

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



May 28, 2010



Winston Rhodes, AICP
City of Pinole
2131 Pear Street
Pinole, CA 94564

Dear Mr. Rhodes:

The California Energy Commission has received the City of Pinole's Negative Declaration titled City of Pinole 2009 Housing Element Update, SCH 2010052035 that was submitted on 5/11/2010 for comments due by 6/14/2010. After careful review, the Energy Commission has found the following:

We would like to assist in reducing the energy usage involved in your project. Please refer to the enclosed Appendix F of the California Environmental Quality Act for how to achieve energy conservation.

In addition, the Energy Commission's *Energy Aware Planning Guide* is also available as a tool to assist in your land use planning. For further information on how to utilize this guide, please visit www.energy.ca.gov/energy_aware_guide/index.html.

Thank you for providing us the opportunity to review/comment on your project. We hope that our comments will be helpful in your environmental review process.

If you have any further questions, please call Gigi Tien at (916) 651-0566.

Sincerely,

A handwritten signature in blue ink that reads "Bill Pfanner".

BILL PFANNER
Supervisor, Local Energy & Land Use Assistance Unit
Special Projects Office
Fuels and Transportation Division
California Energy Commission
1516 Ninth Street, MS 23
Sacramento, CA 95814

Enclosure

ATTACHMENT C

Appendix F

ENERGY CONSERVATION

I. Introduction

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

- (1) decreasing overall per capita energy consumption,
- (2) decreasing reliance on natural gas and oil, and
- (3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.

Energy conservation implies that a project's cost effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, lifetime costs may be determined more by energy efficiency than by initial dollar costs.

II. EIR Contents

Potentially significant energy implications of a project should be considered in an EIR. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances, specific items may not apply or additional items may be needed.

A. Project Description may include the following items:

1. Energy consuming equipment and processes which will be used during construction, operation, and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.
2. Total energy requirements of the project by fuel type and end use.
3. Energy conservation equipment and design features.
4. Initial and life-cycle energy costs or supplies.
5. Total estimated daily trips to be generated by the project and the additional energy consumed per trip by mode.

B. Environmental Setting may include existing energy supplies and energy use patterns in the region and locality.

C. Environmental Impacts may include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life cycle including construction, opera-

tion, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
3. The effects of the project on peak and base period demands for electricity and other forms of energy.
4. The degree to which the project complies with existing energy standards.
5. The effects of the project on energy resources.
6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

D. Mitigation Measures may include:

1. Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
2. The potential of siting, orientation, and design to minimize energy consumption, including transportation energy.
3. The potential for reducing peak energy demand.
4. Alternate fuels (particularly renewable ones) or energy systems.
5. Energy conservation which could result from recycling efforts.

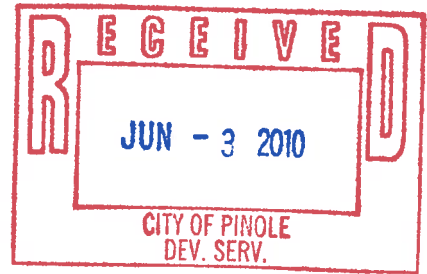
E. Alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy.

F. Unavoidable Adverse Effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.

G. Irreversible Commitment of Resources may include a discussion of how the project preempts future energy development or future energy conservation.

H. Short-Term Gains versus Long-Term Impacts can be compared by calculating the energy costs over the lifetime of the project.

I. Growth Inducing Effects may include the estimated energy consumption of growth induced by the project.



June 2, 2010

Winston Rhodes, Planning Manager
City of Pinole
2131 Pear Street
Pinole, CA 94564

Re: Notice of Intent to Adopt a Proposed Negative Declaration - City of Pinole 2009 Housing Element Update (GPA10-01)

Dear Mr. Rhodes:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the proposed Negative Declaration for the City of Pinole (City) 2009 Housing Element Update. EBMUD has no comments regarding environmental issues on the document. However, EBMUD's response provided to the City on November 23, 2009 (see enclosure) regarding the draft 2009 Housing Element Update still applies and should be incorporated to the final Housing Element Update.

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365.

Sincerely,

A handwritten signature in black ink, appearing to read 'W.R. Kirkpatrick', written over a horizontal line.

William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:AMW:sb
sb10_106.doc

Enclosure



November 23, 2009

Winston Rhodes, Planning Manager
City of Pinole
2131 Pear Street
Pinole, CA 94564

Re: City of Pinole Draft Housing Element

Dear Mr. Rhodes:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the City of Pinole (City) Draft Housing Element. EBMUD has the following comments.

WATER SERVICE

The City's Draft Housing Element document does not reference specific development projects. Any development project associated with the City's Draft Housing Element will be subject to the following general requirements:

Main extensions that may be required to serve any specific development projects to provide adequate domestic water supply, fire flows, and system redundancy will be at the project sponsors' expense. Pipeline and fire hydrant relocations and replacements due to modifications of existing streets, and off-site pipeline improvements, also at the project sponsors' expense, may be required depending on EBMUD metering requirements and fire flow requirements set by the local fire department. All project sponsors should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions of providing water service to the development. Engineering and installation of new and relocated pipeline and services requires substantial lead-time, which should be provided for in the project sponsors' development schedule.

Please note that depending on the size and/or square footage, the lead agency for future individual projects within the City's Housing Element areas should contact EBMUD to request a Water Supply Assessment (WSA) that meets the threshold of a WSA pursuant to Section 15155 of the California Environmental Quality Act Guidelines, and Section 10910-10915 of the California Water Code. EBMUD requires project sponsors to provide future water demand data and estimates for individual project sites for analysis of the WSA. Please be aware that the WSA can take up to 90 days to complete from the day on which the request is received.

The project sponsors should be also be aware that EBMUD will not inspect, install or maintain pipeline in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed) that must be handled as a hazardous waste or that may pose a health and safety risk to construction or maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping in areas where groundwater contaminant concentrations exceed specified limits for discharge to sanitary sewer systems or sewage treatment plants. Applicants for EBMUD services requiring excavation in contaminated areas must submit copies of existing information regarding soil and groundwater quality within or adjacent to the project boundary. In addition, the applicant must provide a legally sufficient, complete and specific written remedial plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of all identified contaminated soil and/or groundwater.

EBMUD will not design the installation of pipelines until such time as soil and groundwater quality data and remediation plans are received and reviewed and will not install pipelines until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists or the information supplied by the applicant is insufficient, EBMUD may require the applicant to perform sampling and analysis to characterize the soil being excavated and groundwater that may be encountered during excavation or perform such sampling and analysis itself at the applicant's expense.

WATER RECYCLING

EBMUD's Policy 8.01 requires that customers use non-potable water for non-domestic purposes when it is of adequate quality and quantity, available at reasonable cost, not detrimental to public health and not injurious to plant life, fish and wild life to offset demand on EBMUD's limited potable water supply. EBMUD recommends that the City require developers of new or redevelopment projects within the City to coordinate and consult with EBMUD regarding the feasibility of providing recycled water for appropriate non-potable purposes.

WATER CONSERVATION

Individual projects within the City's Draft Housing Element may present an opportunity to incorporate water conservation measures. EBMUD would request that the City include in its conditions of approval a requirement that the project sponsors comply with Assembly Bill 325, Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). Project sponsors for individual projects should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsors' expense.

Winston Rhodes, Planning Manager
November 23, 2009
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If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365.

Sincerely,



for William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:AMW:sb
sb09_240.doc



Lee Higgins, PG
Environmental Project
Manager

**Chevron Environmental
Management Company**
6111 Bollinger Canyon Road
BR1Y/3484
San Ramon, CA 94583
Tel (925) 543-2365
Fax (925) 543-2323
leehiggins@chevron.com

June 3, 2010

Mr. Winston Rhodes
Planning Manager
City of Pinole
Community Development Department
2131 Pear Street
Pinole, California 94564



Stakeholder Correspondence –City of Pinole

Subject: Comments for the City of Pinole 2009 Housing Element Update and Mitigated Negative Declaration
Chevron Environmental Management Company
Historical Pipeline Portfolio–Bakersfield to Richmond

Dear Mr. Rhodes:

Chevron Environmental Management Company (CEMC) recently became aware of the proposed City of Pinole 2009 Housing Element Update (Housing Element Update) and associated preparation of a Mitigated Negative Declaration. The purpose of this letter is to notify the City of Pinole as to the location of a formerly active crude-oil pipeline in Pinole (Figure 1), and to provide background information about the former pipeline. The intent is that information regarding the location and construction of this former pipeline will be incorporated into the Housing Element Update and future project planning documents.

Portions of the former Old Valley Pipeline (OVP) existed in central Pinole. The OVP was installed in the early 1900s and carried crude oil from the Kern River Oil Fields in and near Bakersfield to the Richmond Refinery until pipeline operations ceased in the 1940s.

The OVP system was originally installed at depths ranging from 18 inches to 10 feet below ground surface. The steel pipeline was typically encased in a protective coating composed of coal tar and asbestos-containing felt material (ACM). When pipeline operations ceased, the pipeline was taken out of commission. The degree and method of decommission varied; in some instances the pipeline was removed, while in others it remains in place.

Evidence of historic releases associated with the former OVP is sometimes identified during the course of underground utility work and other subsurface construction activities near the former pipeline right of way (ROW). Residual weathered crude oil associated with former OVP operations can usually be observed visually; however, analytical testing is necessary to confirm the identity of the affected material. Analytical results from risk assessments performed by CEMC at numerous historical pipeline release sites confirm that soil affected by the historic release of crude oil from the pipeline is non-hazardous, and does not pose significant risks to human health.

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Mr. Winston Rhodes – City of Pinole
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Figure 1 illustrates the locations of potential residential development sites identified in the Housing Element Update in the vicinity of the former OVP ROW.

CEMC recommends that project proponents be prepared to potentially address residual weathered crude oil, pipeline, and ACM from the former OVP during subsurface construction activities. This potentiality is easily managed with some advanced planning. CEMC would appreciate being informed of proposed development projects and any encountered petroleum, pipelines, and pipeline-related ACM in the vicinity of the former OVP ROW.

For more information regarding this historic pipeline, please visit <http://www.hppinfo.com/>. If you have any questions, require additional information, or would like to request more detailed maps, please contact SAIC-Benham consultant Tom Burns (burnsth@saic.com) at (916) 979-3748.

Sincerely,



Lee Higgins

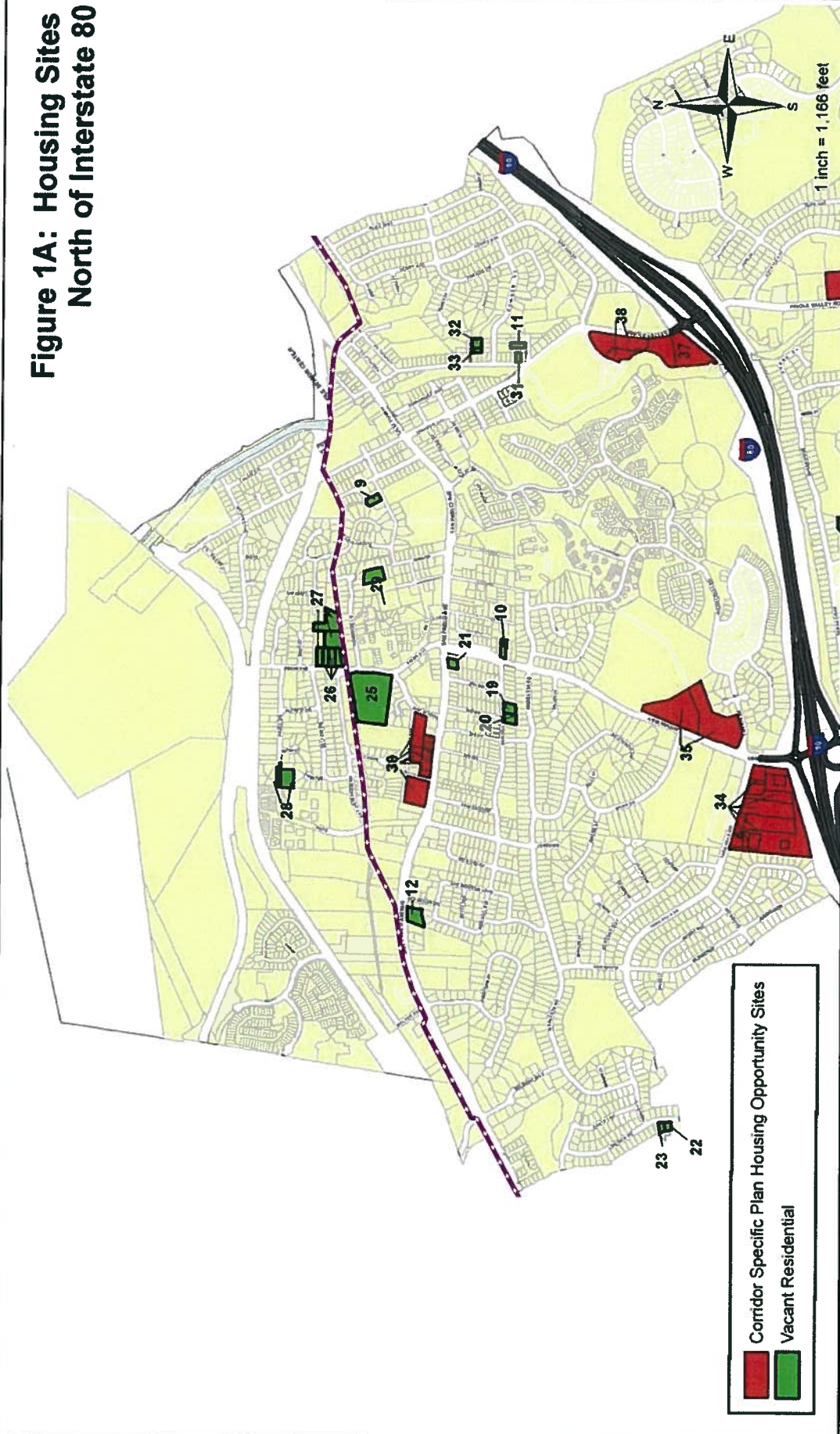
LPH/klg

Enclosure:

Figure 1. Historical Pipeline Right of Way – 2009 Housing Element Update

cc: Mr. Tom Burns – SAIC-Benham
3800 Watt Avenue, Suite 210, Sacramento, California 95821
Mr. Mike Jenkins – SAIC-Benham (letter only)
3800 Watt Avenue, Suite 210, Sacramento, California 95821
Mr. Mohamed Ibrahim – SAIC-Banham
3800 Watt Avenue, Suite 210, Sacramento, California 95821


**Figure 1A: Housing Sites
North of Interstate 80**



Corridor Specific Plan Housing Opportunity Sites

Vacant Residential



HISTORICAL PIPELINE RIGHT OF WAY	
2009 HOUSING ELEMENT UPDATE	
Pinole, California	
DATE: 5/24/2010	ANALYST: HOANGTA
FIGURE: 1	
 The Benham Companies, LLC A Wholly Owned Subsidiary	

--- Historical Old Valley Pipeline (OVP)

Source: City of Pinole Draft Housing Element (April 12, 2010)