



January 15, 2009

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January 15, 2009

Deidra Dingman  
Contra Costa County  
Department of Conservation and Development  
651 Pine Street, North Wing – 4<sup>th</sup> Floor  
Martinez, CA 94553-1229

**RE: Proposed Keller Canyon Landfill Expansion (County File No. LP08-2026)  
Notice of Preparation (NOP) – East Bay Regional Park District Comments**

Dear Ms. Dingman:

East Bay Regional Park District (the “District”) received a copy of Contra Costa County’s Notice of Preparation (NOP) to prepare a supplemental environmental impact report for the subject project (County File No. LP08-2026) on December 16, 2008.

The District is concerned about the project’s regulatory compliance status and potential impacts on parkland resources, park visitors, park workers and open space. To understand and evaluate the project’s impacts, we request that the SEIR provide a detailed analysis of land use/planning, air quality, traffic, biological resources, visual/aesthetics, and all other potential impacts that could diminish our ability to carry out our mission to preserve natural and cultural resources, open space, parks and trails. We request that our land uses and resources be included in the environmental setting of each of these impact categories. Pursuant the California Environmental Quality Act (CEQA), below are our comments in response to the County’s NOP.

**ENVIRONMENTAL SETTING:**

**Regional Parks:** The project is positioned between the District’s Black Diamond Mines Regional Preserve and the former Concord Naval Weapons Station. We are working with the City of Concord’s Local Reuse Authority and the National Park Service to establish a regional park in the area. Our parks preserve habitat and support a broad range of recreation opportunities with their combination of open space lands, trails and improved facilities. Black Diamond Mines is 6,286 acres in size and features a visitor and interpretation center, historic mine tours, picnic areas and campsites. Our concepts for the planned regional park at Concord Naval Weapons Station include facility improvements such as a world class historical visitor and education center, group picnic areas, campsites, and an environmental education center. Common passive recreation activities in our parks include hiking, biking, horseback riding and

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nature/wildlife viewing. Our parklands are a unique resource given the vast amount of developed land and unprotected open space in the region. The SEIR should include our existing and planned parks in its description of the environmental setting, especially for impacts to air quality, visual/aesthetics, traffic, and biological resources. Any aspect of the project that degrades recreational experiences of our visitors or negatively impacts our lands, resources, or park workers and visitors should be avoided.

East Contra Costa County Habitat Conservation Plan / Natural Communities Conservation Plan ("HCP/NCCP"): The project adjoins the planned HCP/NCCP habitat preserve. We are a partner in the implementation of the HCP/NCCP and share the Plan's vision to protect special status species. The SEIR should include the HCP/NCCP and its associated species inventory, conservation measures, species occurrence models and any other pertinent information in the environmental setting section of the biological resources analysis. Species and land management practices that may negatively affect the success of the HCP/NCCP in meeting its objectives should be avoided.

Regulatory Compliance of Landfill Operation: Instances of non-compliance with conditions of approval or adopted mitigation and monitoring measure requirements should be included in the environmental setting for each respective impact analysis category (i.e. land use/planning, air quality, biological resources, geologic hazards, aesthetic resources) for detailed analysis.

#### IMPACT ANALYSIS:

Land Use and Planning: Provide an analysis of Keller Canyon Landfill Company's compliance with County conditions of approval, adopted CEQA mitigation and monitoring requirements and the requirements of regulatory agencies with jurisdiction over the project. Include a condition-by-condition check list analysis of the status of the project's compliance with the conditions of approval and adopted mitigation measures and monitoring results. This analysis should be used to evaluate the feasibility of future mitigation measures or to identify new requirements that will lessen the project's impact on the environment. The SEIR should confirm if conservation easements associated with the original project were recorded.

Air Quality: Sensitive receptor consideration should be given to park visitors such as children, the elderly and active persons engaged in strenuous exercise that use the parks. These receptors commonly use park trails, campgrounds, picnic areas or engage in outdoor and indoor classroom like activities associated with the District's visitor and interpretation centers. The project's impact on park workers should be included in this analysis. Poor air quality and associated health risks may diminish the recreational experience of park visitors and cause health problems among visitors and park workers – this impact should be avoided.

Visual/Aesthetics: The DEIR should evaluate how views of the natural landscape from Black Diamond Mines and Concord Naval Weapons Station will be altered by grading (including slide repairs, potential mass wasting and slope failures), lighting and wind blown waste associated with the project. A view shed study looking northwest from Rose Hill and Lougher Ridge Trail in Black Diamond Mines and looking east from the top of the Concord Naval Weapons Station eastern ridge should be conducted for us to better understand and evaluate this potential

impact. Our park visitors are attracted to the views they enjoy and experience in the park and surrounding areas. Any changes to the environment that may diminish this experience would have a significant impact on aesthetic and recreational resources and should be avoided.

Traffic: Our park users use local streets and intersections to access our lands. The project should not impact local and regional roadways, including incremental cumulative significant contributions to existing and future conditions. Provide a current traffic impact study using recent traffic counts and Level of Service (LOS) analysis of affected intersections in Concord, Pittsburg and unincorporated Contra Costa County. Provide an analysis of how increased traffic volumes from the project may exacerbate hazards to pedestrians, bicyclists and motor vehicles.

Biological Resources: Since 1989, California tiger salamander, California red legged frog, American badger, and Alameda whip snake have been listed as threatened, endangered or assigned special status. Provide analysis explaining how the project will affect special status species. The adequacy of existing habitat and species management plans for the operation should be evaluated to determine if they are based on the most current scientific understanding for conservation and management of these species. The biological analysis should specifically examine the projects potential for increased wildlife mortality on roads, impacts to riparian and other wetland areas due to wind blown waste debris, degradation of water quality or interrupted stream flows due to the project. Amphibian mortality due to wind blown waste debris and the impact of increased predation on special status species (from gulls or other non-native species associated with landfills) should also be analyzed. The need for additional mitigation lands should be evaluated given the degradation of habitat that may occur as a result of intensifying landfill activities.

Other Impacts: Given the changed regulatory and physical environment since 1989, the County should consider the project's impact on landslides/mass wasting, invasive/exotic plants, water consumption and climate change.

Thank you for your review and consideration of our comments. We request that we be notified of any public meetings or hearings scheduled for this project and that a copy of any CEQA notices or associated documents be forwarded to us for this project. If you have any questions or concerns, please contact me at (510) 544-2627 or via email at [cbarton@ebparks.org](mailto:cbarton@ebparks.org).

Sincerely,



Chris Barton  
Senior Planner