental Impact Report reflects over a year of cooperative work between the proponents, labor, local governments, property owners, and businesses to reach consensus on the route design. Any delay in building this pipeline translates directly to a loss of jobs and infrastructure investment, which is significant in this weak economy.

The proposed pipeline is an improvement over the no build alternative that will result in increased tanker truck traffic through an already overburdened traffic corridor - Interstates 80 and 680. The Building Trades is proud be a partner in constructing this project in order to move product more safely and more reliably through our community.

Sincerely,

Lisa Franklin
Business Manager
Napa-Solano Counties
Building and Construction Trades Council

Jim Foore
Chief Executive Officer
Contra Costa County
Building and Construction Trades Council

Responses to Comment Set 9

9-1 Comment noted. The environmental impacts of the No Project Alternative are compared to the project impacts throughout the Draft EIR, for example on page D.2-54 in Section D.2.5 (Pipeline Safety and Risk of Accidents) and on page D.12-21 in Section D.12.5 (Transportation and Traffic).

Comment Set 10

CITY OF
WEST SACRAMENTO

CITY HALL
1110 West Capitol Avenue
West Sacramento 95691

City Council
City Manager
City Clerk
Human Resources
(916) 617-4500
Fax (916) 372-8765

M.I.S.
(916) 617-4520
Fax (916) 372-8765

Community Development
Planning
Engineering
(916) 617-4645
Fax (916) 371-0845

Building
(916) 617-4683
Fax (916) 373-1145

Parks & Community Services
(916) 617-4620
Fax (916) 372-5329

Redevelopment
Economic Development
(916) 617-4535
Fax (916) 373-5848

Grants & Community Investment
(916) 617-4555
Fax (916) 372-1584

Finance
(916) 617-4575
Fax (916) 373-9006

Utilities
(916) 617-4589
Fax (916) 373-9006

Recycling
(916) 617-4590
Fax (916) 373-9006

Fire Administration
(916) 617-4600
Fax (916) 371-5017

POLICE
550 Jefferson Blvd
West Sacramento 95605

Police
Code Enforcement
(916) 372-2461
Fax (916) 373-0517

PUBLIC WORKS
1951 South River Road
West Sacramento 95691
(916) 373-5850
Fax (916) 371-1516

www.ci.west-sacramento.ca.us

July 22, 2003

Judy Brown
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

RE: Concord to Sacramento Petroleum Products Pipeline DEIR, SCH No. 2002022010

Dear Ms. Brown:

Thank you for the opportunity to comment on the DEIR. The City of West Sacramento offers the following comments:

1. A conditional use permit will be required for the portion of the pipeline within the City of West Sacramento. **10-1**
2. Construction work within the public right of way of the City of West Sacramento will require an encroachment permit.
3. The City recommends that the pipeline project be coordinated with the Sacramento Regional Sanitation District's Lower Northwest Interceptor project to ensure that there will be no conflicts. It is apparent that the District's pipelines will cross the proposed alignment of the petroleum pipelines in the vicinity of alternative mile post 60 (Figure B-2). **10-2**

If you have any questions or need clarification, please contact me at (916) 617-4645 or via e-mail at david.tilley@ci.west-sacramento.ca.us.

Sincerely,

David W. Tilley
Associate Planner

Responses to Comment Set 10

10-1 Table A-1 (Permits Required) has been revised in this Final EIR to show that a conditional use permit would be required by the City of West Sacramento (see Section 4, changes to Table A-1, page A-1). This has also been noted in a revision to the text of the discussion of land use in Section D.9.2.3 (see Section 4, changes to page D.9-16). Table A-1 also shows that an encroachment permit would be required for work within the public right of way.

10-2 The Lower Northwest Interceptor project of the Sacramento Regional Sanitation District is a project considered under the cumulative scenario in Table E-1, site #72, of the Draft EIR page E-7.

Mitigation Measure US-1a (Protection of Underground Utilities, with modifications in this Final EIR per Response to Comment 24-1, from Benicia) is intended for the protection of existing underground utilities, and would require SFPP to coordinate with all agencies with potentially affected utilities (including the Sacramento Regional Sanitation District's Lower Northwest Interceptor project) to reduce potential utility service disruption impacts to a less than significant level (see Section 4, changes to page D.11-8).

Comment Set 11

Contra
Costa
County

Public Works Department

255 Glacier Drive
Martinez, CA 94553-4825
Telephone: (925) 313-2000
FAX: (925) 313-2333
Web site: www.co.contra-costa.ca.us/depart/pw

Maurice M. Shiu
Public Works Director

R. Mitch Avalon
Deputy Director

Julia R. Bueren
Deputy Director

Patricia R. McNamee
Deputy Director

July 22, 2003

Judy Brown
California State Lands Commission
100 Howe Avenue Suite 100-South
Sacramento, CA 95825-8202

RE: DEIR, SCH No. 2002022010

Dear Ms. Brown:

We have reviewed the Draft Environmental Impact Report for the Concord to Sacramento Petroleum Products Pipeline Project, and have the following comments:

- Waterbird Way is the only access to the solid waste transfer station, which serves the central Contra Costa County area, and the green waste disposal site. The transfer station's hours of operations are 7:00 a.m. to 5:00 p.m. seven days a week, and the green waste disposal site's are 7:00 a.m. to 4:00 p.m. Monday through Friday, and 7:00 a.m. to 5:00 p.m. Saturday. On Waterbird Way two travel lanes will have to be open to traffic during the transfer station's hours of operation, and the driveways to both facilities will have to be open during their hours of operations. **11-1**
- One lane of Waterfront Road will have to be kept operational at all times during the installation of the pipeline crossing. **11-2**
- On page D.12-2 Table D.12-1 shows that Central Avenue and Arthur Road are under the jurisdiction of Contra Costa County. The portions of both of these roads that the pipe will be installed in are private roads and are not Contra Costa County roads. **11-3**
- Work near residential areas in Contra Costa County will have to meet County Encroachment Permit requirements on working hours and noise standards. **11-4**

If you would like to discuss this letter, please call Al Schaal at (925) 313-2234.

Very truly yours,

Bill Fernandez
Senior Civil Engineer
Transportation Engineering

BF:ASje
G:\GroData\TransEng\EIR\State\SFPP Pipeline DEIR Comments 7-22-03.doc

c: S. Kowalewski, TE
P. Detjens, FC

Responses to Comment Set 11

11-1 Comment noted. Maintaining appropriate access along Waterbird Way would be accomplished through implementation of Mitigation Measure T-2a (Minimize Access Concerns) in the Draft EIR page D.12-11. This measure would require SFPP to coordinate with Contra Costa County to ensure that sufficient access and appropriate travel lanes would be available to serve the transfer station and green waste disposal site. The County would have the opportunity to further define its requirements during the process of negotiating the encroachment permit for Waterbird Way, as shown in Table A-1 (Permits Required) of the Draft EIR page A-1.

11-2 Please see Response to Comment 11-1.

11-3 This Final EIR includes revisions to Table D.12-1, which show the applicable local government having jurisdiction of Central Avenue and Arthur Road (see Section 4, changes to page D.12-2).

11-4 Meeting the noise requirements of the Contra Costa County encroachment permit would be required under Mitigation Measure N-1a (Restrict Work Hours) in the Draft EIR page D.10-9. As also mentioned on page D.10-10 of the Draft EIR, this measure would require SFPP to meet the limitations defined by the County, while Mitigation Measures L-1a (Construction Notification) and L-1b (Minimize Impacts to Schools and Day Care Facilities), on page D.9-18 of the Draft EIR, would minimize the effects of construction noise on nearby residential areas.

Comment Set 12

ANDREWS, LANDO & ASSOCIATES

Telephone
(707) 426-0100

E-mail
andassoc@pacbell.net

Telecopier
(707) 426-0318

22 July 2003

Ms. Judy Brown
State of California
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, California 95825-8202

via fax (916) 574-1885 and mail

Re: Concord to Sacramento Petroleum Products Pipeline

Dear Ms. Brown:

I received the notice of availability/public hearing of a DEIR for the Concord to Sacramento Petroleum Products pipeline. However, I was unable to attend the July 16th meeting.

If there has been any new public information generated since the July 16th meeting, I would appreciate receiving a copy of such. Also, the letter I received contained a map of the route of the pipeline.

I am unable to determine, from your map, if the pipeline indeed goes through my property. If a more detailed map exists depicting the Solano County area, I would also appreciate receiving a copy.

Our property is located at 5518 Hay Road, Vacaville, California. In addition to being a cattle ranch, the property is also in a wetlands mitigation bank. This might be helpful to the project is any wetland/vernal pool mitigation is required. **12-1**

My name is Jason Andrews and I can be contacted at:

office: 707 426-0100
cell: 707 592-1077
fax: 707 426-0318.

Thank you for your prompt attention to this matter.

Sincerely,

Jason Andrews

1107 Kentucky Street, Fairfield, CA 94533

Responses to Comment Set 12

12-1 The Proposed Project alignment along Hay Road is shown in the Draft EIR, Appendix 1E, Jurisdictional Delineation Maps (2240-W-513 and -514). These map shows that the alignment would be along the south side of Hay Road, in a private right-of-way, east of Meridian Road and would cross to the north side of Hay Road, east of Dally Road.

Mitigation Measure BB-5a (Wetland Avoidance and Restoration) in the Draft EIR page D.4-43, recommends that compensation be provided for any loss of wetlands, according to the recommendations of USACE and RWQCB. It is noted that the property at 5518 Hay Road in Vacaville is available for use as potential compensation, should it be necessary.

Comment Set 13

County of Yolo

625 Court Street, Room 204 Woodland, California 95695 (530) 666-8195 FAX (530) 666-8193
www.yolocounty.org

BOARD OF SUPERVISORS

First District - Mike McGowan
Second District - Helen M. Thomson
Third District - Frank Sieferman, Jr.
Fourth District - Dave Rosenberg
Fifth District - Lynnel Pollock
County Administrator - Victor Singh
Clerk of the Board - Patty Crittenden

July 22, 2003

California State Lands Commission
Attn: Judy Brown
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

Re: Comments Regarding the Draft EIR for the Kinder Morgan Concord to West Sacramento Pipeline Project (State Clearinghouse Number 2002022010 EIR 711).

Dear Ms. Brown,

The purpose of this letter is to provide comments in response to the above referenced Draft Environmental Impact Report (EIR). It has been submitted in accordance with the 30-day review period, which will end on July 28, 2003. The County retains the right to submit further comments during later stages of the State Land Commission's environmental review, should new information and/or analysis become available.

Based on the information provided within the Draft EIR, the County has the following concerns:

- To minimize impacts on agricultural practices, utility lines should follow the edges of fields in existing utility or transportation corridors, or along property lines. Pipelines crossing agricultural areas should be buried deep enough to avoid conflicts with normal agricultural or construction activities. **13-1**
- Utilities should be designed and constructed to minimize any detrimental effect on levee integrity or maintenance. **13-2**
- The construction of pipelines on and near productive agricultural lands and operations should be avoided during harvest season. **13-3**
- The pipeline should be buried deeper in areas where certain agricultural practices are used (e.g., eight feet in lands suitable for grape production that have not been deep ripped; at least two feet below the bottom of existing irrigation and drainage ditches; or obtain the landowner's agreement to bury the pipeline at a shallower depth). **13-4**

Comment Set 13, cont.

California State Lands Commission
July 22, 2003
Page 2

- The subsidence of Delta lands due to the oxidation of its peat soils should be taken into consideration when determining the depth at which pipelines should be buried to avoid impacts to agricultural operations and terrestrial wildlife. **13-5**
- Pipelines should be weighted or anchored in areas where saturated soils may cause the pipeline to float. **13-6**
- An Encroachment Permit should be obtained from the local flood control or reclamation districts before any drilling under levees occurs. **13-7**
- A business plan and inventory will be required from the County Environmental Health Department if the threshold quantities of hazardous materials are stored at construction staging areas for greater than thirty days.
- A Conditional Use Permit will be required from the County Planning and Public Works Department prior to the commencement of construction.
- As a part of the Conditional Use Permit review by the County, a determination will be required from the City of Davis regarding the consistency of the proposed project with the City-County Pass-Through Agreement.

The Board of Supervisors thanks the State Lands Commission for their thorough analysis of the proposed project. If you have any questions about the items addressed in this letter, please contact Linda Caruso, Planner, at (530) 666-8850. The opportunity to review this environmental document is appreciated.

Sincerely,

Lynnel Pollock

Lynnel Pollock, Chair
Yolo County Board of Supervisors

Responses to Comment Set 13

13-1 SFPP would need to coordinate with land owners to secure easements through private property. Text has been added to Mitigation Measure LU-2b (Minimize Impacts to Schools and Day Care Facilities) in this Final EIR to clarify that during the process of securing the project ROW (see Section 4, changes to page D.9-19), SFPP would consult with property owners to identify the necessary route and depth. This should eliminate the potential disruption of agricultural landowner surface operations.

13-2 This Final EIR includes revisions to the text of Mitigation Measure HS-1a (Construction Plans to Define Water Crossings) to clarify that protecting the integrity of flood control structures and levees would be an important component of pipeline construction plans at water crossings (see Section 4, changes to page D.8-12). Stream crossings would also be protected by Mitigation Measure HS-4a (Adequate Pipeline Burial and Protection) of the Draft EIR page D.8-18, which would require appropriate burial depth of the pipeline to be extended laterally into the stream bank or bank protection, and Mitigation Measure HS-6a (Floodplain Protection) of the Draft EIR page D.8-25, which would require components of the Proposed Project to provide floodplain protection and avoid disruption of stream cross sections.

13-3 Because of construction schedule limitations defined by biological resources and wet season activities, the Proposed Project would likely involve construction during harvest seasons. Minimizing disruption to agricultural land owners during pipeline construction would be accomplished by providing fair compensation for the loss of income from cultivation of land taken out of production due to pipeline construction, as in Mitigation Measure LU-2b (Minimize Impacts to Schools and Day Care Facilities), on page D.9-19 of the Draft EIR.

13-4 Please see the Response to Comment 13-1.

13-5 Subsidence due to oxidation of the peat soils in the Yolo County agricultural areas is discussed in the environmental setting under Section D.7.1.2 (Segment 5) of the Draft EIR (page D.7-12), and would not be likely to adversely affect the Proposed Project.

13-6 Buoyancy that may cause pipeline structures to float in saturated soils is considered in the Draft EIR, Section D.8 (Hydrology and Water Quality). Under Impact GW-4: Contamination of Groundwater (Draft EIR, page D.8-21), Mitigation Measure GW-4a (Install Thicker-Wall Pipeline or Weight Coating in Strategic Areas) would require installation of additional weight to minimize buoyancy.

13-7 The encroachment permit and conditional use permit are listed in Table A-1 (Permits Required) of the Draft EIR page A-1. Additional permits and consistency determinations, including the potential requirement of a business plan and hazardous material inventory, have been added to this table in the Final EIR to clarify the Yolo County requirements (see Section 4, changes to page A-1).